

MINUTES OF THE MEETING OF THE COUNCIL OF BURWOOD held in the Conference Room, Level 1, 2 Conder Street, Burwood on Tuesday 22 August 2023 commencing at 6:02pm.

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 Briscese, General Manager
Mr F Zincone, Director Corporate Services
Ms B Endycott, Director Community Life
Mr G El Kazzi, Director City Assets
Ms R Vella, Manager City Planning
Ms H Duan, Senior Strategic Planner
Mr G Patton, Heritage Advisor
Mr R Di Federico, Manager Traffic & Transport
Ms M Butler, Coordinator Governance
Ms A Nicholson, Governance Officer

Opening of meeting by the Mayor

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

Apologies

There were no apologies.

Declarations of interest

Cr Crichton declared a less than significant non-pecuniary interest in Item RC/23 - Burwood 150 Years Anniversary Steering Committee Meeting Minutes as she chaired the meeting as Acting Chair and Delegate. She will not move or second this item.

Declarations of political donations

There were no declarations of political interests by Councillors.

Confirmation of Minutes

72/23 RESOLVED

That the minutes of the meeting of the Council Meeting of Burwood held on Tuesday 25 July 2023, as circulated, be confirmed and signed as a true record of the proceeding of the meeting.

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

For: Cr Faker, Cr Mannah, Cr Crichton, Cr Cutcher, Cr Esber, Cr Hull, Cr Robinson
Against: Nil

(Item MM5/23) Proposed Changes to Parking Arrangements at Elizabeth Street Carpark

File No: 23/35209

Summary

With the aim of promoting parking turnover during times of high parking demand within the Burwood and Strathfield Town Centres, at the Ordinary Meeting of Council held on 27 June 2023, it was resolved (in part):

'That Council approve the extension of ticketed parking restrictions in the Wynne Avenue, George Street, Burwood Library, Elizabeth Street, Meryla Street and Parnell Street car parks from '9am to 6pm Monday to Saturday including public holidays' to '9am to 10pm Monday to Sunday, including public holidays' for a trial period of 12 months.'

Since that time Council has rolled out new signage at each car park location and undertaken additional communications to ensure the new provisions were understood by our community, alongside an initial grace period on enforcement.

Tonight, I have put forward this Mayoral Minute to address representations that I have received from St Nectarios Greek Orthodox Church regarding the impact of the new parking arrangements at the Elizabeth Street Carpark. The church has brought to my attention their significant concerns, both in writing and today in person, and I believe it is important for us to consider reverting some of the changes implemented to better accommodate their congregation and the community at large.

Many of you will be aware that St Nectarios Church has been located within close proximity to the Elizabeth Street Carpark since 1970. St Nectarios is a vital institution in our community - it offers not only spiritual guidance for our local Greek community, but also provides important community support, activities, events and other gatherings.

The church's leadership and community members have expressed that the rollout of ticketed parking at the Elizabeth Street Carpark on Sundays has already started deterring members and visitors from attending Sunday services and important functions. It has also been expressed that free and accessible car parking has long been relied upon by elderly members of the church community who have already begun to diminish in numbers since the new parking changes were introduced.

A review of initial parking data since the changes were implemented shows that periods of highest evening use include Thursday, Friday and Saturday evenings and there is a lesser demand for Monday to Wednesday evenings.

To continue to meet the needs of local business who initially raised the issue of parking turnover and after careful consideration of St Nectarios Church's representation, I propose that Council revert some of the recent restrictions implemented at the Elizabeth Street Carpark to strike a better balance between these distinct community interests and needs.

Operational Plan Objective

C.4.1 Plan and manage transport infrastructure to meet current and future community needs.

73/23 RESOLVED

That:

1. A report is tabled at the Burwood Local Traffic Committee Meeting scheduled for 7 September 2023 reviewing the trial operational hours within the Elizabeth Street Carpark with a view to revert back to '9am – 6pm Monday to Wednesday,' and no restrictions on Sundays, whilst retaining the new '9am – 10pm Thursday to Saturday' restrictions.
2. Council sub-delegate the authorisation of prescribed traffic control devices covered under Division 1 of Part 4 (Sections 50 to 55) of the *Road Transport (Safety and Traffic Management) Act 1999* to the General Manager for the purpose of the above changes to parking restrictions in the Elizabeth Street Carpark only.

For: Cr Faker, Cr Mannah, Cr Crichton, Cr Cutcher, Cr Esber, Cr Hull, Cr Robinson

Against: Nil

GENERAL BUSINESS**(Item 53/23) Half-Yearly Report (1 January 2023 to 30 June 2023)**

File No: 23/31402

Summary

A report on the progress of Council's Delivery Program 2022 – 2026 is to be presented to Council on a half-yearly basis in accordance with legislative requirements of the State Government's Integrated Planning and Reporting (IP&R) Framework.

Operational Plan Objective

C.11.1 – Conduct Council business with transparency, accountability, compliance and probity that ensures community confidence in decision making.

P.44 – Plan, monitor and report on the delivery of services and initiatives in accordance with the Integrated Planning and Reporting Framework under the Local Government Act.

102 – Undertake corporate planning and reporting

74/23 RESOLVED

That Council endorse the Half-Yearly Report 1 January 2023 to 30 June 2023.

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

For: Cr Faker, Cr Mannah, Cr Crichton, Cr Cutcher, Cr Esber, Cr Hull, Cr Robinson

Against: Nil

(ITEM 54/23) Amendment to Burwood Development Control Plan - Setbacks for 121-125 Burwood Road (Burwood Hotel) & 168 Burwood Road, Burwood (Westpac)

File No: 23/33615

Summary

This report proposes an amendment to the street front setback requirements for the commercial core and middle ring areas of Section 3.3.2 Burwood Town Centre Areas of the Burwood

Development Control Plan (DCP), specifically the controls relating to the front setback requirements for Nos 168 & 121 – 125 Burwood Road, Burwood.

The intent of the amendment is to increase the street front setbacks so as to open up the heritage view to the former Burwood Post Office and facilitate the establishment of a public plaza along the Burwood Road frontage at the intersection of Railway Parade.

Operational Plan Objective

A.32 Undertake a comprehensive review of the Development Control Plan (DCP) 2013 and prepare a user friendly and interactive DCP

75/23 RESOLVED

1. That the proposed amendment to the primary street front setback requirements for Nos 121-125 & 168 Burwood Road, Burwood under Section 3.3.2 Burwood Town Centre Areas of the Burwood Development Control Plan (DCP), as outlined in the body of the report, be endorsed for the purposes of public exhibition and that they be exhibited in accordance with relevant Legislation and Council's *Community Engagement Strategy*.
2. That the owners of the affected properties be notified in writing of the proposed amendment to the DCP.
3. That following the exhibition of the DCP amendments, a report be brought to Council advising of any submissions and making recommendations on the finalisation of the draft DCP provision.

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

For: Cr Faker, Cr Mannah, Cr Crichton, Cr Cutcher, Cr Esber, Cr Hull, Cr Robinson

Against: Nil

(Item 55/23) Recognising Our Local Heritage - Proposed Heritage Signs Program

File No: 23/25067

Summary

This report provides an update to the implementation of 'Recognising Our Local Heritage' and response status, with respect to the Mayoral Minute dated 13 December 2022 and the update report of 28 March 2023.

Council staff have continued to work on the rollout of directional heritage wayfinding signage in accordance with the endorsed Wayfinding and Signage Guidelines, as well as investigating options for heritage interpretation in the public domain.

This report outlines a program for the delivery of heritage signage aimed at recognising local heritage across the LGA, with options for signage.

Operational Plan Objective

- A.16 Deliver initiatives that promote and improve access to local heritage
- C.3 An urban environment that maintains and enhances our sense of identity and place
 - C.3.2 Protect our unique built heritage and maintain or enhance local character
- P.13 Identify and plan for built heritage and local character

76/23 RESOLVED

1. That Council support the roll-out of Stages 1 & 2 of the “Recognising our Local Heritage” signage program and endorse the Heritage Plaque as outlined in Option 1 of the body of the report.
2. That the roll-out of the “Recognising our Local Heritage” signage program as outlined in 1 above be delegated to the General Manager and that a report be presented back to Council in June 2024 providing an update on the program.

(Moved Councillor Hugo Robinson/Seconded Councillor Heather Crichton)

For: Cr Faker, Cr Mannah, Cr Crichton, Cr Cutcher, Cr Esber, Cr Hull, Cr Robinson

Against: Nil

(Item 56/23) Heritage Powers to Enforce Maintenance of Heritage Items

File No: 23/33064

Summary

This report responds to a Mayoral Minute on the issue of neglect of heritage properties by owners and provides an update on actions taken by Council to seek support for the introduction of greater powers for councils around enforcement for neglect of heritage properties.

Operational Plan Objective

C.3.2 Protect our unique built heritage and maintain or enhance local character.

77/23 RESOLVED

That a further report be presented to Council in November 2023 providing an update on the advice from the Minister for Environment and Heritage relating to the lack of powers for Council in relation to the neglect of heritage properties.

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

For: Cr Faker, Cr Mannah, Cr Crichton, Cr Cutcher, Cr Esber, Cr Hull, Cr Robinson

Against: Nil

(Item 57/23) Local Government NSW Annual Conference

File No: 23/34572

Summary

This year the Local Government NSW Annual Conference is being held from Sunday 12 to Tuesday 14 November 2023 at the Rosehill Gardens Racecourse, Rosehill.

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

78/23 RESOLVED

That:

1. Council nominates three Councillors (Cr Mannah, Cr Esber and Cr Cutcher) 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 2023 to be held at Rosehill Gardens Racecourse, from Sunday 12 to Tuesday 14 November 2023.
2. The General Manager and other Observers be authorised to attend, and that the nominated Observers and any other Councillors confirm their attendance by Monday 28 August 2023 to the General Manager.

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

For: Cr Faker, Cr Mannah, Cr Crichton, Cr Cutcher, Cr Esber, Cr Hull, Cr Robinson

Against: Nil

(Item 58/23) Investment Report as at 31 July 2023

File No: 23/10128

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

A.103 Implement and monitor appropriate investment strategies and prepare monthly investment reports

79/23 RESOLVED

1. That the investment report for 31 July 2023 be received and endorsed.
2. That the Certificate of the Responsible Accounting Officer be received and noted.

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

For: Cr Faker, Cr Mannah, Cr Crichton, Cr Cutcher, Cr Esber, Cr Hull, Cr Robinson

Against: Nil

REPORTS OF COMMITTEES**(Item RC14/23) Burwood Local Traffic Committee - August 2023**

File No: 23/32926

Summary

Attached are the Minutes of the Burwood Local Traffic Committee from its meeting of August 2023. The Minutes are hereby submitted to the Ordinary Council Meeting for consideration and adoption by Council.

Operational Plan Objective

C.4.1 Plan and manage transport infrastructure to meet current and future community needs

A.40 Investigate traffic hot spots and implement solutions such as pedestrian refuges, roundabouts or traffic calming devices

80/23 RESOLVED

That the minutes of the Burwood Local Traffic Committee of August 2023 be noted and the recommendations of the Committee as detailed below be adopted as a resolution of the Council.

(ITEM LTC18/23) BROOKLYN STREET, BURWOOD - WORK ZONE APPLICATION

Recommendation

1. That Council approve the installation of a 'Work Zone, 7:00am – 5:00pm Monday to Saturday' directly fronting No. 1A Brooklyn Street, Burwood, for a length of 10m and for a period of 26 weeks.
2. That Council approve the parking area to be returned to '1P Parking 8am – 6pm Monday to Friday 8am – 1pm Saturday Permit Holders Excepted Area 5' at the completion of the 'Work Zone'.

(Moved Councillor Ned Cutcher/Seconded Councillor Heather Crichton)

For: Cr Faker, Cr Mannah, Cr Crichton, Cr Cutcher, Cr Esber, Cr Hull, Cr Robinson

Against: Nil

(Item RC15/23) Burwood 150 Years Anniversary Steering Committee Meeting Minutes - 8 August 2023

File No: 23/34491

Summary

This report presents the draft minutes of the Burwood 150 Years Anniversary Steering Committee meeting held on Tuesday 8 August 2023.

Operational Plan Objectives

A.16 Deliver initiatives that promote and improve access to local heritage.

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

81/23 RESOLVED

That Council receives and notes the draft minutes of the Burwood 150 Years Anniversary Steering Committee held on 8 August 2023 (included under Attachment 1).

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

For: Cr Faker, Cr Mannah, Cr Crichton, Cr Cutcher, Cr Esber, Cr Hull, Cr Robinson

Against: Nil

This concluded the business of the meeting and Council rose at 6:36pm.

The Minutes of the Ordinary Meeting held on 22 August 2023 were submitted for confirmation by council on 26 September and were confirmed without amendment by resolution 82/23. The confirmed Minutes were signed by the Mayor, John Faker, at the meeting of 26 September 2023.