



MINUTES OF THE EXTRAORDINARY CLOSED MEETING OF COUNCIL OF BURWOOD held electronically on Thursday 9 September 2021 commencing at 5pm.

The meeting was advertised and commenced as a Closed meeting but moved into Open Session part-way through the meeting.

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
Mr G El Kazzi, Director City Assets
Mr D Porter, Director City Strategy
Ms T Whitmarsh, Consultant – Governance Specialist
Ms M Butler, Governance Coordinator
Mr Brian Olsen, Group Manager – Building and Development
Mr Adam Seton, Lawyer (Marsdens Law Group)

OPENING OF MEETING BY THE MAYOR

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

APOLOGIES

109/21 RESOLVED *(carried unanimously)*

That Councillor Del Duca be granted a leave of absence.

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

DECLARATIONS OF INTEREST

There were no declarations of interests by Councillors.

DECLARATIONS OF POLITICAL DONATIONS

There were no declarations of political interests by Councillors.

CONFIDENTIAL ITEMS - CLOSED SESSION**(ITEM 63/21) 2A, 2 & 4 COOPER STREET STRATHFIELD DA.2021.1- DETERMINATION OF LAND & ENVIRONMENT COURT APPEAL**

File No: 21/41550

That above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 10A(2) (e) (g) of the Local Government Act, 1993, as the matter involves information that would, if disclosed, prejudice the maintenance of law; AND advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

110/21 RESOLVED (carried unanimously)

1. That Council proceed with option 3 as identified in the report.

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

THE MEETING MOVED INTO OPEN SESSION AT 5.19 PM AND THE GENERAL MANAGER REPORTED THE RESOLUTION OF ITEM 63/21.

MAYORAL MINUTES**(ITEM MM25/21) INVESTIGATION OF ADDITIONAL PLANNING CONTROLS IN RELATION BOARDING HOUSES**

File No: 21/42096

Summary

I would like to acknowledge the contribution that boarding houses make to the diversity of housing choice within the Burwood Local Government Area. However, I am increasingly concerned with the size and scale of boarding houses currently being proposed and the negative impact that this might have upon the character and amenity of our residential areas.

I am also aware that the NSW Government is currently reviewing State level policy in relation to policy controls and this will have a bearing upon future Boarding Houses proposals. This is under provision of the draft State Environmental Planning Policy (Housing) 2021. In particular this will have implications as to whether boarding houses would continue to be permitted within the R2 Low Density Residential Zone, unless under specific circumstances.

In view of my concerns and future policy changes, I request that a report be presented to a future Council meeting outlining potential policy positions that Council is able to adopt regarding Boarding Houses.

Operational Plan Objective

- 1.1 High quality facilities, services and initiatives to meet the diverse needs of the community
- 4.5.2 Ensure independence and transparency in decision making on significant developments
- 5.1.2 Encourage mixed use buildings: commercial and residential to maximise Burwood CBD

111/21 RESOLVED *(carried unanimously)*

1. The General Manager prepare a report outlining the implications for Burwood Council of the pending SEPP (Housing) 2021 in relation to Boarding Houses
2. That an investigation be undertaken in relation to the availability of controls to limit or place a cap on the amount of rooms within a boarding house on any particular site and require boarding houses to be part of a mixed use scheme.
3. As part of a future report outline and recommend the process by which acceptable amendments to either LEP or DCP controls in relation to Boarding House controls should be made.

This concluded the business of the meeting and Council rose at 5.21 pm.

The Minutes of the Extraordinary Meeting held on 9 September 2021 were submitted for confirmation by council on 28 September 2021 and were confirmed without amendment by resolution 114/21. The confirmed Minutes were signed by the Mayor, John Faker, after the meeting of 28 September 2021.