



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

MINUTES OF THE MEETING OF THE COUNCIL OF BURWOOD held in the Conference Room, Level 1, 2 Conder Street, Burwood on Tuesday 26 September 2023 commencing at 6:30pm.

### 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 T Donaldson, Director People and Performance  
Ms M Wassef, Executive Manager Place Management & Communication  
Ms R Vella, Manager City Planning  
Ms R Lau, Executive Strategic Planner  
Ms H Duan, Senior Strategic Planner  
Mr G Patton, Heritage Advisor  
Mr B Adamopoulos, Manager Design and Assets  
Mr P Barreto, Drainage Design Engineer  
Mr R Di Federico, Manager Traffic & Transport  
Ms M Thorogood, Manager Property  
Ms T Whitmarsh, Manager Governance & Risk  
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

**Mayor Faker** declared a pecuniary interest in Item 70/23 – Draft Burwood North Masterplan as his family owns a property on Britannia Avenue, Burwood and he will not participate in the discussion or decision.

**Cr Crichton** declared a less than significant non pecuniary interest in Item 70/23 – Draft Burwood North Masterplan as her former husband is a consultant to Grocon which holds options along the northern side Parramatta Road Corridor at Concord. These options are in the vicinity of the Burwood North Metro Station and consists of 14 lots and 32 dwellings. Although the properties are not located within Burwood LGA, the disclosure was made due to the immediate proximity and scale of these properties to the Burwood North Metro Station and as a pedestrian access point to

the Metro will be situated in Burwood Road, Corner of Parramatta Road and Esher Lane, which is in Burwood LGA.

### Declarations of political donations

There were no declarations of political interests by Councillors.

### Confirmation of Minutes

#### 82/23 RESOLVED

That the minutes of the meeting of the Council Meeting of Burwood held on Tuesday 22 August 2023, as circulated, be confirmed and signed as a true record of the proceeding of the meeting.

(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**

### PROCEDURAL MOTION

#### 83/23 RESOLVED

That business be re-ordered so that Items 61/23 and 70/23 are dealt with as the first and second items.

(Moved Councillor Hugo Robinson/Seconded Councillor Ned Cutcher)

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

### **(ITEM 61/23) POST-EXHIBITION - PLANNING PROPOSAL - AMENDMENT TO SCHEDULE 5 OF BURWOOD LEP 2012 - GROUP HERITAGE LISTING OF 4-10 AND 14 COOPER STREET, STRATHFIELD AND SEVEN (7) ELECTRICITY SUBSTATIONS**

File No: 23/31550

### **Summary**

This report provides an overview of the exhibition of the Planning Proposal (PP-2023-332) that seeks to group heritage list Nos 4-10 and 14 Cooper Street, Strathfield and seven (7) Ausgrid electricity substations.

The Planning Proposal was exhibited from 10 May to 9 June 2023. A total of seven (7) submissions were received during the exhibition period, all objecting to the proposed group listing of Nos 4-10 and 14 Cooper Street, Strathfield. This report provides an overview of the submissions and recommends that the Planning Proposal be finalised in accordance with the Gateway Determination.

### **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

**84/23 RESOLVED**

1. That Council note the submissions to the Planning Proposal PP-2023-332 and the responses of Council officers as summarised at Attachment 4.
2. That Council, pursuant to Section 3.36 of the *Environmental Planning & Assessment Act 1979* and in accordance with the Gateway Conditions, exercise its LEP making delegations to finalise and make the draft Local Environmental Plan to list the following as local heritage items in Schedule 5 and on the Heritage Maps of the Burwood Local Environmental Plan 2012:
  - a) Group listing of Nos 4-10 and 14 Cooper Street, Strathfield
  - b) Group listing of the following Ausgrid electricity substations:
    - i. 5 Burwood Road, Burwood Heights
    - ii. 4 Badminton Road, Croydon Park
    - iii. 2B Cooper Street, Strathfield
    - iv. 25 Angel Road North, Strathfield
    - v. 32 Wallace Street, Burwood
    - vi. 12 Iceton Street, Burwood
    - vii. Princes Street & Cheltenham Road, Burwood
3. That the affected property owners and those who made a submission be advised in writing of Council's decision.
4. That Council officers undertake a review of Section 3.7 Area Based Controls – Cooper Street Precinct, Strathfield of the Burwood Development Control Plan, and where appropriate make changes to ensure suitable development outcomes for the heritage listed properties.

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

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

**Mayor John Faker left the meeting at 7:12 pm. Deputy Mayor George Mannah assumed the Chair.**

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**(ITEM 70/23) DRAFT BURWOOD NORTH PRECINCT MASTERPLAN - ENDORSEMENT FOR PUBLIC EXHIBITION**

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File No: 23/23974

**Summary**

The draft Burwood North Precinct Masterplan has been prepared by Council in conjunction with urban design consultancy Cox Architecture and is supported by a series of technical studies prepared by independent experts in their respective fields.

This report seeks Council's endorsement to exhibit the draft Masterplan and outlines the proposed engagement strategy for the exhibition.

**Operational Plan Objective**

A.63 Research plans and opportunities for the creation of public open spaces as part of the planning of the Burwood North Precinct

A.76 Undertake initiatives that support new economic growth in the Burwood North Precinct and

Burwood Town Centre

A.98 Undertake comprehensive community engagement programs to seek community input on Council projects, operations, initiatives and major decisions.

**AMENDMENT – Amendment lost**

That the following new item be inserted:

That Council:

- a) consider the creation of a new green park (i.e. built on a grass foundation) within the draft Burwood North precinct, and
- b) publicly exhibit the plans for the new green park in accordance with the community engagement strategy for incorporation in the draft Burwood North Masterplan

(Moved Councillor David Hull/Seconded Councillor Hugo Robinson)

**For: Cr Hull, Cr Robinson**

**Against: Cr Cutcher, Cr Crichton, Cr Esber, Cr Mannah**

**AMENDMENT – Amendment lost**

The item 2 be amended to include the words “and a maximum period of 20 weeks” after the words “6 weeks”.

(Moved Councillor David Hull/Seconded Councillor Hugo Robinson)

**For: Cr Hull and Cr Robinson**

**Against: Cr Cutcher, Cr Esber, Cr Crichton, Cr Mannah**

**AMENDMENT – Amendment lost**

That item 1 be deleted.

(Moved Councillor David Hull/Seconded Councillor Hugo Robinson)

**For: Cr Hull, Cr Robinson, Cr Cutcher**

**Against: Cr Esber, Cr Crichton, Cr Mannah**

**The Chair used their casting vote against the motion and the Amendment was lost**

**85/23 RESOLVED**

1. That Council endorse the draft Burwood North Masterplan, as included in Attachment 1 and the associated studies, as included in Attachments 2–13 to this report, for the purposes of public exhibition.
2. That the draft Burwood North Masterplan and associated studies be publicly exhibited for a minimum period of 6 weeks in accordance with the framework outlined in the Community Engagement Strategy, as included at Attachment 14 to this report.
3. That Council:
  - a) proactively consults with and extracts detailed information from the NSW State government in respect of the provision of infrastructure services to Burwood LGA from the present to the projected completion of the draft Burwood North Masterplan including, but not limited to the following:
    - hospitals

- police
  - ambulance
  - schools (primary and secondary)
  - the capacity of the Burwood metro and heavy rail
- b) make this information available to councillors and
- c) publicly exhibit this information in accordance with the community engagement strategy for incorporation in the draft Burwood North Masterplan.
4. That following the conclusion of the public exhibition of the draft Burwood North Precinct Masterplan and associated studies, a further report be prepared and submitted to Council to allow consideration of any submissions received and any resulting amendments to the Masterplan.
5. That the General Manager be delegated to undertake minor modifications to any numerical, typographical, interpretation and formatting errors, if required, prior to the commencement of the public exhibition of the draft masterplan.

(Moved Councillor Heather Crichton/Seconded Councillor Pascale Esber)

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

**Against: Nil**

**Mayor John Faker returned to the meeting at 8:11 pm**

#### **(ITEM 59/23) ELECTION OF DEPUTY MAYOR**

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File No: 23/32458

#### **Summary**

Section 231 of the *Local Government Act 1993* outlines options for the election of a Deputy Mayor, should Council deem it appropriate at any time to elect one.

#### **Operational Plan Objective**

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

#### **86/23 RESOLVED**

That Council:

1. determine at its meeting of 26 September 2023 to immediately proceed with the election of a Deputy Mayor
2. agree the period of appointment for the position of Deputy Mayor will be until the next election
3. confirm the nomination status of potential candidates immediately before any voting proceeds to the election of a Councillor to the position of Deputy Mayor
4. pursue any agreement to proceed with the election of a Deputy Mayor by:
  - a. means of open ballot, if more than a single nomination is received for the position, or
  - b. in the event that only a single nomination for the position is received, declare the single nominee elected as Deputy Mayor for the agreed period of service.

(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**

The Returning Officer (General Manager) called for any nominations in addition to one received before the commencement of the meeting. There being no further nominations, the nomination process was formally closed by the Returning Officer. The Returning Officer confirmed that the single nomination of Councillor George Mannah was in order and accepted by the nominee. As there were no additional candidates for the position of Deputy Mayor, the Returning Officer declared Councillor Mannah as the Deputy Mayor.

### **(ITEM 60/23) COUNCILLOR REPRESENTATION ON COMMITTEES AND OTHER BODIES**

File No: 23/32519

#### **Summary**

To determine the formation of Committees to assist Council in their decision making on various community, technical and management issues as well as determine Council representation on such Committees and other industry bodies of relevance to the exercise of Council functions.

#### **Operational Plan Objective**

- P.49 Ensure transparency and accountability in decision making  
 C.11.2 Provide opportunity for engagement with the community to inform Council's decision-making

### **87/23 RESOLVED**

That Council:

- Determines ongoing committees, councillor representation as:

<b>Committee</b>	<b>Chairperson</b>	<b>Delegate</b>	<b>Alternate</b>
Burwood 150 Years Steering Committee	Mayor John Faker	Cr Heather Crichton	Cr Ned Cutcher
Burwood Anzac Commemorative Service Committee	Mayor John Faker	Cr Heather Crichton	Cr David Hull
Burwood Sustainability and Environment Advisory Committee	Mayor John Faker	Deputy Mayor George Mannah Cr Ned Cutcher	Cr Hugo Robinson
Multicultural Advisory Committee	Cr Pascale Esber	N/A	Cr Hugo Robinson
National Servicemen's Association Committee	Cr Pascale Esber	N/A	Cr David Hull
Sandakan Community Educational Committee	Cr Heather Crichton	N/A	Cr Pascale Esber
Burwood Local Traffic Committee	Mayor John Faker  (Deputy Mayor to be the Chair in	N/A	Cr Hugo Robinson

	the absence of the Mayor)		
General Manager's Contract Review Panel	Mayor John Faker	Cr Heather Crichton Deputy Mayor George Mannah	Cr Hugo Robinson
SSROC – Full Committee	N/A	Mayor John Faker Cr Heather Crichton	Cr Ned Cutcher Deputy Mayor George Mannah
SSROC – Sustainability Committee	N/A	Cr Heather Crichton Cr Ned Cutcher	<i>Nil – based on existing convention</i>
SSROC – Program Delivery Committee	N/A	Cr Ned Cutcher Cr Hugo Robinson	<i>Nil – based on existing convention</i>

2. Notes the continuing appointments for representatives to the Sydney Eastern City Regional Planning Panel and the Audit and Risk Committee for the remainder of those terms.

(Moved Councillor David Hull/Seconded Councillor Ned Cutcher)

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

**Against: Nil**

### **(ITEM 62/23) PLANNING PROPOSAL - GROUP HERITAGE LISTING OF APPIAN WAY CENTRAL RESERVE AND PUBLIC DOMAIN**

File No: 23/38542

#### **Summary**

A Planning Proposal has been prepared to facilitate the group heritage listing of the Appian Way central reserve and public domain under Schedule 5 of the Burwood Local Environmental Plan (Burwood LEP) 2012.

The subject lands proposed to be listed as part of the group listing meet the threshold of local significance for the relevant heritage assessment criteria. It is recommended that Council endorse the Planning Proposal for a Gateway Determination.

#### **Operational Plan Objective**

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

A.37 Undertake a heritage assessment of existing building stock to identify and update the register of contributory or heritage items

#### **88/23 RESOLVED**

1. That Council support the group listing of the Appian Way central reserve, owned by the Appian Way Recreation Club, and public domain, encompassing the entire roadway and paths from Liverpool Road to Burwood Road, as a group item of local heritage significance as outlined in the Planning Proposal as a local group heritage item on the heritage schedule of the Burwood Environmental Plan 2012.

2. That Council endorse the forwarding of the Planning Proposal to the NSW Department of Planning and Environment (DPE) to request a Gateway Determination under Section 3.33 of the Environmental Planning and Assessment Act 1979 for an amendment to the Burwood Local Environmental Plan 2012 to:
  - i. group list the Appian Way central reserve, and public domain, encompassing the entire roadway, paths and trees from Liverpool Road to Burwood Road, as a group as a heritage item in Schedule 5 Environmental heritage; and
  - ii. Mapping the land as “Item – General” on the Heritage Map
3. That subject to the Gateway Determination, affected property owners be notified in writing.
4. That the results of the public exhibition and consultation be reported back to Council.

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

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

### **(ITEM 63/23) DRAFT SOCIAL MEDIA POLICY**

File No: 23/37847

#### **Summary**

A review has been conducted of Council’s Social Media Policy to highlight opportunities to better align it with the *Model Social Media Policy* finalised by the Office of Local Government (OLG) in 2022.

#### **Operational Plan Objective**

- C.8.1 Promote Burwood as a great place to live, work, visit and invest in  
C.11.2 Provide opportunity for engagement with the community to inform Council’s decision-making

#### **MOTION LAPSED**

That the Council endorse the Draft Social Media Policy to be placed on public exhibition in accordance with *Section 160 of the Local Government Act 1993* for a period of 28 days.

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

### **(GB6/23) SOCIAL MEDIA POLICY WORKSHOP**

#### **89/23 RESOLVED**

That Council holds a workshop on the Social Media Policy.

(Moved Councillor Hugo Robinson/Seconded Councillor Ned Cutcher)

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



**(ITEM 64/23) PUBLIC INTEREST DISCLOSURES POLICY - FOR PUBLIC EXHIBITION**

File No: 23/38498

**Summary**

The *Public Interest Disclosures Act 2022* (PID Act) commences on 1 October 2023. The PID Act is designed to develop a 'speak up' culture by encouraging public officials to report serious wrongdoing and to protect them when they do, often referred to as 'whistle-blower protections'.

Under the new PID Act, Council is required to have in place a Public Interest Disclosures Policy by 1 October 2023. The NSW Ombudsman's Office have confirmed that an agency that has a draft policy on public exhibition at that time will be considered to have complied with that requirement. The purpose of this report is to seek endorsement of a draft policy for public exhibition.

**Operational Plan Objective**

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

**90/23 RESOLVED**

That:

1. Council approves the public exhibition of the draft *Public Interest Disclosures Policy* at Attachment 1 for a period of 28 days.
2. A report be brought back to Council outlining the outcomes of public exhibition and seeking final adoption of the policy.
3. Council rescinds the *Public Interest Disclosures Act 1994 - Internal Reporting Policy* and requires any PID reports received between the date of that rescission and the adoption of the new draft policy be dealt with under the draft policy and the new *Public Interest Disclosure Act 2022*.

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

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

**Against: Cr Cutcher**

**(ITEM 65/23) ADOPTION - ECONOMIC DEVELOPMENT DISCUSSION PAPER AND NIGHT TIME ECONOMY STRATEGY**

File No: 23/37848

**Summary**

The Burwood After Dark Strategy sets a long-term vision and a cohesive roadmap for Burwood's night-time economy. Focused on Burwood (referring to the Burwood Town Centre and Burwood North precinct), this Strategy seeks to make the area a more vibrant place with a diverse range of cultural activities, events and entertainment after dark.

**Operational Plan Objective**

C.9 Safe, clean and activated streets, centres and public places are enjoyed by people day

and night

P.34 Facilitate the growth and prosperity of local businesses and target the growth of business sectors and growth industries

A.79 Undertake activities that support new economic growth in the Burwood North Precinct and Burwood Town Centre

A.80 Implement activities or initiatives that enhance Burwood's night time economy

## 91/23 RESOLVED

That Council:

1. Adopt the Economic Development and Night Time Discussion Paper 2023
2. Adopt the Burwood After Dark Strategy 2023 - 2028

(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 66/23) REFERRAL OF THE ANNUAL FINANCIAL REPORTS FOR 2022-2023 TO COUNCIL'S AUDITOR**

File No: 23/38098

### **Summary**

Council's Financial Reports must be in accordance with the *Local Government Act 1993* (the Act) and *Local Government (General) Regulation 2005* (the Regulation), the Australian Accounting Standards, the Local Government Code of Accounting Practice and Financial Reporting and the Local Government Asset Accounting Manual. This is to ensure that the Financial Reports for each year fairly present the Council's operating result and financial position for the year.

In accordance with Section 413 of the Act, Council's Annual Financial Reports must be authorised for referral to the Auditor for audit.

### **Operational Plan Objective**

2.3.1 - Identify and maintain additional revenue sources to ensure financial sustainability

## 92/23 RESOLVED

That in accordance with Section 413(2)(c) of the *Local Government Act 1993* and Clause 215 of the *Local Government (General) Regulation 2005*, Council resolve the following:

1. That authority is granted to the Mayor, the Deputy Mayor, the General Manager and Responsible Accounting Officer to sign the Statements by Councillors and Management for the General Purpose Financial Reports and the Special Purpose Financial Reports for the Year Ended 30 June 2023.
2. That the signed statement be attached to the 2022-2023 Unaudited Annual Financial Reports and presented to Council's Auditor (NSW Audit Office) for the completion of the audit.
3. That the Auditor is invited to attend the Audit, Risk and Improvement Committee Meeting in

October 2023 that will review the Annual Financial Reports and also to attend the Council Meeting that is to adopt the audited Annual Financial Reports.

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

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

### **(ITEM 67/23) INVESTMENT REPORT AS AT 31 AUGUST 2023**

File No: 23/10129

#### **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

#### **93/23 RESOLVED**

1. That the investment report for 31 August 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 Heather Crichton)

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

### **(ITEM 68/23) FEES AND CHARGES 2023-2024 - PROPOSED FEE FOR ROADS AND FOOTPATHS AND TRAFFIC MANAGEMENT PLACEMENT ON PUBLIC EXHIBITION**

File No: 23/38218

#### **Summary**

A review has been undertaken of Council's Fees and Charges for public domain civil works in light of recent industry cost escalations. It is proposed that Council exhibit an amendment to the Fees and Charges for Roads, Footpaths and Traffic Management in accordance with the *Local Government Act 1993 (the Act)*. The amendment of these Fees and Charges will enable Council to continue providing quality public domain works for new developments and ensure the Fees are in line with recent cost escalations.

#### **Operational Plan Objective**

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

#### **94/23 RESOLVED**

1. That the proposed amended fees and charges for roads, footpaths and traffic management be placed on public exhibition in accordance with Section Sections 610F and 705 of the

*Local Government Act 1993* for approval.

2. That the results of the public exhibition be reported to Council.

(Moved Councillor Pascale Esber/Seconded Councillor Heather Crichton)

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

**Against: Nil**

### **(ITEM 69/23) ELIZABETH STREET CAR PARK - CHANGES TO PARKING RESTRICTIONS**

File No: 23/38441

#### **Summary**

Following the mayoral Minute at the August Ordinary Council meeting changes have been made to the parking restrictions in the Elizabeth Street car park.

#### **Operational Plan Objective**

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

### **95/23 RESOLVED**

That Council receive and note the report.

(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 72/23) SMALL BUSINESS MONTH 2023 - SUBSIDISED FACILITY HIRE**

File No: 23/39764

#### **Summary**

The small business sector is one of the main drivers of Burwood's economy. To further the provision of support for businesses, Council is proposing to subsidise the cost of facility hire for small business owners during NSW Small Business Month from 1 – 31 October 2023.

#### **Operational Plan Objective**

C.1.2 Facilitate equitable access to services and facilities at all stages of life

C.2.1 Provide access to formal and informal life-long learning and recreation opportunities, facilities and services

C.8.2 Facilitate the growth and prosperity of local businesses and target the growth of business sectors and growth industries

### **96/23 RESOLVED**

That Council endorse the provision of subsidised facility hire for small business owners in the Burwood LGA at Category C rates from 1 – 31 October 2023 as part of NSW Small Business Month.

(Moved Councillor Pascale Esber/Seconded Councillor Heather Crichton)

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

## REPORTS OF COMMITTEES

### **(ITEM RC16/23) SUSTAINABILITY AND ENVIRONMENT ADVISORY COMMITTEE - MEETING MINUTES - 8 AUGUST 2023**

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File No: 23/34114

#### **Summary**

The report presents the Minutes of the Sustainability and Environment Advisory Committee (SEAC) meeting held on Tuesday 8 August 2023.

#### **Operational Plan Objective**

- 1.2 A healthy and active lifestyle where people experience a sense of connection and wellbeing
- 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

### **97/23 RESOLVED**

That the minutes of the Sustainability and Environment Advisory Committee meeting of 8 August 2023 be received and noted.

(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**

### **(ITEM RC17/23) BURWOOD LOCAL TRAFFIC COMMITTEE - SEPTEMBER 2023**

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File No: 23/38338

#### **Summary**

Attached are the Minutes of the Burwood Local Traffic Committee from meeting of September 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

### **98/23 RESOLVED**

That the minutes of the Burwood Local Traffic Committee of 7 September 2023 be noted and the recommendations of the Committee as detailed below be adopted as a resolution of the Council.

**(ITEM LTC20/23) 75 OXFORD STREET, BURWOOD - REMOVAL OF EXISTING ACCESSIBLE MOBILITY PARKING RESTRICTIONS*****Recommendation***

That Council approve the removal of the 'Accessible Mobility Parking' space located outside 75 Oxford Street Burwood and convert the area to "1P 8:00am to 6:00pm (Monday- Friday) & 8:00am to 1:00pm (Saturday) – Permit Holders Excepted Area 8".

**(ITEM LTC21/23) CLARENDON PLACE, BURWOOD - PROPOSED NO RIGHT TURN RESTRICTIONS*****Recommendations***

- That Council approve the installation of 'No Right Turn' restrictions for traffic entering and exiting Clarendon Place at its intersection with Railway Parade.
- That a Traffic Management Plan be prepared and placed on Public Exhibition for 28 days in accordance with NSW Roads Act, with results of the public exhibition reported back to Transport for NSW for final approval.
- That Council approve the installation of an 8 metre long rubber median on Railway Parade, Burwood, at its intersection with Clarendon Place.
- That Council approve to commence investigations into further treatments to improve safety within Clarendon Place such as conversion to a 10km/h Shared Zone and installation of kiss and ride facilities on Burwood Road.

**(ITEM LTC22/23) CAR SHARE BAYS - VARIOUS LOCATIONS APPLIED FOR BY GOGET*****Recommendation(s)***

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:

- Railway Parade, Burwood – on northern side, east of Conder Street in existing 2P metered parking area.
- Russell Street, Strathfield – On the southern side, east of The Boulevard in existing 1P area.
- Parnell Street, Strathfield – On the southern side, east of The Boulevard in existing 2P metered parking area.

(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**

**Confidential Items - Closed Session****99/23 RESOLVED**

That the meeting move into closed session in order to consider items MM6/23 and 71/23

(Moved Councillor Ned Cutcher/Seconded Councillor Hugo Robinson)

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

**Against: Nil**

There were no representatives from the public to address the council before the resolution to move into closed session was carried.

The Meeting moved into Closed Session at 8.50 pm and the public and press excluded from the meeting.

The meeting resumed in Open Session at 8.55 pm.

The General Manager reported the resolution for Item 71/23.

### **(ITEM 71/23) LEGAL SERVICES PANEL TENDER**

File No: 23/36896

*That above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 10A(2) (c) (d) 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; AND 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.*

### **100/23 RESOLVED**

1. That, in relation to the tender for the Legal Services Panel, the firms recommended in the Tender Evaluation Report in Confidential Attachment 1 be accepted.
2. That authority be granted to the General Manager to finalise a standard Legal Services Agreement for the Panel and sign agreements with each firm and any related documentation to give effect to the establishment of the Panel.

(Moved Councillor David Hull/Seconded Councillor Heather Crichton)

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

**Against: Nil**

The Mayor reported the resolution for Item MM6/23.

### **(ITEM MM6/23) GENERAL MANAGER PERFORMANCE REVIEW 2022/23**

File No: 23/38856

*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.*

### **101/23 RESOLVED**

- a) The Review Panel congratulates General Manager Tommaso Briscece on his individual performance in 2022/23 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 rated the General Manager's performance as "Exceeds Expectations" and has approved an increase in the General Manager's Total Remuneration Package in line with market forces and Local Government benchmarks.
- c) That the projects and priorities outlined in the Mayoral Minute be adopted and included in the General Manager's Performance Agreement for 2023/24.

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

**Against: Nil**

**102/23 RESOLVED**

That the meeting resume in open session.

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

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

**Against: Nil**

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This concluded the business of the meeting and Council rose at 8:57 pm.

The Minutes of the Ordinary Meeting held on 26 September 2023 were submitted for confirmation by council on 24 October 2023 and were confirmed without amendment by resolution 104/23. The confirmed Minutes were signed by the Mayor, John Faker, at the meeting of 24 October 2023