



Burwood Inc.1874
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ORDINARY MEETING

Notice is hereby given that a meeting of the Council of Burwood will be held in the Conference Room, Level 1, 2 Conder Street, Burwood on Tuesday 21 May 2024 at 6:00 PM to consider the matters contained in the attached Agenda.

The public gallery will be open for those wishing to observe the meeting. In addition, an opportunity to observe the meeting via audio visual link will also be made available.

Public Forum

A public forum will be held at 6:00pm, prior to the commencement of the meeting, to allow members of the public to make oral submissions about an item on the Agenda for the meeting. The opportunity will also be provided to speak via audio visual link.

Anyone wishing to address Council during the public forum will need to register by 2:00pm on the day of the meeting. A person wishing to speak must indicate the item of business on the Agenda they wish to speak on and whether they wish to speak 'for' or 'against' the item. Registrations to speak can be lodged on [Council's website](#).

The Council Meeting will commence immediately after the conclusion of the Public Forum.

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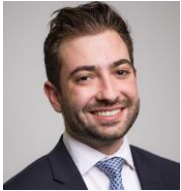
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Council meeting room

General
Manager

Mayor

Cr
Mannah

Cr Esber

Cr
Cutcher

Cr
Crichton

Cr
Robinson

Cr Hull

Public gallery

Agenda

For an Ordinary Meeting of Burwood Council to be held in the Conference Room, Level 1, 2 Conder Street, Burwood on Tuesday 21 May 2024 immediately after the Public Forum commencing at 6.00pm.

1. Prayer

Lord, we humbly beseech thee to vouchsafe thy blessing on this Council, direct and prosper its deliberations for the advancement of this area and the true welfare of its people. Amen.

2. Acknowledgement of Country

3. Statement of Ethical Obligations

4. Recording of Meeting

5. Apologies

6. Declarations of Interest

7. Declaration of Political Donations

8. Confirmation of Minutes

Minutes of the Council Meeting held on Tuesday, 23 April 2024, copies of which were previously circulated to all councillors be hereby confirmed as a true and correct record.

9. Mayoral Minutes

10. Reports to Council

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11. Notices of Motion

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12. Conclusion of the Meeting

Reports to Council

(Item 24/24) Post Exhibition - Planning Proposal to Group Heritage List the Properties at Nos. 23, 25 and 27 Woodside Avenue, Burwood

File No: 24/6763

Report by Director City Strategy

Summary

This report provides an overview of the exhibition of the Planning Proposal (PP-2023-2702) to group heritage list the properties at Nos. 23, 25 and 27 Woodside Avenue, Burwood.

During the exhibition of the Planning Proposal two (2) submissions were received from the community. One from the owner of 23 Woodside Avenue, objecting to the proposed listing and one from a member of the community supporting the heritage listing of the properties.

This report recommends the endorsement of the Planning Proposal to allow finalisation by the Department of Planning, Housing & Industry (DPHI).

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

Background

Council, at its meeting on 23 May 2023, considered a Mayoral Minute relating to a heritage investigation of Woodside Avenue, Burwood and resolved the following:

1. *The General Manager initiates a preliminary in-house heritage review of the properties in Woodside Avenue, Burwood and if deemed appropriate, a further report be brought back to Council seeking authorisation to proceed with heritage listing if considered appropriate.*
2. *The General Manager be authorised to obtain an Interim Heritage Order (IHO) if it becomes apparent that there is an imminent threat to the property located at 23 Woodside Avenue.*
3. *It is also requested that the General Manager write to the current owners of 23 Woodside Avenue and other properties being considered for heritage listing, to inform them of the preliminary heritage investigation and this mayoral minute.*

In response to item 1 of Council's resolution, a preliminary heritage assessment of the properties in Woodside Avenue, Burwood was undertaken by Council's Heritage Advisor. Based on the preliminary heritage assessment, it was concluded that the three Federation properties, Nos. 23, 25 and 27 Woodside Avenue, Burwood were highly likely to meet the threshold of heritage significance criteria.

In this regard, a report on the preliminary heritage significance investigation of Nos. 23, 25 and 27 Woodside Avenue, Burwood was considered by Council, at its meeting on 27 June 2023.

Subsequently, Council resolved (34/23) the following:

1. *That Council engage an independent consultant to undertake a heritage assessment of the properties at 23, 25 and 27 Woodside Avenue to determine the local heritage significance of the properties.*

2. *That the General Manager initiate a detailed heritage assessment, to be undertaken by Council's Heritage Advisor, of the potential new Woodside Avenue West Heritage Conservation Area.*
3. *That the findings of the independent heritage investigation of No 23, 25 & 27 Woodside Avenue, Burwood as a heritage item (or group heritage item) and the detailed heritage assessment of the potential new Woodside Avenue West Heritage Conservation Area, undertaken by Council's Heritage Advisor be reported back to Council.*

In accordance with Council's resolution, Council appointed independent heritage consultant, Lisa Trueman Heritage Advisor, to undertake a heritage assessment of the properties at Nos. 23, 25 and 27 Woodside Avenue, Burwood. The independent heritage assessment concluded that all three properties demonstrate heritage significance at the local level and progression to a group heritage listing is recommended.

The findings of the independent heritage assessment were reported to Council, at its meeting on 24 October 2023, where it resolved (74/23) the following:

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.*

The Planning Proposal was prepared in response to Council's resolution.

The Burwood Local Planning Panel (BLPP) at its meeting on 14 November 2023 resolved to:

- (a) *support the Planning Proposal to amend Schedule 5 of the Burwood LEP 2012 to group list the properties at Nos. 23, 25 and 27 Woodside Avenue, Burwood which as part of an independent assessment demonstrate heritage significance and meet the threshold of local significance for the relevant criteria, as outlined in the Planning Proposal.*
- (b) *provides advice to Council to proceed with the Planning Proposal at Attachment 2 to group list the properties at Nos. 23, 25 and 27 Woodside Avenue, Burwood as a local heritage item in the Burwood LEP 2012.*

Council, at its meeting of 28 November 2023, considered the planning proposal and resolved:

1. *Support the group listing of the properties at Nos. 23, 25 and 27 Woodside Avenue, Burwood as a group item of local heritage significance under Schedule 5 of the Burwood Local Environmental Plan 2012 as outlined in the Planning Proposal.*
2. *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. List the properties at Nos. 23, 25 and 27 Woodside Avenue, Burwood as a group heritage item under Schedule 5 Environmental heritage; and ii. Include Nos. 23, 25 and 27 Woodside Avenue, Burwood as an "Item – General" on the Heritage Map.*
3. *That subject to the Gateway Determination, affected property owners be notified in writing of the exhibition of the Planning Proposal.*
4. *That following the conclusion of the exhibition of the Planning Proposal, a report be presented back to Council.*

On 5 February 2024, a Gateway Determination was issued by the Department of Planning, Housing and Infrastructure (DPHI) allowing the planning proposal to be publically exhibited.

Public Exhibition

The public exhibition of the planning proposal (PP-2023-2702), included at **Attachment 1**, was undertaken in accordance with the conditions of the Gateway Determination and the requirements set out in *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023).

The Gateway Determination included the following conditions:

- That the Planning Proposal be publicly exhibited for a minimum of 10 working days, and
- Heritage NSW be consulted for a minimum of 30 working days to comment on the proposal.

Referral to Heritage NSW

In accordance with the Gateway Determination, the planning proposal was referred to Heritage NSW through the NSW Planning Portal on 27 February 2024.

Heritage NSW provided a submission on 7 March 2024 raising no objection to the planning proposal.

A copy of the Heritage NSW's submission is included at **Attachment 2**.

Community Consultation

In accordance with the Gateway Determination, the planning proposal was publicly exhibited from 28 February 2024 to 22 March 2024 in the following manner:

- Three (3) affected owners were notified by way of letter on 28 February 2024
- A notice of the public exhibition of the planning proposal was given on the Burwood Council website on 29 February 2024
- The Planning Proposal and associated information was available for viewing on the following from 29 February 2024:
 - The NSW Planning Portal, and
 - Participate Burwood website

During the exhibition, two (2) submissions were received from the community, one from the owner of 23 Woodside Avenue, objecting to the proposed listing and a submission from a member of the community supporting the heritage listing of the properties.

An overview of the submissions and council officer's response is included in **Attachment 3**.

Planning or Policy Implications

The properties are afforded heritage protection (i.e. deemed as a "draft heritage item") as soon as the planning proposal was placed on public exhibition and a notation was included on Section 10.7 planning certificates for properties at Nos. 23, 25 and 27 Woodside Avenue, Burwood.

DPHI has delegated the Council to exercise the functions of the local plan-making authority to finalise the planning proposal. Council staff will liaise with DPHI and Parliamentary Counsel to draft the amendment, which will come into force from the date of it being gazetted on the NSW Legislation website.

Financial Implications

There are no financial implications for Council other than staff time.

Conclusion

The planning proposal (PP-2023-2702) to group heritage list the properties at Nos. 23, 25 and 27 Woodside Avenue Burwood was placed on public exhibition in accordance with the DPHI's Gateway Determination, the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023), and Council's *Community Engagement Strategy 2023-2026*.

All of the submissions from the landowners, community and government agencies have been considered and addressed.

It is recommended that Council endorse the planning proposal so as to progress its finalisation.

Recommendation(s)

1. 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 amendment (with delegation being issued to the General Manager to sign and authorize the relevant documentation on behalf of Council) to the Burwood Local Environmental Plan 2012 to list the properties at Nos. 23, 25 and 27 Woodside Avenue Burwood as a group heritage item of local significance under Schedule 5 and on the Heritage Maps of the Burwood Local Environmental Plan 2012:
2. That Council endorse that the General Manager may make minor modifications to correct any numerical, typographical, mapping, interpretation and formatting errors, if required, to improve clarity and readability.
3. That the affected property owners and those who made a submission be advised in writing of Council's decision.

Attachments

- 1 [↓](#) Planning Proposal - Group Heritage Listing of 23, 25 & 27 Woodside Avenue, Burwood - February 2024 Exhibition Version
- 2 [↓](#) Heritage NSW Response - Planning Proposal - Burwood Council - 23, 25 and 27 Woodside Avenue Burwood
- 3 [↓](#) Analysis and Consideration of Submissions - Heritage Listing of 23, 25 & 27 Woodside Avenue, Burwood - PP-2023-2702

Planning Proposal – Heritage Listing of Nos. 23, 25 and 27 Woodside Avenue, Burwood

Planning Proposal

Amendment of Schedule 5 of the Burwood LEP 2012 to list 23, 25 and 27 Woodside Avenue Burwood as a Group Heritage Item

V2. Updated to meet Gateway Determination conditions – February 2024

A Planning Proposal is the first step in proposing amendments to Council's principle environmental planning instrument, known as the Burwood Local Environmental Plan (BLEP) 2012. A Planning Proposal explains the intended effect of the proposed amendment and also sets out the justification for making the change. The Planning Proposal is submitted to the NSW Department of Planning and Environment (DPE) for its consideration, referred to as the Gateway Determination, and is also made available to the public as part of the community consultation process.

Item Number 24/24 - Attachment 1

Attachment 1 - Planning Proposal - Group Heritage Listing of 23, 25 & 27 Woodside Avenue, Burwood - February 2024 Exhibition Version

Planning Proposal – Heritage Listing of Nos. 23, 25 and 27 Woodside Avenue, Burwood

Part 1 – Objectives and Intended Outcomes

The Planning Proposal (PP) proposes to amend the provisions of Part 1, Schedule 5 and the Heritage Map under the Burwood Local Environmental Plan (BLEP) 2012 to include three (3) properties at Nos. 23, 25 and 27 Woodside Avenue, Burwood as a group heritage item of local heritage significance.

This planning proposal has been prepared in accordance with section 3.33 of the Environmental Planning and Assessment Act 1979 (EP&A Act 1979) and Local Environmental Plan Making Guideline (August 2023) issued by the NSW Department of Planning and Environment.

Part 2 – Explanation of Provisions

The planning proposal seeks the following amendments to Burwood LEP 2012:

1. Insert a listing for the three (3) properties at Nos. 23, 25 and 27 Woodside Avenue, Burwood under Schedule 5 Environmental Heritage, Part 1 Heritage items the following lands as a group heritage item of local significance as identified in Table 1 below.
2. Amend the Heritage Map (Sheet HER_001) as shown in Figure 1 and Figure 2 below.

Table 1. Properties included in planning proposal

Address	Lot Number	Deposited Plan Number
23 Woodside Avenue, Burwood	10	935162
	11	166782
25 Woodside Avenue, Burwood	1	936531
27 Woodside Avenue, Burwood	1	925281

The heritage listing would apply to the whole of the lands described above. Appendix 1 includes details of the proposed listing, which will be subject to review by Parliamentary Counsel.

Item Number 24/24 - Attachment 1

Attachment 1 - Planning Proposal - Group Heritage Listing of 23, 25 & 27 Woodside Avenue, Burwood - February 2024 Exhibition Version

Planning Proposal – Heritage Listing of Nos. 23, 25 and 27 Woodside Avenue, Burwood



Figure 1. Aerial Photograph of subject properties at 23, 25 and 27 Woodside Avenue, Burwood.

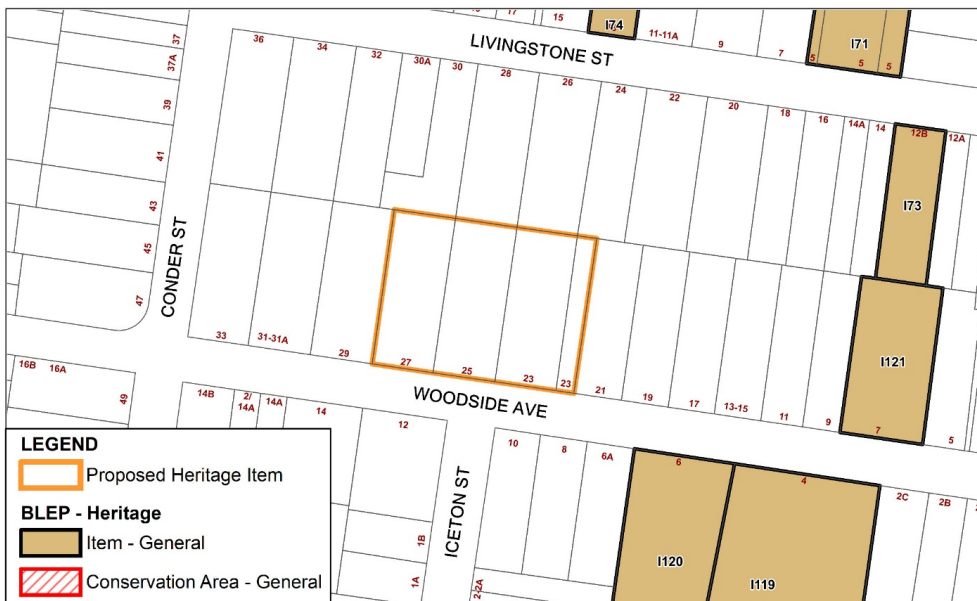


Figure 2. Existing BLEP Heritage Map with proposed heritage item at Woodside Avenue, Burwood

(Item 28/24) Burwood North Master Plan - Post Exhibition Report

File No: 24/9793

Report by Director City Strategy

Summary

The draft Burwood North Precinct Masterplan (the Masterplan) was created to shape the long-term development of the Burwood North area, emphasising urban renewal to establish well designed, active and liveable neighbourhood in close proximity to transport.

The Masterplan is aligned with various planning frameworks such as the Eastern City District Plan, Council's Local Strategic Planning Statement, and the NSW Government's Parramatta Road Corridor Urban Transformation Strategy.

During the public exhibition phase between 23 October 2023 and 5 January 2024, Council received 55 submissions, prompting a review of the Masterplan and a number of proposed amendments. These amendments encompass changes in land use zoning, building heights, and floor space ratios, aiming to address feasibility, enhance amenity, and ensure accuracy and clarity. At a high level, based on the proposed changes, the revised Masterplan results in a: 10% increase in jobs through an increase in employment GFA capacity, 30% increase in dwellings and 40% increase in open space.

This report outlines the proposed amendments to the Masterplan, provides rationale for these changes, and seeks Council's endorsement for the amended Burwood North Precinct Masterplan. Additionally, it seeks Council's resolution for the adoption of the Masterplan and preparation of a Planning Proposal or consideration as a Tier 1 TOD Precinct.

This resolution will enable staff to move to the next stage of the Masterplan implementation process as either a Planning Proposal or Tier 1 TOD SEPP Precinct.

The Planning Proposal process would include a number of steps including:

- Planning Proposal to be prepared, with supporting plans and draft instrument wording
- Strategies prepared and finalised including preparation or updates to:
 - Transport Strategy for Burwood North
 - Landscape and Public Domain Strategy for Burwood North
 - Voluntary Planning Agreements Policy
 - Affordable Housing Contributions Scheme
 - Capital Works schedule to inform infrastructure contributions plan
 - Infrastructure Contributions Plan
 - Development Control Plan for Burwood North Precinct
- Referral of Planning Proposal to Burwood Local Planning Panel (BLPP) for comment
- Report to Council seeking endorsement for Gateway Determination to the DPHI.
- Following Gateway Determination from DPHI, undertake necessary tasks based on Gateway Conditions including formal exhibit for a minimum of 30 days
- Engagement with State Agencies and Infrastructure Authorities & Providers
- Post exhibition and submission review
- Finalisation and gazette amendments to the Burwood LEP 2012.

It is also recommended that Council use the draft plan as an opportunity to finalise an outstanding site specific planning proposal for 17-23 Esher St, Burwood. It is recommended Council does not

proceed with the individual proposal for this site as it is included in Council's vision for Burwood North under the draft Masterplan.

Operational Plan Objectives

- 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.
- C. 3 An urban environment that maintains and enhances our sense of identity and place.
- C.3.1 Facilitate well designed, high quality and sustainable land use and development that is appropriately scaled to complement its surroundings.
- C3.2 Protect our unique built heritage and maintain or enhance local character.
- C.4 Sustainable, integrated transport, infrastructure and networks to support population growth and improve liveability and productivity.
- C.4.2 Plan for a city that is safe, accessible and easy to get to and move around in

Introduction

The draft Burwood North Precinct Masterplan (the Masterplan) was created to shape the long-term development of the Burwood North area, emphasising urban renewal to establish well designed, active and liveable neighbourhood in close proximity to transport.

Council, at its meeting on 26 September 2023, resolved to exhibit the draft Masterplan for a minimum period of 6 weeks. The draft Masterplan was placed on public exhibition from 23 October to 15 December 2023 for a total period of 8 weeks, with the submission period extended to 5 January 2024. A total of 55 submissions were received in response to the exhibition.

The majority of the submissions are site specific and in support of the draft Masterplan. A submissions report has been prepared which summarises each of the submissions, provides Council officers' comments and recommendation/s. A copy of the Submissions Report is included at Attachment 1.

Following review of submissions and further urban design analysis, and to ensure alignment with recent NSW Government housing reform policies, a number of amendments are proposed.

These include changes to land use zoning, building heights, floor space ratio and built form controls that address feasibility, amenity concerns, and minor changes for accuracy and clarity.

Based on the proposed changes, the revised Masterplan results in a: 10% increase in jobs through an increase in employment GFA capacity, 30% increase in dwellings and 40% increase in open space - included at Attachment 2.

Should Council endorse to adopt the Masterplan, the next step in this process is the implementation of the controls via an amendment to the Burwood Local Environmental Plan 2012. In this regard, there needs to be a resolution of Council to prepare a Planning Proposal or have the option for it to be 'taken in' by DPHI as a Tier 1 TOD SEPP Precinct.

For ease of reference, this report includes the following Figures and Tables:

Figure Summary

- Figure 1 Structure Plan - Exhibited Masterplan (September 2023)
- Figure 2 Proposed Land Use Zoning Diagram as exhibited
- Figure 3 Proposed land use zoning diagram – Post exhibition
- Figure 4 Block diagram for reference (Note: the block numbers do not reflect proposed site amalgamation patterns)
- Figure 5 Exhibited draft Floor Space Ratio (FSR) map

- Figure 6 Post Exhibition – amended draft Floor Space Ratio (FSR) map – Blocks with proposed changes identified with purple outline
- Figure 7 Exhibited draft height of buildings map
- Figure 8 Post Exhibition - amended draft height of buildings map (changes in yellow outline)
- Figure 9 Indicative section of proposed increases in built form across the precinct.
- Figure 10 Open space diagram - Post Exhibition – changes circled in purple

Table Summary

- Table 1 Council Resolutions on Burwood North Precinct Masterplan
- Table 2 Councillor Briefings on Burwood North Precinct Masterplan
- Table 3 Summary of community consultation activities undertaken for draft Burwood North Masterplan
- Table 4 Summary of key themes raised during community engagement
- Table 5 Comparison of exhibited vs adopted controls under the TOD Program
- Table 6 Proposed amendments to Land Use Zoning
- Table 7 Overview of proposed amendments to building density (FSR) and building heights (HOB)
- Table 8 Capacity of Burwood North Precinct – Post exhibition amendments
- Table 9 17-23 Esher St Planning Proposal

Background

Council has prepared the Burwood North Precinct Masterplan (the Masterplan) to facilitate opportunities for long-term future housing provision in accordance with the priorities and actions from the Eastern City District Plan, Council's Local Strategic Planning Statement, Local Housing Strategy and the NSW Government's Parramatta Road Corridor Urban Transformation Strategy (PRCUTS). The Masterplan is also consistent with the National Housing Accord 2023.

The Masterplan aims to be consistent with Council's endorsed Local Housing Strategy by seeking to focus higher density housing opportunities close to public transport (new Burwood North Metro station and Burwood Railway Station) and the Burwood Town Centre, while maintaining the character of lower density areas across the Burwood LGA.

This level of connectivity and accessibility, not envisaged by PRCUTS, has the potential to attract significant investment in employment and the delivery of housing. It provides opportunities to build on the established health/medical, educational and professional industry in the Precinct, further cementing Burwood's role in the Eastern City District as a Strategic Centre.

It also provides an opportunity to deliver significant community benefits, including public and open space and community infrastructure, quality urban design and building excellence, green and connected streets for people, all in a way that is environmentally and financially sustainable.

The Masterplan sets the strategic context for a future amendment to planning controls in the Burwood LEP 2012, aimed at facilitating housing, jobs, design excellence, sustainability and transport.

On 23 September 2022 Burwood Council engaged Cox Architecture, and their sub-team consisting of Jones Lang Lasalle, Dominic Steele Consulting Archaeology, Mott MacDonald, Oculus and SCT Consulting to prepare the draft Masterplan for the Burwood North Precinct.

Preliminary consultation with the community, agencies and other key stakeholder groups was completed as part of the early stage of the project in late 2022. The preliminary engagement involved website engagement, drop-in sessions and a design charrette with government agencies to provide input into the vision and aspiration for Burwood North Precinct and identify key design principles.

The Masterplan has been informed by thorough critical analysis, including specialist technical input relating to planning, urban design, landscape and public domain, transport, land use economics, first nations culture and heritage, sustainability, site contamination, geo-technical review, stormwater and flooding, heritage and infrastructure planning.

In addition, the draft Masterplan includes an Implementation Strategy that provides recommendations on land use zones, building heights, floor space ratios (FSRs), and public domain improvements that will incentivise activation, facilitate job creation and deliver housing choice.

The Structure Plan in Figure 1 below highlights the key features of the exhibited draft Masterplan, which include:

- The delivery and enhancement of a range of public spaces and an active transport network through the creation of a new green/blue corridor linking Burwood Park to Parramatta Road towards Parramatta River/Sydney Harbour;
- Encouraging the provision of well-designed, sustainable housing to meet the needs of our current and future community;
- Improving housing affordability through the provision of an affordable housing scheme;
- Additional employment generating floor space for new and emerging jobs, building on Burwood North's high accessibility and connectivity;
- Activating and greening Parramatta Road with buildings set back and an expanded mixed-use zone that will allow for additional employment opportunities, as well as appropriately designed housing;
- Rejuvenating and maintaining Burwood Road as an extended high street retail and dining precinct;
- Retaining the human scale and solar access on Burwood Road;
- Establishing accessible, clear and efficient pedestrian and cycleway connections to the future Burwood North metro station;
- Protecting the amenity of the existing educational establishments in the Burwood North Precinct by siting building height appropriately and
- Creating the capacity for approximately 5,300 new dwellings and 1,300 new jobs over the next 20 years as compared to PRCUTS targets of 3,200 dwellings and 664 jobs (Burwood LGA – Burwood-Concord Precinct under PRCUTS).

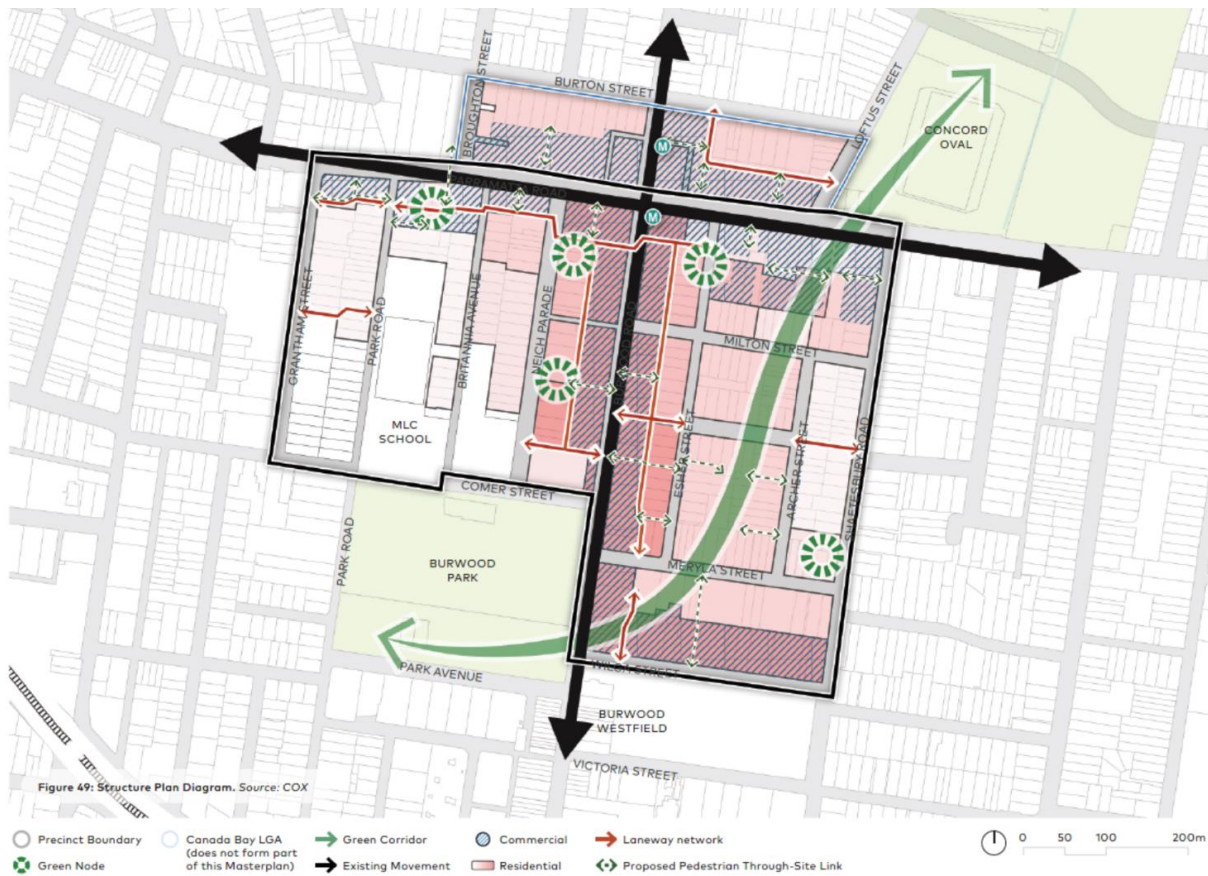


Figure 1: Structure Plan - Exhibited Masterplan (September 2023)

Since March 2022, there have been four (4) Council reports and nine (9) Councillor Briefings relating to the draft Masterplan project. These reports and briefings are summarised in Table 1 and 2 below, respectively:

Table 1. Council Resolutions on Burwood North Precinct Masterplan

Council Meeting Date	Summary and Resolution
26 April 2022 (Resolution 38/22)	<p>This report provides an overview of the comprehensive review of Burwood Local Environmental Plan 2012 (BLEP) project. It provides a summary of the work undertaken and the issues which have already been identified for inclusion as part of the review. The report also identifies the additional suite of studies which are proposed to be developed to ensure that there is a comprehensive evidence base. The outcomes of these studies will be used to inform the development of the Planning Proposal.</p> <p><i>Resolution</i></p> <ol style="list-style-type: none"> 1. Council endorse in principle the scope of the comprehensive LEP review as outlined in relation to the Burwood North Precinct and associated supporting studies. 2. Council endorse to proceed with the appointment of suitably qualified consultants to prepare the relevant studies that will inform the preparation of the Planning Proposal for the Burwood North Precinct as part of the comprehensive LEP review. 3. That a further report be presented to Council in September 2022 that provides an update on the status of the Burwood

Council Meeting Date	Summary and Resolution
	<p><i>North Precinct, associated studies and outline an engagement strategy for the Phase 2 consultation.</i></p>
<p>18 October 2022 (Resolution 149/22)</p>	<p>This report provides an update on the appointment of the consultants who will be undertaking the work relating to the preparation of the Burwood North Precinct Masterplan and the Burwood Affordable Housing Policy and Contributions Scheme.</p> <p><i>Resolution</i></p> <ol style="list-style-type: none"> 1. <i>That Council receive and note the content of this report.</i> 2. <i>That the General Manager organise a Councillor Briefing to be held in November 2022 to provide an update on the progress of the Burwood North Masterplan and Burwood Affordable Housing Strategy and Contributions Plan.</i>
<p>26 September 2023 (Resolution 85/23)</p>	<p>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.</p> <p><i>Resolution</i></p> <ol style="list-style-type: none"> 1. <i>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.</i> 2. <i>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.</i> 3. <i>That Council:</i> <ol style="list-style-type: none"> a. <i>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:</i> <ol style="list-style-type: none"> i. <i>hospitals</i> ii. <i>police</i> iii. <i>ambulance</i> iv. <i>schools (primary and secondary)</i> v. <i>the capacity of the Burwood metro and heavy rail</i> b. <i>make this information available to councillors and</i> c. <i>publicly exhibit this information in accordance with the community engagement strategy for incorporation in the draft Burwood North Masterplan.</i> 4. <i>That following the conclusion of the public exhibition of the draft Burwood North Precinct Masterplan and associated</i>

Council Meeting Date	Summary and Resolution
	<p><i>studies, a further report be prepared and submitted to Council to allow consideration of any submissions received and any resulting amendments to the Masterplan.</i></p> <p><i>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.</i></p>
12 December 2023 (Resolution 152/23)	<p>This report provides Council with a progress update on the exhibition of the draft Burwood North Precinct Masterplan.</p> <p><i>Resolution</i></p> <p><i>That the progress report on the exhibition of the draft Burwood North Masterplan be noted.</i></p>

Table 2. Councillor Briefings on Burwood North Precinct Masterplan

Briefing date	Agenda
March 2022	Outcomes of the Stage 1 Consultation - Burwood North Precinct
April 2022	<p>Issues and Options Burwood North Precinct</p> <ul style="list-style-type: none"> • Economic and feasibility testing • City excellence • Traffic and transport study and action plan • Consultant studies
May 2023	<p>Vision for Burwood North Masterplan</p> <ul style="list-style-type: none"> • Context of masterplan • Overview of early engagement • Vision and principles • Bold moves • Character areas
June 2023	<p>Future Burwood North</p> <ul style="list-style-type: none"> • Developing the evidence base • Recap of character precincts • Landscape, spaces and public domain • Transport overview and parking
July 2023	<p>Delivering Urban Renewal with Public Benefit in Burwood North</p> <ul style="list-style-type: none"> • Land use survey analysis • Development Feasibility • Overview of built form controls • How to align growth with infrastructure delivery • Housing diversity for all stages of life
September 2023	Overview of Draft Masterplan report and engagement strategy
February 2024	<p>Post Exhibition update</p> <ul style="list-style-type: none"> • Overview of engagement activities • Engagement outcomes • State Government policies
March 2024	<p>Post Exhibition Outcomes</p> <ul style="list-style-type: none"> • Proposed amendments to masterplan • Implementation pathways

Briefing date	Agenda
May 2024	Amended Masterplan and Implementation

Public Exhibition

The draft Masterplan was placed on public exhibition on 23 October 2024 for a period of 8 weeks.

Council, at its meeting on 12 December 2023 considered a progress report on the exhibition of the draft Masterplan which included a summary of the community consultation undertaken between October and early December 2023. A copy of this report is included at Attachment 3. A summary of community consultation undertaken is outlined in Table 3 below.

Table 3. Summary of community consultation activities undertaken for draft Burwood North Masterplan

Tool/Technique	Description	Response
Letters to community (LGA wide)	Colour flyer was letterbox dropped to residents, businesses and landowners in the Burwood LGA advising of vision and engagement activities.	<ul style="list-style-type: none"> Delivered to 16,100 households. Sent on 18 October prior to the start of exhibition period
Addressed letter to affected landowners	Cover letter to landowners in the study area, including the colour leaflet. Second and third letters to landowners in study area to provide update on additional engagement activities.	<ul style="list-style-type: none"> Affected landowners (717 letters) sent on 18 October Letters on 6 November and 22 November
Addressed letter to adjoining landowners	Cover letter and flyer sent to landowners adjoining the study area, including land adjoining the Burwood North Metro Station within Canada Bay LGA.	<ul style="list-style-type: none"> 446 adjoining landowners 242 landowners in Canada Bay LGA Sent the week of 18 October
Post cards in English, Chinese, Nepali and Korean	Postcards distributed to service centre, library and at drop-in sessions and pop-up stalls as part of engagement program. Postcard provides a snapshot on seeking feedback with QR code to Participate Burwood website.	<ul style="list-style-type: none"> 400 postcards
Factsheets	Series of factsheets for distribution at engagement sessions and online on the Participate Burwood page. Factsheets include: <ul style="list-style-type: none"> Introduction to masterplan Top 6 priorities Implementation of masterplan Next steps 	<ul style="list-style-type: none"> 70 copies distributed at engagement sessions 140 copies downloaded from Participate Burwood website

Tool/Technique	Description	Response
3D animation video	3D visualisation of the masterplan on the vision and proposed changes under master plan. Video animation produced and put on Participate Burwood Website and Burwood Council's YouTube channel.	<ul style="list-style-type: none"> 965 views on YouTube
Community Pop Up Sessions	To be held at community events, community facilities and high visitation areas. Pop-ups to include A1 size display boards with renders of future of Burwood North. Printed copies of collateral available for community including factsheets, notification letter and postcards.	<ul style="list-style-type: none"> 14 sessions planned (refer to previous table for list of pop-up sessions) 90 participants to date
Burwood Hub Display and Speak to a Planner	Display setup in Burwood Hub with a strategic planner available to talk at specified time slots during the consultation period.	<ul style="list-style-type: none"> 8 sessions planned (refer to previous table for list of drop-in sessions) 15 participants to date
Participate Burwood	Website for the draft masterplan provides <ul style="list-style-type: none"> Digital 24/7 access to information and to provide feedback Timelines and information about consultation undertaken Masterplan and technical reports 3D visualisation of master plan Factsheets List of consultation activities Survey and submission form Link to register to be informed of updates on project. 	<ul style="list-style-type: none"> 3,452 Visits 1,960 unique visitors (23 October to 31 January 2024) 358 downloads of the draft Masterplan report
Online Survey	10 questions on the top priorities for Burwood North	<ul style="list-style-type: none"> 15 responses
Social media	Promotion of masterplan engagement activities on social media.	<ul style="list-style-type: none"> 9% of visits came via social media with 186 click links
Speak to a planner	One-on-one conversations with Council strategic planners via phone or in person meetings.	<ul style="list-style-type: none"> 30 phone conversations 8 meetings by appointment
Stakeholder meetings	Briefing on the project with MPs, local schools, Council advisory committees, and internal staff	<ul style="list-style-type: none"> 6 briefings during consultation period

Summary of Submissions

Council received fifty-five (55) submissions in response to the public exhibition of the draft Masterplan. Of these, thirty-two (32) were site specific submissions providing feedback and responding to the proposed specific controls for individual sites. Several of the site-specific submissions were prepared by independent consultants (planning, architect, urban design) and include site modelling and feasibility analysis.

Key themes raised in submissions and engagement activities included:

- Site specific feedback
- Process and timing for delivery of the controls
- Transport/Traffic/ Parking
- Delivery of infrastructure to support the growth

Table 4 below provides a summary of the key themes raised under each theme.

Table 4. Summary of key themes raised during community engagement

Theme	
Site specific feedback	<ul style="list-style-type: none"> • The majority of enquiries from landowners and residents related to wanting to understand how the masterplan would impact their property. • The most common enquiries related to the proposed height and density (FSR) and what this meant for their property and/or the impact of adjoining changes on their property. • All site-specific submissions requested consideration of greater height and density (FSR) than what had been proposed in the draft Masterplan. • A number of submissions requested changes to proposed minimum lot sizes, site amalgamation patterns, and location of open space and through site links.
Process and timing	<ul style="list-style-type: none"> • The majority of queries and feedback on process and timing related to the master planning process and implementation of the masterplan. • Landowners and residents wanted to understand the next steps and timing of changes to planning controls and when development would occur. Landowners expressed that they have been waiting a significant period of time for changes to occur in the precinct since the announcement of the Parramatta Road Corridor Urban Transformation Strategy prior to 2016.
Transport / Parking / Traffic	<ul style="list-style-type: none"> • There was some support for the introduction of maximum parking rates and unbundled parking. • There were comments and feedback on the timing and certainty of the delivery of the Sydney Metro West line following the State Government's announcement of a review in April 2023. The final recommendations were released in December 2023 with the announcement by the NSW Government committing to the delivery of Sydney Metro West including Burwood North Station and its delivery by 2032. • Concerns were raised regarding the potential impact of the masterplan on traffic congestion particularly around school zones and ability to find on-street parking in peak periods.

Theme	
Infrastructure to support growth	<ul style="list-style-type: none"> A number of submissions identified concerns with the quantum of open space proposed and the provision of community facilities for the proposed future increase in population.

Refer to the Engagement Outcomes Report at Attachment 4 for further detail.

The NSW Government Housing Reforms and Implications for the Masterplan

In December 2023, the NSW Government announced three housing reforms to assist with the delivery of at least 314,000 new homes by 2029.

The three Housing Reforms that impact on the Masterplan are outlined below:

Transport Oriented Development (TOD) Program – The Program identified station locations and proposed changes to policy to allow residential apartment buildings in all residential zones (R1, R2, R3, and R4) within 400m of identified stations and residential apartment buildings and shop-top housing in local and commercial centres (E1 and E2) within 400m of identified stations

The first stage of the NSW Government's *Transport Oriented Development (TOD)* planning reforms was implemented on 29 April 2024 through an amendment to the *State Environment Planning Policy (Housing) - Chapter 5 Transport oriented development* (the Housing SEPP).

While Burwood North Precinct was not identified as a station under the TOD Program, the proposed built form controls under the TOD Program were considered as part of the post exhibition review of the Masterplan, specifically the floor space ratio provisions and building height. Table 5 below provides a comparison of the exhibited vs the adopted controls under the TOD Program.

Table 5. Comparison of exhibited vs adopted controls under the TOD Program

Planning Control	Proposed under TOD SEPP released December 2023	Proposed under TOD SEPP released April 2024
Permissibility	<ul style="list-style-type: none"> Residential apartment buildings in all residential zones (R1, R2, R3, and R4) within 400m of identified stations Residential apartment buildings and shop-top housing in local and commercial centres (E1 and E2) within 400m of identified stations 	
Building Height	21m (approx. 6 storeys)	<ul style="list-style-type: none"> 22m for residential flat buildings 24m for buildings containing shop top housing to accommodate commercial ceiling height
Floor Space Ratio	3:1	2.5:1 This allows for buildings of up to 6 storeys while providing for good design outcomes in relation to landscaping, building setbacks, privacy and open space.
Lot size and width	No minimum lot size or lot width.	Minimum lot width of 21m and no minimum lot size.
Street frontage	Minimum active street frontage controls in E1 and E2 zones	Clause for local centre zones to consider of active street frontages of buildings at the ground floor.

Planning Control	Proposed under TOD SEPP released December 2023	Proposed under TOD SEPP released April 2024
Heritage	<ul style="list-style-type: none"> No change to heritage clauses in local environmental plans. Applications involving heritage considerations will continue to be lodged with and assessed by councils. Any new development needs to improve and enhance the heritage values of those locations. Applications in heritage conservation areas will continue to be lodged with and assessed by councils. Councils are well placed to assess applications that might involve the removal of a non-contributory building to the heritage value of that area. Any new development needs to improve and enhance the heritage values of those locations. 	
Affordable Housing	A mandatory minimum 2% affordable housing contribution will apply for all new developments.	<ul style="list-style-type: none"> A 2% mandatory affordable housing contribution, delivered onsite and in perpetuity for developments with a minimum Gross Floor Area of 2000sqm. Affordable housing must be managed by a registered community housing provider. The percentage of the affordable housing contribution will be increased over time via an amendment to the SEPP. Minimum parking rates introduced for affordable housing
Maximum parking rates	Proposed to introduce maximum parking rates – detail not provided	No maximum parking rates

It is proposed that the FSR and height controls for the Burwood North Precinct are amended to be not less than those proposed by the TOD provisions.

Infill Affordable Housing Bonus Scheme within the State Environmental Planning Policy (Housing SEPP) 2021 – in force from 14 December 2023.

This Scheme allows bonus height and floor space ratio of up to 30% for development that provides up to 15% of its dwellings as affordable housing for a period of 15 years. This scheme is in effect and applies to all development in Burwood LGA that provides at least 15% of its dwellings as affordable housing.

These provisions could be triggered and would be in addition to the height and FSR provisions under the Masterplan. The 15% affordable housing provision would also be in addition to the provision identified under the Masterplan.

Draft Low and Mid-Rise Housing SEPP – proposes changes to permissibility and controls in all residential areas to encourage more low to mid-rise housing. The Explanation of Intended Effect (EIE) was on exhibition for public comment from 15 December 2023 until 23 February 2024 and the SEPP is proposed to be implemented by 30 June 2024.

As the proposed heights and densities under the Masterplan are generally greater than those proposed under the draft low and mid-rise, the provisions relating to the low rise component will generally not have an impact on Burwood North.

Consideration however has been given to aligning the proposed changes under the mid-rise housing component which have been exhibited. Within 400m walking distance of a metro station entry, the draft EIE proposed the following in the MU1 zone (sites fronting Parramatta Road):

- Maximum building height: 21m (6 storey)
- Maximum FSR: 3:1

For those blocks that proposed a FSR of 2:1 or 2.5:1, these have been reviewed, and where appropriate amended to align with the 3:1 FSR.

PROPOSED AMENDMENTS TO THE MASTERPLAN

Following a review of the exhibition feedback, recently adopted and exhibited Housing Reform Government Policy and further urban design analysis, a number of amendments have been made to the exhibited Masterplan, and specifically the Implementation Strategy.

The amendments align with the established Vision and the five “Big Moves” for Burwood North Precinct as set out in the exhibited Masterplan to guide the built form and planning approach for the Precinct.

The Big Moves are summarised as follows:

1. **Diverse Housing and Economy:** Advocate for high-quality built form and design excellence that provides a sustainable and diverse housing choices, including affordable options for key workers and families. Leverage high-amenity living to attract more knowledgeable and high-skilled jobs.
2. **Activation and Celebration:** Activate Parramatta Road and Burwood Road and extend activation through perpendicular streets and laneways into the precinct. Manage growth and development so that the centre is rejuvenated, there is a creation of place, and the diversity and culture of the precinct remains central.
3. **Pedestrian-First Transport Network:** Prioritise pedestrian connectivity and permeability throughout the precinct and into the wider area, considering the needs of future services access and a developed active transport network.
4. **Blue and Green:** Establish a legible green and blue network through the precinct to provide a high level of amenity, sense of place, and connection to Country. A sustainability strategy supports these networks with directions for water management and sensitive curation of plant species and public domain materials.
5. **Human Scale:** Protect the human scale of Burwood Road and Parramatta Road by setting taller buildings behind, and transition height down to existing areas.

A summary of the proposed amendments to the Masterplan include:

- Changes to the proposed land use zoning map to encourage active street frontages facing Burwood Park and address minor inconsistency with lot boundaries.
- Changes to the built form proposed under the draft Masterplan, including increases in height and density on sites across the precinct that provide open space or provision of community infrastructure.
- Changes to the proposed orientation of buildings primarily north-south, for better internal amenity, improved ability to comply with Apartment Design Guide and to reduce overshadowing.
- Changes to the provision of open space with an additional 7,100m² to be delivered within the precinct, including:

- new open space within the block bounded by Meryla Street and Wilga Street increasing connectivity to Burwood Park.
 - expanding open space in the north-western part of the precinct
 - improving through-site links for better east-west connections for pedestrians and cyclists.
 - reducing the proposed 6m landscape setback along Parramatta Road to reduce remnant open space
- Changes to the proposed amalgamation patterns to reflect proposed changes in built including delivery of open space.

Changes to the proposed land use zoning map

The following table outlines amendments proposed to the Land Uses Zones in the amended Masterplan.

Table 6. Proposed amendments to Land Use Zoning

Map Reference	Amendment	Justification
1	Expand the MU1 - Mixed Use zone on the Comer Street interface with Burwood Park at No.3-13 Comer Street	To encourage activation at the street level with potential ground floor retail uses, such as cafes and restaurants directly opposite the park.
2	Minor adjustment to MU1 – mixed zone use zone for No. 1A Britannia Avenue	To align with the existing lot boundary for No. 1A Britannia Avenue and remove the split zone affectation (MU1 – mixed use and R4 High Density Residential zone)

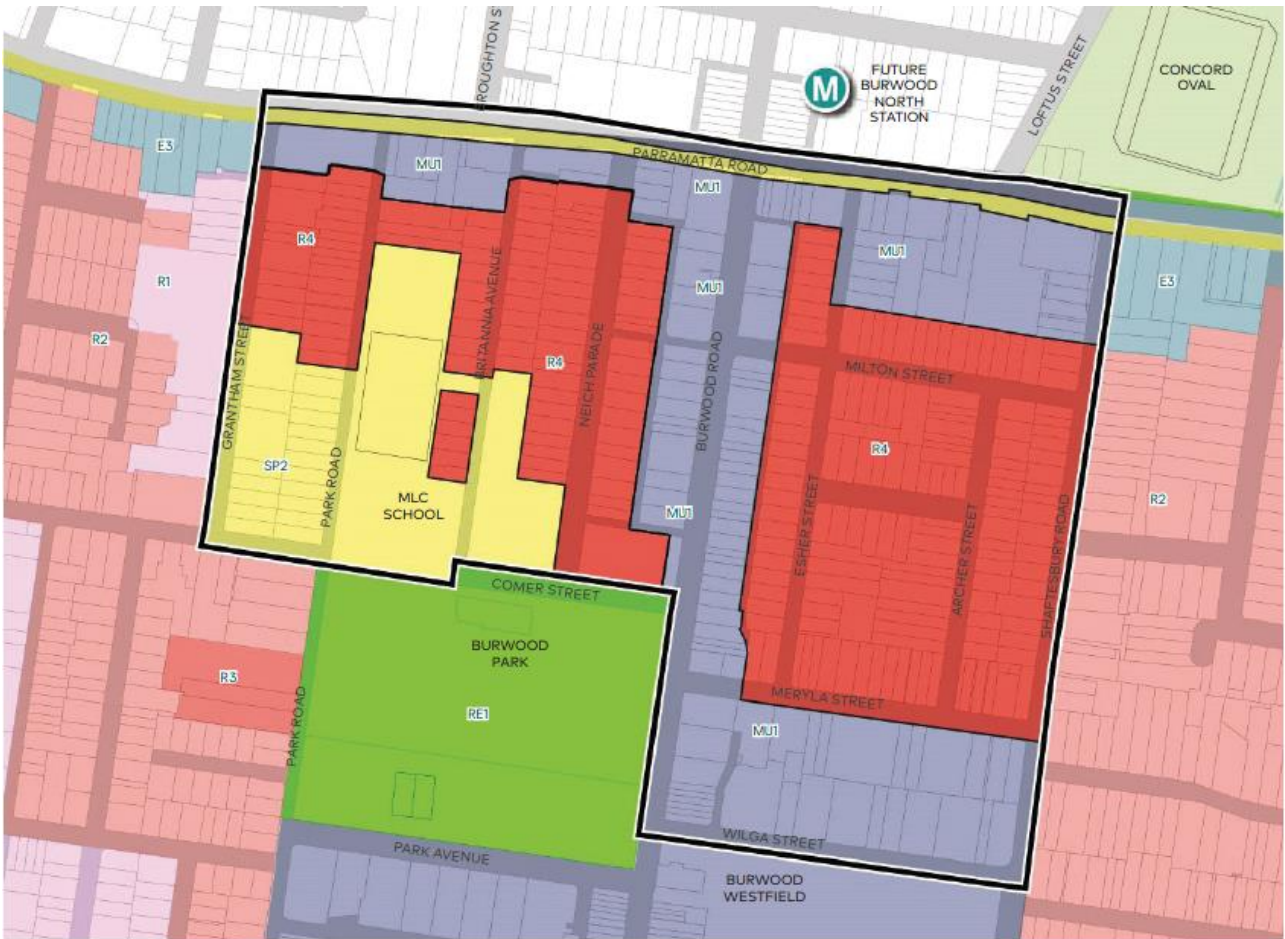


Figure 86: Proposed Land Use Zoning Diagram Source: COX



- Precinct Boundary
- R2 Low Density Residential
- MU1 Mixed Use
- SP2 Infrastructure
- R3 Medium Density Residential
- E3 Productivity
- R1 General Residential
- R4 High Density Residential
- RE1 Public Recreation

Figure 2. Proposed Land Use Zoning Diagram as exhibited



Figure 90: Proposed Land Use Zoning Diagram Source: COX



Figure 3. Proposed land use zoning diagram – Post exhibition amendments

Changes to proposed Floor Space Ratio and Building Height

In responding to the submissions and other factors including feasibility of the proposed development standards and maximising the delivery of community benefit, Council has undertaken further built form testing prepared by Cox Architecture to determine the appropriate floor space ratio and building heights for blocks within the precinct.

The proposed changes include:

- Maintain the established ten-storey interface along Burwood Road so as to define the street and provide a pedestrian scaled street environment, while allowing for solar access and the retention/addition of street trees, improving tree canopy cover across the Precinct
- Provide for taller built forms one block behind Burwood Road towards Neich Parade to the western side of Burwood Road and Esher Street to the eastern side of Burwood Road. The taller scale (greater building height) is proposed to leverage the opportunity to consolidate growth in an area of high accessibility and amenity and to deliver a more public accessible open space at the ground plane, providing significant community benefit and allowing for an increase in canopy cover.

- Increase the building height and floor space ratio on the Metro Station entrance site and adjoining sites between Parramatta Road and Esher Lane to provide greater flexibility for future over station development and to ensure that there are opportunities for high density living and jobs at the Metro.
- Define a skyline that steps up from Shaftesbury Road and the schools on the edges, to allow for appropriate transition to the east and west and continues to concentrate the built form around the centre of Burwood North, close to the Burwood North Metro Station.
- Increase the built form and the provision of open space in the block at the southern edge of the Precinct, bounded by Meryla Street, Shaftesbury Street, Wilga Street and Burwood Road. This block is within the Burwood Town Centre, adjacent to Westfield and the draft Masterplan retained the existing controls under the Burwood LEP on the basis that the majority of the block was already developed and development was strata titled. A number of submissions from landowners and developers indicated that a large majority of the older buildings in this block are being purchased with the intention of renewal and redevelopment.

It is proposed that the Masterplan be amended to allow a FSR of up to 6:1 and a maximum building height of up to 118m in part of block to incentivise the provision of open space which will form a significant open space corridor through the middle of block, that allows for a connection from Westfield and Burwood Park all the way through to Concord Oval via a connected green network. Transition towards Shaftesbury Road with FSR of 3:1 and height of 30m due to restrictive width of sites and to be consistent with recent development on neighbouring sites.

Figure 4 and Table 6 below provides an overview of the proposed amendments to the building density (FSR) and building heights, block by block.

It should be noted that these recommended FSRs and building heights will be the maximum and, where there is a requirement for the amalgamation of sites to ensure the delivery of open space and/or community infrastructure, these FSRs and heights will only be triggered subject to the amalgamation of the required sites, which will be identified as key sites in the Burwood LEP.

It is intended that the Burwood LEP will be amended to introduce local provisions that will specifically apply to the Burwood North Precinct. The objective of these provisions will be to promote, by providing building height and floor space incentives, residential development that provides for, at a minimum the following:

- a) community facilities, open space, including communal open space, and high quality landscaped areas, and
- b) efficient pedestrian and traffic circulation, and
- c) a mix of dwelling types in residential flat buildings, providing housing choice for different demographics, living needs and household budgets, including by providing affordable housing, and
- d) the amalgamation of lots to prevent the fragmentation or isolation of land.

The review of the FSRs and height have also taken into account feasibility to ensure the introduction of sustainability requirements to ensure buildings are designed to optimise energy efficiency. Other local provisions which will be considered for inclusion in the LEP include, but may not be limited to, setback requirements, pedestrian link and road requirements, design excellence, maximum car parking requirements and unit size mix.



Figure 4. Block diagram for reference (Note: the block numbers do not reflect proposed site amalgamation patterns)

Table 7. Overview of amendments to building density (FSR) and building heights (HOB)

Block Reference	Exhibited FSR and HOB	Proposed FSR and HOB	Comments
A1	2.5:1 28m	3:1 0m - 41m	Increase in FSR to align with proposed low to mid-rise SEPP provisions Additional HOB for provision of through site links
A2	2:1 20.5m	3:1 35m	Increase in FSR to align with proposed low to mid-rise SEPP provisions
B1	2.5:1 0m & 28m & 50m	4:1 0m & 65m	Increase in FSR and HOB to deliver expanded open space (0m on open space)
B2	2:1 20.5m	3:1 0m, 15m, 28m & 41m	Increase in FSR to align with proposed low to mid-rise SEPP provisions
B3	2:1 20.5m	3:1 28m	Increase in FSR to align with proposed low to mid-rise SEPP provisions

Block Reference	Exhibited FSR and HOB	Proposed FSR and HOB	Comments
C1	3:1 35m	3:1 0m, 35m	No change from exhibited 0m to through site link
C2	3:1 41m and 50m	3:1 35m and 50m	Reduction in HOB due to site orientation and building massing
C3	2.5:1 28m	3:1 0m, 28m and 35m	Increase in FSR to align with proposed low to mid-rise SEPP provisions
D1	4:1 41m and 65m	4:1 0m, 41m and 65m	No change from exhibited
D2	6:1 0m and 98m	6:1 0m and 98m	No change from exhibited
D3	6:1 0m and 98m	6:1 0m and 98m	No change from exhibited
D4	4:1 35m	4:1 35m	No change from exhibited
D5	4:1 0m and 65m	6:1 0m and 98m	Increase in FSR and HOB to deliver open space
D6	2.5:1 28m	4:1 28m and 65m	Increase in FSR and HOB to encourage Redevelopment of strata titled units and provide activation across from park.
D7	4:1 15m	4:1 35m	Increase in HOB to align with adjoining MU1 zoned sites on Burwood Road
E1	4:1 35m	6:1 65m	Increase in FSR and HOB for MU1 above metro station
E2	4:1 35m	4:1 35m	No change from exhibited
E3	6:1 0m and 98m	6:1 0m and 98m	No change from exhibited
E4	4:1 15m and 35m	4:1 15m and 35m	No change from exhibited
E5	6:1 65m	6:1 65m	No change from exhibited
E6	4:1 50m	4:1 50m northern part of site 41m southern part of site	Reduction in HOB following urban design review and to minimise impact of overshadowing to open space to the south
F1	2.5:1 10.5m-35m	3:1 10.5-65m (portion	Increase in FSR and HOB to align with proposed low to mid-rise SEPP provisions

Block Reference	Exhibited FSR and HOB	Proposed FSR and HOB of site)	Comments
			and realignment of delivery of open space
F2*	2.5:1 35m	3:1 10.5-65m (portion of site)	Increase in FSR and HOB to align with proposed low to mid-rise SEPP provisions and realignment of delivery of open space
F3	2.5:1 0m-28m	3:1 0m-10.5m-50m	Increase in FSR and HOB to align with proposed low to mid-rise SEPP provisions and realignment of delivery of open space
F4	6:1 0m-15m-98m	6:1 0m-15m -118m	Increase in HOB to provide site access and realignment of delivery of open space
F5*	6:1 35m	6:1 0m-65m	Increase in HOB to provide site access and realignment of delivery of open space
F6	6:1 82m	6:1 0m-118m	Increase in HOB to provide site access and realignment of delivery of open space
F7	3:1 0m-41m	6:1 0m - 65m	Increase in FSR and HOB to provide site access and realignment of delivery of open space
F8	3:1 0m - 50m	4:1 0m-28m-65m	Increase in FSR and HOB due to realignment of delivery of expanded open space
F9	2.5:1 28m	4:1 0m-28m-65m	Increase in FSR and HOB due to realignment of delivery of expanded open space
F10	3:1 0m-50m	4:1 0m-28m- 65m	Increase in FSR and HOB due to realignment of delivery of expanded open space
G1	3:1 0m-20.5-50m-82m	4:1 0m-10.5m-28m-65m-82m-118m	Increase in FSR and HOB due to realignment of delivery of expanded open space
H1	3:1 0m-41m-50m-65m	4:1 0m-15m-65m-82m	Increase in FSR and HOB due to realignment of delivery of expanded open space
I1	2:1 18m	3:1 28m	Increase in FSR to align with proposed low to mid-rise SEPP provisions
I2	2.5:1 0m-50m	4:1 0m-82m	Increase in FSR and HOB due to realignment of delivery of expanded open space
J1	3:1 30m	4:1 30m-35m	Increase in HOB and FSR to align with MU1 on Burwood Road
J2	2:1 15m	6:1 0m-35m-98m	Increase in HOB and FSR to incentivise redevelopment of strata titled blocks, improve development outcomes and delivery of open space
J3	3:1 30m	6:1 0m-30m-118m	Increase in HOB and FSR to incentivise redevelopment of strata titled blocks, improve

Block Reference	Exhibited FSR and HOB	Proposed FSR and HOB	Comments
			development outcomes and delivery of open space
J4	2:1 15m	3:1 35m	Increase in HOB and FSR to incentivise redevelopment of strata titled blocks and improve development outcomes
J5	3:1 30m	3:1 30m	No change from exhibited version



Figure 5. Exhibited draft Floor Space Ratio (FSR) map

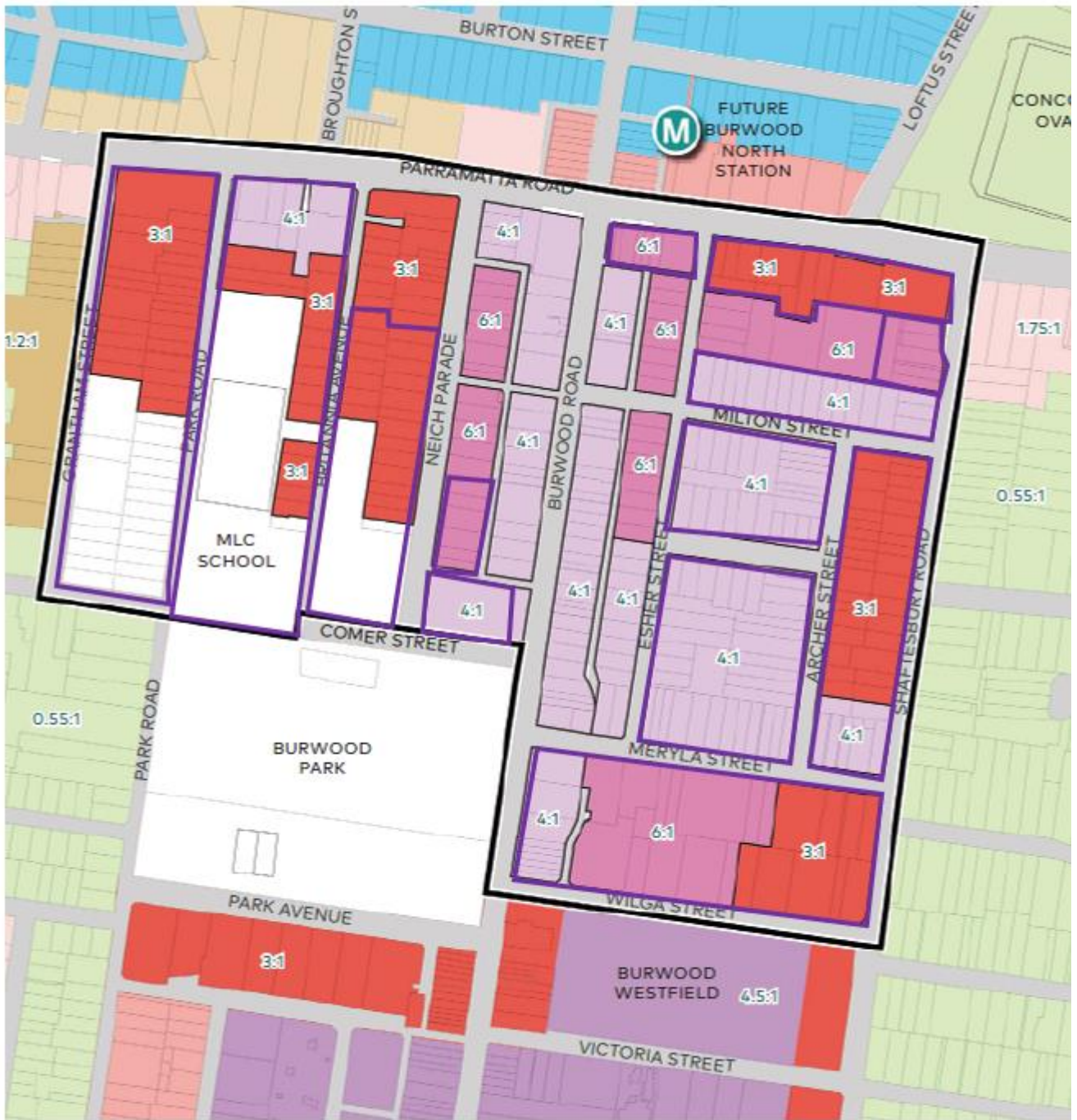


Figure 6 – Post Exhibition – amended draft Floor Space Ratio (FSR) map – Blocks with proposed changes identified with purple outline

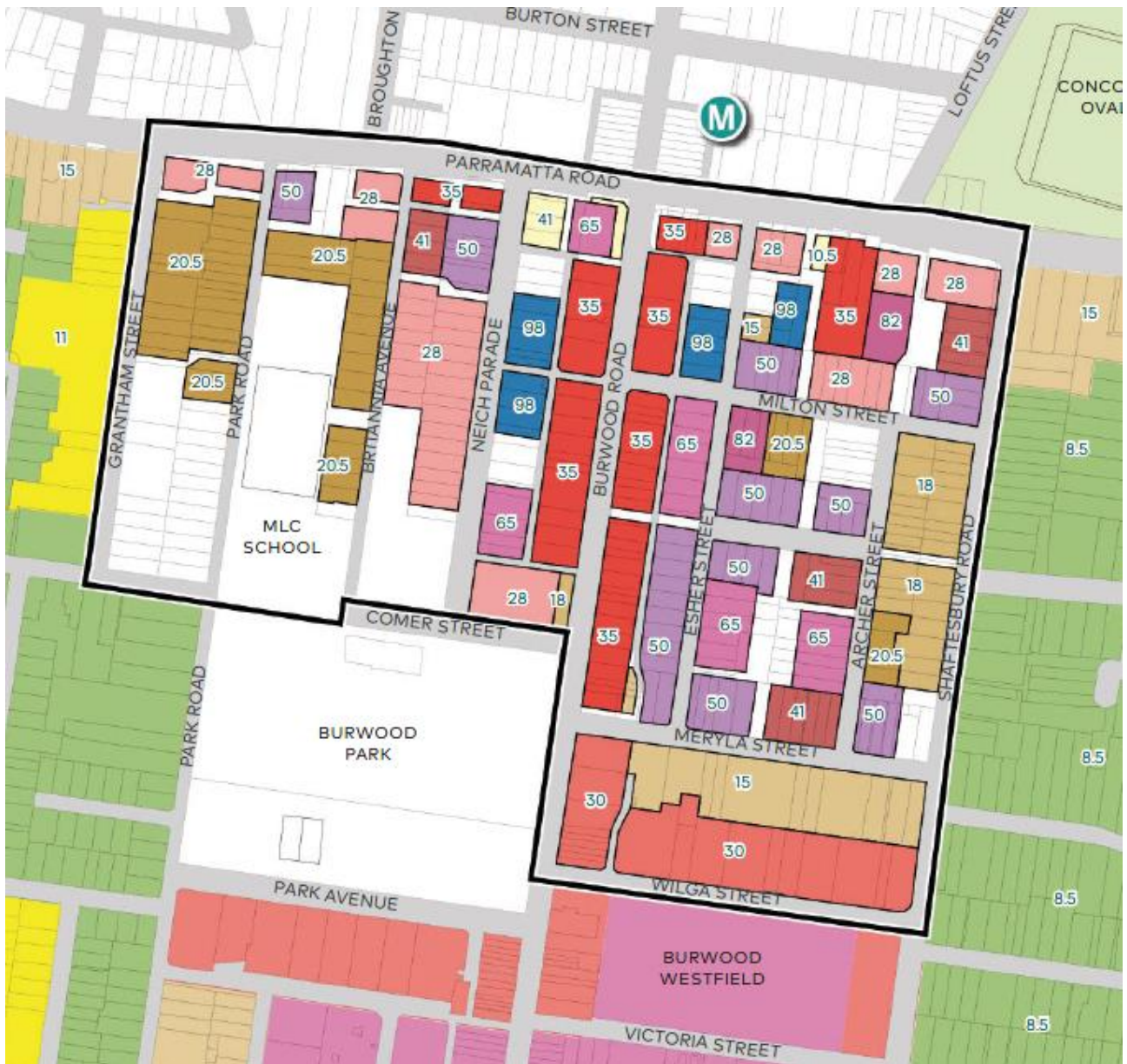


Figure 7. Exhibited draft height of buildings map

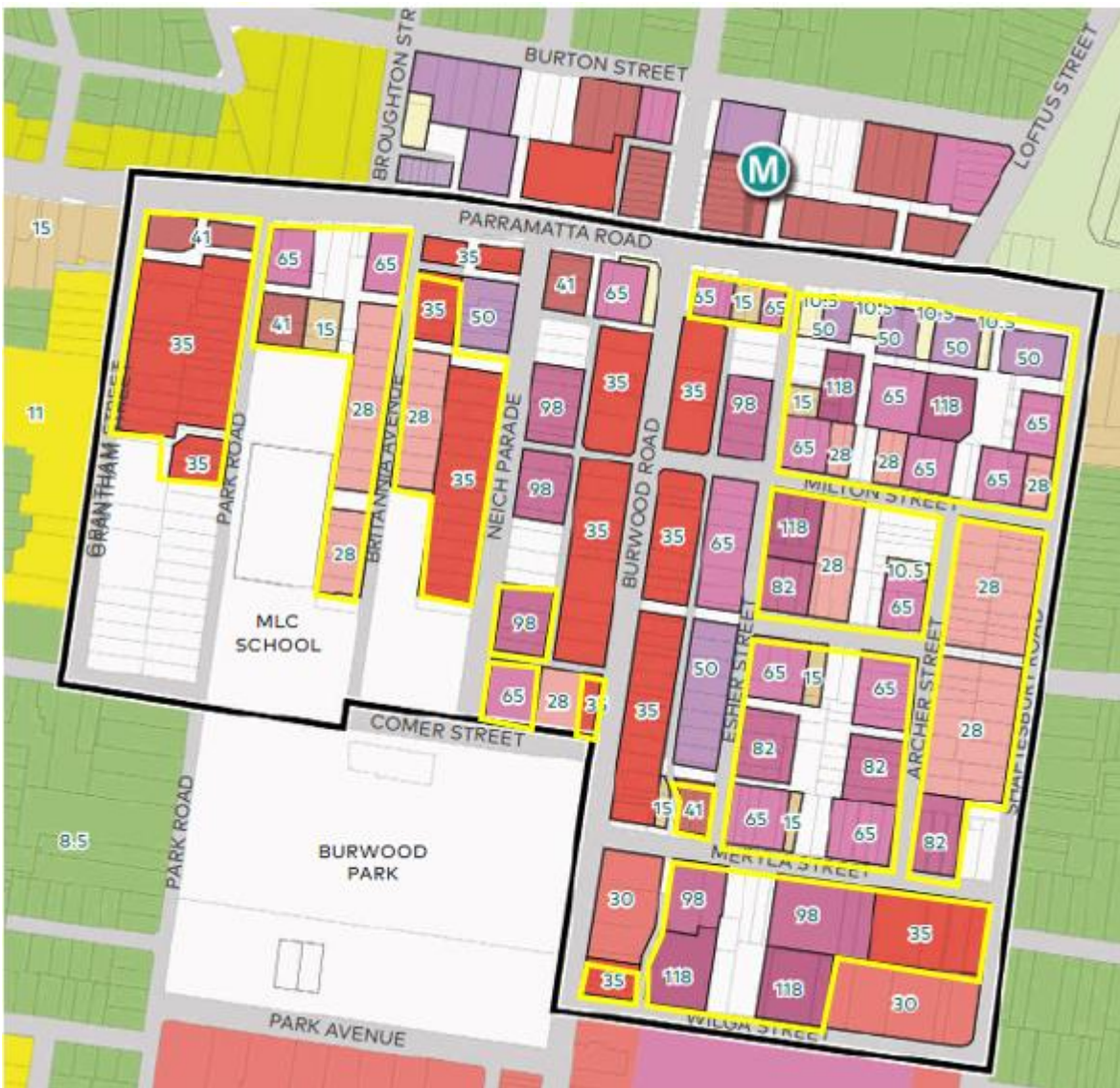


Figure 8. Post Exhibition - amended draft height of buildings map (changes in yellow outline)



Figure 9 – Indicative section of proposed increases in built form across the precinct.

Changes to proposed open space

As outlined in the report to Council in September 2023, a priority for the draft Masterplan is ensuring that infrastructure is provided to support the growth of the Burwood North Precinct, specifically the growing resident, worker, student and visitor population.

This infrastructure that was proposed under the draft Masterplan, as exhibited included:

- Providing new open space network through the precinct, including 1.93 ha of new open space and a green corridor that leads from Burwood Park towards Concord Oval and Parramatta River
- A network of through-site links and laneways to improve access to open space, amenities and public transport
- 1.8km of new cycle-ways to connect to the bicycle network

Proposed post exhibition changes provide for a wider and enhanced green corridor through the east of the Precinct resulting in a more cohesive connected corridor from Concord Oval all the way through to Burwood Park and Westfield's Shopping Centre in the south.

The green corridor reflects the historical creek line through the precinct providing a connection to country that was used to inform the development of the masterplan. The expansion of this corridor will improve the aesthetic and recreational function, whilst also providing for stormwater and flood mitigation.

The amended Masterplan results in a 40% increase in open space within the Precinct (from 17,800m² (exhibited Masterplan) to 24,900m² (post exhibition amended Masterplan), and includes:

- An improved green corridor that is wider and better connected through the east of the precinct including new open space to be provided within the block bounded by Meryla Street and Wilga Street.
- Expanded open spaces in the northwest of the Precinct to provide a larger landing area for the active transport connection from the pedestrian bridge over Parramatta Road with a larger contiguous open space that has better East West connections through to the Metro and Burwood Road.
- New through site-links for better east-west permeability through to Burwood Road from Archer Street and Esher Street.
- New pedestrian connection from the Parramatta Road footbridge through to MLC School site.
- Reduction from 6m to 3m for the landscape setback along Parramatta Road to allow for the delivery of connected through site links to the rear of properties fronting Parramatta Road and to minimise potential maintenance issues and liabilities for Council.

The additional open space requirements will be included in the next review of the Burwood's Development Contributions Plan.



Figure 10. Open space diagram - Post Exhibition – changes circled in purple

Solar Access

It is important to ensure solar access to the public spaces achieves a high level of amenity year round for those visiting, working and living in the Burwood North Precinct. Consideration has been given with respect to the amendments to the height and FSR across the Precinct and its impact on solar access to these proposed spaces.

The exhibited Masterplan identified that key public spaces should receive a minimum of 2 hours of sunlight between 9am and 3pm at the winter solstice (21 June). As outlined above, a detailed urban design analysis has been undertaken, which included an analysis of the impact of the additional heights on overshadowing to public spaces. The proposed increases in height will have some additional overshadowing impact on public spaces however the analysis indicates that these spaces will still receive a minimum of 2 hours of sunlight in mid-winter.

It is also proposed to increase the height and FSR to the block bounded by Comer Street, Neich Parade, Nicoll Lane and Burwood Road which will have some additional impact on overshadowing to the north-eastern corner of Burwood Park (where the playground is situated). It should be noted that the majority of this block contains a residential flat building which is strata titled so redevelopment of this site is unlikely to occur in the short to medium term. It is considered that the impact of the additional height in this location will not have an adverse impact on the amenity of Burwood Park, and in particular the playground as there are a number of significant trees in this location which already provide shade to this part of the park.

Alignment with the National Housing Accord

In October 2022, the National Housing Accord (Accord) was introduced with a national five-year target of one million well-located new homes by June 2029.

In August 2023, National Cabinet announced a revised five-year target of 1.2 million well-located dwellings from mid-2024. The NSW Government committed to deliver at least 314,000 new homes by mid-2029, with a stretch goal of 377,000 dwellings.

The Accord requires that the NSW Government work in collaboration with councils on changes to meet the five-year housing target, with an agreement to: *'commit to working with local governments to deliver planning and land-use reforms that will make housing supply more responsive to demand over time, with further work to be agreed under the Accord.'*

In December 2023, the NSW Government announced three housing reforms to assist with the delivery of at least 314,000 new homes by 2029.

The exhibited Masterplan created the capacity for approximately 5,300 new dwellings and 1,300 new jobs over the next 20 years as compared to PRCUTS targets of 3,200 dwellings and 664 jobs (Burwood LGA – Burwood-Concord Precinct under PRCUTS).

The proposed amendments to the draft masterplan would see an additional 30% increase in dwellings of up to almost 7,000 new dwellings and over 2,000 new jobs. This would be supported by the delivery of approximately 25,000sqm of public space, a significant proportion of which will be contiguous open space to create a green corridor through the Precinct. Table 7 below provides an overview of the capacity of Burwood North Precinct as exhibited and with proposed amendments.

Table 8. Capacity of Burwood North Precinct – Post exhibition amendments

	Exhibition 2023	Post - Exhibition 2024 (Draft)
Employment GFA Capacity	47,412m ²	71,675m ²
Potential Additional Jobs	1,355	1,492
Retained Dwellings	823	669
Residential GFA Capacity	482,947m ²	665,538m ²
Potential Additional Dwellings	5,366	7,729
Potential Total Dwellings	6,189	8,398
Potential Total Population (@ 2.5ppd)	15,473	19,072
Potential Open Space	17,800m ²	24,900m ²

Proponent Led Planning Proposal – No 17-23 Esher Street, Burwood

Council is in receipt of a Planning Proposal application for Nos.17-23 Esher St, Burwood located within the Burwood North Precinct Masterplan area.

This Planning Proposal was submitted in 2019 and was reported to the Burwood Local Planning Panel (BLPP) on 9 July 2019. The BLPP, in this regard resolved the following:

“That the Burwood Local Planning Panel not support the Planning Proposal for 17-23 Esher Street Burwood at this time, especially given that Council’s work on the PRCUTS and LSPS is yet to be completed.”

Following the BLPP resolution, the applicant contacted Council on 11 July 2019 requesting that Council officers delay reporting the Planning Proposal to Council until such time as the PRCUTS traffic report and LSPS were finalised.

In August 2022, following the commencement of the work relating to the draft Burwood North Masterplan, Council contacted the applicant requesting that the Planning Proposal be withdrawn. At this time the applicant advised that they would consider withdrawing the Planning Proposal once the draft Masterplan was on exhibition.

This site has been considered as part of the Masterplan and the proposed height and density (FSR) controls are significantly greater than those proposed by the Planning Proposal. Table 8 below provides an overview of the Planning Proposal against the current controls in Burwood LEP 2012, PRCUTS and the amended Masterplan.

Table 9 - 17-23 Esher St Planning Proposal

Current controls BLEP 2012			PRCUTS (2016)			Applicant Planning Proposal (2019)			Draft Masterplan Recommendation (2024)		
Zoning	HOB	FSR	Zoning	HOB	FSR	Zoning	HOB	FSR	Zoning	HOB	FSR
R2 Low Density Residential	8.5m	0.55:1	R3 Medium Density Residential	32m	4.0:1	B4 Mixed Use	32m	4.0:1	R4 High density residential	65m	6:1

The Masterplan proposes to rezone the site from R2 Low Density to R4 High Density Residential with some provision for ground floor retail similar to the applicant's original planning proposal. The Masterplan also identifies the site as a key site, and proposes an increase in density and building height to deliver community benefit in the form of publicly accessible space (either a plaza or open space).

The Masterplan, as compared to the submitted Planning Proposal, will deliver a better built form outcome for the site and will also ensure the following:

- Achievement of minimum site area (site amalgamation requirement) for appropriate development pattern and high-quality built form
- Delivery of activated street frontages
- Achievement of higher sustainability targets, including objectives and controls to reduce urban heat, tree canopy requirements and cooling measures such as green walls/roofs etc.
- Provision of an appropriate dwelling size mix
- Provision of affordable housing (up to 5% of total GFA)

As part of the Masterplan process it is recommended that this proponent led Planning Proposal not be progressed. A recommendation has been included in this regard.

Implementation of the Masterplan

Should Council endorse the amended Masterplan, the following work will be required to implement the Masterplan and enable the delivery of development under the new planning framework:

- **Amendments to the existing Burwood Local Environmental Plan 2012** (under a Planning Proposal) - to implement the planning provisions into the statutory planning framework such as height of building limits, floor space ratios, land use zoning.
- **Updates to the existing Development Control Plan** - It is intended to prepare a comprehensive set of DCP amendments to the Burwood DCP 2012 to support the Planning Proposal. The draft DCP amendment will include specific controls relating to built form, design and materiality, local character, setbacks, landscaping and tree canopy, sustainability, building performance, open space and design excellence and a range of other controls identified in the draft Plan and supporting studies.
- **Update the Development Contributions Plan framework** - to develop a local community infrastructure list with specifications on how this will be delivered through supporting financial or in-kind contributions and associated time frames. Local infrastructure includes works to improve new open space (such as new playgrounds, vegetation and furniture), new multi-purpose facilities, footpath upgrades, streetscape landscaping and cycling infrastructure (such as bicycle lanes).
- **Public Domain Strategy** - The Public Domain Strategy (PDS) will be a document that identifies a vision for Burwood North's public spaces to align private and public investment in

future. The PDS, will serve as a guiding document to future investment decisions and discussion with developers in the Burwood north Precinct.

- **Affordable Housing Contributions Scheme** - will set out how affordable housing will be delivered in the Burwood North Precinct

Council needs to resolve to prepare the Planning Proposal, have it considered by the Burwood Local Planning Panel prior to being reported to Council for submission to DPHI. Attachment 5 includes a high level summary of the amendments proposed to be included in the Planning Proposal.

Accelerating the Delivery of the Burwood North Precinct

On 11 April 2024, Council was advised in a letter from the Minister for Planning & Public Spaces that Croydon would be deferred from the TOD Program for a period of 9 months allowing Council to undertake its own planning process with involvement with the community.

In his letter, the Minister also provided an indication that the Burwood North Precinct may be considered as a future accelerated precinct under the TOD Program. Should this occur, the Burwood North Masterplan would take an alternate legal pathway for gazettal under the TOD SEPP.

Discussions with the DPHI will continue in this regard and should there be any progress made, a further report will be presented to Council. Refer to Attachment 6 for a copy of the Minister's letter.

Next Steps

Should Council endorse the amendments to the draft Masterplan and resolve to prepare and submit a Planning Proposal to implement the Masterplan for the Burwood North Precinct, the following next steps will apply:

- 1) Planning Proposal to be prepared and supporting associated plans and strategies prepared and finalised
- 2) Planning Proposal submitted to Burwood Local Planning Panel (BLPP) for review and recommendation to Council.
- 3) Report to Council on the recommendations from the BLPP and draft Planning Proposal for submission for Gateway Determination to the DPHI.
- 4) Upon the receipt of a Gateway Determination from DPHI, undertake necessary tasks based on Gateway Conditions, and formally exhibit the Planning Proposal and supporting plans and strategies. This formal exhibition period will be a minimum of 30 days as outlined in Council's Engagement Strategy or for a timeframe as required by DPHI. This phase will also include engagement with State Agencies
- 5) Following a review of submissions, the final Planning Proposal to be reported to Council.
- 6) Should Council support the Planning Proposal, it will be issued to the Department to finalise and amend the Burwood LEP 2012.

Future Consultation

Following Gateway determination of the Planning Proposal, it is mandatory for further community consultation to be undertaken.

Any Gateway Determination issued by the DPHI will indicate a minimum timeframe for the exhibition of the Planning Proposal. The exhibition of any future Planning Proposal will be undertaken in accordance with Council's Engagement Strategy and the Department's *LEP Making Guideline 2021*.

It is also proposed to formally notify via letter all landowners within the Burwood North Precinct study area, and all persons and agencies who made a submission in response to the exhibition of the draft masterplan of Council's resolution. A recommendation has been included in this regard.

Planning or Policy Implications

A review of the Burwood Development Contributions is currently being prepared to fund the necessary local infrastructure outlined in the Masterplan such as delivery of new open spaces, local road network upgrades and public domain and cultural facility improvements.

The proposed amendments to the draft Masterplan require the following plans and policies to be prepared or updated:

- Transport Strategy for Burwood North
- Landscape and Public Domain Strategy for Burwood North
- Voluntary Planning Agreements Policy
- Affordable Housing Contributions Scheme
- Capital Works schedule to inform infrastructure contributions plan
- Infrastructure Contributions Plan
- Development Control Plan for Burwood North Precinct

These policies and plans will be subject to separate reporting for Council's consideration.

Financial Implications

The draft Masterplan has been primarily funded by Council, with some funding also provided by the DPHI.

If adopted, the draft Plan will inform Council's investment in infrastructure from a range of sources including:

- Development Contributions Plan
- Property and asset renewal
- Works in kind
- Potential future master planning for Council assets such as the Meryla Street Car Park and
- Informing capital work programs.

It is noted that any change to Council's contributions plan, capital works program and future plans for Meryla Street Car park, will require future reports to Council for endorsement.

Council has also made an application for \$600,000 under the Federal Government's Housing Support Program – Stream 1 to assist and accelerate the preparation of Planning Proposal and associated plans and strategies.

There will also be a future report to Council on the proposed infrastructure contributions framework for the Burwood North Precinct. Council staff are currently reviewing the options for a future contributions plan to ensure that there are adequate contributions for the delivery of community infrastructure. This may include seeking an extension from the Minister for Planning of the 4% levy (which currently applies to the Burwood Town Centre), or alternate options.

Conclusion

This post exhibition report on the draft Burwood North Masterplan provides:

- A review of submissions and key themes raised
- An overview of urban design response to submissions, including opportunities to increase community benefit in Burwood North Precinct.

- An overview of the proposed amendments to the exhibited masterplan with consideration to the shift in State Government Planning Policy since start of the master planning process and implications for Burwood North.
- An overview of the proposed implementation strategy for the amended masterplan.

Recommendation(s)

1. That Council adopt the amended Burwood North Precinct Masterplan, dated May 2024 as attached to this report at Attachment 2.
2. That the adopted Burwood north Precinct Masterplan be forwarded to the Department of Planning Housing and Infrastructure to be endorsed as a strategic plan.
3. That Council pursuant to Section 3.33 of the *Environmental Planning & Assessment Act 1979*, prepare a Planning Proposal to amend the Burwood Local Environmental Plan 2012 in accordance with the Implementation Strategy in the adopted Burwood North Precinct Masterplan, subject to:
 - a. Completion of the following studies prior to submission for Gateway:
 - i. Public domain plan and works schedule
 - ii. Updated Infrastructure Contributions Plan
 - iii. Affordable Housing Contributions Scheme
 - b. Preparation of the draft LEP Amendment maps to include with the Planning Proposal.
4. That a further report be submitted to Council following referral for advice of the Planning Proposal to the Burwood Local Planning Panel, in accordance with the *LPP Direction – Planning Proposals*.
5. That a further report be presented to Council on the proposed infrastructure contributions framework, including the costings of the identified public domain works including community, open space and other infrastructure needs contained in the Burwood North Precinct Masterplan.
6. That Council prepare and exhibit a site specific Development Control Plan to support the delivery of the endorsed Masterplan, to be exhibited concurrently with the Planning Proposal.
7. That Council does not proceed with the applicant initiated planning proposal for Nos.17-23 Esher St Planning Proposal in accordance with section 3.35(4) of the *Environmental Planning and Assessment Act 1979*, for reasons outlined in this report, and that the applicant be advised accordingly.
8. That the General Manager be delegated to undertake minor modifications to any numerical, typographical, interpretation and formatting errors, if required, to the final adopted Masterplan.
9. That all persons who made a submission to the draft Masterplan and landowners within the study area be advised of Council's decision.
10. That the Director City Strategy commence discussions with senior officers of the DPHI to request consideration of the Burwood North Precinct as a future accelerated Precinct under the TOD Program and seeking a commitment to assist the implementation, funding and delivery of the endorsed Masterplan, noting coordination of State services is required to accommodate the anticipated growth.
11. That the General Manager provide updates to Council at key interval stages of the Masterplan implementation process.

Attachments (See separate attachments paper)

- 1 → Attachment 1 - Landowner Submissions - Urban Design Review Report - May 2024
- 2 → Attachment 2 - Burwood North Precinct Masterplan - Amended Post Exhibition - May 2024
- 3 → Attachment 3 - Copy of Council Report 12 December 2023 - Burwood North Precinct Masterplan Exhibition Update
- 4 → Attachment 4 - Engagement Outcomes Report - Burwood North Precinct Masterplan - May 2024
- 5 → Attachment 5 - Intended Effect of Proposed Planning Proposal
- 6 → Attachment 6 - Letter from the Minister for Planning & Public Spaces

(Item 29/24) Integrated Planning and Reporting Documents – Delivery Program (Year 3), Operational Plan and Budget (2024-2025), Revenue Policy, Draft fees and Charges 2024-2025 and Updated Resourcing Strategy – Endorsement for Public Exhibition

File No: 24/14086

Report by Director People & Performance

Summary

This report seeks Council's endorsement to publicly exhibit the suite of documents developed as a result of the annual review of the Delivery Program and creation of a new Operational Plan for 2024 - 2025 including the draft Budget, Statement of Revenue Policy, Draft Fees and Charges and updated Resourcing Strategy.

Operational Plan Objective

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

P.43 – 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

A.101 – Undertake corporate planning and reporting

Background

The *Local Government Act 1993* (the Act) requires all NSW Councils to produce a four-year Delivery Program and an Annual Operational Plan detailing the principal activities to be undertaken by the Council to implement the strategies established in the Community Strategic Plan.

Every year the Delivery Program is reviewed and a new Operational Plan is created, which must be put on public exhibition and adopted by Council.

Additionally, the Long-Term Financial Plan (which forms part of Council's Resourcing Strategy) must be updated annually as part of the development of the Operational Plan.

Therefore, the following documents are now submitted to Council for endorsement for the purpose of public exhibition:

- Delivery Program 2022-2026 (Year 3);
- Draft Operational Plan 2024-2025;
- Draft Budget 2024-2025 (contained within the Delivery Program 2022-2026);
- Draft Statement of Revenue Policy (contained within the Delivery Program 2022-2026);
- Draft Fees and Charges 2024-2025; and
- Updated Resourcing Strategy including the updated Long-Term Financial Plan.

It is noted that the Delivery Program 2022-2026 has been reviewed and updates have been made to the Our Priorities section for the 2024-2025 financial year and Our City Shaping Projects 2022-2026 to include updated information related to the Western Sydney Infrastructure Grants (WSIG) Program projects and also include minor typographical changes.

Once Council considers any submissions from community members, the final suite of documents will be presented to Council at the 25 June 2024 meeting for adoption.

Burwood Council's Draft Delivery Program 2022-2026 and Operational Plan 2024-2025 and related Draft Budgets were produced in accordance with Sections 404-406 of the Act.

Operational Plan

The Draft Operational Plan covers the period 1 July 2024 to 30 June 2025, and is a sub-set of the Delivery Program 2022-2026. The Operational Plan specifies the activities Council will undertake in Year Three of the Delivery Program.

The Operational Plan must include the Statement of Revenue Policy, in accordance with the *Local Government Regulation 2021* (the Regulation).

Budget

In order to resource the activities identified in the Delivery Program and in the Operational Plan, Council has to develop a four-year Budget and an annual Budget, which in turn are part of Council's Ten Year Long Term Financial Plan.

Statement of Revenue Policy

Pursuant to Section 491 of the Act, Council may obtain income from:

- Rates
- Charges
- Fees
- Grants
- Borrowings
- Investments

Rates

Revenue will be raised by way of general residential and non-residential rates, based on land values of all rateable properties in the Council area.

Council's Rating Policy is based on a minimum rate/ad-valorem structure comprising:

- Ordinary Rate – Residential
- Minimum Rate – Residential
- Ordinary Rate – Residential Town Centre
- Minimum Rate – Residential Town Centre
- Ordinary Rate – Business A
- Ordinary Rate – Business B
- Ordinary Rate – Business C
- Ordinary Rate – Business D
- Ordinary Rate – Business Town Centre Minor Business
- Minimum Rate – Business A, B, C, D and Town Centre Minor Business

The Estimated Rate Yield for 2024-2025 with the IPART - Rate Peg increase of 4.8% and proposed rates are shown in the following table:

2024/2025 RATING STRUCTURE WITH +4.8% IPART Rate Peg and Other Mandatory Adjustments						
RATE TYPE	CATEGORY	TOTAL NUMBER OF ASSESSMENTS	RATE IN THE DOLLAR	NUMBER MIN. RATE ASSESSMENTS	MINIMUM RATE \$	NOTIONAL YIELD \$
Ordinary	Residential	10,541*	0.00107525	4,466*	\$1,207.59	\$17,998,103
Ordinary	Business A	445*	0.0018573	164*	\$1,320.56	\$1,721,321
Ordinary	Business B	41	0.00276938	3	\$1,320.56	\$630,344
Ordinary	Business C	30	0.00276604	2	\$1,320.56	\$513,857
Ordinary	Business D	42	0.00629128	4	\$1,689.33	\$2,814,457

2024/2025 RATING STRUCTURE WITH +4.8% IPART Rate Peg and Other Mandatory Adjustments						
RATE TYPE	CATEGORY	TOTAL NUMBER OF ASSESSMENTS	RATE IN THE DOLLAR	NUMBER MIN. RATE ASSESSMENTS	MINIMUM RATE \$	NOTIONAL YIELD \$
Ordinary	Residential Town Centre	3837	0.00069754	3,801	\$1,539.99	\$6,084,879
Ordinary	Town Centre - Minor Business	483	0.00218338	309	\$1,689.33	\$1,957,243
Total		15,419		8,749		\$31,720,204

*Pursuant to Section 518B of the *NSW Local Government Act 1993* inter alia land valuations carrying a Mixed Development Apportionment Factor (MDAF) are rated proportionally between Ordinary – Residential and Ordinary – Business A minimum/ad-valorem rates according to the MDAF percentages supplied by the NSW Valuer General. This accounts for the fractional number of assessments in the above table.

Rateable properties that are categorised as *Business B*, *Business C*, *Business D* and *Town Centre Minor Business* are shown in the Draft Statement of Revenue Policy.

Rateable properties that fall within the *Burwood Town Centre Boundary* area and are residentially occupied are categorised *Residential Town Centre*.

Those rateable properties that fall outside the *Burwood Town Centre Boundary* and are residentially occupied are categorised *Residential*. Unless categorised otherwise, the remaining rateable properties are categorised *Business A*.

The rates for 2024-2025 will be levied on land valuations supplied by the NSW Valuer General with a base date of 1 July 2022.

Pursuant to Section 566 of the *Local Government Act 1993* interest will accrue on all overdue rates and charges.

In accordance with Section 566(3) of the Act, the Minister has not determined the maximum rate of interest payable on overdue rates and charges for the period 1 July 2024 to 30 June 2025 (inclusive), however until such time the current rate is 10.5% per annum. Once Council is notified the rate will be changed.

Council Additional Pensioner Rebate

Since 2018-2019 Burwood Council has offered extra pensioner rate rebates to eligible pensioners, in addition to other pensioner rates concessions. The amount of the Council additional rebate for the 2024-25 rating year will be \$125.

Charges

Stormwater Management Service Charge

The Stormwater Management Service Charge (SMSC) was introduced in the 2013-14 financial year to establish a sustainable funding source for providing improved stormwater management across the Burwood Local Government area. In summary, the proposed Stormwater Management Services Charges are:

- Residential property: \$25 per annum (approximately 48 cents per week)
- Residential strata property: \$12.50 per annum (approximately 24 cents per week)
- Business property: \$25 per annum plus an additional \$25 for each 350m² or part thereof by which the parcel of land exceeds 350m²

- Business strata property: the above divided pro-rata between each strata title lot according to the unit entitlement with a minimum of \$5

The yield of the Stormwater Management Service Charges is estimated to be \$301,500.

Residential Waste Service Charge

Residential waste service charges are made on an annual basis and are equal to the cost of providing residential waste removal and disposal, recycling and waste management education.

The *standard* Residential Waste service consists of a 120 litre bin, a 240 litre recycling bin, a 240 litre green waste bin and two general clean-ups per annum.

In 2024-2025 it is proposed that the *standard* Residential Waste Service Charge will be set at \$580.75, representing an increase of \$33 compared to the 2024-2025 Residential Waste Service Charge.

The yield of the Residential Waste Service Charges is estimated to be \$9,264,247.

Section 611 Charges

The approximate yield for the s611 Charges (Gas Mains Assessment) is estimated to be \$28,000.

Fees

Council may charge and recover an approved fee for any service it provides, other than a service provided for, or proposed to be provided, on an annual basis for which it may make an annual charge. Services for which an approved fee may be charged include the following:

- Supplying a service, product or commodity
- Giving information
- Providing a service in connection with the exercise of the Council's regulatory functions – including receiving an application for approval, granting an approval, making an inspection and issuing a certificate
- Allowing admission to any building or enclosure

Section 610F prohibits a Council from determining a fee until it has given public notice of its Draft Operational Plan for the year in which the fee is to be made and has considered any submissions received. However pursuant to Clause 201(4) of the *Local Government (General) Regulation 2005* the statement of fees and the statement of pricing methodology need not include information that could confer advantage to a commercial competitor.

The Draft Schedule of Fees & Charges for 2024-2025 is prepared in accordance with legislative changes, movements of consumer price index and user-pays principles. The schedule includes each fee, its description, the amount of the fee and details of the relevant Pricing Policy (where shown) and the applicability of GST.

Grants

Council applies for and uses both operating and capital grants to fund its operations and capital program respectively. Grant funding for particular activities or programs are listed in the budget.

Borrowings

Council has no proposed borrowings during the 2024-2025 financial year.

Any borrowings will be sourced from appropriate financial institutions in accordance with the Local Government Minister's borrowing order. Borrowings are secured over Council's revenue stream in accordance with the *Local Government Act 1993* as amended.

Investments

Any surplus funds will be invested in accordance with statutory requirements and Council's Investment Policy to maximise interest income.

Goods & Services Tax (GST) Provisions

Those goods and/or services that have been subject to GST have been identified in Council's Draft Schedule of Fees & Charges as GST applying. In accordance with taxation legislation the price shown for those goods and/or services is the GST inclusive price.

The Draft Schedule of Fees & Charges for 2024-2025 has been prepared using the best available information in relation to the GST.

However, if a fee that is shown as being subject to GST is subsequently proven not to be subject to GST then that fee will be amended by reducing the GST to Nil. Conversely, if it is determined that a fee shown as being not subject to GST becomes subject to GST then the fee will be increased but only to the extent of the GST.

Proposal

That Council endorse the updated Delivery Program 2022-2026 (Year 3), Draft Operational Plan 2024-2025, Draft Budget 2024-2025, Draft Statement of Revenue Policy, Draft Fees and Charges 2024-2025 and updated Resourcing Strategy (including Long-Term Financial Plan) and authorise the General Manager to place the documents on public exhibition until 18 June 2024.

Consultation

The activities and projects identified in the Draft Operational Plan 2024-2025 have been derived from the priorities set by the community during the preparation of Burwood's Community Strategic Plan, Burwood2036 and are continuation of the objectives and actions outlined in the adopted Operational Plan 2023-2024.

Upon endorsement from Council, the documents will be placed on public exhibition for 28 days until 18 June 2024.

The documents will be made available to the public on Council's website: www.burwood.nsw.gov.au.

During the period of public exhibition, Council will advise members of the public that submissions may be made to the Council, in writing, at any time during this period. Upon the expiry of the public exhibition period, Council will consider any public submissions received, prior to adopting the documents at its Council Meeting scheduled to be held on 25 June 2023.

Planning or Policy Implications

The Operational Plan and Budget are key accountability mechanisms for Burwood Council, with each Council required to implement the identified priorities within their term and regularly report its performance against those priorities back to the community.

Council reviews the Delivery Program each year, prior to preparing the Operational Plan, to ensure it is still moving in the right direction. As with any long term plan, major circumstances need to be considered that might affect the prioritisation of activities and services, such as changes in legislation, a significant failure of infrastructure, a major flood etc.

It is important to note that where a Council wants to significantly change its Delivery Program, it must re-exhibit the document for public comment. A 'significant change' might include deleting proposed programs or activities changing the actions Council proposes to achieve a particular strategy.

From an operational perspective, the Draft Operational Plan and Draft Budgets are based on a realistic and current understanding of Council's capacity to deliver the targets identified for the next three years. Should Burwood Council's financial, staffing and/or capital resources change over the final two-year period of the Delivery Program, Council will be required to analyse its Delivery Program and, if necessary, review the priorities.

Financial Implications

The resourcing of the Draft Operational Plan 2024-2025 is detailed in the Draft Budget 2024-2025.

Conclusion

The Draft Operational Plan 2024-2025 reflects the strategic targets identified in Burwood's 2036 Community Strategic Plan and details the actions Council believes need to be implemented over the year to achieve the community's needs. The Draft Budget details the necessary financial resources, and their allocation, required to deliver the services and activities identified as priorities.

Recommendation(s)

1. That Council endorse the updated Delivery Program 2022-2026 (Year 3), the Draft Operational Plan 2024-2025, Draft Budget 2024-2025, Draft Statement of Revenue Policy 2024-2025 and updated Long-Term Financial Plan (included in Council's Resourcing Strategy) and place the documents on public exhibition between 22 May 2024 and 18 June 2024.
2. That Council endorse the Draft Schedule of Fees and Charges 2024-2025, and place the document on public exhibition between 22 May 2024 and 18 June 2024.
3. That a notice of the public exhibition be published on Council's website and social media platforms inviting public submissions, and copies of the updated Delivery Program 2022-2026, Draft Operational Plan 2024-2025, Draft Budget 2024-2025, Draft Statement of Revenue Policy for 2024-2025, proposed Draft Schedule of Fees and Charges 2024-2025 and updated Long-Term Financial Plan (included in Council's Resourcing Strategy), be made available on Council's website.
4. That following the public exhibition period, a report, including all submissions received, be prepared for Council's consideration and adoption of the updated Delivery Program 2022-2026, Draft Operational Plan 2024-2025, Draft Budget 2024-2025, Draft Statement of Revenue Policy 2024-2025, Draft Schedule of Fees and Charges for 2024-2025 and updated Long-Term Financial Plan (included in Council's Resourcing Strategy) on 25 June 2024.

Attachments (See separate Attachments Paper)

- 1⇒ Draft 2024-25 Fees and Charges - Public Exhibition
- 2⇒ Delivery Program and Draft Operational Plan - Public Exhibition
- 3⇒ Updated Burwood Resourcing Strategy - for Public Exhibition

(Item 25/24) Community Grants Program 2023/24

File No: 24/11398

Report by Director Community Life

Summary

This report provides recommendations for the allocation of funding under Council's Community Grants Program 2023/24 for consideration and approval by Council.

All funding recommendations are outlined under Attachment 1 of this report.

Operational Plan Objective

A.3 Deliver capacity building and funding initiatives to support the community sector, including the annual Community Grants, Club Grants and the Councillor's Donation Programs.

Background

Burwood Council's annual Community Grants Program provides funding for programs, projects and events that address the identified social, cultural, recreational and environmental needs of the community and provide benefits to the residents of the Burwood Local Government Area.

This year the total pool of funds available under the Program is \$55,000 with organisations able to apply for funding of up to \$5,000 per application.

Proposal

The Community Grants Program 2023/24 opened on 30 November 2023 and closed on Sunday 3 March 2023. A total of 37 applications were received requesting a total of \$156,279.

An Internal Assessment Panel comprising staff from Council's Community and Culture Team along with the Council's Environment and Resilience Officer assessed the applications received in accordance with the Community Grants Program Guidelines included under Attachment 2 of this report. The recommendations for funding were subsequently reviewed by the Manager Community and Culture and the Director Community Life to ensure alignment with the Program Guidelines and Council's strategic priorities and identified community needs.

A total of 12 applications are recommended for funding as outlined in the Assessment Panel Ranking Table included under Attachment 1. The Community Grants Program is a competitive process and reasons for not recommending funding for the remaining applications are also summarised in the attachment, including projects deemed ineligible.

Following Council's decision all applicants will be notified of the outcome of their application. Unsuccessful applicants will be offered an opportunity for feedback and support, including information about other available grant opportunities, such as the Burwood ClubGrants Program, which closes on 31 May 2024.

Consultation

The Community Grants Program was actively promoted through Council's website and social media platforms, Council's Multicultural Advisory Committee, Disability Inclusion Advisory Panel, local community and interagency networks, and Council's community organisation databases from November 2023 to February 2024.

Council successfully convened 8 face to face grant information sessions throughout December 2023 and February 2024. An interpreter was available upon request for each session. Participants

received information about grant terminology, how to address the guidelines and provide realistic budgets, and the grant assessment process. An average of 11 participants attended each session with positive feedback received from attendees.

Planning or Policy Implications

All applications submitted under the Community Grants Program 2023/24 have been assessed in accordance with the eligibility and selection criteria outlined in the Community Grants Program Guidelines. The report recommendations also meet the legislative requirements prescribed under Section 356 of the *Local Government Act 1993*.

Financial Implications

Funding of \$55,000 for the Community Grants Program is available within the approved Operational Budget 2023/24.

Based on feedback from previous funding recipients, the Internal Assessment Panel recommends that Council fully funds applications wherever possible to enable groups to deliver their project as outlined in their application. Given that the funding pool is limited, only one application is recommended for partial funding following an assessment of the budget submitted.

Options

Council can opt to endorse the funding recommendations of the Internal Assessment Panel or amend the funding allocations. A funding source must be identified should Council opt to grant additional funds beyond the \$55,000 funding pool available.

Conclusion

The 12 applications recommended for funding under the Community Grants Program 2023/24 aim to deliver significant community benefits across the Burwood Local Government Area. The recommendations of the Internal Assessment Panel are submitted for Council's consideration and adoption.

Recommendation(s)

That Council:

1. Adopt the 12 applications recommended for funding as outlined under Attachment 1 and allocates \$55,000 from the Community Grants Program budget 2023/24.
2. Advise all applicants of the outcome of their application and provides feedback and support to applicants that were unsuccessful.

Attachments

- 1 [↓](#) Internal Assessment Panel Ranking Table and Recommendations - Community Grants Program 2023-24
- 2 [↓](#) Community Grants Program Guidelines 2023-24

(Item 26/24) Budget Review For Quarter Ending 31 March 2024

File No: 24/14125

Report by Director Corporate Services

Summary

The 2023-2024 Budget was adopted at the Council Meeting held on 27 June 2023 with a surplus of \$12,718. The adopted budget was prepared on the basis of the organisational structure which includes five Directorates and the Office of the General Manager.

This report provides Council with the financial results for the period ending 31 March 2024, in the 2023-2024 Financial Year. In accordance with Clause 203(1) of the *Local Government (General) Regulation 2005* (the Regulation) the Responsible Accounting Officer is required to prepare and submit to Council a budget review statement no later than two months after the end of each quarter (except the June Quarter).

The following Statement of Budget Income and Expenditure identifies a forecast funding surplus of \$12,718 as at 31 March 2024 which is the same as the December revised surplus of \$12,718.

Operational Plan Objective

2.3.1 Identify and maintain additional revenue sources to ensure financial sustainability

Background

Included in this report is the budget forecast of Income and Expenditure Statement which is based on external and internal reporting consolidations to improve the transparency and consistency of reported information. This statement forms part of a group of statements which must be reported to Council on a quarterly basis in accordance with Clause 202(3) of the Regulation. These statements are known as the Quarterly Budget Review Statements (QBRS).

Council's budget is prepared on a program basis and forecasts expected operating and capital income and expenditure for the year. To fund the budget, Council also utilises funds held in reserve that have accumulated in prior years such as Section 7.12 Local Infrastructure Contributions and Internally Restricted Reserves.

The Local Government Code of Accounting Practice and Financial Reporting require Council to prepare its General Purpose Annual Financial Reports in accordance with the Australian Accounting Standards. The major implications are that Council must adopt a general purpose format for financial reporting.

This requires Council to:

- implement full accrual accounting, including capitalisation of infrastructure assets
- prepare consolidated financial statements incorporating all functions and entities under the control of Council
- adapt to a change in accounting focus from the fund result for the year (i.e. the movement in working funds) to the gain/(loss) from ordinary activities

Each of these requirements is applied at the time of preparing the Annual Financial Reports at 30 June each year. However, with respect to the budget process Council is still focusing on the funding result of reporting. The financial result for the year is determined and audited and the Financial Reports and Auditor's Report are included in Council's Annual Report.

BURWOOD COUNCIL								
Statement of Budget Income & Expenditure								
as at 31 March 2024								
Income								
Type	Budget	Adopted Variations		Amended Budget	Recommended Amendments	Forecasted Year End	Reference	Actuals
		September	December					
Rates & Annual Charges	(38,581,652)	-	-	(38,581,652)	(150,000)	(38,731,652)	1	(38,874,442)
User Charges & Fees	(10,299,164)	-	32,435	(10,266,729)	(75,000)	(10,341,729)	2	(8,691,871)
Interest & Investment Revenue	(1,425,000)	(400,000)	(98,595)	(1,923,595)	(169,700)	(2,093,295)	3	(2,213,494)
Other Revenue	(4,948,177)	-	-	(4,948,177)	-	(4,948,177)	4	(4,823,027)
Rental Income	(2,304,911)	-	-	(2,304,911)	-	(2,304,911)	5	(1,413,870)
Operating Grants & Contributions	(2,660,700)	(1,315,814)	76,000	(3,900,514)	-	(3,900,514)	6	(2,606,387)
Capital Grants & Contributions	(42,548,475)	(1,726,339)	(347,068)	(44,621,882)	(16,250)	(44,638,132)	7	(10,033,636)
Total Income	(102,768,079)	(3,442,153)	(337,228)	(106,547,460)	(410,950)	(106,958,410)		(68,656,726)
Expenditure								
Type	Budget	Adopted Variations		Amended Budget	Recommended Amendments	Forecasted Year End	Reference	Actuals
		September	December					
Employment Costs	23,970,388	223,260	16,177	24,209,825	(190,941)	24,018,884	8	17,070,871
Borrowing Costs	335,151	-	-	335,151	-	335,151	9	222,937
Materials & Services	26,651,003	2,088,901	131,521	28,871,425	676,641	29,548,066	10	18,801,208
Depreciation	10,940,886	-	-	10,940,886	-	10,940,886	11	8,205,665
Other Expenses	1,133,050	-	-	1,133,050	50,000	1,183,050	12	1,178,259
Net gain/loss assets	-	-	-	-	-	-	12	(1,213)
Total Expenditure	63,030,478	2,312,161	147,698	65,490,337	535,700	66,026,037		45,477,727
Net Operating Result	(39,737,601)	(1,129,992)	(189,531)	(41,057,124)	124,750	(40,932,374)		(23,179,000)
Net Operating Result before Capital Items	2,810,874	596,347	157,538	3,564,759	141,000	3,705,759		(13,145,364)
Funding Statement								
Net Operating Result	(39,737,601)	(1,129,992)	(189,531)	(41,057,124)	124,750	(40,932,374)		(23,179,000)
Add Back Non Cash Items								
Depreciation	(10,940,886)	-	-	(10,940,886)	-	(10,940,886)	13	(8,205,665)
Movement in ELE	-	-	-	-	-	-		-
Adjusted Net Operating Result	(50,678,487)	(1,129,992)	(189,531)	(51,998,010)	124,750	(51,873,260)		(31,384,664)
Source of Capital Funds								
Sale of Assets	(825,000)	-	-	(825,000)	-	(825,000)	14	(453,217)
Loan Funding	(1,000,000)	-	-	(1,000,000)	-	(1,000,000)	15	-
Transferred From S7.12 Reserves	(775,000)	(2,219,800)	-	(2,994,800)	-	(2,994,800)	16	(1,276,870)
Transferred From Reserves	(1,705,000)	(4,585,355)	(756,177)	(7,046,532)	(1,201,545)	(8,248,077)	17	(3,176,995)
Add Back Non Cash Property	-	-	-	-	-	-		-
Funds Available	(54,983,487)	(7,935,147)	(945,708)	(63,864,342)	(1,076,795)	(64,941,137)		(36,291,746)
Funds Utilised:								
Acquisition of Assets	43,227,605	7,935,147	945,708	52,108,460	1,076,795	53,185,255	18	15,172,218
Loan Principal Repayment	731,019	-	-	731,019	-	731,019	19	532,274
Lease Liability Principal Repayment	217,145	-	-	217,145	-	217,145	19	252,797
Transfer to S7.12 Reserves	10,030,000	-	-	10,030,000	-	10,030,000	20	6,775,380
Transfer to Reserves	765,000	-	-	765,000	-	765,000	21	220,141
Budget Result	(12,718)	-	-	(12,718)	-	(12,718)		(13,338,936)

The material variations greater than \$20,000 are detailed in the following section, which are cross referenced to the Income and Expenditure type on the face of the above report.

Total Income from continuing operations

Income from continuing operations was originally forecast at \$102,768,079. At the December review this was increased to \$106,547,460. As at March there has been a further increase of \$410,950 to \$106,958,410. The major items resulting in this forecast income adjustment include:

Reference 1 – Rates and Annual Charges - An overall increase of \$150,000 to the budget due to increase supplementary income.

Reference 2 – User Charges and Fees - An overall increase of \$75,000 to the budget due to the following:

- Increase in revenue of \$75,000 from Private Works

Reference 3 – Interest and Investment - An overall increase of \$169,700 attributed to increase interest rates received on investments.

Reference 7 – Capital Grants and Contributions – An increase of \$16,250 to the budget due to the following:

- Grant funding for \$125,000 received for Fifth Avenue Bridge Strengthening
- Grant funding received for \$191,250 for Flockhart Park
- Removal of Grant for \$300,000 for Paisley Road

Total Expenditure from continuing operations

Expenditure from continuing operations was originally forecast at \$63,030,478. At the December Review it was increased to \$65,490,337. As at the March 2024 there is a further increase of \$535,700 to \$66,026,037. The major items resulting in this forecast expenditure adjustment include:

Reference 8 – Employment Costs - An overall decrease in Employee costs of \$190,941 is attributed to, but not limited to:

- Decrease of \$40,491 in casual labour for Record Services transferred to contract Labour
- Decrease of \$90,000 in labour for Tree Maintenance transferred to contractors
- Decrease of \$60,000 in labour for Fleet Maintenance transferred to contractors

There were other budget movements within the classification of Employee Costs which resulted in little or no change to the actual overall budget.

Reference 10 – Materials and Services - Additional expenditure amount of \$676,641 was attributed to various movements within Business Units throughout the budget. Significant movements and additional funding requests were:

- Increase of \$40,491 of temporary labour for Record Services transferred from salary and wages
- Decrease of \$50,000 due to the correction of the budget type to Other Expenses
- Increase of \$250,000 for consultants for SEPP TOD Croydon
- Increase of \$165,000 due to increase in tree maintenance.
- Increase of \$134,700 due to the site investigations required at Henley Park.
- Increase of \$76,000 due to the Regional & Local Roads Repair Program

There were other budget movements within the classification of Materials and Services. These movements had no significant change to the actual overall budget.

Reference 12 – Other Expenses - An overall increase in Other Expenses costs of \$50,000 is attributed to:

- Increase of \$50,000 due to correction of the budget type from Materials and Services

Capital Expenditure

Reference 18 – Acquisition of Assets - Council's original adopted 2023-2024 Capital Budget, per Delivery Plan, was \$43,227,605. At the December review it was increased to \$52,108,460. As at March there is a further allocation of \$1,076,795 bringing the total Capital Works programme to \$53,185,255.

Capital Plant and Equipment:

Actual Expenditure to 31 March 2024 is represented in the table below.

Property Acquisitions/Disposals:

There have been no property acquisitions or disposals during the December quarter.

Capital Works Program:

During the December quarter review the Capital Program Working Party assessed and revised the 2023-2024 Capital Works Program based on recommendations from the respective Project Managers, the following adjustments have been made:

Further Capital project movements during March quarter totalling \$1,076,795 consisted of:

- \$191,250 grant funding received for Flockhart Park.
- \$671,000 additional funding for parking meter replacement funded from parking meter reserve.
- \$530,545 additional funding for replacement of light fleet funded from plant reserve.
- \$60,000 additional funding required for Fifth Avenue Bridge Strengthening.
- \$76,000 reduction in expenditure for Roads due to decrease revenue received from the Regional & Local Roads Repair Program.
- \$300,000 reduction in expenditure for Paisley Road due to decrease funding received.

BURWOOD COUNCIL								
Statement of Capital Income & Expenditure								
Budget Review as at 31 March 2024								
Income	Adopted Variations			Amended Budget	Recommended Amendments	Forecasted Year End	Reference	Actuals
	Budget	September	December					
Capital Expenditure								
Renewal Assets (Replacement):								
Fleet Capital Acquisitions Sales	1,650,000	-	670,000	2,320,000	530,545	2,850,545	19	1,966,437
Grant Funded Capital Works	169,168	-	-	169,168	-	169,168	19	501,549
Roads	1,950,000	1,011,950	262,068	3,224,018	(316,000)	2,908,018	19	1,386,423
Traffic Facilities	230,000	-	-	230,000	-	230,000	19	66,685
Footpaths	525,000	129,900	-	654,900	-	654,900	19	405,507
Kerb & Gutter	450,000	40,250	-	490,250	25,000	515,250	19	283,778
Drainage	2,278,796	1,595,830	(90,000)	3,784,626	(25,000)	3,759,626	19	1,777,347
Park Improvements	275,000	2,947,823	30,000	3,252,823	(70,000)	3,182,823	19	2,368,036
Playground Equip	275,000	-	-	275,000	241,250	516,250	19	17,528
Street Furniture	420,000	404,000	-	824,000	691,000	1,515,000	19	424,522
Public Domain Chargeable Works	750,000	-	90,000	840,000	-	840,000	19	373,037
Library Collection	145,000	-	-	145,000	-	145,000	19	71,992
Lib Resources	40,000	-	-	40,000	-	40,000	19	26,830
IT Projects	945,000	1,498,000	4,640	2,447,640	-	2,447,640	19	732,012
Corporate Projects	100,000	-	-	100,000	-	100,000	19	91,928
Town Centre Beautification	500,000	-	(21,000)	479,000	-	479,000	19	157,619
Property Projects	1,000,000	307,394	-	1,307,394	-	1,307,394	19	583,326
WestInvest - Stage1	20,809,641	-	-	20,809,641	-	20,809,641	19	41,040
Westinvest - Stage 2	10,600,000	-	-	10,600,000	-	10,600,000	19	1,363,288
Property Acquisition Sales	-	-	-	-	-	-	19	2,461,681
Domestic Waste Collection	115,000	-	-	115,000	-	115,000	19	71,656
Total Capital Expenditure	43,227,605	7,935,147	945,708	52,108,460	1,076,795	53,185,255		15,172,218
Capital Funding								
Rates & other Charges	3,588,870	299,818	157,538	4,046,226	141,000	4,187,226		
Capital Grants & Contributions	(42,548,475)	(1,726,339)	(347,068)	(44,621,882)	(16,250)	(44,638,132)		
Loan Funding	(1,000,000)	-	-	(1,000,000)	-	(1,000,000)		
Domestic Waste Charge	(115,000)	-	-	(115,000)	-	(115,000)		
Sale of Assets	(825,000)	-	-	(825,000)	-	(825,000)		
Reserves:								
Section 7.12 Funding	(775,000)	(2,219,800)	-	(2,994,800)	-	(2,994,800)		
Reserve Funding	(1,553,000)	(4,288,826)	(756,177)	(6,598,003)	(1,201,545)	(7,799,548)		
Total Capital Funding	(43,227,605)	(7,935,147)	(598,640)	(52,108,460)	(1,076,795)	(53,185,255)		

Transfers to and From Reserves:

Reference 17 – Transferred from Reserves – An increase of \$1,201,545 relating to the following projects:

- Light Fleet replacement - \$530,454
- Parking Meter Replacement – \$671,000

Budget Review for quarter ended 31 March 2024							
Cash & Investments							
	Opening Balance as at 1 July 2023 000s	Original Budget 2023-24 000s	Budget Review September 2023-24 000s	Budget Review December 2023-24 000s	Budget Review March 2023- 24 000s	Projected Year End Result 000s	Actual YTD figures 000s
Total Cash, Cash Equivalents and Investment Securities	52,606	59,921	53,116	52,360	51,159	51,159	55,854
Restrictions							
External Restrictions							
Developers Contributions	15,296	9,255	- 2,220			22,331	22,331
Specific Purpose Unexpended Grants	69					69	69
Loans	1,000	- 1,000				-	-
Stormwater Management	426					426	426
Domestic Waste Management	2,029					2,029	2,029
Total External Restrictions	18,820	8,255	- 2,220	0	0	24,855	24,855
Internal Restrictions							
Plant & Vehicle Replacement	3,699	- 600		- 670	- 530	1,899	1,899
Employees Leave Entitlements	1,171					1,171	1,171
Carry Over Works	1,141		- 963			178	178
Deposits, Retentions & Bonds	5,252					5,252	5,252
Financial Assistance Grant (advance)	1,405					1,405	1,405
Information Technology	2,101	- 520	- 1,116			465	465
WHS	410	- 40	- 198	- 86		86	86
Parking Meters Replacement	566	100			- 671	- 5	- 5
Property Sales	500	32				532	532
Future Property Investment	3,548	70				3,618	3,618
LATMs	294					294	294
Woodstock Community Building	287					287	287
Election	281	120				401	401
Property Maintenance	1,271					1,271	1,271
Park Upgrades	265		- 100			165	165
Enfield Aquatic Centre Maintenance/Upgrade	263					263	263
Local Environmental Plan	556		- 306			250	250
Insurances	50	50				100	100
CCTV	130					130	130
Infrastructure - SRV	2,085		- 1,596			489	489
Operations Centre	222		- 207			15	15
Business Continuity (operational reimbursement)	600					600	600
Contract Liabilities	5,219					5,219	5,219
Town Centre festive decorations	150					150	150
Other	473	- 152	- 99			222	222
Total Internal Restrictions	31,939	- 940	- 4,585	- 756	- 1,201	24,457	24,457
Total Restrictions	50,759	7,315	- 6,805	- 756	- 1,201	49,312	49,312
Unrestricted Cash	1,847	1,847	1,847	1,847	1,047	1,847	6,542

Council's Current Unrestricted Cash is distorted as Council has received a high volume of rate revenue as at 31 March 2024. The Unrestricted Cash figure will fluctuate during the year as it will be used to fund planned expenditure.

Investments:

Council's investments have been made in accordance with its Investment Policy and the Investment Guidelines issued by the Minister for Local Government at the time of their placement. As at 31 March 2024, Council's cash and investment portfolio stood at \$55,854,006 Council's Investments are tabled on a monthly basis as a separate report.

Cash:

Council's Finance Officers undertake a monthly bank reconciliation, which reconciles funds held in Council's General Fund Bank Account with those within its ledger. The most recent reconciliation was undertaken on 2 April 2024 for the month ending 31 March 2024. The reconciliation was approved by the Financial Operations Accountant and the balance in Council's General Fund Bank Account totalled \$347,778.

Key Performance Indicators Statement

In assessing an organisation's financial position, there are a number of performance indicators that can assist to easily identify whether or not an organisation is financially sound. These indicators and their associated benchmarks, as stipulated by the Local Government Association of NSW and Shires Association of NSW are set out below.

	Performance Indicator	2023-24 Original Budget	2023-24 Budget Sept Review	2023-24 Budget Dec Review	2023-24 Budget Mar Review	Local Government or NSW Treasury Corp Bench Mark	December quarter Comments
1	Operating Performance Ratio	-4.67%	-5.50%	-5.76%	-5.95%	Greater or equal to break-even	Tracking as per budget.
2	Consolidated Budget Result	\$12,718 Surplus	\$12,718 Surplus	\$12,718 Surplus	\$12,718 Surplus	N/A	Current budget tracking to revised result.
3	Unrestricted Current Ratio	1.93:1	3.72:1	3.22:1	2.57:1	Greater or equal to 1.5:1	Currently trending above the benchmark.
4	Debt Service Result	7.94%	7.38%	7.23%	7.10%	Greater than Zero	Tracking as per Budget.
5	Rates and Annual Charges Outstanding %	5.67%	60.93%	42.09%	18.81%	Less than or equal to 5%	For the year to 31 March Council has received \$31,0971,261 in payment of Rates, Annual Charges and Interest levied which equates to 81% paid.
6	Building and Infrastructure Renewals Ratio	462%	504%	507%	514%	>100% or 1:1	Ratio increased due due to capital works projects carried over from 2022-23 financial year.

- Operating Performance Ratio** - The Operating Performance Ratio measures the ability of Council to contain operating expenditure within operating revenue excluding capital amounts. An indicator of "equal to or greater than zero percent".
- Consolidated (Budget) Result** - The Consolidated (Budget) Result is the increase or call on Council funds which shows the source and application of both Operating and Capital Income and Expenditure along with transfers to and from Reserves applicable to those activities. A Surplus is a positive financial indicator.
- Unrestricted Current Ratio** - The Unrestricted Current Ratio is an industry based liquidity ratio which measures the serviceability of debt. Over time the preferred level of adherence has shifted from 2:1 (or \$2 in cash for every \$1 of debt) to 1.5:1. Some local government practitioners (including independent auditors) consider 1:1 is satisfactory. Council currently projects to have a ratio of 2.57:1 at year's end. A ratio greater than 1.5 is a positive financial indicator.

4. **Debt Service Result** - This ratio measures annual debt service costs (Principal and Interest) against operating result before capital excluding interest and depreciation. NSW Treasury Corporation benchmark suggests an indicator at 2% minimum. A ratio of 2.1 or more is a positive financial indicator.
5. **Rates and Annual Charges Outstanding Percentage** - This indicator measures the collectability of Council's rates and annual charges revenue and highlights the strengths of collection policies and strategies. A ratio of 5% or less is a positive financial indicator. Currently Council has collected 81% of the Rates and Annual Charges raised, based on these figures a collection rate for the year is estimated to be below the OLG recommended 5% level.
6. **Building and Infrastructure Renewal Ratio** - This ratio indicates the rate of renewal/replacement of existing assets as against the depreciation of the same category of Assets. A ratio greater than one is a positive financial indicator.

Budget Review Contracts and Other Expenses

Part A – Contracts Listing

There were two contracts entered into by Council during the quarter ending 31 March 2024 which is reportable.

Contractors	Contract details and purpose	Contract Value GST excl	Commencement Date	Duration of contract	Budgeted (Y/N)
STANTEC AUSTRALIA PTY LTD	Develop Burwood Active Transport Plan	74,888	25/1/2024	Nine months	Y
ANDREW HOYNE DESIGN PTY LTD	Open Space Vision and Action Plan And place Management Strategic Documentation	119,515	13/3/2024	Six months	Y

Part B – Legal Expenses

Type	Individual Matter	Expenditure Year to Date	Cost Recovery / Fines Year to Date
Advice	1A Railway Pde Lease Fees	5,782	
Advice	68-72 Railway Pde and 2-10 Oxford St Burwood Refusal of a S4.44 Modification	8,550	
Advice	8-14 Lyons Street Strathfield	6,475	
Advice	Blair & Henley Parks licence agreement	1,225	
Advice	Burleigh Street project	5,612	
Advice	Contract negotiations Visy Recycling	3,375	250,000
Advice	Council vs Rich and Oliva Pty Limited - PIN 3254629676 SEPP breach -Liverpool Rd Croydon	750	
Advice	Council vs Zoom Hibble Real Estate -Lily St - PIN 3254629667 unauthorised real estate signage installed Council property	1,987	
Advice	Delegations for Contract and Temporary Appointments	175	
Advice	Employee Visa	374	
Advice	Fire Safety Issues Marsden Hotel	980	
Advice	Lehman Brothers	303	
Advice	MOU between Burwood Council and Strathfield Council	693	
Advice	Public liability (personal injury)	1,518	
Advice	Street Burwood emergency works between Burwood Road and Westfield ramp entrance	27,801	
Advice	Telecommunications restoration	1,900	
Advice	WestInvest	1,520	
Land & Environment Court	1 Ilfracombe Avenue Burwood	5,545	
Land & Environment Court	13 Appian Way Burwood		49,588
Land & Environment Court	17 Milton Street Burwood	3,215	
Land & Environment Court	19 Grosvenor St Croydon	2,934	
Land & Environment Court	20 Seymour Street Croydon Park		5,000
Land & Environment Court	21 Appian Way Burwood	1,050	
Land & Environment Court	2-4 Cooper Street Strathfield	10,673	
Land & Environment Court	28-34 Victoria Street Burwood	8,534	
Land & Environment Court	2A The Appian Way Burwood	2,403	
Land & Environment Court	33 Beresford Avenue Croydon Park	607	
Land & Environment Court	36 Oxford Street Burwood	9,179	
Land & Environment Court	48 Fitzroy Street Burwood	7,525	
Land & Environment Court	50-52 Belmore Street Burwood	17,665	
Land & Environment Court	65 Shaftesbury Rd Burwood	1,520	
Land & Environment Court	68-72 Railway Pde and 2-10 Oxford St Burwood Deemed refusal of a Building Information Certificate	3,439	
Land & Environment Court	72 Liverpool Road Burwood Heights	13,496	
Land & Environment Court	98-100 Wentworth Street & 9-11 Oxford Street Burwood	97,542	
Land & Environment Court	Class 5 action and pursuing a process to obtain a new DA unlawful works to a heritage building - 1 Lea Street Croydon	25,015	
Land & Environment Court	Illegal Works – Rooftop Penthouse 68-72 Railway Pde and 2-10 Oxford St Burwood		168,170
Lease Preparation & Advice	49 Belmore Street Burwood	735	
Lease Preparation & Advice	Burwood Park Tennis Court	838	
Lease Preparation & Advice	Elsie Street Burwood	-1,991	
Local Court	20A Angelo Street Burwood		112
Local Court	23 Victoria Street Burwood	605	
Local Court	70-72 Arthur Street Burwood Heights	3,679	3,550
Local Court	Council vs Mr MikeQShi & Mrs ArianneJShi - Unauthorised Work and Non-Compliance with DCO - 15 Wellington Street Croydon	5,143	
Local Court	Council vs Samir Hatif – parking fine 3254634168	1,580	
Local Court	Council vs Verify Construction Pty Ltd - development works on public road without an approval 12 Minna Street Burwood	1,740	500
Local Court	Council vs Weiling GU - Unauthorised Tree Works/Breach of Consent - 43 Weldon Street Burwood	6,656	23,085
Local Court	Dangerous dog matter - 19A Cheltenham Road Croydon	10,099	
Local Court	Dangerous dog matter - 67-69 Wentworth Road Strathfield	3,068	
Local Court	Strathfield Partners - erect sign without approval Parramatta Rd and Mosely St	6,378	5,967
Local Court	Wyatt Avenue Burwood	1,072	
Supreme Court	13 Appian Way Burwood	7,116	115,704
Supreme Court	4 Mitchell Street, Enfield	133,939	
Voluntary Planning Agreement	180-186 Burwood Road Burwood	1,140	
Rates Recovery Action		900	
Health Orders			16,060
Library Fines			145
Environment Enforcement			91,689
Traffic Enforcement			1,966
Animal Management			921
		462,060	732,457
Annual Adopted Budget		525,500	
Adopted/Proposed Variation		400,000	
Annual Budget		925,500	

Conclusion

The current forecast budget result and the variations identified as part of the 31 March 2024 Quarter review have been undertaken by the Executive Team and the Finance Manager. There were also minor income and expenditure changes made throughout the budget which had minimal effect on the revised projected surplus.

With the increased Capital Works programme forecasted this financial year, close monitoring and reporting will be essential in maintaining integrity and accountability for those Officers responsible for their respective projects enabling the delivery on budget and on time.

Regulatory Compliance

In compliance with the requirements of Clause 203(2) of the Regulation, the Responsible Accounting Officer must prepare and submit to Council a budget review statement and form an opinion as to whether the statements indicate that the financial position of the Council is satisfactory. The Finance Manager has been appointed as the Responsible Accounting Officer by the General Manager.

The following is the Responsible Accounting Officer (Finance Manager) opinion:

“It is my opinion that the Quarterly Budget Review Statement for Burwood Council for the quarter ended 31 March 2024 indicated in the above report, takes into account and reflects the changing economic and other conditions that are currently impacting on Council. Council is in a satisfactory position, however, it will be essential for the forecasted Surplus to be continually monitored by Management during the remainder of the financial year and wherever possible endeavour to minimise excessive and nonessential expenditure, with particular attention being placed on maintaining revenue streams where possible and delivering Council’s Capital Works programme.”

Recommendation(s)

1. That the Budget Review Statement of the 2023-2024 Budget as at 31 March 2024, including the statement by the Responsible Accounting Officer, Finance Manager, be received and noted.
2. That in accordance with Clauses 203 and 211 of the *Local Government (General) Regulation 2005*, the revised estimates of income and expenditure for 2023-2024 surplus of \$12,718, as shown in the report be approved and that Council’s adopted budget be adjusted accordingly and that the expenditure and income variations projected in the report and the transfers to and from External and Internal Restricted Reserves be approved.

Attachments

There are no attachments for this report.

(Item 27/24) Investment Report As At 30 April 2024

File No: 24/14113

Report by Director Corporate Services

Summary

In accordance with Clause 212 of the *Local Government (General) Regulation 2005*, this report details all money that Council has invested under Section 625 of the *Local Government Act 1993*.

Operational Plan Objective

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

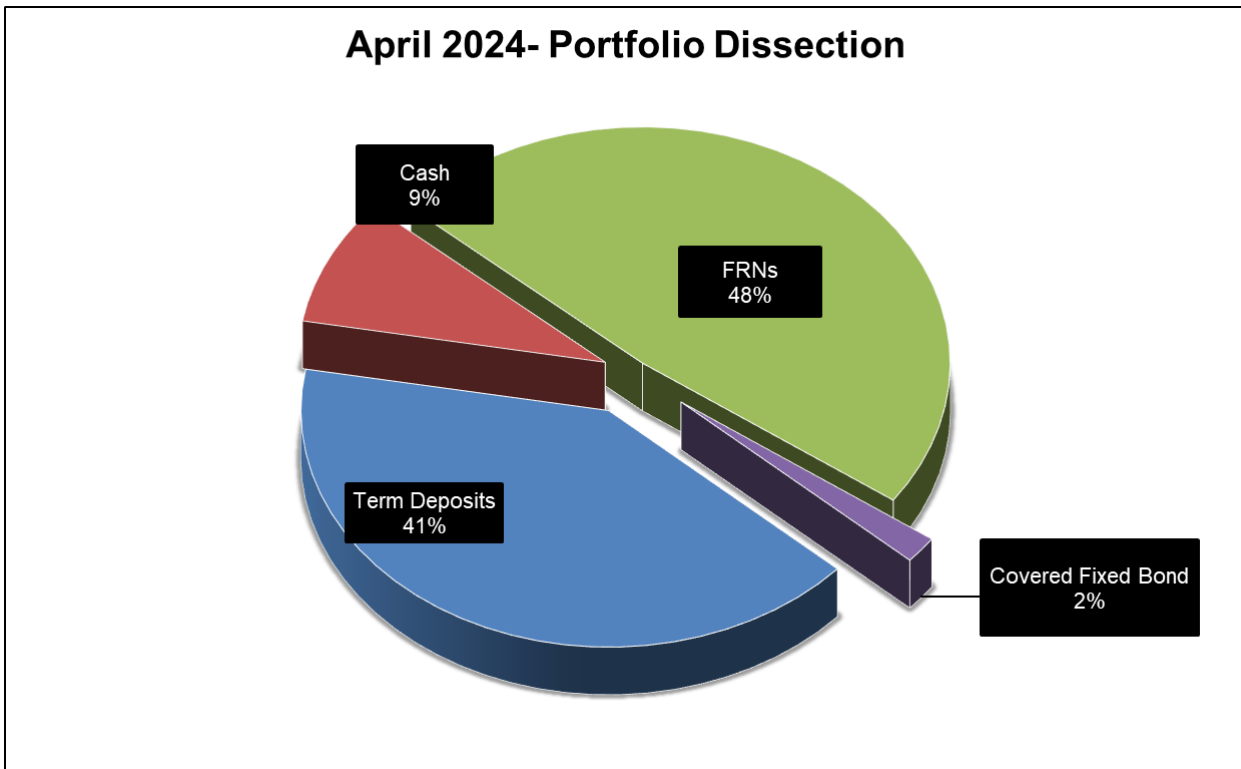
Background

As provided for in Clause 212 of the *Local Government (General) Regulation 2005*, a report listing Council's investments must be presented to Council.

Council's investments are made up of a number of direct investments, some of which are managed or advised by external agencies.

Investment Portfolio

Council has a diversified investment portfolio and has a number of direct investments in term deposits. Its investment portfolio as at 30 April 2024 is:



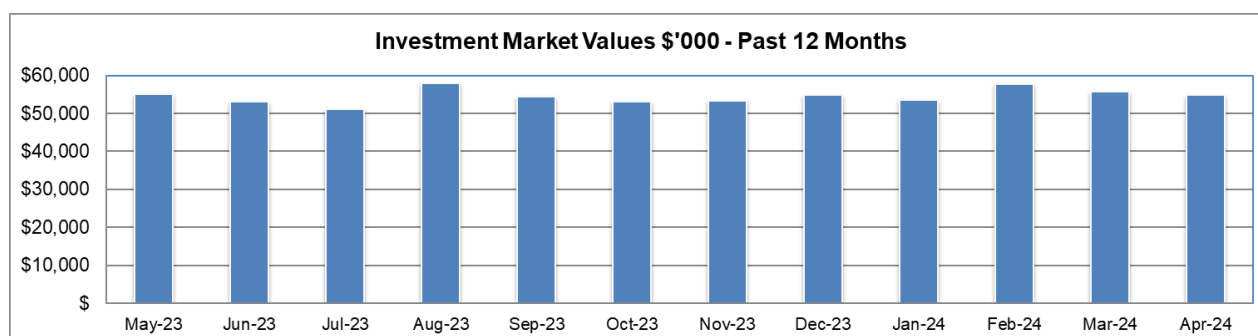
As at 30 April 2024 Council held the following term deposits:

Purchase Date	Financial Institution	Principal Amount	Interest Rate	Investment Days	Maturity Date
14 Aug 23	CBA	4,000,000	5.50%	270	10 May 24
09 Oct 23	SunCorp	4,000,000	5.15%	274	09 Jul 24
10 Oct 23	NAB	4,000,000	5.17%	365	09 Oct 24
02 Nov 23	CBA	3,000,000	5.40%	364	31 Oct 24
05 Dec 23	CBA	4,000,000	5.21%	182	03 Jun 24
22 Feb 24	NAB	3,000,000	5.08%	365	21 Feb 25
	Total	22,000,000			

As at 30 April 2024 Council held the following Floating Rate Notes:

Purchase Date	Financial Institution	Principal Amount	Current Coupon Rate	Investment Days	Maturity Date
16 Jun 21	MyState Bank Ltd	2,500,000	5.0039%	1,461	16 Jun 25
24 Aug 21	National Australia Bank	1,500,000	4.7456%	1,826	24 Aug 26
11 Aug 22	Westpac	1,800,000	5.1472%	1,096	11 Aug 25
18 Aug 22	Commonwealth Bank of Australia	2,400,000	5.3600%	1,826	18 Aug 27
13 Oct 22	MyState Bank Ltd	1,500,000	5.6554%	1,096	13 Oct 25
17 Oct 22	Suncorp-Metway Limited	800,000	5.2391%	1,096	17 Oct 25
07 Nov 22	Sumitomo Mitsui Banking Sydney	2,000,000	5.4490%	1,096	07 Nov 25
13 Jan 23	Commonwealth Bank of Australia	3,000,000	5.5054%	1,826	13 Jan 28
19 Jan 23	Rabobank U.A Australia Branch	1,500,000	5.5425%	1,826	19 Jan 28
10 Feb 23	Newcastle Permanent Building Society	1,000,000	5.3472%	1,461	10 Feb 27
03 Mar 23	HSBC Sydney Branch	2,000,000	5.3887%	1,827	03 Mar 28
16 Mar 23	United Overseas Bank Sydney	2,000,000	5.0839%	1,096	16 Mar 26
18 May 23	Suncorp-Metway Limited	1,500,000	5.3900%	1,096	18 May 26
16 Jun 23	QPCU Limited T/A QBANK	2,750,000	6.0539%	1,096	16 Jun 26
	Total	26,250,000			

The following graph highlights Council's investment balances for the past 12 months:



Council's investment portfolio is recognised at market value and some of its investments are based on the midpoint valuations of the underlying assets and are subject to market conditions that occur over the month.

Council's investment balances as at reporting date are detailed in Attachment 1. Definitions on the types of investments are detailed in Attachment 2.

Investment Performance and Market Commentary

At the Reserve Bank of Australia (RBA) meeting on the 7 May 2024, the Board decided to leave the official cash rate at 4.35 per cent. According to the Statement by the Reserve Bank board:

"...Recent information indicates that inflation continues to moderate, but is declining more slowly than expected. The CPI grew by 3.6 per cent over the year to the March quarter, down from 4.1 per cent over the year to December. Underlying inflation was higher than headline inflation and declined by less. This was due in large part to services inflation, which remains high and is moderating only gradually.

Higher interest rates have been working to bring aggregate demand and supply somewhat closer towards balance. But the data indicate continuing excess demand in the economy, coupled with strong domestic cost pressures, both for labour and non-labour inputs. Conditions in the labour market have eased over the past year, but remain tighter than is consistent with sustained full employment and inflation at target. Wages growth appears to have peaked but is still above the level that can be sustained given trend productivity growth. Meanwhile, inflation is still weighing on people's real incomes and output growth has been subdued, reflecting weak household consumption growth.

The economic outlook remains uncertain and recent data have demonstrated that the process of returning inflation to target is unlikely to be smooth.

The central forecasts, based on the assumption that the cash rate follows market expectations, are for inflation to return to the target range of 2–3 per cent in the second half of 2025, and to the midpoint in 2026. In the near term, inflation is forecast to be higher because of the recent rise in domestic petrol prices, and higher than expected services price inflation, which is now forecast to decline more slowly over the rest of the year. Inflation is, however, expected to decline over 2025 and 2026.

The persistence of services inflation is a key uncertainty. It is expected to ease more slowly than previously forecast, reflecting stronger labour market conditions including a more gradual increase in the unemployment rate and the broader underutilisation rate. Growth in unit labour costs also remains very high. It has begun to moderate slightly as measured productivity growth picked up in the second half of last year. This trend needs to be sustained over time if inflation is to continue to decline.

At the same time, household consumption growth has been particularly weak as high inflation and the earlier rises in interest rates have affected real disposable income. In response, households have been curbing discretionary spending and maintaining their saving. Real incomes have now stabilised and are expected to grow later in the year, supporting growth in consumption. But there is a risk that household consumption picks up more slowly than expected, resulting in continued subdued output growth and a noticeable deterioration in the labour market.

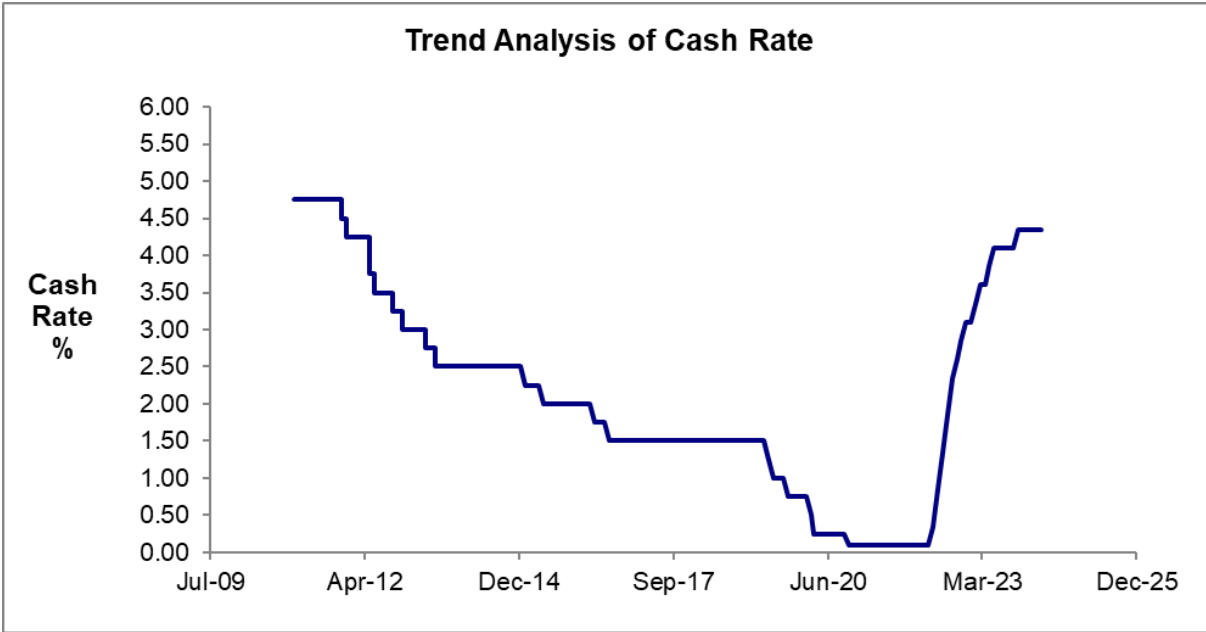
More broadly, there are uncertainties regarding the lags in the effect of monetary policy and how firms' pricing decisions and wages will respond to the slower growth in the economy at a time of excess demand, and while the labour market remains tight.

There also remains a high level of uncertainty about the overseas outlook. While there has been improvement in the outlook for the Chinese and US economies, and many global commodity prices have picked up, geopolitical uncertainties, including those related to the conflicts in the Middle East and Ukraine, remain elevated.

Returning inflation to target within a reasonable timeframe remains the Board's highest priority. This is consistent with the RBA's mandate for price stability and full employment. The Board needs to be confident that inflation is moving sustainably towards the target range. To date, medium-term inflation expectations have been consistent with the inflation target and it is important that this remains the case.

Recent data indicate that, while inflation is easing, it is doing so more slowly than previously expected and it remains high. The Board expects that it will be some time yet before inflation is sustainably in the target range and will remain vigilant to upside risks. The path of interest rates that will best ensure that inflation returns to target in a reasonable timeframe remains uncertain and the Board is not ruling anything in or out. The Board will rely upon the data and the evolving assessment of risks. In doing so, it will continue to pay close attention to developments in the global economy, trends in domestic demand, and the outlook for inflation and the labour market. The Board remains resolute in its determination to return inflation to target."

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



Recommendation(s)

- 1. That the investment report for 30 April 2024 be received and endorsed.
- 2. That the Certificate of the Responsible Accounting Officer be received and noted.

Attachments

- 1 [Investment Register April 2024](#)
- 2 [Investment Types](#)

Notices of Motion

(Item NM3/24) Naturalisation and Revitalisation of Cooks River

File No: 24/13857

Notice of Motion by Councillor Ned Cutcher

Summary

The Cooks River Valley Association has presented a proposal to the NSW Government that aims to improve the quality of water, open green space, tree canopy, biodiversity and safety in the Cooks River catchment.

In addition to environmental benefits the proposal will also see significant liveability improvements to one of Australia's most urban areas helping to improve community mental and physical health outcomes by addressing urban heat, encouraging active transport, providing both active and passive recreation opportunities, and improving the region's climate change resilience.

Local and international research has demonstrated the cost benefit from urban greenway renewal of 2.88 to 5.81 i.e. for every \$1 invested there is a return of \$3 - \$6 dollars:

<https://pure.qub.ac.uk/en/publications/social-return-on-investment-analysis-of-an-urban-greenway>.

Replacing the steel sheet piling addresses an immediate public safety concern and, in conjunction with other elements of the proposal, provide a permanent solution to inter-related issues affecting the Cooks River.

Implementation of naturalised riverbanks and cleaner water will address key factors promoting human health and social cohesion for the 500,000 people in the Cooks River catchment. Significant benefits include increasing urban amenity, liveability and community wellbeing. The proposal also addresses urban heat effects, increases canopy cover and will assist with mitigating flood risks providing a significant boost to the region's climate change resilience.

Delaying the restoration of the Cooks River will exacerbate its deterioration and result in higher repair costs and risks. In many areas the steel sheet piling currently represents an ongoing risk to public safety. The proposal to naturalise the Cooks River and measures to filter stormwater directly delivers on a range of NSW Government policies. The Cooks River proposal also capitalises on the increasing community support and media attention being paid to the River.

Operational Plan Objective

C.3 - An urban environment that maintains and enhances our sense of identity and place

C.5 - Public and open spaces are high quality, welcoming, accessible, shaded, enjoyable places seamlessly connected with their surroundings.

C.6 - The urban forest and natural environment are maintained, enhanced and connected.

Councillor Ned Cutcher to move:

That Council:

1. Acknowledges that creeks, canals and other small waterways are the lifeblood of our local environment, nourishing ecosystems and providing habitat for native plants and wildlife, but that outdated ideas about water management have seen many of these Paved over in the Burwood local government area, turning them into eyesores that can't sustain any plants or animals.
2. Supports Sydney Water's ongoing work to naturalise stormwater systems and revitalise local creeks and canals.

3. Commends the Cooks River Valley Association for its proposal to address three longstanding issues facing the Cooks River catchment by:
 - replacing approximately 4.6 km of steel sheet piling with natural riverbanks,
 - replacing approximately 13.5 km of concrete channelling with natural riverbanks
 - legislating to ensure Water Safe Urban Design sees stormwater on public and private land properly filtered before it enters the stormwater system
4. Writes to the NSW Environment Minister the Hon. Penny Sharpe MLC, the NSW Water Minister the Hon. Rose Jackson MLC, the NSW Treasurer the Hon Daniel Mookhey MLC, Sophie Cotsis MP, Member for Canterbury and the Member for Strathfield Mr Jason Yat-Sen Li requesting their consideration and support for the proposal.

Council officers' comments

A councillor briefing was held on 4 May 2023, where Paul Dunne, Sydney Water's Senior Water Resources Engineer presented to the Councillors on the Cooks River and Duck River Channel Renewal including the preferred option for Walsh Avenue Reserve and Cooks River Park.

Following this briefing a letter was sent through the Mayor's Office to Sydney Water endorsing naturalising part of the stormwater channel at Walsh Avenue Reserve.

Sydney Water are currently finalising the technical reports and preparing a business case seeking funding approval to progress the project to the next stage, concept design. Sydney water are aiming to have the business case approved in Q3 2024.

It is our understanding that Sydney Water plan to consult again with the community on the preferred design at the concept design stage. They will meet again with Council once the business case is approved and confirm the program for the concept design development and consultation plan with the community, Council and other key stakeholders.

Recommendation(s)

That Council:

1. Acknowledges that creeks, canals and other small waterways are the lifeblood of our local environment, nourishing ecosystems and providing habitat for native plants and wildlife, but that outdated ideas about water management have seen many of these Paved over in the Burwood local government area, turning them into eyesores that can't sustain any plants or animals.
2. Supports Sydney Water's ongoing work to naturalise stormwater systems and revitalise local creeks and canals.
3. Commends the Cooks River Valley Association for its proposal to address three longstanding issues facing the Cooks River catchment by:
 - replacing approximately 4.6 km of steel sheet piling with natural riverbanks,
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 - legislating to ensure Water Safe Urban Design sees stormwater on public and private land properly filtered before it enters the stormwater system
4. Writes to the NSW Environment Minister the Hon. Penny Sharpe MLC, the NSW Water Minister the Hon. Rose Jackson MLC, the NSW Treasurer the Hon Daniel Mookhey MLC, Sophie Cotsis MP, Member for Canterbury and the Member for Strathfield Mr Jason Yat-Sen Li requesting their consideration and support for the proposal.

Attachments

There are no attachments for this report.

(Item NM4/24) Development Controls to put downward pressure on Energy Bills, Improve Air Quality in our homes and workplaces, and act on Climate Change

File No: 24/13860

Notice of Motion by Councillor Ned Cutcher

Summary

We are in the midst of a housing and cost-of-living crisis. As interest rates and rents continue to rise, more people are struggling to pay their increasing energy bills. According to the Australian Energy Regulator, since July this year, NSW residential energy customers faced gas price increases of as much as 23.7%.

Rising gas prices are impacting on families and households already struggling with spiralling housing and food costs. A recent Energy Consumers Australia survey of 2,500 people found that more than one quarter of households are struggling to pay their energy bills. Local businesses, particularly small businesses, are reporting that spiralling energy costs are impacting on their viability.

Gas is also highly toxic to human health. Decades of scientific medical research demonstrates the alarming health impacts that gas pollution causes when used indoors. For example, a recent Australian study found that gas cooktops are associated with around 12% of childhood asthma in Australia. US researchers from Stanford University have linked gas stoves and ovens to carcinogenic chemicals like benzene and nitrous oxides. Long-term exposure to benzene is linked to acute lymphocytic leukaemia, chronic lymphocytic leukaemia, multiple myeloma, childhood leukaemia, and non-Hodgkin lymphoma.

The harmful human health impacts of gas are so alarming that doctors and health professionals have banded together to ask governments to phase out gas from homes, businesses and public buildings like hospitals.

Even chefs, who have traditionally favoured gas cooktops for commercial kitchens, are making the switch to electric induction cooktops due to their superior cooking technology without the toxic pollution from gas cooktops. The Global Cooksafe Coalition, whose supporters include celebrity chefs Neil Perry and Melissa Leong, actress Julia Roberts, health advocates Asthma Australia, plus major property developers including Lendlease, are calling for gas cooktops to be phased out from commercial kitchens and replaced with superior electric induction cooktops.

The best news is that homes and businesses that run on all-electric appliances without gas, are cheaper to run for occupants. A recent report shows that, if Burwood Council required new residential buildings to be all-electric without gas from 2024, this move would save every new household in the LGA an average of \$626 per year on their energy bills over a 40-year average life of a building which totals to \$8,109 in present value terms. These savings total to \$32.94 million over the same period for all new homes across the LGA. The same move would save new commercial buildings across the LGA a total of \$2.1 million on their energy bills over the same period, totalling \$35 million across both sectors.

Requiring new buildings (both residential and commercial) to be all-electric would also be a win for the environment. The same modelling shows that 173,291 tonnes of greenhouse gas emissions would be avoided over the 40-year period if this council required new residential and commercial buildings to be all-electric (148,962 tonnes for the residential sector, 24,329 for the commercial sector).

The following NSW councils have implemented new planning rules via DCP to require electrification of new developments:

- Lane Cove Council

- City of Newcastle
- Waverley Council
- Parramatta Council

The following councils are in the process of passing new planning rules via DCP to require electrification of new developments:

- Hornsby Council
- North Sydney Council
- City of Sydney
- Inner West Council
- Blue Mountains Council
- City of Canada Bay
- City of Ryde
- City of Canterbury-Bankstown

Lane Cove Council is leading the way on electrification in NSW, having recently passed a new Development Control Plan which requires all new developments (residential and non-residential), plus major alterations, to be all-electric without gas. Lane Cove's is the most ambitious approach in NSW which all councils should emulate.

Burwood Council can join the growing movement involving local councils, communities and small businesses in creating healthy, new homes and neighbourhoods that are safe and affordable for future generations.

Operational Plan Objective

C.4 - Sustainable, integrated transport, infrastructure and networks support population growth and improve liveability and productivity

C.7 - People and infrastructure contribute positively to the environment and respond to climate change

Councillor Ned Cutcher to move:

That Council:

1. Notes that Lane Cove Council recently implemented a new Development Control Plan that requires all new development across the local government area (residential and non-residential) and major alterations be all-electric without gas, which is the most comprehensive approach to electrification of new developments in NSW.
2. Notes that Waverley, Parramatta and Newcastle Councils have implemented similar DCPs which require the electrification of new developments, and that Hornsby, North Sydney, City of Sydney, Inner West, Blue Mountains, Canada Bay, Ryde and Canterbury-Bankstown Councils are in the process of making similar changes towards electrifying all new developments.
3. Notes that with the remaining development capacity across the Burwood local government area under the current LEP, along with:
 - the proposed uplift in Burwood North around the new Metro precinct,
 - a new uplift proposal to be implemented for Croydon by January 2025 in order to avoid the Government's unwelcome TOD SEPP instrument over-riding local planning controls, and
 - the application of non-refusal standards that will deliver substantial low- and medium-rise uplift across most of the local government area, likely to commence in July 2024, there is likely to be ongoing development and construction activity across the local government area in coming years, presenting an immediate and urgent opportunity for Burwood Council to demonstrate strong leadership, to influence the implementation of

related policy matters and to have a significant impact on the electrification of new residential and commercial properties across New South Wales.

- 4) Requires the General Manager to provide a report back to the August 2024 meeting of Burwood Council, outlining the process and timeframes for Burwood Council to implement a DCP that requires all new development (residential and non-residential) across the local government area be all-electric, based on the successful Lane Cove Council approach.

Council officers' comments:

The Burwood Sustainability Strategy adopted by Council in 2022 has three main aims including:

- ***Towards Net Zero Emissions:*** Council will continue to strive toward net zero emissions and support the community in achieving this target. Council continue to make balance decisions to support this outcome.
- ***Increase and enhance green open space:*** Council will seek creative and innovative ways to provide new green spaces and will work with Government and private sector to achieve this outcome.
- ***Early adopter of new Sustainability Initiatives:*** Burwood Council is an agile organisation that can adapt quickly to new technologies and policy. We will continue to seek opportunities for appropriate new sustainable practices.

In achieving this, the strategy (in terms of energy) looks to work on the Built Form Future of the LGA through the following actions:

- *Explore opportunities for community based renewable energy projects*
- *Encourage and incentivise the switch to electric vehicles with appropriate policy, financial or other controls*
- *To educate and promote opportunities for energy efficiency and the switch to renewable energy generation to the community*
- *Explore opportunities for improved sustainable building design outcomes and support legislative updates to the Building Code requirements*

The proposal to introduce a Development Control Plan requiring all new constructions and major renovations to be all-electric, excluding gas, signifies a significant shift in strategy. Unlike traditional legislative updates, such as changes to SEPP (Resources and Energy), SEPP (Sustainable Buildings), or updates to the Building Code of Australia requirements, this proposal is being suggested within Local Policy provisions.

Given this change, it would be imperative to thoroughly research the provided statements and data, and engage with the community to ensure that any intervention in consumer choice is balanced. Multiple options could potentially be identified to support and achieve the desired outcome.

It is the staff's opinion that, should Council approve this direction, any future research and review should be conducted through a comprehensive assessment of the Burwood DCP, which is planned to begin within the next 3-5 years.

Recommendation(s)

That Council:

1. Notes that Lane Cove Council recently implemented a new Development Control Plan that requires all new development across the local government area (residential and non-residential) and major alterations be all-electric without gas, which is the most comprehensive approach to electrification of new developments in NSW.

2. Notes that Waverley, Parramatta and Newcastle Councils have implemented similar DCPs which require the electrification of new developments, and that Hornsby, North Sydney, City of Sydney, Inner West, Blue Mountains, Canada Bay, Ryde and Canterbury-Bankstown Councils are in the process of making similar changes towards electrifying all new developments.
3. Notes that with the remaining development capacity across the Burwood local government area under the current LEP, along with:
 - the proposed uplift in Burwood North around the new Metro precinct,
 - a new uplift proposal to be implemented for Croydon by January 2025 in order to avoid the Government's unwelcome TOD SEPP instrument over-riding local planning controls, and
 - the application of non-refusal standards that will deliver substantial low- and medium-rise uplift across most of the local government area, likely to commence in July 2024, there is likely to be ongoing development and construction activity across the local government area in coming years, presenting an immediate and urgent opportunity for Burwood Council to demonstrate strong leadership, to influence the implementation of related policy matters and to have a significant impact on the electrification of new residential and commercial properties across New South Wales.
4. Requires the General Manager to provide a report back to the August 2024 meeting of Burwood Council, outlining the process and timeframes for Burwood Council to implement a DCP that requires all new development (residential and non-residential) across the local government area be all-electric, based on the successful Lane Cove Council approach.

Attachments

There are no attachments for this report.