



Burwood Inc.1874

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MINUTES OF THE MEETING OF THE COUNCIL OF BURWOOD held electronically on Tuesday, 28 July 2020 commencing at 4:03pm.

ATTENDANCE Councillor John Faker (Mayor)
Councillor Ernest Chan
Councillor Heather Crichton
Councillor Joseph Del Duca
Councillor Raj Dixit
Councillor Lesley Furneaux-Cook
Councillor George Mannah (Deputy Mayor)

Mr T Briscese, General Manager
Mr P Brown, Acting Deputy General Manager Corporate, Governance and Community
Ms K Everett, Deputy General Manager Land, Infrastructure and Environment
Mr F Zincone, Group Manager IT
Mr W Armitage, Chief Finance Officer
Ms T Whitmarsh, Consultant - Governance Consultant
Ms R Gerges, Governance Officer

OPENING OF MEETING BY THE MAYOR

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

APOLOGIES

That there were no apologies.

DECLARATIONS OF INTEREST

Cr Chan declared a non-pecuniary conflict of interest in items 42/20 and 43/20 as he is a part owner of properties in close proximity to the two properties in said items.

Cr Faker declared a non-pecuniary conflict of interest in items 42/20 and 43/20 because the architect who is the applicant on these planning agreements is currently undertaking planning work for family members.

DECLARATIONS OF POLITICAL DONATIONS

There were no declarations of political interests by Councillors.

CONFIRMATION OF MINUTES

66/20 RESOLVED (*carried unanimously*)

That the minutes of the meeting of the Council of Burwood held on Tuesday 23 June 2020, as circulated, be confirmed and signed as a true record of the proceeding of the meeting.

(Moved Deputy Mayor George Mannah/Seconded Councillor Ernest Chan)

ADDRESS BY THE PUBLIC ON AGENDA ITEMS

There was no business for this item.

Councillor Del Duca joined the meeting at 4:12pm.

(ITEM MM10/20) PRELIMINARY HERITAGE INVESTIGATION - 17 ETHEL STREET BURWOOD

File No: 20/35593

Summary

The potential heritage significance of the property at 17 Ethel Street Burwood has been brought to my attention by a community member. The property is not currently heritage listed, nor located within a conservation area.

I request a preliminary heritage investigation be carried out by an independent heritage consultant on Council's behalf, and the findings be reported back to Council for its consideration.

A community member has provided information on the house which includes some sound reasons for further investigation. The house represents a good example of a Federation Arts and Crafts style villa, and the house complements other heritage items in Ethel Street.

Operational Plan Objective

- 1.4.4 Promote and celebrate the area's heritage and Indigenous history
- 4.3 Integrate Burwood's existing heritage with high quality urban design
- 4.3.2 Maintain and preserve heritage through relevant planning strategies

1/20 RESOLVED *(carried unanimously)*

1. Council engage an external heritage consultant to undertake a preliminary heritage investigation of 17 Ethel Street Burwood.
2. The findings of the investigation be reported back to Council.
3. The property owner be advised of Council's resolution.

(ITEM MM11/20) DESIGN EXCELLENCE IN BURWOOD LGA

File No: 20/35745

Summary

I have long advocated for high quality buildings in our local government area and the requirement for well-designed buildings is supported by Burwood's standing as a Strategic Centre within the Sydney metropolitan area.

Council is aware of several complex development projects in the pipeline which will benefit from expert and independent design input. Early collaboration on design excellence will assist both Council and the planning panels in assuring exemplar design outcomes.

Design excellence is an important aspect of realising Burwood as a vibrant and economically successful destination for high profile developments. We need to ensure that the structures built today are an asset to our city into the future.

One approach to achieving design excellence is the use of a design review panel (DRP). A DRP may have many benefits for Burwood. DRPs have been successful across Sydney in improving design quality on large and complex projects and are now established in many Council areas including the City of Sydney, Parramatta, North Sydney, Randwick/Waverley, Georges River, Sutherland and elsewhere. An alternative approach is the use of design competitions which stimulate innovation and entry-market ideas.

With regard to Burwood, a design excellence clause was introduced into the BLEP in 2017. The BDCP also contains controls in respect to many aspects of building design and the relationship of buildings to the public domain. Council has also regularly engaged the services of external urban designer professionals in assessing major development proposals. The work by Council is in addition to the mechanisms in place through legislation, including the Apartment Design Guide of SEPP 65, and the soon to be released Design and Place SEPP.

In context of the upcoming reviews of the BLEP and BDCP in order to give effect to the LSPS, it is timely to assess Council's current approach to design excellence with a goal to establish a robust approach for the future.

Operational Plan Objective

- 4.3.1 Encourage architectural integrity and aesthetically appealing buildings.
- 4.3 Integrate Burwood's existing heritage with high quality urban design.
- 5.3.2 Maintain an attractive Burwood CBD.
- 5.4.1 Update and maintain the aesthetics of town centres and villages.

68/20 RESOLVED *(carried unanimously)*

1. Council acknowledges the importance of design excellence within the Burwood Local Government Area and in particular the Burwood Town Centre.
2. Council requests the General Manager to investigate approaches and methods of achieving design excellence in developments within Burwood.
3. The findings of the investigation be reported back to Council

GENERAL BUSINESS

(ITEM 39/20) ADOPTION OF THE DELIVERY PROGRAM 2018-2021, OPERATIONAL PLAN AND BUDGET 2020-2021 AND STATEMENT OF REVENUE POLICY INCLUDING SCHEDULE OF FEES AND CHARGES 2020-2021.

File No: 20/31228

Summary

The purpose of this report is to seek Council's adoption of the:

- Delivery Program 2018-2021 and Operational Plan and Budget 2020-2021
- Statement of Revenue Policy 2020-2021
- Schedule of Fees and Charges 2020-2021
- Making of the Rates and Charges 2020-2021

Operational Plan Objective

- 2.1 Community confidence in Council's decision making.
- 2.1.3 Ensure transparency and accountability in decision making.
- 2.3 Identify and maintain additional revenue sources to ensure financial sustainability.

69/70 RESOLVED *(carried unanimously)*

1. That Council note that no submissions have been received relating to the Draft Delivery Program 2018-2021, Draft Operational Plan and Budget 2020-2021 and the Draft Statement of Revenue Policy incorporating the Schedule of Fees & Charges for 2020-2021.
2. That Council adopt the 2018-2021 Delivery Program.
3. That Council adopt the 2020-2021 Operational Plan.
4. That Council adopt the 2020-2021 Budget.
5. That Council levy two ordinary rates, being "Residential" and "Business".
6. That the "Residential" rate be sub-categorised into:
 - Residential
 - Residential – Town Centre
7. That the "Business" rate be sub-categorised into sub-categories, being:
 - Business A
 - Business B
 - Business C
 - Business D
 - Town Centre – Minor Business
8. That Council continue to adhere to the minimum / ad-valorem basis of rating with a reasonable substantial minimum rate set at an amount determined to be the contribution required to cover the provision of the basic activities of the Council.
9. That Council make:
 - a. An Ordinary Rate (Residential) of 0.00142293 in the dollar on all rateable residential land in the Burwood Council area excluding Residential–Town Centre land, with the minimum amount payable for this rate in respect to each separate parcel of rateable land be the sum of \$1,017.53;
 - b. An Ordinary Rate (Residential–Town Centre) of 0.00072618 in the dollar on all rateable residential land in the Burwood Council area defined and categorised as Residential–Town Centre land, with the minimum amount payable for this rate in respect to each separate parcel of rateable land be the sum of \$1,297.62;
 - c. An Ordinary Rate (Business A) of 0.00199962 in the dollar on all rateable business land in the Burwood Council area other than the rateable business land included in sub-categories Business B, Business C, Business D and Town Centre–Minor Business, with the minimum amount payable for this rate in respect to each separate parcel of rateable land be the sum of \$1,112.72;

- d. An Ordinary Rate (Business B) of 0.00288365 in the dollar on all rateable business land within the centre of activity defined, and categorised Category Business B, with the minimum amount payable for this rate in respect to each separate parcel of rateable land be the sum of \$1,112.72;
 - e. An Ordinary Rate (Business C) of 0.00369162 in the dollar on all rateable business land within the centre of activity defined, and categorised Category Business C, with the minimum amount payable for this rate in respect to each separate parcel of rateable land be the sum of \$1,112.72;
 - f. An Ordinary Rate (Business D) of 0.00616850 in the dollar on all rateable business land within the centre of activity defined, and categorised Category Business D with the minimum amount payable for this rate in respect to each separate parcel of rateable land be the sum of \$1,423.45;
 - g. An Ordinary Rate (Town Centre–Minor Business) of 0.00232862 in the dollar on all rateable business land within the defined Town Centre area and categorised as Town Centre–Minor Business, with the minimum amount payable for this rate in respect to each separate parcel of rateable land be the sum of \$1,423.45;
 - h. A Residential Waste Management Service Availability Charges (Residential Waste Charge or Res Strata Waste Charge) in accordance with Section 496 of the *Local Government Act 1993* for 2020-2021 of \$419.50 as per Schedule of Fees and Charges.
 - i. A Stormwater Management Service Charges (Stormwater Management Service Charge) in accordance with Section 496A of the *Local Government Act 1993* and Clauses 125A and 125AA of *Local Government (General) Regulation 2005*, as denoted in the 2020-2021 Schedule of Fees and Charges document.
 - j. Charges pursuant to Section 611 of the *Local Government Act 1993* as denoted in the 2020-2021 Schedule of Fees and Charges document.
10. That Council note the Rate Yield for 2020-2021 with the Independent Pricing and Remuneration Tribunal (IPART) Special Rate Variation (SRV) increase of 4.5% and the rates shown in the following table:

2020-2021 RATING STRUCTURE WITH +4.5% Rate Peg and Other Mandatory Adjustments						
RATE TYPE	CATEGORY	TOTAL NUMBER OF ASSESSMENTS	RATE IN THE DOLLAR	NUMBER MIN. RATE ASSESSMENTS	MINIMUM RATE \$	OTIONAL YIELD \$
Ordinary	Residential	10,294.84*	0.00142293	4,292.66*	\$1,017.53	\$14,974,280
Ordinary	Business A	466.16*	0.00199962	146.24*	\$1,112.72	\$1,511,177
Ordinary	Business B	43	0.00288365	3	\$1,112.72	\$624,983
Ordinary	Business C	31	0.00369162	2	\$1,112.72	\$436,212
Ordinary	Business D	42	0.00616850	4	\$1,423.45	\$2,371,496
Ordinary	Residential Town Centre	3,377	0.00072618	3,332	\$1,297.62	\$4,551,034
Ordinary	Town Centre - Minor Business	388	0.00232862	216	\$1,423.45	\$1,502,893
Total		14,642		7,995.90		\$25,972,074

11. That the yield from the Residential Waste Management Service Availability Charges of \$6,330,979.05 be noted in the Statement of Revenue Policy 2020-2021.
12. That the yield from the Stormwater Management Service Charges of \$292,227.50 be noted and updated in the Statement of Revenue Policy 2020-2021.
13. That the yield for the Section 611 Charges (Gas Mains Assessment) be noted and will be approximately \$30,000.
14. That for the 2020-2021 rating year a rebate of \$125 be granted in addition to any other pensioner rates concession granted to a rates assessment of an eligible pensioner.
15. That for the 2020-2021 rating year only, Council grant a rebate of \$30 to each rating assessment in rates category Residential and Residential – Town Centre to be applied once to each rating assessment at the time of the main rates levy
16. That Council adopt the maximum rate of interest payable on overdue rates and charges as determined by the Minister.
17. That the General Manager levy the rates and charges for the period 1 July 2020 to 30 June 2021 by service of the rates and charges notices pursuant to the *Local Government Act 1993* and the Regulations made there under.
18. That Council adopt the tabled 2020-2021 Statement of Revenue Policy incorporating the Schedule of Fees & Charges for 2020-2021.
19. That Council delegate to the General Manager the delivery of the Capital Works program in line with a detailed plan of works/services and budget for the financial year 2020-2021 including the acquisition of goods and services, request for quotations and tendering for roads, footpaths, kerb and gutter and drainage works using prescribed agencies under Section 55 of the *Local Government Act 1993* and NSW Government panels available to Council.

(Moved: Councillor Lesley Furneaux-Cook / Seconded: Deputy Mayor George Mannah)

(ITEM 40/20) LOW RISE MEDIUM DENSITY HOUSING CODE, SUBDIVISIONS CODE AND AMENDMENT TO BURWOOD LOCAL ENVIRONMENT PLAN TO RESTRICT DUAL OCCUPANCY SUBDIVISIONS IN R2 ZONE

File No: 20/32375

Summary

The Planning Proposal (PP) seeks to permit dual occupancy subdivisions in the R2 zone if each resulting lot would have a minimum site area of 400sqm and a minimum street frontage of 12m, was endorsed by Council at its meeting of 19 May 2020. The PP resulted in a draft amendment to the Burwood Local Environmental Plan (BLEP) 2012 being prepared. It has become clear recently that this BLEP amendment will not fully achieve Council's initial intention of preventing dual occupancy subdivisions in the R2 Low Density Residential zone via Complying Development Certificates (CDCs) under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2019 (the Codes SEPP).

Notwithstanding, it is recommended that the draft BLEP amendment be progressed to finalisation given the multiple benefits it has, which are discussed under the *Planning or Policy Implications* section in this report.

Operational Plan Objective

- 1.2.1 Inform the community of Council's activities, facilities and services using accessible communication
- 4.5.2 Ensure independence and transparency in decision making on significant developments

70/20 RESOLVED *(carried unanimously)*

That the Mayor seek an urgent meeting with the Minister for Planning and Public Spaces to discuss:

- a. Why our Council which has for years worked to meet our housing supply which has been in line with the State government's housing policy, would now be disadvantaged with a change to policy which this Council believes will have major changes to the character of our residential streets; and,
- b. Council's disappointment that the planning proposal, which has gone through the proper process since 2018 to make amendments to Burwood's LEP, including extensive community consultation and a granting of a Gateway Determination, would now be found by the Parliamentary Counsel's Office to not meet Council's full intent.

(Moved: Councillor Lesley Furneaux-Cook / Seconded: Councillor Ernest Chan)

Councillors Lesley Furneaux-Cook and Ernest Chan called for a **DIVISION**.

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

FOR	AGAINST
Councillor Faker	
Councillor Mannah	
Councillor Dixit	
Councillor Del Duca	
Councillor Crichton	
Councillor Chan	
Councillor Furneaux-Cook	
Total (7)	Total (0)

(ITEM 41/20) REVISION OF BURWOOD DCP CONTROLS CONCERNING TREE PRESERVATION REQUESTS

File No: 20/32787

Summary

A draft amendment to the Burwood Development Control Plan (BDCP) in regards to Tree Preservation Requests is proposed. The amendment will enable the applicant to request a review by management and escalated to the Executive, if required, of a draft refusal. This report highlights the proposed changes and recommends that the draft amended BDCP be exhibited and that results of the exhibition with any further changes be reported to Council prior to adoption.



Operational Plan Objective

4.5 Ensure customer focused processes for development services

3.1.1 Ensure strong planning controls to protect and encourage open and green spaces

71/20 RESOLVED (*carried unanimously*)

1. That a draft BDCP amendment be prepared.
2. That Council endorse for public exhibition the draft amended BDCP, in accordance with the EP&A Regulation 2000.
3. That a further report be brought to Council advising of the exhibition outcomes and making recommendations on the finalisation of the draft amended BDCP.

(Moved: Deputy Mayor George Mannah / Seconded: Councillor Ernest Chan)

PROCEDURAL MOTION

72/20 Motion to move items 42/20 and 43/20 to the last two items of business.

(Moved: Deputy Mayor George Mannah / Seconded: Councillor Lesley Furneaux-Cook)

CR ERNEST CHAN LEFT THE MEETING, THE TIME BEING 05:00 PM

(ITEM 44/20) BURWOOD SESQUICENTARY COMMITTEE - RESOURCING

File No: 20/32737

Summary

This report presents an assessment of the financial and resourcing implications associated with the set up and activities of the Burwood 150 Year Anniversary Steering Committee.

Operational Plan Objective

- 1.2 A well informed, supported and engaged community
- 1.4 A proud and inclusive community that celebrates diversity
 - 1.4.1 Celebrate the achievements of the local community
- 5.3 Enhance and foster the local identity
 - 5.3.3 Support innovation which will enhance local identity and culture
- 5.4 Activate village precincts and preserve the distinct characters of surrounding

73/20 RESOLVED (*carried unanimously*)

That Council:

1. Nominates the Mayor as Chair of the Burwood 150 Year Anniversary Steering Committee.
2. Nominates Councillor Heather Crichton as a standing member of the Committee and Councillor Lesley Furneaux-Cook as an alternate member in the absence of Councillor Heather Crichton.
3. Allocates a budget of \$5,000 in 2020/2021 and also the staff resources and other in-kind support outlined in this report.

4. Authorises the General Manager to organize a meeting of the Mayor and nominated councillor/s with relevant staff to determine a preferred action plan for seeking expressions of interest from community members and related groups.
5. Requests a comprehensive report on recommended programs and cost estimates at the May 2021 Council meeting.

(Moved: Councillor Heather Crichton / Seconded: Councillor Lesley Furneaux-Cook)

(ITEM 45/20) MULTICULTURAL ADVISORY COMMITTEE MEMBERSHIP

File No: 20/30182

Summary

The Multicultural Advisory Committee Terms of Reference allows for two alternate members to be appointed to the committee in addition to the four community representatives. Currently the Multicultural Advisory Committee has two vacancies for this role. It is recommended that one of these positions be filled by Mr Trilochan Pokharel, a representative of the Nepalese community.

Operational Plan Objective

1.4.2 Engage with the Culturally and Linguistically Diverse Community

74/20 RESOLVED (carried unanimously)

It is recommended that Council appoint Mr Trilochan Pokharel as an alternate member of the Multicultural Advisory Committee.

(Moved: Councillor Lesley Furneaux-Cook / Seconded: Deputy Mayor George Mannah)

(ITEM 46/20) ADOPTION OF THE BURWOOD COUNCIL AND LIBRARY PUBLIC COMPUTER AND INTERNET USE POLICY

File No: 20/32267

Summary

The Burwood Council and Library Public Computer and Internet Use Policy (the policy) governs the use of Council's public computers and other devices, its Wi-Fi service and access to the Internet by customers. The policy was last reviewed in 2013 and has now been updated and is reported for adoption.

Operational Plan Objective

1.2 A well informed, supported and engaged community

1.3 A safe community for residents, workers and visitors

75/20 RESOLVED (carried unanimously)

That Council adopts the Burwood Council and Library Public Computer and Internet Use Policy.

(Moved: Councillor Lesley Furneaux-Cook / Seconded: Councillor Heather Crichton)

CR ERNEST CHAN RETURNED TO THE MEETING, THE TIME BEING 05:07 PM

(ITEM 47/20) BURWOOD YOUTH ADVISORY GROUP TERMS OF REFERENCE

File No: 20/7368

Summary

This report presents the updated Burwood Youth Advisory Group (BYAG) Terms of Reference for Council endorsement.

Operational Plan Objective

1.2 A well informed, supported and engaged community

76/20 RESOLVED *(carried unanimously)*

That Council endorses the Burwood Youth Advisory Group Terms of Reference.

(Moved: Deputy Mayor George Mannah/Seconded: Councillor Lesley Furneaux-Cook)

(ITEM 48/20) NSW LOCAL GOVERNMENT REMUNERATION TRIBUNAL - 2020 DETERMINATION ON FEES FOR COUNCILLORS

File No: 20/29552

Summary

This report provides advice on the determination made by the Local Government Remuneration Tribunal, under Sections 239 and 241 of the *NSW Local Government Act*, on annual fees payable to Mayors and Councillors in 2020/21.

Operational Plan Objective

2.1.3 Ensure transparency and accountability in decision making

77/20 RESOLVED *(carried unanimously)*

That Council confirm the setting of mayoral and councillor annual fees for the period 1 July 2020 to 30 June 2021 at the maximum permissible levels, being \$44,230.00 and \$19,580.00 respectively.

(Moved: Councillor Ernest Chan / Seconded: Councillor Raj Dixit)

(ITEM 49/20) INVESTMENT REPORT AS AT 30 JUNE 2020

File No: 20/32023

Summary

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

Operational Plan Objective

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

78/20 RESOLVED *(carried unanimously)*

1. That the investment report for 30 June 2020 be received and endorsed.
2. That the Certificate of the Responsible Accounting Officer be received and noted.

(Moved: Councillor Lesley Furneaux-Cook / Seconded: Councillor Joseph Del Duca)

INFORMATION ITEMS**(ITEM IN24/20) PETITIONS**

File No: 20/31815

Summary

Petitions received are reported to Council on a monthly basis. Council has received one petition since the June 2020 Council Meeting.

Operational Plan Objective

2.1.1 Provide opportunities for discussions and report decisions back to the community

Background

Date Received	Petition Subject	No. of Households and Businesses within the LGA	No. of Households outside the LGA	Responsible Council Division
18 June 2020	Petition received in objection to development application DA.2018.117 – amended plans for the demolition of the existing structures and the construction of 2 x 2 storey boarding houses containing 26 rooms with basement parking at 11A Ethel Street Burwood.	14	0	Land, Infrastructure and Environment

Comments

That Council notes that the Petitions have been referred to the appropriate Council Officers for attention.

No Decision – Information Item Only**(ITEM IN25/20) ANSWERS TO QUESTIONS WITHOUT NOTICE - COUNCIL MEETING OF 23 JUNE 2020**

File No: 20/31971

Summary

At the Council Meeting of 23 June 2020 the following Questions without Notice (QWN) were submitted by Councillors. Council Officers responded to the QWN and Councillors were notified on 7 July 2020 of the outcome of the QWN.

Operational Plan Objective

2.1.3 Ensure transparency and accountability in decision making.

This is now submitted as part of the Council Agenda for Public Notification:

QUESTIONS WITHOUT NOTICE – COUNCIL MEETING OF 23 JUNE 2020	
Question	Response
<p><u>Councillor Heather Crichton</u></p> <p>Question 1:</p> <p>To improve communication and transparency for our residents and in light of the recent closure of the Inner West Courier, can the General Manager publish as a monthly information item with the council meeting papers a table showing development applications that have been determined by staff under delegation showing the DA number, DA lodgement date, property address, a description of the property, the date determined and the decision?</p>	<p><u>Group Manager Building and Development</u></p> <p>All information relating to a Development Application including the matters raised in the QWN are contained on the DA Tracker that is accessed through Council's web site. The DA Tracker was commenced specifically to provide such information to residents and may be accessed from the following link:</p> <p>http://ecouncil.burwood.nsw.gov.au/Home/Disclaimer</p> <p>The information on the web portal is live and up to date, as such it would be recommended to use it as the most current source of data for our customers. A report presented to Council would probably not be as accurate and would become obsolete within days.</p>
<p><u>Councillor Heather Crichton</u></p> <p>Question 2:</p> <p>Does Enfield Aquatic Centre give consideration to residents who may work during the day when they plan the timetable for aqua aerobics classes? If not, how can we make available a weekly after hours class timeslot for our residents post COVID-19?</p>	<p><u>Group Manager Community, Library and Aquatic Services</u></p> <p>The aqua fitness timetable at Enfield Aquatic Centre (EAC) over the past few years has included class sessions at a variety of times to assist customers who work at different times to attend. These sessions have included weekday mornings, evenings and weekends, with varying degrees of success as measured by attendance levels.</p> <p>A key factor in more recent times has been difficulty in finding suitable instructors to run aqua fitness classes, despite extensive recruitment efforts.</p> <p>Prior to the Covid-19 closure, the EAC was only able to offer aqua fitness classes weekly on a Wednesday evening at 6:30pm with an average of</p>

	<p>nine participants per class. Just to note, in order to be viable a class requires a consistent attendance of five or more participants and the attendance at classes in the cooler months is generally lower.</p> <p>When the centre re-opens in the coming weeks it is anticipated that only basic services will be offered and that aqua fitness would be scheduled to resume with an updated timetable in the warmer season, which commences after the October long weekend. We hope to be able to offer at least one class at a suitable time during the weekdays and one on the weekend.</p> <p>In the meantime, we are proposing to survey our customers about what kind of aquatic activities they would like to attend in the future, including preferred class types and session times.</p>
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No Decision – Information Item Only

QUESTIONS WITHOUT NOTICE

The following Questions Without Notice were submitted at the meeting:

Councillor Heather Crichton

Question 1:

Does the General Manager promote via our social media platforms the enhanced features of the new Burwood Council website specifically: the “translate” feature, allowing the entire website to instantly translate into nine (9) community languages, and the search tools available under the Planning & Building tab?

Councillor Lesley Furneaux-Cook

Question 1:

What can Council do to ensure the safety of residents near the corner of Culdees Road and Liverpool Road where there has been a number of accidents? Has representation been made to the state government agencies?

Question 2:

What was the community consultation process for the proposed new netball courts at Henley Park and how can residents see / comment on the design?

Question 3:

Has council received any indication that Flower Power is set to be redeveloped as per their approved plans?



SUSPENSION OF STANDING ORDERS

Council briefly suspended standing orders 5:18 pm at to receive news from Councillor Joseph Del Duca announcing the birth of his son Alexander.

79/20 RESOLVED (*carried unanimously*)

That Council congratulates Councillor Joseph Del Duca and his family on the addition of his second baby son and wishes him a healthy and safe upbringing during these uncertain times.

(Moved: Deputy Mayor George Mannah / Seconded: Councillor Ernest Chan)

Council resumed standing orders at 5:20pm.

Cr John Faker left the meeting, the time being 05:21pm as he declared a non-pecuniary conflict of interest in items 42/20 and 43/20 because the architect who is the applicant on these planning agreements is currently undertaking planning work for family members.

Cr Ernest Chan left the meeting, the time being 05:21pm as he declared a non-pecuniary conflict of interest in items 42/20 and 43/20 as he is a part owner of properties in close proximity to the two properties in said items.

Cr George Mannah took the Chair, the time being 5:22pm.

(ITEM 42/20) DRAFT VOLUNTARY PLANNING PROPOSAL - 185E BURWOOD ROAD BURWOOD

File No: 20/32191

Applicant: UrbanLink Pty Ltd
Owner: Dennis Lup Yik Wong & Elsa Suet Fong Shum Wong
Company Director(s): Dennis Lup Yik Wong & Elsa Suet Fong Shum Wong

Operational Plan Objective

1.2.1 Inform the community of Council's activities, facilities and services using accessible communication

Summary

A draft Voluntary Planning Agreement (VPA) and Explanatory Note (EN) prepared in connection with a Development Application (DA) No. 117/2019 for 185E Burwood Road Burwood have been publicly notified in accordance with the relevant legislation. The draft VPA will provide the developer to pay a monetary contribution of \$52,010 to Council in lieu of a shortfall in on-site parking. Council's endorsement is now sought to enter into the VPA after the granting of the DA.

80/20 Recommendation(s)

1. That Council enter into the VPA for 185E Burwood Road, Burwood for the provision of a monetary contribution of \$52,010 towards public car parking after the granting of the consent for DA 117/2019, which would include a condition requiring that the VPA be entered into prior to the issue of any Construction Certificate.

2. That Council authorise the General Manager to sign the VPA and any related documentation under his Power of Attorney.
3. That Council authorise the General Manager to endorse the minor revisions of the VPA documents prior to execution.

MOTION WAS LOST

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

Councillors Heather Crichton and Deputy Mayor George Mannah called for a **DIVISION**.

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

FOR	AGAINST
Councillor Mannah	Councillor Dixit
Councillor Crichton	Councillor Del Duca
	Councillor Furneaux-Cook
Total (2)	Total (3)

(ITEM 43/20) DRAFT VOLUNTARY PLANNING AGREEMENT - 28-34 VICTORIA STREET BURWOOD

File No: 20/31894

Applicant: UrbanLink Pty Ltd
Owner: VSD Investments Pty Ltd
Company Director(s): Pierre Sleiman

Operational Plan Objective

- 1.2.1 Inform the community of Council's activities, facilities and services using accessible communication

Summary

A draft Voluntary Planning Agreement (VPA) and Explanatory Note (EN) in connection with a Development Application (DA) No. 91/2019 for 28-34 Victoria Street Burwood have been publicly notified in accordance with the relevant legislation. The draft VPA will provide for the developer to pay a monetary contribution of \$3,337,775 to Council in exchange for additional floor space. Council's endorsement is sought to enter into the VPA after the granting of the consent for the DA.

81/20 RESOLVED (carried)

1. That Council enter into the VPA for 28-34 Victoria Street Burwood for the provision of a monetary contribution of \$3,337,775 (dollar value dependant on the final determination of the DA) towards public facilities after the granting of the consent for DA No. 91/2019, which would include a condition requiring that the VPA be entered into prior to the issue of any Construction Certificate.
2. That Council authorise the General Manager to sign the VPA and any related documentation under his Power of Attorney.
3. That Council authorise the General Manager to endorse minor revisions of the VPA.

documents where necessary prior to execution.

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

Councillors Heather Crichton and Deputy Mayor George Mannah called for a **DIVISION**.

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

FOR	AGAINST
Councillor Mannah	Councillor Furneaux-Cook
Councillor Dixit	
Councillor Del Duca	
Councillor Crichton	
Total (4)	Total (1)

This concluded the business of the meeting and Council rose at 5:35pm.

Confirmed this Tuesday 25 August 2020.



MAYOR