



Burwood Council

heritage ▪ progress ▪ pride

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 6 February 2018 commencing at 6.09 pm.

ATTENDANCE

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

Mr T Briscese, Acting General Manager
Mr B Olsen, Acting Director Planning and Environmental Services
Mr B Mortimer, Executive Manager Organisation Development
Mr R Toohey, Acting Manager Building and Development
Mr W Armitage, Chief Finance Officer
Ms D Luo, Manager Strategic Planning
Mr H Gavrilis, Manager Environmental and Health
Ms P Viney, Governance Co-ordinator

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.

MATTER OF URGENCY

(ITEM 9/18) LEAVE OF ABSENCE APPLICATION - CR JOSEPH DEL DUCA

1/18

RESOLVED *(carried unanimously)*

That Council consider this item as a matter of urgency.

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

(ITEM 9/18) LEAVE OF ABSENCE APPLICATION - CR JOSEPH DEL DUCA

File No: 18/4980

Summary

Cr Joseph Del Duca has made application to Council for a Leave of Absence for the 6 February 2018 Council Meeting as he is overseas (London) due to work commitments. The request for the Leave of Absence has been attached for Council's information.

2/18

RESOLVED *(carried unanimously)*

That Council approves the Leave of Absence submitted by Cr Joseph Del Duca.

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

DECLARATIONS OF INTEREST

Councillor John Faker declared a pecuniary interest in (Item 1/18) 44 Badminton Road Croydon - development application BD.2016.091 - demolition of existing structures, subdivision of 1 lot into 2 lots, and construct a part 1 part 2 storey dwelling on each lot as his in-laws have purchased the dwelling next door.

DECLARATIONS OF POLITICAL DONATIONS

There were no declarations of political interests by Councillors.

CONFIRMATION OF MINUTES

3/18 RESOLVED *(carried unanimously)*

That the minutes of the meeting of the Council of Burwood held on Tuesday 12 December 2017, as circulated, be confirmed and signed as a true record of the proceeding of the meeting.

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

ADDRESS BY THE PUBLIC ON AGENDA ITEMS

| Name | Item |
|-------------------------|---|
| Carson and Siobhan Wong | (Item 1/18) 44 Badminton Road Croydon - development application BD.2016.091 - demolition of existing structures, subdivision of 1 lot into 2 lots, and construct a part 1 part 2 storey dwelling on each lot. |
| Mark Layson | (Item 1/18) 44 Badminton Road Croydon - development application BD.2016.091 - demolition of existing structures, subdivision of 1 lot into 2 lots, and construct a part 1 part 2 storey dwelling on each lot. |
| Gerard Turrisi | (Item 1/18) 44 Badminton Road Croydon - development application BD.2016.091 - demolition of existing structures, subdivision of 1 lot into 2 lots, and construct a part 1 part 2 storey dwelling on each lot. |
| Ali Bahamad | (Item 1/18) 44 Badminton Road Croydon - development application BD.2016.091 - demolition of existing structures, subdivision of 1 lot into 2 lots, and construct a part 1 part 2 storey dwelling on each lot. |
| Andre Moussa | (Item 1/18) 44 Badminton Road Croydon - development application BD.2016.091 - demolition of existing structures, subdivision of 1 lot into 2 lots, and construct a part 1 part 2 storey dwelling on each lot. |
| Lynette Gurr | (ITEM 2/18) Public Exhibition of the Planning Proposal to Heritage List Ely House, 122-126 Burwood Road Burwood. |
| Jon Breen | (ITEM 2/18) Public Exhibition of the Planning Proposal to Heritage List Ely House, 122-126 Burwood Road Burwood. |
| Sam Hill | (ITEM 2/18) Public Exhibition of the Planning Proposal to Heritage List Ely House, 122-126 Burwood Road Burwood. |

(ITEM MM1/18) SENIORS FESTIVAL 2018 - FREE ACCESS TO ENFIELD AQUATIC CENTRE FOR BURWOOD SENIORS

File No: 18/2980

Summary

The annual Seniors Festival will be held in Burwood between 4-15 April 2018 with a wide range of activities already planned, including high tea, movie screenings and gentle exercise.

The NSW Seniors Festival is the biggest celebration for seniors in the southern hemisphere, attracting around 500,000 seniors each year.

I have been informed that 2018 marks the 60th year that the NSW Seniors Festival has been celebrated and to mark this special occasion and support our local Seniors, I would like Council to provide any Senior residing in the Burwood Local Government Area free access to the Enfield Aquatic Centre during the Festival.

4/18 RESOLVED *(carried unanimously)*

For the period 4 to 15 April 2018, Council provides free access to the Enfield Aquatic Centre and free entry to any aqua classes running at the Centre for any Senior residing in the Burwood Local Government Area on production of a valid Seniors or Aged Pension card and proof of address.

(ITEM MM2/18) AMENDMENT TO THE NOTIFICATION POLICY FOR DEVELOPMENT APPLICATIONS

File No: 18/3484

Summary

Burwood Development Control Plan Part 7.2, sets out the policy and procedure for the Notification of Development Applications. This policy has been in place for a number of years, has been reviewed on several occasions and is generally found to work effectively. It has come to my attention, however, that where a school is notified of a development proposal the Policy only requires the Department of Education, as the land owner (in the case of public schools) and the occupier of the land to be notified. It is my view that the Policy should also require the school principal to be included in the notification with a separate notification letter in order to provide a more timely awareness of the development proposal to the school management.

5/18 RESOLVED *(carried unanimously)*

Part 7.2 of Burwood Development Control Plan be modified to include a separate notification letter be provided to school principals where a notification of a development proposal is sent to a school.

(ITEM MM3/18) PROVISION OF FREE RESUSCITATION EDUCATION SESSIONS TO SWIMMING POOL OWNERS IN THE LOCAL GOVERNMENT AREA

File No: 18/3485

We all know how important water safety is, and too often we see reports of children who have drowned in their own backyard pools. We also know that some of these tragedies

can be prevented with basic knowledge on what to do in those dramatic situations.

Last year, I asked the General Manager to investigate the provision of free practical Cardiopulmonary Resuscitation (CPR) sessions to residents who own a swimming pool.

I have now been informed that, in partnership with first aid provider St John Ambulance, Council can provide basic CPR training at a relatively small cost of around \$600 per session for up to 20 people, and so I would like to recommend that Council provide two initial sessions in the coming weeks to gauge community interest in such an initiative.

There are over 500 privately-owned swimming pools in the Burwood Local Government Area, and I feel that if these education sessions enable members of the community to save one life or improve the outcomes for one person who has been harmed in a water-related incident, it will have been a worthwhile investment on the part of the Council.

An evaluation can be conducted following the trial to determine whether the desired outcomes have been achieved with a view to providing the sessions on a regular basis if successful.

6/18 RESOLVED *(carried unanimously)*

1. Council runs two Cardiopulmonary Resuscitation sessions at the Enfield Aquatic Centre during February-March 2018 and invites residents of the Burwood LGA who own a swimming pool to attend free-of-charge, with available places to be allocated on a first-to-apply basis.
2. Council conduct an evaluation following the sessions to determine whether additional sessions should be offered in coming years in preparation or during the summer season.

GENERAL BUSINESS

CR JOHN FAKER LEFT THE MEETING AT 6:15 PM

CR LESLEY FURNEAUX-COOK TOOK THE CHAIR AT 6:15 PM

(ITEM 1/18) 44 BADMINTON ROAD CROYDON - DEVELOPMENT APPLICATION BD.2016.091 - DEMOLITION OF EXISTING STRUCTURES, SUBDIVISION OF 1 LOT INTO 2 LOTS, AND CONSTRUCT A PART 1 PART 2 STOREY DWELLING ON EACH LOT

File No: 18/970

Applicant: Design Link Australia
Location: Eastern Side of Badminton Road, Northerly from Arthur Street, Croydon
Zoning: **R2 Low Density Residential Burwood Local Environmental Plan 2012**

Proposal

The applicant seeks approval to demolish the single level dwelling, subdivide the subject property by creating two allotments and construct a two storey dwelling on each allotment.

The proposal has had several revisions due to planning and heritage issues; however,

there remain significant planning concerns with respect to the relevant planning controls, which are further discussed within the report.

The current proposal provides:

1. Demolish the existing dwelling
2. Subdivide existing allotment to create Lot 1 and Lot 2
3. Construct a part one and part two storey dwelling on each allotment

7/18 RESOLVED

1. That the Development Application BD.2016.091 at No. 44 Badminton Road, Croydon proposing the demolition of the single level dwelling, subdivide the subject property creating two allotments, and construct a two-storey dwelling on each allotment be approved pursuant to Section 80 (3) of the *Environmental Planning & Assessment Act 1979* as a “deferred commencement” consent with the following precondition:

- a. The establishment of a drainage easement from No. 44 Badminton Road, Croydon across Nos. 46 and 48 Badminton Road, Croydon to connect to Council’s stormwater drainage line to enable the proper and orderly discharge of stormwater from the subject site to Council’s drainage system.

Upon proof of the registration of the drainage easement with the Land & Property Information Service being submitted to Council, Council will issue a letter of notice of compliance with the pre-condition and subsequently issue Development Consent 91/2016 (with conditions) that is operable and commences from the date of issue of the consent.

2. The determination is made for the following reasons:
 - a. It will actually improve the streetscape
 - b. The design is of good standards
 - c. The issue with “lot width non-compliance” is minimal and variation is justified
 - d. The single storey element of the design fronting the street complements the exiting character of Badminton Road, Croydon
 - e. The current home is out of keeping with the conservation zone
3. That the following conditions be imposed upon the full development consent to be issued after satisfying the deferred commencement pre-condition:
 - a. The side boundaries setback to the first floor to be at least 1.5 meters
 - b. The southern wall of the upper level, adjoin No. 46 Badminton Road, Croydon to be no longer than 10 metres as per Council’s DCP Part 4.5, Dwelling Houses, Attached Dwellings, Semi Detached Dwellings & ancillary Structures
 - c. The alfresco area is reduced to ensure that the Built Area does not exceed 67% as per Council’s DCP

(Moved Councillor Heather Crichton/Seconded Councillor George Mannah)

Councillors Heather Crichton 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 Mannah | Councillor Furneaux-Cook |
| Councillor Dixit | |
| Councillor Crichton | |
| Councillor Chan | |
| Total (4) | Total (1) |

CR LESLEY FURNEAUX-COOK LEFT THE CHAIR AT 6:15 PM

CR JOHN FAKER RETURNED TO THE MEETING AT 7:06 PM

(ITEM 2/18) PUBLIC EXHIBITION OF THE PLANNING PROPOSAL TO HERITAGE LIST ELY HOUSE, 122-126 BURWOOD ROAD BURWOOD

File No: 17/59198

Summary

A Planning Proposal (PP) has been prepared to list the properties known as Ely House at 122-126 Burwood Road Burwood, as a local heritage item. The PP was placed on public exhibition for a period of 14 days in accordance with the Department of Planning and Environment's (DP&E) Gateway Determination. Two submissions were received in respect to the PP.

8/18 MOTION WAS LOST

1. That Council note the findings of the review of submissions from the public exhibition of the Planning Proposal.
2. That Council use its authorisation to exercise delegation in the making of the BLEP to give effect to the Planning Proposal and progress the BLEP to notification.
3. That the property owners be advised of Council's resolution.

(Moved Deputy Mayor Lesley Furneaux-Cook/Seconded Councillor Raj Dixit)

Councillors Deputy Mayor Lesley Furneaux-Cook and Councillor 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 Dixit | Councillor Faker |
| Councillor Crichton | Councillor Faker (casting vote) |
| Councillor Furneaux-Cook | Councillor Mannah |
| | Councillor Chan |
| Total (3) | Total (4) |

THE MAYOR USED HIS CASTING VOTE AND THE MOTION WAS LOST.

(ITEM 2/18) PUBLIC EXHIBITION OF THE PLANNING PROPOSAL TO HERITAGE LIST ELY HOUSE, 122-126 BURWOOD ROAD BURWOOD

File No: 17/59198

Summary

A Planning Proposal (PP) has been prepared to list the properties known as Ely House

at 122-126 Burwood Road Burwood, as a local heritage item. The PP was placed on public exhibition for a period of 14 days in accordance with the Department of Planning and Environment's (DP&E) Gateway Determination. Two submissions were received in respect to the PP.

9/18 RESOLVED

That the matter be deferred for a site inspection and Council's determination .

(Moved Councillor Heather Crichton/Seconded Councillor Ernest Chan)

Councillors Heather Crichton and Ernest Chan called for a **DIVISION**.

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

| FOR | AGAINST |
|--------------------------|-------------------|
| Councillor Dixit | Councillor Faker |
| Councillor Crichton | Councillor Mannah |
| Councillor Chan | |
| Councillor Furneaux-Cook | |
| Total (4) | Total (2) |

(ITEM 3/18) MULTICULTURAL ADVISORY COMMITTEE RECOMMENDED NOMINATIONS

File No: 18/1308

Summary

This report recommends the appointment of four residents to the newly formed Multicultural Advisory Committee.

In accordance with its Terms of Reference, the Multicultural Advisory Committee (MAC) includes four local representatives from a culturally and linguistically diverse background (CALD) who are willing and able to advise Council on matters relating to multicultural communities in Burwood.

10/18 RESOLVED *(carried unanimously)*

1. That Council endorse the appointment of Sun Yoon, Bo (Bob) Dong, Yinxia (Robyn) Hu and Pascale Esber to the Multicultural Advisory Committee for a period of two years from the date of the Council Meeting.
2. That Council continue to seek suitable appointees to fill the alternative member roles and a further supplementary report be presented to Council if and when additional alternative members are selected.

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

(ITEM 4/18) PRIMARY DISCLOSURE OF INTEREST RETURNS - COUNCILLORS POST THE LOCAL GOVERNMENT ELECTIONS 2017

File No: 17/59204

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 the first meeting held after the last day of the period for lodgement.

11/18 RESOLVED *(carried unanimously)*

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

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

(ITEM 5/18) REVIEW OF THE GENERAL MANAGER'S DELEGATIONS WITHIN 12 MONTHS AFTER THE ORDINARY ELECTION - S.380 OF THE LOCAL GOVERNMENT ACT 1993 AND THE INCLUSION OF DEVELOPMENT APPLICATION PROCESS WITH THE INTRODUCTION OF THE INDEPENDENT HEARING AND ASSESSMENT PANEL

File No: 17/63146

Summary

To seek Council's review and approval of the General Manager's Delegations following the Ordinary Council Election in 2017 as required by Section 380 of the *Local Government Act 1993* and the inclusion of the Development Application process with the introduction of the Independent Hearing and Assessment Panel (IHAP).

12/18 RESOLVED *(carried unanimously)*

That Council endorses the General Manager's Delegations by Exception in accordance with Section 380 of the *Local Government Act 1993* and the *Environmental Planning and Assessment Act 1979*.

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

(ITEM 6/18) INVESTMENT REPORT AS AT 30 NOVEMBER 2017

File No: 17/59212

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*.

13/18 RESOLVED *(carried unanimously)*

1. That the Investment Report for 30 November 2017 be received and endorsed.
2. That the Certificate of the Responsible Accounting Officer be received and noted.

(Moved Councillor George Mannah/Seconded Councillor Heather Crichton)

(ITEM 7/18) INVESTMENT REPORT AS AT 31 DECEMBER 2017

File No: 18/293

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*.

14/18 RESOLVED *(carried unanimously)*

1. That the investment report for 31 December 2017 be received and endorsed.
2. That the Certificate of the Responsible Accounting Officer be received and noted.

(Moved Councillor George Mannah/Seconded Councillor Ernest Chan)

INFORMATION ITEMS**(ITEM IN1/18) ENVIRONMENTAL MANAGEMENT PLAN - ANNUAL PROGRESS REPORT FOR 2017**

File No: 17/53796

Summary

This report provides an update on the actions undertaken in relation to Council's Sustainability and Environmental Action Plans for the 2017 Calendar Year.

Background

Council's Delivery Program 2014-2017 (Strategic Goal 3.6.4) requires that an Annual Report be submitted to Council summarising the actions for the various sustainability and environmental initiatives.

Council has numerous plans that are focussed on environmental sustainability which include measures to promote and contribute to responsible decision making in order to lessen our impact on the local environment.

The Plans that Council has implemented include:

- Green Action Plan
- Waste Less Recycle More Program Action Plan (formerly the Waste and Sustainability Improvement Payment Program Action Plan)
- Water Savings Action Plan
- Cities for Climate Protection Program – Local Action Plan
- Strategic Waste Action Plan
- Litter and Illegal Dumping Action Plan

The actions undertaken and achieved for the nominated plans during 2017 are listed in the attached document.

No Decision – Information Item Only

(ITEM IN2/18) NSW FOOD AUTHORITY - RENEWAL OF FOOD REGULATION PARTNERSHIP ARRANGEMENT

File No: 17/62943

Summary

The NSW Food Authority has advised Council that our current appointment as an enforcement agency will cease on 30 June 2018 and that a new instrument of appointment has been issued to Council to take effect from 1 July 2018.

The original Partnership Agreement commenced on 1 July 2007. Council has been appointed as a Category B Council which allows Council to undertake the following roles:

- Food premises approvals
- Emergency response
- Urgent food recalls
- Premises inspections
- Investigating complaints and
- Enforcement action including the service of notices, issuing penalty notices, closure of premises and taking court action

The Food Authority will continue to support and assist Council through training, technical advice, and provision of resources including fact sheets in a range of languages.

There have been some notable improvements in Food Regulation since the commencement of the partnership. It is now a requirement for food premises to have an accredited Food Safety Supervisor registered for the premises and the Scores on Doors Program provides for a star rating for each premises based on the Council inspection results.

The name and shame list continues to operate with any notable breaches or infringements being made public through the NSW Food Authority website.

Burwood Council has also moved to an electronic reporting system using iPads while undertaking inspections. This practice has resulted in improved consistency in carrying out inspections.

The Burwood Local Government Area has seen a proliferation of food premises in recent years and the trend is likely to continue for some time to come.

Council's Environmental Health Officers continue to undertake an annual food premises inspection program among other duties and, as part of the Partnership Agreement, Council is required to submit an annual Food Activity Report to the NSW Food Authority.

No Decision – Information Item Only**(ITEM IN3/18) SAFE & CLEAN TEAM - QUARTERLY PERFORMANCE REPORT**

File No: 18/1159

Summary

This report provides performance information on the Safe & Clean Team for the second quarter of the 2017/18 period. This is the first period for the new service provider Quest Effect Pty Ltd acting as the Safe & Clean Team.

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 including Burwood Road, Liverpool Road, The Boulevard, The Strand and Georges River Road as defined in the contract. 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 crime activity to Police and all local laws breaches to Council. The Safe & Clean Team provides a physical customer service presence for Council along the main business streets. Below is a summary of their performance for the period:

| Activity | October 2017 | November 2017 | December 2017 | Total |
|--|-------------------------------|-------------------------------|-------------------------------|------------------------|
| Rubbish removed from roadway | 1748 litres 15 (120L bins) | 1819 litres 15 (120L bins) | 1720 litres 14 (120L bins) | 5287 44 (120L bins) |
| Shopping trolleys reported and removed from main streets | 189 | 220 | 253 | 662 |
| Advertising posters removed | 40 | 25 | 40 | 105 |
| Report Graffiti on Council Property | 0 | 5 | 4 | 9 |
| Report crime | 0 | 0 | 0 | 0 |
| Small spill clean ups | 3 | 0 | 5 | 8 |
| Distribute information leaflets | 0 | 0 | 0 | 0 |
| Report Road obstructions | 0 | 3 | 5 | 8 |
| Report maintenance issues | 1 | 1 | 1 | 3 |

Note: The shopping trolleys left abandoned on the streets were reported to the relevant service providers and removed on a daily basis. During the period, shopping trolleys not removed were processed (79 trolleys), impounded (21 trolleys) and fines (21 infringement notices) were issued to the shopping trolley owner. This process has seen the shopping trolley owners improve on their trolley collection.

The advertising posters were mainly small handwritten signs placed on poles which were physically removed by the Team.

Rubbish removed from the roadway highlights that Burwood Road has the highest amount of light litter rubbish dumped on the street and this could be explained by the high volume of pedestrian traffic.

Overall the presence of the Safe & Clean Team has made a huge impact towards beautification of the main streets and the safety of the local community.

No Decision – Information Item Only

(ITEM IN4/18) MAYORAL DISCRETIONARY GRANTS - SMALL DONATIONS MADE FOR THE PERIOD ENDING 31 DECEMBER 2017

File No: 17/62626

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 December quarter ending 2017.

No Decision – Information Item Only**(ITEM IN5/18) POWER OF ATTORNEY FOR THE GENERAL MANAGER - SEPTEMBER TO NOVEMBER 2017**

File No: 17/60128

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 the following documents were signed under power of attorney between 28 September 2017 and 29 November 2017:

1. Burwood Park Tennis Courts, proposed Lease & Management for a five year term, with two five year options, between Neil Alexander Armstrong (ABN 90 792 084 644), Trading As Innerwest Tennis and Burwood Park (P500132) Reserve Trust on 28 September 2017. Presented to Council on 25 July 2017, Item 55/17.
2. Burwood Park Tennis Courts, Lease & Management for a five year term, with two five year options, between Neil Alexander Armstrong (ABN 90 792 084 644), Trading as Innerwest Tennis and Burwood Park (P500132) Reserve Trust on 9 November 2017. Presented to Council on 25 July 2017, Item 55/17.
3. Voluntary Planning Agreement (VPA) in Lieu of Parking for 1 Lyons Street Strathfield between Prospect Road Pty Limited (ACN 604 768 210) and Burwood Council (ABN 84 362 114 428) on 29 November 2017. Presented to Council on 24 October 2017, Item No 65/17.
4. Voluntary Planning Agreement (VPA) in Lieu of Parking for 6 Railway Parade Burwood between Burwood Holdings Pty Limited (ACN 600 045 716) and Burwood Council (ABN 84 362 114 428) on 29 November 2017. Presented to Council on 24 October 2017, Item No 64/17.

The Power of Attorney for Michael McMahon, previous General Manager, has been revoked and the current Acting General Manager, Bruce Macdonnell has been granted the Power of Attorney.

No Decision – Information Item Only

(ITEM IN6/18) REPORTS APPROVED UNDER DELEGATED AUTHORITY - DURING THE 2017-2018 RECESS PERIOD

File No: 17/54100

Summary

Council, at its meeting of 12 December 2016, granted delegated authority to the Mayor and General Manager and in the absence of the Mayor or General Manager to the Deputy Mayor to deal with matters during the Council recess period as follows:

1. *That for the period from 13 December 2017 until the first Council Meeting of 2018 (i.e. 6 February 2018) Council delegates the following to both the Mayor and the General Manager:*
 - *A petition with eight or more signatures from separate households within the notification area have been received and the application has not been refused.*
 - *Where eight or more valid planning objections to the development application have been received from separate households within the notification area and the application has not been refused.*
 - *Development where there is major variation (more than a 10%) from Council's Development Standards under Clause 4.6 of BLEP 2012.*
 - *Any matter subject to appeal where the matter has gone to a hearing or Section 34A Conference.*
 - *Applications having a major environmental impact on the locality and which involve land owned by Council.*
 - *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 2018.*

Decisions Made During the Recess Period

No determinations were made.

No Decision – Information Item Only

(ITEM IN7/18) ANSWERS TO QUESTIONS WITHOUT NOTICE - COUNCIL MEETING OF 28 NOVEMBER 2017

File No: 17/58835

Summary

At the Council Meeting of 28 November 2017 the following Questions without Notice (QWN) were submitted by Councillors. Council Officers responded to the QWN and Councillors were notified on 7 December 2017 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 28 NOVEMBER 2017 | |
|---|--|
| Question | Response |
| <p><u>Cr Furneaux-Cook</u></p> <p>Question 1</p> <p>As part of the comprehensive heritage review, while 4 Burleigh Street, the former home of Malcom, George, Angus Young of the Easy Beats/ACDC) was not given heritage status, Council endorsed an investigation of a plaque recognising their home, where is this up to?</p> | <p><u>Manager Strategic Planning</u></p> <p>An independent consultant was engaged to prepare reports on several properties as part of the comprehensive heritage review and the consultant suggested that Council could investigate a commemorative plaque for 4 Burleigh Street, rather than listing the property as a heritage item. However, Council resolved at the 22 March 2016 Council meeting not to proceed and therefore such a plaque has not been investigated.</p> <p>It may assist the Councillor to know that, unlike Britain with its 'blue plaques' scheme that commemorates homes associated with authors, poets and cultural icons who have been deceased for at least 20 years, Australia has no such scheme. There is also a case for any such scheme to be administered by either the Royal Australian Historical Society or The National Trust of Australia, rather than by local councils.</p> <p>In November 2015, the Royal Australian Historical Society's (the Society) General Manager, Ms Suzanne Holohan, stated in an interview with The Daily Telegraph that a new scheme for Sydney could be modelled on Britain's blue plaques, however, it is not apparent whether this matter was taken up by the Society.</p> <p>The National Trust of Australia (the Trust) is the body that identifies and administers government owned properties associated</p> |

| | |
|---|---|
| | <p>with authors, poets and cultural icons, which are often converted into museums.</p> <p>On this basis it would seem that the most appropriate bodies to bring about a blue plaque scheme in Australia would be either the Society or the Trust.</p> |
| <p><u>Cr Furneaux-Cook</u></p> <p>Question 2</p> <p>Regarding the TV on Burwood Road at the Railway Square, who decides what stations are played, as old material is played and do we have a play channel selected?</p> | <p><u>Media and Communications Officer</u></p> <p>The Railway Square TV is programmed to broadcast ABC News 24. However, on occasion the signal of the ABC News 24 station is weak, and the screen system can lose transmission and revert to Channel 1 by default. This then requires the station to be reprogrammed.</p> <p>Council will investigate ways to improve signal strength to ensure that the transmission is not as adversely affected.</p> |

No Decision – Information Item Only

(ITEM IN8/18) ANSWERS TO QUESTIONS WITHOUT NOTICE - COUNCIL MEETING OF 12 DECEMBER 2017

File No: 17/62747

Summary

At the Council Meeting of 12 December 2017 the following Questions without Notice (QWN) were submitted by Councillors. Council Officers responded to the QWN and Councillors were notified on 21 December 2017 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 12 DECEMBER 2017 | |
|---|--|
| Question | Response |
| <p><u>Cr Furneaux-Cook</u></p> <p>Question 1:</p> <p>What consultation took place with Burwood Council on the new timetable with State Rail/Sydney Trains? I have had many complaints that trains are not stopping at Burwood Station. A trip into Town</p> | <p><u>Manager Traffic and Transport</u></p> <p>Transport for NSW undertook public notification from October 2017 in relation to the timetable changes which took effect in November 2017, however, no direct consultation was made with Council.</p> <p>Council has received a small number of concerns relating to the changes which have been forwarded on to the Shadow Minister for Transport and Member for Strathfield.</p> |

| Hall has doubled in travel time and there is also reduce services to Parramatta. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|----------|--------------------|---|---|---|--|---|---|---|--|---|--|---|---|---|--|---|--|---|--|----|--|----|--|----|---|----|--|----|--|----|-----------------------------|----|--|----|---------------------------------|----|---|
| <p><u>Cr Furneaux-Cook</u></p> <p>Question 2</p> <p>Has the federal grant given to Burwood Soccer Club been tagged to be used exclusively by the Club to refurbish the amenities block at Blair Park?</p> | <p><u>Acting Director Engineering & Operational Services</u></p> <p>Burwood Council is the Contractual Custodian of the Grant for the \$1.3 million amount from the Department of Infrastructure and Regional Development and is responsible for the delivery of all the approved upgrades as listed as part of the grant application. These upgrades are for the benefit of the Burwood Community as well as the Burwood FC, hence why upgrades include the whole of Blair Park not just the soccer field area.</p> <p>In general terms the cost breakdown for the 18 listed embellishment Items have resulted in approx. \$900,000 for direct and indirect soccer related projects including the refurbishment and extensions to new Amenities Building and approx. \$400,000 for general improvements to the Blair Park.</p> <p>Council is now responsible to deliver and to report back to the Department on the three milestones set by them i.e. these mile stones on 28 Feb 2018, 30 September 2018 and 31 December 2018.</p> <p>The approved embellishment items are listed below:</p> <table border="1" data-bbox="678 1211 1394 1771"> <thead> <tr> <th>Item No.</th><th>Embellishment Item</th></tr> </thead> <tbody> <tr><td>1</td><td>Repair and upgrade old workers shed to include storage area</td></tr> <tr><td>2</td><td>Upgrade existing amenities block and canteen</td></tr> <tr><td>3</td><td>Total upgrade of sports field flood lighting (design required for new poles, wiring and LED luminaries)</td></tr> <tr><td>4</td><td>Supply and install stage 2 north side perimeter fencing extension to end of playing field on Blair Ave</td></tr> <tr><td>5</td><td>Supply and install a new 5m high black chain wire fence @ \$250 /m to western end on BGHS boundary</td></tr> <tr><td>6</td><td>Remove old fence, concrete swale, low rock wall and regrade earthworks between areas. Supply and install a new 5m high black chain wire fence in the centre of the park between areas</td></tr> <tr><td>7</td><td>Supply and install picnic settings x 2 with twin electric BBQ (east end)</td></tr> <tr><td>8</td><td>Supply and install new park provisions general warning signage x 8</td></tr> <tr><td>9</td><td>Supply and Install new park name signage x 4</td></tr> <tr><td>10</td><td>Upgrade all equal access requirements for parks assets and amenity</td></tr> <tr><td>11</td><td>Supply and install new turf for the entire playing field @14.00 x 10,000 sqm</td></tr> <tr><td>12</td><td>Supply and Install new seating x 10 @ \$2500 each installed</td></tr> <tr><td>13</td><td>Replace old bins with 10 new Stainless Steel @ \$2000 each installed</td></tr> <tr><td>14</td><td>Install additional dog litter bins x 2</td></tr> <tr><td>15</td><td>Replace existing goal posts</td></tr> <tr><td>16</td><td>Regrade Bocce Court southern end and relay stone wall southern end</td></tr> <tr><td>17</td><td>Replace 2 old existing bubblers</td></tr> <tr><td>18</td><td>Replace existing play equipment and soft fall</td></tr> </tbody> </table> | Item No. | Embellishment Item | 1 | Repair and upgrade old workers shed to include storage area | 2 | Upgrade existing amenities block and canteen | 3 | Total upgrade of sports field flood lighting (design required for new poles, wiring and LED luminaries) | 4 | Supply and install stage 2 north side perimeter fencing extension to end of playing field on Blair Ave | 5 | Supply and install a new 5m high black chain wire fence @ \$250 /m to western end on BGHS boundary | 6 | Remove old fence, concrete swale, low rock wall and regrade earthworks between areas. Supply and install a new 5m high black chain wire fence in the centre of the park between areas | 7 | Supply and install picnic settings x 2 with twin electric BBQ (east end) | 8 | Supply and install new park provisions general warning signage x 8 | 9 | Supply and Install new park name signage x 4 | 10 | Upgrade all equal access requirements for parks assets and amenity | 11 | Supply and install new turf for the entire playing field @14.00 x 10,000 sqm | 12 | Supply and Install new seating x 10 @ \$2500 each installed | 13 | Replace old bins with 10 new Stainless Steel @ \$2000 each installed | 14 | Install additional dog litter bins x 2 | 15 | Replace existing goal posts | 16 | Regrade Bocce Court southern end and relay stone wall southern end | 17 | Replace 2 old existing bubblers | 18 | Replace existing play equipment and soft fall |
| Item No. | Embellishment Item | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1 | Repair and upgrade old workers shed to include storage area | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2 | Upgrade existing amenities block and canteen | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 3 | Total upgrade of sports field flood lighting (design required for new poles, wiring and LED luminaries) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 4 | Supply and install stage 2 north side perimeter fencing extension to end of playing field on Blair Ave | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 5 | Supply and install a new 5m high black chain wire fence @ \$250 /m to western end on BGHS boundary | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 6 | Remove old fence, concrete swale, low rock wall and regrade earthworks between areas. Supply and install a new 5m high black chain wire fence in the centre of the park between areas | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 7 | Supply and install picnic settings x 2 with twin electric BBQ (east end) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 8 | Supply and install new park provisions general warning signage x 8 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 9 | Supply and Install new park name signage x 4 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 10 | Upgrade all equal access requirements for parks assets and amenity | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 11 | Supply and install new turf for the entire playing field @14.00 x 10,000 sqm | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 12 | Supply and Install new seating x 10 @ \$2500 each installed | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 13 | Replace old bins with 10 new Stainless Steel @ \$2000 each installed | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 14 | Install additional dog litter bins x 2 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 15 | Replace existing goal posts | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 16 | Regrade Bocce Court southern end and relay stone wall southern end | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 17 | Replace 2 old existing bubblers | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 18 | Replace existing play equipment and soft fall | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p><u>Cr Furneaux-Cook</u></p> <p>Question 3:</p> <p>With regard to the SRV</p> | <p><u>Media Officer</u></p> <p>Council engaged an independent research firm, <i>Micromex Research</i>, to undertake a community wide phone survey.</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

| | |
|---|---|
| <p>and the Community Plan consultation, how do we contact residents who do not have landlines (40% no longer have landlines)?</p> | <p>As part of this process, the firm undertook 'number harvesting' at various locations across the Burwood LGA including outside Burwood Train Station, Westfield, Plaza and Croydon Train Station between Saturday, 26 November and Tuesday, 30 November.</p> <p>The purpose of 'number harvesting' was to recruit participants to undertake the survey.</p> <p>During this process, the firm obtained 166 mobile phone numbers which resulted in 75 phone surveys being undertaken by mobile phone.</p> |
| <p><u>George Mannah</u></p> <p>Question 1:</p> <p>Can Council give a full description of how our Council after hours call centre works?</p> | <p><u>Manager Customer Service and Records</u></p> <p>The main Council number is transferred to the after-hours (AH) service outside of business hours including weekends and public holidays. Council provides detailed information to the AH service to assist with customer enquiries. The information is classified into individual categories and listed as urgent or non-urgent.</p> <p>All calls are logged with the time of call, customer name, nature of issue/request and contact number.</p> <p>Non Urgent - Information is provided to the customer and an email sent to Council to action the next business day.</p> <p>Urgent – Urgent requests are split into two action areas either Rangers or Depot staff.</p> <p>The AH service contact the appropriate On Call Officer and provide details. The On Call Officer contacts the customer to provide an update and action taken.</p> <p>If the Call Out Officer is uncontactable, the AH service escalates the issue to a Manager for action.</p> |

No Decision – Information Item Only

(ITEM IN9/18) PETITIONS

File No: 17/58866

Summary

Petitions received are reported to Council on a monthly basis. Council has received seven petitions 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 |
|------------------|--|---|-----------------------------------|--------------------------------------|
| 30 October 2017 | BD.2017.124 - 68-72 Railway Parade and 2-2A and 4-10 Oxford Street Burwood - Submission of Objection | 381 | 94 | Land, Infrastructure and Environment |
| 31 October 2017 | Noise and Smoke Pollution from Stacks Petition - Level 2 27-31 Belmore Street Burwood | 10 | | Land, Infrastructure and Environment |
| 8 November 2017 | BD.2017.128 - 5 Oxford Street Burwood - Submission Objection | 39 | | Land, Infrastructure and Environment |
| 9 November 2017 | BD.2017.128 - 5 Oxford Street Burwood - Submission Objection | 11 | 1 | Land, Infrastructure and Environment |
| 15 November 2017 | Noise Pollution - Ventilation System - 43 Burwood Road Burwood | 28 | | Land, Infrastructure and Environment |
| 21 November 2017 | BD.2017.137 - 72 Coronation Parade Enfield - Submission Objection | 9 | | Land, Infrastructure and Environment |
| 29 November 2017 | Request for Pedestrian Crossing on intersection of Coronation Parade and King Street Enfield | 28 | 9 | 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

CONFIDENTIAL ITEMS - CLOSED SESSION

15/18 RESOLVED *(carried unanimously)*

That the meeting move into closed session in order to consider items (ITEM 8/18) Appointment of Independent Hearing and Assessment Panel (IHAP) including the Community Representatives.

That above item be considered in Closed Session to the exclusion of the press and

public in accordance with Section 10A(2) (a) of the Local Government Act 1993, as the matter involves personnel matters concerning particular individuals.

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

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 8:59 PM THE PUBLIC AND PRESS EXCLUDED FROM THE MEETING.

(ITEM 8/18) APPOINTMENT OF INDEPENDENT HEARING AND ASSESSMENT PANEL (IHAP) INCLUDING THE COMMUNITY REPRESENTATIVES

File No: 17/62608

Summary

Council is required to have an IHAP in place prior to 1 March 2018. This report is submitted to advise Council of the Panel Members selected and to request its endorsement of the Panel Membership.

16/18 RESOLVED *(carried unanimously)*

That Council endorses the appointment of the following members of the Independent Hearing and Assessment Panel:

| Name | Membership |
|----------------------|-------------------------|
| Dr Deborah Dearing | Chair |
| Mr Graham Brown | Alternate Chair |
| Ms Penny Holloway | Alternate Chair |
| Mr Trevor Bly | Expert Member One |
| Ms Marjorie Ferguson | Expert Member Two |
| Mr Wayne Carter | Alternate Expert Member |
| Mr Lindsay Fletcher | Alternate Expert Member |
| Ms Juliet Grant | Alternate Expert Member |
| Mr Milan Marecic | Alternate Expert Member |
| Mr Philip Sarin | Alternate Expert Member |
| Ms Julie Walsh | Alternate Expert Member |
| Ms Cathryn Callaghan | Community Member |
| Ms Chery Kemp | Community Member |
| Mr Jon Breen | Community Member |
| Mr Brian Kirk | Community Member |

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

THE MEETING RESUMED IN OPEN SESSION AT 8.11 PM

QUESTIONS WITHOUT NOTICE

The following Questions Without Notice were submitted at the Meeting:

Cr John Faker**Question: 1**

How does Council determine the roster for Law Enforcement Officers?

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

Can Council confirm that no BBQs will be installed in Blair Park? If so can the electrical conduit be removed. If Council is to proceed will Council consult with local residents?

Question: 2

Can Council confirm the closing hours for the karaoke bar at 195a Burwood Road, Burwood? What noise mitigation is in place, especially for the outside area? How has Council responded to complaints from residents in Woodside Avenue, Burwood?

Question: 3

Under the new EP&A Act, what is the benchmark for Council to seek – “Council only Certification” (instead of private certifiers) to apply? This is to stop poor outcomes for residents of new developments to have compliant buildings.

This concluded the business of the meeting and Council rose at 8.20 pm.

Confirmed this 27 March 2018

MAYOR