



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, 22 May 2018 commencing at 6.15 pm.

ATTENDANCE

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

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

OPENING OF MEETING BY THE MAYOR

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

CONFIRMATION OF MINUTES

38/18 RESOLVED (*carried unanimously*)

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

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

OPEN FORUM

Name	Item
Joy Quinones	Voluntary Planning Agreement Old Burwood Police Station – 24 Burleigh Street Burwood

APOLOGIES

That there were no apologies.

DECLARATIONS OF INTEREST

Councillor Ernest Chan declared a pecuniary interest in (ITEM 37/18) Planning Proposal - 28-34 Victoria Street and 23-27 George Street Burwood as he owns a property at 35 George Street, Burwood.

Councillor John Faker declared a pecuniary interest in (ITEM 37/18) Planning Proposal - 28-34 Victoria Street and 23-27 George Street Burwood as a relative of his father owns a property behind the subject site in Victoria Street, Burwood.

DECLARATIONS OF POLITICAL DONATIONS

There were no declarations of political interests by Councillors.

ADDRESS BY THE PUBLIC ON AGENDA ITEMS

Name	Item
Kristy Hodgkinson Hampton Properties Suite 404, 203-233 New South Head Road Edgecliff	Item 38/18 - Planning Proposal - 121-133 Burwood Road and 38-40 Railway Parade Burwood
Juliet Grant City Plan Strategy & Development L6, 120 Sussex St Sydney	(ITEM 37/18) Planning Proposal - 28-34 Victoria Street and 23-27 George Street Burwood
Michele McSharry Architectus Level 18 MLC Centre 19 Martin Place Sydney	(ITEM 37/18) Planning Proposal - 28-34 Victoria Street and 23-27 George Street Burwood
Glen Varley Road Delay Solutions 2/12 Flitton Valley Close Frenchs Forest	(ITEM 37/18) Planning Proposal - 28-34 Victoria Street and 23-27 George Street Burwood
Pierre Sleiman VSD Investments Shop 1/36 Victoria Street Burwood	(ITEM 37/18) Planning Proposal - 28-34 Victoria Street and 23-27 George Street Burwood
Cecily Gray	(ITEM 39/18) Public Exhibition - Planning Proposal to Heritage List Ely House - 122-126 Burwood Road Burwood
Jon Breen	(ITEM 39/18) Public Exhibition - Planning Proposal to Heritage List Ely House - 122-126 Burwood Road Burwood
Sam Hill	(ITEM 39/18) Public Exhibition - Planning Proposal to Heritage List Ely House - 122-126 Burwood Road Burwood

(ITEM MM11/18) BIAGGIO SIGNORELLI ASBESTOS FOUNDATION - 10TH ANNIVERSARY AUTUMN GALA DINNER - WEDNESDAY 30 MAY 2018

File No: 18/18803

Summary

Council has received an invitation from the Biaggio Signorelli Asbestos Foundation to attend a fundraising event celebrating the 10th anniversary of the foundation, to be held on on Wednesday 30 May 2018 at Doltone House, Australian Technology Park, Central

Avenue, Eveleigh.

The Biaggio Signorelli Asbestos Foundation was established after the Founder of Doltone House Group, Mr Biaggio Signorelli, passed away from Mesothelioma (Asbestos Cancer), on 30 May 2008. This year marks the tenth anniversary of his passing.

The Foundation has raised funds with the support of the Federal Government, State Government and local councils, community associations, corporate businesses and the general public.

Key achievements of the Foundation are, but are not limited to:

- Funding two fellowships of Dr Anthony Linton and Dr Casey Wright at the Asbestos Disease Research Institute located at Concord Hospital.
- Funding of fellowship Dr Tristan Yan as the Biaggio Signorelli Director of Thoracic Oncology at the Baird Institute located at the Royal Prince Alfred Hospital.
- Funding the National Guidelines for Diagnosis and Treatment of Mesothelioma.

The Foundation's fundraising goal for this year's Gala dinner is \$1 million. It is their intention to use the majority of these funds to develop a new grant scheme for NSW Local Government.

As a result of this fund raising, the Foundation would also like to fully fund an asbestos awareness and exposure campaign in the Burwood Local Government Area. The intention is to work alongside Burwood Council to develop a new asbestos awareness campaign and/or safety initiative that would benefit our residents, local businesses and ratepayers.

I would like to recommend that the Council purchase a table of ten seats for the event, for \$3,500.

39/18 RESOLVED (*carried unanimously*)

1. Council agree to purchase a table of ten seats for \$3,500 ("Group Booking") at the Biaggio Signorelli Asbestos Foundation 10th Anniversary Autumn Gala Dinner to be held on 30 May 2018 at Doltone House, Australian Technology Park, Central Avenue, Eveleigh.
2. The purchase of the table will be funded from the Mayor's donations budget.
3. Councillors wishing to attend advise the General Manager or the Mayor by 24 May 2018.

(ITEM MM12/18) SYDNEY REGIONAL ORGANISATION OF COUNCILS (SSROC) - INCORPORATION AND COUNCIL OF MAYORS

File No: 18/19215

Summary

The Southern Sydney Regional Organisation of Councils (SSROC) is an association of nine member councils located south of Sydney Harbour and covering a third of Sydney's population, 1.7 million people. The Organisation is intended as a forum for the exchange of ideas between member councils, as well as a platform for undertaking regional projects and joint procurement. On 24 October 2017 Council resolved to continue its

membership to SSROC for 2017-2018.

From a legal point of view, SSROC has operated since 1986 as an Incorporated Association. Due to SSROC's awarding of grant funding and the increasing revenue through its procurement operations, the ROC has reached a revenue limit, and this means it cannot continue to operate as an association in accordance with the *Associations Incorporation Regulation* and a requirement by NSW Fair Trading.

SSROC has sought independent advice and is proposing to change its corporate structure to a corporation limited by guarantee. These changes will benefit SSROC in the areas of the provision of governance, increased Mayoral engagement across all member councils and more formal mechanisms for the management of relevant senior officials.

As part of this process, it is recommended that the SSROC structure converts into a Council of Mayors. The Council of Mayors is intended to establish a powerful strategic voice for southern Sydney whereby it would have sufficient influence to merit regular meetings with the Premier to address key objectives of the metropolitan plan, regional issues and policy development. The objective of the Council of Mayors would be consistent with those of the current SSROC and therefore, it does not require a change of its Constitution.


As the President of SSROC I have advised member councils of the steps required for SSROC to continue operating, that no decision has been made at this stage and that once an agreement is reached by all member councils, the matter will proceed. The next Ordinary Meeting of SSROC will be held on Thursday, 24 May 2018 where the matter will be discussed based on member council resolutions.

Further information can be found on the attached SSROC Structure Briefing Paper.

To ensure that Councillors had ample time to consider this Mayoral Minute, they were provided with a copy of it on 21 May 2018.

40/18 RESOLVED (*carried unanimously*)

1. Council support in principle the change in corporate status of Southern Sydney Regional Organisation of Councils and supports the change to a Council of Mayors model.
2. Council's delegates continue to work with Southern Sydney Regional Organisation of Councils to address the corporate status and structure change.
3. Council write to SSROC to advise them of the Council's resolution.
4. Further report(s) be furnished to Council as further information becomes available.



(ITEM MM13/18) COMPLYING DEVELOPMENT CODES - MEDIUM DENSITY DEVELOPMENT

File No: 18/19533

Summary

As of 6 July 2018, the State Government's Complying Development Codes will enable the development of medium density development, including dual occupancies, manor houses and terrace housing. The new Code is expected to allow the Strata Title subdivision of dual occupancies, which has thus far been discouraged by Council's controls.

It is understood that the NSW Planning Minister recently suspended application of the new Code in the City of Ryde and the City of Canterbury Bankstown, to enable those councils to review their Local Environmental Plans. A suspension may be considered for other councils where concerns are raised with the operation of the new Code and its impact upon the surrounding area.

41/18 RESOLVED *(carried unanimously)*

1. The General Manager investigate the implications of the new Code for the Burwood area, as well as identify any amendments which may be required to the Burwood Local Environment Plan (BLEP) or planning framework.
2. That the General Manager make a request to the Minister of Planning to suspend the application of the new Code at Burwood Council to enable amendments to the BLEP or planning framework.
3. That Council maintains its objection to the Complying Development Code.

GENERAL BUSINESS**(ITEM 41/18) DRAFT - BURWOOD2030 COMMUNITY STRATEGIC PLAN - ENDORSEMENT FOR PUBLIC EXHIBITION**

File No: 18/17188

Summary

Burwood Council adopted its first Community Strategic Plan in December 2010, following extensive community and stakeholder consultation.

In accordance with Section 402(5) of the *Local Government Act 1993* (the Act), Council was required to review the Community Strategic Plan within nine months of the Local Government election held in September 2017.

Following extensive community and stakeholder consultation, the Draft Plan is now ready for endorsement for the purpose of public exhibition.

42/18 RESOLVED *(carried unanimously)*

That Council endorse in principle the Draft Burwood2030 Community Strategic Plan and its placement on Public Exhibition for a period of 28 days to allow all interested parties to make submissions.

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



CR ERNEST CHAN LEFT THE MEETING AT 6:38 PM

CR ERNEST CHAN RETURNED TO THE MEETING AT 6:39 PM

**(ITEM 42/18) DRAFT DELIVERY PROGRAM AND BUDGET, DRAFT 2018-2019
OPERATIONAL PLAN AND BUDGET, DRAFT 2018-2019 STATEMENT OF
REVENUE POLICY - ENDORSEMENT FOR PUBLIC EXHIBITION**

File No: 18/16766

Summary

The *Local Government Act 1993* (the Act), requires all NSW Councils to produce a four year Delivery Program and an Annual Operational Plan detailing the principal activities to be undertaken by the Council to implement the strategies established by the Burwood2030 Community Strategic Plan.

Following consultation with the community, Councillors and Council Officers for the review of the Burwood2030 Community Strategic Plan, Council developed the Draft Delivery Program 2018-2021, Draft Budget 2018-2021, Draft Operational Plan 2018-2019, Draft Budget 2018-2019, and the Draft Revenue Policy including the Draft Fees and Charges 2018-2019, now ready for endorsement for the purpose of public exhibition.

Once the Council considers the submissions, the final plans will be presented to Council at the 26 June 2018 meeting for adoption.

43/18 RESOLVED *(carried unanimously)*

1. That Council endorse the Draft Delivery Program 2018-2021, Draft Operational Plan 2018-2019, Draft Budgets 2018-2021 and 2018-2019 and place the documents on public exhibition between 23 May 2018 and 20 June 2018.
2. That Council endorse the Draft Statement of Revenue Policy for 2018-2019, incorporating the Draft Schedule of Fees and Charges 2018-2019, and place the document on public exhibition between 23 May 2018 and 20 June 2018.
3. That a notice of the public exhibition be published in relevant local newspapers inviting public submissions, and copies of the Draft Delivery Program 2018-2021, Draft Operational Plan 2018-19, Draft Budget 2018-2021 and Draft Budget 2018-2019, Draft Statement of Revenue Policy for 2018-19, incorporating the proposed Draft Schedule of Fees and Charges 2018-2019, be made available at Council's Customer Service Centre, Burwood Library & Community Hub and on Council's website.
4. That following the public exhibition period, a report, including all submissions received, be prepared for Council's consideration and adoption of the Draft Delivery Program 2018-2021, Draft Operational Plan 2018-2019, Draft Budget 2018-2019, Draft Statement of Revenue Policy 2018-2019, incorporating the Draft Schedule of Fees and Charges for 2018-2019 on 26 June 2018.

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

(ITEM 43/18) BUDGET REVIEW FOR QUARTER ENDING 31 MARCH 2018

File No: 18/15089

Summary

The 2017-2018 Budget was adopted at the Council Meeting held on 27 June 2017 with a surplus of \$73,578. The adopted budget was prepared on the basis of the organisational structure which includes three Divisions (Office of the General Manager, Corporate, Governance and Community, and Land, Infrastructure and Environment).

This report provides Council with the financial results for the period ending 31 March 2018, Financial Year 2017-18. In accordance with Clause 203(1) of the *Local Government (General) Regulation 2005* (the Regulation) the Responsible Accounting Officer is required to prepare and submit to Council a budget review statement no later than two months after the end of each quarter (except the June Quarter).

The following Statement of Budget Income and Expenditure identifies a forecast funding surplus of \$28,786 as at 31 March 2018 compared to the revised adopted forecast surplus of \$39,041 as at 31 December 2017 which was adopted at the March 2018 Council Meeting. The reasons for the net decrease of \$10,255 are outlined in the report.

44/18 RESOLVED *(carried unanimously)*

1. That the Budget Review Statement of the 2017-2018 Budget as at 31 March 2018, including the statement by the Responsible Accounting Officer, Chief Finance Officer, be received and noted.
2. That in accordance with Clauses 203 and 211 of the *Local Government (General) Regulation 2005*, the revised estimates of income and expenditure for 2017-2018 surplus of \$28,786, as shown in the report be approved and that Council's adopted budget be adjusted accordingly and that the expenditure and income variations projected in the report be, and are hereby voted.

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

(ITEM 44/18) INVESTMENT REPORT AS AT 30 APRIL 2018

File No: 18/15876

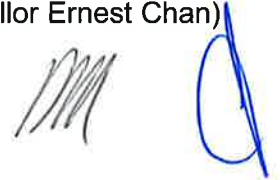
Summary

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*.

45/18 RESOLVED *(carried unanimously)*

1. That the investment report for 30 April 2018 be received and endorsed.
2. That the Certificate of the Responsible Accounting Officer be received and noted.

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



(ITEM 45/18) NOMINATION OF COUNCIL DELEGATES TO THE NSW PUBLIC LIBRARY ASSOCIATION

File No: 18/16489

Summary

To propose the appointment of an Elected Representative to the NSW Public Libraries Association.

46/18 RESOLVED *(carried unanimously)*

That Council appoints Cr Joseph Del Duca as the Elected Representative for Burwood Council to the NSW Public Libraries Association.

(Moved Councillor Joseph Del Duca/Seconded Councillor Raj Dixit)

(ITEM 46/18) PRIMARY DISCLOSURE OF INTEREST RETURNS - DESIGNATED PERSONS

File No: 18/16609

Summary

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

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

47/18 RESOLVED *(carried unanimously)*

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

(Moved Councillor George Mannah/Seconded Councillor Heather Crichton)

(ITEM 47/18) ADOPTION - DRAFT LOAN BORROWING AND OVERDRAFT POLICY

File No: 18/15784

Summary

Council's Loan Borrowing and Overdraft Policy has been reviewed and updated in accordance with Council's Policy Review Corporate Practice.

48/18 RESOLVED *(carried unanimously)*

That Council adopts the Draft - Loan Borrowing and Overdraft Policy.

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



(ITEM 48/18) RESCINDING - DECISION MAKING TO BE WITHIN THE LOCAL GOVERNMENT CHARTER UNDER THE LOCAL GOVERNMENT ACT 1993

File No: 18/16943

Summary

To seek Council's approval to rescind the Decision-Making to be Within the Local Government Charter under Section 8 of the *Local Government Act 1993* (the Act) which has now been replaced with Guiding Principles.

49/18 RESOLVED *(carried unanimously)*

That Council rescind the Decision – Making to be Within the Local Government Charter under Section 8 of the *Local Government Act 1993*.

(Moved Councillor Ernest Chan/Seconded Councillor Heather Crichton)

(ITEM 49/18) ADOPTION - REVISED PRIVACY MANAGEMENT PLAN

File No: 18/16939

Summary

The Privacy Management Plan (the Plan) was last reviewed in line with the Office of Local Government's "Revised Model Privacy Management Plan for Local Government" and adopted by Council in February 2015.

The Plan has now been further reviewed to include requirements of the Australian Citizenship Ceremony Code and is now submitted to Council for adoption.

50/18 RESOLVED *(carried unanimously)*

That Council adopt the Revised – Privacy Management Plan.

(Moved Councillor George Mannah/Seconded Councillor Joseph Del Duca)

(ITEM 38/18) PLANNING PROPOSAL - 121-133 BURWOOD ROAD AND 38-40 RAILWAY PARADE BURWOOD

File No: 18/15554

Applicant: Hamptons Property Services Pty Ltd
Owner: Blairgrove Pty Ltd (Principal Mr Peter Whitfield)

Summary

The Planning Proposal (PP) seeks to increase the maximum building height and Floor Space Ratio (FSR) for the subject site from the current 70m and 6:1 to 163.5m and 14.87:1 respectively. Assessment of the PP by external consultants and Council Officers found insufficient justification for the scale and quantum of development proposed, and found that the potential impacts of the proposed development would be unacceptable. It is recommended that Council not support the PP.

MOTION - Motion was lost

1. That the Item 38/18 Planning Proposal - 121-133 Burwood Road and 38-40 Railway Parade Burwood be deferred.

2. That the General Manager arrange a Councillor briefing to allow Councillors more time to examine the details contained in these Planning Proposals and that both the applicants and/or professional advisors and representatives from Cardno be invited to provide information to Councillors in the presence of the General Manager (or his representative) and other Council Officers as well as answer questions relating to these Planning Proposals.

(Moved Councillor Joseph Del Duca/Seconded Councillor Raj Dixit)

Councillors Joseph Del Duca and Raj Dixit called for a **DIVISION**.

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

FOR

Councillor Dixit
Councillor Del Duca

Total (2)

AGAINST

Councillor Faker
Councillor Mannah
Councillor Crichton
Councillor Chan
Councillor Furneaux-Cook

Total (4)

51/18 RESOLVED *(carried unanimously)*

1. That Council not support the Planning Proposal in line with the recommendation of the planning, urban design and heritage assessment of the Planning Proposal.
2. That the proponent be advised of Council's resolution.

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

Councillors Lesley Furneaux-Cook 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

Councillor Faker
Councillor Mannah
Councillor Dixit
Councillor Del Duca
Councillor Crichton
Councillor Chan
Councillor Furneaux-Cook
Total (7)

AGAINST

Total (0)



(ITEM 40/18) VOLUNTARY PLANNING AGREEMENT - NO. 55A SHAFTESBURY ROAD BURWOOD

File No: 18/16409

Applicant: Ross Howieson Architects
Owner: Chamoun Investments Pty Ltd and M & M Tannous Pty Ltd
VPA Contact: Malek Chamoun and Michael Tannous

Summary

A draft Voluntary Planning Agreement (VPA) and Explanatory Note (EN) in connection with a Development Application (DA) BD.2016.129 for 55A Shaftesbury Road Burwood has now been publicly notified in accordance with the relevant legislation. The draft VPA will provide for the developer to pay a monetary contribution in lieu of shortfall of two visitor parking spaces on the site. Council's endorsement is now sought to enter into the VPA after the granting of the consent of the DA.

52/18 RESOLVED *(carried unanimously)*

1. That Council enter into the VPA for 55A Shaftesbury Road Burwood for the provision of a monetary contribution of \$79,200 towards public car parking after the granting of the consent for DA BD.2016.129 which would include a condition on the consent requiring that the VPA be entered into prior to the issuing of a Construction Certificate.
2. That Council authorise the General Manager to sign the VPA and any related documentation under his Power of Attorney.
3. That Council authorise the General Manager to endorse the minor revisions of the VPA documents prior to execution.
4. That the Developer pay the monetary contribution to Council, on or before, the execution of the VPA by Council.

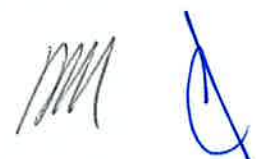
(Moved Deputy Mayor Lesley Furneaux-Cook/Seconded Councillor George Mannah)

Councillors Lesley Furneaux-Cook and George Mannah called for a **DIVISION**.

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

FOR

Councillor Faker
Councillor Mannah
Councillor Dixit
Councillor Del Duca
Councillor Crichton
Councillor Chan
Councillor Furneaux-Cook

Total (7)**AGAINST****Total (0)**

**(ITEM 39/18) PUBLIC EXHIBITION - PLANNING PROPOSAL TO HERITAGE LIST
ELY HOUSE - 122-126 BURWOOD ROAD BURWOOD**

File No: 18/16345

Owner: Euston Investment Pty Ltd and H R P E (Holdings) Pty Ltd and Majer
Nominees Pty Ltd

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 and site inspections have been conducted with Councillors. It is recommended that the PP be progressed to list the property as a heritage item.

53/18 RESOLVED *(carried unanimously)*

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

(Moved Councillor Ernest Chan/Seconded Councillor George Mannah)

Councillors Ernest Chan and George Mannah called for a **DIVISION**.

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

FOR

Councillor Faker
Councillor Mannah
Councillor Dixit
Councillor Del Duca
Councillor Crichton
Councillor Chan
Councillor Furneaux-Cook

Total (7)**AGAINST****Total (0)**

CR ERNEST CHAN LEFT THE MEETING AT 7:54 PM AND TOOK NO PART IN THE DISCUSSION TO A DECLARATION OF A PECUNIARY INTEREST.

CR JOHN FAKER LEFT THE CHAIR AT 7:54 PM AND TOOK NO PART IN THE DISCUSSION DUE TO A DECLARATION OF A PECUNIARY INTEREST.

THE DEPUTY MAYOR LESLEY FURNEAUX-COOK TOOK THE CHAIR AT 7:54 PM.

**(ITEM 37/18) PLANNING PROPOSAL - 28-34 VICTORIA STREET AND 23-27
GEORGE STREET BURWOOD**

File No: 18/16360

Applicant: City Plan Services
Owner: VSD Investments (Principal Mr Peter Sleiman)

Summary

The Planning Proposal (PP) for 28-34 Victoria and 23-27 George Streets, Burwood seeks to increase the maximum building height and Floor Space Ratio (FSR) for the subject land from the current 60m and 4.5:1 to 77m/129m and 8.5:1 respectively. The proponent subsequently revised their proposal to 122.2m and 8.37:1 respectively. An external assessment of the PP found insufficient justification for the scale and quantum of development proposed, and found that the impacts of the development would be unacceptable. It is recommended that Council does not support the proposal.

MOTION - Motion was lost

3. That the Item 37/18 Planning Proposal - 28-34 Victoria Street and 23-27 George Street Burwood be deferred.
4. That the General Manager arrange a Councillor briefing to allow Councillors more time to examine the details contained in this Planning Proposal and that both the applicants and/or professional advisors and representatives from Cardno Pty Ltd be invited to provide information to Councillors in the presence of the General Manager (or his representative) and other Council Officers as well as answer questions relating to these Planning Proposals.

(Moved Councillor Joseph Del Duca/Seconded Councillor Raj Dixit)

Councillors Joseph Del Duca and Raj Dixit called for a **DIVISION**.

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

FOR	AGAINST
Councillor Dixit	Councillor Mannah
Councillor Del Duca	Councillor Crichton
	Councillor Furneaux-Cook
Total (2)	Total (3)

54/18

RESOLVED (*carried unanimously*)

1. That Council not support the Planning Proposal in line with the recommendations of the independent assessment of the Planning Proposal.
5. That Council advise the Department of Planning & Environment (DP&E) to not support the rezoning review. However, if the DP&E is of a mind to support the Planning Proposal, Council shall request that a Voluntary Planning Agreement (VPA) be negotiated with the Council to be placed on public exhibition concurrently with the Planning Proposal so that potential public benefits are not lost to our Community.
6. That the General Manager be authorised to negotiate the aforementioned VPA should the DP&E support the Planning Proposal.

7. That the proponent be advised of Council's resolution and be provided with a copy of the independent assessment report.

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

Deputy Mayor Lesley Furneaux-Cook and Councillor 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 Dixit	
Councillor Del Duca	
Councillor Crichton	
Councillor Furneaux-Cook	
Total (5)	Total (0)

INFORMATION ITEMS

(ITEM IN18/18) SAFE AND CLEAN TEAM - QUARTERLY PERFORMANCE REPORT

File No: 18/15712

Summary

This report provides performance information on the Safe & Clean Team for the third quarter of the 2017/2018 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 including Burwood Road, Liverpool Road, The Boulevarde, 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 law 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	January 2018	February 2018	March 2018	Total
Rubbish removed from roadway	1860 litres 15.5 (120L bins)	1930 litres 16 (120L bins)	1985 litres 16.5 (120L bins)	5780 litres 48 (120L bins)
Shopping trolleys reported and removed from main streets	179	186	173	538
Advertising posters removed	51	80	57	188
Report Graffiti on Council Property	5	1	7	13
Report crime	0	0	0	0

Small spill clean ups	4	7	20	31
Distribute information leaflets	0	0	0	0
Report Road obstructions	2	3	3	8
Report maintenance issues	0	0	0	0

Note: The shopping trolleys left abandoned on the streets were removed by the trolley owner. During the period, shopping trolleys not removed by the trolley owner within a specific timeframe were processed, impounded and fined. This impounding process has ensured that the majority of trolleys are removed from the streets on a daily basis.

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 rubbish dumped on the street and this could be explained by the high volume of pedestrian traffic in this section of the roadway.

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 IN19/18) ANSWERS TO QUESTIONS WITHOUT NOTICE - COUNCIL MEETING OF 24 APRIL 2018


File No: 18/15343

Summary

At the Council Meeting of 24 April 2018 the following Questions without Notice (QWN) were submitted by Councillors. Council Officers responded to the QWN and Councillors were notified on 4 May 2018 of the outcome of the QWN.

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

QUESTIONS WITHOUT NOTICE – COUNCIL MEETING OF 24 APRIL 2018	
Question	Response
<p><u>Cr Lesley Furneaux-Cook</u></p> <p>Question 1:</p> <p>How do we ensure non-contamination of recycling in our bins from home owners and is the information provided in different languages?</p>	<p><u>Manager Environment and Health</u></p> <p>Council does conduct random audits of recycling bins from time to time to check on contamination rates. The checks are usually targeted at nominated hot spot areas including multi-unit dwellings.</p> <p>If there are particular concerns or reports, Council's waste project officer will attend to carry out and audit and provide necessary educational material.</p>

	<p>Educational material is available and provided in a range of languages. The educational material is also pictorial to allow for a better understanding of acceptable and unacceptable practices.</p>
<p><u>Cr Lesley Furneaux-Cook</u></p> <p>Question 2:</p> <p>IHAP – If the Community Member has a conflict of interest and cannot vote, what are the provisions for an alternate to be available for the item?</p>	<p><u>Governance Co-ordinator</u></p> <p>The Code of Conduct for Local Planning Panel Members and the Local Planning Panels Direction – Operational Procedures states the obligations of all Panel Members. These documents were provided to all Panel Members in early March at the Burwood Council Induction Program and for those who could not attend they were posted.</p> <p>The IHAP Agenda provides information on the conflicts of interest by Panel Members and the requirement to declare any conflicts of interest. The Chair holds all authority in relation to conflicts of interest.</p> <p>It is the responsibility of Panel Members to declare any conflicts of interest to the Chair prior to the meeting date, so that an alternative Community Member can be selected.</p> <p>The Chair, for any future meetings, will advise all members of the agenda items, including the address of the property, the applicant(s) and the owner(s) details, which gives the Panel the opportunity to declare any conflicts of interest well before the meeting is conducted. Council has put in place an additional notification that any Panel Member who has been selected to attend a meeting at the time of the receipt of the Agenda notifies the Chair if they determine that they have a conflict of interest.</p> <p>There is no provision in the Operational Procedures to have an alternate Community Member at meetings. These processes should ensure that Community Members declare any conflicts prior to attending an IHAP Meeting.</p> <p>Where any Community Member fails to disclose their conflicts of interest their membership from the Panel may be terminated.</p>
<p><u>Cr Joseph Del Duca</u></p> <p>Question 1:</p> <p>What support/initiatives does</p>	<p><u>Senior Manager Community Services and Library</u></p> <p>The primary responsibility for pre- and post-natal care rests with NSW Health. Council plays</p> 

<p>Burwood Council provide for new/expectant mothers living the local government area?</p>	<p>a supportive role in a number of ways.</p> <p>Council provides a Mobile Play Van service for parents and carers. This service creates a valuable opportunity for new parents to learn about local support options and build social networks.</p> <p>Council Officers facilitate parenting information sessions, including the grant-funded Building Better Beginnings program. This program will soon be repeated for Mandarin speakers.</p> <p>Through the Community Grants program, Council provides small grants to local services which run a range of activities for local children, their parents and carers.</p> <p>Council hosts the Families NSW Coordinator position which facilitates the interagency of local services that work with families, including those supporting expecting and new mothers. The interagency creates an opportunity for local and regional child and family services to come together to plan, collaborate and advocate for families.</p>
<p><u>Cr Joseph Del Duca</u></p> <p>Question 2:</p> <p>What guidelines currently exist in relation to multicultural signage on commercial fronts in the local government area?</p>	<p><u>Manager Strategic Planning</u></p> <p>The only restriction or guideline for advertising in a foreign language text is contained in Clause 5.6.3 – P12 of Burwood Development Control Plan. The relevant provision of the Clause states:</p> <p><i>English and Foreign Language Text</i> Written text upon signage is to be predominately in English. Foreign language text may be permitted where an English translation is provided, and where the foreign language text is provided in smaller lettering or characters.</p>

No Decision – Information Item Only

QUESTIONS WITHOUT NOTICE

The following Questions Without Notice were submitted at the Meeting:

Cr Lesley Furneaux-Cook

Question 1:

Fitzroy Street Croydon – When will the kerb and gutter be finished and will the turf be reinstated?

Cr Lesley Furneaux-Cook**Question 2:**

Shirley House – 11 Ethel Street Burwood – Residents have informed me that they were not notified regarding the demolition of the house. Who is responsible for the community notification and what is the plan for the site?

Cr Lesley Furneaux-Cook**Question 3:**

If there is a breach in construction hours before 7am or after 4pm/7pm on weekdays or Saturdays. What is the resident's recourse to complain?

Cr Joseph Del Duca**Question 1:**

Can the General Manager write to the Minister for Planning, the Hon Anthony Roberts MP to request an update on the Priority Planning Precinct and its effect on the Burwood LGA?

Cr Joseph Del Duca**Question 2:**

Can the General Manager write to the Minister for Transport, the Hon Andrew Constance MP, to request an update on the Western Sydney Metro Project and what it will mean to the Burwood LGA?

Cr Heather Crichton**Question 1:**

What has the cost to Council been of the meetings of IHAP held on:

- 10 April 2018, and
- 8 May 2018

Cr Heather Crichton**Question 2:**

How many requests has Council received in the last 12 months from:

- a. Our businesses wishing to utilise our graffiti removal service
- b. Our residents wishing to utilise our graffiti removal service

Cr George Mannah**Question 1:**

When was the last review that Council has had with regards to our Heritage DCP including vehicular access policy?



Cr George Mannah

Question 2:

How may staff assess our Heritage DA as well as review assessments?

This concluded the business of the meeting and Council rose at 8.30 pm.

Confirmed this 26 June 2018.



MAYOR



