



Burwood Inc.1874
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MINUTES OF THE MEETING OF THE COUNCIL OF BURWOOD held in the Conference Room, Level 1, 2 Conder Street, Burwood on Tuesday 26 July 2022 commencing at 6:06pm.

ATTENDANCE Councillor John Faker (Mayor)
Councillor Heather Crichton
Councillor Ned Cutcher
Councillor Pascale Esber
Councillor David Hull
Councillor George Mannah (Deputy Mayor)
Councillor Hugo Robinson

Mr T Briscece, General Manager
Mr F Zincone, Director Corporate Services
Ms B Endycott, Director Community Life
Mr G El Kazzi, Director City Assets
Ms T Donaldson, Director People and Performance
Mr R Vella, Acting Director City Strategy
Mr W Armitage, Chief Finance Officer
Ms T Whitmarsh, Manager Governance & Risk (via Zoom)
Ms M Butler, Coordinator Governance
Ms A Nicholson, Governance Officer
Mr J Lancaster, Manager Major Capital Works and Projects
Mr R Toohey, Executive Planner

OPENING OF MEETING BY THE MAYOR

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

OPEN FORUM

There was no business for this item.

APOLOGIES

There were no apologies.

DECLARATIONS OF INTEREST

There were no declarations of interests by Councillors.

Cr Cutcher declared a less than significant non pecuniary interest in relation to Item RC6/22, Local Traffic Committee July Report. The nature of my interest is that I previously resided on Lily Street in Burwood Heights, near to where the proposed speed bump would be installed. He is managing this less than significant pecuniary interest in that he no longer resides on Lily Street.

DECLARATIONS OF POLITICAL DONATIONS

There were no declarations of political interests by Councillors.

CONFIRMATION OF MINUTES**74/22 RESOLVED** (unanimously)

That the minutes of the meeting of the Council Meeting of Burwood held on Tuesday 28 June 2022, as circulated, be confirmed and signed as a true record of the proceeding of the meeting.

(Moved Councillor Pascale Esber/Seconded Councillor David Hull)

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

File No: 22/27510

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.

75/22

RESOLVED

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, the Minister Tony Burke, Member for Watson, 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.

CR HULL ASKED THAT HIS VOTE AGAINST THE MOTION BE RECORDED IN THE MINUTES**(ITEM MM7/22) PUBLIC ART AND DESIGN FEATURES ACROSS BURWOOD BRIDGES**

File No: 22/27648

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.

76/22**RESOLVED** (unanimously)

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.

(ITEM MM9/22) NATIONAL TREE DAY 2022

File No: 22/28803

Summary

As Mayor I am passionate about increasing Burwood's urban tree canopy cover. In just over 2 years we have hit great targets and we won't stop.

In April 2019 I introduced the 500 Trees Program and have promoted a continuation of the program each year thereafter. Since then over 1,200 new trees have been planted along the streets of Burwood contributing to Council's goal of 25% urban canopy cover.

In celebration of National Tree Day 2022, and as proof of the importance of this endeavour I have committed to continuing these efforts through the delivery of community education campaigns, events and tree planting programs such as the planting of seven mature Flame Trees in Burwood Park to commemorate the Queen's Jubilee in partnership with the Department of Industry, Science, Energy and Resources.

The goal of National Tree Day is not only to get people involved in planting trees but to highlight the importance of increasing tree canopy. I believe these initiatives will play an important role in supporting our community as we continue to enhance the biodiversity, sustainability and liveability of Burwood.

Operational Plan Objective

3.1.1.1 Maintain and increase green spaces, the urban tree canopy, natural shade and enhance biodiversity corridors

77/22**RESOLVED** (unanimously)

That:

1. Two native quandong trees are planted outside George Street Burwood in celebration of National Tree Day 2022.
2. Council commits to planting another 500 street trees to increase our urban canopy cover in addition to the 1,200 street trees already planted.

3. The General Manager creates a new street tree inventory which will assist in planning for future street tree planting programs.
4. The General Manager continues to encourage staff to promote State Government programs including the Free Tree Giveaway Program which has made free trees available for Greater Sydney households and the Everyone Plant One campaign which encourages the community to plant a tree in their backyard in an effort to contribute to the NSW Government goal of 1 million trees by 2022.

NOTICES 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.

78/22 RESOLVED

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
3. An acknowledgement of country be included on the agendas of all council community committee meeting papers.

(Moved Councillor Ned Cutcher/Seconded Councillor Heather Crichton)

GENERAL BUSINESS

CR HUGO ROBINSON LEFT THE MEETING, THE TIME BEING 06:39 PM

CR HUGO ROBINSON RETURNED TO THE MEETING, THE TIME BEING 06:41 PM

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

File No: 22/26976

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

79/22 RESOLVED (unanimously)

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.

(Moved Councillor Pascale Esber/Seconded Deputy Mayor George Mannah)

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

File No: 22/24210

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.

80/22 RESOLVED (unanimously)

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.

(Moved Councillor Pascale Esber/Seconded Deputy Mayor George Mannah)

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

File No: 22/24583

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

81/22 RESOLVED (unanimously)

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.

(Moved Councillor Ned Cutcher/Seconded Deputy Mayor George Mannah)

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

File No: 22/21289

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.

82/22 RESOLVED (unanimously)

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.

(Moved Councillor Heather Crichton/Seconded Councillor Ned Cutcher)

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

File No: 22/22067

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.

83/22 RESOLVED

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.

(Moved Deputy Mayor George Mannah/Seconded Councillor Heather Crichton)

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

FOR	AGAINST
Councillor Faker	Councillor Cutcher
Councillor Mannah	
Councillor Crichton	
Councillor Robinson	
Councillor Hull	
Councillor Esber	
Total (6)	Total (1)

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

File No: 22/26434

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

84/22 RESOLVED (unanimously)

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 adequate and appropriate 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.

(Moved Deputy Mayor George Mannah/Seconded Councillor Hugo Robinson)

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

File No: 22/25578

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

85/22 RESOLVED (unanimously)

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.

(Moved Deputy Mayor George Mannah/Seconded Councillor Ned Cutcher)

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

File No: 22/23970

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.

86/22 RESOLVED (unanimously)

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

(Moved Councillor Pascale Esber/Seconded Councillor Heather Crichton)

(ITEM 72/22) LOCAL GOVERNMENT NSW ANNUAL CONFERENCE

File No: 22/24976

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

87/22 RESOLVED (unanimously)

1. That 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 will be:
 - The Mayor
 - The Deputy Mayor
 - Cr Ned Cutcher
 - Cr Pascale Esber (as the alternate)
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.

(Moved Councillor Ned Cutcher/Seconded Deputy Mayor George Mannah)

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

File No: 22/25799

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

88/22 RESOLVED

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.

(Moved Deputy Mayor George Mannah/Seconded Councillor Pascale Esber)

(ITEM 74/22) QUESTIONS ON NOTICE

File No: 22/27819

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.

89/22 RESOLVED (unanimously)

That Council receives and notes this report.

(Moved Councillor Heather Crichton/Seconded Councillor Ned Cutcher)

(ITEM 77/22) CHRISTMAS CLOSURE

File No: 22/26963

Summary

This report outlines the proposed Christmas closedown period and the plans to ensure that an appropriate level of service to the Burwood community is maintained.

Operational Plan Objective

A.24 – Maintain a high-quality workforce that is committed to delivering on our community's and Council's vision and goals.

90/22 RESOLVED (unanimously)

1. That Council endorse the Christmas close-down period from Saturday, 24 December 2022 to 8 January 2023.
2. That Council resolve to provide eligible employees with up to an additional three paid leave (concession) days during this close-down period as per the conditions set out in this report.
3. That the General Manager ensures suitable notification is provided to the community of the operational hours for Council services and facilities during the 2022/2023 close-down period.
4. That the General Manager ensures suitable consultation and notification is provided to employees as per the requirements set out in the *Local Government (State) Award 2020*.

(Moved Deputy Mayor George Mannah/Seconded Councillor Pascale Esber)

REPORTS OF COMMITTEES**(ITEM RC6/22) BURWOOD LOCAL TRAFFIC COMMITTEE - JULY 2022**

File No: 22/26214

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.

91/22 RESOLVED (unanimously)

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.

(Moved Deputy Mayor George Mannah/Seconded Councillor Pascale Esber)

CONFIDENTIAL ITEMS - CLOSED SESSION

THE MAYOR READ THE RESOLUTIONS OF THE CLOSED SESSION, WHICH WAS HELD PRIOR TO THE OPEN SESSION, AS FOLLOWS:

(ITEM 75/22) BURWOOD PARK CONSTRUCTION TENDER REPORT

File No: 22/22229

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.

92/22 RESOLVED (unanimously)

1. That, in relation to the tender for Construction of Burwood Park Sensory Garden, Pond, Nature Play and Drainage Infrastructure works, the tender from Civil Constructions Pty Ltd be accepted as per the report.

2. That authority be granted to the General Manager to sign the Tender contract and any related documentation.

(Moved Deputy Mayor George Mannah/Seconded Councillor Pascale Esber)

(ITEM 76/22) LEASE OF CAFE AT RAILWAY SQUARE BURWOOD (1A RAILWAY PARADE BURWOOD)

File No: 22/27290

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.

93/22 RESOLVED (unanimously)

That Council resolves to:

1. grant the General Manager with authority to negotiate the surrender of the lease (including by way of mediation, if required) and enter into any documentation relating to the surrender of the lease under Power of Attorney;
2. grant the General Manager with authority to enter into a settlement agreement with the Lessee in full and final settlement of the issues surrounding the rental arrears and the current lease in accordance with the following terms:
 - a. the Lessee surrenders the current lease;
 - b. the Lessee pays a surrender sum plus or minus 10% as per the report and forfeiture of the security bond as per the report.
3. Write off any outstanding debt that relates to:
 - a. rental arrears following payment of the surrender sum; and
 - b. the balance of the lease term as a result of the surrender of the lease.

(Moved Councillor Heather Crichton/Seconded Deputy Mayor George Mannah)

(ITEM MM8/22) GENERAL MANAGER PERFORMANCE REVIEW 2021/22

File No: 22/27796

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

94/22 RESOLVED (unanimously)

- a) The Review Panel congratulates General Manager Tommaso Briscese on his individual performance in 2021/22 and that of the organisation, and notes the reputation of the Council has been enhanced by the contributions made.
- b) That it be noted the Review Panel has assessed the performance of the General Manager as warranting a performance increase of \$10,000.
- c) That the projects and priorities outlined in the Mayoral Minute be adopted and included in the General Manager's Performance Agreement for 2022/23.

This concluded the business of the meeting and Council rose at 7.12 pm.

The Minutes of the Ordinary Meeting held on 26 July were submitted for confirmation by council on 23 August 2022 and were confirmed without amendment by resolution 93/22. The confirmed Minutes were signed by the Mayor, John Faker, at the meeting of 23 August 2022.