

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 July 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
JULY 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 28 JUNE 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.I DECLARE THE MEETING CLOSED AT [TIME AS SHOWN ON COMPUTER]

(ANNOUNCED BY CHAIR)

OPEN FORUM COMMENCES

ADDRESS BY THE PUBLIC ON AGENDA ITEMS COMMENCES

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CONFIDENTIAL ITEMS

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That above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 10A(2) (c) of the Local Government Act, 1993, as the matter involves information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

(ITEM 76/22)	LEASE OF CAFE AT RAILWAY SQUARE BURWOOD (1A RAILWAY PARADE BURWOOD)
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That above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 10A(2) (g) of the Local Government Act, 1993, as the matter involves advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

MAYORAL MINUTE

(ITEM MM6/22) RECOGNITION AND ENGAGEMENT WITH FIRST NATIONS PEOPLE

File No: 22/27510

MAYORAL MINUTE BY CR JOHN FAKER (MAYOR)

Summary

I have recently received representation and enquiries from multiple members of the Burwood Community regarding Council's public stance and work surrounding First Nations recognition and reconciliation. This includes community requests for Council to pledge its public support for the *Uluru Statement from the Heart* and call upon the Australian Government to hold a referendum on a First Nations Voice to Parliament protected by the Constitution.

Despite the Burwood Local Government Area having a relatively low Aboriginal and/or Torres Strait Islander population (160 residents or 0.4% of the population according to the 2021 Census), consultation undertaken with the community for the development of recent First Nations initiatives and the development of the new Community Strategic Plan highlights that there is broad positive support for recognition of First Nations people in the Burwood LGA. This is often coupled with a strong desire for more community education and meaningful dialogue with First Nations representatives and community members.

Council's recently adopted *Community Strategic Plan - Burwood 2036* also seeks for Council to 'acknowledge, respect and engage First Nations people, their culture and heritage'. Council's *Operational Plan 2022 – 2023* extends beyond this and includes the action to 'deliver initiatives that recognise and respect First Nations' history and ongoing culture' with a target of 2 new initiatives by June 2023.

Over recent years, Council has increased its efforts in delivering First Nations focused projects. This has involved engagement with First Nations artists, elders and cultural advisors. I am also aware that Council is planning to increase our engagement efforts over the coming months to build even stronger relationships with First Nations representatives as we work towards the development of the Urban Park, Arts and Cultural Centre and the development of Council's first Reconciliation Action Plan which is expected to come before Council in 2023-2024.

As we embark on further work to acknowledge and recognise First Nations people here in Burwood, I believe that meaningful engagement and relationship building is a critical step. I also believe that now is the time for Council to take a public stance and prioritise further work in this area.

Operational Plan Objective

A.12 Deliver initiatives that recognise and respect First Nations' history and ongoing culture.

I therefore move that Council:

1. Pledges its public support for the *Uluru Statement from the Heart* (included under Attachment 1).
2. Writes to the Prime Minister of Australia and Ms Sally Sitou MP, Member for Reid to advocate for a First Nations Voice to Parliament protected by the Constitution.
3. Investigates resourcing requirements and funding options to bring forward the preparation of the first Reconciliation Action Plan for Burwood.

4. Hosts a meeting with First Nations elders and community members to open meaningful engagement and dialogue on the development of key projects and initiatives that recognise and respect First Nations' history and ongoing culture in Burwood.

Attachments

- 1 Uluru Statement from the Heart

ULURU STATEMENT FROM THE HEART

We, gathered at the 2017 National Constitutional Convention, coming from all points of the southern sky, make this statement from the heart:

Our Aboriginal and Torres Strait Islander tribes were the first sovereign Nations of the Australian continent and its adjacent islands, and possessed it under our own laws and customs. This our ancestors did, according to the reckoning of our culture, from the Creation, according to the common law from 'time immemorial', and according to science more than 60,000 years ago.

This sovereignty is *a spiritual notion: the ancestral tie between the land, or 'mother nature', and the Aboriginal and Torres Strait Islander peoples who were born therefrom, remain attached thereto, and must one day return thither to be united with our ancestors. This link is the basis of the ownership of the soil, or better, of sovereignty.* It has never been ceded or extinguished, and co-exists with the sovereignty of the Crown.

How could it be otherwise? That peoples possessed a land for sixty millennia and this sacred link disappears from world history in merely the last two hundred years?

With substantive constitutional change and structural reform, we believe this ancient sovereignty can shine through as a fuller expression of Australia's nationhood.

Proportionally, we are the most incarcerated people on the planet. We are not an innately criminal people. Our children are alienated from their families at unprecedented rates. This cannot be because we have no love for them. And our youth languish in detention in obscene numbers. They should be our hope for the future.

These dimensions of our crisis tell plainly the structural nature of our problem. This is *the torment of our powerlessness.*

We seek constitutional reforms to empower our people and take *a rightful place* in our own country. When we have power over our destiny our children will flourish. They will walk in two worlds and their culture will be a gift to their country.

We call for the establishment of a First Nations Voice enshrined in the Constitution.

Makarrata is the culmination of our agenda: *the coming together after a struggle.* It captures our aspirations for a fair and truthful relationship with the people of Australia and a better future for our children based on justice and self-determination.

We seek a Makarrata Commission to supervise a process of agreement-making between governments and First Nations and truth-telling about our history.

In 1967 we were counted, in 2017 we seek to be heard. We leave base camp and start our trek across this vast country. We invite you to walk with us in a movement of the Australian people for a better future.

MAYORAL MINUTE

(ITEM MM7/22) PUBLIC ART AND DESIGN FEATURES ACROSS BURWOOD BRIDGES

File No: 22/27648

MAYORAL MINUTE BY CR JOHN FAKER (MAYOR)

Summary

I am pleased to see public art continuing to be rolled out across the Burwood Local Government Area to support local identity and culture and create a strong sense of place and connection.

Through our strategic planning and community engagement processes, the Burwood community has expressed a desire for public spaces that are attractive and that celebrate our local culture. In response to this community aspiration, Council revised and strengthened our Public Art Policy in June 2021. Council has also successfully secured substantial NSW Government funding to bolster Council's public art program in 2022 and 2023.

The recently adopted Community Strategic Plan – *Burwood 2036* further cements the important role public art will play into the future. The ability of public art to celebrate Burwood's cultural diversity and recognise the traditional custodians of the land, the Wangal People are also critically important to building an inclusive community and culture here in Burwood.

Building on our growing public art program and ongoing street beautification projects, I have identified the enormous potential of bridges within the Burwood Local Government Area to host additional public artworks alongside other embellishments and design features, such as planter boxes, flags, lamp posts and lighting.

Prominent bridges intersect the railway corridor, notably at Wentworth Road, Shaftesbury Road and The Strand. The railway under bridge on Burwood Road as well as the footbridge at the corner of The Boulevard and Russell Street, Strathfield and the one across Railway Parade also provide prominent locations for the installation of public art and other design features.

Whilst these bridges are not Council owned or controlled assets, I believe there is an opportunity for Council to advocate to the NSW Government to allow Council to utilise these sites for public art and other embellishments for the benefit of the local community.

Operational Plan Objective

A.79 Implement Council's public art program to enhance and foster local identity and activate public spaces.

I therefore move that:

1. Council investigate the feasibility and costs associated with the installation of public artworks alongside other embellishments and design features on key bridges across the Burwood Local Government Area.
2. Council writes to the Minister for Transport for NSW, Mr David Elliott MP to seek permission and potential funding from Transport for NSW to install public art and other design features on their assets.

Attachments

There are no attachments for this report.

NOTICE OF MOTION**(ITEM NM1/22) ACKNOWLEDGING AND SUPPORTING FIRST NATIONS IN BURWOOD**

File No: 22/27650

Summary

As we move towards the celebration of Burwood's 150-year anniversary, there is also room to reflect on the time before colonisation and pay respect to First Nations survivors who make their home in the Burwood LGA today.

The theme for NAIDOC earlier this month was "Get Up, Stand Up, Show Up" — presented as "a call for action to bring about systemic change and keep rallying around our mob, our Elders, our communities."

There are a number of opportunities for Burwood Council to honour this and to put the 2022 NAIDOC theme into practice. These include adding an acknowledgement of country to all of Council's outbound communications including staff and councillor emails; considering our support for the Uluru Statement From The Heart; developing and implementing a Reconciliation Action Plan; and making arrangements to permanently display the First Nations' Land Rights flag.

In preparing this Notice of Motion I have spoken with fellow Councillors and I am aware that a Mayoral Minute will be prepared to address several of these opportunities. I welcome the initiative and I ask Council to consider further opportunities that we have to acknowledge and support First Nations people in Burwood.

Operational Plan Objective

- A.12 Deliver initiatives that recognise and respect First Nations' history and ongoing culture
P.3 Provide a range of venues and facilities for residents and community groups which accommodate diverse and changing needs

Councillor Ned Cutcher to move that:

1. wherever practicable, Councillors and the General Manager include an Acknowledgement of Country as part of an email signature, and the General Manager encourage all Burwood Council staff to do likewise, for use in outbound email communications relating to Council business.
2. the General Manager investigate opportunities for Burwood Council to install a flagpole in a prominent location within our town centre, such as within the proposed new Urban Park, Arts and Cultural Centre, from which the First Nations Land Rights flag can be permanently displayed.

Officer Comments

1. The management of email signature blocks attached to messages from Burwood Council is centrally controlled via the Information Technology unit of Council. It is governed by standard business and design rules according to an approved corporate practice document. This approach facilitates the presentation of a consistent corporate image as well as supporting adherence to various protocols.

Council defers to advice from the Australian Government in relation to various official and cultural protocols including those concerning First Nations people. The

www.indigenous.gov.au website is a valuable resource in this respect. The website does not offer specific guidance on acknowledgement of country in email signature blocks. However, it recognises Reconciliation Australia (www.reconciliation.org.au) as an authoritative source of advice in the matter of acknowledgement of country. Reconciliation Australia gives the following example from its own organisation of a suitable acknowledgment of country in email signature blocks:

Reconciliation Australia acknowledges the Traditional Owners of Country throughout Australia. We pay our respects to Elders past and present.

Australian Government advice, through its www.indigenous.gov.au website, cites sincerity and respect as the keys to appropriate handling of acknowledgement of country messages. Council may care to consider adopting wording that is consistent with the Reconciliation Australia model. For example:

Council acknowledges the Wangal Clan as the Traditional Owners of Country incorporating the Burwood local government area. We pay our respects to Elders past and present.

2. The Australian Aboriginal Flag is permanently flown in the civic precinct of Burwood along with the Australian Flag and the NSW State Flag. All are located together on the corner of Conder Street and Railway Parade, framing the large metal sculpture that is also currently situated there. Initial design specifications for development of the Burwood Urban Park, Arts and Cultural Centre site have already factored in the requirement to continue displaying the flags. Consideration is being given to re-locating them nearer to the heritage part of the Council building that formed part of the original Burwood Council Chambers in Conder Street.

Recommendation(s)

That:

1. wherever practicable, Councillors and the General Manager include an Acknowledgement of Country as part of an email signature, and the General Manager encourage all Burwood Council staff to do likewise, for use in outbound email communications relating to Council business
2. the General Manager investigate opportunities for Burwood Council to install a flagpole in a prominent location within our town centre, such as within the proposed new Urban Park, Arts and Cultural Centre, from which the First Nations Land Rights flag can be permanently displayed.

Attachments

There are no attachments for this report.

(ITEM 64/22) ENDORSEMENT OF BURWOOD DESIGN REVIEW PANEL MEMBERS

File No: 22/26976

REPORT BY DIRECTOR CITY STRATEGY

Summary

Council resolved to establish a Burwood Design Review Panel (BDRP) at its meeting on 26 April 2022.

This report seeks Council's endorsement of the membership for the BDRP and the final Terms of Reference following the Expression of Interest (EOI) process.

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

Council, at its meeting on 26 April 2022, resolved to establish the Burwood Design Review Panel (BDRP).

The establishment of the BDRP will support and 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 expected in the future 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 BDRP would assist by providing architectural, urban design and landscape advice for major developments, Planning Proposals within the Burwood Town Centre and across the LGA to ensure the delivery of City Excellence.

In this regard, Council resolved the following:

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.*
3. *That the General Manager undertakes further investigation into the setting up of design excellence competitions for Burwood.*
4. *That the General Manager investigates the opportunity of allowing the terms of reference to require people that have experience in sustainable design.*

Expression of Interest Process

An EOI inviting suitably qualified panel members for the BDRP was advertised from 14 June to 4 July 2022.

The EOI was widely advertised on traditional employment websites (SEEK, LinkedIn), Participate Burwood, as well as through the national bodies representing the architecture, landscape architecture and planning professions (Planning Institute of Australia, Australian Institute of Architects, Australia Institute of Landscape Architects) to attract applications from highly qualified professionals, who are leaders in their field of expertise.

Twenty-seven (27) applications were received during the advertised period. An internal assessment panel, consisting of the Director City Strategy, Manager City Development, Manager City Planning and Senior Planner assessed all of the applications against the following criteria:

- Professionals highly regarded in their field of expertise
- Contemporary experience with major developments within a metropolitan, high growth, city centre/urban setting.
- Extensive experience and qualifications in at least one of the following fields:
 - Urban Design
 - Architecture
 - Landscape Architecture; and
 - Urban Planning

The Terms of Reference (ToR) require that the BDRP meetings will be conducted with at least three (3) members. Each member is to have expertise and qualifications in one or more of the above fields.

The ToR also required the appointment of a Chair - to ensure consistency in the advice being provided to applicants it is proposed that the Chair be appointed and would preside over all meetings, and that there be two (2) alternate Chairs to ensure that meetings can be held when the regular Chair is not available.

At each meeting, in addition to the Chair, the BDRP would include two (2) panel experts. It is proposed that the panel members be rotated at each meeting, dependant on their qualifications and developments being considered at the meeting. The panel members will be selected to ensure that the BDRP has the required expertise at all meetings. A pool of six (6) experts are proposed to be appointed as panel members, in addition to the Chair and two alternate Chairs.

As a result, following an assessment of all of the EOIs, it is proposed that nine (9) experts be appointed as members to the BDRP:

Name	Area of Expertise	Position
Paul Walter	Architect & Urban Designer	Chair
Karla Castellanos	Urban Designer & Architect	Alternate Chair
Vishal Lakhia	Architect	Alternate Chair
Stephen Pearse	Architect	Panel Member
Jill Woodley	Architect	Panel Member
Jon Johannsen	Architect & Urban Designer	Panel Member
Josh Zoeller	Architect & Urban Designer	Panel Member
Matthew Taylor	Landscape Architect	Panel Member
Greg Dyson	Landscape Architect & Urban Designer	Panel Member

Sustainable Design Experience

It is noted that a number of the panel members have strong professional backgrounds and experience which also encompass sustainable design, delivery of green infrastructure and healthy buildings. Some of the panel members were involved and contributed to the development of the draft Design and Place State Environmental Planning Policy, which had a significant focus on sustainable built form outcomes.

This combined professional experience and understanding of the principles of sustainable design will be present and make a positive contribution to matters considered by the BDRP.

Design Excellence Competition

Design excellence competitions for key/landmark developments can make a significant contribution to the design of the urban environment and ensure that a high standard of architectural, urban and landscaped design is delivered – above and beyond what would normally be delivered.

Design excellence competitions have been facilitated by the City of Sydney for over 13 years, with many other metropolitan regional centres, such as Parramatta, Liverpool, Penrith recently introducing requirements.

The design process typically would involve invitations to three architectural design groups who would respond to a pre agreed brief with submissions reviewed by an appointed judging panel comprising both Council and applicant representation.

The mechanism triggering the design excellence competition process is generally done via the Local Environmental Plan (LEP) and also sometimes through the Development Control Plan (DCP), and generally allows the consent authority to consider granting an additional amount of height or floorspace subject to a development that is the result of a competitive design process. The process will usually only apply to designated sites which have been identified (i.e. key landmark/gateway site).

A Policy that stipulates the design excellence competition process, including the threshold for the trigger of a design excellence competition, details of the competition process, requirements for architects and governance matters, would support the provisions in the LEP/DCP.

As part of the establishment of the Burwood Design Review Panel, consideration will be given to the establishment of a design excellence competition process. Further investigations will be undertaken to establish the criteria for the triggers around the design excellence competition process. The process will need to be linked to a trigger in the Burwood LEP (either through a height or an FSR bonus (or both)) to achieve design excellence.

Once the Panel has convened, Council staff intend to work closely with the members of the DRP to develop a preferred design competition format, including the mechanisms and any amendments which may be required to the Burwood LEP. Staff will also look to develop a Policy which will ensure that there is transparency around how the Design Excellence competition is managed and run. A further report will be brought back to Council by September 2022 addressing these issues and also giving consideration to a resourcing and budgetary allocation.

Consultation

As outlined above, the EOI was widely exhibited for a three-week period. Advertisements were placed in a range of industry, professional body and social media locations.

Planning or Policy Implications

The draft Burwood Design Review Panel Terms of Reference are proposed to 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 2012 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.

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. BDRP fees would be:

- \$3000 for application referrals to the BDRP.

Assuming an average of two items per meeting, this would generate a fee income of between \$60,000 to \$70,000 per annum. This would cover both administrative and panel membership costs of operating the BDRP. Any shortfall would be covered by internal budget allocations.

Conclusion

The establishment of the Burwood Design Report Panel, will support and ensure the delivery of design and built form excellence within the Burwood Town Centre and across the LGA.

It is proposed that a pool of nine (9) be selected as members to the BDRP. Each of the members has extensive experience and a strong set of diverse skills and expertise in one or more fields of architecture, landscape architecture and urban design and will support the 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 across the Burwood LGA.

Recommendation(s)

1. That the General Manager be authorised to appoint the recommended members, as outlined in the body of the report to the Burwood Design Review Panel for a period of three years (August 2022 to August 2025) and in accordance with the Terms of Reference.
2. The Burwood Design Review Panel Terms of Reference be endorsed and the General Manager be permitted to make further minor revisions and updates following consultation with the proposed Chair of the BDRP.
3. That a further report be brought back to Council by September 2022 on the establishment of the Design Excellence Competition process, including details on the mechanisms that will trigger the process, the proposed Design Excellence Competition format and required resource and budget allocations

Attachments

- 1 Burwood Design Review Panel - Terms of Reference



BURWOOD DESIGN REVIEW PANEL TERMS OF REFERENCE

Purpose	<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 BDRP. 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; Recognising the growth and expansion of Burwood and status of the Burwood Town Centre as a strategic centre.</p>
Function of BDRP	<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 presented to 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.

Our Ref.: 22/20690



Burwood
Inc.1874

	<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>
Referral Triggers	<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.
BDRP Membership	<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>
BDRP Tenure	<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 XXX XXXXX (day to be determined in consultation with Chair) 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 week's notice.

Our Ref.: 22/20690



	<ul style="list-style-type: none"> • 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	<p>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.</p> <p>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:</p> <ul style="list-style-type: none"> • 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 <p>The applicant must provide briefing material ahead of the panel meeting. This should:</p> <ul style="list-style-type: none"> • 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 <p>The applicant must also pay the required fee specified in Council's Fees and Charges and as set by Council's Director City Strategy.</p> <p>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.</p>

(ITEM 65/22) MULTICULTURAL ADVISORY COMMITTEE - RECOMMENDATIONS FOR COMMUNITY REPRESENTATIVES

File No: 22/24210

REPORT BY DIRECTOR COMMUNITY LIFE

Summary

The Terms of Reference of the Multicultural Advisory Committee were recently revised to increase community representation and were adopted by Council at the Ordinary Meeting of Council held on 24 May 2022. An open expression of interest process was undertaken for 21 days resulting in 16 applications from interested persons. The recommended applicants are included in this report for Council's consideration and adoption.

Operational Plan Objective

A.5 Develop Council's Multicultural Strategy.

A.99 Facilitate interagency networks and advisory committees to provide opportunities for collaboration and participation.

Background

At the Ordinary Meeting of Council held on 24 May 2022, Council resolved to:

- 1. Adopt the Multicultural Advisory Committee revised Terms of Reference.*
- 2. Undertake an expression of interest process for eight community representatives with a further report to be submitted to Council with recommendations for Committee members.*

A copy of the adopted Multicultural Advisory Committee Terms of Reference is included under Attachment 1.

The previous Multicultural Advisory Committee was comprised of four community representatives:

- Mr Bob Dong Bo
- Ms Hwa-Sur Hahn
- Mr Robin (Yinxia) Hu
- Mr Trilochan Pokharel

Further, it is noted that Councillor Esber holds the position of Chairperson following the resolution of the 'Councillor Representation on Committees and Other Bodies' report at the Ordinary Meeting of Council held on 15 February 2022. Councillor Esber had previously served on the Multicultural Advisory Committee as a community representative until her election to Council in December 2021.

Following consultation with the Committee, Council is seeking to expand community representation on the Committee to ensure it is best placed to advise Council on the varied needs of culturally and linguistically diverse communities in the Burwood Local Government Area and support the development of Council's new Multicultural Strategy.

According to the 2021 Census, 63% of residents in Burwood were born overseas. The top 5 countries of birth include: China (excluding SARs and Taiwan) (18.1%), Nepal (7.6%), India (3.1%), Vietnam (2.7%) and Korea (South) (2.4%). Similarly, 69% of residents in Burwood speak a language other than English at home. The top 5 languages other than English include Mandarin (19.9%), Cantonese (8.2%), Nepali (7.3%) Arabic (3.5%) and Italian (3.3%).

Proposal

Following the Council Meeting of 24 May 2022, an open expression of interest process was undertaken from 6 June 2022 to 27 June 2022 utilising Participate Burwood. A total of 16 nominations were received for community representatives on the Committee.

All nominations were reviewed against the selection criteria by a panel of Council staff, and all applications were found to be successful in meeting the selection criteria. The applications were further assessed to determine those applicants who most strongly meet the selection criteria and offered representation of a variety of cultural and linguistic backgrounds. The recommended applicants also include an even distribution of experienced Committee members and new Committee members.

Committee membership is required to be formalised by a resolution of Council. It is therefore recommended that Council approve the nominations of the following community members to the Committee:

- Ms Aditi Kamath
- Mr Alex Yang
- Mr Bob Dong Bo
- Mr Cheng-Li Chen
- Ms Hwa-Sur Hahn
- Ms Shameen Gaffoor
- Mr Robin (Yinxia) Hu
- Mr Trilochan Pokharel

It is recommended that the 8 unsuccessful applicants be placed on an eligibility list should a position on the Committee become vacant. Council will also make contact with unsuccessful applicants to invite them to participate in consultation sessions for the development of the Multicultural Strategy scheduled for later in the year and encourage them to apply for other Committee or Panel roles currently available where relevant.

Consultation

From 6 June 2022 until 27 June 2022, expressions of interest were open on the Participate Burwood platform. The opportunity to self-nominate was promoted through Council's e-news, social media channels, digital screens as well as hard copy flyers in Burwood Library and displayed at Burwood Mobile PlayVan. There was a total of 236 views of the project page during the expression of interest period resulting in 16 applications.

Planning or Policy Implications

The Multicultural Advisory Committee is an important mechanism for consultation, advice and feedback on inclusion and diversity. The expanded Multicultural Advisory Committee will play a key role in guiding the development of Council's Multicultural Strategy, which is due for completion in late 2022. The Multicultural Strategy will strengthen how Council engages, serves and collaborates with Burwood's culturally and linguistically diverse communities.

Financial Implications

Council has allocated \$1000 in the adopted *Operational Plan Budget 2022-2023* to support the initiatives of the Multicultural Advisory Committee.

Conclusion

The Multicultural Advisory Committee has been established to provide community views to Council in relation to matters that may have an impact on culturally and linguistically diverse communities in the Burwood Local Government Area. Following an open expression of interest process, it is recommended that Council appoint the 8 community representatives listed in this report to the Multicultural Advisory Committee.

Recommendation(s)

That Council:

1. Adopt the community representatives listed in the report for membership on the Burwood Multicultural Advisory Committee.
2. Advise all applicants in writing of the outcome of their nomination and place unsuccessful applicants on an eligibility list should a position on the Committee become vacant in the future.

Attachments

- 1 Multicultural Advisory Committee - Terms of Reference - Adopted by Council on 24 May 2022



MULTICULTURAL ADVISORY COMMITTEE TERMS OF REFERENCE

Purpose

The Multicultural Advisory Committee (MAC) has been established to provide community views to Council in relation to matters that may have an impact on culturally and linguistically diverse communities in the Burwood Local Government Area (LGA) and to enable the dissemination of relevant information to local multicultural communities.

The Committee has the following functions:

- Raise emerging issues associated with multicultural needs in the Burwood LGA and recommend goals and actions.
- Provide informed and timely advice on Council matters relating to multicultural communities in the Burwood LGA.
- Actively participate in the development of Council's multicultural programs and policies.
- Monitor the implementation of Council's Multicultural Strategy (or equivalent).
- Provide a two-way mechanism for communication between Council and multicultural communities in the Burwood LGA.

In accordance with the Burwood2036 Community Strategic Plan the MAC is an important mechanism for consultation, advice and feedback on inclusion and diversity.

Chairperson and Committee Members

Membership is limited to the representatives listed below:

- The Mayor or other appointed Councillor will represent Council as Chairperson.
- An alternate Councillor delegate appointed to attend if the Mayor or other appointed Councillor cannot attend a meeting.
- Eight community representatives will be appointed for a two-year term via an Expression of Interest process. Community representatives will come from a culturally and linguistically diverse (CALD) background, preferably in a leadership role representing one of the key language or cultural groups in Burwood LGA.
- Council Officer(s) will attend meetings as non-voting members to assist the work of the Committee.

Membership can be altered at any time by resolution of Council.

Nominations

Nominations for community representative positions on the Committee will be invited through Council's website and communications channels, including but not limited to Participate Burwood, social media and e-news.

Selection Criteria

Applications will be assessed in accordance with the selection criteria below (adapted from Community Advisory Committees Procedure for Selection of Community Representatives).

Applicants must:

1. Reside, work (in a paid or voluntary capacity) or have an interest in the Burwood LGA and represent a CALD community, preferably representing one of the key language or cultural groups in a leadership role.
2. Demonstrate a high level of understanding, interest, experience and/or expertise in multicultural issues in the Burwood LGA.
3. Be available to attend meetings and demonstrate a willingness to volunteer time to work on initiatives.
4. Participate in relevant working parties.
5. Undertake to communicate and engage with the community represented.
6. Be willing to work within the Terms of Reference.

Representatives of political parties are excluded.

Recommendations for appointment to the Committee will be submitted to Council for approval. The Committee does not have the authority to co-opt anyone else to its membership without the approval of Council.

Committee Proceedings

- a. Meetings shall be held at least bi-monthly.
- b. Meeting agendas shall be compiled by the Executive Assistant to the Mayor listing all items of business and must be issued to the Committee Members at least five working days prior to the scheduled meeting date.
- c. Meetings shall be held at Council Offices or another location approved by the Chairperson.
- d. Meetings will not proceed unless the Chairperson and at least four of the community representatives are in attendance within 30 minutes of the scheduled start time.
- e. Apologies must be given in advance for non-attendance. Where three consecutive absences have occurred, the General Manager can recommend to Council that a Committee Member's membership be cancelled.
- f. Recommendations at meetings will be arrived at by way of consensus.
- g. Committee meetings shall be conducted in a spirit of cooperation and mutual respect, and members must adhere to Council's Code of Conduct (to be circulated).
- h. Council officers will attend the Committee in a support role.
- i. Technical experts and specialists may be invited to attend meetings to provide advice when required.
- j. Senior representatives from local multicultural community services may also be invited to attend the Committee from time to time.

Minutes

Minutes of the meetings will be taken by the Executive Assistant to the Mayor who will attend meetings as a non-Committee member.

Review

The Terms of Reference will be reviewed every four years.

(ITEM 66/22) SUSTAINABILITY AND ENVIRONMENT ADVISORY COMMITTEE - RECOMMENDATION FOR COMMUNITY REPRESENTATIVES

File No: 22/24583

REPORT BY DIRECTOR CITY STRATEGY

Summary

This report is in response to Council's resolution on the 24 May 2022 relating to the establishment of a Burwood Sustainability and Environment Advisory Committee (SEAC) to guide the delivery of the priorities and actions identified in the *Sustainable Burwood* Strategy, endorsed by Council at its meeting on 22 March 2022.

An expression of interest process has been undertaken and Council received twelve (12) nominations from interested parties. The recommended nominees are included in this report for Council's consideration and adoption as members of the SEAC.

Operational Plan Objective

- 1.2 A well informed, supported and engaged community
- 3.4.1 Invest in green and renewable technologies
- 3.4.2 Greater use of more efficient green technologies and alternative energy sources
- 3.4.3 Environmentally sustainable developments which reduce impacts on the environment

Background

A Mayoral Minute (MM1/22) was tabled at the Council Meeting on 15 February 2022 seeking the establishment of a Burwood Sustainability and Environment Advisory Committee (SEAC) to guide the delivery of the priorities and actions identified in the *Sustainable Burwood* Strategy, which was endorsed by Council at its meeting on 22 March 2022.

Council, at its meeting on 24 May 2022 considered a report on the Terms of Reference for the establishment of the SEAC where it resolved the following (42/22):

1. *That Council endorse the Sustainability and Environment Advisory Committee Terms of Reference, including the proposed membership to the Committee.*
2. *That Councillor Cutcher be the Councillor Representative on the Committee.*
3. *That an Expression of Interest process be undertaken and advertised for a minimum 14-day period seeking nominations from interested members of the community to sit as representatives on the Committee*
4. *That a further report be brought back to Council following the EOI process to advise of the nominations to the Committee and provide a timetable of meetings*

The *Sustainable Burwood Strategy* provides a framework for sustainable planning and decision making to achieve and improve positive environmental sustainability outcomes for the Burwood Local Government Area. The Strategy provides a Vision, supported by a series of Actions, focused around four key themes. These Actions are to be delivered by Council, in partnership with the community.

Key to the delivery of these Actions is input and participation by the community and key stakeholders. The establishment of the Sustainability and Environment Advisory Committee will ensure that representative groups have an opportunity to provide input and participate in the delivery of the initiatives, as well as providing a voice for the community on sustainability and environmental initiatives. It is also hoped that by having a diverse membership, the Committee will raise awareness and promote environmental and sustainability initiatives throughout the community.

The proposed function of the SEAC is to:

- Actively participate in the development of programs and initiatives to achieve the priorities and targets outlined in the Sustainable Burwood strategy.
- Provide two-way communication between Council and the community on sustainability and environmental matters
- Promote and raise awareness of sustainability and environmental issues in the community

It was endorsed that membership of the SEAC be made up of:

- The Mayor, Deputy Mayor and a Councillor representative (Councillor Cutcher), with the Mayor being the Chair of the Committee;
- Four (4) community representatives, nominated via an Expression of Interest (EOI) process.
- One (1) student representative (university or senior high school student), nominated via an EOI

Nominated Council staff including the Manager City Planning, Sustainability & Resilience Officer and other Council staff as required would also sit on the Committee to provide support and advice.

Meetings are proposed to be held bi-monthly and it is proposed that the term of the Committee be limited to the current term of Council, to September 2024.

Expression of Interest Process

An Expression of Interest was advertised to the public via Participate Burwood and also on Burwood Council's career page from Wednesday 8 June to Friday 24 June 2022. The advertisement was also widely distributed via Council's e-newsletter, social media, direct emails to schools and community groups and organisations.

A total of 12 nominations were received. All of the nominations were assessed against the selection criteria detailed in the Terms of Reference, which required that:

Applicants must:

1. *Reside, work (in a paid or voluntary capacity) or have an interest in the Burwood Local Government Area (LGA).*
2. *Demonstrate a high level of understanding, interest, experience and/or expertise in environmental and/or sustainability issues.*
3. *Be available to attend meetings and demonstrate a willingness to volunteer time to actively participate and engage on issues.*
4. *Undertake to provide feedback to the community.*
5. *Be willing to work within the Committee Terms of Reference*

In identifying the preferred nominees for selection as members to the Committee, consideration was also given to ensuring that there is a mix of experience and interests across the Committee.

Of the 12 nominations, the following met the selection criteria and are proposed to be invited to be community representatives of the SEAC:

- Preeti Govindan – community representative

- Monica Fehon – community representative
- Chris Grey – community representative
- Billie Ayling – community representative

The following two (2) nominations are proposed to be alternate community representatives:

- Henry Cheng-li Chen – alternate community representative
- Alex Yang – alternate community representative

One (1) application from a senior school student was received. An assessment of the nomination has been undertaken and it is recommended that Ruby Bron be nominated as the student representative to the SEAC.

Planning or Policy Implications

Sustainable Burwood strategy is the key document that provides the actions to ensure the delivery of environmental and sustainability initiatives to deliver the vision for Burwood. The strategy supports the objectives of the Community Strategic Plan.

The SEAC will play a key role in providing input and participating in the delivery of the initiatives, as well as providing a voice for the community on sustainability and environmental initiatives.

Financial Implications

There are no immediate financial implications associated with the Committee as membership of the Committee will be on a voluntary basis.

There may be financial implications arising from any initiatives developed by the Committee in assisting the delivery of the Actions in *Sustainable Burwood*. Any such initiatives will need to be considered, costed and presented to Council for endorsement prior to implementation. Grant funding opportunities will be identified, where appropriate, and the Committee will be advised of such opportunities as they arise.

Conclusion

The establishment of the Sustainability & Environment Advisory Committee will assist Council in working with the community to deliver the actions and meet the sustainability and environmental targets identified in the endorsed *Sustainable Burwood* Strategy.

Council received a total of 12 nominations for membership to the SEAC. These were assessed against the selection criteria and 6 were determined to align with the purpose of the SEAC and meet the selection criteria. As the Terms of Reference has identified that the Committee include 4 community representatives, it is recommended that 2 be nominated as alternates.

One (1) application from a senior school student was received. An assessment of the nomination has been undertaken and it is recommended that Ruby Bron be appointed as the student representative on the SEAC.

Recommendation(s)

1. That Council endorse the Sustainability and Environment Advisory Committee community representation nominations for:
 - Preeti Govindan – community representative
 - Monica Fehon – community representative
 - Chris Grey – community representative

- Billie Ayling – community representative
 - Henry Cheng-li Chen – alternate
 - Alex Yang – alternate
2. That Council endorse Ruby Bron as the student representative on the Sustainability and Environment Advisory Committee.
 3. That the unsuccessful nominees be advised in writing and thanked for their interest and for taking the time to put forward an application.

Attachments

There are no attachments for this report.

(ITEM 67/22) CITIES POWER PARTNERSHIP PROGRAM - PROPOSED PLEDGES FOR 2022/23

File No: 22/21289

REPORT BY DIRECTOR CITY STRATEGY

Summary

Council resolved, at its meeting on 26 October 2021 (136/21) to seek membership to the Cities Power Partnership program. Subsequently Council endorsed the *Sustainable Burwood Strategy* on 22 March 2022.

Burwood Council is now a member of the Cities Power Partnership program and this report outlines the proposed five (5) pledges that Council will commit to achieving over the next 12 months, and which align with the emission reduction objectives of the *Sustainable Burwood Strategy*.

Community Strategic Plan Objective

- 2.2 Sustainable, integrated transport infrastructure and networks support population growth and improve livability and productivity
- 3.2 People and infrastructure contribute positively to the environment and respond to climate change
 - 3.2.1 Deliver efficiency and innovation in the use of resources
 - 3.2.2 Develop strong planning controls to protect and support a green and sustainable environment
- 5.1.2 Provide opportunity for engagement with the community to inform Council's decision making.

Background

Following the nomination letter from the Mayor to the Cities Power Partnership (CPP) program, Council is required to commit to five (5) pledges annually and report on progress in achieving the emission reduction goals.

At the time of joining the program Council was eligible to take part in a pilot program which is trialling the new Cities Activity Database (CAD). The CAD has categorised data on the climate activities of over 800 cities worldwide and enables users to find information on potential local government climate solutions, their emissions reduction potential, probability of success and cost. These insights are useful and can be applied by councils in assessing potential projects.

Member councils who participate in the pilot program are provided with a short tailored report on actions that similar cities and towns are taking and how effective they have been. These insights assist member councils in selecting their five (5) Cities Power Partnership pledges.

Power Up Pledges – Burwood Council

Council has received its tailored Power Up Pledge report, a copy of which is included in the attachment. Five (5) Power Up Pledges, relating specifically to emission reductions and consistent with actions identified in *Sustainable Burwood Strategy* have been identified and are summarised in Table 1 below. The pledges are required to be achieved over the next 12 months, to 30 June 2023.

Table 1 – Power Up Pledges – Burwood Council 2022/23

CPP Pledge	Sustainable Burwood Strategy Action	Other Councils pledging
Ensure Council fleet purchases meet strict greenhouse gas emissions requirements and support the uptake of electric vehicles.	Increasing hybrid / electric vehicles in our fleet.	42
Provide fast-charging infrastructure throughout the city at key locations for electric vehicles.	Support the rollout of electric vehicle charge stations and infrastructure.	24
Develop education and behaviour-change programs to support local residents and businesses to tackle climate change through clean energy, energy efficiency and sustainable transport.	To educate and promote opportunities for energy efficiency and the switch to renewable energy generation to the community.	49
Lobby state and federal governments to increase sustainable transport options.	Collaborate with NSW Government and Sydney Metro in the delivery of a world class metro station precinct at Burwood North.	5
Develop procurement policy to ensure that the practices of contractors and financiers align with Council's renewable energy, energy efficiency and sustainable transport goals.	Add sustainable procurement consideration to all project briefs and tender evaluations.	13

Some of the work around these pledges have already commenced and Council will continue to work on achieving these pledges over the next 12 months. Council staff will also be seeking feedback and working closely with the Sustainability & Environment Advisory Committee to ensure that they are delivered within the required timeframe.

The program is ongoing so at the end of the 12- month period another set of pledges will be identified.

Planning or Policy Implications

The CPP program aligns with the actions and targets in the Sustainable Burwood Strategy and Council's Community Strategic Plan and Operational and Delivery Plan.

Financial Implications

There is no membership fee for the CPP program.

There will be financial implications arising from any initiatives developed in assisting the delivery of the pledges. Any such initiatives will need to be considered and costed prior to being endorsed or implemented. Grant funding opportunities will be identified, where appropriate.

Conclusion

The endorsement of the five (5) pledges will assist Council to deliver the actions and meet the sustainability and environmental targets identified in the Sustainable Burwood Strategy. The pledges selected align well with current initiatives and work programs.

Once endorsed by Council, a confirmation email will be forwarded to the Cities Power Partnership team and council staff will commence working on implementing the pledges.

An update report on the progress of the implementation of the pledges will be presented to Council at the end of the 12-month timeframe, in June 2023.

Recommendation(s)

1. That Council endorses the five Cities Power Partnership pledges as outlined in Table 1 in the body of the report.
2. That an update report be provided to Council in June 2023 on the progress of the implementation of the 5 CPP pledges.

Attachments

- 1 CPP - Power Up Pledge Report May 2022



Cities Power Partnership Pledge Assistance

Burwood Council

Prepared for Cities Power Partnership

Version	Author	Date	Description of changes
V0a	Matt Sullivan	15/03/2022	First draft
V0b	Natalie Isaac	22/03/2022	Review
V0c-f	Matt Sullivan	23/3/2022	Second revision
V0g-i	Innovations team	12/04/2022	Review
V0j	Imogen Jubb	12/05/2022	Draft
V1a	Matt Sullivan	17/05/2022	First version release

Prepared by

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About Ironbark Sustainability

Ironbark Sustainability is a specialist consultancy that works with government and business around Australia by assisting them to reduce energy and water usage through sustainable asset and data management and on-the-ground implementation.

Ironbark has been operating since 2005 and brings together a wealth of technical and financial analysis, maintenance and implementation experience in the areas of building energy and water efficiency, public lighting and data management. We pride ourselves on supporting our clients to achieve real action regarding the sustainable management of their operations.



Ironbark are a certified B Corporation. We have been independently assessed as meeting the highest standards of verified social and environmental performance, public transparency, and legal accountability to balance profit and purpose.

Our Mission

The Ironbark mission is to achieve real action on sustainability for councils and their communities.

Cities Power Partnership

The Cities Power Partnership (CPP) program focuses on supporting and celebrating the emissions reduction successes of local councils across the country. Local councils who join the partnership make five action pledges to tackle climate change.

Whether it's putting solar on the local library, switching to electric buses, or opening up old landfills for new solar farms, the possibilities are endless, and this is where insights from the City Climate Activities Database can help. The City Climate Activities Database (CityCAD) is a new resource that standardises the way we talk about city-level activities. It provides a vital link between activities that cities are doing, helping organisations like CPP and local councils work and connect more effectively than ever.

165+

**Member
councils &
growing.**

750+

**Climate
and energy
pledges.**

16m+

Australians

Valuable insights for councils

Your CityCAD Pledge Assistance report has been developed to provide your council with insights to inform your CPP Pledge selection and mitigation actions. This report includes:

- a review of your existing pledge activities
- insights to help select new pledges, including:
 - details of relevant activities from similar councils
 - sectors your peers are targeting
 - mitigation actions your peers are targeting
 - cost effectiveness considerations

Next step: finalising your list of pledges!

Finalise your pledges

What now?

This report has been developed to provide your council with insights on relevant local actions and to help inform your CPP Pledge selection. It considers:

- Your current activities
- What your neighbours are up to
- Actions you may be missing

Insights from the report will provide you with useful information to help you finalise your list of pledges.

Power Up

Act:

Members have 6 months to select 5 key actions from the partnership pledges ranging from renewable energy, efficiency, transport and advocacy. They must identify a point of contact within council who will liaise with the Climate Council and work to implement their actions. Pledges are submitted by each member and profiled online.

Knowledge:

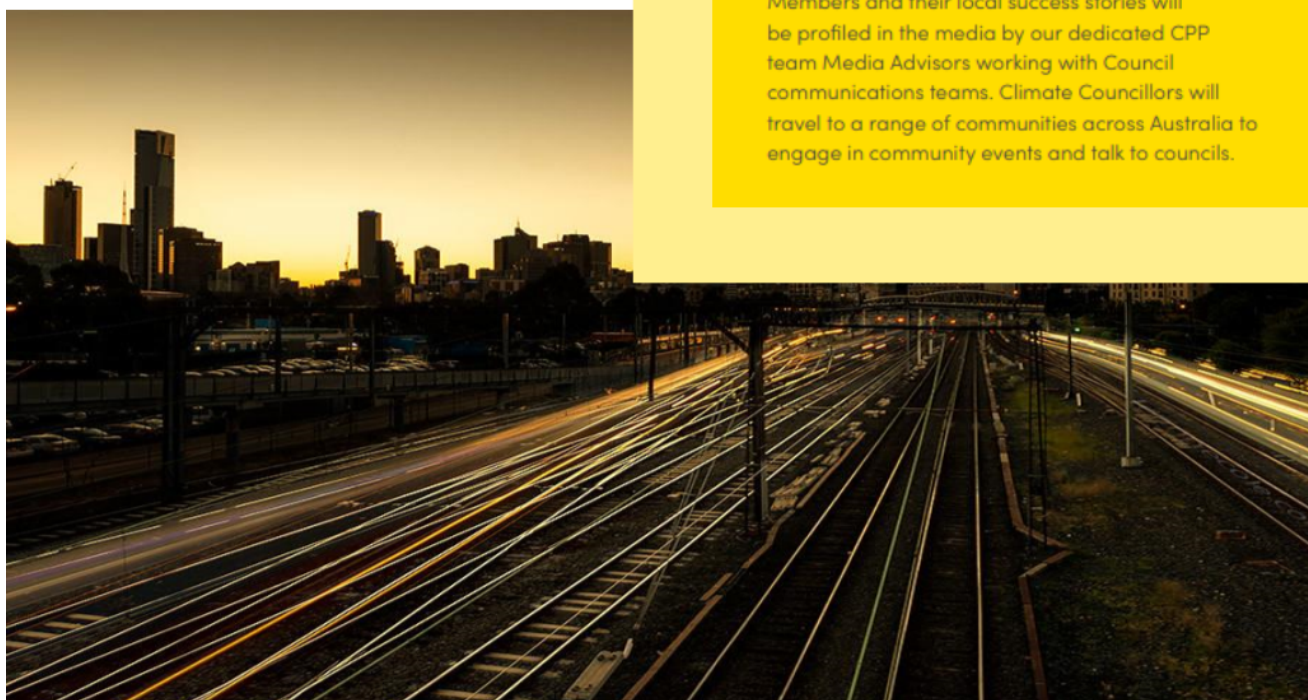
Members will have ongoing access to the knowledge hub, reporting tool, webinars with domestic and international experts as well as communications and advocacy training where required.

Connect:

At the heart of the Cities Power Partnership is connection and sharing between participants. From nation-wide events to our online forum, councils have ample opportunity to connect and work together. Councils who are already leading will play an important knowledge sharing role with other members.

Profile:

Members and their local success stories will be profiled in the media by our dedicated CPP team Media Advisors working with Council communications teams. Climate Councillors will travel to a range of communities across Australia to engage in community events and talk to councils.



Current activities

Burwood already has many initiatives tackling carbon emissions from both their corporate and community activities. Several of these initiatives are summarised in the city's [Sustainable Burwood Plan](#)¹. A number of these existing activities could be the subject of CPP pledges (page numbers have been included to help you link them to your strategy).

Table 1. Actions from Sustainable Burwood Plan

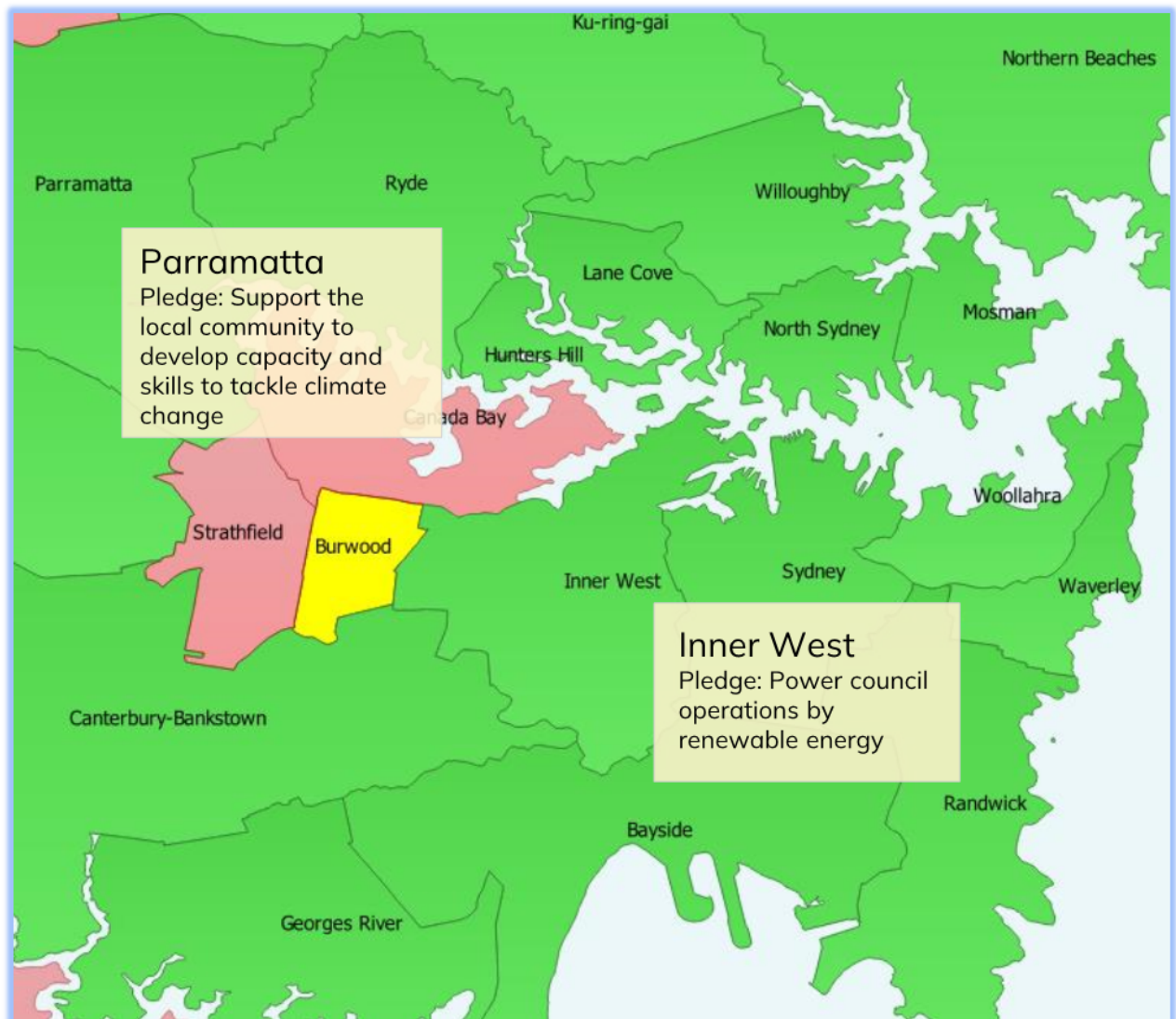
Action ID	Description	CPP Pledge	Other councils pledging
Pg. 33	Increasing hybrid vehicles in our fleet.	Ensure Council fleet purchases meet strict greenhouse gas emissions requirements and support the uptake of electric vehicles.	42
Pg. 13	Support the rollout of electric vehicle charge stations and infrastructure.	Provide fast-charging infrastructure throughout the city at key locations for electric vehicles.	24
Pg. 21	To educate and promote opportunities for energy efficiency and the switch to renewable energy generation to the community.	Develop education and behaviour-change programs to support local residents and businesses to tackle climate change through clean energy, energy efficiency and sustainable transport.	49
Pg. 26	Collaborate with NSW Government and Sydney Metro in the delivery of a world class metro station precinct at Burwood North.	Lobby state and federal governments to increase sustainable transport options.	5
Pg. 30	Add sustainable procurement consideration to all project briefs and tender evaluations.	Develop procurement policy to ensure that the practices of contractors and financiers align with council's renewable energy, energy efficiency and sustainable transport goals.	13
Other activities are also eligible (discuss with us for details)			

Most popu
←

¹ <https://www.burwood.nsw.gov.au/For-Residents/Our-Environment/Sustainable-Living/Sustainable-Burwood-Plan>

What are your neighbours up to?

Many of your neighbours are already CPP members, including Inner West, Canterbury-Bankstown and Parramatta. These are excellent peers to look to for inspiration about possible pledges.



CPP members






Councils not currently in CPP

Figure 1: Map of neighbouring councils and pledges. You can find more details about what other pledges councils are making at CPP's website <https://citiespowerpartnership.org.au/>

Tools and definitions

Table 2. Tools and definitions used in development of this report

Tool	Definition	Development	Detail
City Climate Action Database (CityCAD)	CityCAD is a database of actions councils are taking to mitigate and adapt to climate change. Actions are drawn from cities and municipalities all over the world.	CityCAD has been developed by Ironbark Sustainability to source and analyse actions in the local government sector.	CityCAD was developed in collaboration with Innovate for Cities, GCOM and other key stakeholders
Cohort	A cohort is simply a group, in this instance municipalities, that share similar characteristics. In statistical analysis a cohort is typically used as a "control group" so we can better evaluate the direct impact of actions and interventions and analyse general trends in the data.	Cohorts are created using a number of variables which define characteristics of the municipality.	A number of different variables were trialed in the cohort creation including population, jobs, land area, SEIFA rating, Gross Regional Product (GRP), Distance from CBD and a numerical value for State.
Cost effectiveness ranking	This is an averaged measure of how impactful a program is relative to the amount councils are investing.	One of the benefits of the CAD database is better information about the actual cost effectiveness of actions.	<p>Cost effectiveness ranking is presented as below.</p> <p>Highly effective </p> <p>Moderately effective </p> <p>Poorly effective </p>
Science-derived targets	<p>Countries, councils, and communities around the world are setting science-derived climate targets to limit global warming.</p> <p>Science-derived targets provide consistency and rigour in setting targets for local councils and communities.</p> <p>The science derived targets come from the Intergovernmental Panel on Climate Change and the Australian Climate Change Authority.</p>	They have been developed by the Science Derived Targets Working Group, comprised of Australian local government and climate change experts.	The targets scale the global carbon budget (2.0 degrees) down to the national and then local level (with a 50-66% chance of limiting warming) and scaled to account for relative advantage using the 'Socio-Economic Indexes for Areas' (SEIFA) index ² .

What are you missing?

Your peers in CPP are implementing a range of interesting projects and targeting different opportunities for driving emissions mitigation. Based on your documented activities there could be a few activities that could fill in gaps in your portfolio.

Burwood

2019/20 municipal emissions snapshot

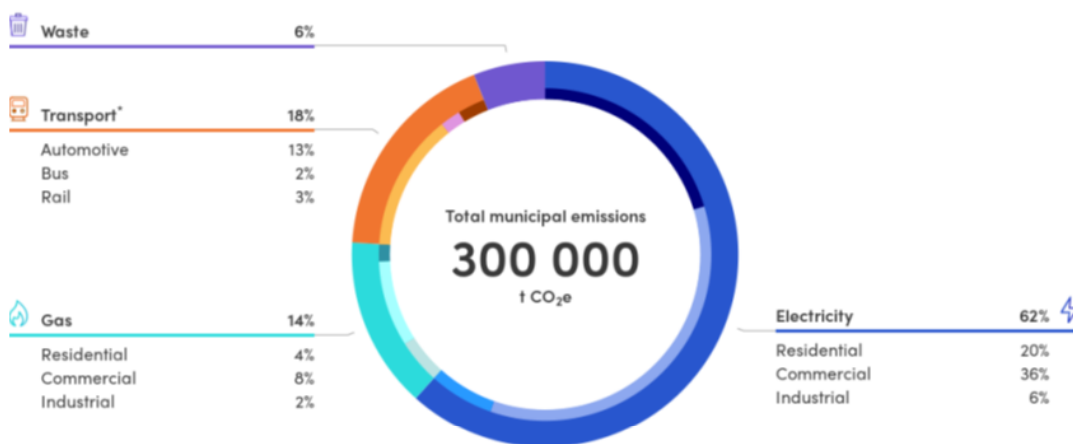


Figure 2. Burwood's Snapshot emissions profile

Table 3. Actions suitable for Burwood to consider*

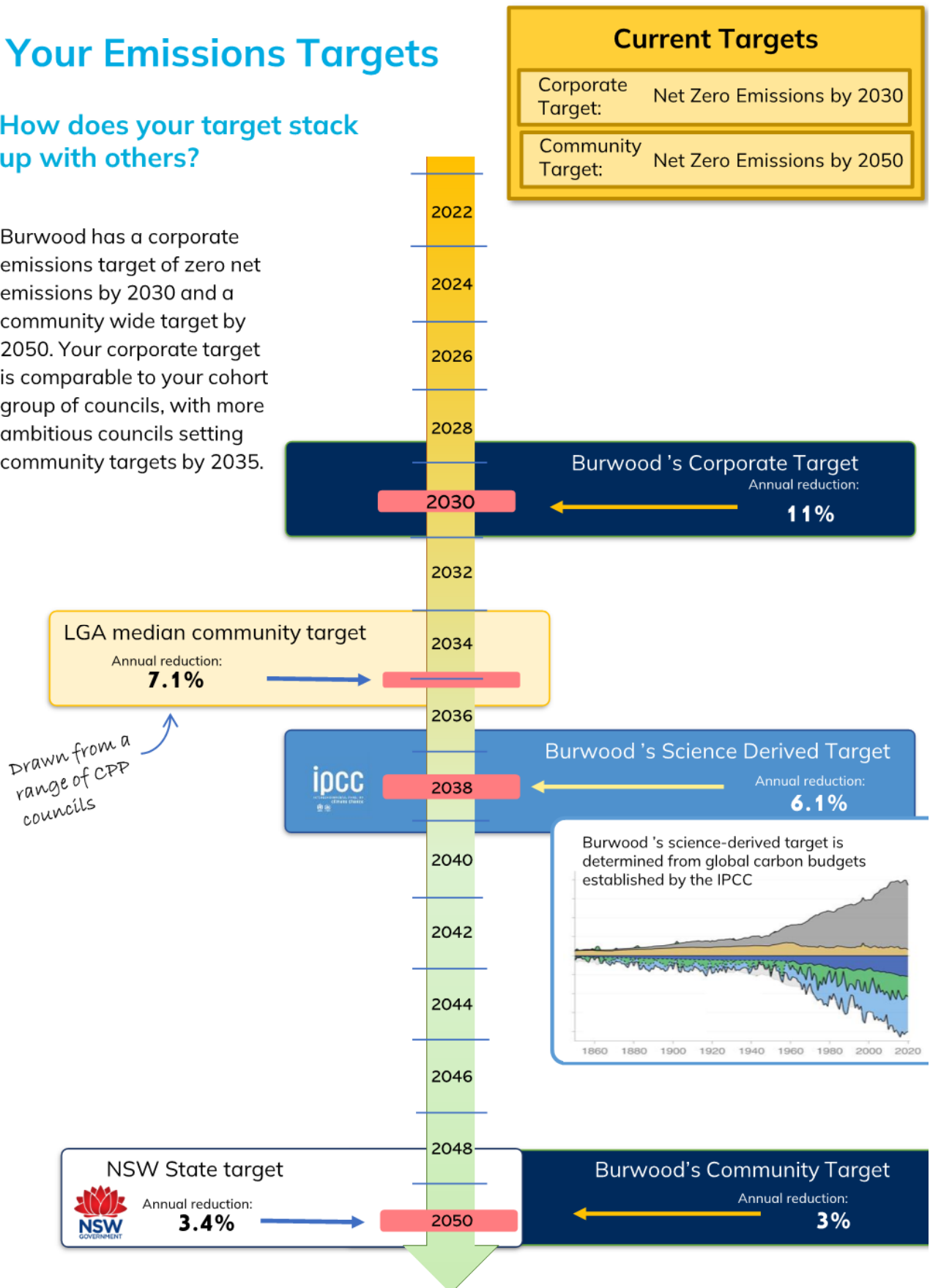
Electricity	Gas	Waste	Transport
City of Wyndham Run an energy efficient appliances bulk buy for the community.	City of Darebin Develop a natural gas exit strategy for Council's existing buildings.	Bega Valley Shire Council Education programs and interactive workshops around reuse and recycling opportunities.	City of Moreland Expand parking restrictions around activity/neighbourhood centres
City of Moonee Valley Investigate, and if appropriate, facilitate Environmental Upgrade Agreements (EUAs) or similar arrangements for commercial and industrial buildings.	City of Albury Promote business and industry in clean energy initiatives.	City of Santa Monica, USA Ban divertible materials, such as yard waste and foods, from trash containers.	Bellingen Shire Council Consider use of low-rolling resistance tyres (fuel efficient tyres)
Collaboration opportunity City of Melbourne are seeking opportunities to participate in innovative and emerging renewable energy projects such as microgrids and virtual power plants.			

These insights are all drawn from the **CityCAD database**. This database gives councils powerful tools in understanding what is going on in the mitigation space. Gaps analysis, collaboration opportunities, and peer-based learning can all be facilitated through connections made in this database.

Your Emissions Targets

How does your target stack up with others?

Burwood has a corporate emissions target of zero net emissions by 2030 and a community wide target by 2050. Your corporate target is comparable to your cohort group of councils, with more ambitious councils setting community targets by 2035.



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Albury City Council

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<https://www.alburycity.nsw.gov.au/strategies-and-plans/albury-2030>

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<https://www.bathurst.nsw.gov.au/council/general-information/public-documents/115-2036-community-strategic-plan.html>

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5. Bellingen Shire Council Climate Change Action Plan

Bellingen Shire Council

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Clarence Valley Council

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https://www.clarence.nsw.gov.au/files/assets/public/council/files/strategies-adopted/clarence-valley-community-energy-and-emissions-reduction-strategy-july-2021-002_1.pdf

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Climate Council

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Eurobodalla Shire Council

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ICLEI

Weblink: <https://iclei.org/publication/>

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Indigo Shire Council

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Ironbark Sustainability and BZE

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18. Climate & Ecological Emergency Response Plan

Kingston City Council

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Murrindindi Shire Council

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**(ITEM 68/22) VOLUNTARY PLANNING AGREEMENT - 254-256
LIVERPOOL ROAD, ENFIELD**

File No: 22/22067

REPORT BY DIRECTOR CITY STRATEGY

Summary

Applicant: Joseph Panetta
Owner: Peter Carlini
Company Director(s): Appwam Pty Ltd – Rosemary Carlini and Peter Carlini

A draft Voluntary Planning Agreement (VPA) and Explanatory Note (EN) prepared in connection with a Review of Determination of Development Application DA.2020.132 for No 254-256 Liverpool Road, Enfield which seeks the construction of a 6 storey mixed use development containing ground floor commercial suites and boarding house for 29 rooms including a manager's room and basement parking.

The draft VPA provides for payment by the developer of a monetary contribution of \$216,480 to Council in exchange for a shortfall of four (4) on-site parking spaces towards the improvement of public car parking facilities in Enfield.

The draft VPA and EN were publicly notified between 23 May and 21 June 2022. Council's endorsement is sought to enter into the VPA after the granting of the consent for the DA and prior to the issue of any Construction Certificate.

Background

A review of determination under Division 8.2 of the Environmental Planning & Assessment Act 1979 was submitted on 23 December 2021. The review of determination relates to DA.2020.132 which was refused under delegated authority on 17 September 2021.

The DA related to the construction of a 6 storey mixed use development containing ground floor commercial suites and boarding house for 29 rooms and managers room with basement parking. The development application is seeking a variation to the on-site parking requirements – four (4) spaces cannot be provided on site.

A part of the review of determination application, the applicant submitted a VPA for the shortfall of four (4) on-site parking spaces.

Policy Considerations

In the consideration of this matter there are a number of relevant policies and relevant provisions with the Burwood Development Control Plan (BDCP). These include:

- Burwood Council Planning Agreements Policy 2018
- Burwood Development Control Plan: Section 3.4 Transport and Parking in Centres and Corridors

The Burwood Council Planning Agreements sets the general parameters to which Council is able to enter into planning agreements. This is also reflective of NSW Government on the same matter and section 7.4 of the *Environmental Planning and Assessment Act 1979*.

The general principles governing planning agreements include the following:

- (a) Planning decisions may not be bought or sold through planning agreements
- (b) *Planning agreements must result in a public benefit, and must provide for a reasonable means of achieving the public benefit*
- (c) Development that is unacceptable on planning grounds will not be permitted because of public benefits offered by developers that do not make the development acceptable on planning grounds
- (d) *Council will not allow planning agreements to improperly fetter the exercise of its functions under the Act, Regulation or any other Act or law*
- (e) *Council will not use planning agreements for any purpose other than a proper planning purpose, having regard to the applicable planning instruments, strategies and development control plans, other planning policies and strategies adopted by Council, and the circumstances of the case.*
- (f) *Council will not seek public benefits under a planning agreement that are unrelated to particular development*
- (g) *Council will not allow the interests of individuals or interest groups to outweigh the public interest when considering a proposed planning agreement*
- (h) *Council will not improperly rely on its statutory position in order to extract unreasonable public benefits from developers under planning agreements*
- (i) *Where Council has a commercial stake in a development the subject of an agreement, it will take appropriate steps to ensure that it avoids a conflict of interest between its role as a planning authority and its interest in the development.*

There are two important points to highlight in the context of this VPA. Item (a) above confirms that that any financial contribution that might be received by Council is not material to the assessment of the application. This is an important point to ensure that there is separation between the consideration of VPAs and then the determination of the application. In this instance the consent authority will be the Burwood Local Planning Panel, which will be independently assessing the review of determination application.

Item (c) reaffirms item (a), in that a public benefit offered is not a way of overcoming unacceptable development, unless it is addressing specific planning grounds. In this instance the VPA offer is being provided in lieu of car parking provision on site. Also that contribution will be used to improve the management and enforcement of public car parking in the immediate vicinity of the site.

In this context the use of a VPA to address a planning matter related to the application is consistent with the current policy and general guidance in relation to the use of planning agreements.

A further consideration is provided regarding the application of financial contributions in lieu of car parking within the Burwood DCP. There is specific commentary that permits a contribution if any of the following circumstances can be met for locations within the Burwood Town Centre (B4 Zone), a Local Centre (B2 Zone) or Neighbourhood Centre (B1 Zone):

- *The site is very small, i.e. less than the minimum subdivision lot size for the area in the BLEP 2012, and isolated with no opportunities for amalgamation, or*
- *Vehicular access is severely constrained and there are limited options for onsite parking provision, e.g. the site is mostly occupied by existing buildings and involves only a change of use.*

The subject site is zoned B2 Local Centre under Burwood LEP 2012 and has a site area of 690.9sqm. The site is located on the southern side of Liverpool Road, Enfield, between Cobden Street to the east and Beaumaris Street to the west. The subject site is situated within an “accessible area” under the provisions of the now repealed Affordable Rental Housing SEPP. An “accessible area” means land that is within 400m walking distance of a railway station, light rail station or bus stop used by a regular bus service, operation 7 days a week. The subject site is within 400m of a bus stop serviced by a regular bus service.

The development site is land locked, adjoined by strata titled buildings.

Council, as part of the assessment of the DA sought the amalgamation of No 258 Liverpool Road, which is a corner allotment containing a building with a shop and 3 units which are strata titled. As part of the assessment of the DA, Council considered that the amalgamation of the subject site with No. 258 Liverpool Road would allow for a wider frontage, dual street frontage which could facilitate a development that could be designed to comply with the car parking requirements.

Council requested that the applicant respond to the issue of amalgamation of No 258 Liverpool Road, and requested evidence from the applicant with respect to any negotiations that had occurred with the adjoining owner to consolidate the property as part of the development site. At the time of the assessment of the DA, evidence was provided by the applicant with respect to an offer made to the applicant, which was 10% above the then market value. The offer was declined.

The subject site has also restrictions on amalgamation to the east as it is land locked by a strata titled development (No 250 Liverpool Road) containing 18 units.

In order for the development to comply with the on-site parking requirements, an additional basement level would need to be provided. It is considered that in the context of the location of the subject site, and its proximity to regular public transport services that the variation to the on-site car parking requirements is reasonable and given the particular circumstances of the site, being isolated, there is sufficient justification to warrant acceptance of a VPA in this instance.

The justification for the use of the VPA is also considered to be sufficiently unique that it does not expose Council to similar requests from other development proposals which do not demonstrate the same planning circumstances.

There are no specific prohibitions on the use of VPAs for contributions in lieu of car parking and the approach is consistent with the Council VPA policy in terms of being used to addressing a planning matter related to the application. This is also noting that the determination of the application will be by the Burwood Local Planning Panel.

Background to VPA

The subject site is located in the suburb of Enfield, as shown below.



Location of Subject Site and Surroundings

A draft VPA and EN were submitted in conjunction with the review of determination for DA.2020.132, for the construction of a 6 storey mixed use development containing ground floor commercial suites and boarding house for 29 rooms and managers room with basement parking.

Under the VPA, the developer would pay Council a monetary contribution of \$212,220 in exchange for a shortfall of four (4) on-site parking spaces. The amount of monetary contribution is calculated as \$53,055 per parking space x 4 parking spaces. As the VPA has not been finalised it would need to be updated to reflect the CPI update, which came into effect on 1 July 2022. The rate as at 1 July 2022 is \$54,120 per parking space, which would equate to a monetary contribution of \$216,480.

Refer to 'Planning or Policy Implications' section below for further discussion.

The draft VPA and EN (enclosed as Attachments 1 and 2) were referred to Council's lawyer for legal vetting and were subsequently reviewed in negotiation with the applicant before public notification.

Consultation

The draft VPA and EN were publicly notified from 23 May – 21 June 2022. The notice and materials were exhibited on Council's website. This exhibition arrangement was in line with the NSW Government's emergency measures as a result of the COVID-19 pandemic and Council's *Community Participation Plan*. No submissions were received.

Planning or Policy Implications

The *Burwood Development Control Plan* (BDCP) provides that a VPA may be entered into for developer to pay Council a monetary contribution in exchange for deficient on-site parking due to site constraints in all business zones.

Although the subject site is not in a business zone, a VPA is considered reasonable given that the site is land locked and within 400m to accessible public transport. Council's Traffic and Transport team has advised that the monetary contribution may be spent on the installation and on-going management of parking sensors in the adjoining Enfield Centre. Whilst this option would not increase the physical number of car parking spaces, the electronic monitoring and enforcement will improve turn over and availability of those parking spaces, which would have a beneficial outcome.

Council has a *Planning Agreements Policy*. The Policy stipulates the matters that Council should consider when determining whether or not to enter into a VPA. The draft VPA is assessed against these matters, as outlined below:

1. The VPA is directed towards a proper planning purpose. The planning purpose of the VPA is to provide funds to Council to improve public car parking to redress the parking shortfall within the development.
2. The VPA would result in a public benefit. The VPA would seek to improve public car parking, being available to the general public, in place of parking within a private development.
3. The VPA provides a reasonable means of achieving the relevant purpose. The VPA provides for the monetary contribution in exchange for deficient on-site parking within the development. Council will utilise the funds provided to improve public car parking that will ultimately be more beneficial to the community.
4. The VPA would produce outcomes that meet the general values and expectations of the community, and protect the overall public interest. The provision of safe and practical public parking by Council is an expectation of the community. The VPA provides Council with the financial resources to assist in this provision.
5. The VPA would help achieve the outcomes sought by Council from the use of planning agreements, which are:
 - (a) Provide an enhanced and more flexible system of contributions by developments towards the provision of public benefits, related to the impacts of development.
 - (b) Enable community awareness of and input to the public benefits of particular developments, related to the impacts of the developments.
6. The VPA conforms to the fundamental principles governing the Council's use of planning agreements as set out in Clause 2.1 of the *Planning Agreements Policy*, particularly:
 - *Principle 'a' – planning decisions may not be bought or sold through planning agreements.* Council is not obliged to support the DA and instead, each application must be considered on its merits.
 - *Principle 'e' – Council will not use planning agreements for any purpose other than a proper planning purpose.* The manner in which the VPA is proposed to be used has regard to Council's DCP.

Financial Implications

The VPA provides for a monetary contribution of \$216,480 to Council towards the potential installation and management of parking sensors for the on-street parking areas within Enfield commercial centre. The spending of the contribution by Council is not required to coincide with the completion of the subject development and can be at a time determined by Council at its discretion.

Conclusion

Council's endorsement is now sought to enter into the VPA for No 254-256 Liverpool Road, Enfield. The VPA provides Council a monetary contribution of \$216,480 towards the improvement of public car parking facilities in Enfield. It is recommended that arrangements be made for the execution of the VPA by Council authorising the signing of the agreement, after the granting of the DA but prior to the issue of a Construction Certificate. The development consent would include a condition requiring that the VPA be entered into prior to the issue of any Construction Certificate.

Recommendation(s)

1. That the VPA be updated to reflect the current rate per parking space of \$54,120 as endorsed in Council's Fees & Charges 2022/23 and that the total monetary contribution be updated accordingly.
2. That Council enter into the VPA for 254-256 Liverpool Road, Enfield for the provision of a monetary contribution of \$216,480 towards public facilities after the granting of the consent for DA.2020.132, which would include a condition on (the amended) consent requiring that the VPA be entered into.
3. That Council authorise the General Manager to sign the VPA and any related documentation under his Power of Attorney.
4. That Council authorise the General Manager to endorse any necessary minor revisions of the VPA documents prior to execution.
5. That the Developer pay the monetary contribution to Council, on or before, the execution of the VPA by Council and prior to the issue of any Construction Certificate.

Attachments

- 1 Exhibition Version - Draft Explanatory Note VPA - 254-256 Liverpool Road Enfield - DA.2020.132
- 2 Exhibition Version - Draft VPA - 254-256 Liverpool Road Enfield - DA.2020.132

PLANNING AGREEMENT – Explanatory Note*Environmental Planning and Assessment Regulation 2021 (NSW)*
(EP&A Regulation) (Clause 205)

Planning Agreement for the provision of monetary contribution in lieu of on-site car parking spaces at 254 and 256 Liverpool Road, Enfield.

Under Section 7.4 of the *Environmental Planning and Assessment Act 1979 (NSW)* (**EP&A Act**).

1. Parties

The parties to the Planning Agreement are:

- (1) Burwood Council (**Council**)
- (2) Appwam Pty Ltd (**Proprietor and Developer**)

2. Description of Subject Land

The land to which the Planning Agreement relates is as follows:

Folio Identifiers: Lot 12 and 13 DP 48472
Location: 254 and 256 Liverpool Rd, Enfield

3. Description of Proposed Change to Development

The Developer has lodged a Development Application (being DA2020/132) for the construction of a six (6) storey mixed use development containing a commercial premises at ground level and a new generation boarding house with twenty-seven (27) boarding rooms including manager's room and level one of basement car parking which provides a shortfall of four (4) Parking spaces.

4. Summary of Objectives, Nature and Effect of the Planning Agreement

[Clause 205(1)(a) of the EP&A Regulation]

The offer made by the **Proprietor** and **Developer** as set out in the Planning Agreement is based on the parking provisions of Burwood Council's Development Control Plan and is consistent with that provision.

The intent of the Planning Agreement is to ensure that the parking needs of the incoming population into the Burwood local government area are met.

The monetary contributions to be provided by the **Proprietor** and **Developer** under the Planning Agreement is an amount of \$212,220.00, payable on the date of execution of the agreement and before issue of any Construction Certificate.

5. Assessment of the Merits of the Planning Agreement

[Clause 205(1)(b) of the EP&A Regulation]

5.1 The planning purposes served by the Planning Agreement

The Planning Agreement serves the following planning purpose:

The monetary contributions paid by the **Proprietor** and **Developer** under this Planning Agreement will be used by **Council** to develop public car parking facilities within the Burwood Town Centre.

Planning Agreements Policy

Whether the Planning Agreement provides for a reasonable means of achieving that purpose:

The planning provision enabling monetary contributions in lieu of parking on-site is contained within Burwood Development Control Plan, a publically exhibited document which was initially adopted by Council on 12 February 2013. The mechanism allows the aggregation of funds by Council for the provision of efficient and sensitively located public car parking facilities.

5.2 Promotion of the Public Interest

[Clause 205(2) of the EP&A Regulation]

The Planning Agreement promotes the public interest by:

Ensuring the orderly use and development of land by ensuring that the location and design of public car parking facilities function effectively and safely. The Planning Agreement provides for the provision of public car parking in lieu of private-use parking.

- a) The Planning Agreement promotes one or more of the objects of the EP&A Act as follows:
- (i) The proper management and development of land for the purpose of promoting the social and economic welfare of the community and a better environment;
 - (ii) The provision and co-ordination of community services and facilities; and
 - (iii) Opportunities for public involvement and participation in environmental planning and assessment.

5.3 Capital Works Program

[Clause 205(2) of the EP&A Regulation]

Whether Council has a capital works program, and if so, whether the Planning Agreement conforms with or promotes that capital works program:

- Council has in place a capital works program, but the program does not, to date, identify public benefits within the Burwood Town Centre.
- Council has prepared a Burwood Community Facilities and Open Space Study which identifies works and improvements to community facilities and open space to be carried out as a direct result of development. These are known as public benefits. This study will inform the capital works program as it is reviewed annually where those public benefits will be included within the capital works program when and where sufficient funds are available.

5.4 Timing for the Delivery of the Proprietor and Developer's works or Public Benefits

The Planning Agreement requires the developer's public benefits to be completed upon the execution of the Planning Agreement, and prior to the issue of any Construction Certificate.

PLANNING AGREEMENT**PARTIES**

Burwood Council of 2 Conder Street, Burwood in the State of New South Wales (**Council**).

and

Appwam Pty Ltd (ACN 002 785 846) of 62 Burwood Road, BURWOOD in the State of New South Wales (**Developer**).

Background

- A. The Land is situated at 254 and 256 Liverpool Road, Enfield in the State of New South Wales.
- B. The Developer is the registered proprietor of the Land.
- C. On 24 December 2020, the Developer submitted a Development Application, DA2020/132, to Council for Development Consent for the construction of a six (6) storey mixed use development containing a commercial premises at ground level and a new generation boarding house with twenty-seven (27) boarding rooms including manager's room and level one of basement car parking on the Land.
- D. The Development Application will see the Land not able to provide four (4) on-site car parking spaces.
- E. The Development Application was accompanied by an offer by the Developer to enter into this Agreement to make Development Contributions in lieu of the provision of four (4) on-site car parking spaces if the Development Consent is granted.

Operative Provisions**1. Planning Agreement under the Act**

The Parties acknowledge and agree that this Agreement is a planning agreement governed by Subdivision 2 of Division 7.1 of Part 7 of the Act.

2. Application of this Agreement

This Agreement applies to both the Land and the Development.

3. Operation of this Agreement

- 3.1 The Parties are to execute this Agreement following the grant by Council of the Development Consent granted to Development Application DA2020/132.
- 3.2 Any approval given by Council for Development Consent for DA2020/132 shall not come into effect until this Agreement is executed.
- 3.3 This Agreement shall operate from the date of execution of this Agreement.
- 3.4 When this Agreement operates it is a binding contract between the Parties.

4. Definitions and interpretation

4.1 In this Agreement the following definitions apply:

Act means the *Environmental Planning and Assessment Act 1979* (NSW).

Agreement has the same meaning as Planning Agreement.

Approval means any approvals, consents, section modifications, certificates or other approvals under the Act, certificates, construction certificates, occupation certificates, complying development certificates, permits, endorsements, licences, conditions or requirements (and any variation to them) which may be required by this Agreement and/or the Development Consent.

Authority means any government, local government, statutory, public, ministerial, administrative, fiscal or other authority or body, and includes any relevant Planning Panel or such other consent authority as may be lawfully appointed and authorised to grant an Approval, including an accredited certifier defined under the Act.

Construction Certificate has the same meaning as in the Act.

Dealing in relation to the Land, means, without limitation, selling, transferring, assigning, mortgaging, charging, encumbering or otherwise dealing with the Land.

Development means the development application number DA2020/132 made for the construction of a six (6) storey mixed use development containing a commercial premises at ground level and a new generation boarding house with twenty-seven (27) boarding rooms including manager's room and level one of basement car parking on the Land.

Development Application has the same meaning as in the Act.

Development Consent has the same meaning as in the Act.

Development Contribution means a monetary contribution, the dedication of land free of cost or the provision of a material public benefit.

GST has the same meaning as in the GST Law.

GST Law has the meaning given to that term in *A New Tax System (Goods and Services Tax) Act 1999* (Cth) and any other Act or regulation relating to the imposition or administration of the GST.

Land means Lot 12 and 13 in Deposited Plan 48472 known as 254 and 256 Liverpool Road, Enfield.

Law means:

- a) the common law including principles of equity; and
- b) the requirement of all statutes, rules, ordinances, codes, instruments, regulations, proclamations, by-laws or consent by an Authority, that presently apply or that may apply in the future.

Monetary Contribution means the sum of \$212,220.00 (two hundred and twelve thousand, two hundred and twenty dollars) excluding GST, representing the sum of \$53,055.00 (fifty-three thousand and fifty five dollars) excluding GST per car space for four (4) car parking spaces.

Party means a party to this Agreement, including their successors and assigns.

Public Benefit means the Monetary Contribution and the Public Facilities that are derived therefrom.

Public Facilities means the augmentation or improving of open space, community facilities, public car parking or other public facilities as determined by the Council.

Regulation means the *Environmental Planning and Assessment Regulation 2000* (NSW).

4.2 In the interpretation of this Agreement, the following provisions apply unless the context otherwise requires:

- (a) Headings are inserted for convenience only and do not affect the interpretation of this Agreement
- (b) A reference in this Agreement to a business day means a day other than a Saturday or Sunday on which banks are open for business generally in Sydney
- (c) If the day on which any act, matter or thing is to be done under this Agreement is not a business day, the act, matter or thing must be done on the next business day
- (d) A reference in this Agreement to dollars or \$ means Australian dollars and all amounts payable under this Agreement are payable in Australian dollars
- (e) A reference in this Agreement to any law, legislation or legislative provision includes any statutory modification, amendment or re-enactment, and any subordinate legislation or regulations issued under that legislation or legislative provision
- (f) A reference in this Agreement to any agreement, deed or document is to that agreement, deed or document as amended, novated, supplemented or replaced.
- (g) A reference to a clause, part, schedule or attachment is a reference to a clause, part, schedule or attachment of or to this Agreement
- (h) An expression importing a natural person including any company, trust, partnership, joint venture, association, body corporate or governmental agency
- (i) Where a word or phrase is given a defined meaning, another part of speech or other grammatical form in respect of that word or phrase has a corresponding meaning
- (j) A word which denotes the singular denotes the plural, a word which denotes the plural denotes the singular, and reference to any gender denotes the other genders
- (k) References to the word 'include' or 'including' are to be construed without limitation
- (l) A reference to this Agreement includes the agreement recorded in this Agreement
- (m) A reference to a party to this Agreement includes a reference to the servants, agents and contractors of the party, and the party's successors and assigns
- (n) Any schedules and attachments form part of this Agreement.

5. Development Contributions to be made under this Agreement

- 5.1 The Developer will pay to Council the amount of the Monetary Contribution on the date of the execution of this Agreement.
- 5.2 The Developer must deliver to Council a bank cheque in a form acceptable to Council for the amount of the Monetary Contribution on the date of the execution of this Agreement, which shall occur prior to the issue of any Construction Certificate with respect to the Development.
- 5.3 The Monetary Contribution will be taken to have been paid when the Council notifies the

Developer in writing that the bank cheque has been received and cleared funds have been deposited into the Council's nominated bank account.

- 5.4 The Developer covenants and agrees with Council not to make an application for the issue of any Construction Certificate until the payment required to be made to Council hereunder have been paid.

6. Application of the Development Contributions

- 6.1 The Monetary Contribution paid by the Developer under this Agreement will be used by Council to develop Public Facilities.

- 6.2 The Public Facilities will:

- (a) not be provided to coincide with the conduct or completion of the Development;
- (b) be constructed at a time determined by Council at its absolute discretion;
- (c) be available for use by the general public and will not be restricted for use by patrons of the Development.

7. Application of section 7.11 and section 7.12 of the Act to the Development

- 7.1 This Agreement does not exclude the application of section 7.11 or section 7.12 of the Act to the Development.
- 7.2 Benefits under the Agreement are not to be taken into account in determining a development contribution under section 7.11 or section 7.12.

8. Registration of this Agreement

- 8.1 The Developer covenants with Council:

- (a) that prior to the issue of any Construction Certificate for the Development, or within such further time as the parties hereto agree, they shall do all things reasonably necessary to obtain the consent to the registration of this Agreement over the title to the Land pursuant to Section 7.6 of the Act from all persons who have an interest in the Land;
- (b) that forthwith after receiving the consents specified in subclause (a) hereof they shall cause this Agreement to be registered on the title of the Land;
- (c) that if this Agreement is not registered on the title to the Land, and if the Developer should propose to sell the Land or any part thereof then it shall:
 - (i) within seven days of listing the Land or any part thereof for sale, either through an agent or privately, notify Council of such intention;
 - (ii) as a condition of any sale, require that the incoming purchaser enter into with Council a like agreement to this present Agreement in which substantially the same covenants as set out herein shall apply;
 - (iii) within seven days of exchange of contracts, notify Council of the sale and provide Council with a copy of the contract;
 - (iv) within 21 days of receipt from Council of a replacement agreement between Council and the purchaser substantially in the form of this Agreement, have it executed by the purchaser and return it to Council;
- (v) that if this Agreement is not registered on the title to the Land, and if the Developer

should propose otherwise than by sale to transfer or assign its interest in the Land or any part thereof to a transferee or assignee, then it shall before effecting such assignment or transfer have the incoming transferee or assignee enter into an agreement with Council substantially in the form of this Agreement insofar as concerns the interest assigned or transferred and shall provide same to Council.

- 8.2 The Developer further covenants and agrees with Council that pending the registration of this Agreement on the title of the Land as permitted by clause 8.1, Council shall be entitled to register a caveat at Land and Property Management Authority over the title to the Land to protect its interest therein pursuant to this Agreement.

9. Acknowledgements

- 9.1 The Developer acknowledges that Council may include a notation on Planning Certificates under section 10.7(2) and 10.7(5) of the Act in relation to this Agreement.
- 9.2 The Parties acknowledge that Council is a consent authority with statutory rights and obligations pursuant to the terms of the Act and other legislation.

10. Dispute resolution

- 10.1 If a Party believes that there is a dispute in respect of this Agreement then:
- (a) the Party must give notice in writing to the other Party stating that there is a dispute (the Dispute Notice); and
 - (b) the Dispute Notice must outline:
 - (i) what the Party believes the dispute to be
 - (ii) what the Party wants to achieve
 - (iii) what the Party believes will settle the dispute and
 - (iv) who will be the Party's representative to negotiate the dispute.
- 10.2 Within fifteen (15) business days of a Dispute Notice being served, the representatives of each of the Parties must meet in order to resolve the dispute.
- 10.3 Both Parties must adhere to the dispute resolution procedure set out in this Agreement. The only time that either Party may depart from the dispute resolution procedure set out in this clause is when urgent interlocutory relief is required to restrain a breach or threatened breach of this Agreement.
- 10.4 If the Parties cannot resolve the dispute after adhering to the dispute resolution procedure set out in this Agreement then either Party may seek any other avenues available to it in order to resolve the dispute.

11. Enforcement

- 11.1 This Agreement may be otherwise enforced by either Party in any court of competent jurisdiction.
- 11.2 For the avoidance of doubt, nothing in this Agreement prevents:
- (a) a Party from bringing proceedings in the Land and Environment Court to enforce any aspect of this Agreement or any matter to which this Agreement relates; and

- (b) Council from exercising any function under the Act or law relating to the enforcement of any aspect of this Agreement or any matter to which this Agreement relates.

11.3 The rights of Council expressly provided for herein are cumulative and in addition to and not exclusive of the rights of Council existing at law or which Council would otherwise have available to it.

12. Notices

12.1 Any notice, consent, information, application or request that must or may be given or made to a Party under this Agreement is only given or made if it is in writing and sent in one of the following ways:

- (a) delivered or posted to that Party at its address set out below;
- (b) faxed to that Party at its fax number set out below;
- (c) email to that Party at its email address set out below.

Council

Attention: The General Manager
Address: 2 Conder Street, Burwood 2134
Post: PO Box 240, Burwood NSW 1805
Fax Number: 9911 9900
Email: council@burwood.nsw.gov.au

Proprietor and developer

Attention: APPWAM PTY LTD
Address: 62 Burwood Road
BURWOOD NSW 2134
Fax Number: 02 9798 0017
Email: santo@appwam.com.au

12.2 If a Party gives the other Party three business days' notice of a change of its address or fax number or email, any notice, consent, information, application or request is only given or made by that other Party if it is delivered, posted or faxed to the latest address, fax number or email address.

12.3 Any notice, consent, information, application or request is to be treated as given or made at the following time:

- (a) if it is delivered, when it is left at the relevant address;
- (b) if it is sent by post, two business days after it is posted;
- (c) if it is sent by fax, as soon as the sender receives from the sender's fax machine a

report of an error-free transmission to the correct fax number;

(d) if it is sent by email, at the time it is sent.

- 12.4 If any notice, consent, information, application or request is delivered, or an error-free transmission report in relation to it is received, on a day that is not a business day, or if on a business day, after 5.00pm on that day on the place of the Party to whom it is sent, it is to be treated as having been given or made at the beginning of the next business day.

13. Approvals and consent

Except as otherwise set out in this Agreement, and subject to any statutory obligations, a Party may give or withhold an approval or consent to be given under this Agreement in that Party's absolute discretion and subject to any conditions determined by the Party. A Party is not obligated to give its reasons for giving or withholding consent or for giving consent subject to conditions.

14. Assignment and dealings

The Developer agrees that this Agreement shall be binding upon the Developer and upon their respective transferees, assignees or successors.

15. Costs

- 15.1 The Developer shall bear Council's costs directly related, and incidental, to negotiating, preparing, executing, stamping and registering the Agreement, including any costs of lodging/removing caveats on the title to the Land (if necessary).

16. Entire Agreement

This Agreement contains everything to which the Parties have agreed in relation to the matters it deals with. No Party can rely on an earlier document, or anything said or done by another Party, or by a director, officer, agent or employee of that Party, before this Agreement was executed, except as permitted by law.

17. Further acts

Each Party must promptly execute all documents and do all things that another Party from time to time reasonably requests to affect, perfect or complete this Agreement and all transactions incidental to it.

18. Governing law and jurisdiction

This Agreement is governed by the law of New South Wales. The Parties submit to the non-exclusive jurisdiction of its courts and courts of appeal from them. The Parties will not object to the exercise of jurisdiction by those courts on any basis.

19. Joint and individual liability and benefits

Except as otherwise set out in this Agreement, any agreement, covenant, representation or warranty under this Agreement by two (2) or more persons binds them jointly and each of them individually, and any benefit in favour of two (2) or more persons is for the benefit of them jointly and each of them individually.

20. No fetter

Nothing in this Agreement shall be construed as requiring Council to do anything that would cause it to be in breach of any of its obligations at law, and without limitation, nothing shall be constructed as limiting or fettering in any way the exercise of any statutory discretion or duty.

21. Representations and warranties

The Parties represent and warrant that they have power to enter into this Agreement and comply with their obligations under the Agreement and that entry into this Agreement will not result in the breach of any law.

22. Severability

If a clause or part of a clause of this Agreement can be read in a way that makes it illegal, unenforceable or invalid, but can also be read in a way that makes it legal, enforceable and valid, it must be read in the latter way. If any clause or part of a clause is illegal, unenforceable or invalid, that clause or part is to be treated as removed from this Agreement, but the rest of this Agreement is not affected.

23. Modification

No modification of this Agreement will be of any force or effect unless it is in writing and signed by the Parties to this Agreement.

24. Waiver

The fact that a Party fails to do, or delays in doing, something the Party is entitled to do under this Agreement, does not amount to a waiver of any obligations of, or breach of obligations by, another Party. A waiver by a Party is only effective if it is in writing. A written waiver by a Party is only effective in relation to the particular obligation or breach in respect of which it is given. It is not to be taken as an implied waiver of any other obligation or breach or as an implied waiver of that obligation or breach in relation to any other occasion.

25. The explanatory note put on exhibition with this Agreement is not to be used in construing the terms of this Agreement.

26. Goods and Services Tax (GST)

26.1 All words in this clause which are also defined in the GST Law have a corresponding meaning to that in the GST Law.

26.2 The consideration for any supply under this Agreement excludes GST.

26.3 Where a Party to this Agreement is taken to have made a supply to another Party, the recipient of that supply must, in addition to the consideration payable for the supply and when paying the consideration for the supply, also pay to the maker of the supply an amount equal to the GST payable in respect of that supply. The recipient of a supply must also pay the GST payable in respect of a supply for which no monetary consideration is payable when the maker of the supply demands payment.

26.4 The maker of a supply must give the recipient a tax invoice in the form required by the GST Law at the same time it receives payment from the recipient of the GST payable for that supply.

26.5 Despite any other provision of this Agreement, any amount payable under this Agreement, which is calculated by reference to an amount paid or incurred by a Party to this Agreement, is reduced by the amount of any input tax credit to which that Party or a member of its GST Group is entitled in respect of that amount.

27. Confidentiality

The terms of this Agreement are not confidential and this Agreement may be treated as a public document and exhibited or reported without restriction by any Party.

28. Release from Agreement

Once Council is satisfied that the Developer has fully complied with all of its obligations under this Agreement, Council agrees to provide a full release and discharge of this Agreement with respect of the whole of the Land. In such circumstances Council will do all things reasonably necessary, including the execution of any documents to enable the Developer to remove any caveat and the notation of this Agreement on the title to the Land.

DRAFT

EXECUTED AS AN AGREEMENT

Signed for and on behalf of **Burwood Council** by its attorney, Tommaso Briscese under power of attorney dated 29 May 2019 registered book 4760 number 381 in the presence of:)
)
)
)
)

.....
Signature of Witness

.....
Signature of Attorney

.....
(Print) Name of Witness

Tommaso Briscese

.....
(Print) Name of Attorney

2 Conder Street, Burwood, New South Wales, 2134

.....
Date

.....
(Print) Address

By executing this document, the attorney certifies that he has not received notification of revocation of the power of attorney.

Executed by **Appwam Pty Ltd**)
ACN 002 785 846 in accordance with section)
127 of the *Corporations Act 2001* (Cth) in the)
presence of:)

.....
Signature of Director/Secretary

.....
Signature of Director

.....
Print Full Name of Director/Secretary

.....
Print Name of Director

.....
Date

(ITEM 69/22) EXTENSION OF WORKING HOURS - MAJOR DEVELOPMENT SITES IN BURWOOD LOCAL GOVERNMENT AREA

File No: 22/26434

REPORT BY DIRECTORY CITY STRATEGY

Summary

Council has been approached by several developers/builders regarding the difficulty in complying with the hours of work as approved in their development consents in certain situations. These situations usually relate to concrete pours for larger slabs such as a transfer slab in a building. The transfer slabs by nature of their design are larger than other slabs in the development and require additional time for the placement of concrete.

This report recommends an assessment and investigation into the possible creation of a policy to regulate an extension of working hours under specific circumstances, with a further report to be submitted to Council.

Operational Plan Objective

4.5.1: Ensure support and provide efficient assessment of developments

Background

Council imposes conditions relating to working hours on every development consent that proposes any building works. The conditions change slightly depending on whether the particular site is located within or outside the Burwood Town Centre. These hours of use are largely consistent with the NSW Government Department of Environment Interim Construction Noise Guidelines, July 2009.

The current standard conditions relating to working hours for development inside and outside the Burwood Town Centre are set out below:

Within the Burwood Town Centre:

Hours of work shall be from 7:00am to 7:00pm Mondays to Fridays inclusive (**during daylight savings period**), 7:00am to 6:00pm Mondays to Fridays inclusive (**outside daylight savings period**) and from 7:00am to 4:00pm on Saturdays. No work shall be carried out on Sundays or Public Holidays. The owner/builder shall be responsible for the compliance of this condition by all sub-contractors, including demolishers.

Outside the Burwood Town Centre:

Hours of work shall be from 7:00am to 6:00pm Mondays to Fridays inclusive, and from 7:00am to 4:00pm on Saturdays. Demolition, excavation and/or construction works that involve heavy machinery, noisy trades or the like are **not permitted** to be carried out from 1:00pm to 4:00pm on Saturdays. No work shall be carried out on Sundays or Public Holidays. The owner/builder shall be responsible for the compliance of this condition by all sub-contractors, including demolishers.

Council has recently been approached by builders/developers regarding the difficulty in complying with the approved hours of construction where a large transfer slab is to be poured. The transfer slab is the main structural component of the building and as the name suggests conducts the loads from the floors above the transfer slab to the structural supports below. Transfer slabs are thicker and more heavily reinforced than any other slab in the development and hence take a lot more

time to pour and finish correctly. In most circumstances there will be only one transfer slab in a building.

It is also important to note that work outside of hours can generate complaints from neighbours, and always leads to an investigation by Council's Community Safety Team, often resulting in fines being issued.

Council staff recently sought advice from consultant Structural Engineers experienced in medium-large scale developments, and received confirmation that whilst a concrete pour may be discontinued and a construction joint provided in the slab, this practice can create ongoing maintenance issues such as waterproofing and differential settlement.

For these reasons, this practice is being actively discouraged by the NSW Building Commissioner's Office, who is reviewing industry practices to improve construction standards.

Council staff have also contacted other Councils in the metropolitan area and have identified that some (such as Inner West, Canada Bay, City of Sydney and Parramatta Councils) have a policy where working hours can be extended under certain circumstances. These circumstances usually relate to the pouring of a large transfer slab where difficulty can be found in completing the pour within the approved hours. This offers a management mechanism whereby consent can be provided, on a pre-planned basis, for limited out of hours activity for specific construction stages. Importantly, this also includes neighbour notification to residents forewarning them of the late construction.

Legal advice confirmed that Council staff do not have the power to vary conditions of consent on an ad-hoc basis and this would mean that, under current provisions, a formal application must be lodged to Council for consideration. However, this is not considered an efficient method to deal with relatively short-term construction issues. Another alternative could be to amend the wording of the conditions of consent to provide discretionary flexibility for staff if an application was lodged in an individual circumstance. This would not be considered best practice from a probity point of view, and it is not recommended.

On a final note, in attempting to identify a practical balance between building standards and safety parameters and residents' amenity, any policy relating to extension of working hours would need to consider the possible adverse impact upon any other properties in close proximity to the site.

Consultation

At this stage no community consultation has been carried out in respect of this issue.

Information has been sought from other councils, from legal representatives and from structural engineering consultants.

Planning or Policy Implications

If Council wishes to progress this matter, then it would be necessary for a policy to be created and it is envisioned that the policy would be implemented with amendments to the current standard conditions of consent for major developments. The wording of the conditions would allow for an application to be made to extend working hours in limited and specific circumstances.

Financial Implications

There are no direct financial implications arising from this report.

Council should be aware that fines for breaches of conditions of consent are \$6000 each.

Also, should a policy framework be introduced to regulate a possible application for extension of work hours, a related permit fee would be included in Council's Fees and Charges.

Options

Council has 2 Options in this matter

1. Investigate the creation of a policy where an application for an extension of working hours for a site could be made in certain circumstances and include mitigation and management requirement for out of hours construction.
2. Continue the current practice and not support any variation to the current approved working hours

Conclusion

Given the feedback received from builders/developers for major development sites and the technical advice received from experts and from the NSW Building Commissioner, it is considered prudent to investigate the possible introduction of a policy to regulate extension of work hours under strict circumstances and its implications.

The investigation should include mitigation requirements on the part of the contractor to minimise impact of out of hours construction, communication requirements to neighbouring property, as well as the possible permit and permit fee framework necessary for a sound and efficient management of such situations.

Following the investigation, a report would be submitted back to Council and decision made on whether to adopt such a policy.

Recommendation(s)

1. That the General Manager be authorised to undertake further investigation into the creation of a policy that would permit the extension of working hours for major development sites in the Burwood Local Government Area. This should include mitigation requirements on the part of the contractor to minimise impact of out of hours construction, communication requirements to neighbouring property, as well as the possible permit and permit fee framework necessary for a sound and efficient management of such situations.
2. That a further report and, if deemed appropriate, a draft out of hours construction policy be submitted to Council for consideration.

Attachments

There are no attachments for this report.

(ITEM 70/22) DRAFT CODE OF MEETING PRACTICE - ADOPTION

File No: 22/25578

REPORT BY DIRECTOR CORPORATE SERVICES

Summary

Section 360 of the *Local Government Act 1993* (the Act) requires Council, within 12 months of an ordinary election of councillors, to adopt a Code of Meeting Practice that incorporates the mandatory provisions of the Model Code prescribed by the regulations.

Operational Plan Objective

A.110 Deliver a progressive and accountable framework to support Councillors and Burwood Local Planning Panel

Background

At its 24 May 2022 meeting, Council endorsed the public exhibition of the *Draft Code of Meeting Practice* for a 42-day period during which submissions would be received.

The *Draft Code of Meeting Practice* included the following changes to the existing Code:

- Inclusion of non-mandatory provisions that would permit individual councillors to attend meetings by audio-visual link and to hold meetings by audio-visual link in the event of natural disasters or public health emergencies
- Inclusion of a statement of ethical obligations
- Removal of the Burwood-specific provisions for Open Forum because of their inconsistency with the Model Code. Inclusion, instead, of the non-mandatory Public Forum provisions from the Model Code to allow for a forum to be held prior to (but not as an integral part of) the council meeting.
- Introduction of a limit of five (5) speakers for and against each item during the Public Forum to ensure there remains sufficient time for council to address all business that evening.
- Adjustment of the standard order of business to fall into line with the Model Code, with minor additions and re-ordering.
- The removal of Burwood-specific provisions for Questions Without Notice because of their inconsistency with the Model Code.
- Inclusion of the non-mandatory provisions enabling Council to deal with items of business by exception.
- Updating of the wording of provisions dealing with audio or audio-visual recording and webcasting to reflect the new mandatory provisions.
- Including the requirement that votes and abstentions of all councillors for each resolution be recorded as a matter of course, rather than relying on a councillor calling for a division or requesting that their voting position be placed on record.
- Adjusting the provision for extending the sitting of a meeting beyond 11:00pm to accommodate Council discretion on the length of extension beyond this time, rather than limiting it to extensions of 30 minutes.
- Removing the Burwood-specific provisions dealing with delegations to the Mayor and General Manager during the summer session break because it is not related to meeting practice and can be handled by Council as a regular resolution.
- Updating of the notes that provide cross-references to the Act and supporting Regulations.

Proposal

It is proposed the *Draft Code of Meeting Practice* that was publicly exhibited be adopted without further amendment. The Draft Code is attached as Attachment 1.

Consultation

In accordance with section 361 of the Act, the *Draft Code of Meeting Practice* was publicly exhibited via *Participate Burwood* on Council's website between 25 May and 5 July 2022.

The opportunity to view the Draft Code and make submissions about the Code was also promoted in the Burwood Community Update e-Newsletter on five occasions during the public exhibition period.

No submissions were received. No further amendments are proposed by Council officers.

Planning or Policy Implications

As a consequence of adopting this Code, it is proposed that the current *Open Forum Policy*, last adopted by Council on 27 March 2018, be rescinded. That Policy primarily consists of provisions dealing with Open Forums held during Council meetings. Those arrangements are in conflict with the requirements of the Model Code of Meeting Practice.

As the proposed Draft Code would adopt the Public Forum provisions of the Model Code, including detailed rules around participating in such Forums, there is no need for a separate policy that would essentially duplicate those provisions.

The only other provision in the *Open Forum Policy* relates to community open forums for major projects, which are broadly dealt with by Council's existing *Community Engagement Policy*.

The *Open Forum Policy* is attached for your reference as Attachment 2.

Financial Implications

Some recalibration of the software used to produce business papers is necessary to accommodate a number of implied business paper design changes. Such changes can be largely covered under the existing support arrangements with the software provider. There is provision in the operating budget to cover any minor change requirements that may need to be addressed outside of the standard software service support framework.

Conclusion

Council is obliged by law to maintain a Code of Meeting Practice that includes the mandatory provisions of the Model Code of Meeting Practice for Local Councils in NSW. The proposed revised Code for Burwood Council is consistent with the Model Code and incorporates non-mandatory provisions from the Model Code for enhancing meeting efficiency, effectiveness and transparency.

Recommendation(s)

That Council:

1. Adopts the *Draft Code of Meeting Practice* that appears at Attachment 1 to this report.
2. Rescinds the *Open Forum Policy* adopted by Council on 27 March 2018.

Attachments

- 1 Draft Code of Meeting Practice 2022 - For Adoption
- 2 Open Forum Policy - Adopted by Council 27 March 2018



Burwood Inc.1874

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

CODE OF MEETING PRACTICE

Model Code of Meeting Practice for Local Councils in NSW—Office of Local Government

PO Box 240, BURWOOD NSW 1805
2 Conder Street, BURWOOD NSW 2134
Phone: 9911-9911 Fax: 9911-9900
Email: council@burwood.nsw.gov.au
Website: www.burwood.nsw.gov.au

Public Document
Adopted by Council: <Date>
Ref. No.: 19/30045[v2]
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Ownership: Governance & Risk

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1. INTRODUCTION

This Code of Meeting Practice for Local Councils in NSW (the Code) is prescribed under section 360 of the *Local Government Act 1993* (the Act) and the *Local Government (General) Regulation 2021* (the Regulation).

The Code applies to all meetings of Burwood Council and Committees of which all the members are Councillors (committees of Council). Council committees whose members include persons other than Councillors may adopt their own rules for meetings unless the Council determines otherwise.

All Councils must adopt a code of meeting practice that incorporates the mandatory provisions of the Model Meeting Code issued by the Office of Local Government.

A Council's adopted Code of Meeting Practice may also incorporate the non-mandatory provisions of the Model Meeting Code and other supplementary provisions. However, a code of meeting practice adopted by a Council must not contain provisions that are inconsistent with the mandatory provisions of this Model Meeting Code.

A Council and a committee of the Council of which all the members are Councillors must conduct its meetings in accordance with the Code of Meeting Practice adopted by the Council.

The Model Meeting Code also applies to meetings of the boards of joint organisations. Burwood Council does not have boards of joint organisations, therefore, the provisions relating to these have been deleted.

2. MEETING PRINCIPLES

2.1 Council and committee meetings should be:

- Transparent:** Decisions are made in a way that is open and accountable.
- Informed:** Decisions are made based on relevant, quality information.
- Inclusive:** Decisions respect the diverse needs and interests of the local community.
- Principled:** Decisions are informed by the principles prescribed under Chapter 3 of the Act.
- Trusted:** The community has confidence that councillors and staff act ethically and make decisions in the interests of the whole community.
- Respectful:** Councillors, staff and meeting attendees treat each other with respect.
- Effective:** Meetings are well organised, effectively run and skilfully chaired.
- Orderly:** Councillors, staff and meeting attendees behave in a way that contributes to the orderly conduct of the meeting.

3. BEFORE THE MEETING

Timing of ordinary council meetings

3.1 Ordinary meetings of the council will be held on the following occasions:

On the 4th Tuesday of each month (February to December) at 6.00 pm in the Council Chamber, 2 Conder Street, Burwood and in accordance with Council's adopted meeting schedule

Note: Under section 365 of the Act, councils are required to meet at least ten (10) times each year, each time in a different month unless the Minister for Local Government has approved a reduction in the number of times that a council is required to meet each year under section 365A.

Extraordinary meeting

- 3.2 If the mayor receives a request in writing, signed by at least two (2) councillors, the mayor must call an extraordinary meeting of the council to be held as soon as practicable, but in any event, no more than fourteen (14) days after receipt of the request. The mayor can be one of the two councillors requesting the meeting.

Note: Clause 3.2 reflects section 366 of the Act.

Notice to the public of council meetings

- 3.3 The council must give notice to the public of the time, date and place of each of its meetings, including extraordinary meetings and of each meeting of committees of the council.

Note: Clause 3.3 reflects section 9(1) of the Act.

- 3.4 For the purposes of clause 3.3, notice of a meeting of the council and of a committee of council is to be published before the meeting takes place. The notice must be published on the council's website, and in such other manner that the council is satisfied is likely to bring notice of the meeting to the attention of as many people as possible.

- 3.5 For the purposes of clause 3.3, notice of more than one (1) meeting may be given in the same notice.

Notice to councillors of ordinary council meetings

- 3.6 The general manager must send to each councillor, at least three (3) days before each meeting of the council, a notice specifying the time, date and place at which the meeting is to be held, and the business proposed to be considered at the meeting.

Note: Clause 3.6 reflects section 367(1) of the Act.

- 3.7 The notice and the agenda for, and the business papers relating to, the meeting may be given to councillors in electronic form, but only if all councillors have facilities to access the notice, agenda and business papers in that form.

Note: Clause 3.7 reflects section 367(3) of the Act.

Notice to councillors of extraordinary meetings

- 3.8 Notice of less than three (3) days may be given to councillors of an extraordinary meeting of the council in cases of emergency.

Note: Clause 3.8 reflects section 367(2) of the Act.

Giving notice of business to be considered at council meetings

- 3.9 A councillor may give notice of any business they wish to be considered by the council at its next ordinary meeting by way of a notice of motion. To be included on the agenda of the meeting, the notice of motion must be in writing and must be submitted by **5:00pm on the Monday two weeks before** the meeting is to be held.
- 3.10 A councillor may, in writing to the general manager, request the withdrawal of a notice of motion submitted by them prior to its inclusion in the agenda and business paper for the meeting at which it is to be considered.

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- 3.11 If the general manager considers that a notice of motion submitted by a councillor for consideration at an ordinary meeting of the council has legal, strategic, financial or policy implications which should be taken into consideration by the meeting, the general manager may prepare a report in relation to the notice of motion for inclusion with the business papers for the meeting at which the notice of motion is to be considered by the council.
- 3.12 A notice of motion for the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the notice of motion. If the notice of motion does not identify a funding source, the general manager must either:
- prepare a report on the availability of funds for implementing the motion if adopted for inclusion in the business papers for the meeting at which the notice of motion is to be considered by the council, or
 - by written notice sent to all councillors with the business papers for the meeting for which the notice of motion has been submitted, defer consideration of the matter by the council to such a date specified in the notice, pending the preparation of such a report.

Questions with notice

- 3.13 A councillor may, by way of a notice submitted under clause 3.9, ask a question for response by the general manager about the performance or operations of the council.
- 3.14 A councillor is not permitted to ask a question with notice under clause 3.13 that comprises a complaint against the general manager or a member of staff of the council, or a question that implies wrongdoing by the general manager or a member of staff of the council.
- 3.15 The general manager or their nominee may respond to a question with notice submitted under clause 3.13 by way of a report included in the business papers for the relevant meeting of the council or orally at the meeting.

Agenda and business papers for ordinary meetings

- 3.16 The general manager must cause the agenda for a meeting of the council or a committee of the council to be prepared as soon as practicable before the meeting.
- 3.17 The general manager must ensure that the agenda for an ordinary meeting of the council states:
- all matters to be dealt with arising out of the proceedings of previous meetings of the council, and
 - if the mayor is the chairperson – any matter or topic that the chairperson proposes, at the time when the agenda is prepared, to put to the meeting, and
 - all matters, including matters that are the subject of staff reports and reports of committees, to be considered at the meeting, and
 - any business of which due notice has been given under clause 3.9.
- 3.18 Nothing in clause 3.17 limits the powers of the mayor to put a mayoral minute to a meeting under clause 9.6.
- 3.19 The general manager must not include in the agenda for a meeting of the council any business of which due notice has been given if, in the opinion of the general manager, the business is, or the implementation of the business would be, unlawful. The general manager must report, without giving details of the item of business, any such exclusion to the next meeting of the council.
- 3.20 Where the agenda includes the receipt of information or discussion of other matters that, in the opinion of the general manager, is likely to take place when the meeting is closed to the public, the general manager must ensure that the agenda of the meeting:

- a. identifies the relevant item of business and indicates that it is of such a nature (without disclosing details of the information to be considered when the meeting is closed to the public), and
- b. states the grounds under section 10A(2) of the Act relevant to the item of business.

Note: Clause 3.20 reflects section 9(2A)(a) of the Act.

- 3.21 The general manager must ensure that the details of any item of business which, in the opinion of the general manager, is likely to be considered when the meeting is closed to the public, are included in a business paper provided to councillors for the meeting concerned. Such details must not be included in the business papers made available to the public and must not be disclosed by a councillor or by any other person to another person who is not authorised to have that information.

Statement of ethical obligations

- 3.22 Business papers for all ordinary and extraordinary meetings of the council and committees of the council must contain a statement reminding councillors of their oath or affirmation of office made under section 233A of the Act and their obligations under the council's code of conduct to disclose and appropriately manage conflicts of interest.

Availability of the agenda and business papers to the public

- 3.23 Copies of the agenda and the associated business papers, such as correspondence and reports for meetings of the council and committees of council, are to be published on the council's website, and must be made available to the public for inspection, or for taking away by any person free of charge at the offices of the council, at the relevant meeting and at such other venues determined by the council.

Note: Clause 3.23 reflects section 9(2) and (4) of the Act.

- 3.24 Clause 3.23 does not apply to the business papers for items of business that the general manager has identified under clause 3.21 as being likely to be considered when the meeting is closed to the public.

Note: Clause 3.24 reflects section 9(2A)(b) of the Act.

- 3.25 For the purposes of clause 3.23, copies of agendas and business papers must be published on the council's website and made available to the public at a time that is as close as possible to the time they are available to councillors.

Note: Clause 3.25 reflects section 9(3) of the Act.

- 3.26 A copy of an agenda, or of an associated business paper made available under clause 3.23, may in addition be given or made available in electronic form.

Note: Clause 3.26 reflects section 9(5) of the Act.

Agenda and business papers for extraordinary meetings

- 3.27 The general manager must ensure that the agenda for an extraordinary meeting of the council deals only with the matters stated in the notice of the meeting.

- 3.28 Despite clause 3.27, business may be considered at an extraordinary meeting of the council, even though due notice of the business has not been given, if:

- a. a motion is passed to have the business considered at the meeting, and
- b. the business to be considered is ruled by the chairperson to be of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.

- 3.29 A motion moved under clause 3.28(a) can be moved without notice but only after the business notified in the agenda for the extraordinary meeting has been dealt with.

- 3.30 Despite clauses 10.20–10.30, only the mover of a motion moved under clause 3.28(a) can speak to the motion before it is put.
- 3.31 A motion of dissent cannot be moved against a ruling of the chairperson under clause 3.28(b) on whether a matter is of great urgency.

Pre-meeting briefing sessions

- 3.32 Prior to each ordinary meeting of the council, the general manager may arrange a pre-meeting briefing session to brief councillors on business to be considered at the meeting. Pre-meeting briefing sessions may also be held for extraordinary meetings of the council and meetings of committees of the council.
- 3.33 Pre-meeting briefing sessions are to be held in the absence of the public.
- 3.34 Pre-meeting briefing sessions may be held by audio-visual link.
- 3.35 The general manager or a member of staff nominated by the general manager is to preside at pre-meeting briefing sessions.
- 3.36 Councillors must not use pre-meeting briefing sessions to debate or make preliminary decisions on items of business they are being briefed on, and any debate and decision-making must be left to the formal council or committee meeting at which the item of business is to be considered.
- 3.37 Councillors (including the mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of a briefing at a pre-meeting briefing session, in the same way that they are required to do so at a council or committee meeting. The council is to maintain a written record of all conflict of interest declarations made at pre-meeting briefing sessions and how the conflict of interest was managed by the councillor who made the declaration.

4. PUBLIC FORUMS

- 4.1 The council may hold a public forum prior to each ordinary meeting of the council for the purpose of hearing oral submissions from members of the public on items of business to be considered at the meeting. Public forums may also be held prior to extraordinary council meetings and meetings of committees of the council.
- 4.2 Public forums may be held by audio-visual link.
- 4.3 Public forums are to be chaired by the mayor or their nominee.
- 4.4 To speak at a public forum, a person must first make an application to the council in the approved form. Applications to speak at the public forum must be received by **2:00pm** on the day on which the public forum is to be held, and must identify the item of business on the agenda of the council meeting the person wishes to speak on, and whether they wish to speak 'for' or 'against' the item.
- 4.5 A person may apply to speak on no more than **two (2)** items of business on the agenda of the council meeting.
- 4.6 Legal representatives acting on behalf of others are not to be permitted to speak at a public forum unless they identify their status as a legal representative when applying to speak at the public forum.
- 4.7 The general manager or their delegate may refuse an application to speak at a public forum. The general manager or their delegate must give reasons in writing for a decision to refuse an application.
- 4.8 No more than **five (5)** speakers are to be permitted to speak 'for' or 'against' each item of business on the agenda for the council meeting.
- 4.9 If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the general manager or their delegate may request the speakers to nominate

- from among themselves the persons who are to address the council on the item of business. If the speakers are not able to agree on whom to nominate to address the council, the general manager or their delegate is to determine who will address the council at the public forum.
- 4.10 If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the general manager or their delegate may, in consultation with the mayor or the mayor's nominated chairperson, increase the number of speakers permitted to speak on an item of business, where they are satisfied that it is necessary to do so to allow the council to hear a fuller range of views on the relevant item of business.
 - 4.11 Approved speakers at the public forum are to register with the council any written, visual or audio material to be presented in support of their address to the council at the public forum, and to identify any equipment needs **by 5pm on the day before** the public forum. The general manager or their delegate may refuse to allow such material to be presented.
 - 4.12 The general manager or their delegate is to determine the order of speakers at the public forum.
 - 4.13 Each speaker will be allowed **three (3)** minutes to address the council. This time is to be strictly enforced by the chairperson.
 - 4.14 Speakers at public forums must not digress from the item on the agenda of the council meeting they have applied to address the council on. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.
 - 4.15 A councillor (including the chairperson) may, through the chairperson, ask questions of a speaker following their address at a public forum. Questions put to a speaker must be direct, succinct and without argument.
 - 4.16 Speakers are under no obligation to answer a question put under clause 4.15. Answers by the speaker, to each question are to be limited to **three (3)** minutes.
 - 4.17 Speakers at public forums cannot ask questions of the council, councillors, or council staff.
 - 4.18 The general manager or their nominee may, with the concurrence of the chairperson, address the council for up to **three (3)** minutes in response to an address to the council at a public forum after the address and any subsequent questions and answers have been finalised.
 - 4.19 Where an address made at a public forum raises matters that require further consideration by council staff, the general manager may recommend that the council defer consideration of the matter pending the preparation of a further report on the matters.
 - 4.20 When addressing the council, speakers at public forums must comply with this code and all other relevant council codes, policies, and procedures. Speakers must refrain from engaging in disorderly conduct, publicly alleging breaches of the council's code of conduct or making other potentially defamatory statements.
 - 4.21 If the chairperson considers that a speaker at a public forum has engaged in conduct of the type referred to in clause 4.20, the chairperson may request the person to refrain from the inappropriate behaviour and to withdraw and unreservedly apologise for any inappropriate comments. Where the speaker fails to comply with the chairperson's request, the chairperson may immediately require the person to stop speaking.
 - 4.22 Clause 4.21 does not limit the ability of the chairperson to deal with disorderly conduct by speakers at public forums in accordance with the provisions of Part 15 of this code.
 - 4.23 Where a speaker engages in conduct of the type referred to in clause 4.20, the general manager or their delegate may refuse further applications from that person to speak at public forums for such a period as the general manager or their delegate considers appropriate.

- 4.24 Councillors (including the mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of an address at a public forum, in the same way that they are required to do so at a council or committee meeting. The council is to maintain a written record of all conflict of interest declarations made at public forums and how the conflict of interest was managed by the councillor who made the declaration.

Note: Public forums should not be held as part of a council or committee meeting. Council or committee meetings should be reserved for decision-making by the council or committee of council. Where a public forum is held as part of a council or committee meeting, it must be conducted in accordance with the other requirements of this code relating to the conduct of council and committee meetings.

5. COMING TOGETHER

Attendance by councillors at meetings

- 5.1 All councillors must make reasonable efforts to attend meetings of the council and of committees of the council of which they are members.
- Note: A councillor may not attend a meeting as a councillor (other than the first meeting of the council after the councillor is elected or a meeting at which the councillor takes an oath or makes an affirmation of office) until they have taken an oath or made an affirmation of office in the form prescribed under section 233A of the Act.**
- 5.2 A councillor cannot participate in a meeting of the council or of a committee of the council unless personally present at the meeting, unless permitted to attend the meeting by audio-visual link under this code.
- 5.3 Where a councillor is unable to attend one or more ordinary meetings of the council, the councillor should request that the council grant them a leave of absence from those meetings. This clause does not prevent a councillor from making an apology if they are unable to attend a meeting. However, the acceptance of such an apology does not constitute the granting of a leave of absence for the purposes of this code and the Act.
- 5.4 A councillor's request for leave of absence from council meetings should, if practicable, identify (by date) the meetings from which the councillor intends to be absent and the grounds upon which the leave of absence is being sought.
- 5.5 The council must act reasonably when considering whether to grant a councillor's request for a leave of absence.
- 5.6 A councillor's civic office will become vacant if the councillor is absent from three (3) consecutive ordinary meetings of the council without prior leave of the council, or leave granted by the council at any of the meetings concerned, unless the holder is absent because they have been suspended from office under the Act, or because the council has been suspended under the Act, or as a consequence of a compliance order under section 438HA.
- Note: Clause 5.7 reflects section 234(1)(d) of the Act.**
- 5.7 A councillor who intends to attend a meeting of the council despite having been granted a leave of absence should, if practicable, give the general manager at least two (2) days' notice of their intention to attend.

The quorum for a meeting

- 5.8 The quorum for a meeting of the council is a majority of the councillors of the council who hold office at that time and are not suspended from office.
- Note: Clause 5.9 reflects section 368(1) of the Act.**
- 5.9 Clause 5.8 does not apply if the quorum is required to be determined in accordance with directions of the Minister in a performance improvement order issued in respect of the council.

Note: Clause 5.10 reflects section 368(2) of the Act.

- 5.10 A meeting of the council must be adjourned if a quorum is not present:
- at the commencement of the meeting where the number of apologies received for the meeting indicates that there will not be a quorum for the meeting, or
 - within half an hour after the time designated for the holding of the meeting, or
 - at any time during the meeting.
- 5.11 In either case, the meeting must be adjourned to a time, date, and place fixed:
- by the chairperson, or
 - in the chairperson's absence, by the majority of the councillors present, or
 - failing that, by the general manager.
- 5.12 The general manager must record in the council's minutes the circumstances relating to the absence of a quorum (including the reasons for the absence of a quorum) at or arising during a meeting of the council, together with the names of the councillors present.
- 5.13 Where, prior to the commencement of a meeting, it becomes apparent that a quorum may not be present at the meeting, or that the health, safety and or welfare of councillors, council staff and members of the public may be put at risk by attending the meeting because of a natural disaster (such as, but not limited to flood or bushfire) or a public health emergency, the mayor may, in consultation with the general manager and, as far as is practicable, with each councillor, cancel the meeting. Where a meeting is cancelled, notice of the cancellation must be published on the council's website and in such other manner that the council is satisfied is likely to bring notice of the cancellation to the attention of as many people as possible.
- 5.14 Where a meeting is cancelled under clause 5.13, the business to be considered at the meeting may instead be considered, where practicable, at the next ordinary meeting of the council or at an extraordinary meeting called under clause 3.3.

Meetings held by audio-visual link

- 5.15 A meeting of the council or a committee of the council may be held by audio-visual link where the mayor determines that the meeting should be held by audio-visual link because of a natural disaster or a public health emergency. The mayor may only make a determination under this clause where they are satisfied that attendance at the meeting may put the health and safety of councillors and staff at risk. The mayor must make a determination under this clause in consultation with the general manager and, as far as is practicable, with each councillor.
- 5.16 Where the mayor determines under clause 5.15 that a meeting is to be held by audio-visual link, the general manager must:
- give written notice to all councillors that the meeting is to be held by audio-visual link, and
 - take all reasonable steps to ensure that all councillors can participate in the meeting by audio-visual link, and
 - cause a notice to be published on the council's website and in such other manner the general manager is satisfied will bring it to the attention of as many people as possible, advising that the meeting is to be held by audio-visual link and providing information about where members of the public may view the meeting.
- 5.17 This code applies to a meeting held by audio-visual link under clause 5.15 in the same way it would if the meeting was held in person.

Note: Where a council holds a meeting by audio-visual link under clause 5.15, it is still required under section 10 of the Act to provide a physical venue for members of the public to attend in person and observe the meeting.

Attendance by councillors at meetings by audio-visual link

- 5.18 Councillors may attend and participate in meetings of the council and committees of the council by audio-visual link with the approval of the council or the relevant committee.
- 5.19 A request by a councillor for approval to attend a meeting by audio-visual link must be made in writing to the general manager prior to the meeting in question and must provide reasons why the councillor will be prevented from attending the meeting in person.
- 5.20 Councillors may request approval to attend more than one meeting by audio-visual link. Where a councillor requests approval to attend more than one meeting by audio-visual link, the request must specify the meetings the request relates to in addition to the information required under clause 5.19.
- 5.21 The council must comply with the Health Privacy Principles prescribed under the *Health Records and Information Privacy Act 2002* when collecting, holding, using and disclosing health information in connection with a request by a councillor to attend a meeting by audio-visual link.
- 5.22 A councillor who has requested approval to attend a meeting of the council or a committee of the council by audio-visual link may participate in the meeting by audio-visual link until the council or committee determines whether to approve their request and is to be taken as present at the meeting. The councillor may participate in a decision in relation to their request to attend the meeting by audio-visual link.
- 5.23 A decision whether to approve a request by a councillor to attend a meeting of the council or a committee of the council by audio-visual link must be made by a resolution of the council or the committee concerned. The resolution must state:
 - a. the meetings the resolution applies to, and
 - b. the reason why the councillor is being permitted to attend the meetings by audio-visual link where it is on grounds other than illness, disability, or caring responsibilities.
- 5.24 If the council or committee refuses a councillor's request to attend a meeting by audio-visual link, their link to the meeting is to be terminated.
- 5.25 A decision whether to approve a councillor's request to attend a meeting by audio-visual link is at the council's or the relevant committee's discretion. The council and committees of the council must act reasonably when considering requests by councillors to attend meetings by audio-visual link. However, the council and committees of the council are under no obligation to approve a councillor's request to attend a meeting by audio-visual link where the technical capacity does not exist to allow the councillor to attend the meeting by these means.
- 5.26 The council and committees of the council may refuse a councillor's request to attend a meeting by audio-visual link where the council or committee is satisfied that the councillor has failed to appropriately declare and manage conflicts of interest, observe confidentiality or to comply with this code on one or more previous occasions they have attended a meeting of the council or a committee of the council by audio-visual link.
- 5.27 This code applies to a councillor attending a meeting by audio-visual link in the same way it would if the councillor was attending the meeting in person. Where a councillor is permitted to attend a meeting by audio-visual link under this code, they are to be taken as attending the meeting in person for the purposes of the code and will have the same voting rights as if they were attending the meeting in person.
- 5.28 A councillor must give their full attention to the business and proceedings of the meeting when attending a meeting by audio-visual link. The councillor's camera must be on at all times during the meeting except as may be otherwise provided for under this code.
- 5.29 A councillor must be appropriately dressed when attending a meeting by audio-visual link and must ensure that no items are within sight of the meeting that are inconsistent with the

maintenance of order at the meeting or that are likely to bring the council or the committee into disrepute.

Entitlement of the public to attend council meetings

- 5.30 Everyone is entitled to attend a meeting of the council and committees of the council. The council must ensure that all meetings of the council and committees of the council are open to the public.

Note: Clause 5.30 reflects section 10(1) of the Act.

- 5.31 Clause 5.30 does not apply to parts of meetings that have been closed to the public under section 10A of the Act.

- 5.32 A person (whether a councillor or another person) is not entitled to be present at a meeting of the council or a committee of the council if expelled from the meeting:

- a. by a resolution of the meeting, or
- b. by the person presiding at the meeting if the council has, by resolution, authorised the person presiding to exercise the power of expulsion.

Note: Clause 5.32 reflects section 10(2) of the Act.

Note: Clause 15.14 authorises chairpersons to expel any person, including a councillor, from a council or committee meeting.

Webcasting of meetings

- 5.33 Each meeting of the council or a committee of the council is to be recorded by means of an audio or audio-visual device.

- 5.34 At the start of each meeting of the council or a committee of the council, the chairperson must inform the persons attending the meeting that:

- a. the meeting is being recorded and made publicly available on the council's website, and
- b. persons attending the meeting should refrain from making any defamatory statements.

- 5.35 The recording of a meeting is to be made publicly available on the council's website:

- a. at the same time as the meeting is taking place, or
- b. as soon as practicable after the meeting.

- 5.36 The recording of a meeting is to be made publicly available on the council's website for at least 12 months after the meeting.

- 5.37 Clauses 5.35 and 5.36 do not apply to any part of a meeting that has been closed to the public in accordance with section 10A of the Act.

Note: Clauses 5.33 – 5.37 reflect section 236 of the Regulation.

- 5.38 Recordings of meetings may be disposed of in accordance with the *State Records Act* 1998.

Attendance of the general manager and other staff at meetings

- 5.39 The general manager is entitled to attend, but not to vote at, a meeting of the council or a meeting of a committee of the council of which all of the members are councillors.

Note: Clause 5.39 reflects section 376(1) of the Act.

- 5.40 The general manager is entitled to attend a meeting of any other committee of the council and may, if a member of the committee, exercise a vote.

Note: Clause 5.40 reflects section 376(2) of the Act.

- 5.41 The general manager may be excluded from a meeting of the council or a committee while the council or committee deals with a matter relating to the standard of performance of the general manager or the terms of employment of the general manager.

Note: Clause 5.41 reflects section 376(3) of the Act.

- 5.42 The attendance of other council staff at a meeting, (other than as members of the public) shall be with the approval of the general manager.
- 5.43 The general manager and other council staff may attend meetings of the council and committees of the council by audio-visual-link. Attendance by council staff at meetings by audio-visual link (other than as members of the public) shall be with the approval of the general manager.

6. THE CHAIRPERSON

The chairperson at meetings

- 6.1 The mayor, or at the request of or in the absence of the mayor, the deputy mayor (if any) presides at meetings of the council.

Note: Clause 6.1 reflects section 369(1) of the Act.

- 6.2 If the mayor and the deputy mayor (if any) are absent, a councillor elected to chair the meeting by the councillors present presides at a meeting of the council.

Note: Clause 6.2 reflects section 369(2) of the Act.

Election of the chairperson in the absence of the mayor and deputy mayor

- 6.3 If no chairperson is present at a meeting of the council at the time designated for the holding of the meeting, the first business of the meeting must be the election of a chairperson to preside at the meeting.
- 6.4 The election of a chairperson must be conducted:
- by the general manager or, in their absence, an employee of the council designated by the general manager to conduct the election, or
 - by the person who called the meeting or a person acting on their behalf if neither the general manager nor a designated employee is present at the meeting, or if there is no general manager or designated employee.
- 6.5 If, at an election of a chairperson, two (2) or more candidates receive the same number of votes and no other candidate receives a greater number of votes, the chairperson is to be the candidate whose name is chosen by lot.
- 6.6 For the purposes of clause 6.5, the person conducting the election must:
- arrange for the names of the candidates who have equal numbers of votes to be written on similar slips, and
 - then fold the slips so as to prevent the names from being seen, mix the slips and draw one of the slips at random.
- 6.7 The candidate whose name is on the drawn slip is the candidate who is to be the chairperson.
- 6.8 Any election conducted under clause 6.3, and the outcome of the vote, are to be recorded in the minutes of the meeting.

Chairperson to have precedence

- 6.9 When the chairperson rises or speaks during a meeting of the council:
- any councillor then speaking or seeking to speak must cease speaking and, if standing, immediately resume their seat, and

- b. every councillor present must be silent to enable the chairperson to be heard without interruption.

7. MODES OF ADDRESS

- 7.1 If the chairperson is the mayor, they are to be addressed as 'Mr Mayor' or 'Madam Mayor'.
- 7.2 Where the chairperson is not the mayor, they are to be addressed as either 'Mr Chairperson' or 'Madam Chairperson'.
- 7.3 A councillor is to be addressed as 'Councillor [surname]'.
- 7.4 A council officer is to be addressed by their official designation or as Mr/Ms [surname].

8. ORDER OF BUSINESS FOR ORDINARY COUNCIL MEETINGS

- 8.1 The general order of business for an ordinary meeting of the council shall be:
 - 1 Opening meeting
 - 2 Acknowledgement of country
 - 3 Prayer
 - 4 Apologies and applications for a leave of absence or attendance by audio-visual link by councillors
 - 5 Confirmation of minutes
 - 6 Disclosures of interests
 - 7 Mayoral minute(s)
 - 8 Reports of committees
 - 9 Reports to council
 - 10 Notices of motions
 - 11 Questions with notice
 - 12 Confidential matters
 - 13 Conclusion of the meeting
- 8.2 The order of business as fixed under clause 8.1 may be altered for a particular meeting of the council if a motion to that effect is passed at that meeting. Such a motion can be moved without notice.

Note. Part 13 allows council to deal with items of business by exception.
- 8.3 Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 8.2 may speak to the motion before it is put.

9. CONSIDERATION OF BUSINESS AT COUNCIL MEETINGS

Business that can be dealt with at a council meeting

- 9.1 The council must not consider business at a meeting of the council:
 - a. unless a councillor has given notice of the business, as required by clause 3.9, and
 - b. unless notice of the business has been sent to the councillors in accordance with clause 3.6 in the case of an ordinary meeting or clause 3.8 in the case of an extraordinary meeting called in an emergency.
- 9.2 Clause 9.1 does not apply to the consideration of business at a meeting, if the business:
 - a. is already before, or directly relates to, a matter that is already before the council, or

- b. is the election of a chairperson to preside at the meeting, or
 - c. subject to clause 9.9, is a matter or topic put to the meeting by way of a mayoral minute, or
 - d. is a motion for the adoption of recommendations of a committee, including, but not limited to, a committee of the council.
- 9.3 Despite clause 9.1, business may be considered at a meeting of the council even though due notice of the business has not been given to the councillors if:
 - a. a motion is passed to have the business considered at the meeting, and
 - b. the business to be considered is ruled by the chairperson to be of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.
- 9.4 A motion moved under clause 9.3(a) can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 9.3(a) can speak to the motion before it is put.
- 9.5 A motion of dissent cannot be moved against a ruling by the chairperson under clause 9.3(b).

Mayoral minutes

- 9.6 Subject to clause 9.9, if the mayor is the chairperson at a meeting of the council, the mayor may, by minute signed by the mayor, put to the meeting without notice any matter or topic that is within the jurisdiction of the council, or of which the council has official knowledge.
- 9.7 A mayoral minute, when put to a meeting, takes precedence over all business on the council's agenda for the meeting. The chairperson (but only if the chairperson is the mayor) may move the adoption of a mayoral minute without the motion being seconded.
- 9.8 A recommendation made in a mayoral minute put by the mayor is, so far as it is adopted by the council, a resolution of the council.
- 9.9 A mayoral minute must not be used to put without notice matters that are routine and not urgent or matters for which proper notice should be given because of their complexity. For the purpose of this clause, a matter will be urgent where it requires a decision by the council before the next scheduled ordinary meeting of the council.
- 9.10 Where a mayoral minute makes a recommendation which, if adopted, would require the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan, it must identify the source of funding for the expenditure that is the subject of the recommendation. If the mayoral minute does not identify a funding source, the council must defer consideration of the matter, pending a report from the general manager on the availability of funds for implementing the recommendation if adopted.

Staff reports

- 9.11 A recommendation made in a staff report is, so far as it is adopted by the council, a resolution of the council.

Reports of committees of council

- 9.12 The recommendations of a committee of the council are, so far as they are adopted by the council, resolutions of the council.
- 9.13 If in a report of a committee of the council distinct recommendations are made, the council may make separate decisions on each recommendation.

Questions

- 9.14 A question must not be asked at a meeting of the council unless it concerns a matter on the agenda of the meeting or notice has been given of the question in accordance with clauses 3.9 and 3.13.
- 9.15 A councillor may, through the chairperson, put a question to another councillor about a matter on the agenda.
- 9.16 A councillor may, through the general manager, put a question to a council employee about a matter on the agenda. Council employees are only obliged to answer a question put to them through the general manager at the direction of the general manager.
- 9.17 A councillor or council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to information. Where a councillor or council employee to whom a question is put is unable to respond to the question at the meeting at which it is put, they may take it on notice and report the response to the next meeting of the council.
- 9.18 Councillors must put questions directly, succinctly, respectfully and without argument.
- 9.19 The chairperson must not permit discussion on any reply to, or refusal to reply to, a question put to a councillor or council employee.

10. RULES OF DEBATE

Motions to be seconded

- 10.1 Unless otherwise specified in this code, a motion or an amendment cannot be debated unless or until it has been seconded.

Notices of motion

- 10.2 A councillor who has submitted a notice of motion under clause 3.9 is to move the motion the subject of the notice of motion at the meeting at which it is to be considered.
- 10.3 If a councillor who has submitted a notice of motion under clause 3.9 wishes to withdraw it after the agenda and business paper for the meeting at which it is to be considered have been sent to councillors, the councillor may request the withdrawal of the motion when it is before the council.
- 10.4 In the absence of a councillor who has placed a notice of motion on the agenda for a meeting of the council:
 - a. any other councillor may, with the leave of the chairperson, move the motion at the meeting, or
 - b. the chairperson may defer consideration of the motion until the next meeting of the council.

Chairperson's duties with respect to motions

- 10.5 It is the duty of the chairperson at a meeting of the council to receive and put to the meeting any lawful motion that is brought before the meeting.
- 10.6 The chairperson must rule out of order any motion or amendment to a motion that is unlawful or the implementation of which would be unlawful.
- 10.7 Before ruling out of order a motion or an amendment to a motion under clause 10.6, the chairperson is to give the mover an opportunity to clarify or amend the motion or amendment.
- 10.8 Any motion, amendment, or other matter that the chairperson has ruled out of order is taken to have been lost.

Motions requiring the expenditure of funds

- 10.9 A motion or an amendment to a motion which if passed would require the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the motion. If the motion does not identify a funding source, the council must defer consideration of the matter, pending a report from the general manager on the availability of funds for implementing the motion if adopted.

Amendments to motions

- 10.10 An amendment to a motion must be moved and seconded before it can be debated.
- 10.11 An amendment to a motion must relate to the matter being dealt with in the original motion before the council and must not be a direct negative of the original motion. An amendment to a motion which does not relate to the matter being dealt with in the original motion, or which is a direct negative of the original motion, must be ruled out of order by the chairperson.
- 10.12 The mover of an amendment is to be given the opportunity to explain any uncertainties in the proposed amendment before a seconder is called for.
- 10.13 If an amendment has been lost, a further amendment can be moved to the motion to which the lost amendment was moved, and so on, but no more than one (1) motion and one (1) proposed amendment can be before council at any one time.
- 10.14 While an amendment is being considered, debate must only occur in relation to the amendment and not the original motion. Debate on the original motion is to be suspended while the amendment to the original motion is being debated.
- 10.15 If the amendment is carried, it becomes the motion and is to be debated. If the amendment is lost, debate is to resume on the original motion.
- 10.16 An amendment may become the motion without debate or a vote where it is accepted by the councillor who moved the original motion.

Foreshadowed motions

- 10.17 A councillor may propose a foreshadowed motion in relation to the matter the subject of the original motion before the council, without a seconder during debate on the original motion. The foreshadowed motion is only to be considered if the original motion is lost or withdrawn and the foreshadowed motion is then moved and seconded. If the original motion is carried, the foreshadowed motion lapses.
- 10.18 Where an amendment has been moved and seconded, a councillor may, without a seconder, foreshadow a further amendment that they propose to move after the first amendment has been dealt with. There is no limit to the number of foreshadowed amendments that may be put before the council at any time. However, no discussion can take place on foreshadowed amendments until the previous amendment has been dealt with and the foreshadowed amendment has been moved and seconded.
- 10.19 Foreshadowed motions and foreshadowed amendments are to be considered in the order in which they are proposed. However, foreshadowed motions cannot be considered until all foreshadowed amendments have been dealt with.

Limitations on the number and duration of speeches

- 10.20 A councillor who, during a debate at a meeting of the council, moves an original motion, has the right to speak on each amendment to the motion and a right of general reply to all observations that are made during the debate in relation to the motion, and any amendment to it at the conclusion of the debate before the motion (whether amended or not) is finally put.

- 10.21 A councillor, other than the mover of an original motion, has the right to speak once on the motion and once on each amendment to it.
- 10.22 A councillor must not, without the consent of the council, speak more than once on a motion or an amendment, or for longer than five (5) minutes at any one time.
- 10.23 Despite clause 10.22, the chairperson may permit a councillor who claims to have been misrepresented or misunderstood to speak more than once on a motion or an amendment, and for longer than five (5) minutes on that motion or amendment to enable the councillor to make a statement limited to explaining the misrepresentation or misunderstanding.
- 10.24 Despite clause 10.22, the council may resolve to shorten the duration of speeches to expedite the consideration of business at a meeting.
- 10.25 Despite clauses 10.20 and 10.21, a councillor may move that a motion or an amendment be now put:
- if the mover of the motion or amendment has spoken in favour of it and no councillor expresses an intention to speak against it, or
 - if at least two (2) councillors have spoken in favour of the motion or amendment and at least two (2) councillors have spoken against it.
- 10.26 The chairperson must immediately put to the vote, without debate, a motion moved under clause 10.25. A seconder is not required for such a motion.
- 10.27 If a motion that the original motion or an amendment be now put is passed, the chairperson must, without further debate, put the original motion or amendment to the vote immediately after the mover of the original motion has exercised their right of reply under clause 10.20.
- 10.28 If a motion that the original motion or an amendment be now put is lost, the chairperson must allow the debate on the original motion or the amendment to be resumed.
- 10.29 All councillors must be heard without interruption and all other councillors must, unless otherwise permitted under this code, remain silent while another councillor is speaking.
- 10.30 Once the debate on a matter has concluded and a matter has been dealt with, the chairperson must not allow further debate on the matter.

11. VOTING

Voting entitlements of councillors

- 11.1 Each councillor is entitled to one (1) vote.
Note: Clause 11.1 reflects section 370(1) of the Act.
- 11.2 The person presiding at a meeting of the council has, in the event of an equality of votes, a second or casting vote.
Note: Clause 11.2 reflects section 370(2) of the Act.
- 11.3 Where the chairperson declines to exercise, or fails to exercise, their second or casting vote, in the event of an equality of votes, the motion being voted upon is lost.

Voting at council meetings

- 11.4 A councillor who is present at a meeting of the council but who fails to vote on a motion put to the meeting is taken to have voted against the motion.
- 11.5 Voting at a meeting, including voting in an election at a meeting, is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system). However, the council may resolve that the voting in any election by councillors for mayor or deputy mayor is to be by secret ballot.

- 11.6 All voting at council meetings, (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of councillors who voted for and against each motion or amendment, (including the use of the casting vote), being recorded.

Voting on planning decisions

- 11.7 The general manager must keep a register containing, for each planning decision made at a meeting of the council or a council committee (including, but not limited to a committee of the council), the names of the councillors who supported the decision and the names of any councillors who opposed (or are taken to have opposed) the decision.
- 11.8 For the purpose of maintaining the register, a division is taken to have been called whenever a motion for a planning decision is put at a meeting of the council or a council committee.
- 11.9 Each decision recorded in the register is to be described in the register or identified in a manner that enables the description to be obtained from another publicly available document.
- 11.10 Clauses 11.7–11.9 apply also to meetings that are closed to the public.

Note: Clauses 11.7–11.10 reflect section 375A of the Act.

Note: The requirements of clause 11.7 may be satisfied by maintaining a register of the minutes of each planning decision.

12. COMMITTEE OF THE WHOLE

- 12.1 The council may resolve itself into a committee to consider any matter before the council.
- Note: Clause 12.1 reflects section 373 of the Act.**
- 12.2 All the provisions of this code relating to meetings of the council, so far as they are applicable, extend to and govern the proceedings of the council when in committee of the whole, except the provisions limiting the number and duration of speeches.
- Note: Clauses 10.20–10.30 limit the number and duration of speeches.**
- 12.3 The general manager or, in the absence of the general manager, an employee of the council designated by the general manager, is responsible for reporting to the council the proceedings of the committee of the whole. It is not necessary to report the proceedings in full, but any recommendations of the committee must be reported.
- 12.4 The council must ensure that a report of the proceedings (including any recommendations of the committee) is recorded in the council's minutes. However, the council is not taken to have adopted the report until a motion for adoption has been made and passed.

13. DEALING WITH ITEMS BY EXCEPTION

- 13.1 The council or a committee of council may, at any time, resolve to adopt multiple items of business on the agenda together by way of a single resolution.
- 13.2 Before the council or committee resolves to adopt multiple items of business on the agenda together under clause 13.1, the chairperson must list the items of business to be adopted and ask councillors to identify any individual items of business listed by the chairperson that they intend to vote against the recommendation made in the business paper or that they wish to speak on.
- 13.3 The council or committee must not resolve to adopt any item of business under clause 13.1 that a councillor has identified as being one they intend to vote against the recommendation made in the business paper or to speak on.
- 13.4 Where the consideration of multiple items of business together under clause 13.1 involves a variation to the order of business for the meeting, the council or committee must resolve to alter the order of business in accordance with clause 8.2.

- 13.5 A motion to adopt multiple items of business together under clause 13.1 must identify each of the items of business to be adopted and state that they are to be adopted as recommended in the business paper.
- 13.6 Items of business adopted under clause 13.1 are to be taken to have been adopted unanimously.
- 13.7 Councillors must ensure that they declare and manage any conflicts of interest they may have in relation to items of business considered together under clause 13.1 in accordance with the requirements of the council's code of conduct.

14. CLOSURE OF COUNCIL MEETINGS TO THE PUBLIC

Grounds on which meetings can be closed to the public

- 14.1 The council or a committee of the council may close to the public so much of its meeting as comprises the discussion or the receipt of any of the following types of matters:
 - a. personnel matters concerning particular individuals (other than councillors),
 - b. the personal hardship of any resident or ratepayer,
 - c. information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,
 - d. commercial information of a confidential nature that would, if disclosed:
 - i. prejudice the commercial position of the person who supplied it, or
 - ii. confer a commercial advantage on a competitor of the council, or
 - iii. reveal a trade secret,
 - e. information that would, if disclosed, prejudice the maintenance of law,
 - f. matters affecting the security of the council, councillors, council staff or council property,
 - g. advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,
 - h. information concerning the nature and location of a place or an item of Aboriginal significance on community land,
 - i. alleged contraventions of the council's code of conduct.

Note: Clause 14.1 reflects section 10A(1) and (2) of the Act.

- 14.2 The council or a committee of the council may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.

Note: Clause 14.2 reflects section 10A(3) of the Act.

Matters to be considered when closing meetings to the public

- 14.3 A meeting is not to remain closed during the discussion of anything referred to in clause 14.1:
 - a. except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and
 - b. if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret – unless the council or committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

Note: Clause 14.3 reflects section 10B(1) of the Act.

- 14.4 A meeting is not to be closed during the receipt and consideration of information or advice referred to in clause 14.1(g) unless the advice concerns legal matters that:

- a. are substantial issues relating to a matter in which the council or committee is involved, and
- b. are clearly identified in the advice, and
- c. are fully discussed in that advice.

Note: Clause 14.4 reflects section 10B(2) of the Act.

- 14.5 If a meeting is closed during the discussion of a motion to close another part of the meeting to the public (as referred to in clause 14.2), the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting other than consideration of whether the matter concerned is a matter referred to in clause 14.1.

Note: Clause 14.5 reflects section 10B(3) of the Act.

- 14.6 For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:

- a. a person may misinterpret or misunderstand the discussion, or
- b. the discussion of the matter may:
 - i. cause embarrassment to the council or committee concerned, or to councillors or to employees of the council, or
 - ii. cause a loss of confidence in the council or committee.

Note: Clause 14.6 reflects section 10B(4) of the Act.

- 14.7 In deciding whether part of a meeting is to be closed to the public, the council or committee concerned must consider any relevant guidelines issued by the Departmental Chief Executive of the Office of Local Government.

Note: Clause 14.7 reflects section 10B(5) of the Act.

Notice of likelihood of closure not required in urgent cases

- 14.8 Part of a meeting of the council, or of a committee of the council, may be closed to the public while the council or committee considers a matter that has not been identified in the agenda for the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed, but only if:

- a. it becomes apparent during the discussion of a particular matter that the matter is a matter referred to in clause 14.1, and
- b. the council or committee, after considering any representations made under clause 14.9, resolves that further discussion of the matter:
 - i. should not be deferred (because of the urgency of the matter), and
 - ii. should take place in a part of the meeting that is closed to the public.

Note: Clause 14.8 reflects section 10C of the Act.

Representations by members of the public

- 14.9 The council, or a committee of the council, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

Note: Clause 14.9 reflects section 10A(4) of the Act.

- 14.10 A representation under clause 14.9 is to be made after the motion to close the part of the meeting is moved and seconded.

- 14.11 Where the matter has been identified in the agenda of the meeting under clause 3.20 as a matter that is likely to be considered when the meeting is closed to the public, in order to make representations under clause 14.9, members of the public must first make an application to the council in the approved form. Applications must be received by **5:00pm on the Monday** before the meeting at which the matter is to be considered.
- 14.12 The general manager (or their delegate) may refuse an application made under clause 14.11. The general manager or their delegate must give reasons in writing for a decision to refuse an application.
- 14.13 No more than **five (5)** speakers are to be permitted to make representations under clause 14.9.
- 14.14 If more than the permitted number of speakers apply to make representations under clause 14.9, the general manager or their delegate may request the speakers to nominate from among themselves the persons who are to make representations to the council. If the speakers are not able to agree on whom to nominate to make representations under clause 14.9, the general manager or their delegate is to determine who will make representations to the council.
- 14.15 The general manager (or their delegate) is to determine the order of speakers.
- 14.16 Where the council or a committee of the council proposes to close a meeting or part of a meeting to the public in circumstances where the matter has not been identified in the agenda for the meeting under clause 3.20 as a matter that is likely to be considered when the meeting is closed to the public, the chairperson is to invite representations from the public under clause 14.9 after the motion to close the part of the meeting is moved and seconded. The chairperson is to permit no more than **five (5)** speakers to make representations in such order as determined by the chairperson.
- 14.17 Each speaker will be allowed **three (3)** minutes to make representations, and this time limit is to be strictly enforced by the chairperson. Speakers must confine their representations to whether the meeting should be closed to the public. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.

Expulsion of non-councillors from meetings closed to the public

- 14.18 If a meeting or part of a meeting of the council or a committee of the council is closed to the public in accordance with section 10A of the Act and this code, any person who is not a councillor and who fails to leave the meeting when requested, may be expelled from the meeting as provided by section 10(2)(a) or (b) of the Act.
- 14.19 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary restrain that person from re-entering that place for the remainder of the meeting.

Obligations of councillors attending meetings by audio-visual link

- 14.20 Councillors attending a meeting by audio-visual link must ensure that no other person is within sight or hearing of the meeting at any time that the meeting is closed to the public under section 10A of the Act.

Information to be disclosed in resolutions closing meetings to the public

- 14.21 The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting. The grounds must specify the following:
- the relevant provision of section 10A(2) of the Act,
 - the matter that is to be discussed during the closed part of the meeting,

- c. the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Note: Clause 14.21 reflects section 10D of the Act.

Resolutions passed at closed meetings to be made public

- 14.22 If the council passes a resolution during a meeting, or a part of a meeting, that is closed to the public, the chairperson must make the resolution public as soon as practicable after the meeting, or the relevant part of the meeting, has ended, and the resolution must be recorded in the publicly available minutes of the meeting.
- 14.23 Resolutions passed during a meeting, or a part of a meeting, that is closed to the public must be made public by the chairperson under clause 14.22 during a part of the meeting that is webcast.

15. KEEPING ORDER AT MEETINGS

Points of order

- 15.1 A councillor may draw the attention of the chairperson to an alleged breach of this code by raising a point of order. A point of order does not require a seconder.
- 15.2 A point of order cannot be made with respect to adherence to the principles contained in clause 2.1.
- 15.3 A point of order must be taken immediately it is raised. The chairperson must suspend the business before the meeting and permit the councillor raising the point of order to state the provision of this code they believe has been breached. The chairperson must then rule on the point of order – either by upholding it or by overruling it.

Questions of order

- 15.4 The chairperson, without the intervention of any other councillor, may call any councillor to order whenever, in the opinion of the chairperson, it is necessary to do so.
- 15.5 A councillor who claims that another councillor has committed an act of disorder, or is out of order, may call the attention of the chairperson to the matter.
- 15.6 The chairperson must rule on a question of order immediately after it is raised but, before doing so, may invite the opinion of the council.
- 15.7 The chairperson's ruling must be obeyed unless a motion dissenting from the ruling is passed.

Motions of dissent

- 15.8 A councillor can, without notice, move to dissent from a ruling of the chairperson on a point of order or a question of order. If that happens, the chairperson must suspend the business before the meeting until a decision is made on the motion of dissent.
- 15.9 If a motion of dissent is passed, the chairperson must proceed with the suspended business as though the ruling dissented from had not been given. If, as a result of the ruling, any motion or business has been rejected as out of order, the chairperson must restore the motion or business to the agenda and proceed with it in due course.
- 15.10 Despite any other provision of this code, only the mover of a motion of dissent and the chairperson can speak to the motion before it is put. The mover of the motion does not have a right of general reply.

Acts of disorder

- 15.11 A councillor commits an act of disorder if the councillor, at a meeting of the council or a committee of the council:
- contravenes the Act, the Regulation or this code, or
 - assaults or threatens to assault another councillor or person present at the meeting, or
 - moves or attempts to move a motion or an amendment that has an unlawful purpose or that deals with a matter that is outside the jurisdiction of the council or the committee, or addresses or attempts to address the council or the committee on such a motion, amendment or matter, or
 - insults, or makes unfavourable personal remarks about, or imputes improper motives to any other council official, or alleges a breach of the council's code of conduct, or
 - says or does anything that is inconsistent with maintaining order at the meeting or is likely to bring the council or the committee into disrepute.

Note: Clause 15.11 reflects section 182 of the Regulation.

- 15.12 The chairperson may require a councillor:
- to apologise without reservation for an act of disorder referred to in clauses 15.11(a), or (b), or (e), or
 - to withdraw a motion or an amendment referred to in clause 15.11(c) and, where appropriate, to apologise without reservation, or
 - to retract and apologise without reservation for any statement that constitutes an act of disorder referred to in clauses 15.11(d) and (e).

Note: Clause 15.12 reflects section 233 of the Regulation.

How disorder at a meeting may be dealt with

- 15.13 If disorder occurs at a meeting of the council, the chairperson may adjourn the meeting for a period of not more than fifteen (15) minutes and leave the chair. The council, on reassembling, must, on a question put from the chairperson, decide without debate whether the business is to be proceeded with or not. This clause applies to disorder arising from the conduct of members of the public as well as disorder arising from the conduct of councillors.

Expulsion from meetings

- 15.14 All chairpersons of meetings of the council and committees of the council are authorised under this code to expel any person, including any councillor, from a council or committee meeting, for the purposes of section 10(2)(b) of the Act.
- 15.15 Clause 15.14 does not limit the ability of the council or a committee of the council to resolve to expel a person, including a councillor, from a council or committee meeting, under section 10(2)(a) of the Act.
- 15.16 A councillor may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for having failed to comply with a requirement under clause 15.12. The expulsion of a councillor from the meeting for that reason does not prevent any other action from being taken against the councillor for the act of disorder concerned.

Note: Clause 15.16 reflects section 233(2) of the Regulation.

- 15.17 A member of the public may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for engaging in or having engaged in disorderly conduct at the meeting.

- 15.18 Where a councillor or a member of the public is expelled from a meeting, the expulsion and the name of the person expelled, if known, are to be recorded in the minutes of the meeting.
- 15.19 If a councillor or a member of the public fails to leave the place where a meeting of the council is being held immediately after they have been expelled, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the councillor or member of the public from that place and, if necessary, restrain the councillor or member of the public from re-entering that place for the remainder of the meeting.

How disorder by councillors attending meetings by audio-visual link may be dealt with

- 15.20 Where a councillor is attending a meeting by audio-visual link, the chairperson or a person authorised by the chairperson may mute the councillor's audio link to the meeting for the purposes of enforcing compliance with this code.
- 15.21 If a councillor attending a meeting by audio-visual link is expelled from a meeting for an act of disorder, the chairperson of the meeting or a person authorised by the chairperson, may terminate the councillor's audio-visual link to the meeting.

Use of mobile phones and the unauthorised recording of meetings

- 15.22 Councillors, council staff and members of the public must ensure that mobile phones are turned to silent during meetings of the council and committees of the council.
- 15.23 A person must not live stream or use an audio recorder, video camera, mobile phone or any other device to make a recording of the proceedings of a meeting of the council or a committee of the council without the prior authorisation of the council or the committee.
- 15.24 Without limiting clause 15.17, a contravention of clause 15.23 or an attempt to contravene that clause, constitutes disorderly conduct for the purposes of clause 15.17. Any person who contravenes or attempts to contravene clause 15.23, may be expelled from the meeting as provided for under section 10(2) of the Act.
- 15.25 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place for the remainder of the meeting.

16. CONFLICTS OF INTEREST

- 16.1 All councillors and, where applicable, all other persons, must declare and manage any conflicts of interest they may have in matters being considered at meetings of the council and committees of the council in accordance with the council's code of conduct. All declarations of conflicts of interest and how the conflict of interest was managed by the person who made the declaration must be recorded in the minutes of the meeting at which the declaration was made.
- 16.2 Councillors attending a meeting by audio-visual link must declare and manage any conflicts of interest they may have in matters being considered at the meeting in accordance with the council's code of conduct. Where a councillor has declared a pecuniary or significant non-pecuniary conflict of interest in a matter being discussed at the meeting, the councillor's audio-visual link to the meeting must be suspended or terminated and the councillor must not be in sight or hearing of the meeting at any time during which the matter is being considered or discussed by the council or committee, or at any time during which the council or committee is voting on the matter.

17. DECISIONS OF THE COUNCIL**Council decisions**

- 17.1 A decision supported by a majority of the votes at a meeting of the council at which a quorum is present is a decision of the council.

Note: *Clause 17.1 reflects section 371 of the Act*

- 17.2 Decisions made by the council must be accurately recorded in the minutes of the meeting at which the decision is made.

Rescinding or altering council decisions

- 17.3 A resolution passed by the council may not be altered or rescinded except by a motion to that effect of which notice has been given under clause 3.9.

Note: *Clause 17.3 reflects section 372(1) of the Act.*

- 17.4 If a notice of motion to rescind a resolution is given at the meeting at which the resolution is carried, the resolution must not be carried into effect until the motion of rescission has been dealt with.

Note: *Clause 17.4 reflects section 372(2) of the Act.*

- 17.5 If a motion has been lost, a motion having the same effect must not be considered unless notice of it has been duly given in accordance with clause 3.9.

Note: *Clause 17.5 reflects section 372(3) of the Act.*

- 17.6 A notice of motion to alter or rescind a resolution, and a notice of motion which has the same effect as a motion which has been lost, must be signed by three (3) councillors if less than three (3) months has elapsed since the resolution was passed, or the motion was lost.

Note: *Clause 17.6 reflects section 372(4) of the Act.*

- 17.7 If a motion to alter or rescind a resolution has been lost, or if a motion which has the same effect as a previously lost motion is lost, no similar motion may be brought forward within three (3) months of the meeting at which it was lost. This clause may not be evaded by substituting a motion differently worded, but in principle the same.

Note: *Clause 17.7 reflects section 372(5) of the Act.*

- 17.8 The provisions of clauses 17.5–17.7 concerning lost motions do not apply to motions of adjournment.

Note: *Clause 17.8 reflects section 372(7) of the Act.*

- 17.9 A notice of motion submitted in accordance with clause 17.6 may only be withdrawn under clause 3.10 with the consent of all signatories to the notice of motion.

- 17.10 A motion to alter or rescind a resolution of the council may be moved on the report of a committee of the council and any such report must be recorded in the minutes of the meeting of the council.

Note: *Clause 17.11 reflects section 372(6) of the Act.*

- 17.11 Subject to clause 17.7, in cases of urgency, a motion to alter or rescind a resolution of the council may be moved at the same meeting at which the resolution was adopted, where:
- a notice of motion signed by three councillors is submitted to the chairperson, and
 - a motion to have the motion considered at the meeting is passed, and
 - the chairperson rules the business that is the subject of the motion is of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.

Code of Meeting Practice

- 17.12 A motion moved under clause 17.11(b) can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 17.11(b) can speak to the motion before it is put.
- 17.13 A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.11(c).

Recommitting resolutions to correct an error

- 17.14 Despite the provisions of this Part, a councillor may, with the leave of the chairperson, move to recommit a resolution adopted at the same meeting:
- a. to correct any error, ambiguity or imprecision in the council's resolution, or
 - b. to confirm the voting on the resolution.
- 17.15 In seeking the leave of the chairperson to move to recommit a resolution for the purposes of clause 17.14(a), the councillor is to propose alternative wording for the resolution.
- 17.16 The chairperson must not grant leave to recommit a resolution for the purposes of clause 17.14(a), unless they are satisfied that the proposed alternative wording of the resolution would not alter the substance of the resolution previously adopted at the meeting.
- 17.17 A motion moved under clause 17.14 can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 17.14 can speak to the motion before it is put.
- 17.18 A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.14.
- 17.19 A motion moved under clause 17.14 with the leave of the chairperson cannot be voted on unless or until it has been seconded.

18. TIME LIMITS ON COUNCIL MEETINGS

- 18.1 Meetings of the council and committees of the council are to conclude no later than **11:00pm**.
- 18.2 If the business of the meeting is unfinished at **11:00pm**, the council or the committee may, by resolution, extend the time of the meeting.
- 18.3 If the business of the meeting is unfinished at **11:00pm**, and the council does not resolve to extend the meeting, the chairperson must either:
- a. defer consideration of the remaining items of business on the agenda to the next ordinary meeting of the council, or
 - b. adjourn the meeting to a time, date and place fixed by the chairperson.
- 18.4 Clause 18.3 does not limit the ability of the council or a committee of the council to resolve to adjourn a meeting at any time. The resolution adjourning the meeting must fix the time, date and place that the meeting is to be adjourned to.
- 18.5 Where a meeting is adjourned under clause 18.3 or 18.4, the general manager must:
- a. individually notify each councillor of the time, date and place at which the meeting will reconvene, and
 - b. publish the time, date and place at which the meeting will reconvene on the council's website and in such other manner that the general manager is satisfied is likely to bring notice of the time, date and place of the reconvened meeting to the attention of as many people as possible.

19. AFTER THE MEETING**Minutes of meetings**

- 19.1 The council is to keep full and accurate minutes of the proceedings of meetings of the council.

Note: Clause 19.1 reflects section 375(1) of the Act.

- 19.2 At a minimum, the general manager must ensure that the following matters are recorded in the council's minutes:
- a. the names of councillors attending a council meeting and whether they attended the meeting in person or by audio-visual link,
 - b. details of each motion moved at a council meeting and of any amendments moved to it,
 - c. the names of the mover and seconder of the motion or amendment,
 - d. whether the motion or amendment was passed or lost, and
 - e. such other matters specifically required under this code.

- 19.3 The minutes of a council meeting must be confirmed at a subsequent meeting of the council.

Note: Clause 19.3 reflects section 375(2) of the Act.

- 19.4 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.

- 19.5 When the minutes have been confirmed, they are to be signed by the person presiding at the subsequent meeting.

Note: Clause 19.5 reflects section 375(2) of the Act.

- 19.6 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.

- 19.7 The confirmed minutes of a council meeting must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of its meetings on its website prior to their confirmation.

Access to correspondence and reports laid on the table at, or submitted to, a meeting

- 19.8 The council and committees of the council must, during or at the close of a meeting, or during the business day following the meeting, give reasonable access to any person to inspect correspondence and reports laid on the table at, or submitted to, the meeting.

Note: Clause 19.8 reflects section 11(1) of the Act.

- 19.9 Clause 19.8 does not apply if the correspondence or reports relate to a matter that was received or discussed or laid on the table at, or submitted to, the meeting when the meeting was closed to the public.

Note: Clause 19.9 reflects section 11(2) of the Act.

- 19.10 Clause 19.8 does not apply if the council or the committee resolves at the meeting, when open to the public, that the correspondence or reports are to be treated as confidential because they relate to a matter specified in section 10A(2) of the Act.

Note: Clause 19.10 reflects section 11(3) of the Act.

- 19.11 Correspondence or reports to which clauses 19.9 and 19.10 apply are to be marked with the relevant provision of section 10A(2) of the Act that applies to the correspondence or report.

Implementation of decisions of the council

19.12 The general manager is to implement, without undue delay, lawful decisions of the council.

Note: Clause 19.12 reflects section 335(b) of the Act.

20. COUNCIL COMMITTEES

Application of this Part

20.1 This Part only applies to committees of the council whose members are all councillors.

Council committees whose members are all councillors

20.2 The council may, by resolution, establish such committees as it considers necessary.

20.3 A committee of the council is to consist of the mayor and such other councillors as are elected by the councillors or appointed by the council.

20.4 The quorum for a meeting of a committee of the council is to be:

- a. such number of members as the council decides, or
- b. if the council has not decided a number – a majority of the members of the committee.

Functions of committees

20.5 The council must specify the functions of each of its committees when the committee is established but may from time to time amend those functions.

Notice of committee meetings

20.6 The general manager must send to each councillor, regardless of whether they are a committee member, at least three (3) days before each meeting of the committee, a notice specifying:

- a. the time, date and place of the meeting, and
- b. the business proposed to be considered at the meeting.

20.7 Notice of less than three (3) days may be given of a committee meeting called in an emergency.

Attendance at committee meetings

20.8 A committee member (other than the mayor) ceases to be a member of a committee if the committee member:

- a. has been absent from three (3) consecutive meetings of the committee without having given reasons acceptable to the committee for the member's absences, or
- b. has been absent from at least half of the meetings of the committee held during the immediately preceding year without having given to the committee acceptable reasons for the member's absences.

20.9 Clause 20.8 does not apply if all of the members of the council are members of the committee.

Non-members entitled to attend committee meetings

20.10 A councillor who is not a member of a committee of the council is entitled to attend, and to speak at a meeting of the committee. However, the councillor is not entitled:

- a. to give notice of business for inclusion in the agenda for the meeting, or
- b. to move or second a motion at the meeting, or

- c. to vote at the meeting.

Chairperson and deputy chairperson of council committees

- 20.11 The chairperson of each committee of the council must be:
- a. the mayor, or
 - b. if the mayor does not wish to be the chairperson of a committee, a member of the committee elected by the council, or
 - c. if the council does not elect such a member, a member of the committee elected by the committee.
- 20.12 The council may elect a member of a committee of the council as deputy chairperson of the committee. If the council does not elect a deputy chairperson of such a committee, the committee may elect a deputy chairperson.
- 20.13 If neither the chairperson nor the deputy chairperson of a committee of the council is able or willing to preside at a meeting of the committee, the committee must elect a member of the committee to be acting chairperson of the committee.
- 20.14 The chairperson is to preside at a meeting of a committee of the council. If the chairperson is unable or unwilling to preside, the deputy chairperson (if any) is to preside at the meeting, but if neither the chairperson nor the deputy chairperson is able or willing to preside, the acting chairperson is to preside at the meeting.

Procedure in committee meetings

- 20.15 Subject to any specific requirements of this code, each committee of the council may regulate its own procedure. The provisions of this code are to be taken to apply to all committees of the council unless the council or the committee determines otherwise in accordance with this clause.
- 20.16 Whenever the voting on a motion put to a meeting of the committee is equal, the chairperson of the committee is to have a casting vote as well as an original vote unless the council or the committee determines otherwise in accordance with clause 20.15.
- 20.17 Voting at a council committee meeting is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system).

Closure of committee meetings to the public

- 20.18 The provisions of the Act and Part 14 of this code apply to the closure of meetings of committees of the council to the public in the same way they apply to the closure of meetings of the council to the public.
- 20.19 If a committee of the council passes a resolution, or makes a recommendation, during a meeting, or a part of a meeting that is closed to the public, the chairperson must make the resolution or recommendation public as soon as practicable after the meeting or part of the meeting has ended, and report the resolution or recommendation to the next meeting of the council. The resolution or recommendation must also be recorded in the publicly available minutes of the meeting.
- 20.20 Resolutions passed during a meeting, or a part of a meeting that is closed to the public must be made public by the chairperson under clause 20.19 during a part of the meeting that is webcast.

Disorder in committee meetings

- 20.21 The provisions of the Act and this code relating to the maintenance of order in council meetings apply to meetings of committees of the council in the same way as they apply to meetings of the council.

Minutes of council committee meetings

- 20.22 Each committee of the council is to keep full and accurate minutes of the proceedings of its meetings. At a minimum, a committee must ensure that the following matters are recorded in the committee's minutes:
- the names of councillors attending a meeting and whether they attended the meeting in person or by audio-visual link,
 - details of each motion moved at a meeting and of any amendments moved to it,
 - the names of the mover and seconder of the motion or amendment,
 - whether the motion or amendment was passed or lost, and
 - such other matters specifically required under this code.
- 20.23 All voting at meetings of committees of the council (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of councillors who voted for and against each motion or amendment, (including the use of the casting vote), being recorded.
- 20.24 The minutes of meetings of each committee of the council must be confirmed at a subsequent meeting of the committee.
- 20.25 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.
- 20.26 When the minutes have been confirmed, they are to be signed by the person presiding at that subsequent meeting.
- 20.27 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.
- 20.28 The confirmed minutes of a meeting of a committee of the council must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of meetings of committees of the council on its website prior to their confirmation.

21. IRREGULARITIES

- 21.1 Proceedings at a meeting of a council or a council committee are not invalidated because of:
- a vacancy in a civic office, or
 - a failure to give notice of the meeting to any councillor or committee member, or
 - any defect in the election or appointment of a councillor or committee member, or
 - a failure of a councillor or a committee member to declare a conflict of interest, or to refrain from the consideration or discussion of, or vote on, the relevant matter, at a council or committee meeting in accordance with the council's code of conduct, or
 - a failure to comply with this code.

Note: Clause 21.1 reflects section 374 of the Act.

22. DEFINITIONS

the Act	means the <i>Local Government Act 1993</i>
act of disorder	means an act of disorder as defined in clause 15.11 of this code
amendment	in relation to an original motion, means a motion moving an amendment to that motion
audio recorder	any device capable of recording speech

audio-visual link	means a facility that enables audio and visual communication between persons at different places
business day	means any day except Saturday or Sunday or any other day the whole or part of which is observed as a public holiday throughout New South Wales
chairperson	in relation to a meeting of the council – means the person presiding at the meeting as provided by section 369 of the Act and clauses 6.1 and 6.2 of this code, and in relation to a meeting of a committee – means the person presiding at the meeting as provided by clause 20.11 of this code
this code	means the council's adopted code of meeting practice
committee of the council	means a committee established by the council in accordance with clause 20.2 of this code (being a committee consisting only of councillors) or the council when it has resolved itself into committee of the whole under clause 12.1
council official	has the same meaning it has in the Model Code of Conduct for Local Councils in NSW
day	means calendar day
division	means a request by two councillors under clause 11.7 of this code requiring the recording of the names of the councillors who voted both for and against a motion
foreshadowed amendment	means a proposed amendment foreshadowed by a councillor under clause 10.18 of this code during debate on the first amendment
foreshadowed motion	means a motion foreshadowed by a councillor under clause 10.17 of this code during debate on an original motion
open voting	means voting on the voices or by a show of hands or by a visible electronic voting system or similar means
planning decision	means a decision made in the exercise of a function of a council under the <i>Environmental Planning and Assessment Act 1979</i> including any decision relating to a development application, an environmental planning instrument, a development control plan or a development contribution plan under that Act, but not including the making of an order under Division 9.3 of Part 9 of that Act
performance improvement order	means an order issued under section 438A of the Act
quorum	means the minimum number of councillors or committee members necessary to conduct a meeting
the Regulation	means the <i>Local Government (General) Regulation 2021</i>
webcast	a video or audio broadcast of a meeting transmitted across the internet either concurrently with the meeting or at a later time
year	means the period beginning 1 July and ending the following 30 June

23. REVIEW

When directives are issued by the Office of Local Government or when changes to legislation have been enacted.

24. CONTACT

Coordinator Governance Ph 9911 9908



Burwood Council

heritage ■ progress ■ pride

OPEN FORUM POLICY

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Purpose

To set the framework for open forums.

Scope

Applies to Councillors, Council Officers and the Public.

Objectives

Council has a legislative requirement under the Section 8A (3) of the *Local Government Act 1993* (the Act) to ensure that the Community has input as part of the decision making process. Councils are required under the Act to follow the Guiding Principles under Section 8A which states that:

1. Exercise of functions generally The following general principles apply to the exercise of functions by councils:
 - a. Councils should provide strong and effective representation, leadership, planning and decision-making.
 - b. Councils should carry out functions in a way that provides the best possible value for residents and ratepayers.
 - c. Councils should plan strategically, using the integrated planning and reporting framework, for the provision of effective and efficient services and regulation to meet the diverse needs of the local community.
 - d. Councils should apply the integrated planning and reporting framework in carrying out their functions so as to achieve desired outcomes and continuous improvements.
 - e. Councils should work co-operatively with other councils and the State government to achieve desired outcomes for the local community.
 - f. Councils should manage lands and other assets so that current and future local community needs can be met in an affordable way.
 - g. Councils should work with others to secure appropriate services for local community needs.
 - h. Councils should act fairly, ethically and without bias in the interests of the local community.
 - i. Councils should be responsible employers and provide a consultative and supportive working environment for staff.
2. Decision-making - The following principles apply to decision-making by councils (subject to any other applicable law):
 - a. Councils should recognise diverse local community needs and interests.
 - b. Councils should consider social justice principles.
 - c. Councils should consider the long term and cumulative effects of actions on future generations.
 - d. Councils should consider the principles of ecologically sustainable development.
 - e. Council decision-making should be transparent and decision-makers are to be accountable for decisions and omissions.
3. Community participation Councils should actively engage with their local communities, through the use of the integrated planning and reporting framework and other measures.

Definitions

Open Forum – Council Meetings – the public may address Council at a full Council meeting on a matter that is not on the agenda of that meeting.

[Open Forum Policy](#)

Community Open Forum - Major Projects – an organised and advertised meeting where Council Officers and/or Councillors are present to answer questions from the public, facilitate discussion and provide information. It is a means by which advanced discussions are held. No agreement and/or (de-facto) decisions are made. Any decision making occurs through the open forum of a formal Council or Committee Meeting.

Open Forum Guidelines – Council Meetings

The Public may address Council at an Ordinary Council Meeting on a matter that is not on the agenda of that meeting. Note that there is no Open Forum at an Extra-ordinary Council Meeting.

Members of the Public are required to attend Council 15 minutes prior to the commencement of the Meeting to register. The submission of the Speaker's name, address and subject matter(s) is required for registration.

Only the speaker's name and subject matter(s) is recorded in the Minutes of that particular Ordinary Council Meeting and the information is made publically available. The Open Forum takes place after the adoption of the minutes of the previous meeting.

Guidelines for addressing Council are as follows:

- Members of the Public who wish to address Council are allowed a maximum of three minutes* to present their issue.
- Discussion, debate or questions involving Councillors or staff are not permitted.
- The registered subject matter only is to be discussed.
- Personalities are not to be addressed.
- A further four minutes per speaker will be allowed for questions from Councillors to the Speaker.

*An extension of time may be granted with leave of the Council.

Community Open Forum – Major Projects

Where appropriate Council will hold Open Forums on major projects. These Open Forums will be advertised on Council's website and in the local paper or by invitation.

Guidelines for Open Forum – Major Projects are as follows:

- Members of the Public who wish to speak at these forums have a time limit of three minutes per speaker to present their issue.
- Discussion, debate or questions involving Councillors or staff are not permitted.
- Personalities are not to be addressed.
- Speakers are not to re-address matters already raised by other speakers.

Related Information/Glossary

- *Local Government Act 1993*
- Burwood Council's Code of Meeting Practice
- Community Consultation Protocol – General
- Protocols for Community Notifications - Engineering Services Activities

Contact

Governance Co-ordinator on 9911-9910

(ITEM 71/22) DRAFT LIBRARY STRATEGIC PLAN 2022 - 2027 - ADOPTION

File No: 22/23970

REPORT BY DIRECTOR COMMUNITY LIFE

Summary

At the Ordinary Meeting of Council held on 24 May 2022, Council resolved to place the *Draft Library Strategic Plan 2022 – 2027* on public exhibition for a period of 28 days for feedback from the community. Now that the public exhibition period has concluded, this report seeks Council's adoption of the *Draft Library Strategic Plan 2022 – 2027* with no amendments arising from the public exhibition process.

Operational Plan Objective

A.13 Prepare and implement the Burwood Library Strategic Plan.

Background

Council has had a library since 1948 when the Children's Library first opened in the Burwood Council Chambers at 2 Conder Street, Burwood. Following a move to Deane Street, the Library moved back to Conder Street in 2014 and underwent a significant upgrade and expansion to include the Community Hub in 2020. The Covid-19 pandemic has presented major challenges to library service delivery over the past 2 years, impacting Council's progress in delivering re-imagined services to the community from the Burwood Library and Community Hub.

Despite these challenges, today the Burwood Library and Community Hub provides a central branch in the heart of Burwood with a total of 21,076 active members and 124,661 visits recorded in 2021. It is a welcoming, safe and vibrant place that provides community members of all ages and backgrounds with opportunities to thrive and grow by supporting literacy, digital connection, creativity and lifelong education. Library services also extend into a range of community settings, for example, via the Home Library Service.

Following a strategic review of the service in 2020/21 and a recent staffing restructure, Council has developed the *Draft Library Strategic Plan 2022 – 2027*. The preparation of the *Draft Plan* was based on comprehensive research, community engagement, staff engagement and the examination of innovative trends in public libraries, the details of which were reported to the Ordinary Meeting of Council held on 24 May 2022 along with the draft document for endorsement for public exhibition.

Proposal

The *Draft Library Strategic Plan 2022 – 2027* was placed on public exhibition for a period of 28 days from Thursday 26 May 2022 to Wednesday 22 June 2022. No submissions were received during the public exhibition period.

Accordingly, this report seeks Council's adoption of the *Draft Library Strategic Plan 2022 – 2027* with no amendments.

Consultation

The *Draft Library Strategic Plan 2022 – 2027* was placed on public exhibition for a period of 28 days from Thursday 26 May 2022 to Wednesday 22 June 2022.

During the public exhibition period the document was made available to the community for comment via Council's online engagement platform – Participate Burwood. There was a total of

134 views of the project page and 61 downloads of the document during the public exhibition period.

The public exhibition period was promoted through Council's e-Newsletters and placed on the homepage of the Burwood Library website. The Council e-Newsletter reached over 12,000 residents, while the Burwood Library e-Newsletter reached 14,851 library users. Promotion of the public exhibition period was also undertaken via Council's social media channels including Instagram, Facebook and Twitter.

Planning or Policy Implications

The *Burwood 2036 - Community Strategic Plan*, *Delivery Program 2022 - 2026* and the *Burwood Community Facilities and Open Space Strategy* (2019) were used as sources for guiding themes for the *Draft Library Strategic Plan 2022 - 2027*. *Burwood 2036's* strategic directions of 'inclusive community and culture,' 'places for people,' 'vibrant city and villages,' and 'open and collaborative leadership' hold direct relevance for the Library Strategic Plan and were used in the development of its strategic areas and actions.

Financial Implications

There is sufficient budget allocated in the Operational Library budget 2022-2023 to implement year 1 actions. Council also receives substantial annual recurrent funding from the State Library of NSW to support service delivery, namely the Annual Library Subsidy and the Local Priority Grant allocation for projects that provide a direct benefit to the community. Council is required to submit annual applications and complete reporting and acquittal requirements to retain these funding sources.

Council has a proven track record in securing additional grants from the State Library of NSW and other funding bodies to support the delivery of innovative projects and the purchase of new resources and equipment. Council will continue to pursue external grant opportunities to support the actions outlined in the Plan as they arise, however, additional funding will be required by Council to support the growth and expansion of the service from years 2 to 5 of the Plan.

Conclusion

The development and implementation of the *Draft Library Strategic Plan 2022 – 2027* is a key action item in Council's *Operational Plan 2022 -2023* with an adoption target by August 2022. The Draft Plan outlines the vision, mission and values for the Burwood Library and Community Hub and its services over the next 5 years and includes an extensive program of work to be undertaken to drive innovation and meet the changing priorities and aspirations of the community.

This report outlines the outcome of the public exhibition process and seeks Council's adoption of the *Draft Library Strategic Plan 2022- 2027*.

Recommendation(s)

That Council adopt the *Draft Library Strategic Plan 2022 – 2027* included under Attachment 1.

Attachments

1 Draft Burwood Library Strategic Plan 2022- 2027



“The public library
is where place and
possibility meet.”

Stuart Dybek



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Acknowledgement of Country

Burwood Council acknowledges the Wangal clan of the Eora Nation, the traditional custodians of the area. We pay our respects to their elders past, present and emerging. We acknowledge and respect their cultural heritage, beliefs and ongoing relationship with the land.



Message from the Mayor, John Faker

The Burwood Library Strategic Plan 2022 – 2027 outlines how we will deliver our Library and Community Hub services over the next five years. It is the first library strategic plan Burwood Council has prepared and it's an exciting opportunity for us to share with the community how we will continue innovating to deliver what you need.

The Burwood Library and Community Hub is a welcoming, safe and vibrant place that enables our community to thrive and grow. It is a highly valued community facility and its spaces and services have enormous potential. I am truly excited by the opportunities this plan outlines for delivery over the coming years.

Importantly, this plan represents the feedback and aspirations that you've told us are important to you. It also ensures that we will continue to strive for maximum participation and equitable access to our services and spaces for as many as possible to enjoy.

The plan also incorporates the values library staff have chosen to embody in their work, with a strong focus on collaboration, professionalism, inclusion and always ensuring our services and programs are community driven.

I look forward to working with my fellow Councillors and staff in supporting the actions outlined in this plan.



Introduction

This strategic plan will guide the development and delivery of Burwood Library & Community Hub's services for the next five years.

The past two years has been an uncertain time. The COVID-19 pandemic has required us to be agile and innovative in a way not imagined before. Like all public libraries, we are ensuring we remain relevant to support our community through a period of major change. Libraries are always changing, always pondering the question of how we continue to be innovative to meet the evolving and increasing needs of our community. The COVID-19 pandemic has raised the additional question of how can we support our community while it navigates a world affected by a once in a lifetime pandemic, where social isolation has been at an all-time high, where misinformation is increasing and where mental health is an area of concern. Being responsive to these changes and building staff capacity to assist people is key.

Burwood itself is continuing to grow, with new developments planned that will increase the scale and density of the population over the next five years. With more people living within higher density, the need for a space where people can go to study or connect with passions or interests will continue to increase. With growth and change, the community is concerned about the need to record and preserve Burwood's heritage. This is a role played by the library. The library building itself is newly renovated and re-opened during the COVID-19 pandemic but it has not

reached its full potential yet. From our work engaging with community members, we can see that the library remains a highly valued Burwood Council service.

Libraries play an essential role in society as gateways to knowledge and culture. They are well known as places for learning, literacy and education but they're also the heart of the communities they serve. Libraries mean different things to different people, from places where parents can take children to toddler time, where students can meet up with peers to study together to where anyone can borrow a book, access the WiFi or print a document. In simple terms, they offer anyone a way to gain access to knowledge, all for free. With the pandemic there has been a shift to providing much of this access online through online programming or digital libraries. But while we may physically have closed our doors in response to outbreaks, our library has never stopped offering the means for someone to access knowledge.

As we move into an uncertain future, this plan will support the Burwood community in accessing the knowledge and services they have told us are important for them.



Our Burwood

Burwood is a culturally and linguistically diverse community, with a thriving retail and business area surrounded by historic villages that cover Burwood, Burwood Heights, and parts of Croydon, Croydon Park, Enfield and Strathfield.

The Burwood local government area has a land area of just 7 km², with an estimated residential population of 40,866 set to increase to 73,500 by 2036. Sixty per cent of our community live in medium or high density housing, with a population density of 5,717 persons per square km (ABS). Burwood has a significant amount of residents that were born overseas compared to the Greater Sydney average, with China being the largest birthplace represented.

Who we are*



Population: 40,866

Chinese ancestry: **32.9%**

Aged 0-14: **13%**

Aged over 65: **14.3%**

Aged 20-29: **24.5%**

Households with kids: **31%**

Speak a language other than English at home: **64%**

Language spoken at home: **Mandarin 20.2%**

Arrived in Australia between 2011-2016: **32.4%**

Tertiary education: **35%**

Population at university: **13%**

Source: *<https://profile.id.com.au/burwood>

*<https://www.planning.nsw.gov.au/-/media/Files/DPE/Factsheets-and-faqs/Research-and-demography/Population-projections/2019-Burwood.pdf>



Burwood Library at a glance

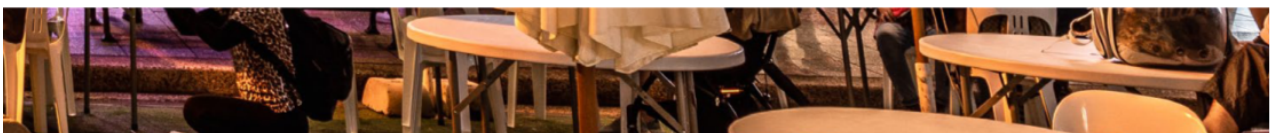
Burwood has had a library since 1948, when the Children's Library opened in the Burwood Council Chambers at 2 Conder Street in a building that has been part of Burwood's landscape since 1887. The library subsequently moved to premises in Deane Street, which it occupied for 64 years. In 2014, the library moved to renovated premises in the old Council Chambers at 2 Conder Street. In 2019, the library was further renovated, with more space and facilities being added for our community. The new Library and Community Hub opened in August 2020 during the COVID-19 pandemic and is now co-located with the Customer Service Centre. The addition of the Community Hub across a walkway to 8 Conder Street has added meeting rooms, learning labs, media rooms, digital lounges and an amphitheatre.

Burwood Library has one branch that is 2,446m² in size. In 2021, there were 21,076 active members, an increase from 18,003 members in 2020. This increase is typical of trends with memberships when a new library space opens. Of the 21,076 members, 12,988 are residents of the Burwood local government area. We also have a large number of visitors that are not library card holders and use the library as a space to study, work or for other activities, and these users are not reflected in the membership statistic. A total of 124,661 visits occurred from July 2020 until June 2021, which was down on previous years, as we were closed in accordance with Public Health Orders issued in response to the COVID-19 Delta outbreak. Closures and uncertainty around the pandemic has resulted in a decrease in print book borrowing and an increase in eBook borrowing. We had 124,012 total issues during 2021, which was an increase of 23,289 from 2020.

A strategic review of the library was undertaken in 2020 and the staffing structure was changed in early 2022 to reflect changing priorities for our community. We now have three new teams within the staff: Customer Experience, Learning Experience and Creative Experience.

Customer Experience is tasked with the implementation of our Customer Experience Program and our collections. Learning Experience is responsible for programs and events. Our Creative Experience team looks after our Community Hub programming.

Our staff provide a range of services including a home library service, regular programs and events and a local heritage service. We also provide public access computers and a popular WiFi connection that had 20,720 connections during 2021. The library is a valued service in our community and our staff get high satisfaction ratings via our customer surveys and mystery shopping program.





What you told us

During the development of this plan, public feedback on the library and our services was collected through surveys. Focus groups were planned but cancelled due to COVID-19 restrictions. Feedback was sought on what people valued about the services we offer, what we needed to change and what we should be offering in the future. Feedback provided during the development of the Burwood 2036 plan was also reviewed to gain a wider view of what our community want us to do.

The reasons our users told us they loved the library included:

- the service provided by our staff
- the environment in the library being safe, neat and welcoming
- 89% of our users told us they found our facilities and services good or very good
- our books and resources were highly valued

Things people wanted us to change or focus on in the future included:

- expanded access through increasing our hours and having an external returns option
- more programs and events that focus on skills development, arts and culture, and opportunities to do activities yourself or with others
- an improved collection, with a desire for a consortium with close libraries and an opportunity to suggest purchases
- access to Science, Technology, Engineering, Arts, Mathematics (STEAM) technologies, digital fabrication and creative production software
- cultural activities that celebrate and support diverse communities, including access to expanded multicultural collections
- events and programs that support networking and involvement in the community

Mission, vision and values

Mission

By 2027, the library will have strengthened the Burwood Community by supporting literacy, digital connection, creativity and life-long education.

Values

Professionalism We uphold the values of the library profession, including equity, respect, ease of access, integrity, non-discrimination, confidentiality and proficiency, and represent ourselves and the organisation in a positive, friendly and helpful manner.

Collaboration We seek out partnerships within Council and the community to work together to achieve shared goals.

Vision

Burwood Library and Community Hub is a welcoming place with professional service that enriches our diverse community with opportunities to inspire, learn, connect and belong.

Community driven We proactively listen and respond to the needs and wants of our communities to deliver services that are community focused.

Inclusive We strive to create and support a safe and shared environment with services for everyone.

Strategic Alignment

The Burwood2036 - Community Strategic Plan, Delivery Program 2022 - 2026 and the Burwood Community Facilities and Open Space Strategy(2019) were used as sources for guiding themes for this strategic plan. Burwood2036's strategic directions of 'inclusive community and culture,' 'places for people,' 'vibrant city and villages,' and 'open and collaborative leadership' hold direct relevance for the Library Strategic Plan and were used in the development of its strategic areas and actions.

The Library and Community Hub and its services helps deliver across multiple strategies and principal activities in the Delivery Program 2022 – 2026 by providing access to formal and informal lifelong learning opportunities, facilities and services, celebrating our diverse community, history and culture and providing opportunities for social connection in accessible, people friendly spaces. We aspire through this strategic plan to grow our support for local business.

The Burwood Community Facilities and Open Space Strategy (2019) has two actions that directly correspond with the Library and Community Hub

with the goal to activate the Community Hub with a range of community and cultural uses, and deliver a range of recreational, social and cultural opportunities that respond to local needs and interests. Feedback and ideas were gathered from the community through a survey conducted by library staff as well as feedback from the community engagement process for Burwood2036.

Broad themes were developed from these pieces of work:

- Access and inclusion
- Learning and well-being
- Staff experience
- Collections
- Community connections
- Burwood memories.

Staff completed a SWOT analysis and brainstormed future thinking in the areas of libraries and Burwood. External factors that have an impact on library services and our communities were also researched and considered as part of the development of the strategic actions, including the ongoing impact of the pandemic. Innovative trends in public libraries were also considered in the development of strategic areas and actions.

Strategic Area 1:

Customer Experience

Customer experience now

During 2020, a new customer experience program was launched for staff. The vision for the library at this time was to provide a positive customer experience that is second to none. A key feature of this program was the introduction of mobile customer care providing a pro-active customer service model where staff floor walk as opposed to being stationed at a desk (often called 'roving' in public libraries).

The aim of the Customer Experience Program is to create positive customer experiences that will create long-term customer loyalty. The measures for this are repeated use of the library and high levels of customer satisfaction. The roll out of this program has been affected by the pandemic. The move to a roving customer service model has been harder than anticipated, in part due to COVID-19 restrictions and the need to manage expanded library spaces placing demands on staff resources.

Our collections have gone through some evolution over the past year with work done on collection profiles, collection size and budget allocations. The most recent Collection Development Policy for the library's collection was adopted in 2012 and is due to be reviewed.

Our circulation increased between 2020 and 2021 and our collection number has stayed steady at 61,933 items. In 2021, our turnover for the borrowable collection was 2.5.

Much of the customer feedback received about our collections revealed good levels of satisfaction, but many customers wanted better non-fiction and multicultural collections. Our collection currently contains Chinese, Korean and Hindi materials.

We received a large amount of feedback around access to the library itself. The library is currently open seven days a week, with two evenings and weekend hours. There was a high level of dissatisfaction with our opening hours and a demand to be able to return items after hours.

During 2021, the library provided expanded access to the Community Hub with a Midnight Study Hours trial. This trial saw HSC students given access to the Hub until midnight two nights during the week with a security guard present. The trial was very successful, with twelve sessions offered and all but two booked out.



Trends in public libraries

24/7 access points

Today's society expects to be able to access goods and services any time. Libraries are coming up with ways to meet this demand for 24/7 access. They are doing this innovatively and increasingly technological solutions are being adopted to limit the impact on staffing budgets. As the demand for more access to collections and space grows, libraries will continue to evolve in this area.

Unique community collections

As a way to build community, record community history and support diverse voices, libraries are experimenting with ways to build collections that are unique to the community they serve. Examples of this can be found in community contributed collections, such as library-led initiatives like zines and journals.

Non-fiction move

Libraries have historically held reference collections and large non-fiction collections. Reference collections are now reducing, with most libraries focusing on lending collections. Non-fiction collections too are going through a revolution with a new focus on curated collections that concentrate on recreation and self-development instead of trying to capture as many subjects as possible. This move has reduced non-fiction collections and increased turnover of libraries' collections, allowing councils to gain more value from their investment.



Case Study 1

Karalee Library Pod, Ipswich Libraries

The Karalee Library Pod is a self-service pod that is open 24 hours a day, seven days a week. Located outside a busy mall, the pod enables people to browse, borrow and return items as well as reserve books online and collect them. The Library Pod offers a curated collection of popular and trending books, as well as a large touch screen where customers are able to view eResources.

This pod is the first of its kind in Australia and allows the library to extend their services in an impactful way and meet their customers where they are. The aim of the pod is to break down accessibility barriers and bring the collection to more of the community.

In its first 17 months, the Library Pod processed more than 19,000 loans and 20,000 returns, with almost 1,300 Ipswich Library members using the pod regularly.

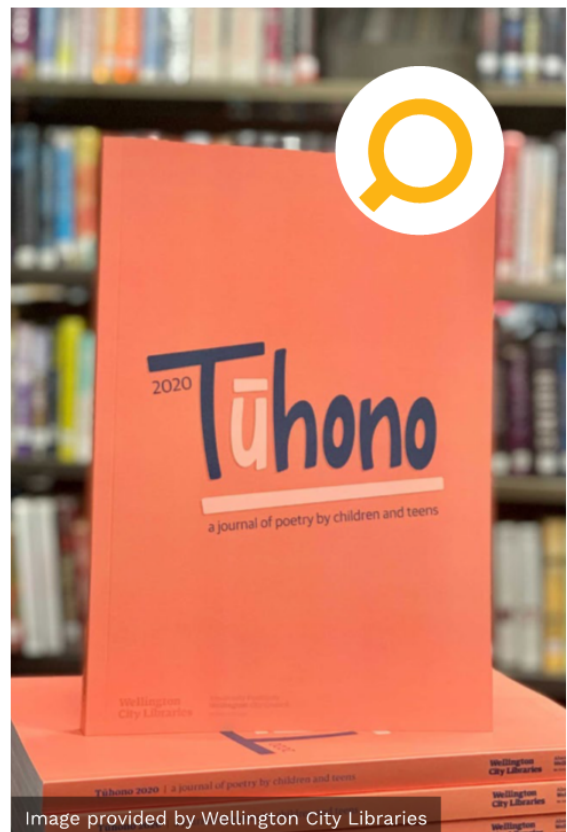
Case Study 2

Tūhono, Wellington City Libraries

Tūhono is a poetry journal for kids and teens launched by Wellington City Libraries. Unlike many other poetry journals, having work accepted for *Tūhono* is not a competition, but rather every piece of work following the rules by young writers aged 5–18 years gets published.

Tūhono is published in house and added to the collection, as well as being published as an eBook on Overdrive. The journal gives all young people in Wellington the opportunity

to have their work published and added to the collection. It's a chance to see something they've created as part of a library collection, alongside great authors and poets found on the shelves. It also works as a collection of uniquely Wellington writing, capturing the thoughts and emotions of kids and teens from all over the city and its region across time.



Key takeaways



- 1 There is a need to update the Collection Development Policy.
- 2 Our collection needs continual work to meet the expectations of its users.
- 3 We have not had a chance to imbed the customer experience program due to the pandemic but there is now an opportunity to do so.
- 4 There is an opportunity to assess and expand access to the library in order to move towards what our customers are asking for and best practice.

Action	Action Term
1.1 Improve access to the library through innovative methods by investigating current trends in public libraries with regards to anytime libraries, after hours return solutions and extended opening hours. Implement solution to expand access to the library during 2022 for the HSC exams. From June 2022, start an investigation into anytime library solutions for material pickups and returns.	Year 1
1.2 By 1 August 2022, convene a working group to update the Collection Development Plan. Complete the new plan by March 2023.	Year 1
1.3 By the end of 2024, review library space to make it more efficient and accessible for customers. Use the Collection Development Plan as a guide in the planning and review of the shelving, collection size and location, signage and furniture. Continue to review the library space and collection layout annually to ensure relevance for our customers.	Year 3

Action	Action Term
1.4 Imbed a Customer Experience Program, including the roving staff model, through staff training. Place the customer at the heart of our decisions and improve the way we gather and respond to customer feedback by putting in place a process during 2022. Deliver an annual library customer survey to gather feedback to inform decision making and planning.	Year 1-2
1.5 Investigate eResource availability in languages that are in demand by the community as part of the Collection Development Plan during 2022. Investigate the viability of adjusting the budget for 2023–24 financial year to support increasing access to eResources. Undertake a review of our offerings, explore diverse digital options and support access to our eResources through a targeted annual promotions plan starting 2023.	Year 1-2
1.6 Using the new ABS Census data, conduct a survey and look at budget allocation for the 2023–24 budget to assess language needs and collections for Burwood Library customers.	Year 2
1.7 Explore opportunities to partner with other libraries to increase access to resources and services for our community. Complete an assessment of the viability of partnering with other libraries in 2024. Investigate bulk loan arrangements for multicultural collections with neighbouring libraries in 2025.	Year 3-4

Performance indicators

- Rated highly on customer survey tools.
- Increase in circulation, collection turnover and visitor numbers.
- Collection Development Plan completed and implemented.

Strategic Area 2:

Learning Experience

Learning Experience now

Burwood Library provides a range of programs with an emphasis on recreation, education and literacy. Regular programs include English Conversation Classes, Wrap with Love, Rhyme-Time, Toddler-Time and Story-Time. In addition to these events such as author talks, self-development workshops and film screenings occur throughout the year. The library has flexible spaces in which these activities take place and with the closures during 2020 and 2021 due to COVID-19 restrictions, programming successfully moved online. Restrictions further influenced the move to limiting numbers in programs through online bookings.

Burwood Library delivered 249 in-person events and regular programs during 2021 with 5,079 attendees and 47 online events with 1,130 attendees. When considered against library visit numbers, programming only generates a small amount of library visits, but the benefit to the community is well documented.

Programs and events create experiences and connection for the diverse cultures of the community while also having a learning focus in STREAM areas (science, technology, reading, engineering, arts and mathematics).

The Toy Library was reviewed during 2021, which led to a change for both that service as well as Story-Time. Very few community outreach opportunities are undertaken currently by staff.

Customer feedback received about our programs and events showed that the community prefers in-person programming, but there is also a desire for a hybrid delivery model that would see events presented in-person and online at the same time. There is also a lot of interest in the library providing more events, particularly children's programs and adult arts and culture events. Skills development is an area that was also of great interest to the community.

People are finding out about our programs and events primarily through the website, although the eNewsletter and flyers/posters in the library are also popular marketing tools. The community said through feedback received during the creation of Burwood 2036 that they would like more opportunities to celebrate different cultures and what makes Burwood unique.



Trends in public libraries

COVID-19 and online programming

The pandemic has required public libraries to innovate quickly so that they can continue to deliver services while adhering to restrictions. One of these innovations was the move to online programming as a way to continue to reach communities. Online programming has become the norm and customers are indicating that they would like online programming to continue in some way. Some libraries have experimented with live streaming in-person programming and/or posting recorded in-person programming online after the event.

Partnerships

Partnerships are increasingly becoming an important part of the international public library industry, with programs delivered by outside organisations with support from the library. The limited staff resources that libraries have available to them acts as a barrier to maintaining multiple activities and partnerships are seen to be the solution to this. There are examples of partnerships between libraries and a number of different organisations (including private companies) that have been very successful and have allowed the libraries to deliver better services.

New ways of learning

With the development of advanced digital tools, the world is becoming a wired environment. These tools and the opportunity to access them provide people with the chance to engage in self-directed, self-guided and self-paced learning that provides new avenues for learning.

Curation of digital tools such as digital fabrication and the Adobe Creative Cloud by professional librarians ensures that customers cannot only access the necessary tools but are also connected to relevant content. This connection provides limitless opportunities to seek and acquire new skills and knowledge.

Case Study 1

Partnerships, Dokk1 Library

The Dokk1 Library in Aarhus, Denmark has entered into partnership agreements with more than 70 organisations (NGOs, associations, educational institutions and other public service providers) which enable them to provide between 35 and 45 activities every week. Through these partnerships it is possible for them to deliver a very high volume of events with relatively modest staff effort.

In the lead up to the opening of Dokk1, library staff mapped potential partners and had a number of 'disruption

conversations' with key players. The purpose of these conversations was to get a clear understanding of what these potential partners felt were the needs in the surrounding society, spotting trends between these potential partners' user groups, creating a dialogue and making the library's potential clear to these untraditional partners. This discourse led to successful partnerships and a flourishing events program at the library.

Case Study 2

Studio NPL, Nashville Public Library

Nashville Public Library's Studio NPL is an innovative, technology-driven learning environment that engages teens aged 12-18 with a design studio, makerspace, creative writing centre, production space and more. Daily workshops are mentor-led and focus on building important 21st century skills in STEAM, digital literacy and career readiness.

The environment is created for teens to enable them to explore and engage their passions to produce music and podcasts, e-textiles, soldering, robotics and more.

An artist in residence conducts a summer intensive workshop with a group of teens and librarians, and technicians and artists mentor teens during the year.



Key takeaways



- 1 There is a need to continue to be agile in the delivery of programs and events in a pandemic environment, including trialling a hybrid delivery model.
- 2 To ensure best practice there should be a review of any programming not reviewed during 2021.
- 3 Pressure on staff time has resulted in a need to explore programming partnerships. This will move the library in line with current delivery models.
- 4 Cultural programming in the library is an obvious way Burwood Council can celebrate and represent the different cultures that make up the Burwood community.

Action	Action Term
2.1 Build ongoing strategic external partnerships to leverage skills, connections, resources and experience, enabling the delivery of a range of programs and events. During 2023, collaborate with internal Council teams to research potential partners and assess the suitability of partnerships so that we can increase our reach in the community.	Year 2
2.2 Celebrate and recognise the diversity of the Burwood community through the collection, programs and events. Ensure our collection, programs and events reflect the communities that call Burwood home through a series of diversity reviews during 2023 and 2024. Complete a gap analysis of the collection in consultation with the New South Wales State Library during July 2023.	Year 2-3

Action	Action Term
2.3 By December 2022, complete a review of children's and youth programming with an eye to continuous improvement and connection to community needs and expectations. By December 2023, complete a review of adult programming in order to ensure we are supporting our community's goals and needs. Continue to review these programs on an annual basis.	Year 1-2
2.4 Identify and celebrate the uniqueness of Burwood through promotions and events that are customised and connected to our community's pride and identity. Produce library cards to celebrate the sesquicentenary celebrations occurring in 2024 and investigate redesigning our promotional material to celebrate "Burwood-ness" during 2023.	Year 3-4
2.5 Continue to foster partnerships in the community that provide outreach opportunities to promote our services and resources to new audiences. Seek out new partnerships to increase our outreach into education settings, shopping areas, events and any other opportunities by annually planning targeted outreach.	Year 4-5
2.6 Provide space and opportunities for people of all ages to interact, engage, learn and create new connections with each other through ongoing process-focussed programming and collaborative participation. Measure the impact on community connectedness through surveying tools starting June 2024.	Year 3-4

Performance indicators

- High customer survey ratings.
- An increase in program attendance.
- An increase in the number and diversity of programs delivered.
- The delivery of brave and creative programming.

Strategic Area 3:

Creative Experience

Creative Experience now

When the library was renovated in 2020, a Hub with various spaces for the community was added to the library. Modern libraries provide opportunities for people to come together to experience and participate in creative activities, and this space enables Burwood Library the ability to do this.

Of these creative activities, digital and makerspace technologies are at the forefront of library innovation. There are opportunities for libraries to provide equal access to resources that the community would otherwise not have access to. These resources provide the opportunity for people to be creative and experience new things that reflect their own imagination and identity.

Burwood Library's Community Hub is an innovative space and has the potential to be a well-used destination space for the community. The activation of the creative spaces within the Hub reflects the change in role for public libraries from being knowledge storehouses to centres for creative activity.

The Hub holds two Media Studios, each featuring a green-screen backdrop, sound proofing, the Microsoft Surface Studio and full Adobe Creative Cloud. Since opening this space has been used as an Open Studio program, which created some public interest. However, it also has audio-visual equipment and musical instruments to support creative endeavours which can be explored further.

The Makerspace is an open workshop area that promotes hands-on learning, collaboration and curiosity through different programs and equipment. These programs range from artist-led workshops, hands-on skills development in media technologies, STEAM activities for children and young people, and different creative programs for all ages. We have had only intermittent programming in this area, mainly due to COVID restrictions, however the space is highly used by students. We have resources to provide regular programming in this area, including MakeyMakey, sewing machines, Spheros, LittleBits and a NAO robot.

Our two Digital Lounges have featured digital artworks, retro games and virtual reality programs. They have been used frequently as a place to show digital artworks and interactive experiences including 360 videos and virtual reality.



The Hub itself also hosts exhibits throughout the year, including outcomes from community art projects and the Burwood Art Prize. The Amphitheatre is set up to be a flexible space that can be used for screenings, performances, talks and workshops. The Library team have been experimenting with events in the Hub space during 2020–22. A new Creative Experience team has been created, which will increase and enhance staffing resources for this space.

Customers have told us they are not sure about how to access the spaces or resources the Hub has to offer but are curious and interested. They have also told us they require more space and tables to meet study demands in the Hub. Students also want to access the meeting rooms for free to ease the demand on common spaces, which can be accommodated when they are not in use.

Community feedback shows that support for local businesses is an important role for Council, and there is potential for the Hub to support the community in this way. Demand for do-it-yourself/do-it-with-others and skills development events was expressed by customers as was greater access to STEAM kits and digital fabrication software.

Trends in public libraries

Maker movement

Makerspaces have been a popular addition to public libraries for a number of years. The maker movement itself refers to the do-it-yourselfers, tinkers, hackers, entrepreneurs and interested learners that are accessing these spaces to make what they want and determine their own creative paths. An area of growth in this area is including children in the maker movement. This movement takes advantage of the innovative technology and traditional craft tools on offer to improve community and create new pathways to the marketplace.

Gamification and fandom

Gamification refers to the application of digital game design and elements to non-game settings, and game-based learning or game playing that has defined learning outcomes. Gamification is increasingly being integrated into education and professional training situations as an important opportunity to develop emerging and traditional forms of literacy. Fandom exists as an obvious partner in promotion of these literacies through active creation – writing, recording, drawing, remixing and role-playing. Fandom are communities of people that are passionate about something (i.e. a film, a book, a band, a television show) that come together to share and exchange proof of their fandom through creation.

Community space

Libraries are increasingly being used as a third space in people's lives, outside of home, work and school. For communities with increasing density, this space is highly important and is well used for a range of activities. Spaces in newly renovated or built spaces reflect this by providing flexible and diverse spaces with reading nooks, study spaces, quiet areas, co-work/study spaces, meeting rooms and various other spaces.

Case Study 1

Workary, Fairfield City Open Libraries

The Workary is a dedicated hub in Whitlam Library that is a community and events space focused on supporting local business. The space is open to start-ups, co-workers and entrepreneurs at no cost. Drawing on formal and informal partnerships with a range of key industry and government stakeholders, the Workary provides a number of events and services that assist

businesses. These include co-working spaces, meeting rooms, audio-visual equipment, workshops, networking events, business-related books and other resources, and referral services to business advisors in a number of different languages.

Case Study 2

Makerspace Kits, City of Sydney Libraries

City of Sydney provide over 180 take-home makerspace kits with a range of robotic and educational uses. Library members are able to borrow one kit from the collection for three weeks and the collection is supported by a collection of STEAM topic books. The robotic kits include Edison robots v2.0, Ozobot Bit 2.0 and Sphero. Electronic kits include Circuit Scribe, Makey Makey, Snap Circuits, Honeycomb Music, BBC micro:bit,

Little Bits Synth, PocketLab Voyager, Barska Microscope, Micro:bit Experiment Box, Merge Cube and Specdrums. Kits are designed for ages 5+ to ages 14+.



Key takeaways



- 1 The Community Hub has a lot of unrealised potential and its strengths lie in its resources and spaces.
- 2 Work needs to be done to activate the space regularly, as well as educate and promote access to the Hub spaces and resources.
- 3 The library's Community Hub has the capacity to play a role in assisting the economic recovery of the Burwood business community by providing access to resources, spaces and experts.
- 4 Customers have an interest in accessing the different technologies that the library currently has as well as others that need to be resourced.

Action	Action Term
3.1 Provide all ages of our community with creative resources that allow people to explore, learn and grow through regular hands-on experiences. Ensure resources are relevant to our community. Deliver a minimum of 40 events per year, with 1,000 participants for the financial year 2022-2023.	Year 1-2
3.2 Maximise the use of the Hub through improved access to the space for the community. Trial new ways to activate the space to increase community confidence and awareness in the use of the space. Aim to increase use of these spaces by 25% by June 2023.	Year 1
3.3 Maximise the use of the Hub space through programming relevant and quality events and programs that are delivered directly or by partnering with external community providers. Deliver a minimum of 15 events during the 2022-23 financial year in partnership with others, with the aim to increase this to 25 events during the 2023-24 financial year.	Year 1-3

Action	Action Term
3.4 Consult with and support businesses of all sizes by investigating opportunities to collaborate with external and internal partners in order to deliver business-friendly programs and events, spaces and technologies. By the end of 2024, have established programs and events that support Burwood businesses with at least quarterly events.	Year 3-5
3.5 Plan and deliver annual events and a promotions calendar for all library programming at the beginning of each year and seek to integrate this with other events in Council. Have this calendar created by June 2022.	Year 1
3.6 By June 2023, investigate and procure STEAM kits for our customers that have a creative experience focus and are relevant and borrowable in order to support at-home learning and exploration.	Year 2
3.7 Work in collaboration with the Community & Culture team at Council to deliver a range of integrated cultural programming to promote and support creative endeavours. Deliver at least one major integrated event per year.	Year 2-4

Performance indicators

- High customer survey satisfaction ratings.
- An increase in program attendance.
- An increase in the number of programs delivered.
- New equipment and/or software provided to support digital literacies.

Strategic Area 4:

Digital Experience

Digital Experience now

Public libraries are seeing an increase in access to their digital collections. While this has been an increasing trend worldwide, the restrictions put in place due to COVID-19 has seen the demand for digital collections increase like never before.

The shift to online that has been a consequence of these restrictions has exposed further the digital literacy gap that libraries have been responding to for many years. Many in the community are being left behind and it is essential for the library to provide services to assist in the navigation of the online world post-pandemic. Within this is the need to provide a range of programming that educates customers on accessing recreational resources such as eBooks and resources that support education such as online databases. There is also a need to ensure all staff are skilled and confident in providing assistance in the use of digital resources. This will enable the library to provide a quality service to our community and meet them where their needs lie.

Through the Hub the library has a number of makerspace technologies. There are also Media Labs for customer use that allow access to a computer workshop room for classes and a recording room for video and audio. Programming has been very limited in these spaces. Staff have delivered some makerspace programming, but staff knowledge is limited in the use of these technologies.

A number of Virtual Reality (VR) events were held as part of a VR art exhibit in the Hub. Computer classes for older customers in Mandarin, Cantonese, Korean and English are held annually in partnership with the New South Wales State Library and Telstra.

Customer feedback has shown there is a gap in staff knowledge when assisting customers with accessing technology and our digital resources. There is a desire from our community to have access to the latest technologies and to have assistance in accessing these. We also have new tools in the promotion of our resources and activities that are yet to be used.



Trends in public libraries

Makerspaces

Libraries are providing easier access to tools and components that provide communities with opportunities to invent and create in ways that have been limited to the private sector in the past. Tools like 3D printers, laser cutters, software and recording equipment are now a common sight in public libraries. Providing access to new technologies as well as traditional craft tools and having skilled staff to facilitate this access has become an essential feature of public libraries.

Digital inclusion

COVID-19 pandemic restrictions forced many into social isolation and has dramatically accelerated the need for people to participate in the digital world. It has also made the challenges of bridging the digital divide more important than ever. Many face-to-face activities, necessary for active participation in civic life have significantly shifted to the digital world. Things like learning, working, shopping, social interactions and entertainment are moving online. This raises the issue of who gets left out and how libraries respond to that challenge. Some libraries have offered free equipment to assist their communities with getting online, others have responded with other innovative ideas.

Digital training

Digital literacy programs have been a staple of library programming for some time now. The innovation in this area now is around assisting people with their devices and bridging the digital divide for new and innovative technologies. Libraries offer one-on-one training sessions for customers using their own devices or training around makerspace technologies. There is a lot of

innovation in this area too in facilitating spaces for teens to create using new technologies. This is less around training and more about mentoring teens to explore the technology themselves as a way of learning.



Case Study 1

TeleConnect, King County Library

Telehealth has been rapidly expanding due to the pandemic. With this has come the challenge that for some in the community, accessing this technology is a barrier as not everyone has access to computers with video conferencing capability, an internet connection and/or the skills to access these.

This digital divide is being addressed by a pilot run in a collaboration between King County Libraries in the United States and University of Washington. The partnership

aims to reduce disparities in access to telehealth by providing a safe and secure space and connection to healthcare. The pilot allows UW Medicine patients to conduct a telehealth visit from a private room at five library locations. Library staff set up a private room and are available to provide technical support.

Case Study 2

CLOUD901, Memphis Public Libraries

CLOUD901 is a state-of-the-art social, creative, production, research and performance technology lab that is a space solely for teens aged 13–18. The space provides access to video and audio production labs, editing and mixing stations, a performance area, a makerspace, art studios and collaboration and homework zones. At 771 square metres and over two floors, it is designed to be a place teens can develop 21st century skills including innovation, collaboration, critical thinking and problem solving.

A mix of digital media, self-guided learning and expert-led workshops provide teens with the autonomy necessary for creative thought while still working within the safety and structure of the library. Often partnering with local schools, universities and the community to expose teens to innovative technology, CLOUD901 also translates the knowledge learnt there into career pathways, college opportunities and workforce entry.



Image provided by Kind County Library



Image provided by Memphis Public Libraries

Key takeaways



- 1 There is a need to have dedicated training for staff on the use of digital tools and resources, ensuring that professional development is continuing and not occasional.
- 2 The pandemic has left some of the community behind and libraries are innovating in order to remove this barrier.
- 3 There is innovation happening around the way people learn about technology, moving away from workshop-style learning towards facilitating exploration.
- 4 Promotion of eResources is limited.

Action	Action Term
4.1 From July 2022 until July 2023, provide a minimum of 12 digital literacy events and programs incorporating a diverse range of offerings for language, age and levels of experience working in partnership with external contacts.	Year 1
4.2 Provide increased opportunities for the Burwood community to access diverse technologies that are relevant to their desires and needs through programs and experiences in the Community Hub. Deliver at least four events per year to expose diverse community groups to these technologies starting from January 2024.	Year 3-4
4.3 Increase staff skills in technology through the ongoing delivery of a range of skill development opportunities using a variety of training techniques. Complete a training and assessment analysis of staff on an annual basis, starting June 2022, with a minimum level of skills identified and a range of opportunities to upskill throughout the year.	Year 1

Action	Action Term
4.4 Target promotion of digital resources, ensuring users are kept up to date with changes and are confident in accessing the resources by using Patronpoint software. Support this through an investigation of our community's interests and needs and begin to action findings by December 2023.	Year 2-3
4.5 Investigate the provision of tablets and/or eReaders to home-delivery customers by undertaking a six-month trial during 2022. Also investigate providing these resources as borrowable items for all customers by the end of 2023.	Year 1-2
4.6 Offer relevant, targeted and customer-centric technology experiences that are supported by positive interactions with skilled staff. Undertake an annual review of technology at the start of the financial year to plan for any needed upgrades or innovative technology changes starting with the 2025-26 financial year.	Year 4

Performance indicators

- High customer survey satisfaction ratings.
- An increase in programs delivered and attendance.
- An increase in staff digital skills, demonstrated in the annual review.
- An increase in borrowing of resources from the Digital Library Collection.

Strategic Area 5:

Burwood Memories

Burwood Memories now

The Burwood Library Local Studies Collection is the most unique service the library provides. Burwood has no museum but does have a local historical society who have an array of items of historical significance that the society has scattered among members. Due to restrictions with storage and space, the library has had no active acquisitions program in place to date. With Burwood's sesquicentennial anniversary approaching in 2024, now is the ideal time to make a commitment to ensure Burwood's history is being collected and to promote the library's heritage resources.

The collection includes many items that could never be replaced if neglected, damaged or lost. This includes:

- published and unpublished works about Burwood
- scrapbooks with press cuttings, letters and other ephemera
- original and copied maps and plans (both digital and hard copies)
- photographs (both digital and hard copies)
- framed and boarded official photographs of Burwood Borough/Council

- local newspapers dating back to the early 1960s in soft and hard copies
- council valuation books dating back to 1908
- building applications registers dating back to 1909
- index to Building Registers dating back to 1920
- a selection of Burwood Council letter books and registers
- copies of Burwood Council's reports, plans, building plans and policies
- copies of reports, newsletters, brochures, souvenir booklets produced by local community organisations, schools, churches etc.





- local election information
- a range of paraphernalia used or produced by Burwood Council in the past
- a limited selection of artefacts, objects, realia and ephemera (plaques, pictures, drawings etc.)
- digital and analogue sound and video recordings
- archives of local organisations from the past (Inner Suburbs' Hospital, Burwood Benevolent Society etc.)

There is also a genealogical collection made up of microfilms, microfiches and CD ROMs, which contains a range of information such as shipping records, street and telephone directories, cemetery indexes and electoral rolls.

The Burwood community told us they wish to learn more about the heritage of Burwood through talks and exhibits. Past events and walking tours have been popular ways the community has engaged with local heritage.

Through Burwood 2036 consultation, the community indicated they are concerned about the loss of heritage through redevelopment and feel heritage could be better represented in the community. The library has a role to play in the collection and promotion of this heritage. The sesquicentenary celebrations will provide the library with a unique opportunity to promote and celebrate our collection and produce material to support this.

Trends in public libraries

Heritage engagement

Public libraries are increasingly promoting heritage collections in new ways in order to engage communities. One of the ways they are doing this is by having digital collections that the community can add to or comment on. This enables easy collection of heritage material, but also promotes engagement by the community with the heritage material. Another way libraries are promoting heritage collections is by introducing technology that engages the community with them. Examples of this are gamification and innovative ways to access material such as via interactive touch screens.

Collective impact

Heritage institutions are increasingly curating exhibit material to engage communities in social issues or topics of current interest in society. This is seen as a way to increase engagement and interest in heritage as well as a way to represent diverse stories and increase understanding of different issues such as LGBTQI+ rights, civil rights, indigenous heritage and social impact topics.

Case Study 1

DigiLab, Newcastle Library

Newcastle Library's History and Heritage Collection contains more than 444,000 items including rare, unique and notable items, dating back to the early 1800s. During 2021 a cutting-edge digitisation lab was opened to help preserve and share this collection.

The lab's technology includes 3D scanning instruments and robotic page turning equipment capable of converting 2,500 pages an hour into digital information. The DigiLab enables the library to preserve hundreds of thousands of archival records, photographs, maps, pictures, newspapers and rare books. This enables the community to have greater access to the collection and allows the

library to interpret and use the digitalised materials to present local history to reach new audiences.

The DigiLab also provides innovative content such as augmented and virtual reality and the ability to integrate with other technologies such as a metre-wide Digital Storywall and a digital multimedia 'Magic Box'. One aspect of the DigiLab that is available for use by the community is the Memory Lab, which allows people to preserve their own histories and stories for future generations by converting treasured family items on VHS, VHS-C cassette and 8mm video camera tapes into digital files for free.

Case Study 2

ReCollect & Our Stories, Fairfield City Library

Our Stories is a project run by Fairfield City Library to collect digital stories and experiences of the Fairfield community during the COVID-19 pandemic. The pandemic has changed the way people live their daily lives and residents and workers of Fairfield City have been invited to share images of how their daily lives have changed during this period.

This digital collection will help future generations understand the impact of the pandemic and how people adapted. Files are submitted by the community via an online form and then updated to the library's ReCollect archive. They are then accessible as part of an online public digital archive.



Key takeaways



- 1 We need to update policies and plans for the heritage collection.
- 2 Digitisation of the collection needs to continue in order to increase access to the collection.
- 3 Our collection needs to be made available online to the community through the use of a digital platform.
- 4 The community is concerned about the loss of heritage in the area.
- 5 The library needs to promote our collection to the community through exhibits, workshops and talks.

Action	Action Term
5.1 By December 2022, research and consult knowledge bodies in order to write a local heritage Collection and Care of Collections Policy that includes a heritage disaster plan.	Year 1
5.2 By December 2022, research and consult knowledge bodies in order to write a local heritage Digitisation Policy and Digitisation Plan.	Year 1
5.3 Continue to work with our external provider to digitise the photographic and image collection, ensuring budget allocations are available for the work to be ongoing. Complete this work by the end of 2023.	Year 2-3
5.4 Use the Spydus platform to store our heritage collection files and records in order to make them accessible for all. By December 2022 consult with external and internal connections to start a project investigating grant funding or opportunities for students to gain heritage skills and put in place a solution by the end of 2025.	Year 4-5

Action	Action Term
5.5 Provide ongoing opportunities for the Burwood community to engage with and learn about Burwood heritage through events and exhibitions, aligning these programs with major heritage events and festivals with a minimum of six per year.	Year 5
5.6 Raise interest in Burwood's history and the heritage collection through a program of events and exhibits to support the sesquicentenary celebrations during 2024, with a minimum of two talks, two walks and two exhibits. Use social media to engage and promote our heritage collection.	Year 2-3

Performance indicators

- Policies and plans are completed and implemented.
- High customer survey satisfaction ratings.
- An increase in the number of events and exhibits delivered.
- The Heritage Collection is accessible to the community through Spydus.
- An increase in the number of items digitalised.





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(ITEM 72/22) LOCAL GOVERNMENT NSW ANNUAL CONFERENCE

File No: 22/24976

REPORT BY GENERAL MANAGER

Summary

This year the Local Government NSW Annual Conference is being held from Sunday 23 to Tuesday 25 October 2022 at the Crowne Plaza, Hunter Valley.

Council can nominate three voting delegates to vote on the motions and, as customary, observers to attend the Conference.

Operational Plan Objective

Provide strong leadership and advocacy on behalf of the community

Financial Implications

Below are approximate costs per person to attend the conference in the Hunter Valley:

- | | |
|--|---------|
| ▪ Early Bird Registration Fee
(Payment due by 17 August 2022) | 1088.00 |
| ▪ Conference Dinner Ticket | 250.00 |
| ▪ Hotel Accommodation per Night | 399.00 |
| ▪ Travel by Car * | |

- * 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 consideration being given to comparative methods of travel such as air travel or the use of a pool or hire car, taking into account the nature and destination of the trip, to ensure the best use of Council resources.

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 Local Government NSW 2022 conference, only the cost of registration and the official conference dinner will be covered by Council within the annual limits specified in the Councillors Expenses and Facilities Policy. All other costs, including any additional travel or accommodation costs, must be met by the Councillor or spouse/partner.

Recommendation(s)

1. That Council consider nominating three Councillors to attend as the Voting Delegates who will be appointed as a proxy to vote on behalf of Council at the Local Government NSW Annual Conference 2022 to be held in the Hunter Valley from Sunday 23 to Tuesday 25 October 2022.
2. That the General Manager and other Observers be authorised to attend, and that the nominated Observers confirm their attendance by Monday 9 August 2022 to the General Manager.

Attachments

There are no attachments for this report.

(ITEM 73/22) INVESTMENT REPORT AS AT 30 JUNE 2022

File No: 22/25799

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

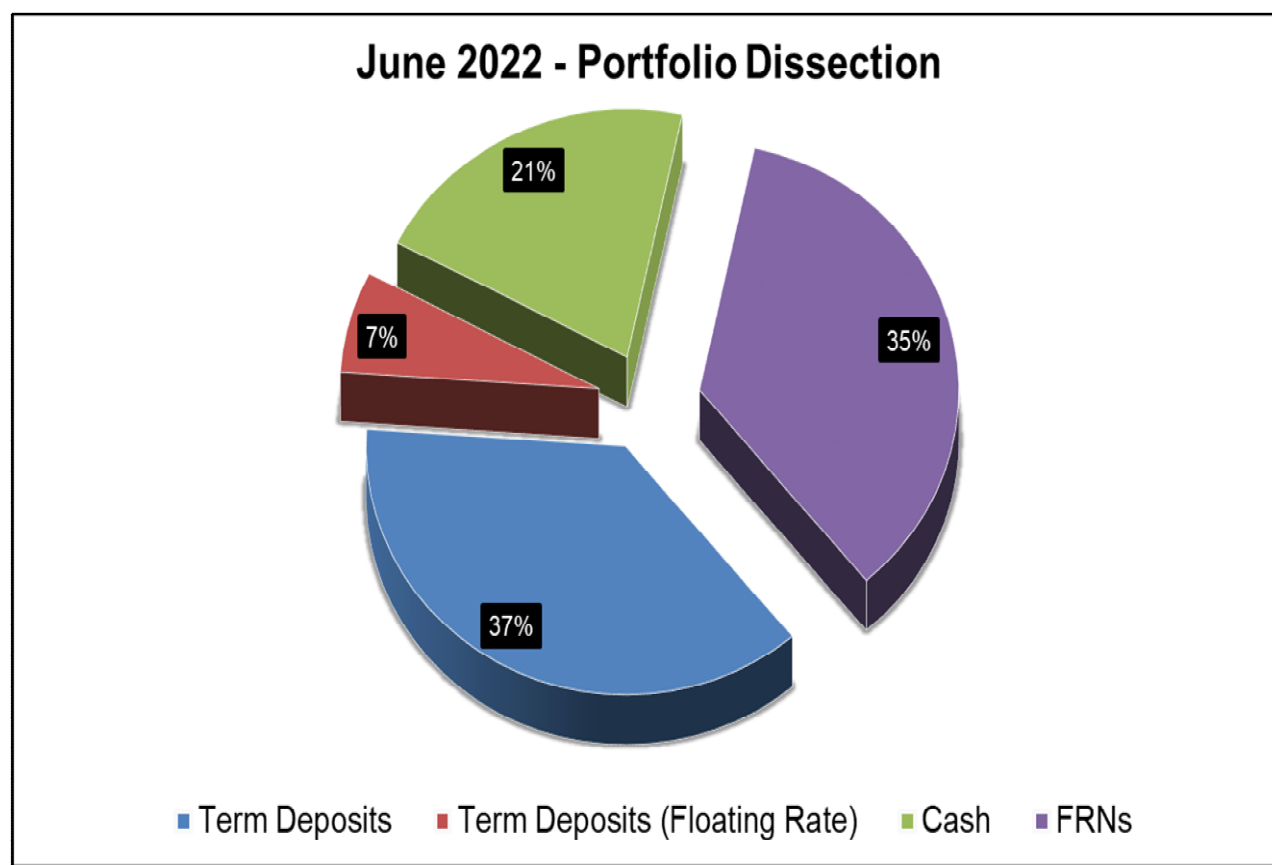
Background

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

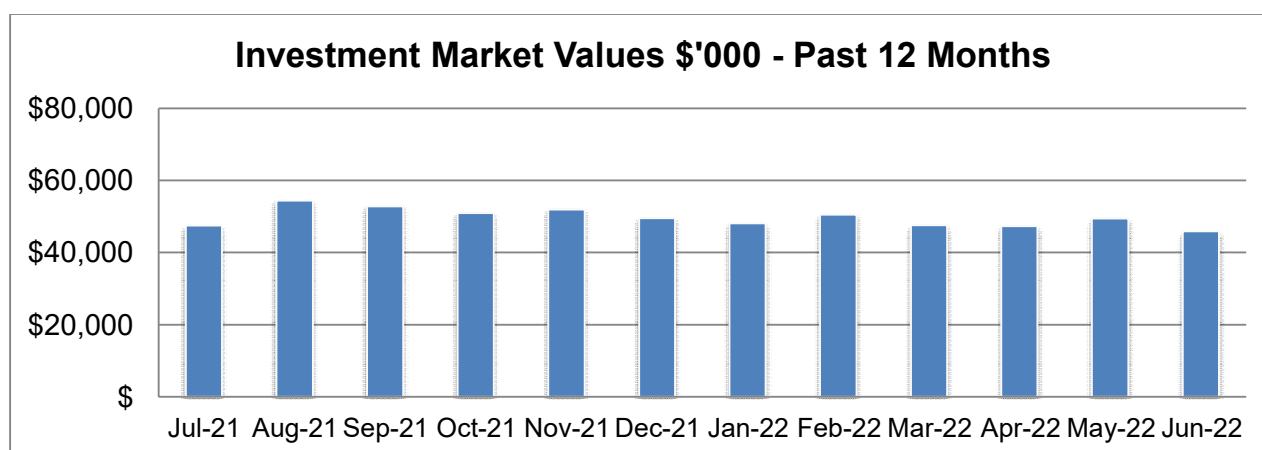
Council has a diversified investment portfolio and has a number of direct investments in term deposits. Its investment portfolio as at 30 June 2022 is:



As at 30 June 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
27 Apr 22	Commonwealth Bank of Australia	3,000,000	1.10%	90	26 Jul 22
Total		17,000,000			

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 July 2022, the Board decided to increase the official cash rate by 50 basis points to 1.35 per cent. According to the RBA Governor "... The Board judged that now was the right time to further increase the official cash rate as inflation in Australia has increased significantly. Global inflation is high. It is being boosted by COVID-related disruptions to supply chains, the war in Ukraine and strong demand which is putting pressure on productive capacity. Monetary policy globally is responding to this higher inflation, although it will be some time yet before inflation returns to target in most countries.

Inflation in Australia is also high, but not as high as it is in many other countries. Global factors account for much of the increase in inflation in Australia, but domestic factors are also playing a role. Strong demand, a tight labour market and capacity constraints in some sectors are contributing to the upward pressure on prices. The floods are also affecting some prices.

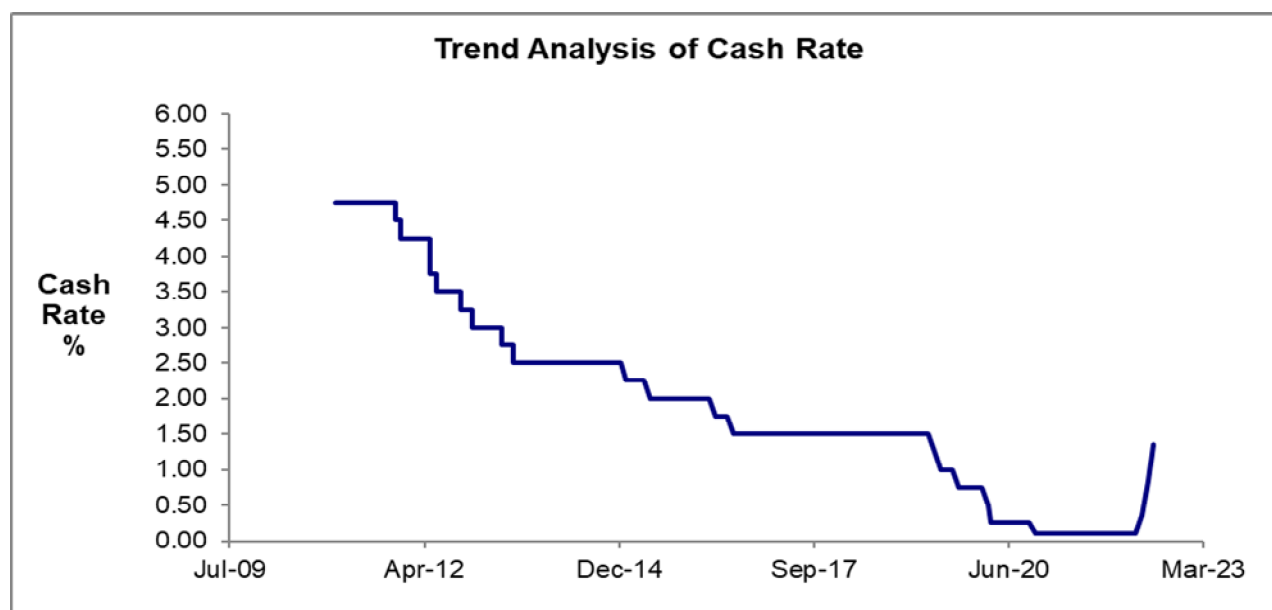
The Australian economy remains resilient and the labour market is tighter than it has been for some time. The unemployment rate was steady at 3.9 per cent in May, the lowest rate in almost 50 years. Underemployment has also fallen significantly. Job vacancies and job ads are both at very high levels and a further decline in unemployment and underemployment is expected over the months ahead. The Bank's business liaison program and business surveys continue to point to a lift in wages growth from the low rates of recent years as firms compete for staff in the tight labour market.

One source of ongoing uncertainty about the economic outlook is the behaviour of household spending. The recent spending data have been positive, although household budgets are under pressure from higher prices and higher interest rates. Housing prices have also declined in some markets over recent months after the large increases of recent years. The household saving rate remains higher than it was before the pandemic and many households have built up large financial buffers and are benefiting from stronger income growth. The Board will be paying close attention to these various influences on household spending as it assesses the appropriate setting of monetary policy.

The Board will also be paying close attention to the global outlook, which remains clouded by the war in Ukraine and its effect on the prices for energy and agricultural commodities. Real household incomes are under pressure in many economies and financial conditions are tightening, as central banks withdraw monetary policy support in response to broad-based inflation. There are also ongoing uncertainties related to COVID, especially in China.

The Board is committed to doing what is necessary to ensure that inflation in Australia returns to target over time. This will require a further lift in interest rates over the period ahead. The Board will continue to closely monitor the incoming information and evolving balance of risks as it determines the timing and extent of future interest rate increases. Statement by Philip Lowe, Governor: Monetary Policy Decision – 5 July 2022”.

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



Recommendation(s)

1. That the investment report for 30 June 2022 be received and endorsed.
2. That the Certificate of the Responsible Accounting Officer be received and noted.

Attachments

- 1 Investment Register - June 2022
- 2 Types of Investment

Investment Register - June 2022

BURWOOD COUNCIL
INVESTMENT PORTFOLIO
as at 30 June 2022

Investment Adviser	Issuer	ADI or N-ADI	Investment Name	Type	Rating S&P	Invested Amount	Market Value as at 30/06/2022	Market Value as at 31/05/2022	Market Value as at Reporting Date	% of Total Invested	Credit Ratings
Cash											
Council	Commonwealth Bank	ADI	Operating Account	Cash	AA-	5,152,288	2,560,175	4,744,523	5,152,288	20.77	AAA
Council	Commonwealth Bank	ADI	Online Saver	At Call	AA-	349,558	349,404	349,447	349,558	11.23	AA
Council	Macquarie Bank	ADI	Accelerator Account	At Call	AA-	4,024,564	4,021,964	4,024,964	4,024,564	8.77	Strong capacity to meet financial commitments, but somewhat susceptible to adverse economic conditions and changes in circumstances.
Council	AMP Bank Limited	ADI	AMP Business Saver	At Call	BBB-	1,275	1,274	1,275	1,275	0.00	A
Council	AMP Bank Limited	ADI	AMP Notice Account	Notice 30 days	BBB-	3,456	3,453	3,454	3,456	0.01	BBB
Term Deposits											
Council	National Australia Bank	ADI	National Australia Bank	Term Deposit	AA-	4,000,000	4,028,603	4,031,660	4,034,619	8.79	Extremely strong capacity to meet financial commitments. Highest rating
Council	Westpac	ADI	Westpac	Term Deposit	AA-	4,000,000	4,001,761	4,004,584	4,007,510	8.73	Very strong capacity to meet financial commitments.
Council	Westpac	ADI	Westpac	Term Deposit	AA-	3,000,000	3,003,760	3,000,000	3,001,849	6.54	Strong capacity to meet financial commitments
Council	Commonwealth Bank	ADI	Commonwealth Bank	Term Deposit	AA-	3,000,000	3,003,271	3,000,270	3,005,766	6.55	but somewhat susceptible to adverse economic conditions and changes in circumstances.
Council	National Australia Bank	ADI	National Australia Bank	Term Deposit	AA-	-	-	4,000,290	-	0.00	Adequate capacity to meet financial commitments, but more subject to adverse economic conditions.
Council	National Australia Bank	ADI	National Australia Bank	Term Deposit	AA-	-	4,002,805	-	-	0.00	Currently vulnerable and dependent on favourable business, financial and economic conditions to meet financial commitments
Council	National Australia Bank	ADI	National Australia Bank	Term Deposit	AA-	3,000,000	3,015,912	3,017,951	3,019,923	6.58	Payment default on financial commitments
Term Deposits - Fixed & Floating Rates											
Council	Westpac	ADI	Westpac	Coupon Select Deposit 2 Yr Fixed plus 3 Yr (90day BBSW + 1.05 bps)	AA-	3,000,000	3,014,941	3,000,490	3,007,838	6.56	Means that a rating may be raised
Floating Rate Notes											
Council	Suncorp-Melway Limited	ADI	Suncorp-Melway Limited	Floating Rate Notes (90 day BBSW mid +64 bps)	A+	1,500,000	1,505,580	1,502,820	1,503,885	3.28	Means that a rating may be lowered
Council	Bendigo-Adelaide	ADI	Bendigo Bank & Adelaide Bank	Floating Rate Notes (90 day BBSW mid + 105 bps)	BBB+	1,500,000	1,505,700	1,506,690	1,507,335	3.28	
Council	ANZ Group	ADI	ANZ Group	Floating Rate Notes (90 day BBSW mid + 77 bps)	AA-	2,000,000	2,005,060	2,006,400	2,007,190	4.37	
Council	Newcastle Permanent Building Society	ADI	Newcastle Permanent Building Society	Floating Rate Notes (90 day BBSW +140 bps)	BBB	1,250,000	1,261,488	1,257,563	1,258,338	2.74	
Council	National Australia Bank	ADI	National Australia Bank	Floating Rate Notes (90 day BBSW +41 bps)	AA-	1,500,000	1,474,515	1,467,840	1,470,420	3.20	
Council	MyState Bank Ltd	ADI	MyState Bank Ltd	Floating Rate Notes (90 day BBSW +65 bps)	BBB	2,500,000	2,480,800	2,475,775	2,476,675	5.40	
Council	Commonwealth Bank of Australia	ADI	Commonwealth Bank of Australia	Floating Rate Notes (90 day BBSW +63 bps)	AA-	2,000,000	2,015,360	2,010,280	2,012,240	4.39	
Council	Commonwealth Bank of Australia	ADI	Commonwealth Bank of Australia	Floating Rate Notes (90 day BBSW +113 bps)	AA-	4,000,000	4,038,590	4,035,120	4,040,840	8.81	
Grand Total						45,781,142	47,289,070	46,440,300	45,885,580	100.00	

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 Investment

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 74/22) QUESTIONS ON NOTICE

File No: 22/27819

REPORT BY DIRECTOR CORPORATE SERVICES**Summary**

The following Questions on Notice were submitted by Councillors.

Operational Plan Objective

A.110 Deliver a progressive and accountable framework to support Councillors and Burwood Local Planning Panel

The answers are provided below:

Cr Ned Cutcher

1. Is there a record of significant or mature trees that are located on public land within the Burwood LGA?

Response – Acting Director City Assets

Council does not have a Significant Tree Register but does have a Street Tree Inventory, which was undertaken approximately 20 years ago. Through a recent successful grant application, Council is currently in the process of engaging a consultant to undertake a new Street Tree Inventory that will pick up and provide details on every street tree in the Burwood LGA include assigning a risk rating to each tree.

2. Is there a schedule for Tree Management Officers to inspect and maintain significant or mature trees that are located on public land within the Burwood LGA?

Response – Acting Director City Assets

Mature aged trees in high target areas, with constant traffic or pedestrians, are prioritised for inspections annually by Council's Tree Management Officer. Trees in smaller residential streets are inspected less frequently, every three to five years. A 'Tree Monitoring List' is maintained for trees with minor defects or decline but that still have several years of beneficial service to provide to the community. The new Street Tree Inventory will guide the future management of street trees, including prioritising tree removal and replanting programs. Burwood Park has its own tree inventory but smaller parks do not have tree inventories.

3. Are there other significant or mature trees that are located on public land within the Burwood LGA that are known to have the presence of borers that could ringbark them and cause them to die?

Response – Acting Director City Assets

Only a small number of mature eucalyptus trees have been ringbarked by borers in recent years and subsequently removed. One other eucalyptus tree on Burwood Road, in Croydon Park, has extensive borer damage but has not been ringbarked and is being monitored.

Recommendation(s)

That Council receives and notes this report.

Attachments

There are no attachments for this report.

(ITEM RC6/22) BURWOOD LOCAL TRAFFIC COMMITTEE - JULY 2022

File No: 22/26214

REPORT BY DIRECTOR CITY ASSETS

Summary

Attached are the Minutes of the Burwood Local Traffic Committee from its meeting of July 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 July 2022 be noted and the recommendations of the Committee as detailed below be adopted as a resolution of the Council.

(ITEM LTC11/22) DEANE STREET AND RAILWAY CRESCENT, BURWOOD - TEMPORARY FULL ROAD CLOSURES**Recommendations**

1. That Council approve the temporary full road closure of Deane Street between Burwood Road and Youth Lane, and Railway Crescent between John Street and Burwood Road as part of the Streets and Shared Spaces program.
2. That Council approve the changes to the Taxi Zone, No Parking, No Stopping and 2P Ticket parking restrictions in Deane Street and Mary Street per the plan in the report.

(ITEM LTC12/22) CAR SHARE BAYS - VARIOUS LOCATIONS APPLIED FOR BY GOGET**Recommendation**

That Council approves the installation of three 6 metres long 'No Parking - Authorised Car Share Vehicles Excepted' in the following locations as shown on the plans in the report:

- Deane Street, Burwood – On the southern side, east of Mary Street in existing 2P Ticket parking area (*Permit Holders Excepted Area CS13*).
- Meryla Street, Burwood – On the southern side, east of Burwood Road in existing 2P Ticket parking area (*Permit Holders Excepted Area CS14*).
- Park Avenue, Burwood – On the southern side, west of Burwood Road in existing 2P Ticket parking area (*Permit Holders Excepted Area CS15*).

(ITEM LTC9/22) LILY STREET, CROYDON PARK - PROPOSED TRAFFIC CALMING DEVICE**Recommendations**

That Council approve the installation of a raised threshold in Lily Street between George Street and Rose Street per the plan attached to the report.

(ITEM LTC13/22) ON-STREET ELECTRIC VEHICLE CHARGING PARKING AREAS ACCROSS BURWOOD LGA**Recommendations**

- 1) That Council approve the installation of 'No Parking - Electric Vehicles Excepted Only While Charging' restrictions in the locations as follows:
 - Park Avenue (opposite property number 30-32) Burwood (6m parallel space);
 - Everton Road (opposite property number 19-21) Strathfield (6m parallel space);
 - Angelo Street at Council's Car parking area Burwood (3m wide perpendicular space); and
 - Brighton Street at Georges River Road Croydon Park (5.5m parallel space).

- 2) That Council approve the extension of existing 'No Stopping' restriction from 5.8m to 9m in Brighton Street south of Brighton Lane, Croydon Park.

(ITEM LTC14/22) PARNELL STREET, STRATHFIELD - PROPOSED MOTORCYCLE PARKING

Recommendation

That Council approves the proposed conversion of the undersize 4.5 meters parking space between the exit driveway of 32 Parnell Street and the driveway to 30 Parnell Street to 3.6 meters 'P MOTOR BIKES ONLY' zone for three bike spaces, including delineation of the three motorcycle parking bays.

Attachments

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



NOTICE OF BURWOOD LOCAL TRAFFIC COMMITTEE MEETING

The July 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 9.30 am Friday 8 July 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 May 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 LTC11/22)	DEANE STREET AND RAILWAY CRESCENT, BURWOOD - TEMPORARY FULL ROAD CLOSURES.....	3
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(ITEM LTC13/22)	ON-STREET ELECTRIC VEHICLE CHARGING PARKING AREAS ACCROSS BURWOOD LGA.....	20
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**(ITEM LTC11/22) DEANE STREET AND RAILWAY CRESCENT,
BURWOOD - TEMPORARY FULL ROAD CLOSURES**

File No: 22/23356

REPORT BY MANAGER TRAFFIC & TRANSPORT

Summary

A temporary full road closure is proposed along Deane Street between Burwood Road and Youth Lane, and Railway Crescent between John Street and Burwood Road, as part of the NSW Governments Department of Planning and Environment (DPE) Streets Shared Spaces program.

Background

Burwood Council was successful in obtaining grant funding in Round 2 of the 'Streets as Shared Spaces' program which aims to provide more and better public space that improves walkability and connection, enables day and night activity, and increases footfall and enable long-term changes through trialing innovative and creative approaches, partnerships and engagement.

Known for its mixed use and concentration of activities during the day and night, the Deane Street precinct boasts opportunities for local employment, education, cafes, restaurants, retail, recreation and cultural activity.

The Deane Street Precinct Transformation Project will reimagine our streets as places for people, whether it's new walking paths, turning asphalt into art or trialing new ways to use our streets for outdoor dining and passive recreation. The project will deliver increased public open space for community interaction, socialising, dining and recreation and seeks to fulfil a broad range of social, economic, health and environmental needs for our community.

Per Council's grant funding submission, the Deane Street Precinct Transformation Project will increase quantity of quality open space within the Burwood Town Centre.

Council proposes to reallocate road space to open pedestrian space, increasing areas for activities including walking, dining and sitting.

This will be achieved through:

- Full time closure of Deane Street from Burwood Road to Youth Lane for six months.
- Full time closure of Railway Crescent from Burwood Road to John Street for six months.
- Widening of the footpath on Deane Street (reallocation of 3 parking spaces for outdoor dining) from Mary Street to Marmaduke Street to create expansive spaces for eating and gathering.
- Provision of extra seating and shade on Deane Street from Burwood Road – Marmaduke Street to create spaces for people to wait, dine outside, relax and rest.
- Creation of new spaces for communal activities and play through collaboration with local services and the activation of Council programs including the Mobile Play Van, a roving outdoor play group for children (0-6 years old) and their parents where they can enjoy meeting other families and making new friends, while enjoying toys, craft and story time. The delivery of this service on Deane Street and Railway Crescent will support local families and children living in neighbouring high rise apartments.
- Increased landscaping including the roll out of planterboxes along Deane Street between Mary Street and Marmaduke Street.

Prioritise Pedestrians/Cyclists and Improve walkability and connection:

- Increase space and safety for walking and cycling on Deane Street through the creation of expanded footways and open space.
- Greater opportunity for mode shifting through provision of bike storage and a taxi rank on Deane Street near Burwood Station as well as the relocation and expansion of the kiss and ride area from 1 space to 3 spaces on Mary Street adjacent to Deane Street.

BURWOOD LOCAL TRAFFIC COMMITTEE**7 JULY 2022**

- Installation of a bike repair kiosk.
- Traffic calming through road pavement treatment and reduction of the number of trafficable lanes on Deane Street.

Safety and Accessibility:

- Installation of new cantilever lighting to provide greater sense of safety, particularly at night time.
- Activation of the space both day and night, supported by Council's "Burwood Eats" and "Alfresco Burwood" shop local campaign as well as the provision of additional public outdoor dining space for businesses who operate day and night.
- Making Deane Street and Railway Crescent walkable for people of all ages and abilities through the provision of increased accessible pedestrian spaces that are in close proximity to where people live, where there are things to see and do and where there are services that meet their daily and weekly needs.

Public Art:

- New vibrant play-inspired public art floor treatment on Deane Street between Burwood Road and Youth Lane and continuing on to Railway Crescent between Burwood Road and John Street.
- New public art mural on a 50meter x 1.5meter wall on Deane Street between Mary Street and Marmaduke Street.

Beautification:

- Decorative flags and hanging floral baskets on Deane Street between Burwood Road and Youth Lane

A plan showing all changes proposed as part of the Deane Street Transformation Project has been attached to the report.

Proposal

Per the above there are elements of the Deane Street Precinct Transformation Project which will directly impact traffic within Deane Street and Railway Crescent.

Full road closures will be commencing in September 2022 for a period of six months up to March 2023 within Deane Street, between Burwood Road and youth lane, and Railway Crescent, between John Street and Burwood Road. To ensure vehicles are not able to access these area concrete jersey's kerbs/water filled barriers will be placed at both ends of the closure areas which will provide safety for pedestrians.

In order to ensure that the existing Taxi Zone on the southern side of Deane Street can continue to operate it is proposed to relocate the zone 15m east. This will ensure that taxi's at the front of the zone will be able to turn right into Mary Street as they will no longer e babel to exit onto Burwood Road. The current Taxi Zone was found to be 19.3m in length which is able to be reduced down to 17.5m which will accommodate three taxis.

There is a short section of 'No parking' kiss and ride restrictions within the proposed road closure area within Deane Street which is used to pick up and drop off passengers from Burwood Station. This is proposed to be relocated to the western side of Mary Street within the existing 2P Ticket parking area.

Three on-street parking spaces on the northern side of Deane Street immediately east of Mary Street are proposed to be converted to 'No Stopping' for the placement of pop-up parks. These pop-up parks will contain tables and chairs for outdoor dining as well as landscaping and shade. Large sandstone blocks are proposed to be placed between the travel lane and the tables and chairs to provide protection to pedestrians in this area.

Traffic counts undertaken in Deane Street shows that in the morning and afternoon peak periods Deane Street carries around 100 vehicles in the morning peak between 8am – 9am and 90 vehicles in the afternoon peak between 5pm and 6pm use the affected portion of Deane street. This low volume of traffic is expected to be able to be absorbed via alternate routes without having a significant impact. Traffic counts will be undertaken at key intersections around the Burwood Town Centre during the six month closure to determine any impacts.

The proposed changes to parking restrictions in Deane Street and Mary Street are shown on the figures below.

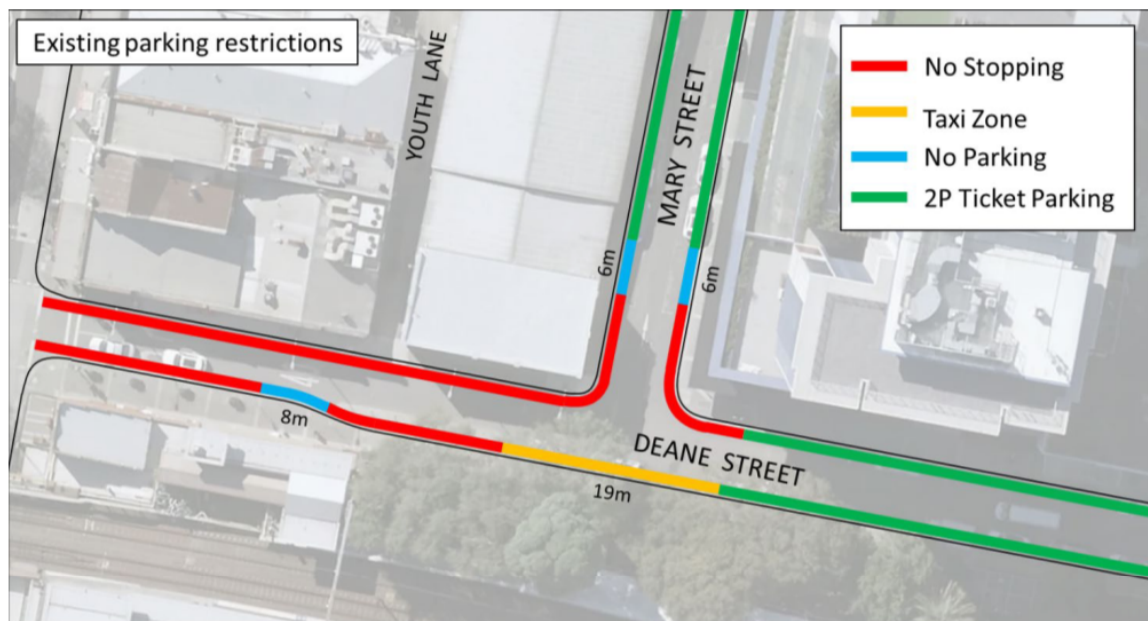


Figure 1 – Existing parking restrictions in Deane Street and Mary Street

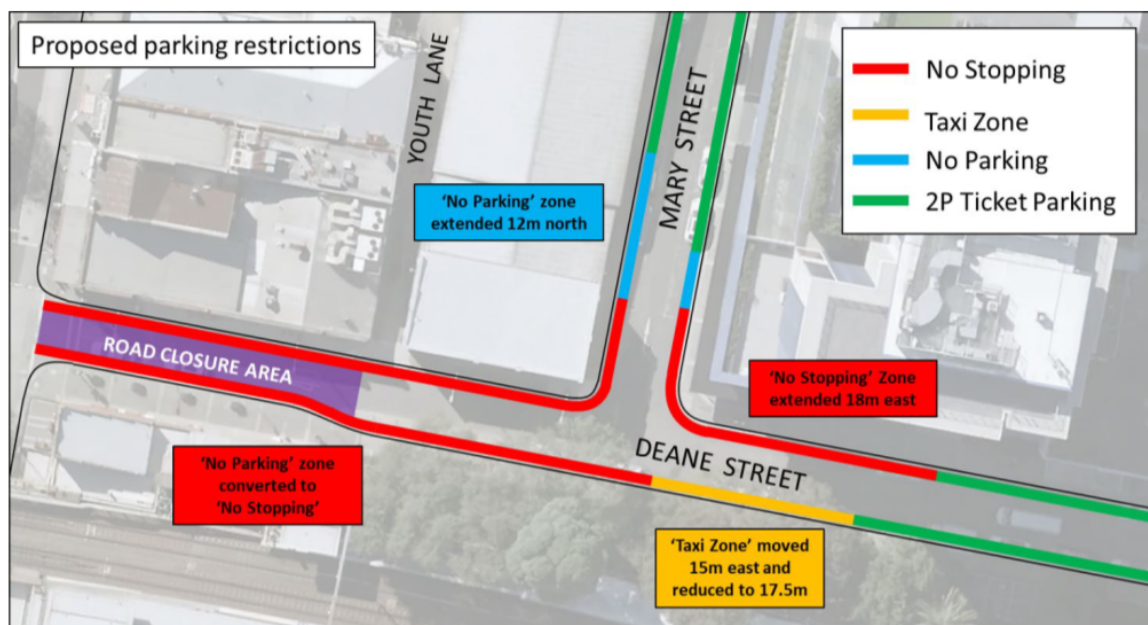


Figure 2 – Proposed road closure area and changes to parking restrictions in Deane Street and Mary Street

No changes to parking within Railway Crescent are required. Observations of traffic in this section of Railway Crescent shows that the street carries less than 30 vehicles in the morning and afternoon peak periods. As southbound vehicles on Burwood Road vehicles are prohibited from

turning right into Railway Crescent northbound traffic will need to be detoured. Traffic can turn left into George Street, left into John Street and then right into Railway Crescent which is a 210m detour which takes approximately 1 minute.



Figure 3 – Proposed road closure area in Railway Crescent

Sydney Trains have advised that this section of Railway Crescent will be required over a period of six months commencing in October 2022 to facilitate remedial works to the Burwood Road railway underpass bridge. The works will occur during track shutdown weekends only over 6 different weekends. Council will ensure that the area is made available during these periods so as to ensure that the remedial works can be undertaken.

A plan showing all changes proposed as part of the Deane Street Transformation Project has been attached to the report.

Consultation

Council has consulted local businesses adjacent the proposed changes to parking in Deane Street and Mary Street who were supportive of the proposal. Council has also been in consultation with transport for NSW throughout the submission process to ensure all requirements relating to changes to the traffic signals at the intersection of Deane Street and Burwood Road are able to be achieved.

Financial Implications

All works associated with the Deane Street Precinct Transformation Project are covered from the Streets as Shared Spaces program.

Recommendations

1. That Council approve the temporary full road closure of Deane Street between Burwood Road and Youth Lane, and Railway Crescent between John Street and Burwood Road as part of the Streets and Shared Spaces program.
2. That Council approve the changes to the Taxi Zone, No Parking, No Stopping and 2P Ticket parking restrictions in Deane Street and Mary Street per the plan in the report.

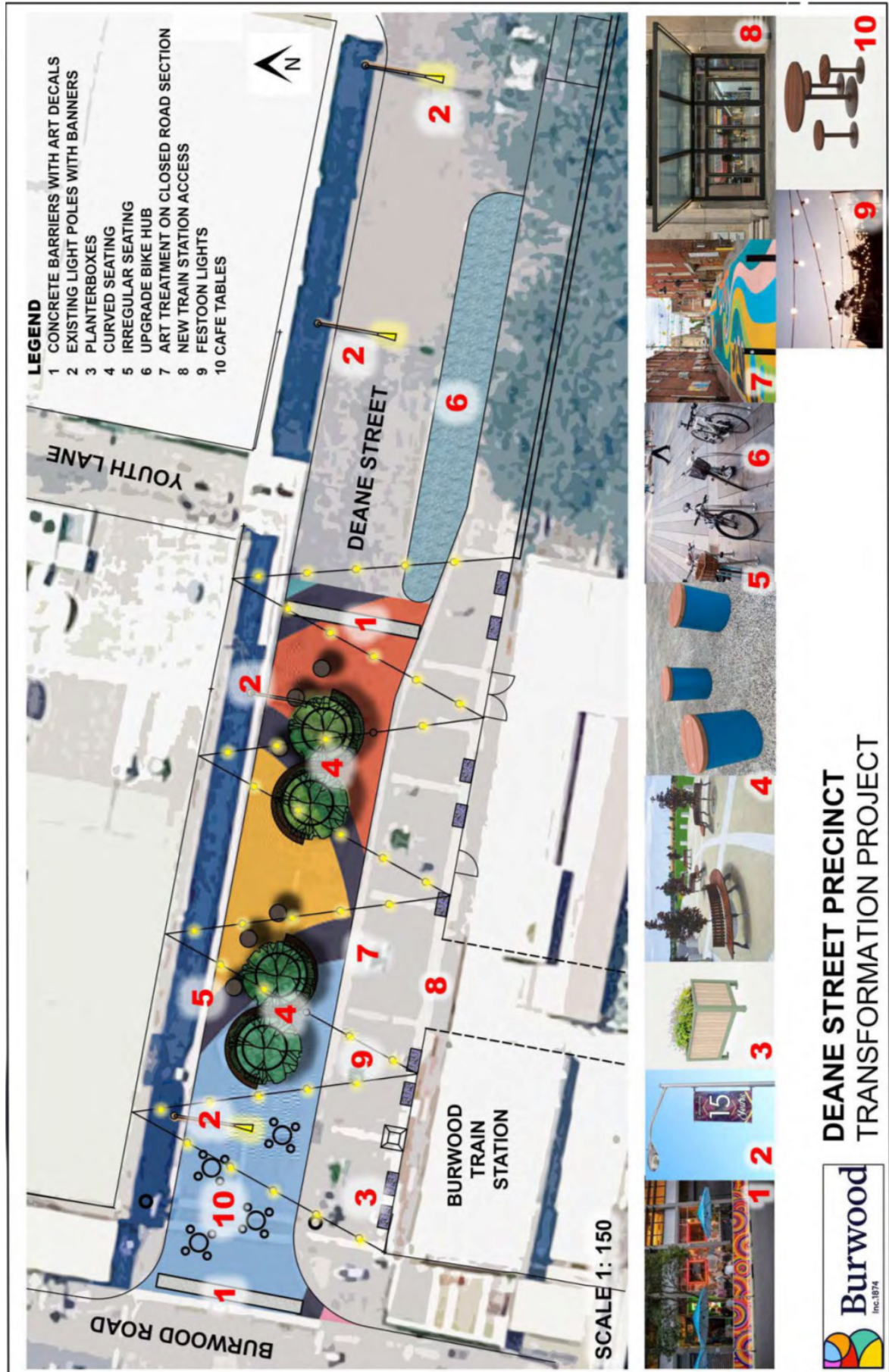
Attachments

- 1 Deane Street Precinct Transformation Project Concept Plan



DEANE STREET PRECINCT TRANSFORMATION PROJECT

- | | |
|--|--|
| 1 RAILWAY CRESCENT CLOSURE WITH ART TREATMENT & CONCRETE BARRIERS | 7 NEW PUBLIC ART MURAL |
| 2 DEANE STREET CLOSURE WITH ART TREATMENT, PLANTING, STREET FURNITURE & CONCRETE BARRIERS. ATTACH BANNER TO EXISTING LIGHT POLES | 8 KISS AND RIDE EXPANDED & RELOCATED FROM DEANE STREET |
| 3 NEW BURWOOD TRAIN STATION ACCESS | 9 LANDMARK DEVELOPMENT SITE |
| 4 UPGRADE BIKE HUB | 10 EXISTING DEANE STREET TRAFFIC LIGHTS TEMPORARILY DECOMMISSIONED |
| 5 POP UP PARK WITH PLANTING AND CAFE SEATING | 11 RETAIN EXISTING TAXI RANK |
| 6 EXISTING PEDESTRIAN CROSSING | |





**(ITEM LTC12/22) CAR SHARE BAYS - VARIOUS LOCATIONS APPLIED
FOR BY GOGET**

File No: 22/22611

REPORT BY TRAFFIC ENGINEER

Summary

GoGet has requested approval for an additional three dedicated car share bays to be installed throughout Burwood LGA in on-street locations to meet the demands of their members.

Background

Burwood Council adopted its Car Share Policy in October 2017 to manage the car share parking in the Burwood Local Government Area (LGA) in a fair and equitable manner. The Policy ensures that car share operators are provided equal access to defined car share spaces as well as providing residents and businesses in the Burwood LGA access to an environmentally sustainable alternative to car ownership.

Council has previously approved a total of 14 car share parking bays at 12 different locations within on-street and off-street public parking areas including the George Street and Wynne Avenue car parks.

Proposal

GoGet has approached Council for the proposed three locations:

- Deane Street, Burwood – On the southern side, east of Mary Street in existing 2P Ticket parking area.
- Meryla Street, Burwood – On the southern side, east of Burwood Road in existing 2P Ticket parking area.
- Park Avenue, Burwood – On the southern side, west of Dunns Lane in existing 2P Ticket parking area.

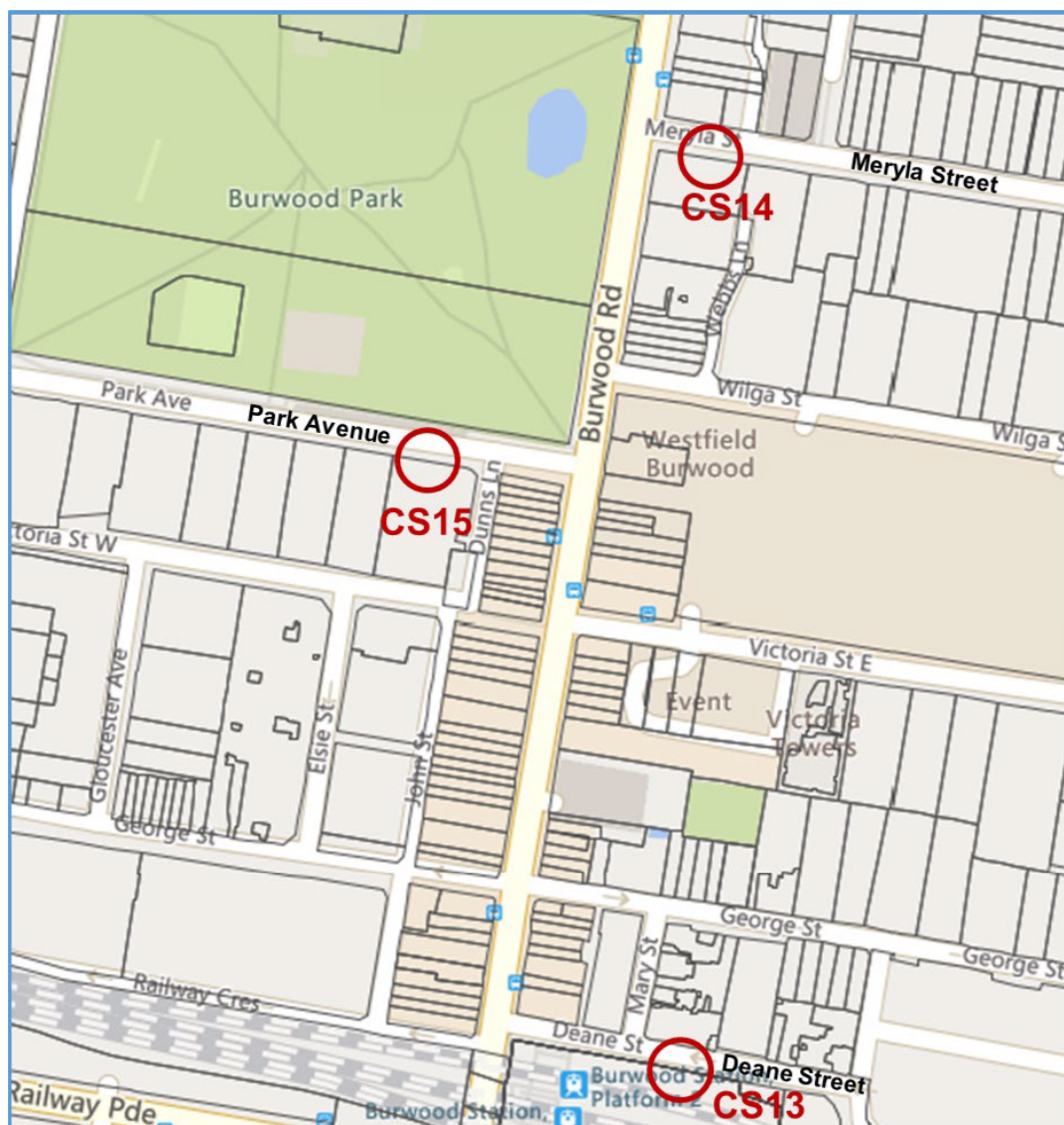


Figure 1 – Locations of the requested Car Share zones

Council's Car Share Policy requires car share operators to demonstrate that at least 10 current members will have reasonable proximity access to the space. GoGet P/L has provided the number of members within a 250m radius to each bay which represents approximately a three minute walk time. The number of members for each location is shown below.

- Deane Street, Burwood – 114 members
- Meryla Street, Burwood – 54 members
- Park Avenue, Burwood – 96 members

Per the TfNSW guidelines these bays are to be signposted as 'No Parking - Authorised Car Share Vehicles Excepted' with permits to be provided for approved vehicles with unique identifying zones.

Details of each of the three locations is shown in Figures 2 to 4 below.

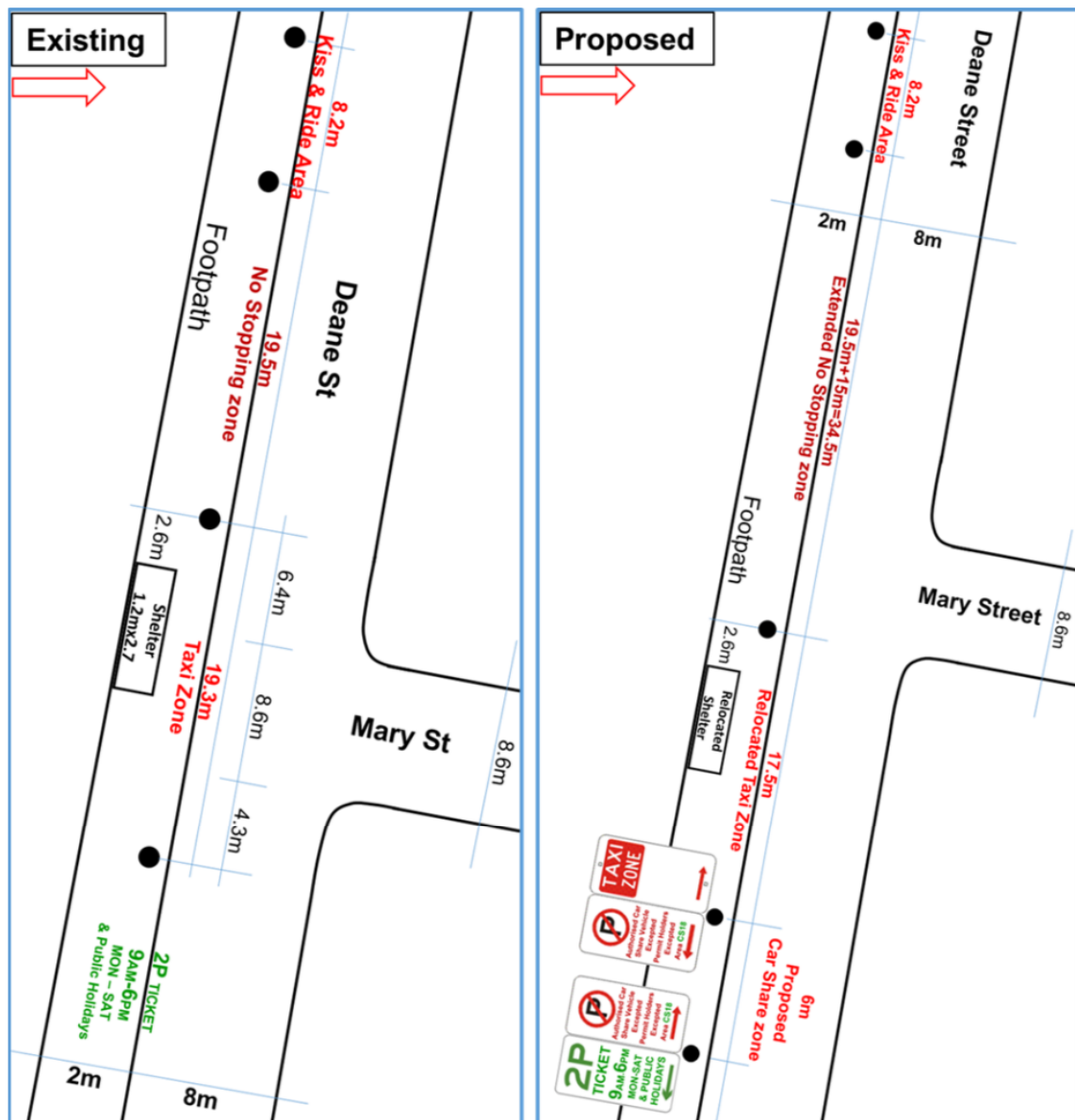


Figure 2 - Proposed 6m 'No Parking - Authorised Car Share Vehicles Excepted' (Permit Holders Excepted Area CS13) zone in Deane Street.



Figure 3 - Proposed 6m 'No Parking - Authorised Car Share Vehicles Excepted' (Permit Holders Excepted Area CS14) zone in Meryla Street.

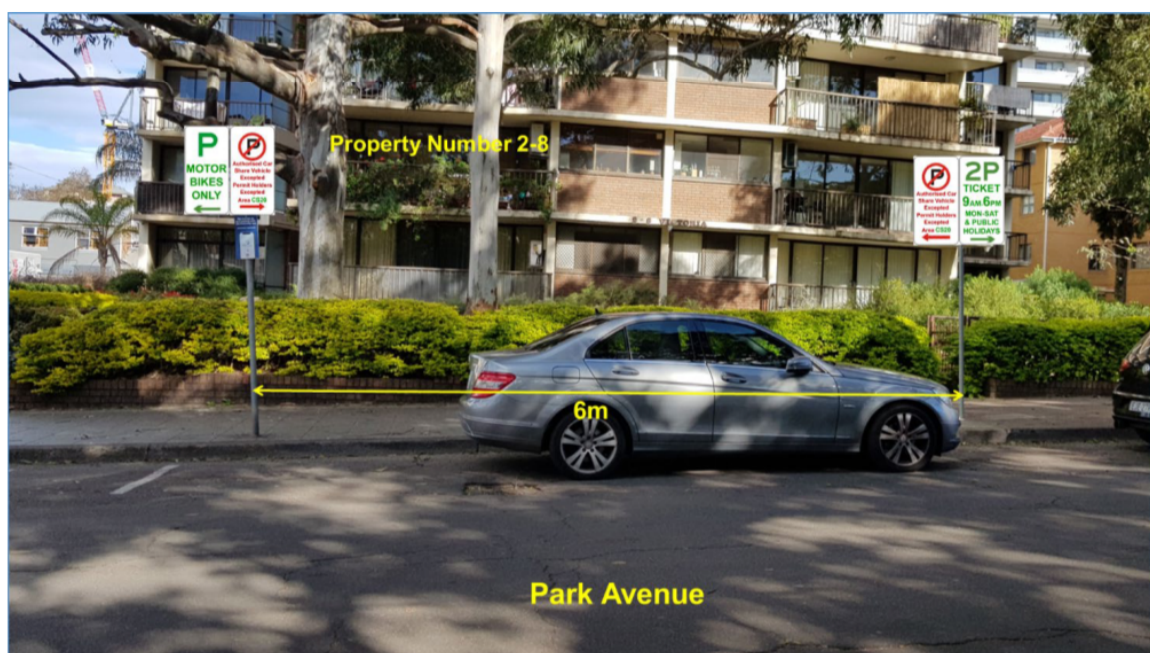


Figure 4 - Proposed 6m 'No Parking - Authorised Car Share Vehicles Excepted' (Permit Holders Excepted Area CS15) zone in Park Avenue.

As set out in Council's Policy, dedicated car share spaces may be contracted for a period of three years performance based, with a two year option period. Given there has been no interest from other car share providers it is proposed to permit GoGet P/L to have use of these three bays for the three year period with a two year option based on performance of the bays which is to be reviewed annually.

Consultation

Consultation was not undertaken for the Deane Street location as the proposed space is located along the railway line and not directly fronting any property.

Consultation was undertaken with adjacent properties along Meryla Street and Park Avenue. Consultation included a letter outlining the changes and a plan showing the proposed location.

The following responses were received from each area:

Location	# of surveys sent out	# of surveys received	Response Rate	Response Comments
Meryla Street Burwood	63	0	0 %	Nil
Park Avenue Burwood	87	0	0 %	Nil

As can be seen above no responses were received regarding the proposals.

Financial Implications

Per Council's Fees and Charges, a fee will be charged to the operator for the ongoing annual approval as well as to partly cover costs associated with the implementation of a dedicated car share space. The current fee is \$1,175.00 per space per year which will total \$3,525.00 for the three proposed spaces.

In addition to this an additional annual fee of \$888.00 will apply to each parking bay as they are each located within a Ticket parking area. This fee is to cover the cost of loss income to Council for the ticket parking bays.

Car share operators may request to line mark parking bays at their own cost however must obtain approval from Council prior to any works being undertaken. Fees are reviewed annually and set out in Council's Statement of Revenue Policy.

Recommendation

That Council approves the installation of three 6 metres long 'No Parking - Authorised Car Share Vehicles Excepted' in the following locations as shown on the plans in the report:

- Deane Street, Burwood – On the southern side, east of Mary Street in existing 2P Ticket parking area (*Permit Holders Excepted Area CS13*).
- Meryla Street, Burwood – On the southern side, east of Burwood Road in existing 2P Ticket parking area (*Permit Holders Excepted Area CS14*).
- Park Avenue, Burwood – On the southern side, west of Burwood Road in existing 2P Ticket parking area (*Permit Holders Excepted Area CS15*).

Attachments

There are no attachments for this report.

(ITEM LTC9/22) LILY STREET, CROYDON PARK - PROPOSED TRAFFIC CALMING DEVICE

File No: 22/18017

REPORT BY MANAGER TRAFFIC & TRANSPORT

Summary

Traffic calming devices are proposed on Lily Street Croydon Park to address safety concerns from residents when exiting their driveway.

Background

Council has received concerns relating to safety for residents on the southern side of Lily Street, between Burwood Road and Rose Street, when exiting their driveways. The concerns relate to the speed of west bound traffic and restricted sightlines for residents to observe approaching traffic.

Council staff have undertaken sight inspections within this area and observed the restricted sightlines for residents exiting their driveways caused by parked cars and street trees. Parking demand in this area was found to be high, with most on-street parking spaces occupied throughout the day. Removal of on-street parking and the street trees is not recommended in this location.

Traffic counts have been undertaken at this location on multiple occasions between 2015 and 2020. A breakdown of the traffic volumes and speeds has been summarised in the table below.

	AADT	85th Percentile Speed		
		East	West	Combined
2015	4,832	55 km/h	56 km/h	55 km/h
2017	5,115	50 km/h	55 km/h	53 km/h
2018	5,195	50 km/h	54 km/h	52 km/h
2019	4,944	50 km/h	53 km/h	50 km/h
2020	4,722	49 km/h	53 km/h	50 km/h

As can be seen above the westbound traffic has a slightly higher 85th percentile speed than eastbound traffic at this location. A review of crash data compiled by Centre for Road Safety has been undertaken which shows that there has been only one recorded accident in this section of Lily Street which took place in 2019. The accident was the result of an east bound vehicle undertaking a u turn and colliding with a west bound vehicle outside #41 Lily Street.



Proposal

In order to improve safety and reduce west bound traffic speeds designs for traffic calming devices in this area has been prepared. The first design incorporated the installation of rubber speed cushions in the west bound parking and travel lanes, as well as a central median island to prevent westbound traffic from swerving into the eastbound lanes to avoid the devices.

Similar speed cushions had not been proposed for east bound lanes as traffic in this direction was not observed to be traveling in excess of the speed limit, and the introduction of additional speed cushions would only result in unnecessary noise.

Consultation was undertaken with 17 properties within the vicinity of the proposal in May 2022 with four responses received which represents at 24% response rate. Of the responses received two was neutral, two were against and requested traffic calming devices also be placed within the east bound lanes.

Subsequently a new design was prepared which proposed a raised threshold across the entire width of Lily Street at the same location. The full width threshold removes the need for the central median which had been previously proposed. A copy of the raised threshold plan is attached.

Consultation

Consultation was once again undertaken with residents of Lily Street via letterbox drop which included a letter outlining the proposal, a plan and a survey form. A total of 17 surveys were distributed with two responses received representing a 12% response rate. Both responses were in favour of the proposal.

Financial Implications

The cost of the installation of the raised threshold is estimated to cost \$25,000 and is proposed to be budgeted from the 2022/23 Traffic Facilities budget.

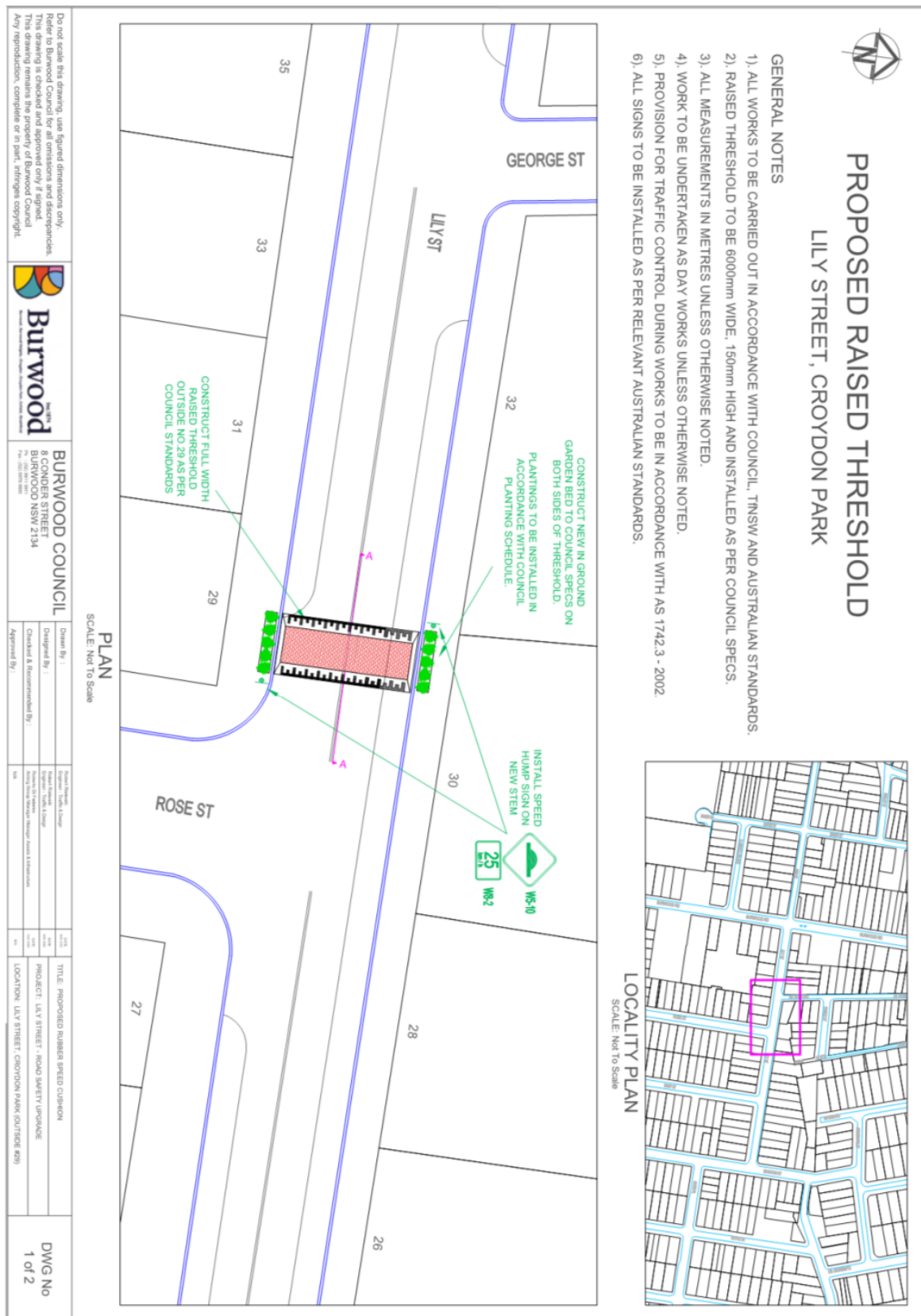
Recommendations

That Council approve the installation of a raised threshold in Lily Street between George Street and Rose Street per the plan attached to the report.

Attachments

- 1 Lily Street - Proposed Raised Threshold Plan

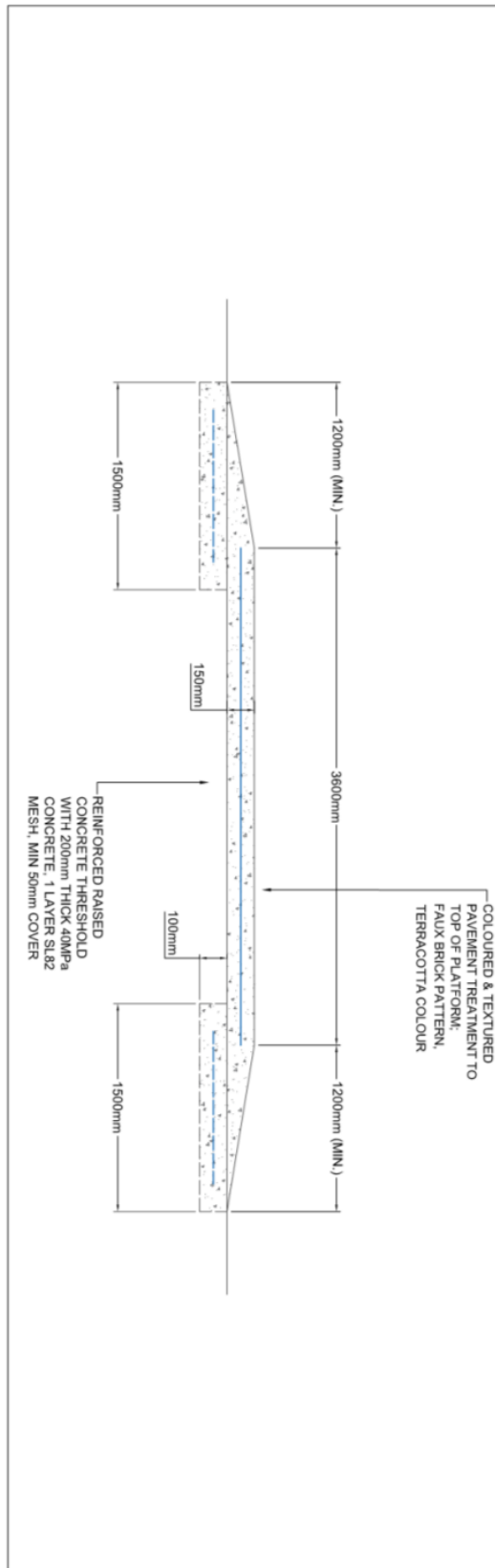
Lily Street - Proposed Raised Threshold Plan



Lily Street - Proposed Raised Threshold Plan



EXAMPLE OF PROPOSED RAISED THRESHOLD



SECTION A-A (LILY STREET)

SCALE: NOT TO SCALE

Do not scale this drawing, use figured dimensions only. Refer to Burwood Council for all omissions and discrepancies. This drawing is checked and approved only if signed. Any reproduction, complete or in part, infringes copyright.				 Burwood <small>Local Government Area of Sydney</small>				BURWOOD COUNCIL 8 CONDER STREET BURWOOD NSW 2134 Tel: (02) 9397 8800 Fax: (02) 9397 8801				Drawn By: _____ Designed By: _____ Checked & Recommended By: _____ Approved By: _____				Project Title: PROPOSED RAISED THRESHOLD - CROSS SECTIONS Project: LILY STREET - ROAD SAFETY UPGRADE Location: LILY STREET, CHORTON PARK (OUTSIDE 405)				DWG No 2 of 2			
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(ITEM LTC13/22) ON-STREET ELECTRIC VEHICLE CHARGING PARKING AREAS ACCROSS BURWOOD LGA

File No: 22/18062

REPORT BY TRAFFIC ENGINEER

Summary

In order to facilitate the use of newly installed Electric Vehicle charging stations it is proposed to modify parking restrictions in Park Avenue, Everton Road, Angelo Street and Brighton Street.

Background

Jolt Charge Pty Ltd (Jolt) were approved by Ausgrid to install four new JUMP Electric Vehicle (EV) charging stations at several locations around the Burwood LGA. The facilities were approved under Part 5 of the Environmental Planning and Assessment Act 1979 (EP&A Act) assessments by Ausgrid as exempt developments pursuant to Clause 41(2)(d) of State Environmental Planning Policy (Infrastructure) 2007, the construction of the JUMP EV Charging Stations can be carried out without consent and therefore did not require consent from Council.

Each of the EV charging stations locations have been provided at existing Ausgrid kiosk substations. A subsequent Development Application DA.2021.91 was submitted for advertising structures to be installed around the kiosk substations as part of the EV charging stations infrastructure. This DA was considered and approved by Council in December 2021.

Jolt has subsequently requested Council to install parking restrictions at each of the EV charging stations to help facilitate their use. The locations are:

Street	Suburb	Location	Existing Parking Restriction
Park Avenue	Burwood	Northern side opposite #30-32	2P Ticket 9am – 6pm Mon – Sat & Public Holidays
Everton Road	Strathfield	Southern side opposite #19-21	2P Ticket 9am – 6pm Mon – Sat & Public Holidays
Angelo Street	Burwood	Eastern side in 90 degree angled parking area	2P 8am – 6pm Mon – Fri 8am – 1pm Sat
Brighton Street	Croydon Park	Western side, south of Brighton Lane	1/2P 8.30am – 6pm Mon – Fri 8.30am – 12.30pm Sat

Proposal

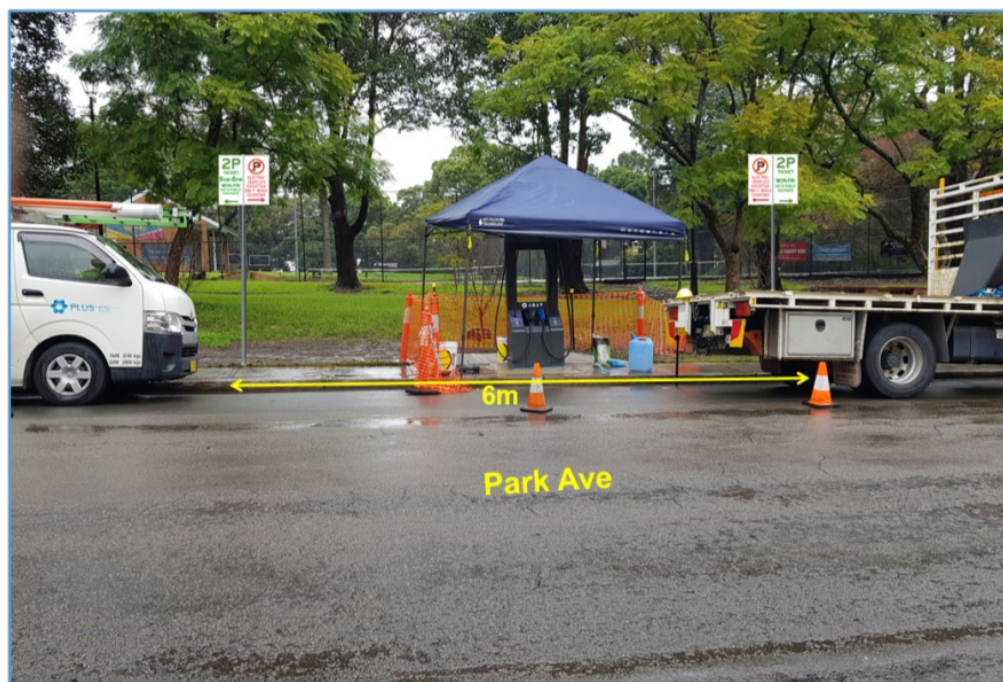
In order to formalise the kerbside parking area adjacent to each of the EV charging stations the standard “No Parking - Electric Vehicles Excepted Only While Charging” sign are proposed. Details of the sign are as below.





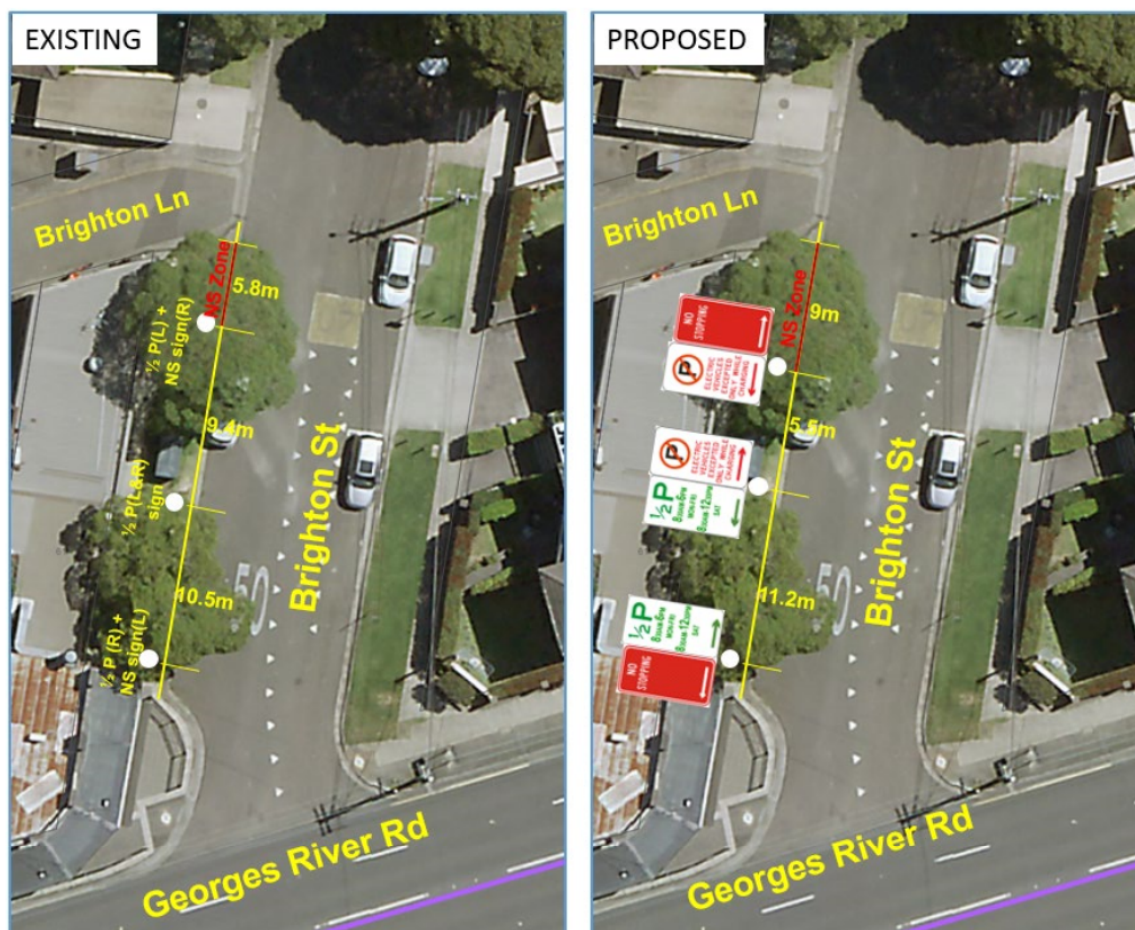
Council's Angelo Street parking area at Liverpool Road, Burwood

The Angelo Street EV charging station has already been installed per the photo above. Jolt has linemarked the closest parking bay green to help identify it as an EV charging bay. The green linemarking is not proposed for any other location.



Park Avenue opposite property number 30-32, Burwood

The Park Avenue location has required separate infrastructure to be installed away from the substation as the substation is set back too far from the kerb to allow a cable to run directly to an EV for charging.



Brighton Street at Georges River Road, Croydon Park

It was found that the current 'No Stopping' restrictions on the western side of Brighton Street south of Brighton Lane was only 5.8m in length. It is recommended to extend this area to 9.0m which will conform more closely with the Road Rules and still allow for three on-street parking spaces to be retained in this area. Given the volume of traffic exiting Brighton Lane at the intersection is low the slight variance of 9m 'No Stopping' restrictions as opposed to the 10m required under the Road Rules is considered to be acceptable.



Everton Road opposite property number 19-21, Strathfield

Consultation

The locations of each of these new EV charging stations are all within or adjacent to Town Centres/Commercial Corridors and the loss of one parking space in each location is not expected to have a significant impact on the availability of parking in these areas. Without the introduction of the proposed No Parking restrictions access to the EV charging could not be assured.

Consultation has been undertaken for the Angelo Street and Brighton Street locations only as these two locations are directly adjacent to commercial properties. No responses were received from either location.

Financial Implications

The 2022/23 Fees and Charges are currently on public exhibition which include a new fee for the installation of parking restrictions to facilities EV charging. The fee proposed are in line with the fee already charged for similar use of on-street parking by car share operators. The proposed fees are shown below:

Creation of parking space - one off fee	\$1,200.00
Use of parking space in ticket parking area per space per year	\$906.00

Based on this the Park Avenue and Everton Road locations will have a fee of \$2,106.00 each with a yearly ongoing yearly fee of \$906.00. The locations at Angelo Street and Brighton Street will have a fee of \$1,200.00 within no ongoing fees.

Recommendations

- 1) That Council approve the installation of 'No Parking - Electric Vehicles Excepted Only While Charging' restrictions in the locations as follows:
 - Park Avenue (opposite property number 30-32) Burwood (6m parallel space);
 - Everton Road (opposite property number 19-21) Strathfield (6m parallel space);

- Angelo Street at Council's Car parking area Burwood (3m wide perpendicular space); and
 - Brighton Street at Georges River Road Croydon Park (5.5m parallel space).
- 2) That Council approve the extension of existing 'No Stopping' restriction from 5.8m to 9m in Brighton Street south of Brighton Lane, Croydon Park.

Attachments

There are no attachments for this report.

(ITEM LTC14/22) PARNELL STREET, STRATHFIELD - PROPOSED MOTORCYCLE PARKING

File No: 22/22593

REPORT BY TRAFFIC ENGINEER

Summary

Council has received a request from Sydney Latvian Society located at 32 Parnell Street, Strathfield for a review of the current parking outside the premises. The issue relates to vehicles parking between the sites driveway and the driveway of 30 Parnell Street restricting egress.

Background

Parnell Street is a one-way eastbound road, with a pavement width of 8m. Current parking restrictions in Parnell Street are '2P TICKET 9am-6pm MON-SAT & PUBLIC HOLIDAYS' within the vicinity of number 32.

The width of the egress driveway of property 32 is 4.5m and the length of the on-street parking space immediately east of the driveway is 4.5m. Cars parked on either side of the driveway and directly across make it tight and difficult to exit the site in a forward direction.

Figure 1 below shows the existing parking restrictions and dimensions.

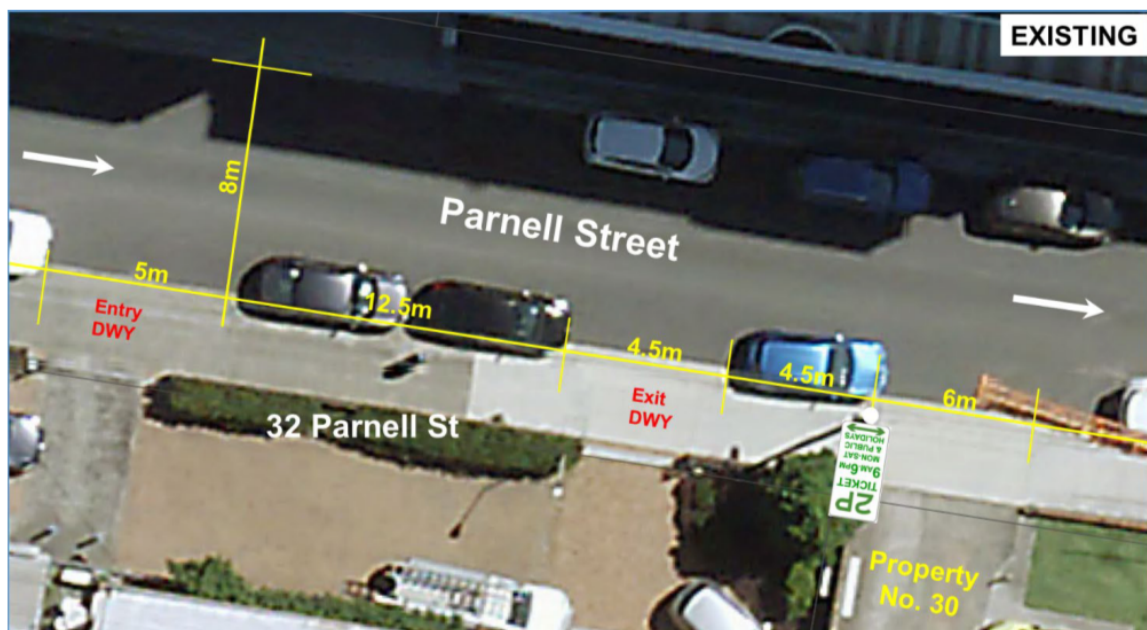


Figure 1 – Existing parking fronting 32 Parnell Street, Strathfield.

Proposal

There is an increasing demand for motor bikes parking across the Burwood LGA, particularly in the Burwood and Strathfield Town Centres. The length of the space between the exit driveway of 32 and the driveway to 30 Parnell Street is 4.5m and is too small to park a standard sized vehicle. Under AS 2890.2 the standard the length of this parking space should be at least 5.5m.

In order to assist with exiting vehicle movement from 30 Parnell Street it is proposed to convert the undersize parking space between two driveways to a 'P MOTOR BIKES ONLY' zone. The zone

will be delineated to fit three motorcycles which will be offset by 0.5m either side of the adjacent driveways.

The details of the proposal are shown in the Figure 2 below:

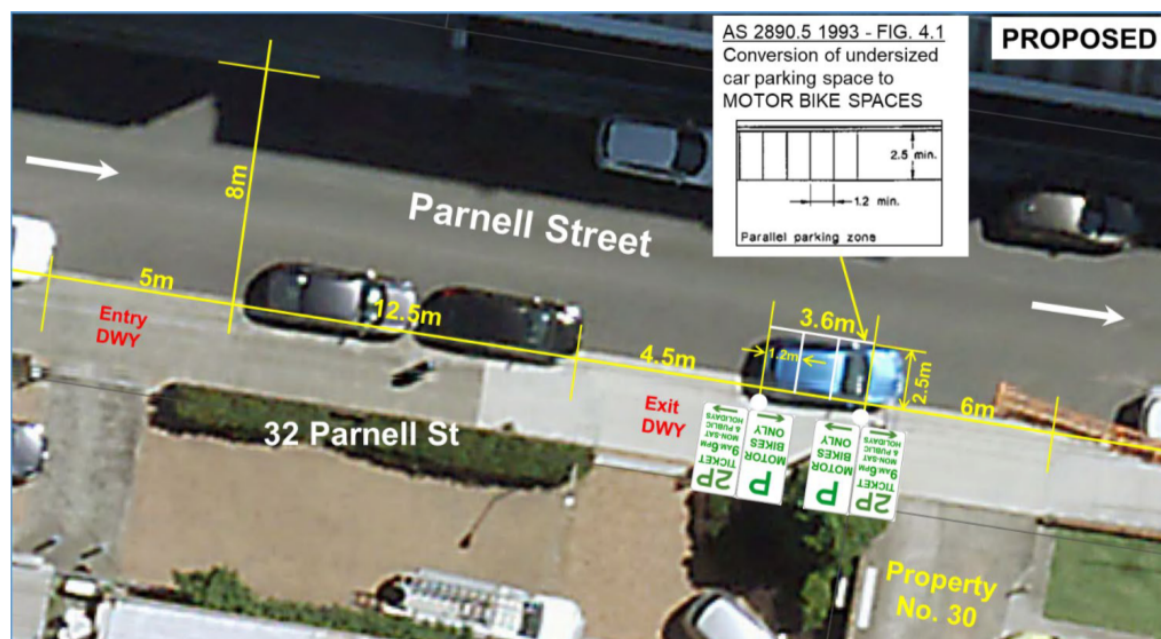


Figure 2 – Proposed parking fronting 32 Parnell Street, Strathfield.

Consultation

The proposed conversion of the space between two driveways to a 'P MOTOR BIKES ONLY' zone will have minimum impact on parking in this location. As the area is too small to accommodate a standard sized vehicle the changes will not result in the loss of any on-street parking, and will cater to the growing demand for motorcycle parking. The proposed changes are supported by the resident of 32 Parnell Street. Based on the above wider consultation has not been undertaken.

Financial Implications

The changes to parking signs is estimated to cost \$500.00 and will be funded from the 2022/23 Traffic Facilities Budget.

Recommendation

That Council approves the proposed conversion of the undersize 4.5 meters parking space between the exit driveway of 32 Parnell Street and the driveway to 30 Parnell Street to 3.6 meters 'P MOTOR BIKES ONLY' zone for three bike spaces, including delineation of the three motorcycle parking bays.

Attachments

There are no attachments for this report.



MINUTES OF THE MEETING OF THE BURWOOD LOCAL TRAFFIC COMMITTEE held electronically with all members emailed the Agenda and requested to send through comments by 9.30am Friday 8 July 2022.

ATTENDANCE

Cr John Faker (Mayor) Chairperson
 Snr Constable Germaine Grant, NSW Police Service
 Ms Tanmila Islam, Transport for NSW
 Mr Jason Li, 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 2 June 2022, as circulated, be confirmed and signed as a true record of the proceeding of the meeting.

GENERAL BUSINESS

(ITEM LTC11/22) DEANE STREET AND RAILWAY CRESCENT, BURWOOD - TEMPORARY FULL ROAD CLOSURES

File No: 22/23356

Summary

A temporary full road closure is proposed along Deane Street between Burwood Road and Youth Lane, and Railway Crescent between John Street and Burwood Road, as part of the NSW Governments Department of Planning and Environment (DPE) Streets Shared Spaces program.

Recommendations

1. That Council approve the temporary full road closure of Deane Street between Burwood Road and Youth Lane, and Railway Crescent between John Street and Burwood Road as part of the Streets and Shared Spaces program.
2. That Council approve the changes to the Taxi Zone, No Parking, No Stopping and 2P Ticket parking restrictions in Deane Street and Mary Street per the plan in the report.

MINUTES OF BURWOOD LOCAL TRAFFIC COMMITTEE MEETING

7 JULY 2022

(ITEM LTC12/22) CAR SHARE BAYS - VARIOUS LOCATIONS APPLIED FOR BY GOGET

File No: 22/22611

Summary

GoGet has requested approval for an additional three dedicated car share bays to be installed throughout Burwood LGA in on-street locations to meet the demands of their members.

Recommendation

That Council approves the installation of three 6 metres long 'No Parking - Authorised Car Share Vehicles Excepted' in the following locations as shown on the plans in the report:

- Deane Street, Burwood – On the southern side, east of Mary Street in existing 2P Ticket parking area (*Permit Holders Excepted Area CS13*).
- Meryla Street, Burwood – On the southern side, east of Burwood Road in existing 2P Ticket parking area (*Permit Holders Excepted Area CS14*).
- Park Avenue, Burwood – On the southern side, west of Burwood Road in existing 2P Ticket parking area (*Permit Holders Excepted Area CS15*).

(ITEM LTC9/22) LILY STREET, CROYDON PARK - PROPOSED TRAFFIC CALMING DEVICE

File No: 22/18017

Summary

Traffic calming devices are proposed on Lily Street Croydon Park to address safety concerns from residents when exiting their driveway.

Recommendations

That Council approve the installation of a raised threshold in Lily Street between George Street and Rose Street per the plan attached to the report.

(ITEM LTC13/22) ON-STREET ELECTRIC VEHICLE CHARGING PARKING AREAS ACCROSS BURWOOD LGA

File No: 22/18062

Summary

In order to facilitate the use of newly installed Electric Vehicle charging stations it is proposed to modify parking restrictions in Park Avenue, Everton Road, Angelo Street and Brighton Street.

Recommendations

- 1) That Council approve the installation of 'No Parking - Electric Vehicles Excepted Only While Charging' restrictions in the locations as follows:
 - Park Avenue (opposite property number 30-32) Burwood (6m parallel space);
 - Everton Road (opposite property number 19-21) Strathfield (6m parallel space);
 - Angelo Street at Council's Car parking area Burwood (3m wide perpendicular space); and
 - Brighton Street at Georges River Road Croydon Park (5.5m parallel space).
- 2) That Council approve the extension of existing 'No Stopping' restriction from 5.8m to 9m in Brighton Street south of Brighton Lane, Croydon Park.

(ITEM LTC14/22) PARNELL STREET, STRATHFIELD - PROPOSED MOTORCYCLE PARKING

File No: 22/22593

Summary

Council has received a request from Sydney Latvian Society located at 32 Parnell Street, Strathfield for a review of the current parking outside the premises. The issue relates to vehicles parking between the sites driveway and the driveway of 30 Parnell Street restricting egress.

Recommendation

That Council approves the proposed conversion of the undersize 4.5 meters parking space between the exit driveway of 32 Parnell Street and the driveway to 30 Parnell Street to 3.6 meters 'P MOTOR BIKES ONLY' zone for three bike spaces, including delineation of the three motorcycle parking bays.

This concluded the business of the meeting.