



MINUTES OF THE MEETING OF THE COUNCIL OF BURWOOD held electronically on Tuesday 8 December 2020 commencing at 4:01pm.

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

Mr F Zincone, Acting General Manager and 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
Ms M Wassef, Youth Officer
Ms T Whitmarsh, Consultant – Governance Specialist
Ms R Gerges, Governance Officer
Ms S Mulder, Chair of Audit, Risk and Improvement Committee

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

74/20 RESOLVED (*carried unanimously*)

That Councillor Del Duca is an apology to the meeting.

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

DECLARATIONS OF INTEREST

Councillor Heather Crichton declared a less than significant non-pecuniary conflict of interest in item 120/20 (Burwood 150 Year Steering Committee) as one of the nominees is an active member on two council advisory committees which are chaired by Councillor Crichton. Furthermore, an applicant (who was not shortlisted) is a personal friend of Councillor Crichton.

DECLARATIONS OF POLITICAL DONATIONS

There were no declarations of political interests by Councillors.

CONFIRMATION OF MINUTES**75/20 RESOLVED** *(carried unanimously)*

That the minutes of the meeting of the Council Meeting of Burwood held on Tuesday 24 November 2020, as circulated, be confirmed and signed as a true record of the proceeding of the meeting.

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

ADDRESS BY THE PUBLIC ON AGENDA ITEMS

Name	Item
Thu Quynh Cu	Item 119/20 - Findings of the Preliminary Heritage Investigation – 17 Ethel Street Burwood
Will Cu	Item 119/20 - Findings of the Preliminary Heritage Investigation – 17 Ethel Street Burwood
Harvey Luu Trong	Item 119/20 - Findings of the Preliminary Heritage Investigation – 17 Ethel Street Burwood

(ITEM MM17/20) MAYOR'S CHRISTMAS DONATION INITIATIVE

File No: 20/53616

Summary

As a result of the Covid-19 pandemic, this year has been a particularly hard year for many community members in the Burwood Local Government Area.

As the crisis unfolded, I am proud that we demonstrated high levels of agility and responsiveness in addressing complex community needs. The delivery of the Burwood Cares Program and an unprecedented package of financial relief measures are both tangible examples of how Council has gone above and beyond to minimise the impacts of Covid-19 on our local community.

The Mayor's Christmas Function has been a long standing annual tradition that has served to bring together and thank members of the community who have contributed to the progress of Burwood. However, due to COVID-19, both in terms of safety considerations and in recognition of the ongoing financial difficulties faced by many in our local community, I have taken the decision not to hold the Mayor's Christmas Function in December this year.

As we now move towards recovery, there is no doubt that times continue to be tough for many. As we approach Christmas over the coming weeks, it has never been a more critical time to recognise that Christmas can be an added pressure on people and families that are already doing it tough.

With this front and centre in mind, I propose that funds allocated to the Mayor's Christmas Function in the 2020/21 budget be reallocated to the Mayoral Donation Program to provide additional support to local churches and community organisations that are actively supporting vulnerable members of our local community over the

Christmas period.

Specifically, I propose that funding is donated equally to:

Organisation	Planned Community Support for December 2020 to January 2021	Proposed Donation
Burwood Croydon Uniting Church	Provision of emergency relief packages, food vouchers and toys to high needs community members.	\$2000 (no GST)
St Merkorious Charity	Delivery of prepared meals to vulnerable community members.	\$2000 (no GST)
St Paul's Anglican Church	Christmas hampers made up of essential food and hygiene items.	\$2000 (no GST)
Wesley Mission Homelessness Services	Distribution of care packages to rough sleepers.	\$2000 (no GST)
Women and Girls' Emergency Centre	Toys and Christmas packages for women and children escaping domestic violence and school holiday activities for children.	\$2000 (no GST)

In addition to the above, Council is also supporting the 'Tree of Joy' initiative in partnership with the Rotary Club of Burwood. I would like to encourage everyone in our community to donate a much needed gift for Christmas by visiting the Burwood Library before 15 December 2020. Gifts will be distributed to local residents and families who need it most.

Councillors, I seek your support to help those in need in our community to have a Merry Christmas in 2020.

Operational Plan Objective

- 1.1.1 Provide a diverse range of strategies and initiatives that meet the needs of the community.
- 5.2 Support and engage with local services and businesses.

76/20

RESOLVED *(carried unanimously)*

1. Council reallocates funds from the Mayor's Christmas Function 2020/21 budget to the Mayoral Donation Program 2020/21 budget to provide a \$2000 (no GST) donation to each of the following organisations that are actively supporting vulnerable members of our local community over the Christmas period:
 - Burwood Croydon Uniting Church
 - St Merkorious Charity
 - St Paul's Anglican Church
 - Wesley Mission Homelessness Services
 - Women and Girls Emergency Centre.
2. Council encourages members of the community to donate gifts to the 'Tree of Joy' initiative being delivered in partnership with the Rotary Club of Burwood.

GENERAL BUSINESS**(ITEM 118/20) COVID-19 PROGRESS REPORT**

File No: 20/51284

Summary

This report provides a progress update on activities undertaken by Council in response to the COVID-19 pandemic for the period of March to December 2020.

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.

77/20 RESOLVED *(carried unanimously)*

That Council:

1. Notes the information contained in this report.
2. Receives a further report in April 2021 on key activities undertaken by Council between January and March 2021 in response to the COVID-19 pandemic.

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

(ITEM 119/20) FINDINGS OF THE PRELIMINARY HERITAGE INVESTIGATION - 17 ETHEL STREET BURWOOD

File No: 20/53381

Summary

A preliminary heritage investigation of 17 Ethel Street Burwood has been undertaken by a heritage consultant. The investigation has found that the property has potential heritage significance and progression of a heritage listing is recommended.

Operational Plan Objective

- 1.4.4 Promote and celebrate the area's heritage and Indigenous history
- 4.3 Integrate Burwood's existing heritage with high quality urban design
- 4.3.2 Maintain and preserve heritage through relevant planning strategies

78/20 RESOLVED

1. That Council endorse the heritage listing of the property at 17 Ethel Street Burwood and the preparation of a Planning Proposal.
2. That the Planning Proposal be submitted to the Burwood Local Planning Panel (BLPP) for their consideration.
3. That the results of the BLPP's consideration be reported back to Council.

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

Councillors Ernest Chan and Lesley Furneaux-Cook 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 Dixit
Councillor Mannah	Councillor Chan
Councillor Crichton	
Councillor Furneaux-Cook	
Total (4)	Total (2)

(ITEM 120/20) BURWOOD 150 YEAR STEERING COMMITTEE

File No: 20/53606

Summary

This report provides an update on the establishment of the Burwood 150 Year Steering Committee, including the Draft Terms of Reference and nominations for community representatives for Council's consideration and adoption.

Operational Plan Objective

- 1.2 A well-informed, supported and engaged community.
- 1.4 A proud and inclusive community that celebrates diversity.
- 2.2 Strong partnerships to benefit the community.
- 5.3 Enhance and foster local identity.

79/20 RESOLVED *(carried unanimously)*

That Council:

1. Adopts the Draft Terms of Reference for the Burwood 150 Year Steering Committee (included in Attachment 1).
2. Adopts the community representatives listed in the report for membership on the Burwood 150 Year Steering Committee.
3. Advises all applicants in writing of the outcome of their nomination and places unsuccessful applicants on an eligibility list should a position on the Committee become vacant in the future.

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

(ITEM 121/20) REVISION TO CODES AND / OR POLICIES CONCERNING SOFT LANDSCAPING REQUIREMENTS

File No: 20/46638

Summary

Investigation into the revision of soft landscaping requirements for residents who have additional needs or mobility requirements and cannot practically comply with current soft

landscaping requirements has been undertaken.

Operational Plan Objective

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

80/20 RESOLVED *(carried unanimously)*

1. That Council note the contents of this report and investigation undertaken,
2. Council Assessment Officers be briefed on the findings for the DCP soft landscaping review report in relation to alternative landscape design outcomes,
3. That Council note a comprehensive BDCP will consider the findings of the DCP Soft Landscaping Review and need for additional landscape design provisions.

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

(ITEM 122/20) ADOPTION - REVISED AGENCY INFORMATION GUIDE - GOVERNMENT INFORMATION (PUBLIC ACCESS) ACT 2009

File No: 20/53733

Summary

Council is obliged under Sections 20 and 22 of the *Government Information (Public Access) Act 2009* (the GIPAA) to adopt and publish an agency information guide that is to be remade at intervals of not more than 12 months. A revised draft of the *Burwood Council Agency Information Guide* is attached for adoption.

81/20 RESOLVED *(carried unanimously)*

That Council adopts the revised *Agency Information Guide – Government Information (Public Access) Act 2009* for publication on its website.

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

(ITEM 123/20) CODE OF CONDUCT COMPLAINTS STATISTICS

File No: 20/54396

Summary

To report to Council a summary of Code of Conduct Complaint statistics in accordance with the requirements set out in clause 11.1 of the Procedures for the Administration of the Code of Conduct.

Operational Plan Objective

2.1.3 Ensure transparency and accountability in decision making

82/20 RESOLVED *(carried unanimously)*

That Council notes the Statistical Report on Code of Conduct Complaints relating to Councillors and the General Manager for the period 1 September 2019 to 31 August



2020.

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

(ITEM 124/20) TABLING OF FIRST TIME RETURNS - DISCLOSURE OF INTERESTS - DESIGNATED PERSONS

File No: 20/55908

Summary

The Burwood Council Code of Conduct requires councillors and designated persons to submit disclosure of interests returns within 3 months of taking up their position with Council. The *Local Government Act 1993* obliges the General Manager to add these to a consolidated register of returns and bring the returns to the notice of Council by promptly tabling them at a Council meeting. 7 first time returns have recently been lodged and are now brought to the attention of elected Council.

Operational Plan Objective

2.1.3 Ensure transparency and accountability in decision making

83/20 RESOLVED (*carried unanimously*)

That Council note the tabling of disclosure of interest returns in accordance with the Burwood Council Code of Conduct and the *Local Government Act 1993* for the following Council officials:

1. Karla Castellanos (Group Manager – Strategic Planning, Heritage and Place Planning)
2. Holly Duan (Senior Town Planner)
3. George El Kazzi (Director City Assets)
4. Brooke Endycott (Director Community Life)
5. Dylan Porter (Director City Strategy)
6. Alastair Sim (Development Enquiry Officer)
7. Brian Troung (A/Property Management Coordinator)

and that mandatory proactive release of the returns via publication on the Council website will be effected in accordance with the *Government Information (Public Access) Act 2009*.

(Moved Councillor Heather Crichton/Seconded Councillor George Mannah)

INFORMATION ITEMS

(ITEM IN41/20) DRAFT OVERLAND FLOODS STUDIES AND PLANNING PROPOSAL TO AMEND FLOOD PLANNING CLAUSE IN BURWOOD LOCAL ENVIRONMENTAL PLAN – UPDATE REPORT

File No: 20/53315

Summary

This information report is to update Council on the status of the Overland Flood studies

and planning proposal. The Four (4) draft Overland Flood Studies were undertaken by consultants and a Consolidated Flood Identification (CFI) map was developed from these draft studies. The CFI map identifies properties that are affected by flooding (**Attachment A**). A Planning Proposal (PP) was also prepared to amend the flood planning clause in the Burwood Local Environmental Plan (BLEP) 2012. The PP intended to introduce a flood planning map and amend the definition of the flood planning level to account for local overland flooding. The draft Overland Flood Studies were exhibited in 2018. The PP was exhibited in August 2020. The number of submissions received are outlined in the report.

Operational Plan Objective

1.2.1 Inform the community of Council's activities, facilities and services using accessible communication

Background

As part of the Floodplain Risk Management process endorsed by the NSW Government Floodplain Development Manual 2005, Council engaged consultants to carry out four draft Overland Flood Studies, known as:

- Dobroyd Canal Overland Flood Study, October 2013
- Cooks River Overland Flood Study, May 2014
- Powell's Creek Overland Flood Study, March 2016
- Exile Bay-St Luke's-William Street Overland Flood Study, March 2017

One of the outcomes of the flood studies under the NSW Floodplain Risk Management process is to help Council identify the Flood Planning Area (FPA) based on flood inundation created from the various flood models. Council's flood studies have indicated the FPA's within mainstream flooding zones and overland flooding zones accordingly. A Consolidated Flood Identification (CFI) map has been developed. The CFI map is a consolidated map which shows all the properties affected by Overland or Mainstream Flooding identified in the four draft studies mentioned above.

The four draft flood studies were reported to the Council meeting on 26 June 2018, when Council resolved that:

- a. Council endorse the public exhibition of the four draft flood studies including the draft CFI Map. - Completed
- b. Council resolve to amend Clause 6.2 of the BLEP and submit a Planning Proposal (PP) to the Department of Planning, Industry and Environment (DPIE). - Completed
- c. Council place the PP on public exhibition in accordance with the Gateway Determination, and report the outcomes of the public exhibition back to Council. – PP exhibited.
- e. Council endorse the update of Planning Certificates to notate the flood affected properties identified in the draft flood studies including the draft CFI Map. – Completed
- f. Council endorse its commitment towards the NSW Floodplain Risk Management Process. – Noted

The four draft overland flood studies were publically exhibited between 16 July 2018 and



15 October 2018. As part of the public exhibition Council sent letters to all property owners whose property was flood identified (properties as per CFI map). In total 2,637 letters were sent. At the conclusion of the public exhibition period, Council received twenty nine (29) written submissions. The breakdown of written submissions relating to each catchment were seventeen (17) for Cooks River, five (5) for Powell's Creek, six (6) for Dobroyd Canal and one (1) for Exile Bay-St. Lukes-William St catchment. Council also received twenty eight (28) phone enquiries and ten (10) people attended customer service to discuss the flood studies during the exhibition period.

The written submissions were referred to the consultants who prepared the overland flood studies, who assessed and ground truthed each individual submission and provided findings and specific responses of their assessment back to Council. A Council officer also attended the ground truthing site visits with the consultant. The findings and specific responses were received by Council in May 2019 for the Dobroyd Canal, Powell's Creek, Exile Bay Catchments and in August 2019 for the Cooks River Catchment.

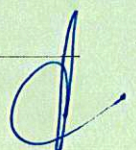
The findings of the review of the properties in the Dobroyd Canal, Powell's Creek and Exile Bay catchments showed that they are all still flood identified and remain on the CFI map, so no changes to these flood studies. The finalised overland flood study reports were received by Council for Dobroyd Canal in September 2019, Powell's Creek and Exile Bay in October 2019.

The findings of the review for properties in the Cooks River Catchment showed that three of the properties would not be flood affected and subsequently could be removed from the CFI map. Following further review for Cooks River, other properties were discovered that could possibly be removed as flood identified but this number has not been confirmed. Therefore due to the discrepancies, the Cooks River Flood Study has not been finalised by Council as yet.

In December 2019, Council received an email from City of Canterbury Bankstown (CB) Council to participate in a new Cooks River Catchment Flood Study that will be undertaken in conjunction with Department of Planning, Industry and Environment (DPIE) and other relevant Councils. The reason for this new study is that Sydney Water conducted a mainstream flood study in 2009 for the Cooks River Catchment to assess flooding behaviour but since then the catchment has changed significantly and there are major developments that are in the planning process within the catchment. Besides this, previous flood studies conducted by Councils and Sydney Water in the Cooks River catchment used Australian Rainfall and Runoff 1987 (ARR-1987). Therefore, it is important to conduct a fresh Cooks River flood study incorporating recent drainage & topography data, ARR-2016/2019 guidelines and climate change impacts. It is hoped that this new process will provide Council with a revised CFI map for the Cooks River Catchment which would confirm the discrepancies found previously.

In March 2020 Council sent a letter of support to CB Council agreeing to participate in the Cooks River Flood Study. The grant funding application for the first phase of this study was completed and submitted by CB Council on behalf of all participating Councils. A decision by the DPIE for the first stage of this project was not received at the time of preparation of this report. The first phase includes the engagement of a consultant and the commencement and finalisation of data review. At this stage, it is envisaged that the second phase which is the completion of the Cook River Flood Study will not be delivered till approx. end of 2022.

In relation to the Planning Proposal to amend the flood planning clause in the Burwood LEP, this was placed on public exhibition from 31 July 2020 to 28 August 2020. Over



2,700 letters were sent out to the affected land owners and occupiers. Nineteen (19) submissions in objection were received.

In October 2020, Council obtained quotations from the consultants on the cost to update the four (4) existing draft overland flood studies using the latest ARR2016/19. The cost will be approximately \$90,000 (\$30,000 to update the Powells Creek-Dobroyd Canal-Exile Bay Overland Flood studies and \$60,000 for the Cooks River).

Best Way Forward

Council met with DPIE via a Microsoft Teams meeting on Friday 23 October 2020 to discuss best way forward for Council with regards to the flood studies and planning proposal.

Following this meeting with DPIE the recommendations are as follows:

- All draft overland flood studies (Dobroyd Canal, Powell's Creek, Exile Bay and Cooks River) be updated incorporating recent drainage & topography data, ARR-2016/2019 guidelines and climate change impacts at a cost of approximately \$90,000. This will be completed by mid 2021.
- DPIE, by way of the Gateway Determination, required the PP to be completed by August 2020. An extension of time until next year could not be supported. Under the planning legislation, the planning proposal authority (which is Council) may request the Minister for Planning to determine that the matter not proceed. The General Manager has Delegated Authority from Council to advise DPIE of his decision to withdraw the PP.
- A letter be prepared by Council to respond to the twenty nine written submissions of the draft overland flood studies and nineteen written submissions with regard to the PP advising the above.
- Following completion of the overland draft flood study updates, Council will respond again to the twenty nine written submissions updating them of the results and a new PP will be prepared to amend the flood planning clause in the Burwood LEP. The Burwood DCP will also be amended to incorporate the CFI map.
- The Draft Overland Flood Studies will be put forward for Council adoption once updated in late 2021.
- In accordance with the relevant Ministerial Direction, upon Council's adoption of the Overland Flood Studies, the new PP prepared will be reported to the Burwood Local Planning Panel (BLPP) for advice first. The BLPP's advice will then be reported to Council seeking Council's adoption of the BLPP's advice and the PP. Amendment of the Burwood DCP may be prepared and reported to Council after the PP has substantially progressed. A typical planning proposal process takes nine to twelve months, while a typical DCP amendment takes three to four months.
- Council to apply for funding from DPIE (next funding round) in 2021 for the next stage of the Floodplain Risk Management Process which is undertaking a Floodplain Risk Management Plan for all of Council's stormwater catchments.
- Council to continue with the Cooks River Flood Study in conjunction with CB City Council. Following the completion of this study in approx. late 2022, the Consolidated Flood Identification (CFI) map be updated with any changes.



(ITEM IN42/20) AUDIT, RISK AND IMPROVEMENT COMMITTEE - ANNUAL REPORT

File No: 20/55970

Summary

To brief Council and the public on activities of the Audit, Risk & Improvement Committee (ARIC) for the period November 2019 – October 2020.

Operational Plan Objectives

2.1.3 Ensure transparency and accountability in decision making

Background

As a result of the Council Elections held in September 2017, the incoming Council voted for membership of Council's Committees at its meeting of 24 October 2017. Councillors Lesley Furneaux-Cook and Rajkumar Dixit were appointed as delegates of the Committee.

In October 2017, Council conducted a call for nomination of two external independent members to Council's ARIC for the period 1 November 2017 to 31 August 2020. The independent members appointed were Ms Sandra Mulder (Chairperson) and Mr Daniel Carbone.

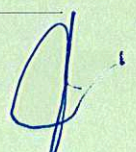
In September 2020, Council extended the tenure of the ARIC members to 31 August 2020 due to transitional exigencies outside the control of Council.

The ARIC meets four times per year and this report relates to activities undertaken by the Audit Committee at its meetings of 18 February 2020, 26 May 2020, 18 August 2020 and 20 October 2020.

Current Activities

In the last 12 months, the ARIC undertook the following activities:

- Reviewed the 2019/2020 Financial Statements and Audit Report, met with NSW Audit Office to review and discuss annual audit process and outcome.
- Reviewed and amended ARIC Charter amendment to allow extension of the tenure of the ARIC members due to transitional exigencies outside the control of Council.
- Reviewed draft Risk Management Strategy and Risk Management Strategy
- Received briefing on Council's Business Continuity Plan exercise report (BCP exercise conducted in Oct 2019)
- Reviewed Internal Audit programme for 2020/2021.
- Followed up on the implementation of External audit recommendations.
- Received updates on Employee Governance Training Program.
- Received update on the internal auditor selection and evaluation process.
- Received follow up reports on progress and adoption of recommendations for the IT System Vulnerability and Recruitment and Selection internal audits.
- Received internal audit reports on the 2020 schedule.



- Received an update from Council on its Business Continuity Plan.
- Received a Covid-19 Briefing from Council
- Received an update on Council's Organisational Structure.
- Reviewed and endorsed Council's Fraud and Corruption Prevention Policy
- Reviewed and endorsed Council's Gifts and Benefits (with amendment)
- Pursued other Governance-related issues, as necessary, in accordance with the Audit Committee Charter.

Minutes

The Minutes of the Meetings of 8 October 2019, 18 February 2020, 26 May 2020 and 18 August 2020 are attached as approved. The Minutes of the Meeting of 20 October 2020 will be attached to the next Summary Report once approved by the Audit, Risk and Improvement Committee.

No Decision – Information Item Only

(ITEM IN43/20) SAFE AND CLEAN TEAM - PERFORMANCE REPORT

File No: 20/53390

Summary

This report provides performance information on the Safe & Clean Team for the 2019/2020 period.

The Safe & Clean Team operates on a daily basis between the hours of 10am to 6pm and patrols all main business streets in the Burwood Local Government Area as defined in the contract including Burwood Road, Liverpool Road, The Boulevarde, The Strand and Georges River Road.

The Safe & Clean Team focuses on ensuring that the main business streets are always clean by removing light litter and cleaning infrastructure as well as reporting all crime activity to Police and local law breaches to Council. Additionally the team provide a key visual presence of Council along the main commercial streets during the above hours.

Below highlights the performance for the January 2020 - November 2020 period:

Activity	Rubbish removed from roadway	Shopping trolleys reported & removed into side streets	Advertising posters removed	Report Graffiti on Council Property	Report Road Obstructions	Small spills clean ups
January	1476 litres	92	13	0	4	60
February	1624 litres	63	34	0	10	48



March	934 litres	67	30	0	1	132
April	812 litres	54	26	0	0	92
May	1120 litres	78	23	0	0	43
June	1569 litres	48	15	4	0	70
July	1920 litres	95	115	23	0	71
August	1690 litres	105	250	18	2	45
September	1460 litres	109	227	23	3	53
October	1476 litres	80	170	30	5	120
November	1476 litres	126	80	20	6	165
Total	15557 litres	917	983	118	31	899

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 IN44/20) POWER OF ATTORNEY FOR THE GENERAL MANAGER - REPORT FOR PERIOD OF SEPTEMBER TO NOVEMBER 2020

File No: 20/54358

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 the following document was signed under Power of Attorney between September and November 2020:

- Burwood Park Reserves Trust Lease and Deed to Jad's Place. Presented to Council on 23 February 2015, Item 14/15.

Operational Plan Objective

2.1.3 Ensure transparent and accountability in decision making

No Decision – Information Item Only

(ITEM IN45/20) REGISTER - TRIBUTES TO RESIDENTS - COUNCILLORS' EXPENSES AND FACILITIES POLICY 1 FEBRUARY 2020 - 30 NOVEMBER 2020

File No: 20/55967

Summary

The Councillors' Expenses and Facilities Policy includes a \$2,500 budget for the Elected Body to offer wreaths, flowers or the equivalent for particular reasons, including in the event of the passing of a resident.

To ensure transparency in allocation of funds, a Quarterly Report on expenses is presented to Council. This report covers the period 1 February 2020 – 30 November 2020.

Operational Plan Objective

2.1.3 Ensure transparency and accountability in decision making

No Decision – Information Item Only

(ITEM IN46/20) ANSWERS TO QUESTIONS ON NOTICE - COUNCIL MEETING OF 24 NOVEMBER 2020

File No: 20/55932

Summary

At the Council Meeting of 24 November 2020 the following Questions on Notice (QoN) were submitted by Councillors. Council Officers responded to the QoN and Councillors were notified on 1 December 2020 of the outcome of the QoN.

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:



QUESTIONS ON NOTICE – COUNCIL MEETING OF 24 NOVEMBER 2020	
Question	Response
<p><u>Councillor Heather Crichton</u></p> <p>Question 1:</p> <p>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?</p>	<p><u>Director Community Life</u></p> <p>Council’s Disability Inclusion Action Plan (DIAP) 2017-2021 does not specifically reference Tactile Ground Surface Indicators (TGSIs), however, it does have an ongoing action that states “Continue the program of retrofitting pedestrian crossings as raised crossings and including dropped kerbs in new footpaths” within a broader strategy to “Deliver accessible and inclusive community facilities and spaces (page 23).”</p> <p>TGSIs are installed in some locations within town centres to assist those who are blind or visually impaired, however, there is limited data on the specific locations and condition of indicators available as a comprehensive audit has not yet been undertaken by Council.</p> <p>Existing tactile markers that are found to be damaged are regularly repaired as part of Council’s ongoing maintenance programs. Council has also standardised the application for implementation of tactile indicators to meet Australian Standard 1428.4:2002. This includes the following provisions for new works:</p> <ul style="list-style-type: none"> ▪ For any pram ramp where the grade is less than 1 in 8 the tactile markers will be provided ▪ Tactile markers need to be specified, including colour dimensions, location and contrast for the visually impaired ▪ Any pram ramp at traffic signals should also include the offset and t-shaped tactile markers directing the visually impaired to the signal activation button. <p>In late 2021, Council will be undertaking a formal review of Council’s implementation of the current DIAP and commencing work to develop the Disability Inclusion Action Plan (DIAP) 2022-2026. This planned work provides an opportunity for Council to audit</p>



	indicators in place and develop a continuous program of upgrading Council owned or controlled kerb ramps, pedestrian crossings and bus stops to include standardised TGSIs across all town centres.
<p><u>Councillor Heather Crichton</u></p> <p>Question 2:</p> <p>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?</p>	<p><u>Director Community Life</u></p> <p>The 2020/21 Shopfront Improvement Program has been promoted to the community via the following methods and channels:</p> <ul style="list-style-type: none"> ▪ Announcement of the revised Shopfront Improvement Program at Council's Small Business Month event held on Friday 30 October 2020, which was attended by 26 small businesses (in person and virtual attendees). ▪ Face to face visits to local businesses located on Burwood Road by a cross-Council team involving Council officers from Community Safety, Community Development, Building and Development and Communications during November 2020, which included bilingual support and translated information about the program. A key focus of the business visits was to highlight compliance issues and encourage businesses to access the program. ▪ Provision of updated information and an online application form on the Council website. ▪ Creation of a short video to promote the program, which was shared on the Mayor and Council's Facebook sites (500 views as at 25 November 2020). ▪ Inclusion of information about the program in Council's business e-news (1,468 recipients) and Council's Burwood Update e-news (3017 recipients). ▪ Program information was sent to local business stakeholders for circulation to business networks, such as, Burwood Asian Business Partnership (178 members), a local real estate agent and Service NSW Concierge Program. ▪ Three rounds of posts/promotion have been undertaken across Council's social media channels, including Facebook, Instagram, Twitter and WeChat.



<p><u>Councillor Lesley Furneaux-Cook</u></p> <p>Question 1:</p> <p>How often do Council's Compliance Rangers contact real estate agents to inform them of leftover signage in the Burwood local government area?</p>	<p><u>Director Community Life</u></p> <p>Council's Community Safety Team contact real estate agents and request for signage to be removed when specific issues are identified. If signage is left on the roadway, then contact is made for that specific issue. Council's Community Safety Team reports that this is not common.</p> <p>Council has recently made contact with real estate agents in the local area to promote the Shopfront Improvement Program. This provides a new opportunity for Council to pro-actively raise this issue with real estate agents rather than waiting for instances to occur. If there are specific issues or locations where this is occurring, Council officers would be happy to communicate this via these newly established networks.</p>
<p><u>Councillor Lesley Furneaux-Cook</u></p> <p>Question 2:</p> <p>Are Council staff aware of other councils' strategies to minimise the use of storage trailers on their roads?</p>	<p><u>Director Community Life</u></p> <p>Trailers parked on roadways are regulated by Council via the Impounding Act for unregistered trailers parked on roads and the Environmental Planning & Assessment Act for trailers parked on roadways and used for advertising. In instances where storage trailers are registered and are not breaching any parking regulations, Council is limited in its ability to pursue the matter.</p> <p>Council's Community Safety Team report infrequent issues in the Burwood LGA with the use of storage trailers on roads, however, Council recently impounded an unregistered storage trailer on Portland Street, Enfield following complaints from residents and the inability to find an alternative solution with the owner.</p> <p>Instances of trailers parked on the roadway and used for advertising occur more frequently in the Burwood LGA. Council has a Development Control Plan provision to address this issue, which enables Council officers to take action/issue an infringement notice in such instances.</p>

	<p>Council's Community Safety Team is in regular communication with Sydney Metro Councils, who apply similar strategies and actions to those outlined above. Further consultation with other councils will be undertaken to understand if there are new strategies or approaches being implemented to address the above issues.</p>
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In addition, Councillor Chan submitted two questions prior to the meeting. The questions and associated responses are as follows:

QUESTIONS ON NOTICE	
Question	Response
<p><u>Councillor Ernest Chan</u></p> <p>Question 1:</p> <p>How often does Council survey the visibility of traffic signs (to ensure 'No Stopping' signs etc are not obstructed)?</p>	<p><u>Director City Assets</u></p> <p>Council staff recently undertook a survey of regulatory parking signs and have issued works instructions for any required maintenance and repairs that were identified. Council's Community Safety team undertake routine inspections during their enforcement duties and alert the Operations team of any repairs or maintenance that are required.</p>
<p><u>Councillor Ernest Chan</u></p> <p>Question 2:</p> <p>How much would it cost to print Burwood Council's logo on the yellow vests with wordings "COVID-19 Social Distancing etc"?</p>	<p><u>General Manager</u></p> <p>This suggestion has been passed on to the team to investigate and determine whether it is a feasible option to include the Council logo on the vests.</p>

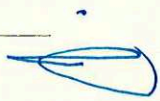
No Decision – Information Item Only

CONFIDENTIAL ITEMS - CLOSED SESSION

84/20 RESOLVED (*carried unanimously*)

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

- Item 125/20 – Opportunity to purchase land for public recreation purposes
- Mayoral Minute – Performance Review of the General Manager



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

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 5:28 PM THE PUBLIC AND PRESS EXCLUDED FROM THE MEETING.

THE MEETING RESUMED IN OPEN SESSION AT 5:51PM.

(ITEM 125/20) OPPORTUNITY TO PURCHASE LAND FOR PUBLIC RECREATION PURPOSES

File No: 20/56018

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 concerns the opportunity to purchase land for public recreation purposes. The land concerned is currently included in Council's Land Reservation Acquisition Map and this report provides a background to the matter and makes recommendations that Council endeavours to acquire the said property.

RESOLVED *(carried unanimously)*

That Council proceed in accordance with the recommendations outlined in this confidential report to Council dated 8 December 2020, on the proposed acquisition of land for public recreation purposes.

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

(ITEM MM18/20) MAYORAL MINUTE – PERFORMANCE REVIEW OF THE GENERAL MANAGER

File No: 20/56753

That above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 10A(2) (a) (c) of the Local Government Act, 1993, as the matter involves personnel matters concerning particular individuals.

Summary

The Review Panel is now in a position to report to the Council on the General Manager's progress for the first year of his contract of employment, noting that his performance effectively commenced as Acting General Manager in May 2019.

The Review Panel is delighted with the progress made and this is expressed in the recommendation of the Mayoral Minute on behalf of the Panel.

Operational Plan Objective

2.3.2 Ensure the organisation is well led; staff can carry out their roles efficiently and effectively in line with the community's vision.

RESOLVED *(carried unanimously)*

That Council note the Mayoral Minute and support the findings of the Review Panel on the General Manager's performance for the 2019/20 review period and endorse the recommendation of the Panel as follows:

1. The Review Panel congratulates General Manager Tommaso Briscese on his individual performance in 2019/20 and that of the organisation, and notes the reputation of the Council has been enhanced by the contributions made.
2. That it be noted the Review Panel has assessed the performance of the General Manager as warranting a performance increase but that Mr Briscese has asked that no increase be granted this year to take into account the impact of the COVID-19 pandemic on Council operations and its financial position.
3. That the priority projects outlined in the Mayoral Minute be adopted and included in the General Manager's Performance Agreement for 2020/21.

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

QUESTIONS ON NOTICE

The following Questions on Notice were submitted at the Meeting:

Councillor Heather Crichton

Question 1:

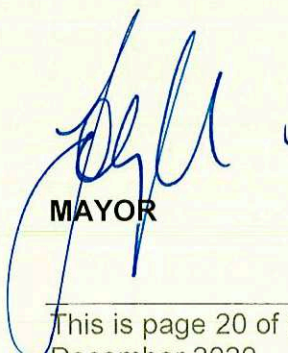
Will the condition and visibility of pedestrian crossings, 'kiss and ride' and 'school zone' signage around our 11 schools be checked by Council Officers ahead of the commencement of the 2021 school year in conjunction with Transport NSW and Burwood Council's Traffic Committee?

Question 2:

To ensure school communities are reminded of these important road safety features around our schools, will Council provide our school principals with safety messaging targeted at parents and students early in term 1?

This concluded the business of the meeting and Council rose at 5:55pm.

Confirmed this Tuesday 16 February 2021.



MAYOR