



**Burwood** Inc.1874

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

MINUTES OF THE MEETING OF THE COUNCIL OF BURWOOD held electronically on Tuesday 23 June 2020 commencing at 6:00pm.

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

Mr T Briscese, General Manager  
Mr P Brown, Deputy General Manager Corporate, Governance and Community  
Ms K Everett, Deputy General Manager Land, Infrastructure and Environment  
Mr W Armitage, Chief Finance Officer  
Ms L Hennessy, Group Manager Corporate Planning and Communications  
Mr D Troy, Acting Group Manager Strategic Planning, Heritage and Place Planning (Outgoing)  
Ms N Ruker, Acting Group Manager Strategic Planning, Heritage and Place Planning (Incoming)  
Mr R King, Strategic Planner  
Ms E Wall, Internal Ombudsman  
Ms T Whitmarsh, Consultant - Governance Specialist  
Ms R Gerges, Governance Officer

### **OPENING OF MEETING BY THE MAYOR**

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

### **OPEN FORUM**

There was no business for this item.

### **APOLOGIES**

**51/20 RESOLVED** (*carried unanimously*)

Councillor Raj Dixit was granted a leave of absence.

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

### **DECLARATIONS OF INTEREST**

Councillor Lesley Furneaux-Cook declared a non-pecuniary interest in items:

- 30/20 - Results of Public Exhibition, Adoption of Development Control Plan and Authority to proceed to amend the Burwood Local Environmental Plan in regards to the Planning Proposal for 42-50 and 52-60 Railway Parade Burwood)
- 31/20 - Draft Voluntary Planning Agreement - 42-50 and 52-60 Railway Parade Burwood

as her property is in the vicinity of the Planning Proposal and the VPA. Councillor Furneaux-Cook left the meeting and took no part in the discussion.

**DECLARATIONS OF POLITICAL DONATIONS**

There were no declarations of political donations for or by Councillors.

**CONFIRMATION OF MINUTES****52/20 RESOLVED** *(carried unanimously)*

That the minutes of the meeting of the Council of Burwood held on Tuesday 19 May 2020, as circulated, be confirmed and signed as a true record of the proceeding of the meeting.

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

**(ITEM MM9/20) COVID-19 – SUPPORT PROGRAMS FOR RECOVERY PHASE**

File No: 20/28660

**Summary**

As you know, following the COVID-19 outbreak, our Council has implemented unprecedented solutions to ensure the health and safety of our community, customers and staff.

Since March the Burwood Cares program (Council's response to COVID-19) has concentrated its relief and support efforts across two categories: community and business, providing financial relief, engagement and support to those in need.

Amongst the initiatives, we successfully sourced, prepared and distributed 750 food, hygiene and craft packages to our community, in some instances making the difference between an elderly resident or a family having or not having food on the table or being able to access essential personal safety products.

We have made hundreds of personal direct calls to local residents and to local businesses, firstly to check that they were doing ok, and then to guide them towards information on relief programs, economic packages and very importantly health and mental health services.

Now we are trying to do our best in supporting our businesses in their recovery phase, by providing simple solutions like a free social distancing kit with stickers and posters to put on the floor and on the windows of their shops.

And we are going to be supporting our residents further, by providing a \$30 rebate on their rates in the upcoming next financial year.

I commend Council staff for moving quickly to adapt programs and services to better serve our community during this difficult time.

But while Australians have been slowly emerging from COVID-19 lockdown, the crisis is not over, and the social, economic and health impacts of the emergency will no doubt be felt for many months to come.

I would like to recommend that the Burwood Cares program be continued over the next three months, concentrating on keeping businesses operating, our city activated and our community safe.

Our focus over the coming months should be to ensure that relevant information,

programs and activities are in place to support our vulnerable communities now and into the future.

But we should have a positive outlook on the future, and prepare ourselves to get back together and celebrate our community in Spring and Summer this year. As a Council we will be working towards an even stronger activation of our already vibrant eat streets and shopping precincts, in partnership with our resilient local businesses and our creative community groups.

Together with our community I am confident we will continue to respond to the challenge and reemerge stronger.

### **Operational Plan Objective**

1.1.1 Provide a diverse range of strategies and initiatives that meet the needs of the community

1.2 A well informed, supported and engaged community.

1.2.3 Enhance communication and community engagement through innovative solutions

**53/20**

### **RESOLVED** *(carried unanimously)*

As a continuation of the relief measures implemented by Burwood Council in response to the COVID-19 (Coronavirus) pandemic:

1. Council provides a \$30 rates rebate on 2020-21 residential rates notices as part of the Burwood Cares program to help ease the financial burden on local residents.
2. Council continues to waive all mandatory health inspection fees for next three months.
3. Council provides an additional 3-month credit to all businesses who have paid a licence for outdoor dining, once business returns to normal.
4. Council continues to adopt a flexible and pragmatic approach to enforcement and compliance action for the next three months, including the increased grace period for ticketed and timed parking by 15 minutes.
5. Council continues its increased program of cleansing and booked clean-ups until end July 2020, with further relief measures to be assessed and implemented by the General Manager as needed.
6. The General Manager reviews the implementation of current rent relief package for cafés, sporting facilities and childcare centres for which Council is the landlord, with adjusted relief measures to be assessed and implemented by the Mayor and General Manager as needed.
7. Council continues to liaise with our Chambers of Commerce and local businesses to implement business improvement programs to support operating and re-emerging businesses.
8. Council provides eligible businesses with tangible resources to assist with the enforcement of social distancing requirements in operating premises.
9. The General Manager commences the development of a program of community initiatives and events for the Spring/Summer season to support and contribute to the

reactivation of our public spaces and our shopping and dining precincts.

10. Council continues its delivery of the Burwood Cares noticeboard, promoting and facilitating access to up to date information on community support services and local business offerings.
11. Council continues disseminating the Burwood Cares eNewsletters for business and community providing information on Council programs and other relevant support initiatives.
12. The General Manager continues to review Council's budget for 2020/21 to unlock funding for community and business recovery activities required under the COVID-19 pandemic, while identifying potential savings from other activities currently placed on hold.
13. Council continues the reactivation of community groups such as children, youth, migrant and senior groups.
14. Council continues to engage with its vulnerable or isolated community through targeted recovery programs.
15. Council monitors and responds to the needs of culturally and linguistically diverse community groups and at-risk community members including international students.
16. Council continues to provide information and resources for businesses, including links to the Federal Government's stimulus package and any support package provided by the NSW Government through a dedicated section on Council's website.
17. The General Manager continues to review the roll out of key infrastructure projects based on a safety, resource and financial risk assessment.
18. Council continues to take a multidisciplinary approach to the planning, design and management of public spaces to achieve social, economic and environmental outcomes throughout the city.

## NOTICES OF MOTION

### (ITEM NM3/20) HONOURING OUR LOCAL HERITAGE

File No: 20/27095

#### Summary

Burwood has a rich history and is home to a large number of historic buildings and sites that are of interest and value to our community. As a Council we have a responsibility to protect and enhance Burwood's heritage, particularly as we manage the rapid growth and change of Burwood.

Through simple storytelling, signage and technology Council can shine a spotlight on Burwood's treasured heritage which will add to the social and economic fabric of Burwood.

As a starting point important conservation zones such as Malvern Hill Estate and The Appian Way should be honoured through heritage street blades. The first strata titled building in the world, 'Lindsay Gardens' apartments at 189 Liverpool Road Burwood, was



approved by Burwood Council in 1961, and is worthy of our recognition.

In an effort to make Burwood's heritage more accessible I propose that Council Officers research and investigate signage schemes and designs in other jurisdictions and prepare a report for Council with options for: heritage plaques for buildings and homes, footpath plaques and street signs and that the report includes a target list of heritage locations and buildings.

The '*Historical Walk of Burwood Town Centre*' and the '*Burwood Walking Trail*' maps were published by Council in 2010. These walks could be revised, and possibly combined, then promoted through simple street signage, similar to the 'Tom Uren Walk' in East Balmain. This will make our history more accessible to our residents and attract visitors to Burwood to walk our heritage trail. The walk could be supported by an app allowing for the sharing of local stories and points of interest.

### Operational Plan Objective

- 1.2 A well informed, supported and engaged community
- 1.4.4 Promote and celebrate the area's heritage and indigenous history
- 3.1 Maintain and enhance green and open spaces
- 4.3.2 Maintain and preserve heritage through relevant planning strategies
- 5.1 Maximise Burwood regional and strategic status within inner western Sydney
- 5.3 Enhance and foster the local identity
- 5.4 Activate village precincts and preserve the distinct characters of surrounding residential areas.
- 5.4.1 Update and maintain the aesthetics of town centres and villages

**54/20**

### **RESOLVED** (*carried unanimously*)

- 1a. The General Manager investigates revising and updating the route for a sign posted Burwood Heritage Walking Trail to be supported by an app which shares our local stories and history.
- 1b. The General Manager investigates finalising and updating the route for the Enfield walking trail which is also part of the original heritage project
- 1c. The General Manager investigates the inclusion of indigenous history of the area in any of these Council publications and products
2. The General Manager investigates other jurisdictions and provide a report to Council on options for a heritage scheme that includes signage plaques for buildings and homes, footpath plaques and street signs.
3. The General Manager investigates consulting with appropriate community and business stakeholders to develop a target list of heritage locations for prioritising by Council.
4. The General Manager investigates reviewing and updating the heritage pages on our website.
5. The General Manager reports these findings to Council within six months.

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

**(ITEM NM4/20) SESQUICENTENNIAL OF THE MUNICIPALITY OF BURWOOD**

File No: 20/27238

**Summary**

The Municipality of Burwood was proclaimed by the Governor of New South Wales, His Excellency Sir Hercules Robinson, on 27 March 1874 with the first Council elected on 9 June of that year. Now as we approach the 150<sup>th</sup> anniversary of Burwood in 2024, it is timely for Council to consider how it will mark this important occasion.

This anniversary presents opportunities for Council to acknowledge its indigenous heritage and to celebrate its history, its businesses, its culture and importantly its vision for the future.

To realise these opportunities, I propose the establishment of the *'Burwood 150 Year Anniversary Steering Committee'*.

The early establishment of the Committee is intentional as it allows for comprehensive community consultation, analysis and prioritising of projects, budget considerations over three financial year cycles and for the possibility of securing grant funding and sponsorship.

As an initial undertaking, the Steering Committee would collaborate and engage with our community and provide a report back to Council on celebratory ideas, projects and festivities to mark the anniversary.

Dependent on the community outcomes and Council's recommendations, this forward planning may allow for longer term anniversary projects to be realised such as: a site to be repurposed, included or purchased for a public domain project; the commissioning of an art installation or for the research of Burwood's 150 year history to add to the valuable resource 'Harvest of the Years, the Story of Burwood, 1794-1974' by Eric Dunlop.

I propose that the Committee membership will include the Mayor or his delegate (as Chair), and two Councillors, plus a member of Burwood Historical Society. Other community and stakeholder positions would be filled through an Expression of Interest nomination process.

Terms of Reference for the Committee will be considered at its inaugural meeting and presented to Council for adoption.

**Operational Plan Objective**

- 1.2 A well informed, supported and engaged community
- 1.4 A proud and inclusive community that celebrates diversity
- 1.4.1 Celebrate the achievements of the local community
- 5.3 Enhance and foster the local identity
- 5.3.3 Support innovation which will enhance local identity and culture
- 5.4 Activate village precincts and preserve the distinct characters of surrounding residential areas.

**55/20 RESOLVED** *(carried unanimously)*

1. Council supports the establishment of the 'Burwood 150 Year Anniversary Steering Committee, to include the Mayor as Chair or his delegate (as Chair) and two Councillors, and a member of Burwood Historical Society, and a representative from



the Metropolitan Aboriginal Land Council with other community member and stakeholder positions to be filled through an Expression of Interest nomination process.

- The General Manager conducts an assessment of financial and resourcing implications for the set up and activities of such Committee and presents a report to Council at its July 2020 meeting.

(Moved Councillor Heather Crichton/Seconded Deputy Mayor George Mannah)

**CR LESLEY FURNEAUX-COOK LEFT THE MEETING, THE TIME BEING 06:21 PM**

### **ADDRESS BY THE PUBLIC ON AGENDA ITEMS**

<b>Name</b>	<b>Item</b>
Judy Birrell	Item 30/20 - Results of Public Exhibition, Adoption of Development Control Plan and Authority to proceed to amend the Burwood Local Environmental Plan in regards to the Planning Proposal for 42-50 and 52-60 Railway Parade  Item 31/20 - Draft Voluntary Planning Agreement - 42-50 and 52-60 Railway Parade, Burwood
Frank Lu	Item 30/20 - Results of Public Exhibition, Adoption of Development Control Plan and Authority to proceed to amend the Burwood Local Environmental Plan in regards to the Planning Proposal for 42-50 and 52-60 Railway Parade
Ned Cutcher	Item 30/20 - Results of Public Exhibition, Adoption of Development Control Plan and Authority to proceed to amend the Burwood Local Environmental Plan in regards to the Planning Proposal for 42-50 and 52-60 Railway Parade
Karen Vance (on behalf of Climate Action Burwood Canada Bay)	Item 30/20 - Results of Public Exhibition, Adoption of Development Control Plan and Authority to proceed to amend the Burwood Local Environmental Plan in regards to the Planning Proposal for 42-50 and 52-60 Railway Parade
Therese O'Leary	Item 30/20 - Results of Public Exhibition, Adoption of Development Control Plan and Authority to proceed to amend the Burwood Local Environmental Plan in regards to the Planning Proposal for 42-50 and 52-60 Railway Parade
David Furlong (on behalf of Holdmark)	Item 30/20 - Results of Public Exhibition, Adoption of Development Control Plan and Authority to proceed to amend the Burwood Local Environmental Plan in regards to the Planning Proposal for 42-50 and 52-60 Railway Parade  Item 31/20 - Draft Voluntary Planning Agreement - 42-50 and 52-60 Railway Parade, Burwood
Michael Harrison (on behalf of Holdmark)	As above

**GENERAL BUSINESS****(ITEM 30/20) RESULTS OF PUBLIC EXHIBITION, ADOPTION OF DEVELOPMENT CONTROL PLAN AND AUTHORITY TO PROCEED TO AMEND THE BURWOOD LOCAL ENVIRONMENTAL PLAN IN REGARDS TO THE PLANNING PROPOSAL FOR 42-50 AND 52-60 RAILWAY PARADE BURWOOD**

File No: 20/27236

**Summary**

This report serves three purposes. The first is for Council to consider the outcomes of the exhibition of a Planning Proposal (the Proposal) to increase the maximum building height for the redevelopment of 42-50 and 52-60 Railway Parade, Burwood to between 136m and 144m, with a combined floor space ratio of 10.54:1 over the total site area, delivering approximately 48,500m<sup>2</sup> of non-residential floor space and approximately 1,100 residential apartments.

Following the Gateway Determination issued by the Department of Planning, Industry and Environment (DPIE) the Proposal was publicly exhibited between 28 April and 26 May 2020, for 28 days. This report summarises the issues raised in public submissions and submissions from Government agencies and makes recommendations for how the issues raised can be addressed.

The second purpose is in that the Proposal has previously been considered by Council and the Burwood Local Planning Panel; this final step is the granting of authority to the General Manager to forward the Proposal to DPIE to amend the Burwood Local Environmental Plan to reflect the constraints of the Proposal.

The third purpose is to adopt the draft Development Control Plan (DCP) which will be used as a further tool, in addition to the relevant State Planning Policies, to guide the design of a future Development Application.

In addition to the material public benefits provided in the proposed VPA (subject of a separate Council agenda item), the Proposal will be a significant contributor to the local economy through the creation of approximately 5,000 jobs. Covering two city blocks, this circa \$1billion urban renewal project will deliver much needed community infrastructure for the wider Burwood community, confirm Burwood's status as a strategic centre, and become the major influencer in place-making outcomes within the Burwood Town Centre.

**Operational Plan Objective**

2.1.3 Ensure transparency and accountability in decision making

5.1.1 Stimulate the local economy and activate Burwood CBD

5.1.2 Encourage mixed use buildings: commercial and residential to maximize Burwood CBD

**56/20 RESOLVED** *(carried unanimously)*

1. That Council accept the amended Gateway Determination by the Department of Planning, Industry and Environment.
2. That Council accept the findings of the review of submissions from the public exhibition of the Proposal.



3. That Council authorise the General Manager to make any necessary minor modifications to the Proposal required and to submit the Proposal to the Department of Planning, Industry and Environment for final determination and plan-making.
4. That council adopt the draft Development Control Plan, with it becoming effective from 1 July 2020.
5. That individuals and entities who have made a submission be advised of Council's resolution.

(Moved Deputy Mayor George Mannah/Seconded Councillor Ernest Chan)

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

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

<b>FOR</b>	<b>AGAINST</b>
Councillor Faker	
Councillor Mannah	
Councillor Del Duca	
Councillor Crichton	
Councillor Chan	
<b>Total (5)</b>	<b>Total (0)</b>

**(ITEM 31/20) DRAFT VOLUNTARY PLANNING AGREEMENT - 42-50 AND 52-60 RAILWAY PARADE, BURWOOD**

File No: 20/25118

**External Parties:**

Developer: Burwood Tower Holdings Pty Ltd  
 Landowner: Wynne Ave Property Pty Ltd

**Summary**

A draft Voluntary Planning Agreement (VPA) prepared in connection with the Planning Proposal (Proposal) for Burwood Place at 42-50 and 52-60 Railway Parade Burwood has been publicly exhibited between 28 April 2020 and 26 May 2020. The draft VPA proposes a number of public benefit outcomes including a new urban park, carparking and commercial office space as well as monetary contributions that will be delivered as part of the development proposed under the Proposal.

**57/20 RESOLVED** *(carried unanimously)*

1. That Council endorse the draft VPA.
2. That Council authorises the General Manager to consider amendments to the public benefits, excluding the urban park, in the draft VPA to ensure that the public benefits delivered are appropriate to the current and future needs of Burwood as a strategic centre and in accordance with Council's Local Strategic Planning Statement (LSPS).
3. That Council authorise the General Manager to make amendments to the draft

VPA resulting from Recommendation 2 above and any minor amendments to the draft VPA prior to execution.

4. That Council authorise the General Manager to sign the VPA under his Power of Attorney.
5. That Council authorise the General Manager to encourage the execution of the VPA by all parties as soon as practicable.

(Moved Deputy Mayor George Mannah/Seconded Councillor Ernest Chan)

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

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

<b>FOR</b>	<b>AGAINST</b>
Councillor Faker	
Councillor Mannah	
Councillor Del Duca	
Councillor Crichton	
Councillor Chan	
<b>Total (5)</b>	<b>Total (0)</b>

**CR LESLEY FURNEAUX-COOK RETURNED TO THE MEETING, THE TIME BEING 07:53 PM.**

**CR JOHN FAKER LEFT THE MEETING, THE TIME BEING 07:55 PM.**

**DEPUTY MAYOR GEORGE MANNAH TOOK THE CHAIR, THE TIME BEING 07:55 PM.**

**(ITEM 32/20) DRAFT DELIVERY PROGRAM 2018-2021, OPERATIONAL PLAN AND BUDGET 2020-2021, DRAFT 2020-2021 STATEMENT OF REVENUE POLICY, DRAFT FEES AND CHARGES 2020-2021 - ENDORSEMENT FOR PUBLIC EXHIBITION**

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File No: 20/25488

**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 in the Community Strategic Plan.

Every year the Delivery Program is reviewed and if there are significant changes it must be put on public exhibition and adopted by Council. This year the Delivery Program has been reviewed and there are changes. Therefore it is necessary to exhibit or go up to Council again for adoption.

The Draft Delivery Program 2018-2021 and Operational Plan 2020-2021, Draft Budget 2020-2021, and the Draft Statement of Revenue Policy including the Draft Fees and Charges 2020-2021, are now submitted to Council for endorsement for the purpose of public exhibition.

Once the Council considers the submissions, the final plans will be presented to Council

at the 28 July 2020 meeting for adoption.

### Operational Plan Objective

2.1.3 Ensure transparency and accountability in decision making

2.3.1 Identify and maintain additional revenue sources to ensure financial sustainability

### 58/20 RESOLVED *(carried unanimously)*

1. That Council endorse the Draft Delivery Program 2018-2021 and Operational Plan 2020-2021, Draft Budget 2020-2021 and place the documents on public exhibition between 24 June 2020 and 22 July 2020.
2. That Council endorse the Draft Statement of Revenue Policy for 2020-2021, incorporating the Draft Schedule of Fees and Charges 2020-2021, and place the document on public exhibition between 24 June 2020 and 22 July 2020.
3. That a notice of the public exhibition be made available for public inspection for 28 days at Council's Customer Service Centre (by appointment only) and on Council's website inviting public submissions.
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 and Operational Plan 2020-2021, Draft Budget 2020-2021, Draft Statement of Revenue Policy 2020-2021, incorporating the Draft Schedule of Fees and Charges for 2020-2021 on 28 July 2020.

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

### **(ITEM 33/20) EXHIBITION OF THE GENERIC PLAN OF MANAGEMENT - PARKS TO REFLECT ADDITION OF A DOG OFF-LEASH AREA AT SANDERS RESERVE**

File No: 20/25096

### **Summary**

This report provides Council with the results of the community consultation for the proposed Sanders Reserve dog off-leash area undertaken during March and April 2020. Based upon the results, Council staff recommends that Council consider the amendment of Burwood Council's Generic Plan of Management - Parks (**Attachment 1**) to include a proportion of Sanders Reserve as a dog off-leash area, and the installation of a fenced dog off-leash area as indicated in **Attachment 2**.

### Operational Plan Objective

1.1.4 Provide initiatives and facilities that encourage community participation and promote a healthy and harmonious lifestyle

### 59/20 RESOLVED *(carried unanimously)*

1. Council approve the amendment of Burwood Council's Generic Plan of Management - Parks to include Sanders Reserve as a dog off-leash area.
2. Council approved the exhibition of the amendment to the Generic Plan of Management - Parks for the statutory period of 28 days.
3. Council staff report back Council the results of the exhibition of the Generic Plan

of Management – Parks.

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

**(ITEM 34/20) INVESTMENT REPORT AS AT 31 MAY 2020**

File No: 20/25741

**Summary**

In accordance with Clause 212 of the *Local Government (General) Regulation 2005*, this report details all money that Council has invested under Section 625 of the *Local Government Act 1993*.

**Operational Plan Objective**

2.3.1 Identify and maintain additional revenue sources to ensure financial sustainability

**60/20 RESOLVED** *(carried unanimously)*

1. That the investment report for 31 May 2020 be received and endorsed.
2. That the Certificate of the Responsible Accounting Officer be received and noted.

(Moved Councillor Heather Crichton/Seconded Councillor Ernest Chan)

**(ITEM 35/20) INTERIM BUDGET AND FEES AND CHARGES DURING JULY 2020**

File No: 20/26403

**Summary**

In accordance with Clause 211 of the *Local Government (General) Regulation 2005*, a Council, or a person acting on behalf of a council, must not incur a liability for the expenditure of money unless the council at the annual meeting approves the expenditure and votes the money.


**Operational Plan Objective**

2.3 Ensure financial sustainability and organisational effectiveness

**61/20 RESOLVED** *(carried unanimously)*

1. That Council adopt the continuation of the 2019-20 Fees and Charges during the month of July 2020.
2. That Council approve an interim expenditure Budget being 1/12<sup>th</sup> of the total expenditure 2020-2021 budget totalling \$5,950,030 until the 2020-21 Operational Plan, Budget and Fees and Charges are adopted at the Council meeting in July 2020.

(Moved Councillor Joseph Del Duca/Seconded Councillor Heather Crichton)



**(ITEM 36/20) COMMUNITY RECYCLING CENTRE - RESOURCE SHARING ARRANGEMENT WITH CANADA BAY COUNCIL**

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File No: 20/27017

**Summary**

To have Council enter into a formal agreement with Canada Bay City Council allowing the residents of Burwood local government area to access and use the Canada Bay Community Recycling Centre located at Regatta Road Five Dock.

**Operational Plan Objective**

3.2.2 Identify emerging waste management solutions – Actively seek and identify new processes and technology

3.2.3 Ensure a community wide increase in recycling and reduction in landfill

3.3.1 Encourage the community to follow sustainable practices

**62/20 RESOLVED** *(carried unanimously)*

1. That, subject to approval from the Better Waste and Recycling Fund Coordinator, Burwood Council enters into a formal agreement with Canada Bay Council allowing access and use for the residents of Burwood local government area to the Canada Bay Community Recycling Centre.
2. That the General Manager be authorised to complete and sign the formal agreement on behalf of Council.

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

**INFORMATION ITEMS****(ITEM IN20/20) ANSWERS TO QUESTIONS WITHOUT NOTICE - COUNCIL MEETING OF 28 APRIL 2020**

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File No: 20/21946

**Summary**

At the Council Meeting of 28 April 2020 the following Questions without Notice (QWN) were submitted by Councillors. Council Officers responded to the QWN and Councillors were notified on 19 May 2020 of the outcome of the QWN.

**Operational Plan Objective**

2.1.3 Ensure transparency and accountability in decision making.

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



<b>QUESTIONS WITHOUT NOTICE – COUNCIL MEETING OF 28 APRIL 2020</b>	
<b>Question</b>	<b>Response</b>
<p><b><u>Councillor Lesley Furneaux-Cook</u></b></p> <p><b>Question 1:</b></p> <p>Could staff outline the potential impacts of the NSW Planning Acceleration Program recently announced by Minister Stokes - especially on the LEP and the meeting of the two planning panels?</p>	<p><b><u>Acting Group Manager – Strategic Planning, Heritage and Place Planning</u></b></p> <p>There is no impact to development applications within the Burwood LGA or the Burwood LEP by the announcement made by Minister Stokes.</p> <p>The projects identified for acceleration are a specific list of State Significant Developments which can be found at <a href="https://www.planning.nsw.gov.au/-/media/Files/DPE/Other/fast-tracked-assessments-tranche-one-2020-04.pdf?la=en">https://www.planning.nsw.gov.au/-/media/Files/DPE/Other/fast-tracked-assessments-tranche-one-2020-04.pdf?la=en</a></p> <p>Council staff are assessing whether any projects within the Burwood LGA are appropriate for inclusion in future tranches of this program.</p>
<p><b><u>Councillor Lesley Furneaux-Cook</u></b></p> <p><b>Question 2:</b></p> <p>A few residents have expressed concern regarding the use of their emails for the Burwood cares communication without their knowledge. How were the emails sourced and will they be guaranteed only to receive information regarding Council's response to the COVID for the duration of the emergency?</p>	<p><b><u>Group Manager - Corporate Planning and Communications</u></b></p> <p>Currently Council is operating under Crisis Management protocols. This necessitates being able to communicate broadly to our community through the many channels Council has at hand.</p> <p>The first edition of both the business and community E-News included an explanation of the objectives of the Burwood Cares E-Newsletters, namely: Keeping our community informed on Council initiatives to protect the health and wellbeing of our community and promote the Burwood Cares program as a central platform to find support.</p> <p>The Burwood Cares database is not a single list but segmented into the following groups:</p> <ul style="list-style-type: none"> <li>▪ Existing Burwood Council E-Newsletter subscribers</li> <li>▪ Existing Business Newsletter subscribers</li> <li>▪ The Burwood Library database</li> <li>▪ The Enfield Aquatic Centre database</li> <li>▪ The Facilities Hirers database which included community groups etc.</li> <li>▪ Ratepayer database</li> <li>▪ Council Executive and Councillors</li> </ul>

	<p>An “unsubscribe” option is present on every E-Newsletter sent by council, so anyone receiving Burwood Cares E-Newsletters is able to quickly and easily unsubscribe and be removed from Council’s E-News database.</p> <p>Post crisis:</p> <ul style="list-style-type: none"> <li>▪ The existing Council E-News and Business databases will continue to receive the E-Newsletters they originally subscribed to.</li> <li>▪ The other databases will continue to receive the original content they subscribed to, such as Library specific E-News for Library subscribers. However they will be asked if they would like to also subscribe to a general Council Update and What’s On E-Newsletter.</li> </ul> <p>Those that do not take up the subscription offer will no longer be emailed and removed from the active database segments.</p>								
<p><b><u>Councillor Lesley Furneaux-Cook</u></b></p> <p><b>Question 3:</b></p> <p>As the usual council matters leaflet is not currently in production, when will all Councillors’ contact details be included in the current e-communication?</p>	<p><b><u>Group Manager - Corporate Planning and Communications</u></b></p> <p>The current E-Newsletters have been developed in response to the COVID-19 crisis. It was considered appropriate to only include Council’s contact details on the E-Newsletter in order to provide a direct channel to Council’s COVID-19 response and resources. The media and communications team are continuing to develop physical newsletters that will include the contact details of all Councillors.</p>								
<p><b><u>Councillor Joseph Del Duca</u></b></p> <p><b>Question 1:</b></p> <p>Can Council provide a breakdown of small businesses in the area and how many of those are receiving assistance due to being in Council property?</p>	<p><b><u>Acting Deputy General Manager – Corporate, Governance &amp; Community</u></b></p> <p>Information sourced from the Department of Planning, Industry and Environment (2018) breaks down Burwood LGA businesses as follows:</p> <table border="1" data-bbox="785 1662 1359 1805"> <tr> <td>0 employees</td> <td>2,919</td> </tr> <tr> <td>1-4 employees</td> <td>1,467</td> </tr> <tr> <td>5-19 employees</td> <td>358</td> </tr> <tr> <td>20 or more employees</td> <td>67</td> </tr> </table> <p>Council is the Landlord for 12 small businesses and rent assistance has been provided to eight of them. The remaining four are presently under review and evaluation in line with the Federal Government’s Code of conduct for commercial tenancies.</p>	0 employees	2,919	1-4 employees	1,467	5-19 employees	358	20 or more employees	67
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<p><b><u>Councillor Joseph Del Duca</u></b></p> <p><b>Question 2:</b></p> <p>How many businesses are receiving benefits from having their outdoor licencing fees waived?</p>	<p><b><u>Group Manager Compliance</u></b></p> <p>Currently Council has 32 shops with approved outdoor eating licences. All of these premises will receive the three month fee reduction over the next financial period.</p>
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**No Decision – Information Item Only**

**(ITEM IN21/20) ANSWERS TO QUESTIONS WITHOUT NOTICE - COUNCIL MEETING OF 19 MAY 2020**

File No: 20/25683


**Summary**

At the Council Meeting of 19 May 2020 the following Questions Without Notice (QWN) were submitted by Councillors. Council Officers responded to the QWN and Councillors were notified on 2 June 2020 of the outcome of the QWN.

**Operational Plan Objective**

2.1.3 Ensure transparency and accountability in decision making.

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

<b>QUESTIONS WITHOUT NOTICE – COUNCIL MEETING OF 19 MAY 2020</b>	
<b>Question</b>	<b>Response</b>
<p><b><u>Councillor Lesley Furneaux-Cook</u></b></p> <p><b>Question 1:</b></p> <p>Do the changes in state legislation on how councils can spend their Section 94 contributions impact on Burwood Council?</p>	<p><b><u>Chief Finance Officer</u></b></p> <p>No – process/criteria for expenditure of contributions remains the same for the Burwood LGA.</p>
<p><b><u>Councillor Lesley Furneaux-Cook</u></b></p> <p><b>Question 2:</b></p> <p>Is there any potential funding available from the state/federal government to increase bike paths in our LGA (temporarily or</p>	<p><b><u>Group Manager – Assets and Infrastructure</u></b></p> <p>Transport for NSW (TfNSW) considered implementing additional cycle lanes during the COVID-19 pandemic in streets which have two lanes of travel in the same direction by converting</p> 



<p>permanently) to alleviate the use of public transport and car use during the current COVID-19 pandemic?</p>	<p>one lane for cyclists only. Given the placement of kerbside parking lanes there were no suitable locations meeting these criteria in Burwood which connected to existing cycling routes.</p> <p>As part of the current Parramatta Road Urban Amenity Improvement Program (PRUIAP) being managed by the Department of Planning, Council received just under \$800,000 in funding to construct three new mixed on-road and off-road cycle paths that will provide additional amenity for both cyclists and pedestrians. All three cycle routes will offer links between existing recreational areas within Burwood Council and the City of Canada Bay. This program is currently underway and expected to be finalised by the end of 2020.</p> <p>These cycle routes are as follows:</p> <ol style="list-style-type: none"> <li>1. Luke Ave to Burwood Rd – via Arthur St and Meryla St (designed).</li> <li>2. Parramatta Rd to Burwood Park – via Neich Pde (completed).</li> <li>3. Short St to Wangal Park – via Acton St and Monash Pde (designed).</li> </ol> <p>Following the completion of the Burwood Traffic and Transport Study currently being undertaken a review of cycleway will be undertaken to determine additional links required as well as funding opportunities from TfNSW Walking and Cycling Programs.</p>
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### **No Decision – Information Item Only**

#### **(ITEM IN22/20) PETITIONS**

File No: 20/25622

#### **Summary**

Petitions received are reported to Council on a monthly basis. Council has received two petitions since the May 2020 Council Meeting.

#### **Operational Plan Objective**

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



**Background**

<b>Date Received</b>	<b>Petition Subject</b>	<b>No. of Households and Businesses within the LGA</b>	<b>No. of Households outside the LGA</b>	<b>Responsible Council Division</b>
21 May 2020	Petition received in objection to: <ul style="list-style-type: none"> <li>▪ The zoning (R3) on the north side of Mitchell Street Enfield</li> <li>▪ The laneway between Mitchell Street and Cooinoo Reserve Enfield not being listed as public access.</li> </ul>	28	0	Land, Infrastructure and Environment
29 May 2020	Petition received from the residents of Brighton Retirement Village at 17-23 Croydon Avenue Croydon, seeking Council's support in retaining the 'No Parking' zone to the right of the driveway exit to Brighton Street at said address.	76	0	Land, Infrastructure and Environment

**Comments**

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

**No Decision – Information Item Only****(ITEM IN23/20) POWER OF ATTORNEY FOR THE GENERAL MANAGER - REPORT FOR PERIOD OF MARCH TO MAY 2020**

File No: 20/25952

**Summary**

At the Council Meeting of 28 May 2019, Council resolved to delegate to Tommaso Briscese a general Power of Attorney.

The resolution included a request for a report to Council every three months on all documents signed under the general Power of Attorney.

Council notes that there were no documents signed under Power of Attorney between March and May 2020.

**Operational Plan Objective**

2.1.3 Ensure transparent and accountability in decision making

**No Decision – Information Item Only****CONFIDENTIAL ITEMS - CLOSED SESSION**

**63/20 RESOLVED** *(carried unanimously)*

That the meeting move into closed session in order to consider:

1. Item 37/20 - Tender T005-2019 for the Henley Park - Amenities Building Upgrade and Extension

*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.*

2. (Item 38/20) - SSROC Regional Household Clean Up Material Disposal - Tender Evaluation

*That above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 10A(2) (d) of the Local Government Act, 1993, as the matter involves commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret.*

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

**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 08:05 PM THE PUBLIC EXCLUDED FROM THE MEETING.**

**THE MEETING RESUMED IN OPEN SESSION AT 08:11 PM.**

**(ITEM 37/20) TENDER T005-2019 FOR THE HENLEY PARK - AMENITIES BUILDING UPGRADE AND EXTENSION**

File No: 20/17815

*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.*



### Summary

The tender process undertaken in relation to tender T005-2019 for Henley Park Amenities Building – Upgrade and Extension has been finalised. The architect's perspectives and plan is provided in **Attachment 1**. Council staff recommends that Council accept the tender from Grindley Interiors P/L for the amount of \$ 2,009,720 excl. GST, subject to an acceptable result from the Independent Financial Health Check and pre-contract signing interview.

#### **RESOLVED** *(carried unanimously)*

1. That Council approve the additional amount of \$460,000 from Section 7.12 funds for the upgrade and extension of the existing amenities building.
2. That, in relation to tender T005-2019 for Henley Park Amenities Building – Upgrade and Extension, the tender submission from Grindley Interiors P/L for the total cost of \$2,009,720 excl. GST be accepted.
3. That following an acceptable result from the Independent Financial Health Check and pre-contract interview that authority be granted to the General Manager to confirm tender requirements and contract conditions and sign the Tender Contract and any other related documentation.
4. If required, subject to the outcome of item 3 above, should it be necessary to negotiate with an alternative tenderer, that the General Manager be authorised to negotiate up to a maximum variation of 5% in cost of the recommended contract price of \$2,009,720 excl. GST.

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

### **(ITEM 38/20) SSROC REGIONAL HOUSEHOLD CLEAN UP MATERIAL DISPOSAL - TENDER EVALUATION**

File No: 20/21767

*That above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 10A(2) (d) of the Local Government Act, 1993, as the matter involves commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret.*

### Summary

Council has participated in a tender process with the Southern Sydney Region of Councils (SSROC) for the disposal of bulky household waste (clean up material) and the results are now presented to Council for acceptance of the recommended preferred supplier.

#### **Operational Plan Objective**

- 3.2.2 Identify emerging waste management solutions – Actively seek and identify new processes and technology
- 3.2.3 Ensure a community wide increase in recycling and reduction in landfill

**RESOLVED** *(carried unanimously)*

1. That Council receives the tender recommendation report from the Southern Sydney Region of Councils for the supply of services to receive and process municipal household clean up material.
2. That Council accept the recommendation of the preferred supplier being Bingo Industries at the cost nominated in the SSROC Clean Up tender recommendation.
3. That the General Manager be authorised to sign the preferred supplier commissioning agreement on behalf of Council.

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

**QUESTIONS WITHOUT NOTICE**

The following Questions Without Notice were submitted at the Meeting:

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

To improve communication and transparency for our residents and in light of the recent closure of the Inner West Courier, can the General Manager publish as a monthly information item with the Council meeting papers a table showing development applications that have been determined by staff under delegation showing the DA number, DA lodgement date, property address, a description of the property, the date determined and the decision?

**Question 2:**

Does Enfield Aquatic Centre give consideration to residents who may work during the day when they plan the timetable for aqua aerobics classes? If not, how can we make available a weekly after hours class timeslot for our residents post COVID-19?

This concluded the business of the meeting and Council rose at 08:14 pm.

Confirmed this Tuesday 28 July 2020.



MAYOR

