



Burwood Inc.1874
Burwood . Burwood Heights . Croydon . Croydon Park . Enfield . Strathfield

ORDINARY MEETING

Notice is hereby given that a meeting of the Council of Burwood will be held in the Conference Room, Level 1, 2 Conder Street, Burwood on Tuesday 26 April 2022 at 6:00pm to consider the matters contained in the attached Agenda.

The public gallery will be open and the customary face-to-face public participation opportunity will be available. In addition, in the interest of public safety during the Covid-19 pandemic, an opportunity to speak via teleconference link will also be made available.

Tommaso Briscese
GENERAL MANAGER

Our Mission

**Burwood Council will create a quality lifestyle for its citizens
by promoting harmony and excellence in the delivery of its services**

AGENDA

FOR AN ORDINARY MEETING OF BURWOOD COUNCIL
TO BE HELD IN THE CONFERENCE ROOM, LEVEL 1, 2 CONDER STREET, BURWOOD ON TUESDAY 26
APRIL 2022 AT 6.00PM.

1. I DECLARE THE MEETING OPEN AT [TIME AS SHOWN ON COMPUTER] (ANNOUNCED BY CHAIR)

2. ACKNOWLEDGEMENT OF COUNTRY (READ BY CHAIR AS FOLLOWS)

I would like to acknowledge the Wangal people of the Eora Nation who are the traditional custodians of this land. I would also like to pay respect to their elders, both past and present, and extend that respect to other First Nations People who may be present.

3. PRAYER (READ BY CHAIR)

Lord, we humbly beseech thee to vouchsafe thy blessing on this Council, direct and prosper its deliberations for the advancement of this area and the true welfare of its people. Amen.

4. RECORDING OF MEETING (ADVICE READ BY CHAIR AS FOLLOWS)

Please note that meetings of Council and Council Committees are audio recorded for the purpose of assisting with the preparation of meeting minutes and promoting public transparency. The recordings are subject to the provisions of the Government Information (Public Access) Act 2009 and are promptly made available for public review via the Council website.

5. APOLOGIES/LEAVES OF ABSENCE (CALLED FOR BY CHAIR)

6. DECLARATIONS OF INTERESTS BY COUNCILLORS (CALLED FOR BY CHAIR)

7. DECLARATION OF POLITICAL DONATIONS (ANNOUNCEMENT READ BY CHAIR AS FOLLOWS)

A person who makes a development application to Council (or any person with a financial interest in the application) must disclose any reportable political donation or gift made to any councillor or officer of Council. This statutory requirement for disclosure is highlighted on forms for submission of development applications to Council.

Council is also obliged by law to publish details of all reportable political donations or gifts on its website.

Any person present having business before Council today as an applicant (or other party with a financial interest in such application), and has not yet made an appropriate disclosure about a political donation, is now invited to approach the General Manager to make their statutory disclosure.

8. RECORDING OF COUNCILLORS VOTING ON PLANNING DECISIONS (ANNOUNCEMENT READ BY CHAIR AS FOLLOWS)

In accordance with Section 375A of the Local Government Act 1993, a division must be called for and taken on each planning decision made under the Environmental Planning & Assessment Act 1979. Details of voting for and against the resolutions will be recorded in the meeting minutes and in the statutory register of such voting.

9. CONFIRMATION OF MINUTES (RECOMMENDATION ANNOUNCED AS FOLLOWS)

I move that the minutes of the Council Meeting held on 22 March 2022, copies of which were previously circulated to all councillors be hereby confirmed as a true and correct record of the proceedings of that meeting.

**10. ANNOUNCEMENT OF PUBLIC FORUM – OPEN FORUM THENCE ADDRESSES BY THE PUBLIC ON ITEMS LISTED IN THE AGENDA
(CHAIR TO ANNOUNCE THE FOLLOWING THEN CALL FOR SPEAKERS AS PER REGISTRATION DETAILS PROVIDED WHERE APPLICABLE)**

Participation by speakers is subject to them confirming they have read and accepted the guidelines about addressing the Council meeting. They also acknowledge that the meeting is being recorded and this forms part of records which are retained by Council and made publicly accessible. Speakers must refrain from providing personal information unless it is central to the subject being discussed, particularly where the personal information relates to anyone not present at the meeting. Council accepts no responsibility for any defamatory comments made.

OPTIONAL STATEMENT WHERE WRITTEN SUBMISSIONS HAVE BEEN LODGED

Written submissions have been submitted for this meeting and copies circulated directly to all councillors. The following submissions are acknowledged [details of the submissions as appropriate] and will be referenced in the minutes of the meeting.

11. OPEN FORUM

(CHAIR INVITES SPEAKERS TO BE HEARD AS PER REGISTRATION DETAILS)

12. ADDRESSES BY THE PUBLIC ON AGENDA ITEMS

(CHAIR INVITES SPEAKERS TO BE HEARD AS PER REGISTRATION DETAILS)

13. AGENDA ITEMS AS LISTED IN THE BUSINESS PAPER

(CHAIR MOVES THROUGH ITEMS OF BUSINESS AS PER CODE OF MEETING PRACTICE)

14.1 DECLARE THE MEETING CLOSED AT [TIME AS SHOWN ON COMPUTER]

(ANNOUNCED BY CHAIR)

OPEN FORUM COMMENCES

ADDRESS BY THE PUBLIC ON AGENDA ITEMS COMMENCES

MAYORAL MINUTES

GENERAL BUSINESS

(ITEM 22/22)	DRAFT INTEGRATED PLANNING AND REPORTING DOCUMENTS - COMMUNITY STRATEGIC PLAN BURWOOD 2036, DELIVERY PROGRAM 2022 - 2026, OPERATIONAL PLAN, BUDGET AND FEES AND CHARGES 2022 - 2023 - PUBLIC EXHIBITION	6
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(ITEM 22/22) DRAFT INTEGRATED PLANNING AND REPORTING DOCUMENTS - COMMUNITY STRATEGIC PLAN BURWOOD 2036, DELIVERY PROGRAM 2022 - 2026, OPERATIONAL PLAN, BUDGET AND FEES AND CHARGES 2022 - 2023 - PUBLIC EXHIBITION

File No: 22/13131

REPORT BY DIRECTOR COMMUNITY LIFE

Summary

This report presents the recently reviewed and updated suite of Council's Integrated Planning and Reporting (IP&R) documents, including the:

- *Draft Community Strategic Plan – Burwood 2036;*
- *Draft Delivery Program 2022-2026 and Draft Operational Plan 2022-2023;*
- *Draft Fees & Charges 2022-2023; and*
- *Draft Long Term Financial Plan 2022 – 2032.*

Following a period of extensive review, community engagement, service and financial planning and projection, the above documents have been drafted for public exhibition and community feedback. Once the public exhibition period has concluded, necessary amendments will be made and the final documents will be reported to Council for adoption in June 2022 along with the associated Resourcing Strategy documents.

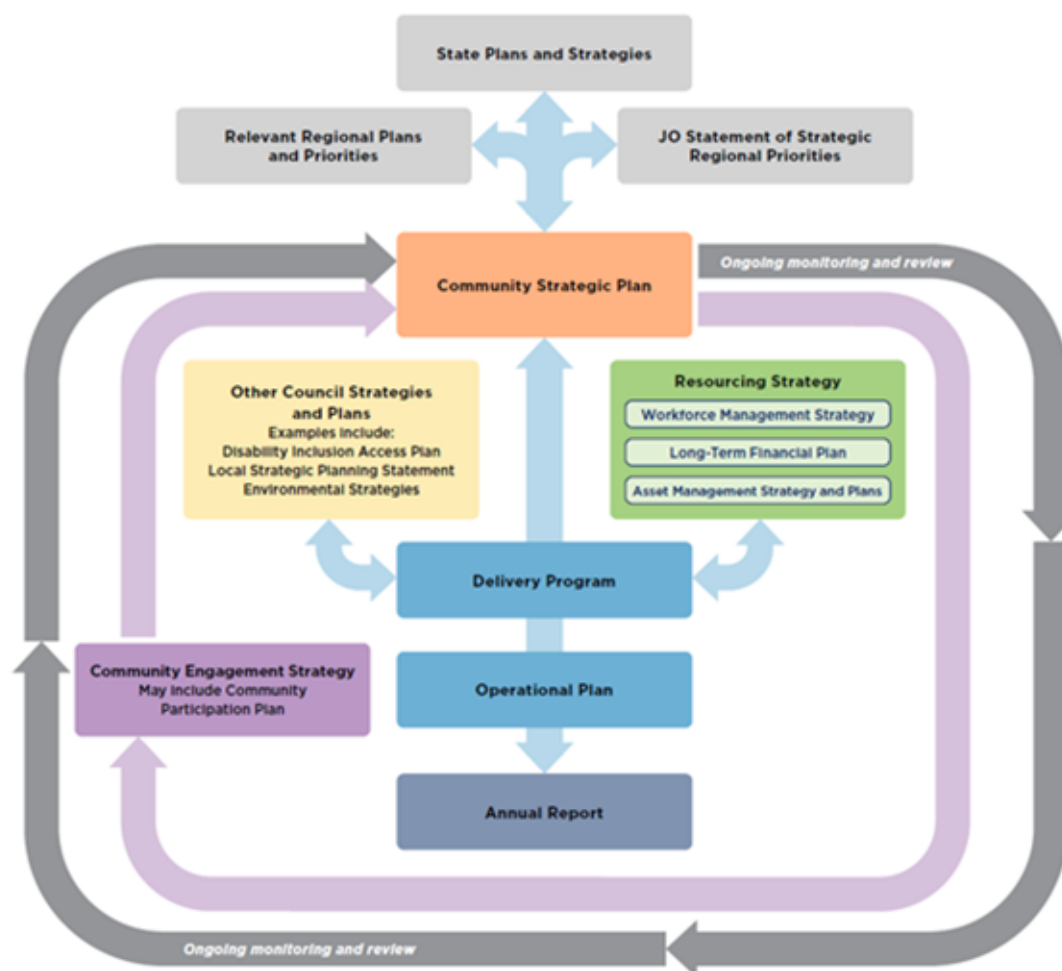
Operational Plan Objective

2.1.3 Ensure transparency and accountability in decision making.

Background

In accordance with the *Local Government Act (1993)*, IP&R is a framework that each Council in NSW must implement to ensure long term planning for the area is based on community aspirations, priorities and needs along with sound data and information. The framework (shown on the following page) requires Council to have in place a cascading set of plans for the community and Council that translates community aspirations and priorities into action.

Introduced in 2010, the IP&R framework enables NSW councils to draw their various plans together, to understand how they interact and inform one another, and get the maximum benefit by planning holistically for the future.



In summary, Council must have in place:

- A Community Strategic Plan representing the highest level of strategic planning undertaken by Council, with a ten-year plus timeframe. Implementation of this Plan requires Council, government agencies, business and the community to all work towards achieving the desired community vision. All other Council plans must support achievement of the Community Strategic Plan.
- A four-year Delivery Program translating community priorities into principal activities Council will focus on during its term in office to help move towards the community vision in the Community Strategic Plan.
- An annual Operational Plan showing the specific projects and activities Council will undertake throughout the year, including the Council's annual budget, Statement of Revenue Policy and other statutory information.
- A Resourcing Strategy showing how Council will resource its strategic priorities identified in the other IP&R documents. The Resourcing Strategy includes 3 inter-related elements: Council's Long Term Financial Plan (required to undergo the public exhibition process), along with the Workforce Management Plan and Asset Management Plan (due to be reported to Council in June 2022 along with community endorsed changes to Council's strategic direction and priorities). Council has also developed a Digital Resource Plan as a fourth element to the Resourcing Strategy.
- A reporting framework against these plans, including the Annual Report back to the community on the work undertaken by Council in a given year to deliver on the commitments of the Delivery Program via that year's Operational Plan. Councils are also

required to report on their financial and asset performance against the annual budget and longer-term plans.

Proposal

Every council must review their Community Strategic Plan before 30 June in the year following an ordinary election of Council. In line with this requirement, Council commenced the review of its IP&R documents in 2021 in preparation for the newly elected Council. The review process involved extensive community engagement which is summarised in the subsequent section of this report.

The overall review process and community engagement findings have resulted in:

- A revised *Draft Community Strategic Plan – Burwood 2036*, encompassing a refreshed vision for the future of Burwood, revised strategic directions to guide progress towards the vision and new measures across the community outcome areas, including baselines and targets to strengthen the monitoring of progress. The *Draft Community Strategic Plan – Burwood 2036* is included under Attachment 1 of this report.
- A new *Draft Delivery Program 2022 – 2026 and Draft Operational Plan 2022 – 23*, outlining Council's four-year principal activities alongside Council's annual actions with associated targets and responsible service areas. This combined document also includes Council's four-year budget forecast, annual budget and Statement of Revenue Policy. The *Draft Delivery Program 2022 – 2026 and Draft Operational Plan 2022 – 23* is included under Attachment 2 of this report. Council's *Draft Fees and Charges* have also been updated and are presented as a separate document under Attachment 3.
- A revised *Draft Long Term Financial Plan 2022/23 – 2032/33*, which contains a set of long-range financial projections based on an informed set of assumptions. It is designed to reflect the financial implications of providing the current service levels and our programs of capital works and has been revised to align with Council's revised strategic directions and priorities. The *Draft Long Term Financial Plan 2022/23 – 2032/33* is included under Attachment 4.

Progress on these important plans will be reported to Council and the community through Council's reporting framework consisting of the *State of the City Report* detailing performance against the Community Strategic Plan and Delivery Program; and six monthly and annual reports on the Operational Plan, clearly outlining to the community the extent to which Council is delivering on these integrated plans.

If endorsed by Council, the draft documents will undergo public exhibition for 28 days (from 28 April to 25 May 2022) for the community's review and feedback. Once the public exhibition period has concluded, necessary amendments will be made and the final documents will be reported to Council for adoption in June 2022 along with the associated Resourcing Strategy documents.

Consultation

Community Engagement Undertaken

The revised *Draft Community Strategic Plan – Burwood 2036* and other draft IP&R documents have been shaped by the people who participated in Council's extensive community engagement activities that commenced in 2021. Participants came from diverse cultural and linguistic backgrounds, across all age groups and parts of the Burwood Local Government Area.

Community engagement involved:

- The completion of the Community Satisfaction Survey (2021) with 400 community members to understand the community's current priorities and overall level of satisfaction with Council's performance.

- The completion of Customer Experience Surveys (2021) with 300 community members to understand customer experience and areas for improvement across frontline service locations including the Customer Service Centre, Burwood Library and Community Hub and Enfield Aquatic Centre.
- The implementation of the Towards Burwood 2036 Community Engagement Program (from July to September 2021) involving 367 community members in the development of the revised vision, strategic directions and priorities for Burwood 2036.
- An additional 8 place-based community engagement programs delivered throughout the year involving more than 1000 community members to inform the development of key projects and provide input into specific deliverables outlined in the *Draft Delivery Program 2022 – 2026 and Operational Plan 2022 - 2023*.

In response to the pandemic and restrictions impacting Council's ability to undertake face to face engagement activities during the development phase of the IP&R documents, Council established its online engagement platform Participate Burwood in late 2021. The online engagement platform has now been integrated into the business of Council as an effective way to seek ongoing community input on priority projects and initiatives.

Public Exhibition Process

This report recommends that the *Draft Community Strategic Plan – Burwood 2036*, *Draft Delivery Program 2022-2026 and Draft Operational Plan 2022-2023*, *Draft Fees & Charges 2022-2023* and *Draft Long Term Financial Plan 2022-2032* be placed on public exhibition for a period of 28 days to enable further input from the community. During the public exhibition period (from 28 April to 25 May 2022), the draft documents will be made available on the Council Website at www.burwood.nsw.gov.au and feedback will be sought via Council's online engagement platform Participate Burwood.

In addition, Council will offer two in person drop-in sessions for members of the community to obtain further information, ask questions and provide additional feedback on the draft documents. Council will also utilise its social media and e-news channels to promote the public exhibition period, including the face-to-face drop-in sessions.

Draft documents will also be circulated to Council's Audit, Risk and Improvement Committee who have responsibility for oversight of the implementation of the Community Strategic Plan, Delivery Program and other Council strategies.

Feedback and public comments arising from the public exhibition period will be reported back to Council in June 2022 along with any recommended amendments. These amendments will be incorporated into the final documents prior to their adoption by Council.

Planning or Policy Implications

The requirements for IP&R are set out in the *Local Government Act 1993* (the Act) and the *Local Government (General) Regulation 2021* (the Regulation).

The Integrated Planning and Reporting (IP&R) Guidelines issued by the Office of Local Government were last updated in September 2021 to reflect legislative changes enacted through the *Local Government Amendment (Governance and Planning) Act 2016*. These Guidelines explain what councils must do to ensure they comply with their planning and reporting requirements set out in the Act and have been utilised by Council to develop the draft IP&R documents included under Attachments 1 to 4 of this report.

The revised *Draft Community Strategic Plan – Burwood 2036* along with the *Draft Delivery Program 2022-26* and *Operational Plan 2022-23* form the primary policy documents of Council. These documents set out the long term community vision, strategic directions, strategies, principal activities, actions and targets that Council commits to delivering over their respective timeframes. Changes to these documents by way of addition or deletion of activities can only be made via

Council resolution and all other plans of Council must link to the IP&R framework and associated documents.

Financial Implications

In accordance with the Integrated Planning and Reporting Guidelines for Local Government in NSW (2021), the Draft Long-Term Financial Plan must be used to inform decision making during the preparation and finalisation of the Community Strategic Plan and the development of the Delivery Program. In preparing the *Draft Long-Term Financial Plan 2022 - 2032*, *Draft Budget 2022/23*, *Statement of Revenue Policy* and *Draft Fees and Charges 2022/23*, due regard has been given to promoting the financial sustainability of Council.

Conclusion

The *Draft Community Strategic Plan – Burwood 2036* and the associated draft IP&R documents included with this report have been revised and significantly updated to reflect the current vision, aspirations and priorities of the community following a period of extensive review and community engagement. Together the documents will form the primary corporate planning and policy documents of Council and set out the long term strategic directions, strategies, principal activities, actions and targets that Council commits to delivering over their respective timeframes.

This report seeks Council's endorsement to place the draft documents on public exhibition for a period of 28 days for consultation with the community. Council welcomes feedback from the community on these draft documents and will actively seek the community's input during the public exhibition period. Upon conclusion of the public exhibition period, the final documents will be reported to Council for adoption in June 2022 along with the associated Resourcing Strategy documents.

Recommendation(s)

That Council:

1. Endorse the *Draft Community Strategic Plan – Burwood 2036* and place the document on public exhibition for a period of 28 days.
2. Endorse the *Draft Delivery Program 2022-2026* and *Draft Operational Plan 2022-2023*, incorporating the *Draft Budget 2022-2023* and *Draft Statement of Revenue Policy 2022-2023* and place the documents on public exhibition for a period of 28 days.
3. Endorse the *Draft Schedule of Fees and Charges 2022-2023* and place the document on public exhibition for a period of 28 days.
4. Receive a report following the conclusion of the public exhibition period in June 2022, outlining all submissions received and detailing any changes to the final documents recommended for adoption by Council.

Attachments

- 1 Draft Community Strategic Plan - Burwood 2036
- 2 Draft Delivery Program 2022 - 2026 and Operational Plan 2022 - 2023
- 3 Draft Fees and Charges 2022 - 2023
- 4 Draft Long Term Financial Plan 2022 - 2032

The 4 Attachments for Item 22/22 have been published as separate documents on the website.

(ITEM 23/22) COMPREHENSIVE REVIEW OF BURWOOD LOCAL ENVIRONMENTAL PLAN

File No: 21/56290

REPORT BY DIRECTOR CITY STRATEGY

Summary

This report provides an overview of the comprehensive review of Burwood Local Environmental Plan 2012 (BLEP) project. It provides a summary of the work undertaken to date and the issues which have already been identified for inclusion as part of the review.

The report also identifies the additional suite of studies which are proposed to be developed to ensure that there is a comprehensive evidence base. The outcomes of these studies will be used to inform the development of the Planning Proposal.

The work relating to the comprehensive LEP review is structured under the following key themes:

- City Excellence: Promoting design excellence, place creation and economic growth within the Town Centre.
- Burwood North Precinct: Delivery urban renewal outcomes associated with the PRCUTS and Sydney Metro
- Procedural Amendments: General updates reflecting legislative or other administrative changes.

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

Background

Burwood Local Strategic Planning Statement and Local Housing Strategy

On 11 February 2020, Council endorsed the Burwood Local Strategic Planning Statement (LSPS). The LSPS sets out Council's vision for how Burwood will respond to significant residential growth, including the delivery of new housing and jobs in the Burwood-Concord Precinct as identified in the Parramatta Road Corridor Urban Transformation Strategy (PRCUTS) and the 2016-2023 Implementation Plan, which includes a target for 5,500 new homes in the precinct by 2050, to accommodate an additional population of 11,400.

At the time of the preparation of the LSPS (2018), Burwood's estimated residential population (ERP) was 39,886. Burwood's ERP is currently estimated at 45,800 (2021) – it is expected that our population will continue to increase to 2036 to 73,550. (Based on 2019 NSW Population Projections)

As part of the LSPS process Council also commissioned a local housing strategy to inform the delivery of additional housing to meet the needs of our growing and changing population

The Burwood Housing Strategy (BHS), prepared by SGS, was endorsed by Council on 20 February 2020. The objectives of the BHS focus on:

- Increasing the diversity of housing;
- Encouraging housing affordability
- Delivering high density residential development near existing centres and public transport;

- Creating places for people and ensuring the continued vibrancy and vitality of centres

The BHS estimates that the majority of Burwood’s new housing to 2036 will be delivered within the Burwood-Concord Precinct close to the Burwood North Metro Station and Burwood Town Centre. The BHS recognises the continued growth of our population and identifies the Burwood-Concord Precinct as an opportunity to respond to this population growth through the urban renewal of the precinct.

Parramatta Road Corridor Urban Transformation Strategy (PRCUTS)

In November 2016, Urban Growth NSW released the Parramatta Road Corridor Urban Transformation Strategy (PRCUTS) together with a package of implementation and reference documents. PRCUTS aims to renew Parramatta Road and adjacent communities through investment in homes, jobs, transport, open space and public amenity. It presents significant urban renewal opportunities for land within defined development precincts.

The PRCUTS is given statutory weight under section 9.1(2) of the Environmental Planning & Assessment Act 1979

The PRCUTS identifies the staged delivery of renewal along the Parramatta road Corridor. Stage 1 (also known as the 2016-2023 release areas) contains three renewal areas that impact on the Burwood LGA, including the Homebush North Precinct (Canada Bay LGA), Kings Bay Precinct and Burwood-Concord Precinct (Canada Bay and Burwood).

The comprehensive review of the Burwood LEP will focus on the part of the Burwood-Concord Precinct that falls within the Burwood LGA, known as the Burwood North Precinct.

The PRCUTS Study Area for the Burwood North Precinct is indicated in Figure 1 below.



Figure 1: Burwood-Concord Precinct (PRCUTS), known as the Burwood North Precinct

PRCUTS vision for this Burwood North Precinct is:

Burwood-Concord will be re-imagined as a gateway to the Burwood Town Centre and Concord Oval, and a thriving commercial and residential village precinct for new residents

The Precinct will ... connect to existing open space areas, such as Burwood Park to the south, and Queen Elizabeth Park and St Luke's Park to the north. Extending north from Burwood Station, the renewed streetscape will likely continue to Parramatta Road and form part of the regeneration of the Parramatta Road area.

Streets within the Precinct will include tall and medium-density residential buildings, and mixed use buildings. Residential development will occur in adjacent streets. This development will be designed to sensitively respond to the character of heritage structures, open space, educational facilities and existing residential neighbourhoods.

Built form will generally taper down towards the north, transitioning to the adjoining lower-scale residential areas. The area north of Parramatta Road will be characterised by lower-scale development that will provide additional definition to street edges and open space areas. The Precinct's new open spaces and road connections will provide a denser network of walkable paths and reinforce links to surrounding open space areas. New streets are planned north of Parramatta Road, while new open space is included in the area south of Parramatta Road. These changes will increase connectivity and encourage pedestrian traffic.

The PRCUTS implementation Plan 2016-2023 required that prior to any rezoning commencing a Precinct wide traffic study and supporting modelling be completed which considers the recommended land uses and densities, as well as future Westconnex conditions, and identifies the necessary road improvements any upgrades to be delivered as part of any proposed renewal in the Precinct.

Council has worked collaboratively with Transport for NSW, Canada Bay and Strathfield Councils and the Department of Planning to finalise the traffic study, which was completed in February 2022.

The traffic study has been informed by the uplift proposed in the PRCUTS as well as relevant transport infrastructure projects (WestConnex M4 East and the proposed Sydney Metro West project) and implications for traffic on Parramatta Road and within each precinct.

Sydney Metro West

Sydney Metro West (Metro) is a proposed metro line linking the Sydney CBD with Westmead. In October 2019, Burwood North was confirmed as a station location. The station is sited in the Burwood North Precinct, on the corner of Parramatta Road and Burwood Road within the City of Canada Bay LGA.

Importantly the PRCUTS strategy was prepared before the advent of Sydney Metro and confirmation that the Precinct would be supported by a new Metro station. This is a significant change in the assumptions used to formulate the plan for that precinct.

Metro will assist in meeting the transport needs arising from the housing and employment growth planned along the corridor. The Project Application prepared by Sydney Metro includes the following place and design principles for the Burwood North Precinct:

- *Improve amenity north and south of Parramatta Road with Sydney Metro as a catalyst for positive change*
- *Facilitate transit-oriented development with public spaces and local services that support the station as a focal point for activity*
- *Deliver legible, safe and intuitive station entries that address both north and south of Parramatta Road*

- *Improve the priority and amenity for pedestrians in the area*
- *Facilitate activation and urban renewal around the station in accordance with the Parramatta Road Corridor Urban Transformation Strategy*
- *Enable provision of through-site links to enhance permeability in and around the station*

The planning approvals and environmental impact assessment for Sydney Metro West has been staged with Sydney Metro currently recently receiving a Concept approval and consent for all major civil construction works, including station excavation and tunneling between Westmead and the Sydney CBD. Station construction and over station development is subject of the current EIS 3 which is presently on public consultation.

The implications of these Sydney Metro Project needs to be considered as part of any proposed uplift in the Burwood North Precinct.

Scope of the Comprehensive Burwood LEP Review

Preliminary work has commenced on the comprehensive LEP Review and at this stage it is focused on the delivery the following:

Burwood North Precinct: Implementation of Stage 1 of PRCUTS

Issue

Council is required under Direction 7.3 issued by the Minister for Planning under Section 9.1 of the Environmental Planning and Assessment Act 1979 to deliver the PRCUTS. In doing so, we need to ensure that we are not only providing development controls that are economically feasible but that we are also creating a precinct that is a vibrant, activated and sustainable places to live.

Burwood North Precinct Study Area

The current Burwood North Precinct identified in the PRCUTS was determined in collaboration with Council in 2016 and is identified in Figure 1 above

Since then, engagement with the community has been undertaken. As a result of this consultation, Council officers have identified issues with respect to interface and transition of existing areas adjoining the Precinct which will need to be considered to ensure that the boundary of the Study Area contextually responds to the adjoining areas.

During the first phase of community consultation, the western side of Park Road and the southern side of Meryla Street were two areas that were identified as areas that should be included as part of the Study Area.

The western side of Park Road is currently outside of the PRCUTS boundary and is zoned R2 Low Density Residential and is a pocket of single detached dwellings surrounded by residential flat buildings located on land zoned R1 General Residential.

It is recommended that the boundary of the Study Area be extended to include the eastern side of Grantham Street, which incorporates the existing pocket on the western side of Park Road (refer Figure 2 below)

The proposed PRCUTS study boundary includes the northern side of Meryla Street but does not include the southern side of Meryla Street.

The southern side of Meryla Street Burwood is currently zoned B4 Mixed Use and is within the precinct known as the Burwood Town Centre. The height limit is currently 15m with a FSR of 2:1.

Given the land use and development controls which will be implemented for the Burwood North Precinct it is appropriate that this area be considered in the context of those changes and existing

controls across the Burwood Town Centre. This would allow future amendments to address any interface issue with the southern side of Meryla Street being surrounded by higher density development.

It is recommended that the study boundary be extended to include the southern side of Meryla Street, Burwood, as identified in Figure 2 below.



Figure 2: Proposed Burwood North Study Area

Economic Feasibility

The PRCUTS Policy Framework identifies the Burwood Precinct as a gateway to Burwood Town Centre based around the enlivened spine of Burwood Road strengthening the existing amenity for new residents.

The development controls for Burwood North within the PRCUTS Policy recommended a mixed use zone along Parramatta Road, transitioning to a R3 Medium Density zone with building heights ranging from 17m – 32m (6 storeys to 11 storeys).

Since the release of the PRCUTS in 2016, there have been a number of changes which were not originally envisioned as part of the development of the Strategy.

Together with changes in the property market since 2016, and the proposed Sydney Metro West and location of a station at Burwood North there has been a significant impact on land values and development viability.

Council appointed HillPDA in late 2021 to undertake a Feasibility Assessment of sites in the Burwood LGA, including the Burwood North Precinct. This assessment has tested the economic viability of a number of options, including the PRCUTS recommended heights and densities, the Burwood Town Centre heights and densities and alternate options.

The assessment provides an understanding as to the minimum height and density required to ensure an economically viable “tipping point” for feasible development to occur. The outcomes of

the testing indicate that there are opportunities for place making with the advent of the metro station in creating a new precinct above and beyond what was anticipated in the PRCUTS.

City Excellence

The focus on City Excellence is responding to the growth which will be occurring around Burwood North and recognising the regional significance of the Burwood Town Centre. Burwood already has a reputation as a vibrant dining precinct, is receiving continue investment with several major projects in the pipeline and has a strategic location midway between Parramatta and the City of Sydney.

There is a need to respond to these opportunities in a positive manner which reinforces the place based outcomes that need to be delivered for the town centre and builds upon the unique identity of Burwood as a place and community.

The LEP review will explore the principles of City Excellence and the policy settings that need to be in place to achieve this outcome. Achieving design excellence will be part of this but there will be a broader consideration of this principle in the context of the future growth and expansion of the town centre.

The issues that will be explored include:

- Review of existing LEP and DCP controls to ensure that a positive identity and sense of place is created for Burwood
- Review of existing Design Excellence provisions, including existing heights controls to promote positive built form and urban outcomes for our new communities
- Integration of the Burwood Design Review Panel into LEP and DCP controls to enforce design and architectural excellence
- Development policy mechanisms to promote place activation and creation of creation of public spaces, with a focus on lanes and small venues.
- 24-hour economy - Continuation of economic vibrancy with a focus on strengthening the night time economy and encourage a diverse employment profile

Delivery of city excellence principles will focus on the Burwood LEP and DCP to ensure that a positive identity will be promoted for Burwood North and the Burwood Town Centre. This includes creation of a shared vision for Burwood into the future.

Procedural Amendments

The following relate to minor amendments and investigations that will be undertaken as part of the LEP review.

Heritage investigation – Listing of Ausgrid substations

Issue

Ausgrid has informed Council of their intention to remove 7 electrical substations located within the Burwood LGA from their Section 170 Heritage Register under the *NSW Heritage Act 1977*. This will mean that they will no longer have heritage protection. As part of the comprehensive LEP review an assessment will be undertaken and where appropriate recommendations will be made to include them as local items in Schedule 5 of the BLEP.

Comment

Ausgrid wrote to Council on 22 December 2021 informing they have undertaken a review of their Section 170 heritage and conservation register. A list of assets that no longer fulfilled the criteria for inclusion on this register was provided which includes the following electrical substations:

- 5 Burwood Road, Burwood Heights
- 4 Badminton Road, Croydon Park
- 2B Cooper Street, Strathfield
- 25 Angel Road North, Strathfield
- 32 Wallace Street, Burwood
- 12 Icton Street, Burwood
- Princes Street & Cheltenham Road, Burwood

Once removed from the Section 170 heritage and conservation register these substations will have no heritage protection. Although they no longer fulfil the criteria to be included in the Section 170 heritage and conservation register, Council has the option to locally list these in Schedule 5 of the BLEP as items of local significance.

Council's Heritage Advisor has undertaken preliminary investigations and recommends a Group Listing may be appropriate for the abovementioned substations (given building typology, historical use and related significance).

It is recommended that as part of the comprehensive LEP review a detailed heritage assessment of each substation be undertaken.

Rezoning of Sydney Water LandIssue

Sydney Water has requested a rezoning of 11 Sydney Water owned land parcels to a SP2 - Infrastructure zone to better reflect their use as water infrastructure.

Comment

Sydney Water has undertaken a review of its landholdings across the Burwood LGA and has identified 11 sites as identified in Table 1 below, that contain critical water infrastructure. These sites are currently zoned R1 – General Residential or R2 – Low Density Residential.

Table 1 – Sydney Water Sites: Rezoning

Site Address	Lot/DP	Suburb	Current Zoning	Proposed Zoning	Use of Land
Grantham Street	1/348631	Burwood	R1	SP2	Sewer Vent
Wentworth Road	1/745161	Burwood	R1	SP2	Sewer Vent
Stiles Street	1/668357	Enfield	R2	SP2	Sewer Main
Stiles Street	301/663196	Enfield	R2	SP2	Sewer Main
Tangarra Street	3/445956	Croydon Park	R2	SP2	Storm Water Main
Tangarra Street	1/445956	Croydon Park	R2	SP2	Storm Water Main
Tangarra Street	2/213599	Croydon Park	R2	SP2	Storm Water Main
Tangarra Street	1/207977	Croydon Park	R1/R2	SP2	Storm Water Main
Tangarra Street	5/215775	Croydon Park	R1/R2	SP2	Storm Water Main
Tangarra Street	1/1019067	Croydon Park	R2	SP2	Storm Water Main
Paisley Road	1/744565	Croydon	R2	SP2	Sewer Vent

Sydney Water is of the opinion that these sites should be rezoned to SP2 – Infrastructure for the following reasons:

- Better reflects the lands ongoing, permanent use as vital water and sewerage infrastructure;
- Provides clarity to the local community as to the current and intended use of the land;
- Is consistent with Burwood LEP 2012, SP2 Zone objectives to provide for infrastructure and related uses;
- Confirms the land use is intended to support population growth within the LGA, providing services and infrastructure to meet peoples changing needs.

Two of these sites are listed as State heritage listed items. Concurrence will be required from Heritage NSW as part of the rezoning process.

A review of the request from Sydney Water and the impact of rezoning, particularly on the State listed items will be undertaken, and where appropriate recommendations for rezoning will be included in the Planning Proposal for the comprehensive LEP review.

DUBA, BUDU, BARRA: Ten Steps to a Living River – the Parramatta River Masterplan

Issue

The Parramatta River Masterplan includes recommendations relating to stormwater management, water sensitive urban design and landscape requirements with the aim of improving the health of local waterways through the inclusion of aims and objectives and the development of local provisions in Council's LEP.

Comment

DUBA, BUDU, BARRA: Ten Steps to a Living River – the Parramatta River Masterplan aims to create a world class river and make the Parramatta River swimmable again.

The aim of the Masterplan is to improve the health of local waterways by ensuring that new development reduces the quantity and improves the quality of stormwater runoff, including meeting any runoff quantity and quality standards adopted by Council.

As part of the comprehensive review of BLEP, a review of the Masterplan will be undertaken, and where appropriate local provisions will be included to ensure that consideration is given as part of the assessment of new development to achieving the following sustainability outcomes:

- minimum landscaped areas to ensure the protection of existing trees and vegetation;
- appropriate stormwater management so as to limit runoff from new development;
- delivery of water sensitive urban design outcomes, particularly in large scale developments

Review of zone objectives for the E3 Productivity Support zone (formerly the E6 Enterprise Corridor zone)

Issue

A review of the zone objectives for the proposed E3 Productivity Support zone will be undertaken to ensure that the zone continues to provide for the delivery of urban service uses.

Comment

The existing E6 Enterprise Corridor zone, which applies to land along the Parramatta Road corridor is proposed to be replaced with the new E3 Productivity Support zone as part of the Employment Lands Review currently being undertaken by the Department of Planning (DPE).

One of the objectives of the existing E6 zone is to *provide for residential uses, but only as part of a mixed use development*

The existing land use objectives in the proposed E3 zone will need to be reviewed as part of the work being undertaken in the Burwood North Precinct. As part of this review there may be an opportunity to better align the objectives and land uses to ensure the retention of existing urban services land and discourage residential uses.

Increasing housing diversity – medium density development

Issue

The need for more medium density development to increase housing diversity and aid in affordability has been identified as a key issue through the State government strategies and Burwood's LSPS and Local Housing Strategy.

Comment

The need for more medium density development (townhouses and terraces) to increase housing diversity and aid in affordability has been identified. However development of many existing R3 Medium Density zoned areas of the Burwood LGA are not economically viable given the local conditions (high land costs, small lot sizes requiring the amalgamation of 2-3 properties, current planning controls).

The Burwood Local Housing Strategy identified that there is a shortfall of capacity for attached dwellings (medium density development), and some of the attached dwelling capacity is not likely to be feasible to develop. Historically, there has been a lack of take up of medium density housing in R3 Medium Density Residential zoned areas in Burwood.

Economic viability testing undertaken by HillPDA in Enfield and Croydon Park has identified that development in these zones is currently not economically viable. This is taking into account existing land values, allowable yield, development costs and development revenues.

Further work will be undertaken to identify with respect to alternative options for the delivery of medium density housing to increase housing diversity and improve affordable housing options across the LGA.

Investigation Areas

Belmore Street Precinct

Issue

The Housekeeping LEP rezoned the Livingstone Street and Sym Avenue Precinct which resulted in an interface issue with the southern side of Belmore Street. The southern side of Belmore Street will now be lower in height than the northern side of Livingstone Street.

Comment

The southern side of Belmore Street between Conder Street and Burwood Road has a current height limit of 15m.

Economic viability testing as part of the Housekeeping LEP determined a height of 17m was the minimum viable height limit on the northern side of Livingstone Street. This has been addressed as part of the Housekeeping LEP which proposed to increase the height of buildings on the northern side of Livingstone Street has been increased to 17m with a Floor Space Ratio (FSR) of 1.8:1. The Housekeeping LEP is in the final stages and it is anticipated it will be gazetted shortly.

The increase in building height on the northern side of Livingstone Street will create an interface issue with the southern side of Belmore Street. It is proposed that the interface issue be reviewed as part of the comprehensive LEP review to align with the northern side of Livingstone Street.

Community Engagement

To inform the issues and options paper, early engagement has been undertaken, with a focus on the Burwood North precinct. This was to identify and test the core planning principles which need to be addressed as part of future study.

Stage 1 consultation: Principles

A dedicated page on Participate Burwood was created for the Comprehensive Local Environmental Plan Review. Within this page was a dedicated page for the Burwood North Precinct.

The following was undertaken for Stage 1 consultation:

- Letters sent to owners in and surrounding the precinct
- Emails with letter attached sent to key stakeholders
- Participate Burwood page with details of the principles
- Community consultation information sessions on Zoom
- Survey on precinct principles on Participate Burwood
- One on one meetings with residents and stakeholders
- Social media, newsletter and email notification

The Strategic Planning team were available to answer questions by phone, letter or email. Follow up meetings were available for those who wanted to discuss matters in more detail.

Table 2 below provides an overview of community's interaction with the comprehensive LEP Review page on Participate Burwood, up to 13 April 2022:

Table 2 – Community's Interaction, up to 13 April 2022

Views	Visits	Visitors	Contributions	Contributors	Followers
2,256	1,348	614	127	106	54

32 people registered for a community information session where the Strategic Planning team discussed the principles in more detail and guided people on how to share their ideas and answered questions.

97 surveys on precinct principles were completed. 95 of these were done online through Participate Burwood. 1 was mailed to Council and 1 was emailed as part of a professional submission from a planning consultant.

5 virtual face to face meetings have been undertaken with those who wanted to discuss the matters in more detail. One of these was with owners from Esher Street and another with owners from Neich Parade. A representative of an owner on Shaftesbury Road also had a phone meeting.

MLC School

MLC School is identified as a key stakeholder in the Burwood North Precinct. A briefing meeting was held with the MLC School to discuss future growth options for Burwood North.

Council will continue to engage with MLC throughout the review and development of the comprehensive LEP review.

Community Requests/Suggestions

During the Stage 1 consultation, Council received a number of requests from the community with respect to a number of properties. For the reasons outlined below, it is recommended that no further investigations be undertaken with respect these properties.

Burwood bus depot

The Burwood bus depot at 284 Parramatta Road is already included in the PRCUTS as a frame area. This is not included in the 2016-2023 implementation area and may be subject to a future implementation area as determined by State government. There is no suggestion from Transport for New South Wales (TFNSW) that they have a desire to relocate from this site.

There is a need to retain bus depots close to established routes. Any consideration of the re-development of the site would need detailed assessment and also address the continued service requirements for public transport in the area.

It is recommended that no further investigation be undertaken in relation to the rezoning of the Burwood bus depot as part of the comprehensive LEP review.

Park Avenue Burwood

Park Avenue, Burwood has very little redevelopment potential remaining, with a number of strata titled residential flat buildings present in the street, making comprehensive redevelopment difficult.

A previous review of the existing development standards in Park Avenue have been determined to be sufficient to encourage redevelopment of undeveloped properties. Any review of the existing controls would need to take into account the already developed sites as well as overshadowing and amenity impacts to Burwood Park.

It is recommended that no further investigation be undertaken in relation to this precinct as part of the comprehensive LEP review.

Clarence and Church Street Precinct

Residents have requested Council revisit the Clarence and Church Street Precinct. This was previously investigated as part of the Housekeeping LEP review and subsequently removed from the planning proposal.

It is recommended that no further investigation be undertaken in relation to this precinct as part of the comprehensive LEP review.

Enfield Local Centre

A number of residents have requested that Council investigate expanding the boundary of the Enfield Local Centre. The Burwood Local Employment and Investment Strategy prepared by SGS identified that the boundary of the existing Enfield Local Centre is sufficient with demonstrated capacity to meet the future demand, and any expansion of the centre would have an impact on viability to the existing centre.

It is recommended that no further investigation be undertaken in relation to this precinct as part of the comprehensive LEP review.

Next Steps

Additional Studies

A number of background studies will need to be prepared prior to the finalisation of the Planning Proposal for the comprehensive LEP review, particularly in relation to the review of the Burwood North Precinct. These studies will inform the Planning Proposal and will include:

Place Strategy will guide redevelopment in the Burwood North Precinct. The Place Strategy will build on the economic feasibility testing to and will identify appropriate planning and urban design

principles and strategies to encourage the creation of a sustainable residential Precinct that supports an appropriate scale and density of development, traffic and pedestrian management, opportunities for new public open space and landscaping and other public domain improvements

Affordable Housing Strategy The potential increase in density and associated land value uplift in the Burwood North Precinct will create the opportunity to deliver affordable housing. The Affordable Housing Strategy will identify opportunities and mechanisms for affordable housing delivery and will provide options to Council as to how these recommendations may be applied in the Burwood North Precinct.

Active Transport and Pedestrian Plan will build on the work of the Parramatta Road Precinct Transport Report prepared by Urban Growth in September 2015. It will make recommendations to ensure the delivery of pedestrian and cycle connectivity, improvement to active transport and bus connections, and address parking requirements ensure the reduction of additional private vehicle trips into and out of the Precinct.

Night time economy study and Economic strategy will build on current strengths of the Burwood Town Centre to create a diverse and vital offer that will meet the requirements of the current and future population. The study and strategy will aim to understand the economic benefits and costs of a night time economy, define the strengths of the existing day and night time economy, review the existing situation for the Burwood Town Centre with regards to existing night time activities, identify any impediments to creating a vibrant night time economy for the Burwood Town Centre and examine the impact of an increase of residents, with the development of the Burwood North Precinct, on the growth and expansion of the night time economy.

Flood Risk Assessment will determine the nature and extent of flooding in respect of both existing and proposed development in the Burwood North Precinct and identify any constraints with respect to development capacity within the Precinct.

Preliminary Site Investigations (Contamination) will assess the potential extent of contamination in the Burwood North Precinct that could potentially constrain development within the Precinct for residential and other sensitive uses.

Infrastructure/Geotechnical Report will assess the impact of any proposed development on the structural stability and operation of existing Sydney Metro and Westconnex underground infrastructure and identify potential constraints, particularly with respect to excavation for basement car parking.

Timeframe

It is anticipated that the Planning Proposal for the comprehensive review of the Burwood LEP will be report to Council for endorsement in early 2023. This timeframe is based on the following, and may be subject to change depending on the time taken to prepare the evidence based studies:

April 2022	Report to Council on the scope of the comprehensive review of the Burwood LEP
May/June 2022	Engagement of consultants to prepare supporting studies
October 2022	Burwood North Precinct – Stage 2 Consultation – outcomes from studies and place based options
Early 2023	Preparation of Planning Proposal

Future reports to Council will provide updates with respect to the timeframes.

Planning or Policy Implications

Should Council adopt the recommendations of this report work will commence immediately to appoint consultants to prepare the studies as identified above.

Once these studies have been completed, work will commence on developing the Planning Proposal for the comprehensive LEP review. Once prepared, the planning proposal will be reported to the Burwood Local Planning Panel (BLPP) for its advice. BLPP's advice will then be reported to Council for a decision as to whether the planning proposal will be endorsed for submission to DPE for a Gateway Determination.

The public exhibition, community and agency consultations will take place following the Gateway Determination.

Parallel to this LEP review a comprehensive review of the Burwood Development Control Plan (BDGP) will be undertaken. A review of the local infrastructure contributions plans will also take place.

Financial Implications

The preparation of the evidence based studies which will inform the development of the planning proposal requires significant resources.

Budget has been allocated in the 2021-2022 financial year. Further budget will be required in 2022-2023 and 2023-2024 financial years. Ongoing work to conduct further reviews of the BLEP, and the preparation of the Burwood DCP amendments and local infrastructure contributions plans that will accompany implementation of the amended Burwood LEP, will require additional staff resources.

Conclusion

This is the first comprehensive review of the Burwood LEP since adoption in 2012. The focus is to ensure that Council has at its disposal a contemporary planning document that is able to respond to future growth and community needs in a proactive, considered and managed way.

The focus on City Excellence is a core element of this review. It is the measure by which assessment of new planning policy is considered and is a core outcome that is being sought for Burwood North and the continued growth of the town centre.

Endorsement is sought from Council to progress the comprehensive LEP review with the appointment of suitably qualified consultants to undertake the evidence based work as outlined in the body of the report.

Further reports will be presented to Council as these studies are progressed.

Recommendation(s)

1. That Council note the contents of this report.
2. Council endorse in principle the scope of the comprehensive LEP review as outlined in the body of the report. This will focus on implementation of a City Excellence Strategy and described procedural amendments.
3. Council endorse to proceed with the appointment of suitably qualified consultants to prepare the relevant studies that will inform the preparation of the Planning Proposal for the comprehensive LEP review, as identified in the body of the report.

4. That a further report be presented to Council in September 2022 that provides an update on the status of the studies and outlines an engagement strategy for the Phase 2 consultation.

Recommendation(s)

1. Council endorse in principle the scope of the comprehensive LEP review as outlined in relation to the Burwood North Precinct and associated supporting studies.
2. Council endorse to proceed with the appointment of suitably qualified consultants to prepare the relevant studies that will inform the preparation of the Planning Proposal for the Burwood North Precinct as part of the comprehensive LEP review.
3. That a further report be presented to Council in September 2022 that provides an update on the status of the Burwood North Precinct, associated studies and outline an engagement strategy for the Phase 2 consultation.

Attachments

There are no attachments for this report.

(ITEM 24/22) AUTHORISATION OF ALTERNATIVE BURWOOD COUNCIL REPRESENTATION AT THE SYDNEY EASTERN CITY PLANNING PANEL

File No: 22/12691

REPORT BY DIRECTOR CITY STRATEGY

Summary

When an application lodged with the Sydney Eastern City Planning Panel pertaining to the Burwood LGA is also the subject of a Voluntary Planning Agreement with Burwood Council, Council representation on the Panel is not possible due to conflict of interests, therefore reducing the number of views and opinions supporting the decision-making by the Panel.

This report proposes that the Chair and Alternate Chair/s of the Burwood Local Planning Panel be authorised to represent Council whenever a conflict of interest precludes participation by a councillor member representative/s in Panel assessment and determination work.

The report also addresses the matter of remuneration for both independent members and councillors participating in the activities of the Sydney Eastern City Planning Panel.

Operational Plan Objective

1.2.3.1 Provide leadership on the community's vision and values

2.1.3: Ensure transparency and accountability in decision making

Background

Through discussion with the Chair and Manager of the Sydney Eastern City Planning Panel (SECPP), it has become clear that the identification of a solution to enable greater participation from Burwood Council in the event of applications that are also the subject of a VPA would be encouraged.

A conflict of interests associated with a VPA precludes councillor participation in SECPP assessment and determination work because of the involvement of elected body of Burwood Council in endorsing the VPA. It comes into direct conflict because representatives involved in endorsement of a VPA cannot also consider the development proposal to which a VPA may relate.

This issue is distinct from an individual pecuniary or significant non-pecuniary conflict of interests that a councillor might have, as under those circumstances an individual councillor can excuse themselves from the meeting and an alternate councillor step forward to participate.

Burwood Council typically refers about six applications to the SECPP each year, and at least half of those would have a VPA attached to them. They often comprise development with a capital investment value of \$30million or greater. Referrals concerning development with a capital investment value over \$5million which is either council related, lodged by or on behalf of the Crown or private infrastructure and community facilities are also common. Such referrals are required under the *State Environmental Planning Policy (State and Regional Development) 2011*.

Proposal

1. Appointment and Remuneration of Council delegates

Other NSW councils that have faced similar challenges have adopted various approaches. They include delegation of authority to external parties such as senior members of the Local Planning Panel for that jurisdiction or external specialist technical consultants.

In this instance it is proposed that the Chair and Alternate Chairs of the Burwood Local Planning Panel (BLPP) be authorised to participate on behalf of Council in the determination of applications referred to the SECPP.

The proposal offers the quality assurance that comes with Panel Members that have an established track record in making well informed decisions on planning matters within the Burwood area. They can apply value understanding of the local context including their knowledge of key strategic documents such as the *Burwood Local Environmental Plan* and *Burwood Development Control Plan*. They also have knowledge of the geography, demographics and local characteristics of Burwood which will positively contribute to the consideration of matters by the SECPP.

A summary of experience for the existing BLPP Chair and Alternative Chair is provided in the table below.

Graham Brown	BLPP Chair	<ul style="list-style-type: none"> • State Member of Western Regional Planning Panel • Acting Chair and former Alternate Chair – Burwood LPP • Alternate Chair – Blue Mountains LPP • Expert Member of LPPs for Northern Beaches, Lane Cove, Waverley and Woollahra LGAs • Three 7 year appointments to the Land and Environment Court of NSW (including position of Senior Commissioner) • Divisional Manager / Director Planning Services – former Baulkham Hills Shire Council
Penny Holloway	BLPP Alternative Chair	<ul style="list-style-type: none"> • Experienced in many senior positions within state and local government including General Manager of North Sydney Council and CEO of Lord Howe Island Board • Alternate Chair – Burwood LPP • Alternate Chair for Willoughby and Camden LPPs • Expert member of The Hills LPP • State Member of Northern Regional Planning Panel
Stephen Kerr	BLPP Alternate Chair	<ul style="list-style-type: none"> • Expert Member of Canterbury Bankstown LPP • Currently Director Gyde (Formerly City Plan) Strategy and Development P/L • Former Director City Planning and Development – former Rockdale Council • Project Director Reform Implementation – former NSW Department of Planning • Various senior roles at the City of Parramatta

Under the proposed approach, representation by BLPP members would occur as follows:

- Two BLPP members would be nominated to appear at the SECPP on a rotational basis, in the event of a conflict of interests arising that prevents Burwood Council Councillor representation at the panel.
- Membership of the SECPP Planning Panel by the nominated experts would be linked to their tenure as BLPP members.
- BLPP members would be remunerated in line with the Local Planning Panel appearance fees as determined by the Minister for Planning from time to time.
- The BLPP member appearance fee would commence with a day rate of \$1500 plus GST per meeting to cover up to 7 hours of work, supplemented with an allowance of \$214 per hour for additional work related to assessment and determination that may be required.
- The base BLPP appearance fee coverage is inclusive of the all work a Panel Member does for a meeting, including preparation, site visits, the meeting itself and any deliberation and voting once the meeting is closed.

2. Remuneration of councillors

It is recognised that appearance by councillors at the Planning Panel is an additional duty which extends beyond what might be considered day to day business. With consultation with the Department, it has been determined that a meeting allowance of \$600.00 is appropriate for Councillors when appearing at the Panel Meeting.

It is proposed to adopt the meeting rate of \$600.00 for Councillors for attendance at each Planning Panel Meeting.

Consultation

Consultation has been undertaken with the Planning Panels Secretariat within the NSW Department of Planning and Environment. The nominated BLPP members identified in this report have also been canvassed on their availability to represent Burwood Council at future SCEPP meetings.

Planning or Policy Implications

If adopted, the proposed change in practice will need to be reflected in the *Burwood Local Planning Panel Review Procedure*. Individual councillors who may be in receipt of remuneration for participation in the SCEPP will need to obtain independent financial advice according to their personal circumstances regarding tax implications for this additional source of income.

Financial Implications

Based on an average of six planning panel items being considered on an annual basis the cost of the remuneration requirements proposed in this report would range between \$7,800.00 and \$18,000 each year.

This can be managed within existing budget allowances in the medium term. In the short term, grant funding made available to Burwood Council under the *Faster Regionally Significant Development Assessment Fund*, administered by the NSW Government Department of Planning, can be used to fund attendances in the first 12 months of operation of the Panel.

Conclusion

Burwood Council is currently unable to take full advantage of the opportunity to be represented at and participate in the determination of regionally significant development proposals referred to the SCEPP consent authority, when Voluntary Planning Agreements are negotiated in conjunction with a development.

The inclusion of the Chair and alternative Chair(s) of the BLPP at SCEPP meetings would significantly strengthen the work undertaken by Burwood Council Officers to brief the Panel. It would also enable nominated Panel Members to actively participate in decision making for key development applications.

Recommendation(s)

That:

- 1) The BLPP Chair and Alternative Chair(s) be authorised to appear at the Sydney Eastern City Regional Planning Panel (SECPP) on behalf of Burwood Council whenever a conflict of interest precludes participation by councillor member representatives in Panel assessment and determination work
- 2) Council adopts remuneration rates for Burwood Council representation at the SECPP in line with NSW Government advice as follows:
 - a) BLPP Chair and Alternate Chairs – base meeting rate of \$1500 (plus GST) for up to 7 hours of work
 - b) BLPP Chair and Alternate Chairs - \$214 per hour (plus GST) for every hour in excess of 7 hours that may be required for completion of assessment and determination work
 - c) Councillor representatives - \$600 per meeting
- 3) Details of additional representation arrangements for the SECPP be reflected in the *Burwood Local Planning Panel Review Procedure* and remuneration arrangements be automatically updated in it in line with advices as may be issued from time to time by the NSW Minister of Planning.

Attachments

There are no attachments for this report.

(ITEM 25/22) ESTABLISHMENT OF THE BURWOOD DESIGN REVIEW PANEL

File No: 22/12699

REPORT BY DIRECTOR CITY STRATEGY

Summary

This report is to seek endorsement for the establishment of a Burwood Design Report Panel (BDRP) that would have responsibility for the provision of design advice for development applications referred to the panel.

The report outlines the draft Terms of Reference for the Panel, the proposed manner in which the panel will be operated and the process through which a BDRP membership will be selected.

Operational Plan Objective

4.3.1: Encourage architectural integrity and aesthetically appealing buildings

4.5.1: Ensure support and provide efficient assessment of developments

4.5.2: Ensure independence and transparency in decision making on significant developments

Background

To date Burwood Council has used several forums to undertake a design assessment of major developments within the Burwood Town Centre. In the early 2000s the Burwood Urban Design Review was established with financial support from the NSW Government Urban Design Assessment Service (UDAS). The panel ceased following closure of funding from State Government.

Subsequent to this, Council has relied upon external urban design and architecture consultants to provide expert advice on major development applications within and around the Town Centre. This has supported good outcomes for Council and assisted officers in the assessment of design quality for a range of development applications.

Most recently, and at the request of the Sydney Eastern City Planning Panel (SCEPP) Chair, a special Design Review Panel has been convened to undertake independent design excellence assessment of the Burwood Place project submitted by Holdmark. The panel members have contributed targeted design expertise to the assessment process, which has result in a number of positive amendments to the scheme.

This is drawn upon the combined expertise of the panel members and scrutiny brought to bear through the panel review process. It should also be acknowledged that consent authorities, such as the Local Planning Panel and the SCEPP, place considerable weight on a positive design review process in the determination of applications before them.

To this point, the establishment of the Burwood Design Report Panel will assist Council in securing design quality and design excellence for new development, in particular for the Burwood Town Centre. This is also integral to supporting the City Excellence strategy being delivered as part of the Comprehensive LEP review.

In response to a Mayoral Minute, Council resolved at its meeting of 15 February 2022 that the General Manager would investigate the implementation of a permanent Burwood Design Review Panel and report back to council on the process by which that panel would be established and operate.

Proposal

The following steps are proposed to progress the establishment of the Panel.

Panel Selection: Expression of Interest

In a similar manner to the establishment of other Burwood Council committees, is it proposed to hold an EOI process to generate a pool of candidates from which shortlisting will occur. The EOI will be publically advertised and shared via networks such as the Planning Institute Australia, Australian Institute of Architects and Australian Institute of Landscape Architects.

A pool of at least five BDRP members will be established with demonstrated contemporary experience with major development within a metropolitan, high growth urban setting and prior experience of comparable design review processes. Extensive experience and qualification in at least one of the following fields will be required:

- Urban Design
- Architecture
- Landscape Architecture; and
- Urban Planning

A selection panel will be convened comprising at least three Burwood Council Officers with oversight from the General Manager. A further report will be presented to Council seeking confirmation of BDRP selection.

Burwood Design Review Panel: Terms of Reference

The BDRP will be operated in accordance with the attached draft terms of reference (TOR). These have been established based upon a comparative review of TORs adopted by other Councils and the general provisions contained in the *State Environmental Planning Policy No 65 Design Quality of Residential Apartment Development*.

The core elements of the BDRP terms of reference include the following:

- BDRP Panel membership will be for a term of three years, following which a review will occur
- It is preferred that a single Chair, with alternative chair, be selected to provide a consistent overview of all meetings
- A quorum of three BDRP panel members will be required for each meeting selected from the pool of five members selected
- Appropriate probity measures will be in place and BDRP members will be required to abide by the Burwood Council Code of Conduct.
- BDRP meetings would be conducted over a single day each month with applicants allocated a one-hour session. Verbal feedback would be provided at the meeting with minutes provided thereafter.

The functions of the BDRP are also set out in the TORs. The key focus is ensuring that there is a high standard of design quality achieved for new development taking into account the Burwood LEP and DPC in addition to prevailing NSW Government planning policy.

In addition, for development within the B4 Mixed Use Zone and B2 Local Centres Zone, this will include consideration of the proposals achievement of the design excellence stated in Section 6.5(4) of the Burwood LEP.

Burwood Design Review Panel: Referral Triggers

The nature of applications to be referred to the BDRP has been considered to ensure time spent on the panel meetings is targeted. Accordingly, focus is given to development within the Burwood Town Centre and that of a height or scale which would otherwise benefit from a design review process.

The following triggers are proposed:

- New developments within the B2 or B4 Zone over three (3) storeys which are subject to clause 6.5 Design Excellence of the Burwood LEP;
- All residential flat buildings or boarding houses 4 storeys or greater not located within a business zone;
- New developments containing ten (10) or more units of residential accommodation, bedrooms or comparable scale of development; or
- Any development or planning proposal deemed by the Director City Strategy to represent potential to significantly impact on the amenity of the locality or region.

In addition to the review of development applications received by Council, it is considered appropriate that the BDRP be used to review either new planning policy or proponent led planning proposals. This has been reflected in the referral triggers above and in the draft TOR.

Burwood Design Review Panel: Member Remuneration

Consultation undertaken with other Councils has indicated a broad range of remuneration of panel members. Reflecting the nature of applications that might be considered by the BDRP and noting the complex nature of areas such as the Burwood Town Centre and Burwood North, it is recommended that remuneration commensurate to the Burwood Local Planning Panel be adopted. This would mean:

- The Chair would be remunerated based upon a day rate of \$2000 plus GST.
- Ordinary BDRP members would be remunerated based upon a day rate of \$1500 plus GST.
- The appearance fee is inclusive of the all work a BDRP Member does for a BDRP meeting, including preparation, site visits, the meeting itself and any review of minutes once the meeting is closed.
- Any additional meeting activities would be subject to an allowance of \$285 per hour of the Chair and \$214 per hour for ordinary members. This is for specific additional work related tasks requested by the Director of City Strategy. For example appearance at the SCEPP.

Consultation

This matter has been reviewed in consultation within the City Strategy directorate. External feedback on the operation of similar design review panels has been obtained from a number of Councils across the Sydney metropolitan area and the NSW Government Department of Environment and Planning.

Planning or Policy Implications

The draft Burwood Design Review Panel Terms of Reference would be adopted as the operating procedures for the panel. This would support the achievement of the existing design excellence provisions within the Burwood Local Environmental Plan and Burwood Development Control Plan.

It is recommended that information relating to the establishment and operation of the Burwood Design Review Panel be published via the Burwood Council website.

Further policy will be prepared in relation to the Burwood Design Review Panel as part of the comprehensive Burwood LEP review process and will be reported to Council at future meetings.

Financial Implications

The operation of the BDRP will have a financial cost to Council. Remuneration costs for panel members at each meeting will be in the order of \$5000 (ex GST) per meeting plus administrative time or approximately \$60,000 (ex GST) each year.

To cover the operational cost of the BDRP, an additional charge will be introduced into the schedule of fees and charges. Proposed BDRP fees would be:

- Minor Application (\$5million or less): \$3000.00
- Major Application (More than \$5million): \$5000.00

Assuming an average of two items per meeting, this would generate a fee income of between \$72,000 to \$96,000 per annum. This would cover both administrative and panel membership costs of operating the BDRP.

Conclusion

The establishment of the Burwood Design Report Panel, will support the growth of the Burwood LGA, and in particular enhance the focus on City Excellence within the Burwood Town Centre. This is considered to be a critical issue for Burwood as much of the new development will be complex, medium to high rise residential project in and around the Burwood Town Centre. The quality of residential amenity and sense of place within these urban renewal areas will be supported through a consistent achievement of design quality.

The recommendations contained in this report will support creation of a design review panel that is enabled to provide independent and expert advice that will enhance and promote design quality and excellence as part of future development.

Recommendation(s)

That Council:

1. That the General Manager be authorised to undertake an EOI process for the membership of the Burwood Design Review Panel and that the selected membership be brought to a future Council meeting for endorsement.
2. The Burwood Design Review Panel Terms of Reference be endorsed and the General Manager be permitted to make further revision and update following consultation with the proposed Chair of the BDRP. The final version be brought back to a future Council meeting for endorsement.

Attachments

- 1 Burwood Design Review Panel Terms of Reference



BURWOOD DESIGN REVIEW PANEL TERMS OF REFERENCE

<p>Purpose</p>	<p>This Burwood Design Review Panel (BDRP) has been established to examine, evaluate and comment on the design aspects of development applications referred to the DRP. This is taking into account the Design Excellence Clause contained in section 6.5 of the Burwood Local Environmental Plan.</p> <p>This is to ensure that an independent design review is completed and that a high quality design outcomes would be achieved by new development within the Burwood LGA. This is recognising the growth and expansion of Burwood and status of the Burwood Town Centre as a strategic centre.</p>
<p>Function of BDRP</p>	<p>The BDRP will provide independent, expert and impartial advice on design quality matters in relation to development and pre-development applications.</p> <p>The role of the panel is advisory only. It has no delegated authority or power under any other function to determine any development application.</p> <p>However, recommendations or comments provided in response to the development application made by the BDRP will be used to inform the assessment process.</p> <p>It is expected that the function of the Panel will include, but not be limited to:</p> <ul style="list-style-type: none"> (a) Robust examination, evaluation and critique of the design aspects of a development proposal with respect to the achievement of a high degree of design quality and propose areas that can be improved by the applicant. (b) Evaluate the achievement for application subject to the Design Excellence provisions contained in the Burwood LEP, as relevant to the proposal. (c) Consideration of the strategic Burwood Council Planning documents, including the LEP and DCP, as well as SEPP 65 and Apartment Design Guidelines and other policies relevant to the consideration of the application. (d) Through the critical assessment of the development application provide proactive feedback to the applicant on focus areas or design changes required in order to better achieve the objectives of the relevant planning controls and more specifically achievement of design excellence or design quality; (e) Collaboratively engage with the applicant via any pre-DA meetings that might be requested prior to the formal lodgement of a development application.

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	<p>(f) Provisions, clear, concise and coordinated advice to applicant both verbally at the meeting and formally via meeting minutes.</p> <p>(g) At the request of the Director City Strategy, carry out a review of LEP or DCP controls as they relate to the achievement of design quality or design excellence.</p> <p>(h) At the request of the Director City Strategy, provide advice and commentary that might promote improve design quality outcomes across the Burwood LGA.</p>
<p>Referral Triggers</p>	<p>The scope of the BDRP is to provide expert and independent advice on the following developments:</p> <ul style="list-style-type: none"> • New developments within the B2 or B4 Zone over three (3) storeys which are subject to clause 6.5 Design Excellence of the Burwood LEP; • All residential flat buildings or boarding houses 4 storeys or greater not located within a business zone; • New developments containing ten (10) or more units of residential accommodation, bedrooms or comparable scale of development; or • Any development or planning proposal deemed by the Director City Strategy to represent potential to significantly impact on the amenity of the locality or region.
<p>BDRP Membership</p>	<p>The BDRP will be conducted with a quorum of three members.</p> <p>A pool of at least five panel members will be established with contemporary experience with major development within a metropolitan, high growth urban setting. Extensive experience and qualification in at least one of the following fields will be required:</p> <ul style="list-style-type: none"> • Urban Design • Architecture • Landscape Architecture; and • Urban Planning <p>Panel selection will be via a publically advertised EOI process. The panel will be selected on the basis of being professionals highly regarded in their field and have contemporary experience with comparable design review processes for major projects of a similar scale or standing.</p>
<p>BDRP Tenure</p>	<p>The panel will be convened for a period of not more than three years, at which time the panel will be reviewed.</p> <p>If a vacancy occurs in the membership of the panel, the General Manager may appoint an additional person to fill the vacant position to ensure appropriate coverage of expert skills on the panel.</p> <p>Council may in its absolute discretion, appoint suitable shortlisted applicants from a previous tender or expressions of interest process.</p>



Chairperson	<p>The Chairperson is responsible for the orderly conduct of the meeting and procedural matters whilst the panel review meeting is in progress:</p> <ul style="list-style-type: none"> • Monitoring general progress of the review meeting and management of agenda • Coordinating verbal and written comments provided to the applicant in response to the design review as a single majority view • Endorsing the formal comments provided to the applicant following the meeting • If requested, provide a briefing to the Chair the Burwood Local Planning Panel or Sydney City East Planning Panel
Appointment of Chairperson	<p>As part of the EOI process, further nomination will be sought from prospective candidates, for the position of Chair and alternate Chair.</p> <p>It is preferred that the Chair, or alternate Chair, be present at all meetings to ensure consistent operation and consideration of matters referred to the panel.</p> <p>The Chair and alternative will be selected as part of the EOI review process.</p>
BDRP Remuneration	<p>Ordinary BDRP members would be remunerated based upon a day rate of \$1500 plus GST. The Chair would be remunerated based upon a day rate of \$2000 plus GST.</p> <p>The appearance fee is inclusive of the all work a BDRP Members does for a BDRP meeting, including preparation, site visits, the meeting itself and any review of minutes once the meeting is closed.</p> <p>Any additional meeting activities would be subject to an allowance of \$285 per hour of the Chair and \$214 per hour for ordinary members. This is specific additional work related tasks request by the Director of City Strategy.</p>
Code of Conduct	<p>All Panel members are required to read, understand and sign a conflict of interest declaration and confidentiality agreement prior to participating in the review meeting and abide by both agreements during the operation of the panel.</p> <p>Panel must act lawfully and with independency, integrity and professionalism whilst conducting themselves in the operation of the panel.</p>
Meeting Schedule	<p>The Design Review Panel will meet on a monthly basis, subject to items being eligible for referral to the panel.</p> <ul style="list-style-type: none"> • The Design Review Panel will occur on the last XXXXX of every month commencing at 9.30am • If no items are scheduled to be presented to the DRP, the meeting will be cancelled with a minimum of one weeks notice.

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Burwood
Inc.1874

- Should, an extra-ordinary meeting be required, these can be convened at the request of the applicant with a minimum of two weeks notice. The applicant would be responsible for the full cost of panel members attending the meeting.
- Such extra-ordinary meetings are only expected to be required for major projects only, which require review of multiple design issues and longer than 1 hour for the panel to review the matter fully.

Meeting Procedures

Each meeting will generally comprise the following tasks but will be formalised by an agenda prepared by Burwood Council and agreed with the DRP Chair.

The BDRP Chair is invited to conduct the meeting in any manner they see fit to ensure efficient use of DRP meeting time, facilitate a fair and open exchange of views for all parties. The general tasks may include:

- Site visit to allow panel members to familiarise themselves with area (as required)
- Briefing will be held at Burwood Council Offices, with the availability online meeting facilities if required.
- Pre-briefing to BDRP members by Council Officers on key issues related to each application
- Each application will be allocated 1 hour to be considered by the panel
- Short presentation from the applicant
- BDRP questions and review
- Chair to provide a verbal summary of advice at the closing of the meeting
- Debrief with the panel and review of draft statement of advice to the applicant, forming the minutes of the meeting

The applicant must provide briefing material ahead of the panel meeting. This should:

- Be provided to Council at least 7 days prior to the date of the panel meeting
- Include covering statement, including summary of relevant planning considerations and sufficient drawings for the DRP to review the design intent and provide meaningful feedback.
- Be in electronic format and suitable for transmission via email

The applicant must also pay the required fee specified in Council's Fees and Charges and as set by Council's Director City Strategy.

The required fee must be paid upon lodgement of the written documentation for referral to the meeting at least 7 days prior to the meeting.

(ITEM 26/22) ENDORSEMENT OF TECHNICAL SUBMISSION - INFRASTRUCTURE CONTRIBUTION REFORM

File No: 22/12702

REPORT BY DIRECTOR CITY STRATEGY

Summary

This report is to seek endorsement of the technical submission provided to the NSW Government in response to the Infrastructure Contributions reform proposed under the *Environmental Planning and Assessment Act Amendment (Infrastructure Contributions) Bill 2021*.

Additional consultation was undertaken by NSW Government in response to feedback from Councils that submissions were due over the previous local government election period. This would have prevented Council endorsed submissions from being made.

This report provides opportunity to formally endorse the technical submission already provided and offer any further points of feedback to be provided to NSW Government.

Operational Plan Objective

2.1.3 Ensure transparency and accountability in decision making

Background

In December 2020 the NSW Productivity Commissioner handed down the report 'Review of Infrastructure Contributions in New South Wales'. The review was at the request of the Planning Minister as part of a suite of reforms to improve the planning system. The review sought to determine whether the current infrastructure charge regime meets the objectives of certainty and efficiency whilst delivering public infrastructure required to support development.

The report provided a suite of recommendations, all of which have been accepted by the NSW Government. Subsequently reform material was prepared which contributed to the publication to the *Environmental Planning and Assessment Act Amendment (Infrastructure Contributions) Bill 2021*. This was consulted through mid to late 2021.

Proposal

Noting that Burwood Council is an inner city metropolitan Council, focus has been given to those proposed changes more relevant to the local context.



Presently Burwood Council collects local infrastructure contributions under section 7.12 of the EP&A. This is a fixed development consent levy based upon the capital investment value (CIV) of a project. This is pegged at 4% within the Burwood Town Centre, which is high in comparison to other areas, and 1% outside the Town Centre.

Some Councils operate under a section 7.11 contributions plans which is based upon the estimated cost of future infrastructure needs, amortised across future development growth. This is a more complex method of levying infrastructure charges, which until recently has been capped.

Many Councils have submitted that the proposed infrastructure contributions changes will reduce the revenue received. NSW Government has provided repeated assurances that 'no Council will be worse off' as a result of the changes. As demonstrated by the comparison example in the Burwood Council submission, this is actually a very nuanced issue and will depend upon proposed land use.

Reform 1: Local Contributions

It is proposed that Infrastructure Contributions be replaced by Local Contributions. Rather than being levied based upon CIV, it would be raised based on other matrices, such as number of bedrooms. The figure below shows that breakdown.

	 House	 Other residential	 Additional bedroom	 Commercial	 Retail	 Industrial
	per dwelling	per dwelling (dual occupancies, etc)	per room for additions	per m ² new and additions*	per m ² new and additions*	per m ² new and additions*
Greater Sydney - East	\$15,000	\$15,000	\$6,000	\$50/\$25	\$35/\$17.50	\$35/\$17.50
Greater Sydney - Central	\$12,000	\$12,000	\$5,000	\$40/\$20	\$35/\$17.50	\$25/\$12.50
Greater Sydney - West	\$10,000	\$8,000	\$4,000	\$25/\$12.50	\$35/\$17.50	\$13/\$6.50
Regional NSW	\$10,000	\$8,000	\$4,000	\$25/\$12.50	\$35/\$17.50	\$13/\$6.50

Reform 2: Regional Contributions

In addition to Local Contributions, Regional Contributions would be collected and distributed to NSW Government. This would replace State Infrastructure Contributions in place for areas such as the Western Sydney Aerotropolis. It would comprise three levies

- Regional Infrastructure Contributions – (base contributions) : for general infrastructure
- Strategic Biodiversity Component – area specific charge for biodiversity offsets
- Transport Component – Cost recovery for major transport components

In the context of Burwood, on the Regional Infrastructure Contributions would apply.

Reform 3: Land Value Contribution

This would provide a mechanism for capturing the cost required to acquire land for public infrastructure within a growth area and share that cost across everyone who benefits from the rezoning of land. Principally that seems to apply to greenfield growth area only and has limited application, and therefore benefit to inner city or existing urban areas undergoing urban renewal.

The sheer complexity of the land value contribution financial mechanism is also a concern.

Main Points of Feedback

The examples in the technical response provided above show variation in the amount of local levy contributions that would be received by Burwood Council. In the case of residential development, there would appear to be an increase of approximately **\$262,000**. However, in the case of the second example, being a boarding house, there is a net reduction of **-\$174,000**.

Noting that this is not a complete analysis of all land use class or development scenarios, it is contended that there will be other development which would result in a less development contributions for Burwood Council, within the Burwood Town Centre.

In relation to Local Levy Contribution the key points raised in the technical submission include:

- Noting the examples provided above, Burwood Council seeks specific assurance that a lesser Local Levy Contribution would not be received for any single development consent, when compared to a s7.12 contribution based on 4% of the CIV.

- The use of bedroom as the contribution rate for additions is open to abuse. The outcome being that rooms will be labelled for other purposes in order to avoid the infrastructure contribution. Whilst the loss in revenue from this is minor, it raises a planning assessment matter that will likely lead to protracted application negotiations. The use of the CIV value or rate per sq.m seems more transparent.
- Based on the example shown, the use of a per bedroom rate for boarding houses, motel etc, would likely result in a lesser local levy contribution when compared to Burwood Council's current contribution of 4% of CIV. Burwood Council seeks specific amendments to allow Council to address this matter in the future.
- Burwood Council seeks clarification as to how the new Housing SEPP will apply to the new charges outline for the local levy contributions. This is noting the BTR, Co-living and Seniors Housing is not specifically cited as an example. This question also extends to the RIC which would suggest that these land use classes be treated as commercial.

Regional Infrastructure Charges

The key points made in relation to RIC include the following:

- Given that the addition of the RIC would amount to additional \$2m in infrastructure contributions for a major development. There must be a negative impact upon development viability. The economic land use testing used to consider this charges should be provided.
- Secondly, if the RICs are to be centralized, then there needs to be a clear plan for the expenditure of those funds and a clear nexus of benefit with the LGA from which such funds have been collection. In the context of Burwood as a high growth area, it would be inappropriate for funds collected to be spent in a low growth area or indeed outside what might be a reasonable nexus catchment.
- It is requested that Regional Infrastructure Plan needs to be developed in consultation with Councils to identify the projects, provides a timeframe for delivery and budget allocation. Furthermore, we request that funding allocation be ring fenced on a more defined basis than just the Eastern City Plan area and consider sub-catchments.
- Burwood Council seeks assurance that there will be clear and transparent record keeping of RICs revenue from each LGA and clear reporting on how infrastructure spend has occurred that will directly benefit those LGAs. It is recommended that this be addressed through quarterly reporting.

Consultation

This matter has been discussed internally across the City Strategy Directorate. External consultation has also taken place jointly with SSROC and LGNSW which has included attendance at NSW Government briefing sessions.

Planning or Policy Implications

The proposed changes under the *Environmental Planning and Assessment Act Amendment (Infrastructure Contributions) Bill 2021* will have impact upon the current adopted Burwood Council infrastructure charge policy.

Financial Implications

As demonstrated by the examples, to varying degrees the *Environmental Planning and Assessment Act Amendment (Infrastructure Contributions) Bill 2021* will affect future contributions rates collected by Council.

Conclusion

On balance, it should be acknowledged that reform is required to the infrastructure charge landscape across NSW. However, in the absence of resolved details and clear mechanism by which 'no Council will be worse off' under the proposed charges, there remains concern that Councils, including Burwood Council would receive less revenues to deliver needed local infrastructure.

Similarly the RIC is a mechanism by which regional scale infrastructure could be delivered. However, very much more detail is need to demonstrate how this will be equitably distributed. Further feedback and clarification is needed from NSW Government on these matters will be addressed before the changes under the Bill are brought into power.

Recommendation(s)

That:

1. Council endorse the technical submission dated 10 December 2021 provided by Burwood Council in response to the *Environmental Planning and Assessment Act Amendment (Infrastructure Contributions) Bill 2021*.
2. That a cover letter be provided by the Mayor outlining any further points of feedback considered necessary in response to the proposed Bill.

Attachments

- 1 Burwood Council Technical Submission Dated 10th December 2021



Burwood
Inc.1874

Burwood Council
2 Conder St, Burwood 2134
PO Box 240 Burwood NSW 1805

P (02) 9911 9911
E council@burwood.nsw.gov.au

Ms Kate Speare
Director
Infrastructure Funding Policy
Department of Planning, Industry and Environment
Locked Bag 5022
Parramatta NSW 2124

Our Ref.: 2021/0057262
10 December 2021

Dear Ms Speare

Formal Submission Burwood Council: Infrastructure Contribution Reform

I refer to your briefing session and information provided in relation to the NSW Government Infrastructure Reform process. There has been considerable industry and stakeholder discussion in relation to this matter, with the very firm commitment from the Minister that 'No Council will be financially worse off' as a result of the proposed reforms.

Burwood Council would submit to the Department that there needs to be a clear demonstration of how Councils will be 'financially better off' as a result of the infrastructure contributions reform. Within the landscape infrastructure contributions, it is apparent that the amount of revenue capture via infrastructure contributions of any type will significantly increase. However, it is clear that this increase will not necessarily flow back to the Council area from which they have been collected.

The example provided below shows an increase of \$1.9million of infrastructure contributions captured for a single major development in the Burwood Town Centre.

However, what remains unclear in the context of the Regional Infrastructure Contributions is how that revenue will be used to immediately benefit the Burwood community or indeed any community from which RICs have been collected. We make comments in the section related to Regional Infrastructure Contributions, however this remains a fundamental point of concern.

Worked Examples

The following provide two examples of current Development Consents within the Burwood Town Centre. Presently s7.12 contributions are determined on a rate of 4% of CIV.

Example 1: 28-34 Victoria Street, Burwood (DA.2019.91)

- Capital Investment Value of \$67,254,534.00
- The DA includes 179 residential apartments and 6,296sqm retail and commercial floor space.
- Assume an equal split of retail and commercial, i.e., 3,148sqm retail and 3,148sqm commercial.

Under the consent:

S7.12 contributions payable: 4% of CIV = \$2,690,181.36

Under the draft reform:

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Local contribution

- Contribution for residential component: \$15,000/dwelling x 179 dwellings = \$2,685,000
- Contributions for retail: \$50/sqm x 3,148sqm = \$157,400
- Contribution for commercial: \$35/sqm x 3,148 = \$110,180

Total contributions under draft regulation: \$2,685,000 + \$157,400 + \$110,180 = **\$2,952,580**

Regional contribution

- Regional contribution for residential component: \$10,000/dwelling x 179 dwellings = \$1,790,000
- Regional contribution for retail: \$30/sqm x 3,148sqm = \$94,440
- Regional contribution for commercial: \$30/sqm x 3,148sqm = \$94,440

Total regional contribution: \$1,790,000 + \$94,440 + \$94,440 = **\$1,978,880**

Comment:

- **Total Infrastructure Contributions: \$4,931,460.00**
- This is an increase of \$2,241,279.00 over and above the current approval.
- Burwood Council would receive more contributions under the draft reform (if we apply the maximum levy rates).
- Regional contribution is substantial and Burwood Council may receive industry push back on this rate claiming negative development viability.
- This is also an increase of \$12,521 per residential unit, which will presumably be passed on to purchasers negativity impacting housing affordability.

Example 2: 4 Railway Parade, Burwood (DA.2019.68)

- 96 Bedroom Boarding House
- CIV of \$18,750,581.00

Under the consent:

S7.12 contributions payable: 4% of CIV = **\$750,023.24**

Under the draft reform:

Local contribution

- Contribution for Boarding House: \$6,000/bedroom x 96 bedrooms = \$576,000.00

Total contributions under draft regulation: **\$576,000.00**

Regional contribution

- Regional contribution for boarding House: \$30/sq.m commercial floor space x 7960sq.m = \$238,800.00

Total regional contribution: **\$238,800.00**

Comment:

- **Total Infrastructure Contributions: \$814,800.00**
- This is an increase of \$64,777.00 over and above the current approval. This is substantially less than that for the residential example provide

- Burwood Council would receive less contributions under the draft reform (if we apply the maximum levy rates) to the tune of \$174,023.
- The application of a 'per bedroom rate' for a boarding house, in this example would result in a lesser local levy contribution when compared to the current \$7.12 contribution. Noting that this is for a form of short term residential accommodation which still places substantial demand upon Council infrastructure.

Local Levy Contributions

In the context of Burwood Council, development contributions are captured via section 7.12 contributions plan. Specifically for the Burwood Town Centre this captured at a rate of 4% of CIV. Outside the town centre, this rate reduced to 1% of CIV for development over \$200,000.

The example provided above shows variation in the amount of local levy contributions that would be received by Burwood Council. In the case of residential development, there would appear to be an increase of approximately **\$262,000**. However, in the case of the second example, being a boarding house, there is a net reduction of **-\$174,000**.

Noting that this is not a complete analysis of all land use class or development scenarios, it is our contention that there will be other development which would result in a less development contribution for Burwood Council, within the Burwood Town Centre.

We seek advice and assurance from the Department, including amendments to the regulations, that revisions can be made to local levy contribution rates to avoid this outcome.

In relation to Local Levy Contribution Burwood Council would like to provide the following feedback:

- Noting the examples provided above, Burwood Council seeks specific assurance that a lesser Local Levy Contribution would not be received for any single development consent, when compared to a \$7.12 contribution based on 4% of the CIV.
- The use of bedroom as the contribution rate for additions and alterations is open to exploitation. The outcome being that rooms will be labelled for other purposes in order to avoid the infrastructure contribution. Whilst the loss in revenue from this is minor, it raise a planning assessment matter that will likely lead to protracted application negotiations. The use of the CIV value or rate per sq.m seems more transparent and less prone to manipulation.
- Based on the example shown, the use of a per bedroom rate for boarding houses, motels etc, would likely result in a lesser local levy contribution when compared to Burwood Council's current contribution of 4% of CIV. We seek specific amendments to allow Council to address this matter in the future.
- Burwood Council seeks clarification as to how the new Housing SEPP will apply to the new charges outline for the local levy contributions. This is noting the BTR, Co-living and Seniors Housing is not specifically cited as an example. This question also extends to the RIC which would suggest that these land use classes be treated as commercial.

Land Value Contributions

It is noted that Land Value Contributions have been specifically designed to manage land acquisition within greenfield areas. Aside from noting the complexity of this process, likelihood of Councils being left to fund any shortfall in land acquisition cost and the complexity of establishing a land value contribution mechanism in the first instance, Burwood Council has nothing further to comment.


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- Suggest renaming Regional Infrastructure Contributions to City Infrastructure Contributions. The term regional is a little misleading in that it suggests (and people have commented on this point) that the contributions would be spent in the regions and not the metropolitan areas of New South Wales. The term City Infrastructure Contributions reflects the intended use of the charge.
- Clarification is request as to how the new Housing SEPP will apply to RICs. This is noting the BTR, Co-living and Seniors Housing are not specifically cited as examples. Would this be treated as residential or commercial floor space?
- Regional Infrastructure Contributions Plan. This must be prepared to support the allocations of funds gathered through RICs. There must be a clear nexus between the project and the area from which funds have been collected. We request that this be on the basis of sub-catchments within the Eastern City Plan area. The current RIC Fund Investment Prioritisation Framework does not contain sufficient detail to address this point.
- This plan should include a clear definition of what constitutes a regional project. This is to prevent funding of projects which do not fulfil a commonly accepted criteria of a regional project. This is also required can clearly understand the types of projects which will be accepted through the growth infrastructure needs assessment process.
- Burwood Council seeks assurance that there will be clear and transparent record keeping of RICs revenue from each LGA and clear reporting on how infrastructure spend has occurred that will directly benefit those LGAs. It is recommended that this be addressed through quarterly reporting.
- Burwood Council also seeks assurance that the RICs fund will not replace general grant funding made available to Councils from time to time. RICs funds should be specifically allocated toward infrastructure networks at a regional scale and not used to support the roll out of contested grant funding.
- Confirmation is requested that any Council project for community facilities will not attract the RICs charge.

Should you wish to discuss this matter further, please do not hesitate to contact me on 9911 9 850.

Yours sincerely



Dylan Porter
Director City Strategy

If you require information in other languages contact the Telephone Interpreter Service directly on 131 450 (free service) and ask them to call Burwood Council on 9911 9911 on your behalf.

ARABIC

إذا كنت بحاجة إلى معلومات بلغات أخرى، اتصل بخدمة الترجمة الشفهية عبر الهاتف على الرقم 131 450 (خدمة مجانية) واطلب منهم الاتصال بالنيابة عنك بمجلس بيروود على الرقم 9911 9911.

CANTONESE

如果您需要以其他語言瞭解信息，請致電131 450聯繫電話傳譯服務中心（免費服務），並請他們代您致電9911 9911聯繫Burwood市議會。

GREEK

Εάν χρειάζεστε πληροφορίες σε άλλες γλώσσες επικοινωνήστε με την Υπηρεσία Μετάφρασης και Διερμηνείας στο 131 450 (δωρεάν υπηρεσία) και ζητήστε τους να καλέσουν εκ μέρους σας το Δήμο Burwood στο 9911 9911.

HINDI

यदि आपको अन्य भाषाओं में जानकारी की आवश्यकता है, तो सीधे 131 450 (निःशुल्क सेवा) पर टेलीफोन दुभाषिया सेवा से संपर्क करें और उनसे बरवुड काउंसिल को 9911 9911 पर आपकी ओर से कॉल करने के लिए निवेदन करें।

ITALIAN

Se avete bisogno di informazioni in altre lingue contattate il servizio di interpretariato telefonico direttamente al numero 131 450 (servizio gratuito) e chiedete loro di chiamare il Burwood Council al numero 9911 9911 per conto vostro.

KOREAN

다른 언어로 정보가 필요하시면 전화통역서비스(Telephone Interpreter Service)에 바로 연락하셔서(131 450번, 무료) 귀하를 대신해 버우드 카운슬(9911 9911번)로 전화를 걸어 달라고 요청하십시오.

MANDARIN

如果您需要以其他语言了解信息，请致电131 450联系电话传译服务中心（免费服务），并请他们代您致电9911 9911联系Burwood市议会。

NEPALI

अरू भाषामा यहाँलाई जानकारी आवश्यक भएमा 131 450 (निःशुल्क सेवा) मा सिधै टेलिफोन दोभाषे सेवामा सम्पर्क गर्नुहोस् र आफ्नो तर्फबाट 9911 9911 मा बर्नवुड काउन्सिलमा सम्पर्क गर्नका लागि उनीहरूलाई भन्नुहोस्।

VIETNAMESE

Nếu quý vị cần thông tin bằng các ngôn ngữ khác xin liên lạc trực tiếp với Dịch vụ Thông dịch qua Điện thoại qua số 131 450 (dịch vụ miễn phí) và nhờ họ thay quý vị gọi cho Hội đồng Thành phố Burwood qua số 9911 9911.

(ITEM 27/22) COMMUNITY GRANTS PROGRAM 2021/22

File No: 22/12167

REPORT BY DIRECTOR COMMUNITY LIFE

Summary

This report provides recommendations for the allocation of funding under Council's Community Grants Program 2021/22 for consideration and approval by Council. It also provides additional background information on the changes that have been implemented following the review of the Community Grants Program conducted in 2021.

All funding recommendations are outlined under Attachment 1 of this report.

Operational Plan Objective

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

Background

Burwood Council runs an annual program of community grants that provides funds to local community organisations to run activities, events and programs to support the Burwood community. This year the total pool of funds available under the program is \$55,000.

In late 2021, Council undertook a review of the Community Grants Program to strengthen the program and streamline the application process. The review involved input from local community organisations via a telephone survey conducted with 56 community organisations operating in the Burwood Local Government Area and internal feedback from Council officers.

At the Ordinary Meeting of Council held on 16 November 2021, Council received a report titled 'Community Grants Program Review and Recommended Improvements for 2021/22.' Council resolved to endorse the Community Grants Program Guidelines 2021/22 (included under Attachment 2) and Council officers have since implemented a number of key improvements, including:

- A funding cap of \$5000 per application has been introduced.
- The total funding pool available under the Community Grants Program 2021/22 has been increased from \$40,000 to \$55,000 to address increased funding needs of local community organisations as a result of the Covid-19 Pandemic.
- Council engaged a specialist trainer to deliver free Grant Writing Training to local community organisations, including potential applicants to support the application process and improve the overall quality of applications.

Proposal

The Community Grants Program 2021/22 round opened in November 2021 with applications closing on 18 February 2022. A total of 21 applications were received requesting a total of \$99,192.

An Internal Assessment Panel comprising of staff from Council's Community and Culture Team assessed the applications received in accordance with the Program Guidelines included under Attachment 2 of this report. Issues arising over the past 12 months, including the impact of the COVID-19 Pandemic on the local community and emerging social issues, such as homelessness, have prompted the Internal Assessment Panel to give consideration to the best use of available resources to address the most critical needs in the community.

A total of 16 applications are recommended for funding as outlined in the Assessment Panel Ranking Table included under Attachment 1. The Community Grants Program is a competitive process and reasons for not recommending funding for the remaining applications are also summarised in the attachment, including potential alternative funding sources or forms of assistance that may be offered where possible.

Council staff will provide all unsuccessful applicants with an opportunity to receive feedback on their grant application. This will provide unsuccessful applicants with an opportunity to improve their application and resubmit to future rounds of the Community Grants Program or the ClubGrants Program, which closes on 31 May 2022.

Consultation

An online information session was held in January 2022 for organisations that were interested in applying. Additionally, a grants writing training session was offered free of charge for any interested applicants.

Council will notify all applicants of the outcome of their application. Unsuccessful applicants will be offered feedback and support wherever feasible, including information about other available grant opportunities.

Planning or Policy Implications

All applications submitted under the Community Grants Program 2021/22 have been assessed in accordance with the eligibility and selection criteria outlined in the Community Grants Program Guidelines. The report recommendations also meet the legislative requirements prescribed under Section 356 of the *Local Government Act 1993*.

Financial Implications

Funding of \$55,000 for the Community Grants Program is available within the Operational Budget 2021/22.

Options

Council can opt to endorse the funding recommendations of the Internal Assessment Panel or amend the funding allocations. A funding source should be identified should Council opt to grant additional funds beyond the \$55,000 funding pool available.

Conclusion

The 16 applications recommended for funding under the Community Grants Program 2021/22 aim to deliver significant community benefits across the Burwood Local Government Area. The recommendations of the Internal Assessment Panel are hereby submitted for Council's consideration and adoption.

Recommendations

That Council:

1. Adopts the 16 applications recommended for funding as outlined in Attachment 1 and allocates \$55,000 from the Community Grants Program budget 2021/22.
2. Advises all applicants of the outcome of their application and provides feedback and support to applicants that were unsuccessful.

Attachments

- 1 Community Grants Program 2021/22 - Internal Assessment Panel Ranking Table and Recommendations
- 2 Community Grants Program Guidelines 2021-22

No.	Name of Organisation	Project Description	Amount Sought (\$)	Amount Recommended (\$)	Does organisation meet the eligibility criteria? N=0 Y=5	Does project address the Grants Program Objective? N=0 Y=5	Is the project aligned with at least one of the key strategic goals of Burwood2030 or funding priorities? Range 0-10	Was the application completed and received correctly? N=0 Y=3	Does the project duplicate existing programs or services? N=5 Y=0	Does the project benefit the local community? Range 0-10	Has the project received prior funding? Range 0-3	Total Ranking Score	Internal Assessment Panel Comments
APPLICATIONS RECOMMENDED FOR FUNDING													
1	St Pauls Anglican Church, Burwood	Enhancing opportunities for early childhood education for children and families impacted by domestic violence - Not all children are eligible for the 'child care subsidy.' The project seeks to enhance opportunities for early childhood education for children in families impacted by domestic violence by helping them to access early childhood education, vacation care, and after school care and will work with Council, Police, refuges and families to provide support. Funding for: Funding support for early childhood education, after school and vacation care costs.	\$5,000	\$5,000	5	5	8	3	5	8	3	37	This is a valuable project that addresses an increase in domestic violence noted by numerous services including NSW Police that has occurred during the Covid 19 pandemic. The project will assist families who have experienced violence to allow children opportunities to attend early education that would otherwise be unaffordable and also offer respite for the parents. The Internal Assessment Panel recommends full funding to enable the maximum number of families and children to benefit.
2	Dae Hahn Culture School - No 4	Dae Hahn Culture School English Program - This project seeks to help senior Koreans learn basic English from Korean speaking teachers and will run one day a week. Teaching senior Koreans English will assist them to live independently and improve their life in Australia by addressing social isolation.	\$5,000	\$2,500	5	5	7	3	5	8	3	36	English classes are valuable for older people and improve their access to services and broader opportunities to participate in community life. The program will also serve as a social outlet for isolated seniors with limited English. Recommended for partial funding along with two other projects to be delivered by this organisation.
3	Special Children Services Centre Inc.	Saturday group activities for Children with disability and Senior carers/volunteers - To deliver a series of group-based activities (42 sessions for a 10 month period) for children with intellectual disabilities to promote their physical and intellectual development, develop their gross motor skills and enhance their interaction skills in a safe and supportive environment. The project will also deliver a series of cultural dancing activities to seniors. For the senior group of carers and volunteers who are members of the SCSC, the project will provide an opportunity to improve their health and wellbeing.	\$5,000	\$3,800	5	5	8	3	5	7	3	36	This project reaches two priority groups and will be of value to the community. It is especially important to provide social, recreational and respite programs for families with children with disabilities after the extended Covid lockdowns. Partial funding recommended.
4	St Anthony's Family Care	Inclusion for Children with Disabilities - The Figtree offers a unique program for children with disabilities, with a specific focus on supporting children diagnosed with autism. An autism diagnosis can make it very difficult for children to attend their local preschool or childcare centre and Figtree is well equipped to accepting their attendance. The project aims to improve the children's flexibility, curiosity to try new things, climbing, touching textures and playing with others by purchasing outdoor play equipment.	\$5,000	\$5,000	5	5	6	3	5	8	3	35	The Internal Assessment Panel recommends the project for full funding as it contributes directly to local children with disabilities and their families who use this local service.
5	SHARE SMR Inc.	Seniors Chronic Pain Exercises - A weekly one hour gentle exercise and support group for 10 seniors with chronic pain who have completed pain clinic visits will transition to the SHARE seniors weekly exercise class with meditation, mindfulness, gentle stretching, gentle exercise and discussion/support led by partner expert Dr David Monk from Greenwich Hospital Pain Clinic and SHARE staff instructors.	\$5,000	\$5,000	5	5	6	3	5	8	3	35	This is an established local provider of related services that will target a specific local need of high importance post Covid lockdowns, which severely impacted people living with chronic pain and have been less mobile over the past 12 months. Recommended for full funding.

No.	Name of Organisation	Project Description	Amount Sought (\$)	Amount Recommended (\$)	Does organisation meet the eligibility criteria? N=0 Y=5	Does project address the Grants Program Objective? N=0 Y=5	Is the project aligned with at least one of the key strategic goals of Burwood2030 or funding priorities? Range 0-10	Was the application completed and received correctly? N=0 Y=3	Does the project duplicate existing programs or services? N=5 Y=0	Does the project benefit the local community? Range 0-10	Has the project received prior funding? Range 0-3	Total Ranking Score	Internal Assessment Panel Comments
6	Dae Hahn Culture School - No 2	Dae Hahn Culture School Go Game - The Go Game is a board game played by 2 people with black and white stones. It is a strategic and intellectual game widely played in Asian countries including Korea, China, Taiwan, Japan, Thailand, Vietnam and also in Europe and the Americas. The program will provide lessons to people of diverse backgrounds to promote multicultural and multilingual friendships.	\$5,000	\$2,500	5	5	6	3	5	8	3	35	This project is a great way to hold an inclusive Korean cultural activity for children and young people in Burwood. The Internal Assessment Panel recommends that it be moved to a more central location and promoted through local schools to generate broad inclusive attendance in what will likely be of interest to the broader community. Recommended for partial funding along with two other projects for this organisation.
7	Dae Hahn Culture School - No3	Korean Fan Dance and Drum Project - The project aims to teach Korean traditional dance movement, Fan Dance, and Korean traditional drumming for local performances. The project will enhance the physical and mental health of seniors and introduce the dance style to youth in the area.	\$5,000	\$2,000	5	5	6	3	5	8	3	35	Cultural musical projects have the dual benefit of providing social and cultural opportunities for those who participate, but also allow the sharing of culture through their performance at community events. Recommended for partial funding along with two other projects for this organisation.
8	Wrap with Love - Volunteers Burwood Library	Wrap with Love Burwood Library Group - The yarn that will be purchased will be used to knit or crochet squares which are then put together to make a wrap (blanket). Completed wraps will be distributed to disadvantaged community members, including homeless in Burwood.	\$454.55	\$400	5	5	7	3	5	8	2	35	This long running affordable project is a valuable community building initiative that utilises volunteers and creates items that benefit marginalised groups in our community. The group operates locally and enables local residents to connect with one another. Recommended for full funding.
9	Little Helpers on the Run	Be Kind, Be Someone's Sunshine - aims to implement many innovative projects for the elderly and children in Burwood (LGA) to bridge the intergenerational gap, address identified social needs and provide benefits to the residents in the Burwood LGA via our youth and children at local schools. The program includes tea parties and monthly gifts for the elderly. The children will continue to visit and drop cards and video messaging to local nursing homes. Video messages will also be sent to frontline services such as the Police, Doctors and Hospitals.	\$8,300	\$5,000	5	5	7	3	5	8	1	34	This program has been proven to be effective in encouraging volunteering amongst children, alleviating isolation in seniors and delivering multiple intergenerational benefits. Cannot fully fund the project as it is above the cap of \$5000 per application.
10	Asian Women at Work Inc.	Burwood Senior Chinese Women Social Support Group - A weekly social support group for Chinese speaking senior women living in the Burwood area that includes Chinese traditional dance and wellbeing activities e.g. meditation. The project will build social connections and reduce social isolation for CALD senior women who are particularly vulnerable to social isolation due to language and cultural barriers, stigma, socio-economic disadvantage and low service access, especially during the COVID-19 pandemic.	\$5,000	\$5,000	5	5	6	3	5	7	3	34	A valuable local service that is meeting an identified need for the local community. The Panel recommends project for full funding.

No.	Name of Organisation	Project Description	Amount Sought (\$)	Amount Recommended (\$)	Does organisation meet the eligibility criteria? N=0 Y=5	Does project address the Grants Program Objective? N=0 Y=5	Is the project aligned with at least one of the key strategic goals of Burwood2030 or funding priorities? Range 0-10	Was the application completed and received correctly? N=0 Y=3	Does the project duplicate existing programs or services? N=5 Y=0	Does the project benefit the local community? Range 0-10	Has the project received prior funding? Range 0-3	Total Ranking Score	Internal Assessment Panel Comments
11	Stepping Out Program	Living With CSA, Childhood Sexual Abuse Recovery Workshops - 6 Week x 2 Hour Workshops will be delivered from Sept-Nov 22 for approx. 10 participants per session and via two platforms - face-to-face and online via Zoom. Currently 1 in 6 girls under 18 will experience childhood sexual abuse. The Stepping Out Program (SOP) supports female survivors of Childhood Sexual Abuse (CSA) by delivering programs to meet the unique needs of their clients, including psycho-educational workshops, case management and social inclusion groups.	\$5,000	\$5,000	5	5	6	3	5	6	3	33	This project addresses a specific need with specialised support. The Panel recommends this project for full funding. The organisation will be required to demonstrate that local residents were the direct beneficiaries of the program at the time of acquittal.
12	Chinese Australian Services Society Ltd - CASS	Speakers Corner - Let's Speak in English Together Weekly program on Wednesdays from 10am -12pm that aims to help new migrants settle into the Australian community by providing classes for them learn and use practical day to day English in a relaxing environment whilst building confidence and integrating into the community. The project also offers volunteer tutors the opportunity to interact with people from different cultural backgrounds and put their teaching skills into practice.	\$5,000	\$5,000	5	5	6	3	5	8	1	33	This organisation is long running in the Burwood community and is effective in engaging with large numbers of isolated Chinese speaking seniors. Recommended for full funding given the number of people to benefit and reach of the organisation into the local community.
13	Ebenezer Mission	Disability Job Training / Maintain Employment - the project aim is to train vulnerable people (youth with disability) at our Burwood centre so they can find employment. Training will be in barista coffee making and candle making. The project seeks to raise awareness of mental health, promote physical activity, health and wellbeing and promote social cohesion.	\$5,000	\$2,000	5	5	6	3	5	6	3	33	The project is titled job training for young people with disabilities, but appears to be mostly program based. The budget breakdown indicates running costs of the centre and hiring a printer will take up a significant percentage. Training for this target group is of importance so the Panel recommends partial funding for the identified elements of job training: barista course, and other possible training such as admin course, reception training, customer service and RSA.
14	Sydney Chinese Drum Art Troupe Inc.	Sydney Chinese Drum Art Troupe Inc. - Chinese Drum Dance and Traditional Dance Program - This project is targets local elders to participate in Drum Dance and Traditional Dance to enrich their mental and physical health through dance.	\$2,000	\$2,000	5	5	6	3	5	7	2	33	Cultural musical projects have the dual benefit of providing social and cultural opportunities for those who participate, but also allow the sharing of culture through their performance at community events. The Panel recommends full funding for this project.
15	The Shepherd Centre	Confident Kids – a group education program developing the social skills of deaf children in Burwood - Confident Kids is a group education program that develops crucial social skills and confidence in children with hearing loss from the Burwood area. The program consists of group education sessions (8 weeks) for 4 x children and families delivered by specialist clinicians. The program empowers children to form positive relationships with others and overcome the challenges of their disability and enables them to thrive in their communities (especially their school communities), and reach their full potential in life.	\$3,800	\$3,800	5	5	5	3	5	6	3	32	A unique program for a specific target group. Recommended for funding as long as the service provider can demonstrate all four families will be from Burwood LGA. The organisation has previously demonstrated that local families utilise their services.

No.	Name of Organisation	Project Description	Amount Sought (\$)	Amount Recommended (\$)	Does organisation meet the eligibility criteria? N=0 Y=5	Does project address the Grants Program Objective? N=0 Y=5	Is the project aligned with at least one of the key strategic goals of Burwood2030 or funding priorities? Range 0-10	Was the application completed and received correctly? N=0 Y=3	Does the project duplicate existing programs or services? N=5 Y=0	Does the project benefit the local community? Range 0-10	Has the project received prior funding? Range 0-3	Total Ranking Score	Internal Assessment Panel Comments
16	Greek Orthodox Parish & Community of Burwood & District Saint Nectarios Ltd	Greek Street Fair Burwood 2022 - is a celebration of the Greek culture and heritage and includes dance performances, music, food, market stalls and activities for children and a celebration of cultural diversity and harmony. Greek Fair 2021 didn't proceed due to Covid. They are requesting additional funding to relaunch the event in 2022.	\$5,000	\$1,000	5	5	5	3	5	6	1	30	The 2021 event was cancelled due to Covid restrictions and Council gave approval for the partial funds offered from the grants program in 2020/21 to be rolled over. The Panel recommends an additional amount of \$1000 be allocated to ensure the successful reactivation of the event post-Covid.
Total Funding Recommended for Allocation			\$55,000										
APPLICATIONS NOT RECOMMENDED FOR FUNDING (FUNDING POOL EXHAUSTED)													
17	Burwood Community Welfare Services Inc.	Women's Creative Space - is a hands on therapeutic class with a different activity each week, designed to engage our community within a supportive and empathic environment and rebuild a connection with art that may have been lost during the isolation of COVID. The program runs weekly for 12 weeks incorporating Painting, Poetry, Candle making, Scrap booking, mindfulness, meditation and clay sculpting. Funding Costs - Catering, Venue hire, Tutor Costs, Print and advertising.	\$5,000	Not recommended	5	5	5	3	0	5	3	26	The activity is a duplication of a number of existing programs including a range of programs run by Burwood Council. It doesn't address high priority community needs and it is unclear what outcomes are anticipated. Additionally the applicant asked for funds for venue hire but have a venue onsite and asked for administration costs but have staff who could run the program. The Panel will contact the organisation and provide feedback as well as direction to other grant opportunities where appropriate.
18	Elm Street Early Learning Centre	Open Day Celebration at Elm St Early Learning Centre - The project will celebrate the service, our community, and its achievements through an open day filled with activities focused on health and well-being, fun and celebrating diversity and cultural heritage. To promote a sense of security, confidence and inclusion. Funding Costs - Catering, Advertising and print, Equip Hire, Entertainers, Guest Speaker.	\$5,000	Not recommended	5	0	4	3	5	4	3	24	Not recommended as has limited reach for the use of funds. The open day is likely to primarily service the existing service users as well as potentially serve as an opportunity to promote the service to other families. While this will be engaging for families the tangible outcomes for the community are not apparent. The Panel will contact the organisation and provide feedback as well as direction to other grant opportunities where appropriate.
19	Care Flight	Vital Trauma Training for Burwood's First Responders - High quality 8 hour workshop Trauma Training for 21 local first responders from the Burwood Council Area. Engaging local first responders and advancing their skill set in trauma care will increase their capacity to respond to trauma and reduce the harmful impacts of trauma on the community. In attendance will be members of the State Emergency Service, Volunteer Rescue Association, St Johns Ambulance and Fire and Rescue NSW. Funding costs - Print, Catering, Educator, Logistic Support, infection control, RAT tests, Project Coordination.	\$5,000	Not recommended	5	0	3	3	5	3	3	22	The Panel does not recommend this application as it was unclear how they would target locally and what direct benefits there would be to the Burwood community. The project itself is highly valuable so the Panel will contact the organisation and provide feedback as well as direction to other grant opportunities (with ClubGrants considered a potential source of funds).
20	Dae Hahn Culture School - No 1	Dae Hahn Culture School Senior Choir Project - The group will meet every Tuesday at Woodstock Hall to learn music and share friendship. They are planning to perform for Burwood residents through schools, hospitals and local venues and have been performing for the community for a few years except during periods impacted by the COVID 19 pandemic. They have a membership of approx. 30 seniors of Korean, Chinese and Japanese backgrounds. Funding costs - Print and advertising, Catering, Venue hire, Tutor Costs, travel.	\$5,000	Not recommended	5	0	4	3	0	5	3	20	The Panel deemed this project to duplicate existing programs as numerous schools and groups already have choirs. The Panel will contact the organisation to provide feedback as well as direction to other grant opportunities where appropriate. The Panel has also recommended funding of other applications submitted by this organisation.

No.	Name of Organisation	Project Description	Amount Sought (\$)	Amount Recommended (\$)	Does organisation meet the eligibility criteria? N=0 Y=5	Does project address the Grants Program Objective? N=0 Y=5	Is the project aligned with at least one of the key strategic goals of Burwood2030 or funding priorities? Range 0-10	Was the application completed and received correctly? N=0 Y=3	Does the project duplicate existing programs or services? N=5 Y=0	Does the project benefit the local community? Range 0-10	Has the project received prior funding? Range 0-3	Total Ranking Score	Internal Assessment Panel Comments
21	Australian Culture & Commerce Association (ACCA)	<p>2022 ACCA Burwood Tai Chi Project - Tai Chi is a traditional sport and exercise for the local Burwood community with Chinese and Asian heritage and helps develop better physical and mental health outcomes. The project will cover the teaching, practicing and stage performance of Tai chi, and where it could be conducted.</p> <p>Funding Costs - Print and advertising, Catering, Hire of Venue and Equipment.</p>	\$5,000	Not recommended	5	0	4	3	0	4	3	19	Not recommended as Tai Chi is already well established and available in our community. Council has previously trialled Tai Chi as part of its community programs and did not receive much interest as needs are already being met. The Panel will contact the organisation and provide feedback as well as direction to other grant opportunities where appropriate.



Community Grants Program Guidelines

2021/2022



Introduction

Burwood Council makes funds available under its annual Community Grants Program to community organisations and groups within the Burwood Local Government Area (LGA), or those working with the local community, to support the delivery of services and programs that build an inclusive, vibrant and sustainable Burwood. Funded projects should deliver social, cultural, recreational and/or environmental benefits to the local community.

The Community Grants Program assists Council to achieve strategic objectives outlined in the *Community Strategic Plan – Burwood2030*.

Community Grants Program objective

To encourage the development and implementation of collaborative community-based programs, projects and events that address identified social, cultural, recreational and environmental community needs and provide benefits to the residents of the Burwood LGA.

Eligibility criteria

In order to be eligible for funding, applicants must:

- Be a legally registered, incorporated not-for-profit organisation (or group). Unincorporated groups may be sponsored (auspiced) by an incorporated not-for-profit organisation.
- Have a current registered Australian Business Number (ABN).
- Be currently located or delivering services/projects in the Burwood Local Government Area.
- Be able to provide proof of public liability insurance (minimum of \$10 million cover).
- Be able to demonstrate they have acquitted any previous grants from Council.

Selection criteria

- Applications must be for a specific project that addresses the Community Grants Program Objective and an identified funding priority.
- Applications must be aligned with at least one of the key strategic goals of Council's *Community Strategic Plan – Burwood2030*. Please refer to the summary on page two. The full plan is available online at <https://www.burwood.nsw.gov.au/Our-Council/Burwood2030>.
- Projects must be well defined with a clear budget.
- Applications, whether submitted online, via email or by post, must be completed in full and be received by Council by the closing date – late applications will not be considered.
- Projects must not duplicate existing programs or services.
- Projects must provide a clear benefit to the local community. Residents of the Burwood LGA must be the primary beneficiaries of the project.
- Grants are designed to provide funding for one-off projects and there will be no commitment from Council for ongoing funding for the same project.



Funding available 2021/2022

Applications for the 2021-2022 funding round open 9am, Monday 22 November 2021 and close 4pm, Friday 18 February 2022.

The total annual funding pool available for 2021-22 is \$55,000. The maximum amount per application is \$5000.

Strategic goals and funding priorities 2021/2022

Applications must address one or more of the following priority areas for funding:

Key strategic goals	Priority areas for funding
<p>A well informed, supported and engaged community.</p> <p>A community which celebrates diversity.</p> <p>A sense of community pride.</p>	<ul style="list-style-type: none"> • Projects that address the impacts of COVID-19 and/or support community recovery and re-activation. • Projects that improve access to services and increased participation in community life by isolated community members. • Projects that prevent and raise awareness of mental health. • Projects that promote physical activity, health and wellbeing. • Projects that promote social cohesion and community participation with a particular focus on projects that promote cross-cultural or inter-generational understanding and community connection. • Projects that address racism and promote community harmony. • Projects that improve access to services that address homelessness and the drivers of homelessness. • Projects that increase the provision of domestic violence services and support. • Projects that provide opportunities to increase participation of women and girls. • Projects that support the re-activation of sectors significantly impacted by COVID-19, including the arts and cultural sector and community sport. • Projects that support and increase participation in volunteering. • Partnership projects that strengthen the capacity of local organisations to work collaboratively to address issues affecting local communities. • Community development projects that engage the community in local environmental initiatives and sustainability principles and practices. • Projects that support the participation of people with disability and their carers in local activities and services. • Projects that support and celebrate cultural diversity through strengthening intercultural understanding. • Projects that support parents in the education of their children and improve their capacity to support learning at school. • Projects that use sporting and recreation activities for community development outcomes. • Projects that use arts and cultural activities for community development outcomes.

Grants will NOT be provided for:

- Recurrent salary costs or contributions to salary costs of existing positions in an organisation.
- Political purposes or religious instruction.
- Money that has already been spent or projects already undertaken.
- Projects being conducted by an organisation which has substantial unallocated resources.
- Projects being conducted by individual persons, commercial enterprises or government agencies.
- Projects that require ongoing funding from Burwood Council beyond the current year.
- A core service that is funded by another source e.g. Federal or State Government.

Assessment and Notification Process

1. All applications will be assessed by an Internal Assessment Panel made up of Council staff with subject matter expertise.
2. Recommendations of the Internal Assessment Panel will be made with reference to the eligibility and selection criteria.
3. Priority of applications will be determined by the following:
 - Alignment with one of the 'key strategic goals' and 'priority areas for funding', including projects that address COVID-19 impacts and/or support community recovery and re-activation.
 - Innovative or new programs that address an identified community need.
 - Partnership projects that strengthen the capacity of organisations to work collaboratively to address issues affecting the community or that enhance the capacity of the local community to address local issues.
 - Projects and activities that will have medium to longer term benefits.
4. Recommendations for funding allocations will be reported to a Council Meeting for determination in the fourth quarter of the financial year (March to June). Council has the final decision-making authority for the determination of funding allocations.
5. Following the decision at a Council meeting, all applicants will be notified of the outcome of their application. The decision will also be included in the Council Meeting Minutes.
6. Grant recipients must enter into a funding agreement with Council and meet all requirements of project delivery, any funding conditions and acquittal.



Further Information

Applications for the 2021-2022 funding round close at 4pm, Friday 18 February 2022.

For further information, please contact Council on 9911 9911 and ask to speak to the Community Development Coordinator. If you require interpreting support, please phone the Telephone Interpreting Service on 13 14 50 and ask them to contact Council on 9911 9911.

(ITEM 28/22) DRAFT CHILD SAFETY AND WELLBEING POLICY - PUBLIC EXHIBITION

File No: 21/59131

REPORT BY DIRECTOR COMMUNITY LIFE

Summary

As identified child safe organisations, councils are now required to demonstrate that they are implementing the ten Child Safe Standards to ensure the safety and wellbeing of children and young people when accessing their services and facilities. The *Draft Child Safety and Wellbeing Policy* has been developed to meet the ten standards and ensure that all Council spaces, services and activities are putting child safety front and centre.

This report seeks Council's endorsement to place the draft policy on public exhibition for consultation with the community.

Operational Plan Objective

1.2.3.1 Provide leadership on the community's vision and values

2.3.2.3 Provide structured procedures and processes to ensure organisational effectiveness

Background

The NSW Government passed the *Children's Guardian Amendment (Child Safe Scheme) Bill 2020* (the Bill) in November 2021 to amend the *Children's Guardian Act 2019 (the Act)*. This new legislation enables the Office of the Children's Guardian to proactively address identified gaps in an organisation's systems and processes before an incident occurs and respond to concerns in a proportionate way through the availability of strengthened powers to monitor, investigate and enforce the ten Child Safe Standards.

Child safe organisations (which include local councils) are now required to implement the ten Child Safe Standards recommended by the Royal Commission into Institutional Responses to Child Sexual Abuse. Child safe organisations create cultures, adopt strategies and act to prevent harm to children including, but not limited to, sexual abuse.

Implementation of this new legislation by the Office of the Children's Guardian will be staged over time, with the focus for the first 12 months being on building the capability of organisations to implement and strengthen child safe practices. Enforcement action for non-compliance with the new legislation is not intended to commence until at least February 2023.

Embedding and monitoring compliance with the Child Safe Standards by the Office of the Children's Guardian through the Child Safe Scheme will be the primary framework to guide child safe practices in organisations throughout NSW.

The Child Safe Standards are principle-based and outcome-focused, meaning they are flexible enough that they can be adapted by organisations of varying sizes and characteristics. As such, there are no definitive and comprehensive criteria detailing what an organisation needs to have in place to be child safe.

Becoming a child safe organisation is a cultural process in which organisations reflect on their current practices and culture to find areas where they can improve. Changes to the *Children's Guardian Act 2019* require the head of a child safe organisation (in the case of Council, the General Manager) to ensure the organisation implements the Child Safe Standards through systems, policies and processes, including by having in place a:

- Statement of the organisation's commitment to child safety;

- Child Safe Policy;
- Code of Conduct applying to staff, management, volunteers and contractors;
- Complaint Management Policy and Procedure;
- Human Resources Procedures; and
- Risk Management Plan.

Having the above in place is expected as a minimum but won't necessarily mean an organisation meets the standards. Ultimately, a child safe organisation is one where policies and procedures are implemented effectively and regularly reviewed, risks are appropriately managed and reviewed, and child safety is championed across an organisation's leadership and embedded into organisational governance and culture.

Child Safe Regulatory Framework

The Child Safe Framework is structured in a way that is progressive, and where escalation is staged. The Act sets out the activities that the Office of the Children's Guardian will be able to perform and creates a clear distinction between the monitoring, investigation and enforcement functions of the Children's Guardian to enable the Office of the Children's Guardian to hold organisations to account in respect of their implementation of the Child Safe Standards.

Proposal

Council's *Draft Child Safety and Wellbeing Policy* has been developed in alignment with state and federal legislation and outlines Council's requirements to minimise risks to children and young people and ensure their safety and wellbeing across all areas of the organisation's work. It also informs Councillors, staff and volunteers of Council about their obligations to act to protect the rights of children and young people and the important role they play in ensuring their safety and wellbeing.

The draft policy outlines how Council will meet the following ten Child Safe Standards:

1. Child safety is embedded in organisational leadership, governance and culture
2. Children participate in decisions affecting them and are taken seriously
3. Families and communities are informed and involved
4. Equity is upheld and diverse needs are taken into account
5. People working with children are suitable and supported
6. Processes to respond to complaints of child abuse are child focused
7. Staff are equipped with the knowledge, skills and awareness to keep children safe through continual education and training
8. Physical and online environments minimise the opportunity for abuse to occur
9. Implementation of the Child Safe Standards is continuously reviewed and improved
10. Policies and procedures document how the organisation is child safe.

The draft policy is included under Attachment 1 of this report.

The policy demonstrates Council's commitment to the safety and wellbeing of children and young people in the Burwood Local Government Area and will help to ensure that every person who works for or with Council is aware of their responsibilities for promoting and upholding child safety.

Consultation

An internal consultative group was established within Council to assist in the development of the draft policy and review what Council already has in place to ensure child safety and opportunities to further strengthen these initiatives. The internal consultative group comprised of staff from the following Service Areas: Community and Culture, Governance and Risk, Burwood Library and Community Hub, Enfield Aquatic Centre, Operations (Parks), Community Safety, Customer Experience and Business Improvement, Communications and People and Culture.

This report recommends that the *Draft Child Safety and Wellbeing Policy* be placed on public exhibition for a period of 28 days to enable consultation with the community. During the public exhibition period, the draft policy will be made available on the Council Website at www.burwood.nsw.gov.au and feedback will be sought via Council's online engagement platform Participate Burwood. Council will also utilise its social media and e-news channels to promote the public exhibition period.

Feedback and public comments arising from the public exhibition period will be reported back to Council for consideration prior to adoption.

Planning or Policy Implications

Following adoption of the policy, Council's Community and Culture team will work with other areas of Council to complete an action plan of activities that will ensure Council is actively implementing the *Child Safety and Wellbeing Policy* and related legislation.

Relevant policies will also be reviewed and updated, where required, to ensure they are aligned with the *Child Safety and Wellbeing Policy*. The Child Safe Standards will also be considered when developing Council's Community Engagement Strategy, which is due to come before Council by December 2022.

Updated training will be rolled out to all staff, with a specific focus on staff who interact with or provide services that are utilised by children and young people as well as staff with leadership responsibilities and other frontline staff.

Council's Mandatory Reporting and Working with Children Check processes will remain in place and will be further strengthened as required.

Financial Implications

There are no financial implications associated with this report. Any actions arising from the implementation of the policy can be readily integrated into the existing business of Council and draw upon existing budgets available.

Conclusion

This report recommends that the *Draft Child Safety and Wellbeing Policy* be placed on public exhibition for a period of 28 days for consultation with the community prior to adoption.

The ten Child Safe Standards and the passing the *Children's Guardian Amendment (Child Safe Scheme) Bill 2020* sends a strong message that child safety is the responsibility of every member of an organisation. The *Draft Child Safety and Wellbeing Policy* demonstrates Council's commitment to this message and shows the community that Council shares the understanding that children's safety is a collective responsibility.

Recommendation

That Council place the *Draft Child Safety and Wellbeing Policy* on public exhibition for a period of 28 days, with a report to be returned to Council following public exhibition.

Attachments

- 1 Draft Child Safety and Wellbeing Policy



Burwood
Inc.1874

DRAFT CHILD SAFETY AND WELLBEING POLICY

PO Box 240, BURWOOD NSW 1805
2 Conder Street, BURWOOD NSW 2134
Phone: 9911-9911
Email: council@burwood.nsw.gov.au
Website: www.burwood.nsw.gov.au

Public Document
Adopted by Council: [Yet to be adopted]
Document No.: 22/11933
Ownership: Community Life
Version No.1 (Draft for public exhibition)

Purpose

This Policy has been developed in alignment with state and federal legislation and outlines Council's requirements to minimise risk to children and young people and ensure their safety and wellbeing across all areas of the organisation's work.

It also informs Councillors, staff and volunteers of Burwood Council about their obligations to act to protect the rights of children and young people and the important role they play in ensuring their safety and wellbeing.

Scope

This Policy applies to all Council activities and facilities which involve contact with children and young people, including but not limited to:

- Community events
- Community programs
- Community engagement activities
- Burwood Library and Community Hub
- Enfield Aquatic Centre
- Public facilities, including parks and reserves
- Hireable community spaces
- Attendance at external facilities, such as schools and childcare centres
- Visiting private residences
- Internships, traineeships, work experience and volunteer programs.

This Policy applies to all Council Officials.

Definitions

Child - A person aged under 18 years. Note: Under child protection legislation a child is defined as aged under 16 years for Mandatory Reporting purposes and as aged under 18 years for Reportable Conduct (see below for more information).

Child-Related Positions - Positions involving work with children and/or young people where the work normally involves being face to face or where contact is more than incidental.

Council Officials - Councillors, employees, volunteers, consultants and contractors.

Mandatory Reporting - The legal requirement for any person delivering a service to children or young people, or in management of a service for children or young people, to report concerns for a child at risk of significant harm.

Reportable Conduct - Any offensive behaviour or misconduct committed against, with or in the presence of a child or young person, including the following:

- A sexual offence against, with or in the presence of a child
- Sexual misconduct against, with or in the presence of a child
- Ill treatment of a child
- An assault against a child
- Neglect or failure to protect a child from abuse or harmful environments
- Inflicting psychological harm on a child.

Wellbeing - A sense of happiness or success.

Working with Children Check - An official clearance to work with children and young people provided by the NSW Office of the Children's Guardian in relation to anyone in a position classified as one involving in child-related work.

Young Person - A person that is 16 or 17 years of age.

Policy Statement

Burwood Council is proud to be a child safe organisation and shares the understanding that children's safety is a universal responsibility. The Child Safety and Wellbeing Policy demonstrates Council's commitment to the safety and wellbeing of children and young people in the Burwood Local Government Area. The policy reflects a culture of shared responsibility for child safety and will help to ensure that every person who works for or with Council is aware of their responsibilities for promoting and upholding child safety.

Policy Requirements

Burwood Council is committed to being a child safe organisation by embedding the 10 Child Safe Standards into organisational leadership, governance, culture and practices as outlined below.

1. A commitment to child safety and wellbeing

Through the adoption of this Policy, Council will embed the Child Safe Standards across all relevant Council processes, including but not limited to the following:

- All child-related positions include working with children requirements and a current Working with Children Check (WWCC) is in place for each Council Officer occupying a child-related position.
- Recruitment documentation is regularly reviewed to ensure it includes child safe requirements, such as WWCCs for all identified positions.
- Induction of new staff and volunteers includes information about Council's child safety and wellbeing approach.
- Ongoing training with a key focus on front line staff.
- Using a risk management approach in which staff are required to identify and mitigate risks to ensure children's safety and wellbeing whilst attending Council events, programs, services, activities and facilities.
- Development of a four-year Child Safe Action Plan for the organisation that will involve the ongoing development of internal tools, systems and processes to ensure Council remains focussed on child safety and wellbeing.
- Ongoing public campaigns following the adoption of Council's Policy Statement to formalise the focus on keeping children safe and making relevant information available to the community.

2. Taking child participation seriously

Council regularly consults with children and young people. This practice will continue and be reviewed to maintain a best practice approach at all times.

In addition, children and young people have access to information about their rights through publicly available and actively promoted information and resources on Council's website and at Council facilities.

3. Involving families and communities

This Policy and Council's Policy Statement is to be readily accessible via the Council website and be placed on display in public places and facilities to communicate Council's commitment to child safety and wellbeing.

As much as possible, information will be provided in child-friendly language and will be translated into community languages. Council will continue to utilise a range of methods and channels to ensure the purpose of the Policy and its requirements are effectively communicated to the community.

4. Respecting equity and diversity

Council is committed to the principles of equity and creating opportunities for all community members regardless of age, race, gender, ethnicity or disability to participate in community and civic life.

5. Ensuring that staff are suitable and supported

Council applies and maintains a rigorous recruitment, screening and selection process for all child-related positions. This includes thorough reference checking and confirmation of WWCC status for all preferred applicants for roles that engage or work with children and young people. Council will review its list of positions deemed to be child-related as required.

All staff across the organisation will receive ongoing training aligned with the Child Safety and Wellbeing Policy and related processes and procedures.

6. Child focused complaint systems

With children's safety being a prime focus, Council staff are trained to identify, respond to and report on all concerns and complaints relating to children.

All child-related complaints about Council Officers will be determined via the 'Complaints Against Council Officers Process' outlined in the Complaints Management Policy. The Internal Ombudsman or NSW Ombudsman is responsible for dealing with serious or difficult complaints which have been escalated to them.

Staff observations of reportable conduct by a member of the public against a child or young person, will be reported to the police or other appropriate authority.

Council will continually review and refine its complaints handling process for all community members, including children and young people.

7. Staff knowledge, skills and awareness

Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.

All Councillors, staff and volunteers will be trained in the Policy requirements and relevant procedures and training will be ongoing and relevant to their roles. Council Officials will be made aware that keeping children safe is everyone's responsibility and ongoing initiatives will be delivered to make the Burwood Local Government Area a safe and welcoming place for children and young people.

8. Safe physical and online environments

Council's risk assessment processes help determine where child safety risks may arise and ensure measures are put in place to eliminate or minimise these risks.

All staff are appropriately trained to identify and minimise risks and report on any concerns.

9. Review of child safe policies and practices

Implementation of the National Principles for Child Safe Organisations is regularly reviewed and improved. Council reviews policies every two to four years, or sooner if legislation changes or other forces generate the need for more frequent review.

Council's Child Safe Action Plan will be reviewed and implemented on an annual basis over the next four years to ensure Council remains a child safe organisation.

10. Documenting policies and procedures

Council's child-related positions have a clear, well developed framework and ongoing appropriate training so that staff and volunteers know their roles and responsibilities and have the capability to maintain safety for children and young people.

Council will identify child safety and wellbeing 'champions' across the organisation who will take the lead in coordinating policy development and implementation of related procedures and actions.

[Related Information/Glossary](#)

Related legislation:

- *Children's Guardian Child Safe Scheme 2021*
- *United Nations Convention on the Rights of the Child*
- *Children & Young Persons (Care and Protection) Act 1998*
- *Children Legislation Amendment (Wood Enquiry Recommendations) Act 2009*
- *Child Protection (Working with Children) Act 2012*
- *Children's Guardian Act 2019*
- *Government Information (Public Access) Act 2009*
- *Local Government Act 1993 (NSW)*

Related Council policies and plans:

- Code of Conduct
- Complaints Management Policy
- Children in the Library Policy
- Community Strategic Plan, Delivery Program and Operational Plan
- Community Engagement Strategy

[Review](#)

Date of next review is two years from the date of adoption by Council.

[Contact](#)

Coordinator Community Development – (02) 9911 9941.

(ITEM 29/22) STATUS OF TREE CANOPY IN THE BURWOOD LGA

File No: 22/12995

REPORT BY DIRECTOR CITY ASSETS

Summary

At the Council Meeting held on 22 March 2022, Council discussed a recent RMIT University Melbourne report stating that Burwood Council's green cover has decreased by 3.9% from 2016 and currently has a total green cover of 20.1%. At the same meeting Council endorsed a Mayoral Minute (MM3/22) requesting that: *The General Manager provide information on the causes and current rate of loss of trees.*

Green cover loss including trees and shrubs can be attributed to different factors which Council may or may not have control over. It is important for Council to be proactive in greening the neighbourhood, be vigilant in enforcing policies and educate the community to slow down the loss of green cover in the LGA.

Operational Plan Objective

3.1 Enhanced green and open spaces, and streetscapes

Background

In 2014 a report called "Where are all the Trees?" was published by Greener Spaces Better Places in partnership with the Institute for Sustainable Futures UTS. This provided an analysis of tree canopy cover in Australia's urban areas and provided a benchmark to measure the green cover loss and gain in Australia's urban areas. Burwood Council was one of the 39 LGAs assessed in NSW. The preliminary findings showed that Burwood's tree canopy cover was in the range of 20-30%.

In 2020 a follow up report by RMIT Melbourne called "Where Will All The Trees Be?" was published to review the green cover (trees and shrubs) and grey areas in Australia's urban areas. The report referred that Burwood Council's green cover has decreased by 3.9% between 2016 and 2020. Burwood's current green cover is 20.1% (trees 16.9% and shrubs 3.2%).

Comparison With Neighbouring Councils			
Council Area	Current Green Cover (trees and shrubs)	Increase in grey areas 2016-2020	Decrease in green cover 2016-2020
Burwood	20.1%	4.4%	3.9%
Canterbury Bankstown	20.3%	0.2%	3%
Inner West	22.2%	2.3%	1.5%
Canada Bay	20.8%	1.4%	1.7%

POSSIBLE CAUSES OF TREE LOSS

Canopy cover loss in the Burwood LGA can be caused by different factors whether by removal or by pruning works. Some losses are able to be managed by Council's policies and strategies but in some instances Council may not have control over the cause. The following tables show potential causes of tree canopy loss in the Burwood LGA in both private and public spaces.

Table 1. PRIVATE PROPERTIES		
Factors	Description	Mitigation
Tree Preservation Permits	Trees may be removed or pruned by property owners if given permit in accordance with Council's DCP, e.g. tree with poor condition or potentially	Residents are required, where possible, to replace the trees once removed.

	damaging to health or property. Council has approved approximately 120 permits a year in the last five years.	
Exempt Trees	Trees may be pruned or removed by property owners without a permit, e.g. species like Privet and fruit trees.	Exempt trees are identified in Council's DCP. Exempt trees are not required to be replaced under the DCP.
Complying Development Certificates (CDC) issued by Private Certifiers	CDCs allow tree removal if the tree is under 8 metres high (new dwelling) and within 3 metres of the building footprint. The maximum tree height limit is 6 metres for out buildings and other structures. Trees can be removed without Council permission in accordance with the current State Environmental Planning Policy (SEPP). Council has received an average of 177 CDC's per year in the past 5 years. Actual tree removals are not identified in the process.	Tree replacements are not required under CDCs.
Development consent for Development Applications	Trees affected by a Development Application may be allowed removal in consideration of the proposed development. Private Certifiers may also conduct final approvals.	Tree replacements are part of the Condition of Consent.
Natural Causes such as storm damage	Private trees damaged or failed due to inclement weather may have to be removed by SES or private contractors due to risk posed on lives and public property.	No tree replacements are required in the process. Trees on Council property are replaced where appropriate.
Unauthorised Removal	Non-exempt trees are sometimes removed by residents without permit. Council will only find out if a neighbour reports the incident.	The offending party can be prosecuted in the Land and Environment Court. The offender may be required to replace the tree by the LEC
Neighbourhood Tree Disputes	The Land and Environment Court (LEC) may rule in favour of tree removal depending on the situation and circumstances around the dispute.	The LEC may direct the property owner to replace the tree.
Biosecurity Legislation	Certain trees have been nominated as Priority Weeds by DPE and may be required to be eradicated e.g. Willow trees and Olive trees.	Tree replacements are not required in the process.

Table 2. PUBLIC SPACES		
Factors	Description	Mitigation
Street and park trees that are damaging property	Council will remove street and park trees if they have been assessed to be damaging private property.	Council replaces trees when they are removed.
Vehicular crossing	Street trees that are in the way of proposed driveways may be removed in	Approved applications requiring tree removal are

applications	consideration of the application. Council processed 58 VC applications last year. Not all of them involved tree removals.	required to pay a fee to Council for tree replacements. Trees are replaced in an appropriate location.
Service Authorities Works e.g. Ausgrid, Sydney Water	Street and park trees affected by services works may have to be removed or pruned.	Service authorities are not required to replace trees.
Natural causes such as storm damage or disease	Street and park trees damaged by inclement weather or disease may have to be removed due to risk posed on lives and public property	Council replaces trees when they are removed.
Vandalism	Street and park trees that have been poisoned or ringbarked may not survive the damage. Tree trunks are not removed by Council if stable.	Council replaces trees when they are removed.
Capital Works	Some trees may have to be removed as part of capital works projects if they are deemed replaceable.	Council replaces trees when they are removed. Additional trees and landscaping may be part of the scope of works.
Biosecurity Legislation	Certain trees have been nominated as Priority Weeds by DPE and may be required to be eradicated from public spaces.	Tree replacement is considered if appropriate for the site
Sightlines	Trees that have overgrown and are blocking sightlines may be pruned or removed by Council depending on the condition of the tree	Council replaces trees when they are removed

The reported increase in grey areas (hard surfaces) was presented in context, taking consideration of Burwood's density and population growth. The report proposed some strategies to compensate for the increase in grey spaces and loss of green cover. For example, naturalisation of concrete canals, rooftop planting at shopping malls and tree planting at carparks.

It is important to note that Council's recent and current proactive efforts with tree planting aim to reverse the trend in canopy loss. In the last couple of years Council has planted in excess of 1500 new trees, and has approved another 500 for the next financial year. The new plantings will take time to establish, but over time it is expected to offset any recent or future losses.

Similarly, wherever possible Council is introducing planting of grasses and shrubs into traffic facilities and streetscape, and is progressively retrofitting solutions to existing infrastructure to accommodate for planting.

Proposal

In light of the above, it is proposed that Council:

- Continue to be proactive with its tree planting efforts, with programs such as the Mayoral Tree Planting Project and Wangal Park Tree Canopy Enhancement Project.
- Continue greening efforts in our LGA, such as continuing to incorporate plants into traffic facilities and streetscape upgrades where possible
- Look into better ways to assist in managing trees and canopy in the LGA, such as conducting a street tree inventory. Council has applied for Grant Funding to conduct a street tree inventory.
- Adhere to the 25% canopy cover target set in the Sustainable Burwood Plan and Community Strategic Plan

- Enforce tree replacement requirements per Council's DCP.
- Encourage the community to plant trees and shrubs in their backyard, promoting programs such as 'Everyone Plant One' Program and the National Tree Day Program.

Consultation

Council's Tree Management Officer, Manager City Development, Drainage Design Engineer and Sustainability and Resilience Officer were consulted in the preparation of this report.

Conclusion

Green cover loss in Burwood can be attributed to different factors which Council may or may not have control over. Council will need to continue its proactive approach in greening the neighbourhood and managing existing tree canopy to increase green cover in the LGA.

Recommendation(s)

That Council receive and note the information provided.

Attachments

There are no attachments for this report.

References

1. <https://www.planning.nsw.gov.au/-/media/Files/DPE/Factsheets-and-faqs/Research-and-demography/Population-projections/2019-Burwood.pdf>
2. https://www.greenerspacesbetterplaces.com.au/media/163027/whereareallthetrees_report-final_rebranded_web.pdf
3. <https://www.greenerspacesbetterplaces.com.au/wwattb/burwood-council/>
4. https://www.greenerspacesbetterplaces.com.au/media/162994/wsattg_nsw.pdf

(ITEM 30/22) INVESTMENT REPORT AS AT 31 MARCH 2022

File No: 22/12193

REPORT BY DIRECTOR CORPORATE SERVICES

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

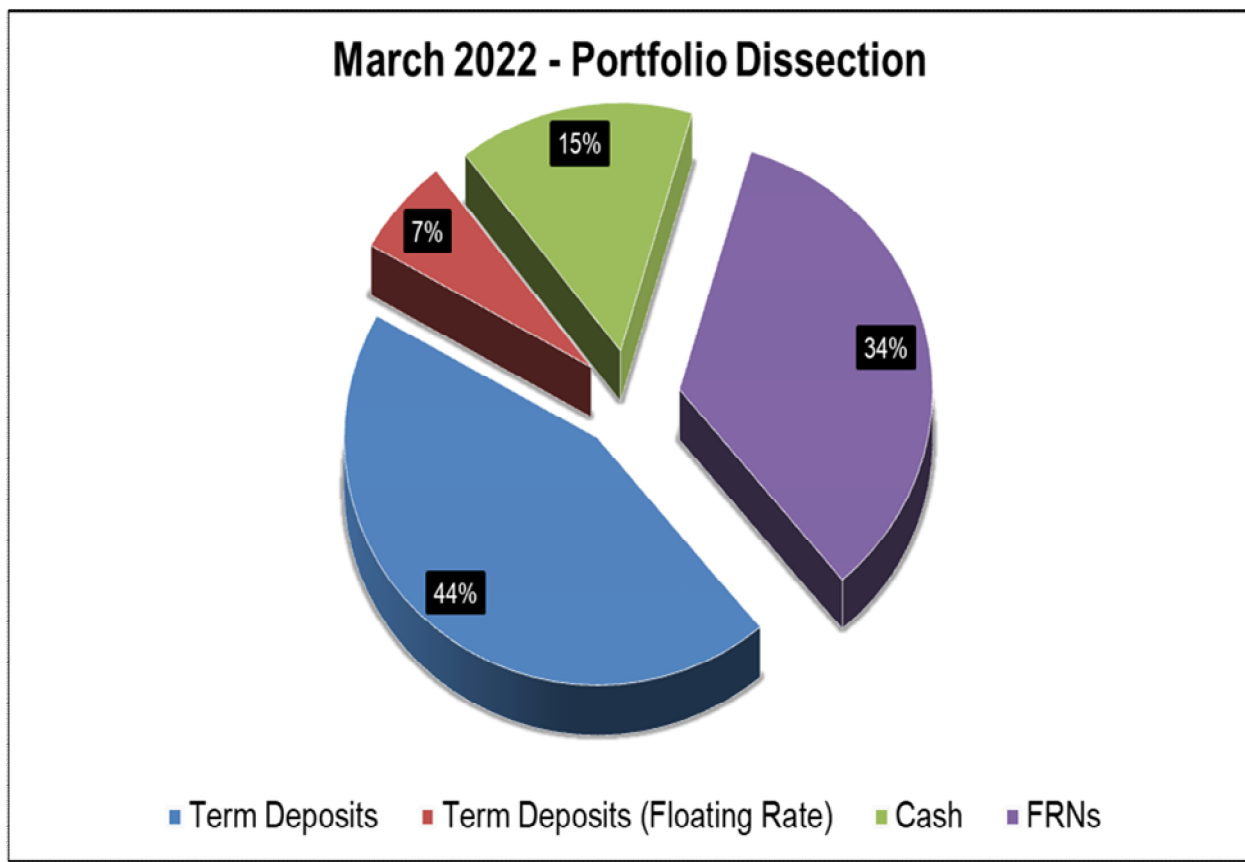
Background

As provided for in Clause 212 of the *Local Government (General) Regulation 2005*, a report listing Council's investments must be presented to Council.

Council's investments are made up of a number of direct investments some of which are managed or advised by external agencies.

Investment Portfolio

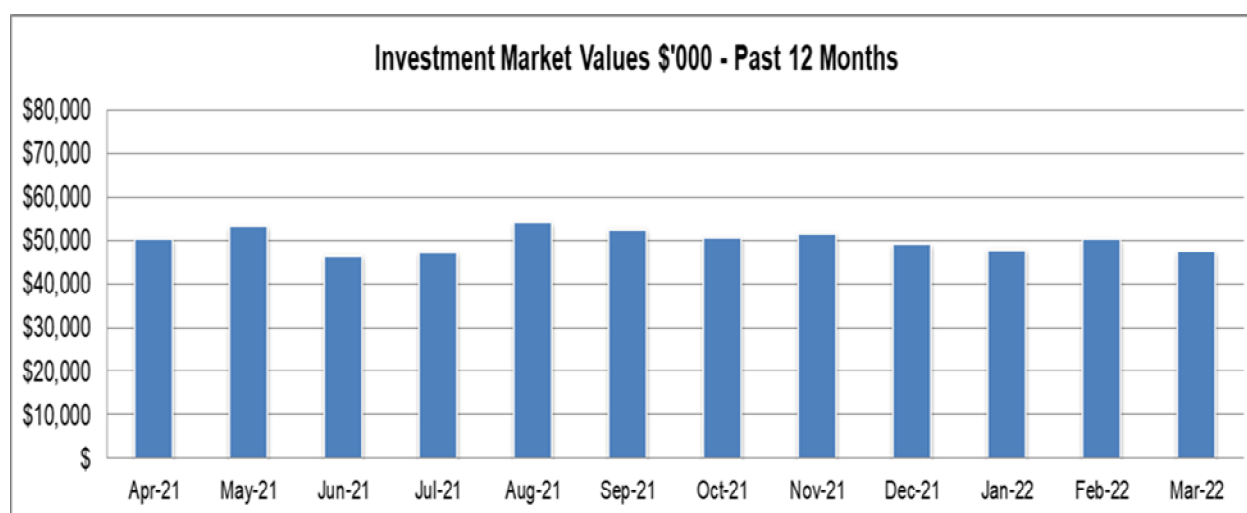
Council has a diversified investment portfolio and has a number of direct investments in term deposits. Its investment portfolio as at 31 March 2022 is:



As at 31 March 2022 Council held the following term deposits:

Purchase Date	Financial Institution	Principal Amount	Interest Rate	Investment Days	Maturity Date
14 Jul 20	Westpac	4,000,000	0.89%	730	14 Jul 22
14 Jul 20	National Australia Bank	4,000,000	0.90%	730	14 Jul 22
31 Aug 21	National Australia Bank	3,000,000	0.80%	1,095	30 Aug 24
31 Aug 21	Westpac	3,000,000	0.75%	1,095	30 Aug 24
26 Nov 21	AMP	3,000,000	0.85%	151	26 Apr 22
25 Feb 22	National Australia Bank	4,000,000	0.40%	90	26 May 22
Total		21,000,000			

The following graph highlights Council's investment balances for the past 12 months:



Council's investment portfolio is recognised at market value and some of its investments are based on the midpoint valuations of the underlying assets and are subject to market conditions that occur over the month.

Council's investment balances as at reporting date and for the previous two months are detailed in Attachment 1. Definitions on the types of investments are detailed in Attachment 2.

Investment Performance and Market Commentary

At the Reserve Bank of Australia (RBA) meeting on the 5 April 2022, the Board decided to maintain the official cash rate at 0.10 per cent. According to the RBA Governor "...The Board took this decision stating that inflation has increased sharply in many parts of the world. Ongoing supply-side problems, Russia's invasion of Ukraine and strong demand as economies recover from the pandemic are all contributing to the upward pressure on prices. In response, bond yields have risen and expectations of future policy interest rates have increased.

The Australian economy remains resilient and spending is picking up following the Omicron setback. Household and business balance sheets are in generally good shape, an upswing in business investment is underway and there is a large pipeline of construction work to be completed.

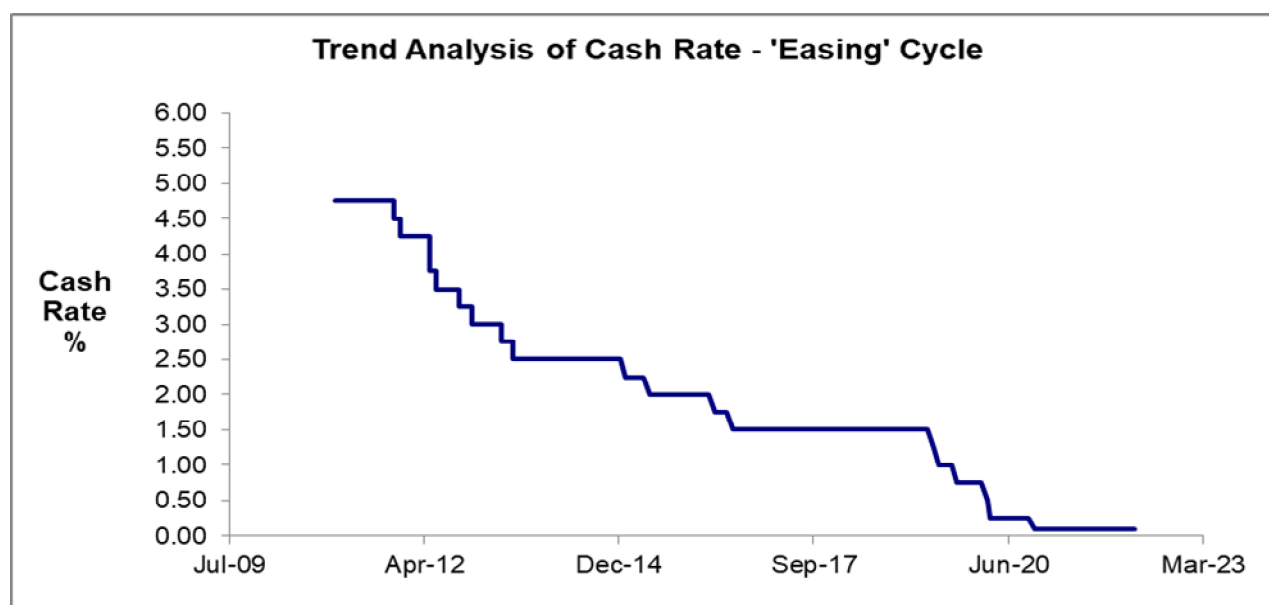
The strength of the Australian economy is evident in the labour market, with the unemployment rate falling further to 4 per cent in February. Underemployment is also at its lowest level in many years. Job vacancies and job ads are at high levels and point to continuing strong growth in employment over the months ahead. The RBA's central forecast is for the unemployment rate to fall to below 4 per cent this year and to remain below 4 per cent next year.

Wages growth has picked up, but, at the aggregate level, is only around the relatively low rates prevailing before the pandemic. There are, however, some areas where larger wage increases are occurring. Given the tightness of the labour market, a further pick-up in aggregate wages growth and broader measures of labour costs is in prospect. This pick-up is still expected to be only gradual, although there is uncertainty about the behaviour of labour costs at historically low levels of unemployment.

Inflation has increased in Australia, but it remains lower than in many other countries. Higher prices for petrol and other commodities will result in a further lift in inflation over coming quarters, with an updated set of forecasts to be published in May. The main sources of uncertainty relate to the speed of resolution of the various supply-side issues, developments in global energy markets and the evolution of overall labour costs.

The Board's policies during the pandemic have supported progress towards the objectives of full employment and inflation consistent with the target. The Board has wanted to see actual evidence that inflation is sustainably within the 2 to 3 per cent target range before it increases interest rates. Inflation has picked up and a further increase is expected, but growth in labour costs has been below rates that are likely to be consistent with inflation being sustainably at target. Over coming months, important additional evidence will be available to the Board on both inflation and the evolution of labour costs. The Board will assess this and other incoming information as it sets policy to support full employment in Australia and inflation outcomes consistent with the target. The Board is prepared to be patient as it monitors how the various factors affecting inflation in Australia evolve." Statement by Philip Lowe, Governor: Monetary Policy Decision – 5 April 2022".

The following graph provides information on the current RBA monetary policy:



Recommendation(s)

1. That the investment report for 31 March 2022 be received and endorsed.
2. That the Certificate of the Responsible Accounting Officer be received and noted.

Attachments

- 1 Investment Register - 31 March 2022
- 2 Types of Investments

**BURWOOD COUNCIL
INVESTMENT PORTFOLIO
as at 31 March 2022**

Investment Adviser	Issuer	ADI or N-ADI	Investment Name	Type	Rating S&P	Invested Amount	Market Value as at 31/01/2022	Market Value as at 28/02/2022	Market Value as at Reporting Date	% of Total Invested
Cash										15.07
Council	Commonwealth Bank	ADI	Operating Account	Cash	AA-	2,796,093	2,592,528	5,713,649	2,796,093	5.88
Council	Commonwealth Bank	ADI	Cash Deposit Account	At Call	AA-	-	-	-	-	0.00
Council	Commonwealth Bank	ADI	Online saver	At Call	AA-	349,359	1,049,116	349,250	349,359	0.73
Council	Macquarie Bank	ADI	Accelerator Account	At Call	AA-	4,017,934	4,014,963	4,016,195	4,017,934	8.45
Council	AMP Bank Limited	ADI	AMP Business Saver	At Call	BBB-	1,274	1,273	1,273	1,274	0.00
Council	AMP Bank Limited	ADI	AMP Notice Account	Notice 30 days	BBB-	3,451	3,448	3,449	3,451	0.01
Term Deposits										44.29
Council	Westpac	ADI	Westpac	Term Deposit	AA-	-	4,005,730	-	-	0.00
Council	National Australia Bank	ADI	National Australia Bank	Term Deposit	AA-	4,000,000	4,019,825	4,022,586	4,025,644	8.47
Council	Westpac	ADI	Westpac	Term Deposit	AA-	4,000,000	4,001,658	4,004,389	4,007,413	8.43
Council	Westpac	ADI	Westpac	Term Deposit	AA-	3,000,000	3,003,822	3,000,000	3,001,911	6.31
Council	AMP Bank	ADI	AMP Bank	Term Deposit	BBB+	3,000,000	3,004,611	3,006,567	3,008,733	6.33
Council	National Australia Bank	ADI	National Australia Bank	Term Deposit	AA-	4,000,000	-	4,000,132	4,001,490	8.42
Council	National Australia Bank	ADI	National Australia Bank	Term Deposit	AA-	3,000,000	3,010,060	3,011,901	3,013,940	6.34
Term Deposits - Fixed & Floating Rates										6.32
Council	Westpac	ADI	Westpac	Coupon Select Deposit 2 Yr Fixed plus 3 Yr (90day BBSW + 1.05 bps)	AA-	3,000,000	3,015,431	3,000,000	3,007,593	6.32
Floating Rate Notes										34.31
Council	Suncorp-Metway Limited	ADI	Suncorp-Metway Limited	Floating Rate Notes (90 day BBSW mid +94 bps)	A+	1,500,000	1,509,780	1,506,150	1,505,490	3.17
Council	Bendigo-Adelaide	ADI	Bendigo Bank & Adelaide Bank	Floating Rate Notes (90 day BBSW mid + 105 bps)	BBB+	1,500,000	1,511,415	1,511,640	1,510,365	3.18
Council	ANZ Group	ADI	ANZ Group	Floating Rate Notes (90 day BBSW mid + 77 bps)	AA-	2,000,000	2,011,960	2,012,220	2,010,360	4.23
Council	Newcastle Permanent Building Society	ADI	Newcastle Permanent Building Society	Floating Rate Notes (90 day BBSW +140 bps)	BBB	1,250,000	1,267,075	1,262,713	1,261,400	2.65
Council	National Australia Bank	ADI	National Australia Bank	Floating Rate Notes (90 day BBSW +41 bps)	AA-	1,500,000	1,486,410	1,483,620	1,475,730	3.10
Council	MyState Bank Ltd	ADI	MyState Bank Ltd	Floating Rate Notes (90 day BBSW +65 bps)	BBB	2,500,000	2,499,125	2,497,750	2,481,750	5.22
Council	Commonwealth Bank of Australia	ADI	Commonwealth Bank of Australia	Floating Rate Notes (90 day BBSW +93 bps)	AA-	2,000,000	2,024,860	2,019,840	2,016,540	4.24
Council	Commonwealth Bank of Australia	ADI	Commonwealth Bank of Australia	Floating Rate Notes (90 day BBSW +113 bps)	AA-	4,000,000	4,065,560	4,065,960	4,054,880	8.53
Grand Total						47,418,111	48,098,650	50,489,285	47,551,349	100.00

Credit Ratings	
AAA	Extremely strong capacity to meet financial commitments Highest Rating
AA	Very strong capacity to meet financial commitments.
A	Strong capacity to meet financial commitments but somewhat susceptible to adverse economic conditions and changes in circumstances.
BBB	Adequate capacity to meet financial commitments, but more subject to adverse economic conditions.
CCC	Currently vulnerable and dependent on favourable business, financial and economic conditions to meet financial commitments
D	Payment default on financial commitments
+	Means that a rating may be raised
-	Means that a rating may be lowered

Certificate of Responsible Accounting Officer

I hereby certify that the investments listed have been made in accordance with Section 625 of the Local Government Act 1993, Clause 212 of the Local Government (General) Regulation 2005 and Council's Investment Policies at the time of their placement.

W. Armitage

Wayne Armitage

Chief Finance Officer

Types of Investments

Types of Investments

Council's investment portfolio consists of the following types of investment:

1. **Cash and Deposits at Call** – Cash and Deposits at Call accounts are a flexible savings facility providing a competitive rate of interest for funds which are at call (available within 24hours). These accounts enable us to control Council's cashflows along with council's General Fund Bank account. Interest rates are updated in accordance with movements in market rates.

The following investments are classified as Cash and Deposits at Call:

- Commonwealth Bank of Australia – Online Saver AA-
- Commonwealth Bank of Australia – Operating Account AA-
- AMP Business Saver and Notice – At Call/Notice BBB-
- Macquarie Accelerator – At Call account AA-

2. **Floating Rate Notes (FRN)** - FRNs are a contractual obligation whereby the issuer has an obligation to pay the investor an interest coupon payment which is based on a margin above bank bill. The risk to the investor is the ability of the issuer to meet the obligation.

FRNs are either sub-debt or senior-debt which means that they are guaranteed by the bank that issues them with sub-debt notes rated a notch lower than the bank itself. The reason for this is that the hierarchy for payments of debt in event of default is:

1. Term Deposits
2. Global Fixed Income Deposits
3. Senior Debt
4. Subordinated Debt
5. Hybrids
6. Preference shares
7. Equity holders

In the case of default, the purchaser of subordinated debt is not paid until the senior debt holders are paid in full. Subordinated debt is therefore more risky than senior debt.

(ITEM 31/22) 2022 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT - CANBERRA

File No: 22/12864

REPORT BY GENERAL MANAGER

Summary

This report is to inform Council that the 2022 National General Assembly of Local Government (NGA22) will be held as a hybrid event, both at the National Convention Centre in Canberra as well as online via virtual attendance, from 19 to 22 June 2021. Council may nominate one Voting Delegate, and Council is requested to consider the delegate and nominated observers to attend the NGA22.

The theme for the annual NGA is “Partners in Progress”, which reflects the important role that Councils play in building a stronger, more inclusive, and more sustainable Australia.

Given the NGA22 will occur after the upcoming federal election, it is likely going to be an ideal opportunity to engage with either a new or re-elected Federal Government about building stronger relationships and partnerships.

Operational Plan Objective

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

Financial Implications

The below are approximate costs per person to attend the conference in Canberra:

	\$
• Early Bird Registration Fee (Payment due by Friday 20 May 2022)	989.00
• Virtual Delegate	689.00
• Conference Dinners	
○ Networking Dinner - Monday 20 June 2022	150.00
○ GA Dinner - Tuesday 21 June 2022	175.00
• Return Air Fare to Canberra Or Travel by Car <input checked="" type="checkbox"/>	350.00 - 400.00
• Hotel Accommodation per Night	323.00

- Councillors using private vehicles will be reimbursed in accordance with the Rate payable for claims by Council Officers under the *NSW (Local Government) State Award*, subject to the cost not exceeding the average air fare of other Councillors who flew or, if no other Councillor flew, the Flexible Economy Class air fare to the same destination available at the time of the conference.

The above expenses will be met by Council in accordance with the Councillors' Expenses and Facilities Policy. If spouses/partners wish to accompany Councillors to the NGA22, all costs, including any additional air fare/accommodation costs, must be met by the Councillor or spouse/partner.

Recommendation(s)

1. That Council nominate the Mayor, or his alternate, as the Voting Delegate for the 2022 National General Assembly of Local Government (NGA21) to be held from 19 to 22 June 2022 in Canberra.
2. That Council determines the attendance of Councillors and the General Manager as observers at the 2022 National General Assembly of Local Government (NGA21) from 19 to 22 June 2022 in Canberra.

That Councillors confirm to the General Manager by 3 May 2022 of their availability to attend and whether they will attend in person or virtually.

Attachments

There are no attachments for this report.

(ITEM 32/22) PETITIONS

File No: 22/12208

REPORT BY DIRECTOR CORPORATE SERVICES

Summary

Petitions received are reported to Council on a monthly basis. Council has received two petitions since the 22 March 2022 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
30/3/2022	Petition against Development Application DA.2013.170.1 at Shops 1–4, 258–264 Burwood Road, Burwood	26	0	City Strategy
19/4/2022	Petition requesting changes to the dog park at Sanders Reserve	8	0	City Assets

Comment

The Petitions have been referred to the appropriate Council Officers for attention.

Recommendation(s)

That Council receives and notes the Petitions.

Attachments

There are no attachments for this report.

(ITEM 33/22) QUESTIONS ON NOTICE

File No: 22/12255

REPORT BY DIRECTOR CORPORATE SERVICES

Summary

The following Questions on Notice were submitted by Councillors.

Operational Plan Objective

2.1.3 Ensure transparency and accountability in decision making.

The answers are provided below:

Cr Heather Crichton – Question 1

With the artist's consent, can the winning entry for the Burwood Art Prize be considered for inclusion in our public art program?

Answer – Director Community Life

Council is currently seeking the consent of the 2022 Burwood Art Prize winner and additional entrants to incorporate a selection of artworks into the Burwood Public Art Program. There are two streams of the program that artworks will be incorporated into, including the Hoarding Artworks Program and the Artworks on Flags Program. Both of these programs will offer increased exposure within the community for the winner and other artists, as well as the Burwood Art Prize itself. These streams are also the most suitable avenues for including the artworks into the program due to the logistical challenges of adapting smaller painted and digital works into larger scale outdoor public artworks.

Cr Heather Crichton – Question 2

Is our Learn to Swim program at Enfield Aquatic Centre impacted by a national shortage of lifeguards and swim teachers due to COVID-19, as reported by the Royal Life Saving Society?

Answer – Director Community Life

The 'acute' national shortage of lifeguards and learn to swim instructors reported by Royal Life Saving Australia, coupled with the disruption caused by the pandemic with two mandated closures of the Enfield Aquatic Centre for substantial periods in 2020 and 2021, has significantly impacted the ability of the Enfield Aquatic Centre to rebuild and expand its popular learn to swim program post-pandemic.

In Term 1 2020, prior to the first mandated COVID-19 closure, Enfield Aquatic Centre offered a Learn to Swim Program consisting of 392 classes accommodating over 1600 active students. By comparison, the Enfield Aquatic Centre Term 1 2022 Program offered 218 classes accommodating 923 active students. A number of class consolidations occurred to maximise the class capacities, however, 185 prospective students remained on the waitlist who could not be enrolled due to staffing shortages.

Since the initial COVID-19 closure in March 2020, the Casual Learn to Swim instructor workforce at Enfield Aquatic Centre has decreased by 50%, with a limited number of 14 active instructors currently rostered across 7 days of programs. Although Council actively sought to redeploy both Casual Learn Swim Instructors and Casual Lifeguards to other areas of frontline service delivery during closure periods, it was not financially viable to provide the volume and constancy of hours previously allocated to the casual workforce. This resulted in casual staff seeking employment in other sectors or opting to receive payments for people affected by COVID-19 whilst they focussed on their studies.

Additional recruitment in late 2021 and early 2022 has resulted in a total of 9 new recruits and further efforts are underway to rebuild the workforce at the Centre. In order to return to pre-pandemic class numbers and active student capacities an additional 15 qualified Learn to Swim Instructors are required.

The Enfield Aquatic Centre has been working closely with Council's People and Culture Department to implement new strategies to attract more Learn to Swim Instructors and Lifeguards, including:

- a) Research on employment conditions and remuneration of like roles in the marketplace.
- b) The review of Position Descriptions and job re-evaluation of the Casual Learn to Swim and Lifeguard positions, which resulted in increased remuneration rates in late 2021 that are competitive with the marketplace.
- c) Ongoing open position advertising across an expanded number of avenues, including Universities, TAFE, SEEK.com, Sportspeople.com, relevant social media platforms including LinkedIn and Aquatic related sites.
- d) A streamlined online recruitment process to expedite candidate review and on boarding.
- e) Update of the 2021/22 Fees and Charges to provide subsidised facility hire to aquatic peak bodies to conduct training courses onsite at the EAC.
- f) Creation of a promotional recruitment video for Casual Learn to Swim and Lifeguard roles at the Enfield Aquatic Centre is underway for use across multiple recruitment platforms.
- g) Development of a Casual Learn to Swim recruitment flyer and outreach recruitment visits across the catchment area targeting local high school students.

Council is continuing to liaise with industry peak bodies and neighbouring aquatic facilities who are collectively dealing with the above challenges. Council will continue to implement additional strategies until adequate workforce levels have been achieved and stabilised.

Cr Heather Crichton – Question 3

Is the Jolt Charging Station in our Angelo Street Carpark, Burwood:

- a) the first vehicle charging station in Burwood LGA?
- b) what assistance will Council provide to promote this location?
- c) will Council collect data from this new facility, i.e. number of users, length of stay?
- d) are other locations and suppliers being considered by Council?

Answer – Director City Strategy

- a) Is this the first vehicle charging station in Burwood LGA?

As far as we are aware this is the first street based electrical vehicle charging station in Burwood.

- The charge station is operated by a company called JOLT who have an exclusive agreement with Energex to convert existing above ground transformer into electric vehicle charge stations.
- The transfer is converted using an external cladding system which also contains the vehicle charging infrastructure.
- The cladding also includes electronic advertising panels, which are also used to generate invoice from commercial advertising.
- The charge stations also allow access to a 7KwH of free charging to customers before a tariff is then paid for additional charging. The free charging would give about 45km of range to a standard electric vehicle.

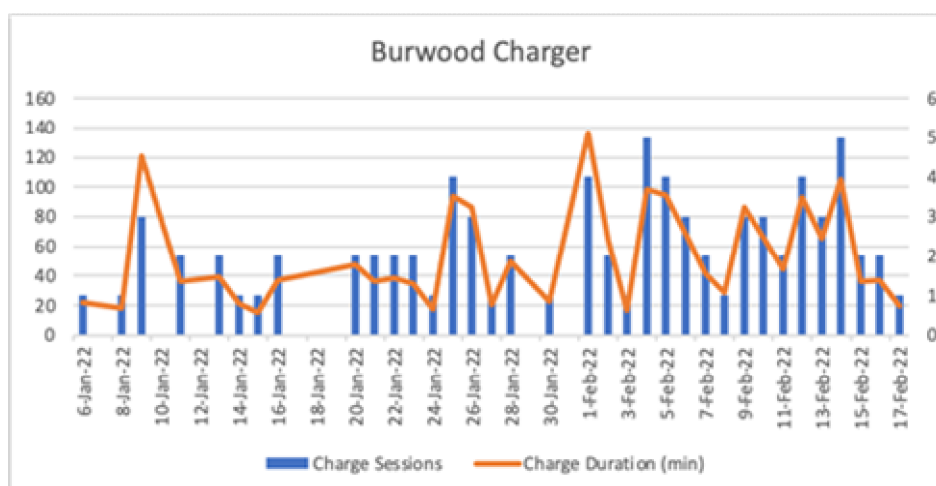
b) What assistance will Council provide to promote this location?

Given this is a commercial venture, Council is not specifically promoting this site or company. However, officers have been discussing the project with JOLT for the last few months and have supported the submission of a development application for other possible locations within the LGA, including in Burwood, Strathfield and Croydon Park.

A further report will be presented to Council in May that would potentially allow the installation of electric vehicle charging only dedicated car parking within the vicinity of each charge station. These would be for the exclusive use of the charging stations.

c) Will Council collect data from this new facility?

- The infrastructure is owned and operated by a private company, so Council does not have direct access to usage data. However, JOLT have been very forthcoming in terms of supplying usage data upon request.
- For the Angelo Street car park for the period from 6 January to 17 February, the charge station received 80 visits with an average charge time of 23 minutes.
- This has been building to be about 5 charging sessions per day with people using the free 7kWH charge allocation they receive from being part of the JOLT charging network



d) Are other location and suppliers being considered by Council?

In terms of additional locations, JOLT have confirmed the following stations will be rolled out and operational in the coming months:

- Park Avenue, Burwood
- Everton Road, Strathfield
- Corner Georges River Road and Brighton Street, Croydon Park

Council is currently considering how electric vehicle charging will be integrated into new public projects.

Cr Ned Cutchner – Questions 1–6

How many complaints has Burwood Council received in this calendar year where the issue could be described as a conflict between residential and non-residential uses of land?

How many such complaints were received in the previous years 2021, 2020, 2019, 2018 and 2017?

What analysis has Burwood Council undertaken or commissioned to explore any themes or trends arising from such complaints?

What themes or trends have been identified from the analysis of such complaints?

What systemic action has Burwood Council taken in response to such complaints?

What further options are being considered by Burwood Council to reduce the chance of such complaints arising, or to otherwise respond to such complaints in a systemic way?

Response – General Manager

Cr Cutcher has been advised that it is not possible to provide a comprehensive response to his questions at the April 2022 Council meeting.

Effective means of interrogating Council's customer request management system and electronic document and records management system to identify and extract relevant data are not immediately apparent. It is yet to be determined how readily data may be extracted and evaluated to identify complaints that may have been associated with any lack of harmony among those who co-exist on and near boundaries between residential and non-residential zones.

It should be noted that the current Complaints Management Policy of Council - last adopted in 2019 - excludes reports concerning neighbourhood disputes and an expression of disagreement with Council's policy, procedures or lawfully made decision, from the definition of a complaint.

Reporting of compliance breaches that are investigated by regulatory enforcement specialists are classed as requests for enforcement services.

Final resourcing implications for full completion of answers to the questions raised by Cr Cutcher may need to be considered by Council for approval and funding.

Recommendation(s)

That Council receives and notes this report.

Attachments

There are no attachments for this report.

(ITEM RC3/22) BURWOOD LOCAL TRAFFIC COMMITTEE - APRIL 2022

File No: 22/13475

REPORT BY DIRECTOR CITY ASSETS

Summary

Attached are the Minutes of the Burwood Local Traffic Committee from its meeting of April 2022. 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.

Recommendations

That the minutes of the Burwood Local Traffic Committee of April 2022 be noted and the recommendations of the Committee as detailed below be adopted as a resolution of the Council.

(ITEM LTC5/22) LUCAS ROAD, BURWOOD - PROPOSED 2P PARKING RESTRICTIONS***Recommendation***

1. That Council approve the proposed installation of '2P - 8.00am – 6.00pm Monday to Friday and 8.00am – 12.30pm Saturday, Permit holders excepted Area 4' fronting #11A to #61 Lucas Road Burwood per the plan in the report.
2. That all properties within #48A Lucas Road be incorporated into Area 4 of Council's Permit parking Scheme.

(ITEM LTC7/22) RAILWAY PARADE AND BURLEIGH STREET TEMPORARY ROAD CLOSURES - ST NECTARIOS EASTER CELEBRATIONS***Recommendations***

That Council approve the procession and road closures associated with Saint Nectarios Easter Celebrations on Sunday 17 April 2022, Friday 22 April 2022 and Saturday 24 April 2022 subject to the following:

- a) Police agree to facilitate the road closure and rolling road closure on Friday 22 April 2022 between 8.00pm and 11.00pm and Saturday 24 April 2022 between 11.00pm and 12.30am;
- b) Emergency services and public transport operators are to be advised of the event (a copy to be forwarded to Council);
- c) A copy of the Public Liability Insurance for the event (\$20 million) to be forwarded to Council;
- d) Barricades and signs to be provided in accordance with Work Cover requirements and AS1742.3 (2002) – Traffic Control for Works on Roads;

Attachments

- 1 Burwood Local Traffic Committee Agenda - April 2022
- 2 Burwood Local Traffic Committee Minutes - April 2022



NOTICE OF BURWOOD LOCAL TRAFFIC COMMITTEE MEETING

The April 2022 meeting of the Burwood Local Traffic Committee will be held electronically with the Agenda emailed to Members for review. All comments are requested to be returned to Council by 9.30am Friday 8 April 2022.

Tommaso Briscese
GENERAL MANAGER

Our Mission

**Burwood Council will create a quality lifestyle for its citizens
by promoting harmony and excellence in the delivery of its services**

2 Conder Street, Burwood NSW 2134, PO Box 240 Burwood NSW 1805
phone: 9911 9911 facsimile: 9911 9900
email: council@burwood.nsw.gov.au
website: www.burwood.nsw.gov.au

AGENDA

APOLOGIES/LEAVE OF ABSENCES

CONFIRMATION OF MINUTES

Recommendation

That the Minutes of the March 2022 Meeting of Burwood Local Traffic Committee as typed and circulated, be confirmed and signed as a true record of the proceedings of that meeting.

GENERAL BUSINESS

- (ITEM LTC5/22) LUCAS ROAD, BURWOOD - PROPOSED 2P PARKING RESTRICTIONS 3
- (ITEM LTC7/22) RAILWAY PARADE AND BURLEIGH STREET TEMPORARY ROAD
CLOSURES - ST NECTARIOS EASTER CELEBRATIONS 6

(ITEM LTC5/22) LUCAS ROAD, BURWOOD - PROPOSED 2P PARKING RESTRICTIONS

File No: 22/9191

REPORT BY MANAGER TRAFFIC & TRANSPORT

Summary

Council has received requests from residents in Lucas Road to implement timed parking restrictions with a Resident Parking Scheme on the western side of the street between Parramatta Road and Selbourne Street.

Background

Lucas Road is a local street which connects Parramatta Road to Albert Crescent. The street has a 50kph speed limit. The road has a carriageway width of 12.5m and has a combination of unrestricted parking and '2P' parking restrictions per the plan below.



Existing Parking Restrictions

The concerns raised are focused on the residential properties #11A to #61 where parking is unrestricted and highly sought after by all day parkers as it is some of the closest unrestricted parking to the Burwood Town Centre.

Parking audits undertaken within the northern end of Lucas Road confirm that the unrestricted parking areas are close to 100% occupancy with little to no turnover throughout the day.

Section	Side	Restriction	Tuesday	Thursday	Saturday
Parramatta Road to Stuart Street	West	Unrestricted	94%	85%	67%
	East	Unrestricted	92%	81%	83%
	East	2P	82%	58%	58%
Stuart Street to Selbourne Street	West	Unrestricted	81%	83%	65%
	East	2P	55%	55%	61%
Selbourne Street to Queen Street	West	2P	44%	57%	37%
	West	2P	61%	49%	53%

Parking Occupancy Audit Results

Proposal

It is proposed to install '2P - 8.00am – 6.00pm Monday to Friday and 8.00am – 12.30pm Saturday - Permit holders excepted Area 4' parking restrictions fronting #11A to #61 Lucas Road. These properties are already entitled to Residential and Visitor Parking Permits per Council's Permit Parking Scheme Policy. The sections alongside 206A Parramatta Road currently operating as Kennards Hire are proposed to remain as unrestricted parking.



Proposed Parking Restrictions

Consultation

Consultation was conducted with all residents located on both sides of Lucas Road between Parramatta Road and Selbourne Street. Council has received 11 responses which were all 'Strongly in Favour' or 'In Favour' of the proposal except for one which was from a townhouse development at #48A Lucas Road. The objection raised was due to the fact that the property at

#48A was not included as part of Area 4 of Council's permit parking scheme and therefore not eligible for parking permits. In turn they rely on the unrestricted parking for their vehicles or for their visitors.

Should the unrestricted parking be removed and replaced with 2P parking it is recommended that the residents at #48A be added to the Resident Parking Scheme for Area 4.

Financial Implications

The cost of modifying and installing signs is estimated to be \$1,200.00 and will be funded from the 2021/22 Traffic Facilities budget.

Recommendation

1. That Council approve the proposed installation of '2P - 8.00am – 6.00pm Monday to Friday and 8.00am – 12.30pm Saturday, Permit holders excepted Area 4' fronting #11A to #61 Lucas Road Burwood per the plan in the report.
2. That all properties within #48A Lucas Road be incorporated into Area 4 of Council's Permit parking Scheme.

Attachments

There are no attachments for this report.

(ITEM LTC7/22) RAILWAY PARADE AND BURLEIGH STREET TEMPORARY ROAD CLOSURES - ST NECTARIOS EASTER CELEBRATIONS

File No: 22/9636

REPORT BY MANAGER TRAFFIC & TRANSPORT

Summary

For the purpose of the 2022 Saint Nectarios Easter Celebrations, this Report seeks Council's approval for temporary road closures along Railway Parade and Burleigh Street to facilitate large crowds and a procession.

Background

Over the last 50 years the Greek Orthodox Easter services at Saint Nectarios involves thousands of Parishioners congregating in front of Saint Nectarios Greek Orthodox Church on Railway Parade, Burwood before a street procession is held along the local streets surrounding the Church. The celebrations this year will be held on Sunday 17 April 2022, Friday 22 April 2022 and Saturday 24 April 2022.

Recognising that the Greek Orthodox Easter is an important day to the Burwood Community, Council in conjunction with NSW Police Service have provided permission for the rolling road closure on Good Friday and Easter Saturday as done in previous years.

Proposal

Palm Sunday - Sunday 17 April 2022

- 9.30am – 11.30am - Full Road Closure of Burleigh Street from Railway Parade to driveway of Council Car park.

Good Friday - Friday 22 April 2022

- 8pm – 9pm - Full Road Closure of Railway Parade, between Burwood Road and Shaftesbury Road; and Burleigh Street, between Railway Parade and Elizabeth Street as shown in attachment 1.
- 9pm – 10pm - Rolling Road Closure to allow the Good Friday Procession to travel from the Church along Railway Parade, left onto Burwood Road, left onto Belmore Street, left onto Shaftesbury Road, left onto Railway Parade and into the Church as shown in attachment 2.
- 10pm – 11pm - Full Road Closure of Railway Parade at the conclusion of the procession between Burwood Road and Shaftesbury Road.

Easter Saturday - Saturday 24 April 2022

- 11pm – 12.30am - Full Road Closure of Railway Parade, between Burwood Road & Shaftesbury Road; and Burleigh Street between Railway parade and Elizabeth Street as shown in attachment 1.

It should be noted that as part of the Open Street Program, Council will be closing Burwood Road between Railway parade and Belmore Street on Saturday 24 April from 3pm to midnight per the report presented to the Burwood Local Traffic Committee in February this year. This event will finish at 10pm with the road to reopen once the bump out has concluded.

As previous years, NSW Police Service will organise the traffic issues relating to the full road closure and rolling road closure as requested by the Church. All participants are to remain within

the confines of the closed off area to comply with TfNSW Traffic and Transport Management of Special Events.

Consultation

Saint Nectarios Church is required to letterbox drop all affected stakeholders, residents and businesses on the procession route (outlining start and finish times, street closure details, contact name and phone number for the day). Emergency Services and public transport operators are also to be advised of the event.

Financial Implications

The Church will engage their own traffic control company who will supply the required traffic control devices (barricades, cones etc.)

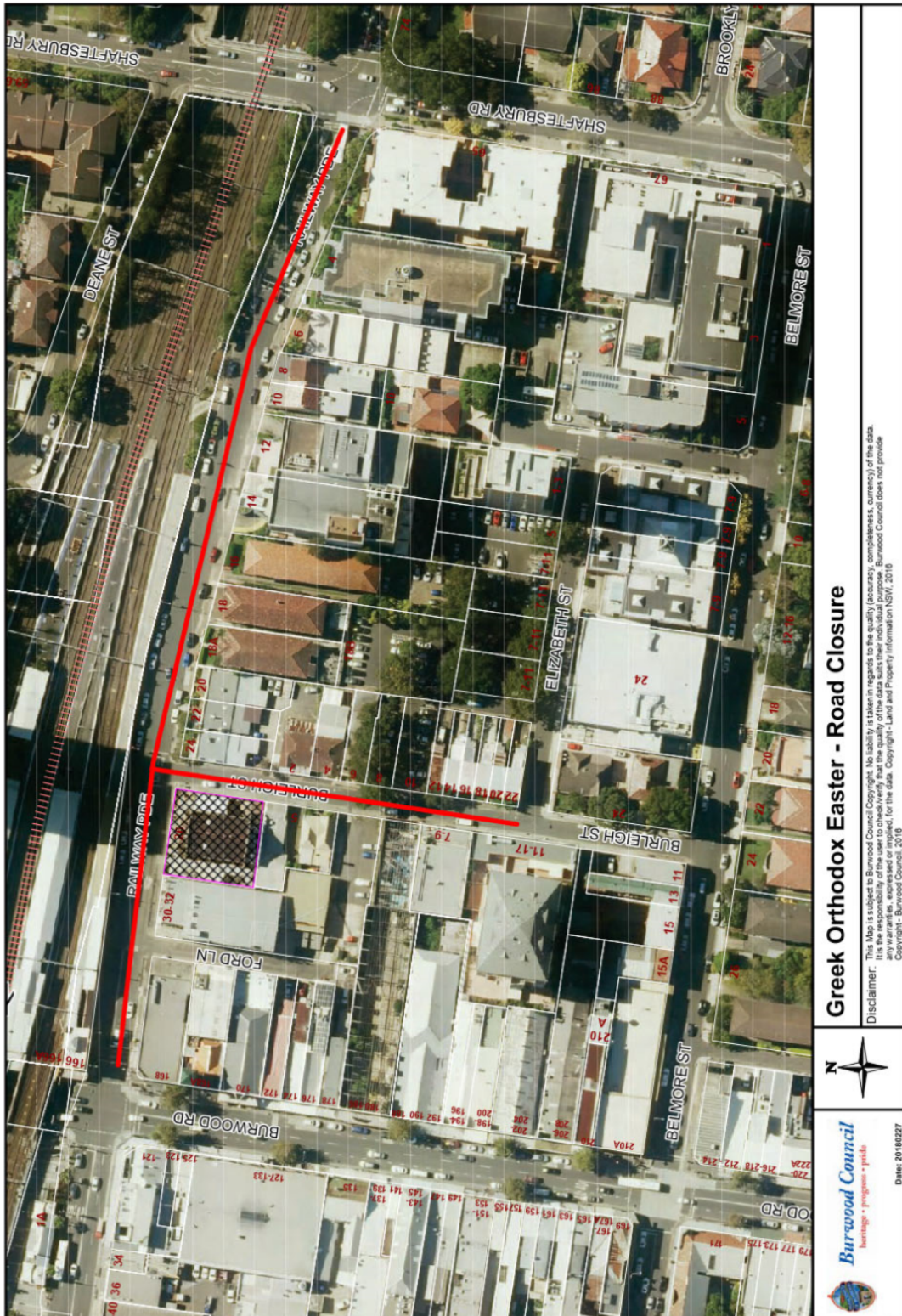
Recommendations

That Council approve the procession and road closures associated with Saint Nectarios Easter Celebrations on Sunday 17 April 2022, Friday 22 April 2022 and Saturday 24 April 2022 subject to the following:

- a) Police agree to facilitate the road closure and rolling road closure on Friday 22 April 2022 between 8.00pm and 11.00pm and Saturday 24 April 2022 between 11.00pm and 12.30am;
- b) Emergency services and public transport operators are to be advised of the event (a copy to be forwarded to Council);
- c) A copy of the Public Liability Insurance for the event (\$20 million) to be forwarded to Council;
- d) Barricades and signs to be provided in accordance with Work Cover requirements and AS1742.3 (2002) – Traffic Control for Works on Roads;

Attachments

- 1 Greek Orthodox Easter - Road Closure 2022
- 2 Greek Orthodox Easter - Rolling Road Closure 2022





MINUTES OF THE MEETING OF THE BURWOOD LOCAL TRAFFIC COMMITTEE held electronically with all members requested to email comments in relation to each item by Friday 8 April 2022.

ATTENDANCE Cr John Faker (Mayor) Chairperson
Snr Constable Germaine Grant, NSW Police Service
Ms Tanmila Samin Islam, Transport for NSW
Ms Maryanne Duggan, Rep for State Member for Strathfield
Mr Peter Whitney, Transit Systems

Mr George El Kazzi, Director City Assets
Mr Roberto Di Federico, Manager Traffic and Transport

APOLOGIES

That there were no apologies.

CONFIRMATION OF MINUTES

That the minutes of the Burwood Local Traffic Committee of Burwood held on Thursday 3 March 2022, as circulated, be confirmed and signed as a true record of the proceeding of the meeting.

GENERAL BUSINESS

(ITEM LTC5/22) LUCAS ROAD, BURWOOD - PROPOSED 2P PARKING RESTRICTIONS

File No: 22/9191

Summary

Council has received requests from residents in Lucas Road to implement timed parking restrictions with a Resident Parking Scheme on the western side of the street between Parramatta Road and Selbourne Street.

Comments

Transit Systems noted that bus drivers from the Burwood Depot may be using unrestricted parking in Lucas Road and it is not preferable to lose unrestricted parking. It was requested that if implemented that the parking restrictions be reduced to conclude at 5pm rather than 6pm Monday to Friday.

Recommendation

1. That Council approve the proposed installation of '2P - 8.00am – 6.00pm Monday to Friday and 8.00am – 12.30pm Saturday, Permit holders excepted Area 4' fronting #11A to #61 Lucas Road Burwood per the plan in the report.
2. That all properties within #48A Lucas Road be incorporated into Area 4 of Council's Permit parking Scheme.

(ITEM LTC7/22) RAILWAY PARADE AND BURLEIGH STREET TEMPORARY ROAD CLOSURES - ST NECTARIOS EASTER CELEBRATIONS

File No: 22/9636

Summary

For the purpose of the 2022 Saint Nectarios Easter Celebrations, this Report seeks Council's approval for temporary road closures along Railway Parade and Burleigh Street to facilitate large crowds and a procession.

Recommendations

That Council approve the procession and road closures associated with Saint Nectarios Easter Celebrations on Sunday 17 April 2022, Friday 22 April 2022 and Saturday 24 April 2022 subject to the following:

- a) Police agree to facilitate the road closure and rolling road closure on Friday 22 April 2022 between 8.00pm and 11.00pm and Saturday 24 April 2022 between 11.00pm and 12.30am;
- b) Emergency services and public transport operators are to be advised of the event (a copy to be forwarded to Council);
- c) A copy of the Public Liability Insurance for the event (\$20 million) to be forwarded to Council;
- d) Barricades and signs to be provided in accordance with Work Cover requirements and AS1742.3 (2002) – Traffic Control for Works on Roads;

This concluded the business of the meeting.

(ITEM IN1/22) MAYORAL DISCRETIONARY GRANTS - PERIOD ENDING 31 MARCH 2022

File No: 22/12861

REPORT BY GENERAL MANAGER

Summary

The Discretionary Grants – Small Donations Policy was reviewed by Council and adopted on 12 December 2017. As part of the Policy requirements, a list of donations made is to be reported to Council on a quarterly basis. The attached table details all the Discretionary Grants for the period ending 31 March 2021.

Please note that this report covers two quarters due to the fact the last reporting period fell within the local government elections timeframes.

Operational Plan Objective

- 1.1.1 Provide a diverse range of strategies and initiatives that meet the needs of the community
- 2.1.2 A well informed, supported and engaged community.

Background

The Mayor is allocated an annual budget of \$15,000 to extend civic leadership by supporting, through the allocation of small donations on behalf of Council, organisations or individuals for one or more of the following purposes:

1. Personal development and achievements of individual community members representing NSW or higher in their chosen fields, including sporting, academic, cultural and artistic endeavours who require financial assistance to attend events or activities or compete in their chosen field
2. Relief and other emergency organisations
3. Charitable organisations (registered) that provide benefits to the Burwood Local Government Area
4. Locally based groups and organisations located in the Burwood Local Government Area that have not applied under the Community Grants Program and are established as not-for-profit, community based groups, which includes P and C associations
5. Mayor's discretion for requests of a humanitarian nature.
6. Please note that this

Financial assistance for all categories is capped at \$1,000.

Financial Implications

Within the approved budget allocation of \$15,000.

No Decision – Information Item Only

Attachments

- 1 Mayoral Discretionary Grants - Small Donations - 2021-2022

