



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 24 October 2023 commencing at 6:01pm.

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
Ms M Thorogood, Acting Director Corporate Services
Ms B Endycott, Director Community Life
Mr G El Kazzi, Director City Assets
Ms T Donaldson, Director People & Performance
Ms M Wassef, Executive Manager Place Management & Communication
Ms S Seaman, Finance Manager
Mr B Adamopoulos, Manager Design & Assets
Ms M Horan, Senior Landscape Architect
Mr M Jenner, Manager Community Safety
Ms J Hoff, Manager Community & Culture
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

103/23 RESOLVED

That Cr Cutcher be granted leave to attend the meeting via audio visual link.

(Moved Councillor Hugo Robinson/Seconded Councillor David Hull)

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

Against: Nil

Declarations of interest

Cr Crichton declared a less than significant non-pecuniary interest in Item RC19/23 – Burwood 150 Years Anniversary Steering Committee Meeting Minutes as she chaired the meeting on behalf of the Mayor.

Declarations of political donations

There were no declarations of political interests by Councillors.

Confirmation of Minutes

104/23 RESOLVED

That the minutes of the meeting of the Council Meeting of Burwood held on Tuesday 26 September 2023, as circulated, be confirmed and signed as a true record of the proceeding of the meeting.

(Moved Deputy Mayor George Mannah/Seconded Councillor David Hull)

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

Against: Nil

GENERAL BUSINESS

(ITEM 73/23) ADOPTION - AMENDMENT TO BURWOOD DCP SECTION 4.7 HERITAGE SUBDIVISION

File No: 23/37316

Summary

This report provides an overview of the public exhibition of the amendments to Section 4.7 of Burwood Development Control Plan (DCP) with regards to the controls for subdivision of land which contains heritage item and land within Heritage Conservation Areas (HCAs). No submissions were received during the exhibition and it is recommended that the changes be adopted, as exhibited.

Operational Plan Objective

A.33 Undertake a comprehensive review of the Development Control Plan (DCP) 2013 and prepare a user friendly and interactive DCP

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

C11.2 Provide opportunity for engagement with the community to inform Council's decision making

P.49 Ensure transparency and accountability in decision making

105/23 RESOLVED

1. That Council, pursuant to Section 3.43 of the *Environmental Planning & Assessment Act 1979* and in accordance with clause 14 of the *Environmental Planning & Assessment Regulation 2021*, adopt the amendments to Section 4.7 of the Burwood DCP, as included at **Attachment 1**.
2. That the General Manager be endorsed to make minor modifications to any numerical, typographical, interpretation and formatting errors, if required, prior to the finalisation of the amendment to the abovementioned sections of the Burwood DCP.
3. That Council give public notice of the decision to approve the amendments to Burwood DCP, on its website within 28 days in accordance with Clause 14(2) of the *Environmental Planning and Assessment Regulation 2021*.

(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 74/23) HERITAGE ASSESSMENT - 23, 25 AND 27 WOODSIDE AVENUE, BURWOOD

File No: 23/39455

Summary

An independent heritage investigation of Nos 23, 25 and 27 Woodside Avenue Burwood has been undertaken in accordance with Council's resolution of 23 May 2023. The independent investigation has identified that all three properties demonstrate heritage significance at the local level and progression of a group heritage listing is recommended.

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

106/23 RESOLVED

1. That Council endorse the preparation of a Planning Proposal to amend Schedule 5 of the Burwood LEP 2012 to group heritage list the properties at Nos 23, 25 and 27 Woodside Avenue, Burwood.
2. That the Planning Proposal be submitted to the Burwood Local Planning Panel (BLPP) for their advice and then following the BLPP meeting, the Planning Proposal be reported to Council.

(Moved Deputy Mayor George Mannah/Seconded Councillor David Hull)

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

Against: Cr Robinson

(ITEM 75/23) DRAFT SAFER BURWOOD PLAN - ENDORSEMENT FOR PUBLIC EXHIBITION

File No: 21/111

Summary

The *Draft Safer Burwood Plan 2023 - 2027* outlines Council's commitment to addressing both recorded crime and community perceptions of safety. It focuses on achieving two key outcomes: Safe Places and Safe People and includes a comprehensive set of priorities and actions to be implemented over the next four years.

This report presents the *Draft Safer Burwood Plan 2023 - 2027* for Council's consideration and seeks its endorsement for a 28-day public exhibition period. Public exhibition will provide an opportunity for the community and other key stakeholders to review and respond to the Draft Plan, and in particular, the identified priorities and actions. Feedback will be actively sought from NSW Police and local community networks through the Participate Burwood platform.

Operational Plan Objectives

- A.8: Implement social research program to identify and address existing and emerging community needs.
- A24: Implement initiatives from the Community Safety Plan that improve safety in partnership with NSW Police.

107/23 RESOLVED

That Council:

1. Endorse the *Draft Safer Burwood Plan 2023 – 2027* and place the document on public exhibition for a period of 28 days.
2. Receive a report following the conclusion of the public exhibition period in December 2023 outlining submissions received on the *Draft Safer Burwood Plan 2023 – 2027* and detailing any changes to the final document recommended to Council for adoption.

(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

Cr Ned Cutcher left the meeting, the time being 6:10 PM

(ITEM 76/23) REGISTRATION OF WANGAL PARK IN THE GEOGRAPHICAL NAMES BOARD ENCOMPASSING MONASH RESERVE

File No: 23/41188

Summary

While Wangal Park and Monash Reserve have been recognised as separate parks on maps and in some Council records, there has always been ambiguity as to the extent and boundaries of both sites. Neither of the two parks have been officially registered in the Geographical Names Board (GNB) registry. It is proposed for the two sites to be consolidated into one park and registered as such with the GNB. This provides opportunities for consistent signage, record keeping and site management.

Given the GNB will only meet once more in 2023, a preliminary application has been submitted to meet the GNB deadlines for that meeting. However, the application is clearly marked as being subject to Council approval and community feedback, and will be withdrawn if Council chooses not to approve this proposal.

Operational Plan Objective

- A.13 Deliver initiatives that recognise and respect First Nations' history and ongoing culture
C.3 An urban environment that maintains and enhances our sense of identity and place

108/23 RESOLVED

That Council:

1. approves the submission to the Geographical Names Board of a proposal seeking to officially name the areas currently known as Wangal Park and Monash Reserve as a single park with the name "Wangal Park".
2. approves the advertising of its intention to name those sites as "Wangal Park" and the submission of any subsequent community feedback to the Geographical Names Board before 14 November 2023.
3. Council investigates the addition of information to the existing park signage outlining the history of our local indigenous community.

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

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

(ITEM 77/23) ADOPTION OF AUDITED FINANCIAL REPORTS FOR THE YEAR ENDED 30 JUNE 2023

File No: 23/42914

Summary

In accordance with Section 418 (1)(a) of the *Local Government Act 1993* (the Act), Council must fix a date for the meeting at which it proposes to present its Audited Financial Report, together with the Auditor's Report. The presentation of this Report to this Council Meeting fulfils this requirement.

In all material respects, the financial statements are presented fairly in accordance with Australian Accounting Standards and other mandatory professional reporting requirements and statutory requirements so as to present a view which is consistent with Council's understanding of the financial position, the operating result and cash flows.

Operational Plan Objective

2.3 Ensure financial sustainability and organisational effectiveness

109/23 RESOLVED

1. That in accordance with Section 413(2)(c) of the *Local Government Act 1993* and Clause 215 of the *Local Government (General) Regulation 2005*, the Council make the following declaration:
 - a. That Council's Financial Reports have been drawn up in accordance with the *Local Government Act 1993* and associated Regulations; the Statement of Accounting Concept; the Local Government Code of Accounting Practice and Financial Reporting update no. 29; and the Australian Accounting Standards.
 - b. The Audited financial reports present fairly the Council's financial position and performance for the year.
 - c. These reports accord with Council's accounting and other records.
 - d. 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 Council note that the 2022-2023 Audited Financial Reports and Auditor's Report will be forwarded to the Office of Local Government.

(Moved Councillor Hugo Robinson/Seconded Councillor Pascale Esber)

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

**(ITEM 78/23) TEMPORARY SUSPENSION OF ALCOHOL PROHIBITED AREAS -
WOODSTOCK PARK AND BURWOOD PARK**

File No: 23/42113

Summary

This report recommends the temporary suspension of Woodstock Park as an Alcohol Prohibited Area (APA) on:

- Friday 8 December 2023 from 2pm – 6pm for the Burwood Council Staff Christmas Party, and
- Thursday 14 December 2023 from 6:30pm – 9:30pm for the Mayoral Christmas Appeal function.

It also seeks to temporarily suspend Burwood Park as an APA for two Burwood Summer activations on:

- Thursday 18 January 2024 from 6pm – 8.30pm for the Music in the Park event, and
- Thursday 25 January 2024 from 6pm – 8.30pm for the Beats and Eats event.

Operational Plan Objective

C.1.1 Support and deliver initiatives that encourage social inclusion and community connections
C.2.3 Provide opportunities for people to participate in activities and events that celebrate our diverse community, history and culture.

110/23 RESOLVED

That Council:

1. Temporarily suspends Woodstock Park as an Alcohol Prohibited Area on Friday 8 December 2023 from 2pm – 6pm for the Burwood Council staff Christmas Party.
2. Temporarily suspends Woodstock Park as an Alcohol Prohibited Area on Thursday 14 December 2023 from 6:30pm – 9:30pm for the Mayoral Christmas Appeal function.
3. Temporarily suspends Burwood Park as an Alcohol Prohibited Area on Thursday 18 January 2024 and Thursday 25 January 2024 from 6:00pm – 8:30pm for two Burwood Summer events.

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

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

Against: Nil

**(ITEM 79/23) DISCLOSURE OF ANNUAL RETURNS - COUNCILLORS AND DESIGNATED
PERSONS**

File No: 23/42240

Summary

The General Manager is required under the *Local Government Act 1993* and supporting instruments to table written returns of interests for councillors and designated persons at a meeting of Council. Annual returns for the period 2022–23 are now due to be formally received and noted.

Operational Plan Objective

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

111/23 RESOLVED

That Council notes:

1. the tabling of disclosure of interest returns in accordance with Part 4 of the *Codes of Conduct* and the *Local Government Act 1993* for the Council officials listed in this report
2. that mandatory proactive release of the returns via publication on the Council website has been effected in accordance with clause 4.2 of the *Burwood Council Code of Conduct* and the *Government Information (Public Access) Act 2009*.

(Moved Councillor Hugo Robinson/Seconded Councillor Pascale Esber)

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

Against: Nil

Cr Ned Cutcher returned to the meeting, the time being 6:17 PM

(ITEM 80/23) INVESTMENT REPORT AS AT 30 SEPTEMBER 2023

File No: 23/10130

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

112/23 RESOLVED

1. That the investment report for 30 September 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 Esber, Cr Hull, Cr Robinson, Cr Cutcher

Against: Nil

REPORTS OF COMMITTEES**(ITEM RC18/23) BURWOOD LOCAL TRAFFIC COMMITTEE - OCTOBER 2023**

File No: 23/42596

Summary

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

113/23 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 LTC24/23) GREEK ORTHODOX PARISH ANNUAL GREEK STREET FAIR - 11 NOVEMBER 2023***Recommendation***

That Council approve the proposed road closure in the following road sections from 10.00pm on Saturday 11 November 2023 to 7.00pm on Sunday 12 November 2023

- Burleigh Street between Elizabeth Street and Railway Parade
- Railway Parade between Burleigh Street and Burwood Road
- A section of Council car park at the corner of Elizabeth Street and Burleigh Street

(ITEM LTC25/23) BURWOOD ROAD, ENFIELD - WORK ZONE APPLICATION***Recommendation***

That Council approve the installation of a 'Work Zone, 7:00 am – 5:00 pm Monday to Saturday directly fronting No. 101 Burwood Road, Enfield, for a length of 13m and for a period of 28 weeks.

(ITEM LTC26/23) LILY STREET, CROYDON PARK - WORK ZONE APPLICATION***Recommendation***

That Council approve the installation of a 'Work Zone, 7:00 am – 5:00 pm Monday to Saturday directly fronting No. 33 Lily Street, Croydon Park, for a length of 15m and for a period of 26 weeks.

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

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

Against: Nil

Cr Cutcher physically entered the meeting room at 6:20 PM, having attended the first part of the meeting via audio visual link.

(ITEM RC19/23) BURWOOD 150 YEARS ANNIVERSARY STEERING COMMITTEE MEETING MINUTES - 10 OCTOBER 2023

File No: 23/42657

Summary

This report presents the draft minutes of the Burwood 150 Years Anniversary Steering Committee meeting held on Tuesday 10 October 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.

114/23 RESOLVED

That Council receives and notes the draft minutes of the Burwood 150 Years Anniversary Steering Committee held on 10 October 2023.

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

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

This concluded the business of the meeting and Council rose at 6:20pm.

The Minutes of the Ordinary Meeting held on 24 October 2023 will be submitted for confirmation by Council at its next meeting on 21 November 2023.