



Burwood ^{Inc.1874}

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

MINUTES OF THE MEETING OF THE COUNCIL OF BURWOOD held electronically on Tuesday 24 November 2020 commencing at 4:04pm.

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

Mr T Briscese, General Manager
Mr F Zincone, Director Corporate Services
Ms B Endycott, Director Community Life
Mr G El Kazzi, Director City Assets
Ms P Hatzigiannis, Director People and Performance
Mr D Porter, Director City Strategy
Mr W Armitage, Group Manager Finance and Resource Management
Ms K Castellanos, Group Manager Strategic Planning, Heritage and Place Planning
Ms L Hennessy, Group Manager Corporate Planning and Communications
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

That there were no apologies.

DECLARATIONS OF INTEREST

Councillor Lesley Furneaux-Cook declared a conflict of interest in items:

- 109/20 (Review of Burwood Local Environmental Plan) - significant pecuniary conflict of interest as Councillor Furneaux-Cook owns a property in Livingstone Street which is her primary place of residence. Councillor Furneaux-Cook advised that she would temporarily leave the meeting and take no part in the discussion on the item of business.
- 112/20 (Rename Hornsey Lane – Project Outline and Community Engagement Plan) – less than significant non-pecuniary conflict of interest as the item makes reference to the Geographical Names Board. Councillor Furneaux-Cook is a member of the Board and advised

that she would recuse herself at the Board and thus participate in the Council discussion of this item of business.

DECLARATIONS OF POLITICAL DONATIONS

There were no declarations of political interests by Councillors.

CONFIRMATION OF MINUTES

64/20 RESOLVED *(carried unanimously)*

That the minutes of the meeting of the Council of Burwood held on Tuesday 27 October 2020, as circulated, be confirmed and signed as a true record of the proceeding of the meeting.

(Moved Councillor Heather Crichton/Seconded Councillor Raj Dixit)

ADDRESS BY THE PUBLIC ON AGENDA ITEMS

There was no business for this item.

CR LESLEY FURNEAUX-COOK LEFT THE MEETING, THE TIME BEING 04:10 PM.

GENERAL BUSINESS

(ITEM 109/20) REVIEW OF BURWOOD LOCAL ENVIRONMENTAL PLAN

File No: 20/47657

Summary

Council is obliged under the planning legislation to review the Burwood Local Environmental Plan 2012 (BLEP) to help implement the Eastern City District Plan developed by the Greater Sydney Commission (GSC). As the timeframe given by the GSC is fast approaching, the BLEP review focuses on addressing past relevant Council resolutions and fixing housekeeping anomalies identified by Council staff. It is recommended that a Planning Proposal be prepared which will address the matters and corresponding actions discussed in this report. At the same time, a more comprehensive review of the BLEP is underway pending completion of a series of technical studies.

Operational Plan Objective

- 1.2.1 Inform the community of Council's activities, facilities and services using accessible communication
- 2.1.3 Ensure transparency and accountability in decision making

65/20 RESOLVED *(carried unanimously)*

1. That Council note contents of this report.
2. Council provide endorsement to proceed with the preparation of a housekeeping LEP amendment that considers the following items:
 - a. Livingstone Street, Sym Avenue, Clarence and Church Streets Precinct.

- Burwood
- b. Former Masonic Temple Building
- c. Mitchell and Kembla Street Conservation Area

3. That Council endorse the preparation of a consultation strategy noting the commitment to undertake direct consultation in response to the nature of the BLEP amendment being proposed.
4. That Council note the overall timeframe to complete this housekeeping Planning Proposal currently programed to be endorsed by mid-2022.
5. That this housekeeping Planning Proposal be reported to Council for endorsement after it has been reported to the BLPP and before it is submitted to DPIE for a Gateway Determination.
6. As part of Council’s DCP Review, in relation to Council’s Design Excellence Policy, Council further investigate better building design/amenity via reviewing increased minimum floor to floor and floor to ceiling heights and to also investigate design competitions for major development applications.

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

Councillors George Mannah and Joseph Del Duca called for a **DIVISION**.

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

FOR	AGAINST
Councillor Faker	
Councillor Mannah	
Councillor Dixit	
Councillor Del Duca	
Councillor Crichton	
Councillor Chan	
Total (6)	Total (0)

CR LESLEY FURNEAUX-COOK RETURNED TO THE MEETING, THE TIME BEING **04:32 PM**.

(ITEM 110/20) BURWOOD COUNCIL ANNUAL REPORT 2019-2020

File No: 20/53320

Summary

Burwood Council’s Annual Report for the period 2019-2020 has been prepared in accordance with the *Local Government Act 1993* (the Act) and the Office of Local Government’s Annual Report requirements.

Operational Plan Objective

Leadership and Innovation

2.1.3. Ensure transparency and accountability in decision-making

2.1.3.1 Audit and evaluate projects and report outcomes to the community where

- possible
2.1.3.2 Provide information in a transparent manner

66/20 RESOLVED *(carried unanimously)*

That Council adopt Burwood Council Annual Report 2019-2020.

(Moved Councillor Heather Crichton/Seconded Deputy Mayor Ernest Chan)

(ITEM 111/20) HONOURING OUR LOCAL HERITAGE

File No: 20/46643

Summary

In June 2020, Council resolved that the General Manager investigate a number of initiatives to honour local heritage. The investigations included such matters as heritage trails, aboriginal heritage, plaques and heritage interpretation, and Council's website. This report provides an outline of those investigations, discusses possible approaches and the cost implications.

Operational Plan Objective

- 5.4.1 Preserve local heritage through relevant planning strategies
- 1.4.4 Promote and celebrate the area's heritage and indigenous heritage
- 4.3.2 Maintain and preserve heritage through relevant planning strategies

67/20 RESOLVED *(carried unanimously)*

1. That Council note the contents of the report.
2. That Council note the projects presented in this report have financial implications which have not been allocated in the existing budget for 2020-2021.
3. The focus of any new heritage information or heritage trails be supported through the provision of new digital content held on Council's website. Access to this information would be supported by local signage.
4. Following the finalisation of the *Wayfinding and Signage Strategy* and *Design Guide* a suitable response to the advancement of a heritage information be prepared with appropriate budget and resource allocation within the next financial year budget.
5. That Council engage with the Burwood Historical Society and other community stakeholders as part of the project.

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

(ITEM 112/20) RENAME HORNSEY LANE - PROJECT OUTLINE AND COMMUNITY ENGAGEMENT PLAN

File No: 20/52249

Summary

In September 2020 Council resolved to proceed with the renaming of Hornsey Lane. This included undertaking a community engagement campaign to identify potential names. This report provides an outline for the project and the proposed community engagement campaign approach and cost implications.

Operational Plan Objective

- 2.2 Strong partnerships to benefit the community
- 3.1 Maintain and enhance green and open spaces
- 4.4 Participate in regional planning and infrastructure projects to ensure the best outcomes for the community
- 5.1 Maximise Burwood's regional and strategic status within inner western Sydney
- 5.3 Enhance and foster the local identity

68/20 RESOLVED *(carried unanimously)*

That Council endorse the Project Outline and Engagement Plan for the "Rename Hornsey Lane" project.

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

(ITEM 113/20) SCHEDULE FOR 2021 - COUNCIL MEETINGS | COUNCILLOR BRIEFINGS | BURWOOD LOCAL PLANNING PANEL

File No: 20/45358

Summary

The proposed 2021 schedule for meetings of the Burwood Planning Panel, ordinary meetings of Council and Councillor briefing sessions is presented to Council for adoption.

Operational Plan Objective

- 2.5.1 Provide strong leadership and advocacy on behalf of the community.

69/20 RESOLVED *(carried unanimously)*

That:

1. Council adopt the schedule for meetings of the Burwood Planning Panel, ordinary meetings of Council and Councillor Briefing sessions in 2021 as proposed in the attachment to this report
2. meetings of the Burwood Planning Panel Council Meetings commence with public hearings at 6:00pm in the Conference Room at 2 Conder Street in Burwood and accommodate virtual participation consistent with requirements under the *Environmental Planning and Assessment Act 1979* and any prevailing Public Health Orders
3. ordinary meetings of Burwood Council normally commence at 6:00pm in the Conference Room at 2 Conder Street in Burwood and accommodate virtual participation consistent with requirements under the *Local Government Act 1993* and any prevailing Public Health Orders

4. Council remain flexible with varying the commencement time for ordinary meetings of Council in light of disruptions and constraints presented by the ongoing COVID-19 pandemic and ensure that citizens are given adequate notice of any changes
5. Councillor briefing sessions preceding ordinary meetings of Council commence no later than 5:00pm (unless otherwise negotiated) and be convened at 2 Conder Street in Burwood
6. Councillor workshops and briefings on days other than those nominated for ordinary meetings of Council continue to be scheduled as required.

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

(ITEM 114/20) BUDGET REVIEW FOR QUARTER ENDING 30 SEPTEMBER 2020

File No: 20/49544

Summary

The 2020-2021 Budget was adopted at the Council Meeting held on 28 July 2020 with a surplus of \$15,232. 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 30 September 2020, in the 2020-2021 Financial Year. 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 deficit of \$1,545,635 as at 30 September 2020 compared to the adopted forecast surplus of \$15,232. The reasons for the net decrease of \$1,560,867 are outlined in the report and are mostly due to circumstances arising as a result of the COVID-19 pandemic.

Additional funding of the "COVID-19 Reserve" to the value of \$1,387,000 is recommended to ensure that service levels continue to be met. The reserve can again be funded from Council's "Unrestricted Cash and Investments" which would continue to support the 2020-21 budget by providing funding for existing operational and planned capital expenditure, thus insulating Council from the negative economic impacts the budget is experiencing from the current pandemic situation. This will leave Council with a Deficit of \$158,635 which will be assessed during the next quarter. Additionally Council will need to continue to closely monitor and review budgets with particular focus on identifying opportunities for additional grants and internal savings moving forward.

Operational Plan Objective

2.3.1 Identify and maintain additional revenue sources to ensure financial sustainability

70/20 RESOLVED *(carried unanimously)*

1. That the Budget Review Statement of the 2020-2021 Budget as at 30 September 2020, 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 2020-2021 deficit of \$1,545,635, 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 and the transfers to and from External and Internal Restricted Reserves be, and are hereby voted.
3. That Council authorise the Chief Finance Officer, through the General Manager to increase funding levels of the "COVID-19 Reserve" by \$1,387,000 from Council's "Unrestricted Cash and Investments" to support the current budget, providing funding for existing operational expenditure thus insulating Council from the negative economic impacts the budget is experiencing resulting from continued revenue shortfalls and liquidity problems in the short to medium term leaving Council with a Deficit of \$158,635, to be assessed through the next quarter.

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

(ITEM 115/20) INVESTMENT REPORT AS AT 31 OCTOBER 2020

File No: 20/49533

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

71/20 RESOLVED (*carried unanimously*)

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

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

REPORTS OF COMMITTEES

(ITEM RC5/20) BURWOOD LOCAL TRAFFIC COMMITTEE - NOVEMBER 2020

File No: 20/51416

Summary

Attached are the Minutes of the Burwood Local Traffic Committee from its meeting of November 2020. The Minutes are hereby submitted to the Ordinary Council Meeting for consideration and adoption by Council.

Operational Plan Objective

4.1.5 Work with RMS and Transport NSW in the development of integrated transport plans

72/20 RESOLVED *(carried unanimously)*

That the minutes of the Burwood Local Traffic Committee of November 2020 be noted and the recommendations of the Committee as detailed below be adopted as a resolution of the Council.

(ITEM LTC27/20) CONDER STREET BURWOOD - CHANGES TO NO PARKING RESTRICTIONS

Recommendations

1. That Council approve the installation of “No Parking – Authorised Burwood Council Works Vehicles Excepted” restrictions on the eastern side of Conder Street Burwood for a length of 11 meters per the plan in the report.
2. That Council approve the removal of the “No Parking – Authorised Burwood Council Works Vehicles Excepted” restrictions on the western side of Elsie Street Burwood to be replaced with “2P Ticket Parking 9.00am – 6.00pm Monday to Saturday & Public Holidays” restrictions.

(ITEM LTC28/20) YOUNG STREET CROYDON - CHANGES TO PARKING RESTRICTIONS

Recommendations

1. That Council undertake further consultation with PLC and Transit Systems to consolidate the ‘Bus Zone’ on the eastern side of Young Street to the existing ‘Bus Zone’ on the northern side of Young Street west of Meta Street by extending the hours to 7.30am – 7.00pm Monday to Friday.
2. That following support for Point 1 above by both PLC and Transit Systems, Council extend the existing ‘No Parking’ Kiss & Ride zone on the eastern side of Young Street from Boundary Street to Grosvenor Street for a length of 108m.
3. That if there is a lack of support for Point 1 above by both PLC and Transit Systems, Council relocate the 20m ‘Bus Zone’ further south along Young Street opposite Grosvenor Street, with the remaining parking on the eastern side of Young Street to be converted to ‘No Parking 7.30am – 9.00am and 2.30pm – 4.00pm School Days Only’.

(ITEM LTC29/20) RAILWAY PARADE, BURWOOD - STREETSCAPE UPGRADE

Recommendations

1. That Council approve the proposed Streetscape Upgrades Concept Plan for Railway Parade between Burwood Road and Shaftesbury Road.
2. Further that Council move to the detailed design phase to allow construction of the works in the coming months.
3. That Council investigate improving the way finding signage to direct motorists to the Elizabeth Street Car Park.

(ITEM LTC30/20) EVERTON ROAD, STRATHFIELD - PROPOSED RAISED PEDESTRIAN CROSSING

Recommendations

1. That Council approve the conversion of the existing raised threshold in Everton Road, Strathfield, to a raised pedestrian crossing with associated kerb extensions, signs and line marking, as per the plan attached in the report.
2. That landscaping be incorporated into the blister islands on either side of the pedestrian crossing.
3. Further that Council review the existing 'Taxi Zone' in Everton Road with a view of reducing its length to obtain more on-street parking.

INFORMATION ITEMS**(ITEM TIN3/20) DATES FOR 2021 BURWOOD LOCAL TRAFFIC COMMITTEE MEETINGS**

No Decision – Information Item Only

(ITEM TIN4/20) TRANSPORT FOR NSW CONTACTLESS PEDESTRIAN CROSSING TRIAL

No Decision – Information Item Only

(Moved Councillor Heather Crichton/Seconded Councillor George Mannah)

INFORMATION ITEMS**(ITEM IN38/20) MONETARY CONTRIBUTIONS RECEIVED AND SPENT BY COUNCIL FOR PUBLIC PARKING**

File No: 20/51254

Summary

Since 2013, Council has received \$2,213,140 monetary contributions in lieu of 56.55 car parking spaces through voluntary planning agreements (VPAs). In late 2018, Council spent \$1,541,269 on purchasing 25 parking spaces in the Emerald Square development at 24-31 Belmore Street, Burwood.

Operational Plan Objective

- 1.2.1 Inform the community of Council's activities, facilities and services using accessible communication
- 2.1.3 Ensure transparency and accountability in decision making

The Burwood Development Control Plan (BDGP) provides for development at specific locations, e.g., the Burwood and Strathfield Town Centres, to offer a monetary contribution to Council in lieu of providing certain car parking spaces on-site. This involves Council and the developer or proprietor entering into a VPA. The monetary contributions received must be spent on the embellishment or addition to existing public car parks.

Since 2013 when the BDCP became effective, Council has received \$2,213,140 monetary contributions in lieu of 56.55 car parking spaces, all of which are for the Burwood Town Centre except for \$97,500 in lieu of 2 parking spaces for the Strathfield Town Centre.

In late 2018, Council spent \$1,541,269 on purchasing 25 parking spaces in the Emerald Square development at 24-31 Belmore Street, Burwood.

Therefore \$671,871 remains in the VPA parking contribution account.

(ITEM IN39/20) PETITIONS

File No: 20/49563

Summary

Petitions received are reported to Council on a monthly basis. Council has received one petition since the October 2020 Council Meeting.

Operational Plan Objective

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

Background

Date Received	Petition Subject	No. of Households and Businesses within the LGA	No. of Households outside the LGA	Responsible Council Division
21 October 2020	Petition received in objection to development application DA.2020.93 – the construction of an additional 1 level to the approved 6 storey mixed use development at 105-115 Liverpool Road Burwood.	41	0	City Strategy

Comments

That Council notes that the Petition has been referred to the appropriate Council Officers for attention.

No Decision – Information Item Only

CONFIDENTIAL ITEMS - CLOSED SESSION**73/20 RESOLVED** *(carried unanimously)*

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

- Item 116/20 – Conder Street Urban Park and Cultural Centre
- Item 117/20 – Burwood Park Café
- Item IN40/20 – Use of Contract Panels

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

THERE WERE NO REPRESENTATIVES FROM THE PUBLIC TO ADDRESS THE COUNCIL BEFORE THE RESOLUTION TO MOVE INTO CLOSED SESSION WAS CARRIED.

THE MEETING MOVED INTO CLOSED SESSION AT 5:11 PM WITH THE PUBLIC EXCLUDED FROM THE MEETING.

THE MEETING RESUMED IN OPEN SESSION AT 5:28 PM.

(ITEM 116/20) CONDER STREET URBAN PARK AND CULTURAL CENTRE

File No: 20/49008

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

This report presents the concept plans, internal layouts and landscape designs for the proposed Conder Street Urban Park and Cultural Centre to be located at the corner of Conder Street and Railway Parade, Burwood on the current Council carpark site in front of the Burwood Library.

RESOLVED *(carried unanimously)*

That Council:

1. Adopt the concept plans, internal layouts and landscape designs for the proposed new Urban Park and Cultural Centre at Conder Street, Burwood.
2. Undertake a community engagement program to inform the operations of the proposed Urban Park and Cultural Centre and receive a report detailing the outcomes of the community engagement process.
3. Authorise the General Manager to progress to the detailed design phase so as to enable lodgement of the Development Application for the project.
4. Authorise the General Manager to develop a funding strategy for the project utilising a portion of the monetary contributions from the VPA for the provision of the public benefits articulated in the proposed Urban Park and Cultural Centre, with a further report to be provided to Council on funding options once the detailed design and Cost Plan are further advanced.

5. Allocate funding from the NSW Public Spaces Legacy Program towards the new Conder Street Urban Park component of the project, noting grant funding is subject to successful completion of reporting requirements.
6. Continue to seek external grant opportunities to contribute towards the costs associated with the project.

(Moved Councillor George Mannah/Seconded Councillor Heather Crichton)

(ITEM 117/20) BURWOOD PARK CAFE

File No: 20/53236

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

Burwood Council has responsibility for the care, control and management of Burwood Park as the appointed Trustee under the Crown Lands Act 1989. The Burwood Park café has operated successfully for over five years following Council's decision to undertake an adaptive re-use of part of an amenities block in 2014 and the current lease will expire on 14 September 2025. The current Lessee has requested to assign the remaining lease period to Silver Winter Pty Ltd as the proposed new owner/operator of the business.

RESOLVED *(carried unanimously)*

1. That Council agrees to the assignment of the remaining lease period for Burwood Park Café to Silver Winter Pty Ltd.
2. That the General Manager be authorised to execute the lease agreement and any other related documentation under his Power of Attorney following the required Ministerial agreement to the assignment.

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

(ITEM IN40/20) USE OF CONTRACT PANELS

File No: 20/48645

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

In accordance with Council's Purchasing and Contract Management Corporate Practice and Procedure a requirement each year is to table a report showing the Use of Contract Panels used during the period 1 July 2019 to 30 June 2020. The information listed in the attachment to the report includes information on each of Council's panel contracts and details the number of invoice transactions completed for each panel member.

RESOLVED (*carried unanimously*)

That Council receive and note the Use of Contract Panels information contained in the report.

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

QUESTIONS ON NOTICE

The following Questions on Notice were submitted at the Meeting:

Councillor Heather Crichton**Question 1:**

Does Council's Disability Inclusion Action Plan include the provision of 'Tactile Ground Surface Indicators' at our kerb ramps, pedestrian crossings and bus stops within our Town Centres to assist those who are blind or visually impaired? How regularly are these indicators audited?

Question 2:

In addition to Council's social media platforms, how is Council's 'Shopfront Improvement Program 2020-21' being promoted to our local businesses in Burwood Town Centre?

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

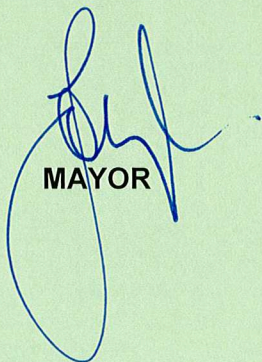
How often do Council's Compliance Rangers contact real estate agents to inform them of leftover signage in the Burwood local government area?

Question 2:

Are Council staff aware of other councils' strategies to minimise the use of storage trailers on their roads?

THIS CONCLUDED THE BUSINESS OF THE MEETING AND COUNCIL ROSE AT 5:32 PM.

Confirmed this Tuesday 8 December 2020.



MAYOR