



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

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 28 June 2022 at 6:00pm to consider the matters contained in the attached Agenda.

The public gallery will be open and the customary face-to-face public participation opportunity will be available. In addition, in the interest of public safety during the Covid-19 pandemic, an opportunity to speak via teleconference link will also be made available.

Tommaso Briscese
GENERAL MANAGER

Our Mission

**Burwood Council will create a quality lifestyle for its citizens
by promoting harmony and excellence in the delivery of its services**

AGENDA

FOR AN ORDINARY MEETING OF BURWOOD COUNCIL
TO BE HELD IN THE CONFERENCE ROOM, LEVEL 1, 2 CONDER STREET, BURWOOD ON TUESDAY 28
JUNE 2022 AT 6.00PM.

1. I DECLARE THE MEETING OPEN AT [TIME AS SHOWN ON COMPUTER] (ANNOUNCED BY CHAIR)

2. ACKNOWLEDGEMENT OF COUNTRY (READ BY CHAIR AS FOLLOWS)

I would like to acknowledge the Wangal people of the Eora Nation who are the traditional custodians of this land. I would also like to pay respect to their elders, both past and present, and extend that respect to other First Nations People who may be present.

3. PRAYER (READ BY CHAIR)

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.

4. RECORDING OF MEETING (ADVICE READ BY CHAIR AS FOLLOWS)

Please note that meetings of Council and Council Committees are audio recorded for the purpose of assisting with the preparation of meeting minutes and promoting public transparency. The recordings are subject to the provisions of the Government Information (Public Access) Act 2009 and are promptly made available for public review via the Council website.

5. APOLOGIES/LEAVES OF ABSENCE (CALLED FOR BY CHAIR)

6. DECLARATIONS OF INTERESTS BY COUNCILLORS (CALLED FOR BY CHAIR)

7. DECLARATION OF POLITICAL DONATIONS (ANNOUNCEMENT READ BY CHAIR AS FOLLOWS)

A person who makes a development application to Council (or any person with a financial interest in the application) must disclose any reportable political donation or gift made to any councillor or officer of Council. This statutory requirement for disclosure is highlighted on forms for submission of development applications to Council.

Council is also obliged by law to publish details of all reportable political donations or gifts on its website.

Any person present having business before Council today as an applicant (or other party with a financial interest in such application), and has not yet made an appropriate disclosure about a political donation, is now invited to approach the General Manager to make their statutory disclosure.

8. RECORDING OF COUNCILLORS VOTING ON PLANNING DECISIONS (ANNOUNCEMENT READ BY CHAIR AS FOLLOWS)

In accordance with Section 375A of the Local Government Act 1993, a division must be called for and taken on each planning decision made under the Environmental Planning & Assessment Act 1979. Details of voting for and against the resolutions will be recorded in the meeting minutes and in the statutory register of such voting.

9. CONFIRMATION OF MINUTES (RECOMMENDATION ANNOUNCED AS FOLLOWS)

I move that the minutes of the Council Meeting held on 24 May 2022, copies of which were previously circulated to all councillors be hereby confirmed as a true and correct record of the proceedings of that meeting.

**10. ANNOUNCEMENT OF PUBLIC FORUM – OPEN FORUM THENCE ADDRESSES BY THE PUBLIC ON ITEMS LISTED IN THE AGENDA
(CHAIR TO ANNOUNCE THE FOLLOWING THEN CALL FOR SPEAKERS AS PER REGISTRATION DETAILS PROVIDED WHERE APPLICABLE)**

Participation by speakers is subject to them confirming they have read and accepted the guidelines about addressing the Council meeting. They also acknowledge that the meeting is being recorded and this forms part of records which are retained by Council and made publicly accessible. Speakers must refrain from providing personal information unless it is central to the subject being discussed, particularly where the personal information relates to anyone not present at the meeting. Council accepts no responsibility for any defamatory comments made.

OPTIONAL STATEMENT WHERE WRITTEN SUBMISSIONS HAVE BEEN LODGED

Written submissions have been submitted for this meeting and copies circulated directly to all councillors. The following submissions are acknowledged [details of the submissions as appropriate] and will be referenced in the minutes of the meeting.

11. OPEN FORUM

(CHAIR INVITES SPEAKERS TO BE HEARD AS PER REGISTRATION DETAILS)

12. ADDRESSES BY THE PUBLIC ON AGENDA ITEMS

(CHAIR INVITES SPEAKERS TO BE HEARD AS PER REGISTRATION DETAILS)

13. AGENDA ITEMS AS LISTED IN THE BUSINESS PAPER

(CHAIR MOVES THROUGH ITEMS OF BUSINESS AS PER CODE OF MEETING PRACTICE)

14.I DECLARE THE MEETING CLOSED AT [TIME AS SHOWN ON COMPUTER]

(ANNOUNCED BY CHAIR)

OPEN FORUM COMMENCES

ADDRESS BY THE PUBLIC ON AGENDA ITEMS COMMENCES

MAYORAL MINUTES

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(ITEM 51/22) HERITAGE REVIEW - NOS 2-18 COOPER STREET, STRATHFIELD

File No: 22/19770

REPORT BY DIRECTOR CITY STRATEGY

Summary

This report responds to a Mayoral Minute on the potential for heritage listing of the properties at Nos 4 – 14 Cooper Street, Strathfield.

A preliminary heritage assessment of the properties has been undertaken. Recommendations have been made in the context of current approvals issued by the Land and Environment Court and development that has occurred in Cooper 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.

Background

At its meeting on 24 August 2021, Council considered a Mayoral Minute relating to a heritage investigation of Cooper Street, Strathfield, and resolved the following:

1. *The General Manager investigate the suitability of obtaining an Interim Heritage Order over properties located at 2B to 18A Cooper Street, Strathfield.*
2. *The General Manager seek legal advice from Council's solicitors currently acting on Council's behalf in the Land and Environment Court in relation to the development proposed for Cooper Street*
3. *A letter be sent to residents in the vicinity of Cooper Street, Strathfield informing them of the further investigations being undertaken by Council.*
4. *A report be brought back to the next available Council meeting outlining available options to pursue an Interim Heritage Order.*

Following Council's resolution, a preliminary heritage assessment of the dwellings located between 2 – 18 Cooper Street was undertaken by Council's Heritage Adviser to investigate the suitability of seeking an Interim Heritage Order (IHO) for the group of properties.

An IHO is issued under the *Heritage Act 1977*, specifically section 25(2) which states that:

A council authorised under this section may make an interim heritage order for a place, building, work, relic, moveable object or precinct in the council's area that the council considers may, on further inquiry or investigation, be found to be of local heritage significance, and that the council considers is being or is likely to be harmed.

In the absence of the immediate threat, the IHO powers under the Act are not available to Council.

Table 1 below provides a summary of the preliminary heritage assessment and recommendations with respect to the IHO:

Table 1: Preliminary assessment and recommendations – IHO

Address	Comment	Recommendation
2 Cooper Street 2A Cooper Street 4 Cooper Street	<p>A deemed refusal of Development Application (DA.2021.1) for 2, 2A and 4 Cooper Street, Strathfield was lodged in the Land and Environment Court on 27 April 2021.</p> <p>The Appeal has subsequently been allowed by the Court.</p> <p>The application sought the demolition of an existing dwelling, restoration and alterations to an existing heritage dwelling (2 Cooper Street), and the construction of a part 3 and part 4 storey boarding house with communal indoor areas and communal open space, above two levels of basement car parking.</p> <p>2 Cooper Street is a listed heritage item in Schedule 5 of Burwood LEP 2012.</p> <p>During the assessment of the DA, an assessment was undertaken as to the heritage value of 2A Cooper Street. The findings of the assessment by the applicant's heritage adviser, Urbis supported by Council's Heritage Advisor in that the dwelling would not likely meet the threshold for listing as a heritage item. Therefore, it would not be suitable for an Interim Heritage Order.</p> <p>There is a current Complying Development Certificate (CDC) for demolition and construction of a replacement dwelling at 4 Cooper Street. The CDC is current and valid therefore an Interim Heritage Order could not be placed over the property.</p>	IHO would not be supported by Heritage NSW
6 Cooper Street 8 Cooper Street 10 Cooper Street 12 Cooper Street 14 Cooper Street	Not identified as being under immediate threat or harm, therefore not eligible for an IHO	Not eligible for an IHO
18 Cooper Street	<p>A Deemed Refusal of Development Application (DA.2020.122) for 18 Cooper Street, Strathfield was lodged in the Land and Environment Court on 1 June 2021.</p> <p>The Appeal has subsequently been allowed by the Court.</p> <p>The application sought the demolition of the existing dwelling and construction of a six storey residential flat building</p> <p>There is also a current Complying Development Certificate (CDC) for demolition of the existing</p>	IHO would not be supported by Heritage NSW

	dwelling at 18 Cooper Street. The CDC is current and valid so therefore an Interim Heritage Order could not be placed over the property.	
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Since the preliminary heritage assessment was undertaken in August 2021, a Deferred Commencement Consent was issued by the Land and Environment Court on 6 January 2022 for development of Nos 2, 2A and 4 Cooper Street, Strathfield.

The Deferred Commencement Consent is for the demolition of an existing dwelling, restoration and alterations to an existing heritage dwelling, and the construction of a part 3 and part 4 storey boarding house containing 75 rooms, including one manager's room with communal indoor areas and communal open space, above two levels of basement car parking and associated site landscaping.

The Deferred Commencement condition required the surrender of the CDC for demolition and construction of a replacement dwelling at 4 Cooper Street and was satisfied on 1 June 2022. The consent has now been activated and will lapse on 1 June 2027.

Heritage Significance Investigation of 6 -14 Cooper Street, Strathfield

Consideration of the heritage listing of properties with current Court issued approvals have not been assessed as part of this report as Council would not receive support for a Planning Proposal that pursues the heritage listing or inclusion of these properties as part of a Heritage Conservation Area from the Department of Planning & Environment.

The properties in Cooper Street were the subject of a Planning Proposal in 2019 that increased heights and densities to allow for medium/high density residential development consistent with the R1 General Residential zone. At the time of preparing the Planning Proposal, there was a review of existing heritage listed items within the vicinity of the subject site, but the prospect of listing other individual properties in Cooper Street was not raised as an issue.

During the exhibition of the Planning Proposal, Council did receive a submission from the owners of 18A Cooper Street seeking support for the delisting the dwelling at 18A Cooper Street. This was not supported by Council and did not form part of the Planning Proposal approved by the Department. This matter was also reviewed by a heritage consultant engagement by the Department who similarly did not support the delisting of 18A Cooper Street.

Subsequent Development Applications have acknowledged that potentially there is a heritage streetscape in this section of Cooper Street. The documentation for the Development Application relating to 2, 2A and 4 Cooper Street (DA.2021.1) included a Heritage Impact Statement prepared by Urbis, which in part stated:

The southern side of Cooper Street developed as a residential streetscape, of predominately single storey free-standing houses.

The Sands Directories indicate that in c.1890, there were approximately two houses on the southern side of Cooper Street. By the following year, the southern side of the street had been well developed with at least six properties recorded. In 1895, residences on the southern side of the street were named "Taringha", "Allerma", "Urangara", "Duntroon", "Invermay" and "Haggerstone" and were constructed as predominately Victorian Villas.

Noting the above, Council's Heritage Advisor has also reviewed the Sands Directory and has made the conclusion that "Allerma", "Urangara", "Duntroon", "Ilan", "Invermay" and "Haggerstone" relate to the houses between 4 and 14 Cooper Street, confirming that these dwellings were constructed around a similar period in a similar style, and therefore there would be some merit in consideration being given to a group listing of these properties.

Council’s Heritage Advisor has undertaken a heritage merit investigation into the possibility of the heritage listing/group listing as a Heritage Conservation Area of Nos 6 – 14 Cooper Street, Strathfield. At present, none of these properties are subject to any development application or approvals.

The extent of the investigation area being considered is identified in Map 1 below.



Map 1 - Extent of investigation shown in blue, with existing heritage items and HCAs shown.

Table 2 below provides a preliminary assessment of the heritage significance of these dwellings and makes suggested recommendations should Council consider further assessment be undertaken. Photos of each of the dwellings are included at Attachment 1.

Most notably the potential heritage value of the properties has been identified based upon the group heritage value, rather than as individual items.

Table 2: Preliminary heritage assessment and recommendations

Address	Preliminary Assessment	Option
6 Cooper Street 8 Cooper Street 10 Cooper Street	<p>These three dwellings have been grouped together due to their relative identical style, form and building footprint (with No. 8 and No.10 slightly larger). They also share their historical narrative with No.2, No.4, No.12 and No.14.</p> <p>All three dwellings have minimal unsympathetic exterior alterations, with No. 10 having an infilled (relatively sympathetic) front verandah.</p> <p>There are only a handful of interior photos for No.8 which date from 2007.</p>	<p>Appoint an independent heritage adviser to undertake a Heritage Assessment of the properties to determine if it has heritage significance, for a potential group listing.</p>

	Therefore there can be no assumptions on the interior intactness of original features for these three dwellings.	
12 Cooper Street	<p>No. 12 Cooper Street has the general street view form of the neighbouring Victorian Villas; however, its building footprint and form identify it as similar to No.4.</p> <p>No. 12 Cooper Street has had very unsympathetic alterations, both internally and externally. The external works have included the removal of much of its ornamentation, its original bay window, roof cladding has been replaced with unsympathetic concrete fibre tiles and its verandah has been enclosed. Internally, it appears to have lost all of its ornamentation and detailing.</p>	<p>Even though this dwelling is likely to be historically important, it is <u>highly unlikely</u> that it would meet the threshold for heritage listing due to its substantial alterations.</p> <p>The dwelling may be considered contributory within a conservation area however further investigations are required.</p>
14 Cooper Street	<p>No. 14 Cooper Street is a Victorian Italianate two storey dwelling and while it does not match the neighbouring Victorian single storey villas, it is of the same time and related style.</p> <p>Like its neighbour at No.12, this dwelling has a considerably smaller building footprint than the Victorian Villas located at 4 to 10 Cooper Street, however it is over two levels.</p> <p>There are no internal images of this building, nor are there additional readily available external images.</p>	<p>Appoint an independent heritage adviser to undertake a Heritage Assessment of the property to determine if it has heritage significance, for a potential group listing.</p>

In giving consideration to the potential for a group listing of the properties at 6 -14 Cooper Street, consideration also needs to be given to the context of the streetscape and the impact of a group heritage listing of these properties. It is important to note that the advent of heritage listing would be unlikely to entirely prevent any form of redevelopment within the respective sites. The underlying planning provisions remain, in that the sites are contained within the R1 General Residential Zone, and subject to a 11m to 20.5m height control.

Any group listing of these dwellings could result in a streetscape where the dwellings would be dominated by contemporary development directly located to the rear or side of the (proposed) heritage listed items. This could have an adverse heritage outcome on the dwellings and their significance. It would also present as a sub-optimal urban design outcome and could be perceived to erode the validity of the process of heritage listing.

The group heritage listing of the dwellings would not stop future development across the sites, but could have the unintended consequence of creating a streetscape with an incompatible interface of architectural styles and scale. This would not be a positive heritage outcome for Burwood Council, the community or the historic dwellings legacies.

On the basis of this, it would also be unlikely that should Council proceed to a Planning Proposal for the listing of these properties as heritage items or a Heritage Conservation Area, that DPE would grant Gateway Determination to allow Council to proceed with the Planning Proposal.

This is taking into account the highly contested nature of the original Planning Proposal and the level of scrutiny applied by the Department to the determination of the matter. The proposal to seek a group heritage listing could be viewed by Department as a mechanism to undermine the initial re-zoning proposal and not offer support on those grounds.

However, should Council consider that a more detailed investigation be undertaken then it is recommended that an independent heritage consultant be appointed to undertake a Heritage Assessment of Nos 4, 6, 8, 10 and 14 (not 12) Cooper Street, Strathfield to determine if they have heritage significance as a group listing. The results and relative strength of the Heritage Assessment will assist Council to determine the next course of action.

Consultation

No consultation with the affected property owners has occurred as part of this report.

Planning or Policy Implications

As outlined above, Cooper Street was the subject of a Planning Proposal in 2019 that increased heights and densities to allow for medium/high density development lifting the zoning of the sites to R1 General Residential. During the time of the assessment of this Planning Proposal, no objections on the grounds of potential heritage significance of the properties within the precinct were raised, only a request to consider delisting of 18A Cooper Street.

Since the gazettal of the Planning Proposal there have been a number of Court approved developments which will already result in a change to the character of the streetscape along Cooper Street.

In response to the Planning Proposal, Burwood Council has also adopted additional controls within the Burwood Development Control Plan to manage boundary setbacks, separate distances and general site layout, to promote the retention of existing spatial characteristics of Cooper Street.

The potential heritage listing of the dwellings would not stop future development across the sites, but rather could have the unintended consequence of creating a streetscape with an incompatible interface of architectural styles and scale. This would not be a positive heritage outcome for Burwood Council, the community or the historic dwellings legacies.

Given these circumstances, it is unlikely that DPE would support a Planning Proposal for the heritage listing of Nos 6 – 10 & 14 Cooper Street.

Financial Implications

Should Council consider that a more detailed investigation be undertaken then it is recommended that an independent heritage consultant be appointed to undertake a Heritage Assessment of Nos 4, 6, 8, 10 and 14 (not 12) Cooper Street, Strathfield. The cost of this assessment would be in the range of \$15,000 - \$20,000.

Conclusion

Following a preliminary heritage assessment, it is considered that an IHO would not be suitable or likely to be supported by NSW Heritage.

Based on the preliminary heritage assessment and the context of the character of the future streetscape, it is considered that pursuing the heritage listing of Nos 6 – 14 (excluding 12) Cooper

Street would result in a streetscape where the dwellings would be dominated by contemporary development directly behind and at the bookends. This would likely have an adverse heritage outcome on the dwellings and their significance. It would also present as a poor urban design outcome.

For these reasons, it is recommended that no further action be taken with respect to the proposed heritage listing.

However, should Council wish to pursue further investigations as to the appropriateness of a potential group listing of the properties, it is recommended that an independent heritage consultant be appointed to prepare a detailed heritage assessment of the heritage significance of Nos 4 – 10 and 14 Cooper Street, Strathfield (noting that No 4 Cooper Street forms part of the development application approved by the Land and Environment Court, and approved to be retained as part of the development) and once completed that a further report be presented to Council on the outcomes.

Recommendation(s)

1. That Council not pursue the Interim Heritage Order for Nos 4 – 10 and 14 Cooper Street, Strathfield.
2. That no further action be taken with respect to the consideration of the heritage listing of Nos 4 – 10 and 14 Cooper Street, Strathfield on the basis that heritage listing of the properties would:
 - (i) have a significant adverse heritage outcome on the dwellings and their significance and present as a poor urban design outcome; and
 - (ii) be unlikely to be supported as a Planning Proposal by the Department of Planning & Environment.

Alternate Recommendation(s)

1. That Council not pursue the Interim Heritage Order for Nos 4 – 10 and 14 Cooper Street, Strathfield
2. That an independent heritage consultant be appointed to prepare a detailed heritage assessment of the heritage significance of Nos 4 – 10 and 14 Cooper Street, Strathfield.
3. That consultation be undertaken with the Department of Planning & Environment to determine the likelihood of a Planning Proposal for a group heritage listing of the properties being supported.
4. That a further report be presented to Council on the outcomes of the detailed heritage assessment and any preliminary discussions with the Department of Planning & Environment.

Attachments

- 1 Photographs - No 2-18 Cooper Street, Strathfield

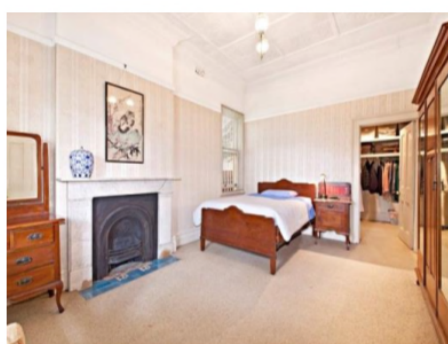
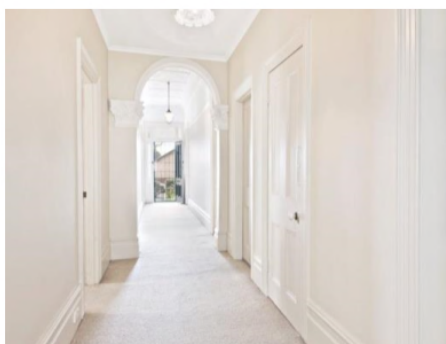
**Photographic Assessment
Nos 2-18 Cooper Street, Strathfield**

The following images of each dwelling have been sourced from real estate sites.

Not all dwellings had internal photographs available which significantly restricts the ability to form opinions on heritage merit (particularly for a dwelling to be considered as an item).

Refer to the body of the report for a discussion on the relative merits of each dwelling.

No.4 Cooper Street, Strathfield



ITEM NUMBER 51/22 - ATTACHMENT 1

Photographs - No 2-18 Cooper Street, Strathfield



No.6 Cooper Street, Strathfield



No. 8 Cooper Street, Strathfield



ITEM NUMBER 51/22 - ATTACHMENT 1

Photographs - No 2-18 Cooper Street, Strathfield



No.10 Cooper Street, Strathfield



No.12 Cooper Street, Strathfield



No.14 Cooper Street, Strathfield



(ITEM 52/22) POST EXHIBITION - PLANNING PROPOSAL TO HERITAGE LIST 11 SEALE STREET BURWOOD

File No: 22/19810

REPORT BY DIRECTOR CITY STRATEGY

Summary

The Planning Proposal to list the property at 11 Seale Street Burwood as a heritage item was publically exhibited from 16 May to 10 June 2022. Seven (7) submissions were received from the community and Heritage NSW.

This report provides an overview of the submissions, which were generally in support of the heritage listing and recommends that the Planning Proposal be finalized to list No 11 Seale Street, Burwood as an item of local significance in Schedule 5 of Burwood LEP 2012.

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

Background

Following the gazettal of an Interim Heritage Order (IHO) over the property in July 2021, Council engaged an independent heritage consultant (GML Heritage) to undertake a heritage assessment of the property with a view to listing the property as a heritage item in Schedule 5 of Burwood LEP 2012.

The investigation concluded that the property demonstrates heritage significance and as a result, Council, at a meeting in October 2021, resolved to prepare a Planning Proposal to list the property as a heritage item in Burwood LEP 2012.

Subsequently, a Planning Proposal was prepared and considered by Council, at its meeting on 22 March 2022, where it resolved the following:

1. *That Council endorse the heritage listing of the property at 11 Seale Street Burwood.*
2. *That Council submit the Planning Proposal to NSW Department of Planning, Industry and Environment for a Gateway Determination.*
3. *That subject to the Gateway Determination, affected property owners be notified, the planning proposal be publically exhibited and consultation with any relevant public authorities be undertaken.*
4. *That the results of the public exhibition and consultation be reported back to Council.*

Following the Council meeting the Planning Proposal was submitted to the Department of Planning & Environment (DPE) for a Gateway Determination.

On 20 April 2022, DPE issued a Gateway Determination allowing the Planning Proposal to be publically exhibited.

Public Exhibition

The public exhibition of the Planning Proposal was undertaken in accordance with the conditions of the Gateway Determination and also the requirements for public exhibition of PPs as set out in DPE's *Local Environmental Plan Making Guideline*.

The Gateway Determination for the PP required that:

- The Planning Proposal be publicly exhibited for a minimum of 20 days.
- Heritage NSW be consulted.

The Planning Proposal, included at Attachment 1 was placed on public exhibition from 16 May to 10 June 2022. The owner of 11 Seale Street Burwood as well as neighbouring properties were notified in writing of the public exhibition. The exhibition notice included a link to Participate Burwood and the NSW Planning Portal where the Planning Proposal and the supporting documentation were also available for viewing.

Heritage NSW were consulted through the Planning Portal and made a submission.

Discussion of Submissions

The owner of the property was notified of the exhibition of the Planning Proposal via email and also sent a letter. No response was received from the owner of the property.

Five (5) submissions from residents surrounding the property at No 11 Seale Street, Burwood were received in support of the heritage listing.

One (1) submission was received in objection to the listing of the property as a heritage item. The submitter did not include an address so it is difficult to ascertain whether they are a local resident.

The reasons outlined in the objection included:

- The design, nature and appearance of the property does not have any indigenous nature, historic, architectural, ecological or cultural significance, especially externally.
- There is no uniqueness in the appearance or design in its current state or condition, in which a skilled builder cannot match, build or design.
- Preserving such a property and in its current state and location will have very little or no aesthetic appeal to anyone or future generations.

They also identified that a number of houses that were classified as heritage in Burwood are poorly maintained, run down with poor aesthetic appeal and used as rental properties that provide no real value to the neighbourhood or Burwood as a whole.

They suggest Council review their heritage listing policy to ensure only appropriate and properties of "true" indigenous nature, historic, architectural, ecological or cultural significance are classified as heritage.

In response to this submission, Council provides the following response:

- Heritage NSW, in July 2021 supported the Interim Heritage Order over the property.
- The independent heritage adviser appointed to undertake an independent heritage assessment found that the property demonstrates heritage significance at the local level and met the threshold of local significance for criteria (a), (b), (c) and (f) and (g) of the standard assessment criteria.
- The Burwood Local Planning Panel supported the heritage listing of No 11 Seale Street Burwood

Submission by Heritage NSW

Heritage NSW supports the identification and listing of this item and raised no objection to the Planning Proposal.

Amendments in response to submissions

The points and matters raised in the submissions are noted and require no amendment to the Planning Proposal.

Planning or Policy Implications

The property is afforded heritage protection (i.e. deemed a “draft heritage item”) as soon as the Planning Proposal is placed on public exhibition. The Planning Proposal has been progressed in a timely manner thereby limiting opportunities for demolition or substantial alterations to the building ahead of heritage listing.

DPE has delegated the making of the amendment to Burwood LEP 2012 for the heritage listing of 11 Seale Street Burwood to Council.

Should Council resolve to finalise the Planning Proposal, Council staff will liaise with DPE and Parliamentary Counsel to draft the amendment, which will come into force from the date of being notified on the NSW Legislation website.

Financial Implications

There are no further financial implications for Council.

Conclusion

The Planning Proposal was placed on public exhibition in accordance with DPE’s Gateway Determination and DPE’s *Local Environmental Plan Making Guideline*, and Council’s *Community Participation Plan*.

All of the submissions have been considered and it is recommended that Council endorse the Planning Proposal as exhibited, and progress the finalisation of the Planning Proposal to list 11 Seale Street Burwood as a heritage item in Schedule 5 of Burwood LEP 2012.

Recommendation(s)

1. That Council endorse the Planning Proposal for 11 Seale Street Burwood as exhibited.
2. That Council exercise its LEP making delegation to progress the Planning Proposal to list 11 Seale Street Burwood as a local heritage item in Schedule 5 of Burwood LEP 2012.
3. That the property owner and those who made a submission be advised of Council’s resolution.

Attachments

- 1 Exhibition Version - Planning Proposal - 11 Seale Street Burwood



Planning Proposal

Heritage Listing of 11 Seale Street Burwood

March 2022; As amended 29 April 2022

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.

Part 1 – Objectives and Intended Outcomes

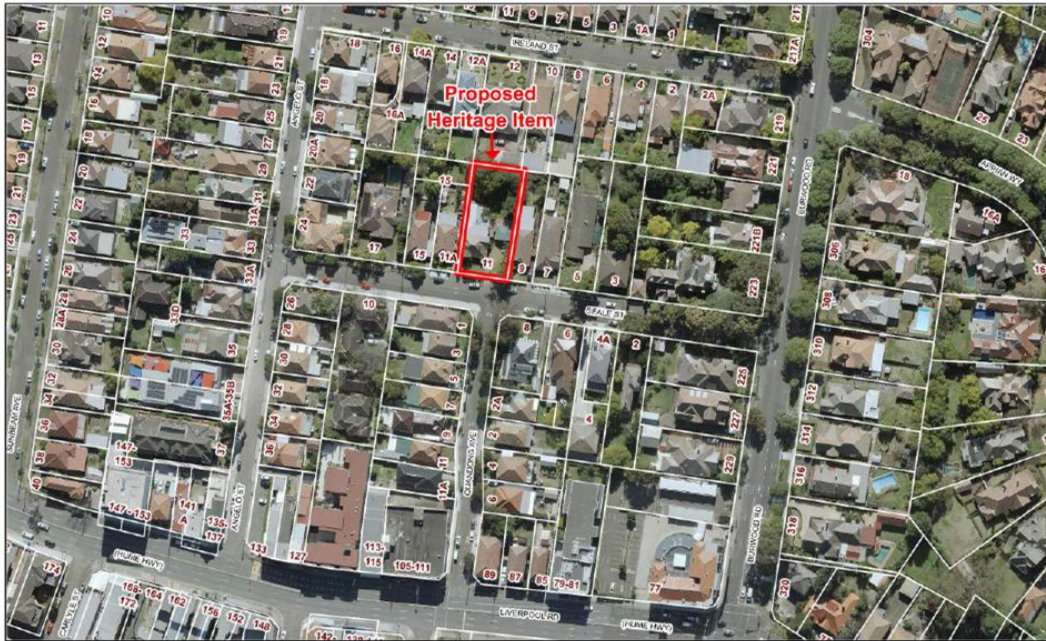
The Planning Proposal seeks to facilitate the heritage listing of the property at 11 Seale Street Burwood under Schedule 5 of the Burwood Local Environmental Plan (BLEP) 2012.

Part 2 – Explanation of Provisions

The property at 11 Seale Street Burwood would be listed in Schedule 5 of the BLEP 2012. In doing so, the Heritage Conservation provisions under clause 5.10 of the BLEP would apply to the property.

The Heritage Map of the BLEP 2012 would be amended to include the property at 11 Seale Street Burwood.

The heritage listing would apply to the whole of the property, as is the usual case for listings under Schedule 5 and the Heritage Map. Refer to Appendix One for particulars of the proposed Schedule 5 entry.



Aerial Photograph of 11 Seale Street Burwood.
Subject site is shown outlined in red.



Existing BLEP Heritage Map of 11 Seale Street Burwood.
Subject site is shown outlined in red.



Photograph of 11 Seale Street Burwood.

Source: realestate.com.au

Part 3 – Justification of strategic and site-specific merit

Section A – Need for the planning proposal

1. Is the planning proposal a result of an endorsed LSPS, strategic study or report?

Yes. In July 2021, Council engaged a heritage consultant, GML Heritage, to undertake a heritage assessment (Attached in Supporting Documentation). The investigation found that the property demonstrates heritage significance at the local level and met the threshold of local significance for criteria (a), (b), (c) and (f) and (g) of the standard assessment criteria. The heritage consultant also prepared a heritage inventory sheet for the property.

The findings of the heritage investigation were reported to Council at its meeting on 26 October 2021, whereupon Council resolved as follows:

1. That Council endorse the heritage listing of the property at 11 Seale Street Burwood.
2. That the General Manager proceed with the preparation of a Planning Proposal for the property.
3. That the Planning Proposal, when prepared, be submitted to the Burwood Local Planning Panel (BLPP) for their consideration.

0. *That the results of the BLPP's consideration be reported back to Council before being referred to NSW Government for Gateway determination.*

On 8 March 2022, the Burwood Local Planning Panel (BLPP) considered a report on the proposed heritage listing of 11 Seale Street Burwood and draft Planning Proposal. The BLPP resolved:

That the Burwood Local Planning Panel support the Planning Proposal to heritage list the property at 11 Seale Street Burwood.

On 22 March 2022, Council considered a report on the BLPP's recommendations. The Council resolved:

1. *That Council endorse the heritage listing of the property at 11 Seale Street Burwood.*
2. *That Council submit the Planning Proposal to NSW Department of Planning, Industry and Environment for a Gateway Determination.*
3. *That subject to the Gateway Determination, affected property owners be notified, the planning proposal be publicly exhibited and consultation with any relevant public authorities be undertaken.*
4. *That the results of the public exhibition and consultation be reported back to Council.*

This Planning Proposal seeks to implement the Council resolution.

2. ***Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?***

Yes. The Planning Proposal is the best means of achieving conservation of the subject property through a heritage listing in the BLEP. A Planning Proposal is the established procedure for implementing heritage listings and there is no other recognised method with the same statutory weight.

Section B – Relationship to the strategic planning framework

3. ***Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy?***

Yes. The proposal is consistent with metropolitan, subregional and district strategies.

The State Government has prepared the *Eastern City District Plan* (to which Burwood LGA belongs) to manage growth for the next 20 years in the context of economic, social and environmental matters at a district level, to contribute towards the 20-year vision for Greater Sydney. It contains the planning priorities and actions for implementing the Greater Sydney Region Plan, *A Metropolis of Three Cities*, at a district level, and is a bridge between local and regional planning.

Objective 13 of *A Metropolis of Three Cities* states that *'environmental heritage is identified, conserved and enhanced'*. Meanwhile, Planning Priority E6 of the *Eastern City District Plan* relates to *'creating and renewing great places and local centres, and respecting the District's heritage'*. In addition, the *Eastern City District Plan* states:

Heritage and history are important components of local identity and great places. The District's rich Aboriginal, cultural and natural heritage reinforces its sense of place and identity...

Identifying, conserving, interpreting and celebrating Greater Sydney's heritage values leads to a better understanding of history and respect for the experiences of diverse communities. Heritage identification, management and interpretation are required so that heritage places and stories can be experienced by current and future generations.

By identifying a property of local heritage significance, this Planning Proposal supports Objective 13 of the Region Plan, and Planning Priority E6 of the District Plan.

4. *Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?*

Yes. Burwood's Local Strategic Planning Statement (LSPS) was endorsed by the Greater Sydney Commission (GSC) in March 2020. The vision for Burwood makes reference to *'cherished heritage conservation areas, ...well designed buildings and... neighbourhoods filled with distinct character'*. One of the LSPS's objectives include:

Preserve local character by preventing extensive redevelopment in those parts of the LGA which have heritage significance or a significant local character.

By identifying a property of local heritage significance, this Planning Proposal is in keeping with the vision and objectives of the LSPS.

Also, the Burwood 2030 Community Strategic Plan recognises the challenge of balancing growth with maintaining lifestyles, preserving heritage and protecting the environment, while ensuring progress and innovation.

In developing the Community Strategic Plan, the Burwood community identified the importance of preserving heritage as a means of establishing a 'Sense of Community'. The Plan describes a Sense of Community as *'people being proud of where they live, feeling safe and engaged in the community and having access to facilities and services that ensure they can lead a healthy and satisfying lifestyle'*.

Strategic Goal 1.5.4 of the Community Strategic Plan is to *'identify ways to promote heritage and encourage the preservation of Burwood's historic buildings'*. This Planning Proposal is in keeping with this Strategic Goal.

5. *Is the planning proposal consistent with any other applicable State and regional studies or strategies?*

None are applicable.

6. Is the planning proposal consistent with applicable State Environmental Planning Policies?

Yes. There are no State Environmental Planning Policies (SEPPs) which would be contravened by the amendments proposed in the Planning Proposal.

All SEPPs applicable to the Burwood local government area are set out in the table below, together with a comment regarding the Planning Proposal's consistency:

SEPP	Comment
Housing (2021)	Not relevant. The subject property is not known to contain affordable housing. The heritage listing of properties may alter whether development under the former ARH SEPP may be carried out on that site, but this Planning Proposal would not contravene the SEPP in any way.
Design and Place (2021)	Not relevant. Applicable to development of three storeys or more. While the subject building is only one storeys at present, the property is zoned R2 – Low Density Residential with a height limit of 8.5 metres, which would only allow for two storey development.
Environment	Not relevant.
Planning Systems (2021)	Not relevant.
Biodiversity and Conservation (2021)	Not relevant. This SEPP contains provisions in respect to heritage trees. The heritage listing of properties may alter whether development under the SEPP may be carried out on that site, but this Planning Proposal would not contravene the SEPP in any way.
Resilience and Hazards (2021)	Not relevant. There is no indication that previous uses at the subject sites would trigger site remediation requirements. The subject properties are not located within the coastal areas identified by this SEPP.
Transport and Infrastructure (2021)	Not relevant.
Industry and Employment (2021)	Not relevant.
Resources and Energy (2021)	Not relevant.
Primary Production (2021)	Not relevant.
Precincts – Eastern Harbour City (2021)	Not relevant.
Precincts – Central River City (2021)	Not relevant.
Precincts – Western Harbour City (2021)	Not relevant.
Precincts – Regional	Not relevant.
Exempt and Complying Development Codes (2008)	Not relevant. The heritage listing of properties may alter whether

	development under the Codes SEPP may be carried out on that site, but this Planning Proposal would not contravene the SEPP in any way.
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7. Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions)?

Yes. Consistency with the list of Directions (under section 9.1 of the Environmental Planning and Assessment Act 1979 issued by the Minister for Planning) is set out in the following table.

Direction		Comment
Focus area 1: Planning Systems		
1.1	Implementation of the Minister's Planning principles	
1.2	Implementation of Regional Plans	Not relevant.
1.3	Development of Aboriginal Land Council land	Not relevant.
1.4	Approval and Referral Requirements	The Planning Proposal will not contain provisions which require the concurrence, referral or consultation of other public authorities, nor identify any use as designated development.
1.5	Site Specific Provisions	Not relevant.
Focus area 1: Planning Systems – Place based		
1.6	Parramatta Road Corridor Urban Transformation Strategy	Not relevant. The subject properties are not within the Parramatta Road corridor, nor undermine the achievement of that Strategy's vision or objectives.
1.7	Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not relevant.
1.8	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not relevant.
1.9	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not relevant.
1.10	Implementation of Glenfield to Macarthur Urban Renewal Corridor	Not relevant.
1.11	Implementation of the Western Sydney Aerotropolis Plan	Not relevant.
1.12	Implementation of Bayside West Precincts 2036 Plan	Not relevant.
1.13	Implementation of Planning Principles for the Cooks Cove Precinct	Not relevant.
1.14	Implementation of St Leonards and Crows Nest 2036 Plan	Not relevant.
1.15	Implementation of Greater Macarthur 2040	Not relevant.
1.16	Implementation of the Pyrmont Peninsula Place Strategy	Not relevant.
1.17	North West Rail Link Corridor Strategy	Not relevant.
Focus area 2: Design and Place		
Focus area 3: Biodiversity and Conservation		
3.1	Conservation zones	Not relevant.
3.2	Heritage Conservation	The Planning Proposal seeks the conservation of items of local heritage

ITEM NUMBER 52/22 - ATTACHMENT 1

Exhibition Version - Planning Proposal - 11 Seale Street Burwood

		significance. Clause 5.10 of the BLEP has been implemented under the Standard Instrument in satisfaction of the Direction.
3.3	Sydney Drinking Water Catchments	Not relevant.
3.4	Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	Not relevant.
3.5	Recreation Vehicle Areas	Not relevant.
Focus area 4: Resilience and Hazards		
4.1	Flooding	Not relevant.
4.2	Coastal Management	Not relevant.
4.3	Planning for Bushfire Protection	Not relevant.
4.4	Remediation of Contaminated Land	Not relevant.
4.5	Acid Sulfate Soils	The property has been identified as Class 5 on the Acid Sulfate Soils Map, representing the lowest probability of containing Acid Sulfate Soils.
4.6	Mine Subsidence and Unstable Land	Not relevant.
Focus area 5: Transport and Infrastructure		
5.1	Integrating Land Use and Transport	The Planning Proposal does not alter the land zoning, and as such, would not affect travel demand or the availability of transport options.
5.2	Reserving Land for Public Purpose	Not relevant.
5.3	Development Near Regulated Airports and Defence Airfields	Not relevant.
5.4	Shooting Ranges	Not relevant.
Focus area 6: Housing		
6.1	Residential Zones	The property is zoned R2 – Low Density Residential. The Planning Proposal does not seek to amend the zoning or range of permissible uses on the site. The sensitive development of heritage properties is supported by Council’s Development Control Plan (DCP).
6.2	Caravan Parks and Manufactured Home Estates	Not relevant.
Focus area 7: Industry and Employment		
7.1	Business and Industrial Zones	Not relevant.
7.2	Reduction in non-hosted short-term rental accommodation period	Not relevant.
7.3	Commercial and Retail development along the Pacific Highway, North Coast	Not relevant.
Focus area 8: Resources and Energy		
8.1	Mining, Petroleum Production and Extractive Industries	Not relevant.
Focus area 9: Primary Production		
9.1	Rural Zones	Not relevant.
9.2	Rural Lands	Not relevant.
9.3	Oyster Aquaculture	Not relevant.
9.4	Farmland of State and Regional Significance on the NSW Far North Coast	Not relevant.

Section C – Environmental, Social and Economic Impact

- 8. *Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?***

No. There is no known critical habitat or threatened species, populations or ecological communities, or their habitats affected by the Planning Proposal.

- 9. *Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?***

No. There are no other likely environmental effects as a result of the Planning Proposal, such as flooding, landslip, bushfire hazard and the like.

- 10. *How has the planning proposal adequately addressed any social and economic effects?***

The Planning Proposal is not expected to have any adverse social or economic effects. Council believes there to be social benefits, particularly to the local community, to be gained from the conservation of items and places of cultural heritage.

Section D – Infrastructure (Local, State and Commonwealth)

- 11. *Is there adequate public infrastructure for the planning proposal?***

The Planning Proposal is not expected to generate demand for additional infrastructure or services.

Section E – State and Commonwealth Interests

- 12. *What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?***

Council proposes that Heritage NSW be consulted (following a positive Gateway Determination) as the Planning Proposal relates to heritage matters.

The Gateway Determination will confirm and specify any consultation required with State and Commonwealth authorities on the Planning Proposal.

Part 4 – Maps

The Planning Proposal seeks to identify 11 Seale Street Burwood as a heritage item upon the Heritage Map.

A draft Heritage Map and Site Identification Map are contained at the end of this Planning Proposal.

The Planning Proposal does not seek to alter the zoning, height of buildings, floor space ratio, or any other BLEP maps.

Part 5 – Community Consultation

Burwood Council has consulted the property owner ahead of preparing this Planning Proposal. The property owner has been invited to each Council Meeting where this matter was considered. The property owner and their representatives have also had phone conversations with Council's Heritage Advisor. Council will continue to consult the property owner in respect to this Planning Proposal.

In view of the minor nature of the Planning Proposal and its application to a single property, the Planning Proposal is considered to be of low-impact. In accordance with the Gateway Determination issued on 20 April 2022 by the Department of Planning & Environment, the Planning Proposal be placed on public exhibition for a minimum period of 20 working days.

The Gateway Determination will confirm and specify the community consultation that must be undertaken on the Planning Proposal.

Part 6 – Project Timeline

Burwood Local Planning Panel Meeting for advice	March 2022
Consideration by Council	March 2022
Date of Gateway Determination	20 April 2022
Anticipated timeframe for the completion of required technical information (pre-exhibition)	May 2022
Timeframe for government agency consultation	May 2022
Commencement and completion dates for the public exhibition period	16 May – 10 June 2022
Dates for public hearing	Not applicable
Timeframe for consideration of submissions	June 2022
Timeframe for the consideration of a proposal post exhibition – Report to Council	26 July 2022
Referral to Parliamentary Counsel for drafting of legal instrument	Beginning August 2022
Anticipated date RPA will make the plan (if delegated)	September 2022
Gazettal of LEP amendment	October 2023

Appendix One

- Proposed Amendment to Schedule 5

Appendix Two

- Delegation Checklist

Supporting Documentation

- List of supporting documents that are provided under separate cover.

Links to Supporting Material

- Mayoral Minute to the Council meeting of 29 June 2021 is available at the link below. Please select 29 June 2020 Ordinary Council Meeting, then Item MM13/21 in Minutes. <https://www.burwood.nsw.gov.au/Our-Council/Council-and-Committee-Meetings/Minutes-and-Agendas>
- Report to the Council meeting of 26 October 2021 is available at the link below. Please select 26 October 2021 Ordinary Council Meeting, then Item 73/21 in Agenda. <https://www.burwood.nsw.gov.au/Our-Council/Council-and-Committee-Meetings/Minutes-and-Agendas>
- Report to the Burwood Local Planning Panel meeting of 8 March 2022 is available at the link below. Please select 8 March 2022 Burwood Planning Panel Meeting, then Item GB1/22 in Agenda. <https://www.burwood.nsw.gov.au/Our-Council/Council-and-Committee-Meetings/Minutes-and-Agendas>
- Report to the Council meeting of 22 March 2022 is available at the link below. Please select 22 March 2022 Ordinary Council Meeting, then Item 11/22 in Agenda. <https://www.burwood.nsw.gov.au/Our-Council/Council-and-Committee-Meetings/Minutes-and-Agendas>

Appendix One

Proposed Amendment to Schedule 5

The proposed heritage item would be inserted into Schedule 5 of the BLEP 2012. The proposed Item No is indicative and will be confirmed by Parliamentary Counsel at the finalisation stage of the LEP amendment

For the avoidance of doubt, the following table sets out the proposed new Schedule 5 text.

Suburb	Item name	Address	Property description	Significance	Item no
Burwood	Carinya	11 Seale Street	Lot 1, DP 942801	Local	i225

Note: The wording of any BLEP provisions will be subject to possible revision by the Parliamentary Counsel's Office.

Appendix Two

Delegation Checklist and Evaluation Criteria

Checklist for the review of a request for delegation of plan making functions to councils

Local Government Area:
Burwood.

Name of draft LEP:
Heritage listing of 11 Seale Street Burwood.

Address of Land (if applicable):
11 Seale Street Burwood.

Intent of draft LEP:
The heritage listing of the subject property.

Additional Supporting Points/Information:
Please refer to the PP.

Evaluation criteria for the issuing of an Authorisation				
(NOTE - where the matter is identified as relevant and the requirement has not been met, council is attach information to explain why the matter has not been addressed)	Council response		Department assessment	
	Y/N	Not relevant	Agree	Not agree
Is the planning proposal consistent with the Standard Instrument Order, 2006?	Y			
Does the planning proposal contain an adequate explanation of the intent, objectives, and intended outcome of the proposed amendment?	Y			
Are appropriate maps included to identify the location of the site and the intent of the amendment?	Y			
Does the planning proposal contain details related to proposed consultation?	Y			
Is the planning proposal compatible with an endorsed regional or sub-regional planning strategy or a local strategy endorsed by the Director-General?	Y			
Does the planning proposal adequately address any consistency with all relevant S117 Planning Directions?	Y			
Is the planning proposal consistent with all relevant State Environmental Planning Policies (SEPPs)?	Y			
Minor Mapping Error Amendments	Y/N			
Does the planning proposal seek to address a minor mapping error and contain all appropriate maps that clearly identify the error and the manner in which the error will be addressed?	N			
Heritage LEPs	Y/N			
Does the planning proposal seek to add or remove a local heritage item and is it supported by a strategy/study endorsed by the Heritage Office?	Y*			
Does the planning proposal include another form of endorsement or support from the Heritage Office if there is no supporting strategy/study?		N/A		
Does the planning proposal potentially impact on an item of State Heritage Significance and if so, have the views of the Heritage Office been obtained?		N/A		
Reclassifications	Y/N			
Is there an associated spot rezoning with the reclassification?		N/A		
If yes to the above, is the rezoning consistent with an endorsed Plan of Management (POM) or strategy?		N/A		
Is the planning proposal proposed to rectify an anomaly in a classification?		N/A		
Will the planning proposal be consistent with an adopted POM or other strategy related to the site?		N/A		
Will the draft LEP discharge any interests in public land under section 30 of the <i>Local Government Act, 1993</i> ?		N/A		

* It is proposed that the PP be submitted to the Heritage NSW during the consultation stage. Heritage assessments have been carried out in accordance with Heritage NSW guidelines.

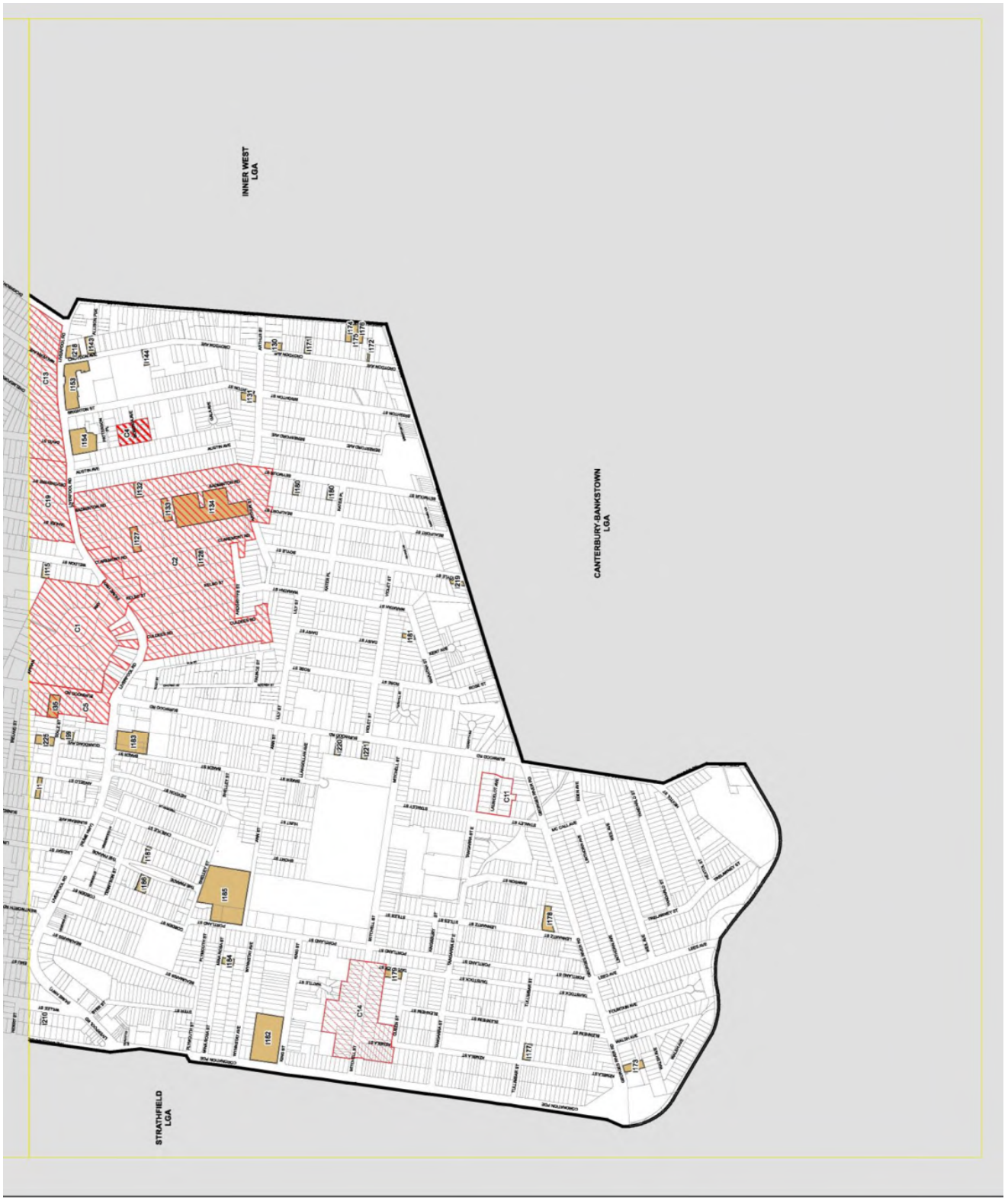
If so, has council identified all interests; whether any rights or interests will be extinguished; any trusts and covenants relevant to the site; and, included a copy of the title with the planning proposal?		N/A		
Has the council identified that it will exhibit the planning proposal in accordance with the department's Practice Note (PN 09-003) <i>Classification and reclassification of public land through a local environmental plan and Best Practice Guideline for LEPs and Council Land</i> ?		N/A		
Has council acknowledged in its planning proposal that a Public Hearing will be required and agreed to hold one as part of its documentation?		N/A		
Spot Rezoning	Y/N			
Will the proposal result in a loss of development potential for the site (ie reduced FSR or building height) that is not supported by an endorsed strategy?	N			
Is the rezoning intended to address an anomaly that has been identified following the conversion of a principal LEP into a Standard Instrument LEP format?	N			
Will the planning proposal deal with a previously deferred matter in an existing LEP and if so, does it provide enough information to explain how the issue that lead to the deferral has been addressed?	N			
If yes, does the planning proposal contain sufficient documented justification to enable the matter to proceed?		N/A		
Does the planning proposal create an exception to a mapped development standard?		N/A		
Section 73A matters				
Does the proposed instrument a. correct an obvious error in the principal instrument consisting of a misdescription, the inconsistent numbering of provisions, a wrong cross-reference, a spelling error, a grammatical mistake, the insertion of obviously missing words, the removal of obviously unnecessary words or a formatting error?; b. address matters in the principal instrument that are of a consequential, transitional, machinery or other minor nature?; or c. deal with matters that do not warrant compliance with the conditions precedent for the making of the instrument because they will not have any significant adverse impact on the environment or adjoining land? (NOTE - the Minister (or Delegate) will need to form an Opinion under section 73(A)(1)(c) of the Act in order for a matter in this category to proceed).		N/A		
<p>NOTES</p> <ul style="list-style-type: none"> Where a council responds 'yes' or can demonstrate that the matter is 'not relevant', in most cases, the planning proposal will routinely be delegated to council to finalise as a matter of local planning significance. Endorsed strategy means a regional strategy, sub-regional strategy, or any other local strategic planning document that is endorsed by the Director-General of the department. 				

Supporting Documentation

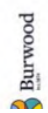
Heritage assessments and other supporting documents are provided under separate cover

Enclosure No.	Description
1	Heritage Assessment of 11 Seale Street Burwood, undertaken by GML Heritage Pty Ltd in October 2021.

Mapping



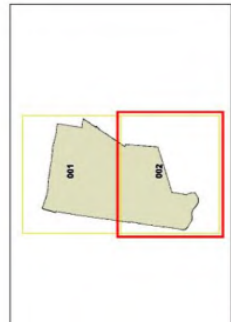
Burwood Local Environmental Plan 2012



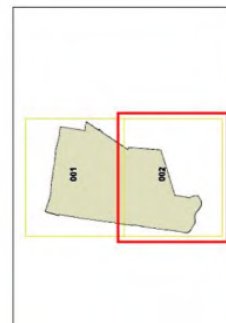
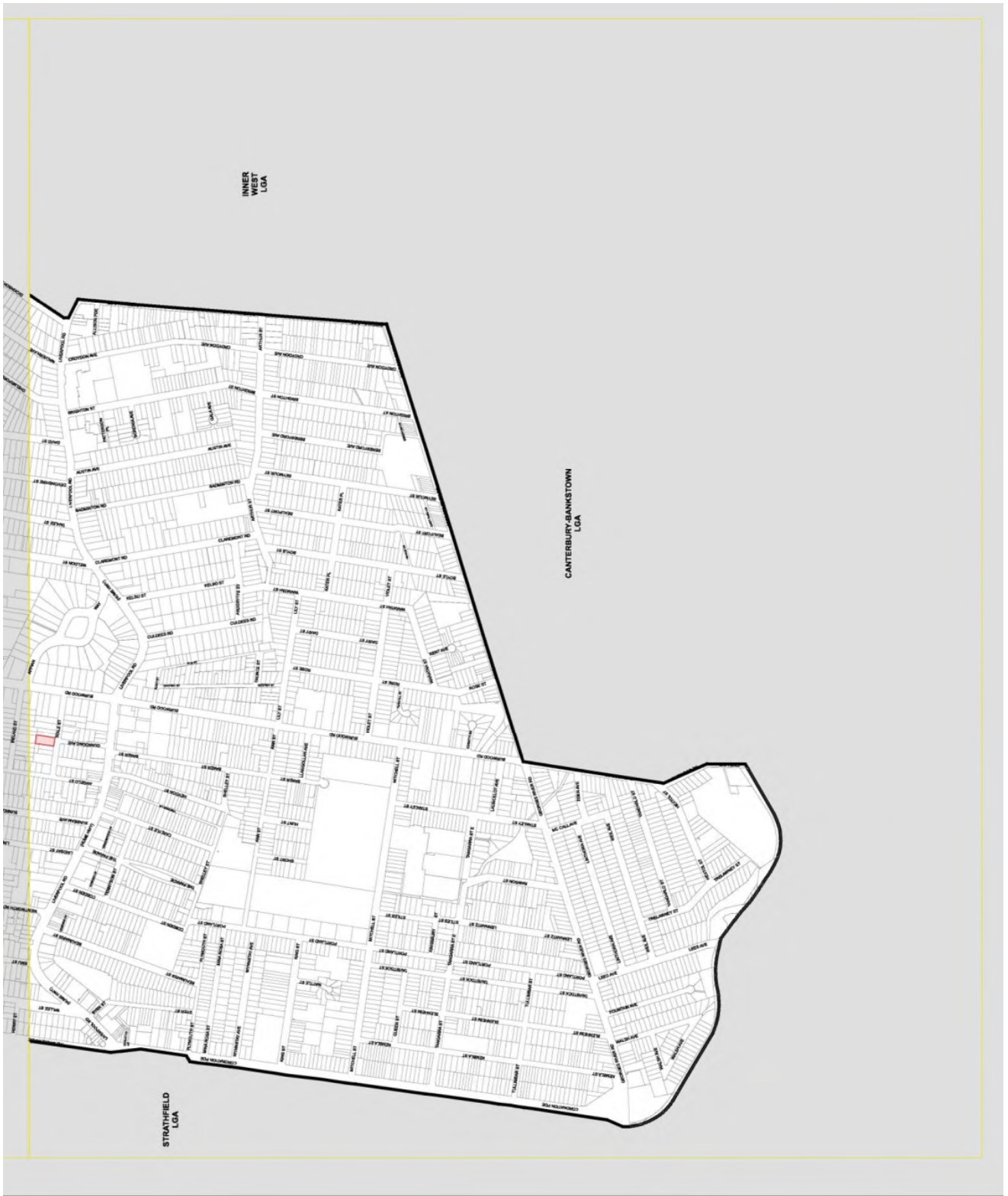
Heritage Map
Sheet HER_002

Heritage
 Conservation Area - General
 Item - General

Cadastral
 Cadastral 11/02/2022 © Burwood Council



Information Number:



(ITEM 53/22) SEALE STREET, IRELAND STREET AND SURROUNDS - SUMMARY HERITAGE INVESTIGATION

File No: 22/20905

REPORT BY DIRECTOR CITY STRATEGY

Summary

This report responds to a Mayoral Minute seeking a preliminary heritage investigation of the dwellings in the vicinity of Seale Street and Ireland Street, Burwood.

A preliminary heritage assessment of 108 properties has been undertaken. Of these, it is recommended that six properties be further investigated for potential heritage listing in Burwood LEP 2012.

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

Background

Council, at its meeting on 29 June 2021 considered a Mayoral Minute requesting an Interim Heritage Order and preliminary heritage investigation of 11 Seale Street, Burwood. The Mayoral Minute also identified the need for a preliminary heritage assessment of the properties surrounding No 11 Seale Street and in the adjoining streets to ensure that significant dwellings were identified and protected.

In this regard, Council resolved (in part) the following:

- 4. *The General Manager initiates a preliminary in-house review of Seale Street and Ireland Street with a view of identifying additional potential items of historical significance*
- 5. *The General Manager reports back to Council once the preliminary review is conducted with its findings and with a cost plan for a possible subsequent formal heritage review.*

Heritage Significance Criteria

A preliminary heritage assessment of all of the properties in the area identified in Figure 1 below has been undertaken. The aim of the preliminary heritage assessment was to identify any additional properties which may have local significance and should be protected either as heritage items or within a Heritage Conservation Area in Burwood LEP 2012.

By taking a proactive stance to the identification of heritage items, Council can ensure that those properties which have heritage significance are identified and captured in the Burwood LEP 2012, and be afforded a higher level of statutory protection. For example, protected from being demolished and redeveloped through the Complying Development Code (CDC) pathway. It also reduces the need for Council to initiate emergency proceedings through Interim Heritage Orders as a result of applications for demolition or redevelopment being made via the CDC process.

The area based assessment that has been undertaken demonstrates the practicality of a high level, risk-based approach in conducting further preliminary heritage investigations in other areas within the Burwood LGA which may have properties with heritage significance which are not currently identified.

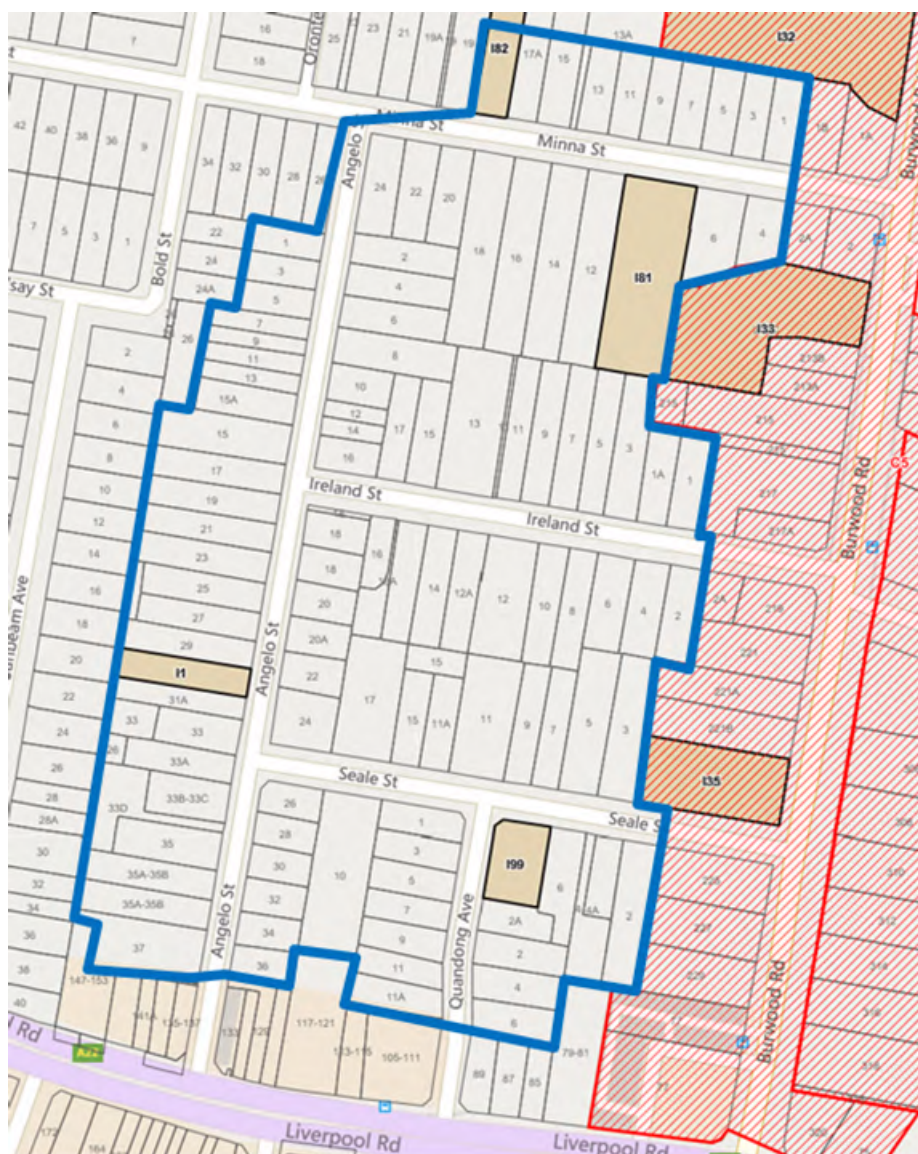


Figure 1 – Boundary of Investigation area

A preliminary heritage assessment of 108 properties has been undertaken by Council's Heritage Adviser. The survey was undertaken in December 2021 and consisted of physical street based inspections and later desktop aerial and historic aerial research.

Given the large area, a risk-based methodology to investigate heritage significance has been developed. This risk-based approach uses the NSW Heritage Council's Heritage Significance Criteria (*outlined in Assessing Heritage Significance, 2001*) as a guide, noting this report is not a full assessment of heritage significance.

The Heritage Significance Criteria are:

- a. an item is important in the course, or pattern, of Burwood's cultural or natural history
- b. an item has strong or special association with the life or works of a person, or group of persons, of importance in Burwood's cultural or natural history
- c. an item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in Burwood
- d. an item has strong or special association with a particular community or cultural group in Burwood for social, cultural or spiritual reasons

- e. an item has potential to yield information that will contribute to an understanding of Burwood's cultural or natural history
- f. an item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history
- g. an item is important in demonstrating the principal characteristics of a class of Burwood's cultural or natural places, or cultural or natural environments

In using the above criteria as a guide, the following **risk-based steps** have been used to identify the properties that either have potential heritage significance to a level of being an item of local heritage significance, or as being a contributory item within a HCA.

1. Is the property from an era which is broadly recognised within Burwood as having the potential for historic significance? E.g. Victorian, Federation or Inter-War.
2. Does the property have potential aesthetic characteristics which are broadly recognised within the Burwood LGA and does not include visible alterations which substantially reduce the significance of these characteristics?

It should be noted that the survey does not include any consideration of internal features, relying solely on the external street frontage.

A detailed Preliminary Heritage Assessment and Survey of the 108 properties against the criteria is included in Attachment 1.

Outcomes of Preliminary Heritage Assessment

Of the 108 properties (noting some allotments include more than one dwelling), there were:

- 42 properties (almost 40%) which did not meet the risk-based steps outlined above. No further assessment of these properties was undertaken as it was considered that they would have a negligible chance of having heritage significance.
- 5 properties that were already identified as heritage items (including No 11 Seale Street, Burwood)
- 55 properties (51%) are identified as meeting risk-based step 1 (being of an era or architectural style that is considered to be one that has significance within the LGA), and/or risk-based step 2, (one that has aesthetic qualities with minimal alterations/additions). The majority of these properties would likely meet the definition of a *contributory item* being a property which contributes positively to the heritage setting and character of the conservation area, based on its architectural style, character and/or time period (Burwood DCP).
- Six properties were identified as having heritage significance and a potential for further heritage investigation, with a view to potential heritage listing. The properties are:
 - 17 Seale Street
 - 6 Minna Street
 - 22 Minna Street
 - 2 Angelo Street
 - 4 Angelo Street
 - 17 Angelo Street

It is recommended that Council engage with the owners of these properties with a view to undertaking further investigations, including arranging access to the properties to undertake an internal inspection of the properties. This further assessment can be undertaken by Council's Heritage Adviser.

Where it is determined, after undertaking an internal inspection of the properties, that potential heritage significance remains, it is recommended that Council appoint an independent heritage consultant to undertake a detailed assessment of each of the properties.

A further report will be presented to Council once this work has been completed.

Potential for a Heritage Conservation Area

The preliminary heritage assessment survey indicated that although approximately 60% of properties within the investigation area have heritage significance, when assessed against the criteria, and would be contributory within the Heritage Conservation Area, they are scattered throughout the investigation area and would not form a cohesive streetscape of heritage or historic character.

Heritage Conservation Areas (HCA) are created based on a cohesive streetscape of heritage or historic character. Burwood has 21 HCAs which include substantial examples Inter-War dwellings (of varying forms), which make up the bulk of those dwellings identified as meeting 'contributory' status within the study area.

While there are some local historic development elements associated with Ireland and Seale Streets, this doesn't translate all that well to the existing housing stock. Noting that some dwellings in this area are considerably older than the majority, or have particular characteristics which set them apart – these dwellings (where intact) are included as heritage items or recommended as potential heritage items.

As this study area has a broad variety of housing stock from different periods, there are no substantial areas which include a strong cohesive continual historic streetscape – particularly when viewing both sides of the street.

On the basis of this, pursuing the creation of a HCA within the investigation area is not recommended as it would have the potential to undermine the community perception of heritage management within Burwood LGA

Consultation

No consultation was undertaken as part of this report.

Planning or Policy Implications

Potential identification of additional heritage items to be included in Schedule 5 of Burwood LEP 2012. This would require the preparation of a Planning Proposal.

Financial Implications

Following an internal inspection of the six identified properties, and where they are identified as having potential heritage significance, it is recommended that an independent heritage consultant be appointed to undertake a detailed heritage assessment which would inform the preparation of the Planning Proposal.

Each assessment will cost between \$4,000-5,000.

Conclusion

Six properties within the investigation area have been identified as having potential heritage significance, however further investigations are required, in particular an internal inspection of each property. Once these are undertaken and it is identified that heritage significance remains, then an independent heritage consultant be appointed to undertake a detailed review of each property.

Once these detailed independent reviews have been completed, a further report will be presented to Council

Recommendation(s)

1. That Council engage with the owners of the six properties identified in the body of the report and seek to arrange an internal inspection of the properties.
2. That following an internal inspection of the properties identified in (1) above, Council's Heritage Adviser make recommendations as to the suitability of the properties for a detailed assessment with a view to heritage listing.
3. Where it is recommended that a property has heritage significance and a potential for further heritage investigation, an independent heritage consultant be appointed to undertake a detailed heritage assessment of each property
4. That a further report be presented to Council following the completion of the review by the independent heritage consultant.
5. That Council's Heritage Adviser develop a program for conducting Potential Heritage Significance Surveys in other areas of the Burwood LGA to identify any potential heritage items or HCAs which are not currently listed in Schedule 5 of the Burwood LEP 2012.

Attachments

- 1 Attachment 1 - Preliminary Heritage Assessment - Seale Street, Ireland Street, Minna Street & Angelo Street Burwood

**Preliminary Heritage Assessment
Seale Street, Minna Street, Ireland Street & Angelo Street, Burwood**

A preliminary heritage assessment of all of the properties in the area identified in Figure 1 – Investigation Area below has been undertaken.

The aim of the preliminary heritage assessment was to identify any additional properties which may have heritage significance and should be protected as heritage items or within a Heritage Conservation Area in Burwood LEP 2012.

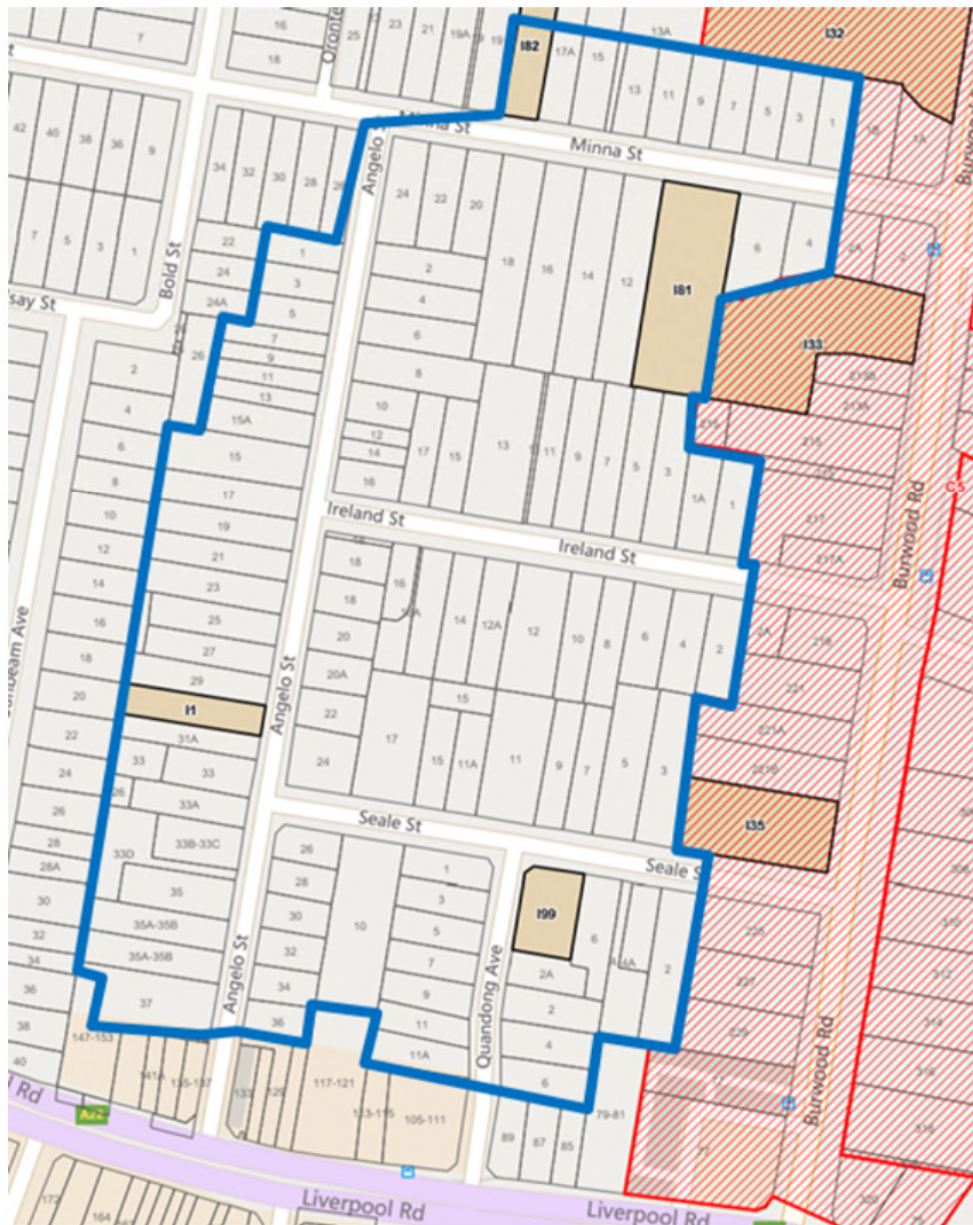


Figure 1 – Boundary of Investigation Area

Methodology and Limitations

This Preliminary Heritage Investigation covers 108 properties. The survey was undertaken on 17 December 2021 by Councils Heritage Advisor and consisted of physical street view inspection and later desktop aerial and desktop historic aerial research.

Given the large area, a risk-based methodology to investigate heritage significance has been developed. This risk-based approach uses the NSW Heritage Council's Heritage Significance Criteria (*outlined in Assessing Heritage Significance, 2001*) as a guide, noting this report is not a full assessment of heritage significance.

The Heritage Significance Criteria are:

- a. an item is important in the course, or pattern, of Burwood's cultural or natural history
- b. an item has strong or special association with the life or works of a person, or group of persons, of importance in Burwood's cultural or natural history
- c. an item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in Burwood
- d. an item has strong or special association with a particular community or cultural group in Burwood for social, cultural or spiritual reasons
- e. an item has potential to yield information that will contribute to an understanding of Burwood's cultural or natural history
- f. an item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history
- g. an item is important in demonstrating the principal characteristics of a class of Burwood's cultural or natural places, or cultural or natural environments

In using the above criteria as a guide, the following **risk-based steps** have been used to identify the properties that either have potential heritage significance to a level of being an item of local heritage significance, or as being a contributory item within a HCA.

1. Is the property from an era which is broadly recognised within Burwood as having the potential for historic significance? E.g. Victorian, Federation or Inter-War.
2. Does the property have potential aesthetic characteristics which are broadly recognised within the Burwood LGA and does not include visible alterations which substantially reduce the significance of these characteristics?
 - I. Where either of steps 1 or 2 are met, is the property a rare example of its type within the Burwood LGA?
 - II. Where either of steps 1 or 2 are met, is the property a representative example of its type?
 - III. Where either of steps 1 or 2 are met, would the property be considered contributory if a cohesive HCA overlay was in place? (The potential for new HCAs is further discussed after the assessment table.)

This risk-based approach seeks to strike a heritage balance by providing a preliminary cost

Attachment 1 - Preliminary Heritage Assessment - Seale Street, Ireland Street, Minna Street & Angelo Street Burwood

and time efficient method of identifying potential heritage items while acknowledging that the survey limitations. These limitations include:

- the survey does not include ANY consideration of:
 - **criterion B** (Associative significance),
 - **criterion D** (Social significance) or
 - **criterion E** (Research potential) of the NSW Heritage Criteria.

All these criteria require additional research which is time consuming and best performed within the context of a full heritage assessment. Mitigating this risk, it would be unusual that a residential dwelling which is unlikely to have the potential for aesthetic or historic significance would meet the threshold for heritage significance based solely **criteria B, D or E**.

This survey does not include any consideration of internal features - it relies solely on the external street frontage. Mitigating this risk, it would be unlikely that a property which does not have potential of aesthetic or historic significance as viewed from the street, to have internal features that would meet the threshold for heritage significance based on one of these criteria.

Assessment

Table 1 below, provides images and discussion on all dwellings which are not identified as heritage items or within a HCA which are in Seale Street, Ireland Street and Quandong Avenue.






Given the larger number of dwellings located in Angelo and Minna Streets, only those which have potential to have heritage significance (as an item or contributory item within a HCA) include images.

Table 1 – Survey Assessment

Address	Image	Discussion
Seale Street		
2 Seale		<ul style="list-style-type: none"> Meets Step 1. Meets Step 2. Does not meet sub-points I or ii (not representative or rare). Unlikely to meet threshold for individual heritage listing. Meets subpoint iii - could be considered contributory within a HCA.
3 Seale		The site does not meet Step 1 or Step 2.






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Address	Image	Discussion
4A Seale		<p>The site does not meet Step 1 or Step 2.</p>
5 Seale		<p>The site does not meet Step 1 or Step 2.</p>
6 Seale		<ul style="list-style-type: none"> • Meets Step 1. • Meets Step 2. • Does not meet sub-points I or ii (not representative or rare). • Unlikely to meet threshold for individual heritage listing. • Meets subpoint iii - could be considered contributory within a HCA.
7 Seale		<p>The site does not meet Step 1 or Step 2.</p>
8 Seale		<p>Existing heritage item</p>






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Address	Image	Discussion
9 Seale		<ul style="list-style-type: none"> • Meets Step 1. • Meets Step 2. • Does not meet sub-points I or ii (not representative or rare). • Unlikely to meet threshold for individual heritage listing. • Meets subpoint iii - could be considered contributory within a HCA.
10 Seale		<p>The site does not meet Step 1 or Step 2.</p>
11 Seale		<p>Draft heritage item</p>
11A Seale		<ul style="list-style-type: none"> • Meets Step 1. • Meets Step 2. • Does not meet sub-points I or ii (not representative or rare). • Unlikely to meet threshold for individual heritage listing. • Meets subpoint iii - could be considered contributory within a HCA.
15 Seale		<p>This site does meet Step 1 (Inter-war dwelling). However from streetscape appearances, it would not meet Step 2.</p> <p>It could be considered a contributory item within a HCA.</p>






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Address	Image	Discussion
17 Seale		<ul style="list-style-type: none"> • Meets Step 1. • Meets Step 2. • Meets subpoint ii (representative). • May meet threshold for heritage significance, pending thorough investigation including internal inspection. • Meets subpoint iii - could be considered contributory within a HCA.
Ireland Street		
1 Ireland		<ul style="list-style-type: none"> • Meets Step 1. • Meets Step 2. • Does not meet sub-points I or ii (not representative or rare). • Unlikely to meet threshold for individual heritage listing. • Meets subpoint iii - could be considered contributory within a HCA.
1A Ireland		<ul style="list-style-type: none"> • Meets Step 1. • Meets Step 2. • Does not meet sub-points I or ii (not representative or rare). • Unlikely to meet threshold for individual heritage listing. • Meets subpoint iii - could be considered contributory within a HCA.
2 Ireland		<ul style="list-style-type: none"> • Meets Step 1, does not meet Step 2.
3 Ireland		<ul style="list-style-type: none"> • Meets Step 1. • Meets Step 2. • Does not meet sub-points I or ii (not representative or rare). • Unlikely to meet threshold for individual heritage listing. • Meets subpoint iii - could be considered contributory within a HCA.






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Address	Image	Discussion
4 Ireland		<ul style="list-style-type: none"> • Meets Step 1. • Meets Step 2. • Does not meet sub-points I or ii (not representative or rare). • Unlikely to meet threshold for individual heritage listing. • Meets subpoint iii - could be considered contributory within a HCA.
5 Ireland		<ul style="list-style-type: none"> • Meets Step 1. • Meets Step 2. • Does not meet sub-points I or ii (not representative or rare). • Unlikely to meet threshold for individual heritage listing. • Meets subpoint iii - could be considered contributory within a HCA.
6 Ireland		<ul style="list-style-type: none"> • Meets Step 1. • Meets Step 2. • Does not meet sub-points I or ii (not representative or rare). • Unlikely to meet threshold for individual heritage listing. • Meets subpoint iii - could be considered contributory within a HCA.
7 Ireland		<ul style="list-style-type: none"> • This site does meet Step 1. This site Meets Step 1. • Meets Step 2. • Does not meet sub-points I or ii (not representative or rare). • Unlikely to meet threshold for individual heritage listing. • Meets subpoint iii - could be considered contributory within a HCA.
8 Ireland		<p>The site does not meet Step 1 or Step 2.</p>






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Address	Image	Discussion
9 Ireland		<p>The site does not meet Step 1 or Step 2.</p>
10 Ireland		<ul style="list-style-type: none"> • Meets Step 1. • Meets Step 2. • Does not meet sub-points I or ii (not representative or rare). • Unlikely to meet threshold for individual heritage listing. • Meets subpoint iii - could be considered contributory within a HCA.
11 Ireland		<ul style="list-style-type: none"> • Meets Step 1. • Meets Step 2. • Does not meet sub-points I or ii (not representative or rare). • Unlikely to meet threshold for individual heritage listing. • Meets subpoint iii - could be considered contributory within a HCA.
12 Ireland		<p>The site does not meet Step 1 or Step 2.</p>
12A Ireland		<p>The site does not meet Step 1 or Step 2.</p>






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Address	Image	Discussion
13 Ireland		<p>The site does not meet Step 1 or Step 2.</p>
14 Ireland		<p>The site does not meet Step 1 or Step 2.</p>
15 Ireland		<ul style="list-style-type: none"> • This site does meet Step 1 (Inter-Meets Step 1. • Meets Step 2. • Does not meet sub-points I or ii (not representative or rare). • Unlikely to meet threshold for individual heritage listing. • Meets subpoint iii - could be considered contributory within a HCA.
16 Ireland		<p>The site does not meet Step 1 or Step 2.</p>
16 A Ireland		<p>The site does not meet Step 1 or Step 2.</p>






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Address	Image	Discussion
17 Ireland		<ul style="list-style-type: none"> • Meets Step 1. • Meets Step 2. • Does not meet sub-points I or ii (not representative or rare). • Unlikely to meet threshold for individual heritage listing. • Meets subpoint iii - could be considered contributory within a HCA.
18 Ireland		<ul style="list-style-type: none"> • Meets Step 1. • Meets Step 2. • Does not meet sub-points I or ii (not representative or rare). • Unlikely to meet threshold for individual heritage listing. • Meets subpoint iii - could be considered contributory within a HCA.
Quandong Ave		
1 Quandong		<ul style="list-style-type: none"> • Meets Step 1. • Meets Step 2. • Does not meet sub-points I or ii (not representative or rare). • Unlikely to meet threshold for individual heritage listing. • Meets subpoint iii - could be considered contributory within a HCA.
2A Quandong		<p>The site does not meet Step 1 or Step 2.</p>
2 Quandong		<ul style="list-style-type: none"> • Meets Step 1. • Meets Step 2. • Does not meet sub-points I or ii (not representative or rare). • Unlikely to meet threshold for individual heritage listing. • Meets subpoint iii - could be considered contributory within a HCA.






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Address	Image	Discussion
3 Quandong		<ul style="list-style-type: none"> • Meets Step 1. • Meets Step 2. • Does not meet sub-points I or ii (not representative or rare). • Unlikely to meet threshold for individual heritage listing. • Meets subpoint iii - could be considered contributory within a HCA.
4 Quandong		<p>The site does not meet Step 1 or Step 2.</p>
5 Quandong		<p>The site does not meet Step 1 or Step 2.</p>
6 Quandong		<ul style="list-style-type: none"> • Meets Step 1. • Meets Step 2. • Does not meet sub-points I or ii (not representative or rare). • Unlikely to meet threshold for individual heritage listing. • Meets subpoint iii - could be considered contributory within a HCA.
7 Quandong		<p>The site does not meet Step 1 or Step 2.</p>




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Address	Image	Discussion
9 Quandong		The site does not meet Step 1 or Step 2.
11 Quandong		The site does not meet Step 1 or Step 2.
11A Quandong		The site does not meet Step 1 or Step 2.
Angelo Street		
1 Angelo		<ul style="list-style-type: none"> • Meets Step 1. • Meets Step 2. • Does not meet sub-points I or ii (not representative or rare). • Unlikely to meet threshold for individual heritage listing. • Meets subpoint iii - could be considered contributory within a HCA.
2 Angelo		<ul style="list-style-type: none"> • Meets Step 1. • Meets Step 2. • Meets subpoint ii (representative). • May meet threshold for heritage significance, pending thorough investigation including internal inspection. • Meets subpoint iii - could be considered contributory within a HCA.






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Address	Image	Discussion
3 Angelo		<ul style="list-style-type: none"> • Meets Step 1. • Meets Step 2. • Does not meet sub-points I or ii (not representative or rare). • Unlikely to meet threshold for individual heritage listing. • Meets subpoint iii - could be considered contributory within a HCA.
4 Angelo		<ul style="list-style-type: none"> • Meets Step 1. • Meets Step 2. • Meets subpoint ii (representative). • May meet threshold for heritage significance, pending thorough investigation including internal inspection. • Meets subpoint iii - could be considered contributory within a HCA.
5 Angelo		<ul style="list-style-type: none"> • Meets Step 1. • Does not meet Step 2 – unsympathetic alterations. • Does not meet sub-points i or ii. • Unlikely to meet threshold for individual heritage listing. • Meets subpoint iii - could be considered contributory within a HCA.
6 Angelo		<ul style="list-style-type: none"> • Does not meet Step 1 or Step 2.






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Address	Image	Discussion
7 Angelo		<ul style="list-style-type: none"> • Meets Step 1. • Meets Step 2. • Does not meet sub-points I or ii (not representative or rare). • Unlikely to meet threshold for individual heritage listing. • Meets subpoint iii - could be considered contributory within a HCA.
8 Angelo		<p>Does not meet Step 1 or Step 2.</p>
9 Angelo		<ul style="list-style-type: none"> • Meets Step 1. • Meets Step 2. • Does not meet sub-points I or ii (not representative or rare). • Unlikely to meet threshold for individual heritage listing. • Meets subpoint iii - could be considered contributory within a HCA.
10 Angelo		<p>Does not meet Step 1 or Step 2, however front original portion could be considered contributory within a HCA.</p>
11 Angelo		<ul style="list-style-type: none"> • Meets Step 1. • Meets Step 2. • Does not meet sub-points I or ii (not representative or rare). • Unlikely to meet threshold for individual heritage listing. • Meets subpoint iii - could be considered contributory within a HCA.





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Attachment 1 - Preliminary Heritage Assessment - Seale Street, Ireland Street, Minna Street & Angelo Street Burwood

Address	Image	Discussion
12 Angelo		<p>The site does not meet Step 1 or Step 2.</p>
13 Angelo		<ul style="list-style-type: none"> • Meets Step 1. • Meets Step 2. • Does not meet sub-points I or ii (not representative or rare). • Unlikely to meet threshold for individual heritage listing. • Meets subpoint iii - could be considered contributory within a HCA.
14 Angelo		<p>The site does not meet Step 1 or Step 2.</p>
15 Angelo		<ul style="list-style-type: none"> • Meets Step 1. • Meets Step 2. • Does not meet sub-points I or ii (not representative or rare). • Unlikely to meet threshold for individual heritage listing. • Meets subpoint iii - could be considered contributory within a HCA.
15A Angelo		<ul style="list-style-type: none"> • Meets Step 1. • Front portion of dwelling meets Step 2. Noting it does have an unsympathetic addition (scale, form, height). • Does not meet subpoints I or iii. • Unlikely to meet threshold for individual heritage listing. • Partially meets subpoint iii - could be considered contributory within a HCA.






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Address	Image	Discussion
16 Angelo		<ul style="list-style-type: none"> Does not meet Step 1 or Step 2.
17 Angelo		<ul style="list-style-type: none"> Meets Step 1. Meets Step 2. Meets subpoint I (Victorian Villa) although appears to have had alterations c.1920s/30s which have altered its Victorian façade. Unlikely to meet threshold for heritage significance, pending thorough investigation including internal inspection. Meets subpoint iii - could be considered contributory within a HCA.
18 Angelo		<ul style="list-style-type: none"> Meets Step 1. Meets Step 2. Does not meet sub-points I or ii (not representative or rare). Unlikely to meet threshold for individual heritage listing. Meets subpoint iii - could be considered contributory within a HCA.
19 Angelo		<ul style="list-style-type: none"> Does not meet Step 1 or Step 2.





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Address	Image	Discussion
20 Angelo		<ul style="list-style-type: none"> • Meets Step 1. • Meets Step 2. • Does not meet sub-points I or ii (not representative or rare). • Unlikely to meet threshold for individual heritage listing. • Meets subpoint iii - could be considered contributory within a HCA.
20A Angelo		Does not meet Step 1 or Step 2.
21 Angelo		<ul style="list-style-type: none"> • Meets Step 1. • Meets Step 2. • Does not meet sub-points I or ii (not representative or rare). • Unlikely to meet threshold for individual heritage listing. • Meets subpoint iii - could be considered contributory within a HCA.
22 Angelo		Does not meet Step 1 or Step 2.
23 Angelo		<ul style="list-style-type: none"> • Meets Step 1. • Meets Step 2. • Does not meet sub-points I or ii (not representative or rare). • Unlikely to meet threshold for individual heritage listing. • Meets subpoint iii - could be considered contributory within a HCA.





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Attachment 1 - Preliminary Heritage Assessment - Seale Street, Ireland Street, Minna Street & Angelo Street Burwood

Address	Image	Discussion
24 Angelo		Does not meet Step 1 or Step 2 (faux heritage).
25 Angelo		<ul style="list-style-type: none"> • Meets Step 1. • Meets Step 2. • Does not meet sub-points I or ii (not representative or rare). • Unlikely to meet threshold for individual heritage listing. • Meets subpoint iii - could be considered contributory within a HCA.
26 Angelo		<ul style="list-style-type: none"> • Meets Step 1 • Meets Step 2 • May meet subpoints i/ii as a cohesive bungalow group listing. However, given the large number of bungalows within HCAs in the LGA. It is not recommended to pursue heritage investigations based on Representative Significance • Meets subpoint iii – could be considered contributory within a HCA.
27 Angelo		<ul style="list-style-type: none"> • Meets Step 1. • Meets Step 2. • Does not meet sub-points I or ii (not representative or rare). • Unlikely to meet threshold for individual heritage listing. • Meets subpoint iii - could be considered contributory within a HCA.




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Attachment 1 - Preliminary Heritage Assessment - Seale Street, Ireland Street, Minna Street & Angelo Street Burwood

Address	Image	Discussion
28 Angelo		<ul style="list-style-type: none"> • Meets Step 1 • Meets Step 2 • May meet subpoints i/ii as a cohesive bungalow group listing. However, given the large number of bungalows within HCAs in the LGA. It is not recommended to pursue heritage investigations based on Representative Significance • Meets subpoint iii – could be considered contributory within a HCA.
29 Angelo		<ul style="list-style-type: none"> • Meets Step 1. • Meets Step 2. • Does not meet sub-points I or ii (not representative or rare). • Unlikely to meet threshold for individual heritage listing. • Meets subpoint iii - could be considered contributory within a HCA.
30 Angelo		<ul style="list-style-type: none"> • Meets Step 1 • Meets Step 2 • May meet subpoints i/ii as a cohesive bungalow group listing. However, given the large number of bungalows within HCAs in the LGA. It is not recommended to pursue heritage investigations based on Representative Significance • Meets subpoint iii – could be considered contributory within a HCA.
31 Angelo		<ul style="list-style-type: none"> • Existing heritage item





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Address	Image	Discussion
31A Angelo		Does not meet Step 1 or Step 2.
32 Angelo		<ul style="list-style-type: none"> • Meets Step 1 • Meets Step 2 • May meet subpoints i/ii as a cohesive bungalow group listing. However, given the large number of bungalows within HCAs in the LGA. It is not recommended to pursue heritage investigations based on Representative Significance • Meets subpoint iii – could be considered contributory within a HCA.
33 Angelo		<ul style="list-style-type: none"> • Meets Step 1. • Meets Step 2. • Meets subpoint I (Victorian Villa) although appears to have had substantial unsympathetic alterations to the rear which have likely also altered the original interiors and layout. • Unlikely to meet threshold for heritage significance, pending thorough investigation including internal inspection. • Meets subpoint iii - could be considered contributory within a HCA.






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Address	Image	Discussion
33A Angelo		Does not meet Step 1 or Step 2.
33B-C Angelo		<ul style="list-style-type: none"> • Meets Step 1 • Meets Step 2 • May meet subpoints i/ii as a cohesive bungalow group listing. • Meets subpoint iii – could be considered contributory within a HCA.
34 Angelo		<ul style="list-style-type: none"> • Meets Step 1 • Meets Step 2 • May meet subpoints i/ii as a cohesive bungalow group listing. However, given the large number of bungalows within HCAs in the LGA. It is not recommended to pursue heritage investigations based on Representative Significance. • Meets subpoint iii – could be considered contributory within a HCA.
35 Angelo		Does not meet Step 1 or Step 2.






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Address	Image	Discussion
35 A-B Angelo		Does not meet Step 1 or Step 2.
36 Angelo		<ul style="list-style-type: none"> • Meets Step 1. • Meets Step 2. • Does not meet sub-points I or ii (not representative or rare). • Unlikely to meet threshold for individual heritage listing. • Meets subpoint iii - could be considered contributory within a HCA.
37 Angelo		Does not meet Step 1 or Step 2.
Minna Street		
1 Minna		<ul style="list-style-type: none"> • Meets Step 1. • Meets Step 2. • Does not meet sub-points I or ii (not representative or rare). • Unlikely to meet threshold for individual heritage listing. • Meets subpoint iii - could be considered contributory within a HCA.
3 Minna		<ul style="list-style-type: none"> • Meets Step 1. • Meets Step 2. • Does not meet sub-points I or ii (not representative or rare). • Unlikely to meet threshold for individual heritage listing. • Meets subpoint iii - could be considered contributory within a HCA.





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Address	Image	Discussion
4 Minna		<ul style="list-style-type: none"> Does not meet Step 1 or Step 2.
5 Minna		<ul style="list-style-type: none"> Meets Step 1. Does not meet Step 2 – unsympathetic alterations. Does not meet sub-points i or ii. Unlikely to meet threshold for individual heritage listing. Meets subpoint iii - could be considered contributory within a HCA.
6 Minna		<ul style="list-style-type: none"> Meets Step 1 (Inter-war bungalow) Meets Step 2. Likely meets subpoint ii. May meet threshold for heritage significance, pending thorough investigation including internal inspection. Meets subpoint iii - could be considered contributory within a HCA.
7 Minna		<ul style="list-style-type: none"> Meets Step 1. Meets Step 2. Does not meet sub-points I or ii (not representative or rare). Unlikely to meet threshold for individual heritage listing. Meets subpoint iii - could be considered contributory within a HCA.
8(-10) Minna		<ul style="list-style-type: none"> Existing heritage item





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Address	Image	Discussion
9 Minna		<ul style="list-style-type: none"> • Meets Step 1. • Meets Step 1. • Meets Step 2. • Does not meet sub-points I or ii (not representative or rare). • Unlikely to meet threshold for individual heritage listing. • Meets subpoint iii - could be considered contributory within a HCA.
11 Minna		<ul style="list-style-type: none"> • Meets Step 1. • Meets Step 2. • Does not meet sub-points I or ii (not representative or rare). • Unlikely to meet threshold for individual heritage listing. • Meets subpoint iii - could be considered contributory within a HCA.
12 Minna		<ul style="list-style-type: none"> • Vacant allotment.
13 Minna		<ul style="list-style-type: none"> • Does not meet Step 1 or Step 2.
14 Minna		<ul style="list-style-type: none"> • Does not meet Step 1 or Step 2 – noting this dwelling incorporates a faux heritage style. Aerial images confirm it was constructed c.1998.





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Address	Image	Discussion
15 Minna		<ul style="list-style-type: none"> • Meets Step 1. • Meets Step 2, however contains large rear addition, which appears to have removed half the original dwelling. • Does not meet sub-points I or ii. • Unlikely to meet threshold for individual heritage listing. • <i>May</i> meet subpoint iii - could be considered contributory within a HCA.
16 Minna		<ul style="list-style-type: none"> • Meets Step 1. • Meets Step 2. • Does not meet sub-points I or ii (not representative or rare). • Unlikely to meet threshold for individual heritage listing. • Meets subpoint iii - could be considered contributory within a HCA.
17 Minna		<ul style="list-style-type: none"> • Existing heritage item
17A Minna		<ul style="list-style-type: none"> • Does not meet Step 1 – noting this dwelling incorporates a faux heritage style. Aerial images confirm it was constructed c.1998.

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Address	Image	Discussion
18 Minna		<ul style="list-style-type: none"> Does not meet Step 1 or Step 2.
20 Minna		<ul style="list-style-type: none"> Meets Step 1. Meets Step 2. Does not meet sub-points I or ii (not representative or rare). Unlikely to meet threshold for individual heritage listing. Meets subpoint iii - could be considered contributory within a HCA.
22 Minna		<ul style="list-style-type: none"> Meets Step 1 (Inter-war bungalow) Meets Step 2. Likely meets subpoint ii. May meet threshold for heritage significance, pending thorough investigation including internal inspection. Meets subpoint iii - could be considered contributory within a HCA.
24 Minna		<ul style="list-style-type: none"> Meets Step 1. Front portion of dwelling meets Step 2. Noting it does have a large rear addition, which is somewhat sympathetic, although would not be approved in its current form in a HCA today. Does not meet subpoints I or ii. Unlikely to meet threshold for individual heritage listing. Partially meets subpoint iii - could be considered contributory within a HCA.

Summary of Results

Out of the 108 properties (noting some allotments include more than one dwelling), there were 42 properties (almost 40%) which did not meet the requirements of the risk based step criteria outlined above - they would have a negligible chance of heritage significance or have heritage significance.

5 properties which are already identified as heritage items, including the draft heritage item at No 11 Seale Street, Burwood, which is the subject of a Planning Proposal to have listed in Schedule 5 of Burwood LEP 2012.

55 properties (51%) are identified as meeting risk based step criteria 1 - being of an era or architectural style that is considered to be one that has significance within the LGA, and/or risk based step criteria 2 - one that has aesthetic qualities with minimal alterations/additions. The majority of these properties would likely meet the definition of a *contributory item* being a property which contributes positively to the heritage setting and character of the conservation area, based on its architectural style, character and/or time period (Burwood DCP).

6 properties were identified as having heritage significance and a potential for further heritage investigation, with a view to potential heritage listing. The properties are:

- 17 Seale Street
- 6 Minna Street
- 22 Minna Street
- 2 Angelo Street
- 4 Angelo Street
- 17 Angelo Street

Heritage Conservation Area Discussion

The preliminary heritage assessment survey indicated that although approximately 60% of properties within the investigation area have heritage significance, when assessed against the criteria, and would be contributory within the Heritage Conservation Area, they are scattered throughout the investigation area and would not form a cohesive streetscape of heritage or historic character.

Heritage Conservation Areas (HCA) are created based on a cohesive streetscape of heritage or historic character. Burwood has 21 HCAs which include substantial examples Inter-War dwellings (of varying forms), which make up the bulk of those dwellings identified as meeting 'contributory' status within the study area.

While there are some local historic development elements associated with Ireland and Seale Streets, this doesn't translate all that well to the existing housing stock. Noting that some dwellings in this area are considerably older than the majority, or have particular characteristics which set them apart – these dwellings (where intact) are included as heritage items or recommended as potential heritage items.

As this study area has a broad variety of housing stock from different periods, there are no substantial areas which include a strong cohesive continual historic streetscape – particularly when viewing both sides of the street.

The results above indicated that within the study area approx. 60% of properties either have heritage significance, have the higher potential for heritage significance, or would be contributory within a HCA, while 40% do not.

The creation of a HCA would not necessarily impact heavily on the buildings not identified as having historic character, however future introduction of more contemporary development on these allotments would be likely to further deplete the historic character of these areas. This has the potential to undermine the community perception of heritage management within Burwood LGA and set 'precedents' for other, more intact HCAs.

Based on the outcomes of the preliminary heritage assessment, it is not recommended that additional HCAs in the study area are pursued at this time.

(ITEM 54/22) DRAFT INTEGRATED PLANNING AND REPORTING DOCUMENTS - ADOPTION

File No: 22/22502

REPORT BY DIRECTOR COMMUNITY LIFE

Summary

At the Ordinary Meeting of Council held on 26 April 2022, Council resolved to place its Draft Integrated Planning and Reporting (IP&R) documents on public exhibition for a period of 28 days for feedback from the community. Now that the public exhibition period has concluded, this report seeks Council's adoption of the:

- *Draft Community Strategic Plan – Burwood 2036;*
- *Draft Delivery Program 2022-2026 and Draft Operational Plan 2022-2023;*
- *Draft Fees & Charges 2022-2023; and*
- *Draft Resourcing Strategy 2022-2032, encompassing the Draft Long Term Financial Plan 2022-2032, Draft Asset Management Strategy 2022-2032 and Strategic Asset Management Plan, Draft Workforce Management Plan 2022-2026 and the Draft Digital Strategy 2022-2026.*

Operational Plan Objective

2.1.3 Ensure transparency and accountability in decision making.

Background

In accordance with the *Local Government Act (1993)*, IP&R is a framework that each Council in NSW must implement to ensure long term planning for the area is based on community aspirations, priorities and needs along with sound data and information. The framework requires Council to have in place a cascading set of plans for the community and Council that translates community aspirations and priorities into action.

Every council must review and adopt their Community Strategic Plan before 30 June in the year following an ordinary election of Council. In line with this requirement, Council commenced the review of its IP&R documents in 2021 in preparation for the newly elected Council. The review process involved extensive community engagement and significant service and financial planning, the details of which were reported to the Ordinary Meeting of Council held on 26 April 2022 along with the draft documents for endorsement for public exhibition.

Proposal

The *Draft Community Strategic Plan – Burwood 2036, Draft Delivery Program 2022-2026, Draft Operational Plan 2022-2023, Draft Fees & Charges 2022-2023 and Draft Long Term Financial Plan 2022- 2032* were placed on public exhibition for a period of 28 days from Thursday 28 April 2022 to Wednesday 25 May 2022.

Four submissions were received during the public exhibition period. Key points outlined in each submission and Council's responses are summarised in the following table:

Key Points of Submission	Council Response
Greater emphasis on the provision of open space is necessary. This should be one of the top priorities for Council. Burwood LGA is becoming increasingly dense and Council needs to ensure provision of	There is a significant emphasis on green and open space in the Draft Community Strategic Plan (including a total of 16 references and specific measures to increase the number and size of

Key Points of Submission	Council Response
<p>open space and other key services keeps up with anticipated growth for the area.</p> <p>Burwood needs to ensure affordable housing opportunities are genuine and should consider a levy or other forms of inclusionary zoning to achieve affordable housing outcomes. Affordable housing should not be left solely to the private market.</p>	<p>green and open spaces) and the Draft Delivery Program and Operational Plan (including a total of 26 references to this Council priority across community outcome areas, strategies, action items and targets).</p> <p>Feedback regarding affordable housing opportunities is consistent with principal activities and action items noted in the Draft Delivery Program and Operational Plan, namely: P.14 Facilitate the expansion of social, community and affordable housing through proactive policies and collaboration (page 36); and A.39 Develop an Affordable Housing Policy (page 37).</p> <p>Given the above existing inclusions, no changes are recommended to the draft documents.</p>
<p>A greater distribution of photos is needed across the documents beyond Burwood Town Centre and there should be less photos of the Mayor.</p> <p>In the Challenges section on page 10 of the Community Strategic Plan it states that in less than 14 years the LGA's population will double. Additional strategies and community outcomes are required in each direction with more creative solutions.</p> <p>Council needs to actively seek out grants rather than rely on developer contributions.</p> <p>The Delivery Program's City Shaping projects seem to rely on NSW Government initiatives or developer contributions. Include other projects to better connect Croydon Park and Enfield.</p>	<p>The Draft Community Strategic Plan incorporates 40% of photos outside the Burwood Town Centre and the Draft Delivery Program and Operational Plan incorporates 30% of photos outside the Burwood Town Centre. A greater distribution of photos beyond the Burwood Town Centre has been included within the Resourcing Strategy, including images of Enfield, Croydon, Croydon Park and Strathfield to address this feedback.</p> <p>There are an appropriate number of photos of the Mayor in the documents. The Mayor, as the spokesperson for the Council, is the public face of the integrated planning and reporting process. The Mayor is also responsible for explaining the purpose of the Community Strategic Plan to the community. This is consistent with the Integrated Planning and Reporting Handbook for Local Government in NSW released by the Office of Local Government in September 2021.</p> <p>In relation to the inclusion of more creative solutions no specific suggestions were made. Council will continue to develop new projects and action items on an annual basis as part of its integrated planning and reporting process.</p> <p>The Draft Delivery Program and Operational Plan notes that 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 and Council has a solid track record in securing a range of grants for priority projects across all areas of the organisation. In addition, actively pursuing West Invest grant funding is noted as a key 'city shaping' priority on page 20. Action item A.122 also notes 'seek funding opportunities that address Council and community needs' as an action item (page 65).</p> <p>Under the priorities for the next 12 months, key projects noted on page 18 include Grant Park Inclusive Playground (in Enfield), Flockhart Park Playground (in Croydon Park), Martin Reserve</p>

Key Points of Submission	Council Response
	Upgrade (in Croydon Park) and ongoing improvement and expansion of the Enfield Aquatic Centre (in Enfield). Subsequently, no changes to the draft documents have been recommended.
<p>A submission from the NSW Cancer Institute highlighted the need for Council to reduce skin cancer and improve access to adequate shade in the Burwood LGA. The submission highlighted the importance of well-designed shade for the prevention of skin cancer and offered specific comments and suggestions regarding the Draft Community Strategic Plan and the Draft Delivery Program.</p> <p>In addition, the submission provided further information and contacts to assist Council in budgeting, planning, designing and constructing good quality shade.</p>	<p>In response to the submission additional references to shade have been included in the updated draft documents as follows:</p> <p>Community Strategic Plan: 2.3 Public and open spaces are high quality, welcoming, accessible, shaded, enjoyable places seamlessly connected with their surroundings (page 25).</p> <p>3.1.1 Maintain and increase green spaces, the urban tree canopy, natural shade and enhance biodiversity corridors (page 27).</p> <p>Delivery Program: C.5 Public and open spaces are high quality, welcoming, accessible, shaded, enjoyable places seamlessly connected with their surroundings (page 40).</p> <p>C.6.1 Maintain and increase green spaces, the urban tree canopy, natural shade and enhance biodiversity corridors (page 44).</p>
<p>A submission from the Cancer Council of NSW also outlined the importance of shade in helping to protect the community from over-exposure to UV radiation.</p> <p>The submission made specific suggestions for inclusion of shade and UV radiation issues in Council's Draft Community Strategic Plan, which included the following key points:</p> <ul style="list-style-type: none"> • Ensure the value of shade for UV radiation protection and other co-benefits are fully recognised and acknowledge that there is currently a lack of quality shade in public spaces. • Recognise that quality shade is an asset that is critical to ensuring the health, comfort and well-being of your community. • The commitment to plan and budget properly in advance for built and natural shade in public spaces including playgrounds, parks, recreation and sporting facilities, active travel networks and town centres. 	<p>As per the above, in response to the submission additional references to shade have been included in the updated draft documents as follows:</p> <p>Community Strategic Plan: 2.3 Public and open spaces are high quality, welcoming, accessible, shaded, enjoyable places seamlessly connected with their surroundings (page 25).</p> <p>3.1.1 Maintain and increase green spaces, the urban tree canopy, natural shade and enhance biodiversity corridors (page 27).</p> <p>Delivery Program: C.5 Public and open spaces are high quality, welcoming, accessible, shaded, enjoyable places seamlessly connected with their surroundings (page 40).</p> <p>C.6.1 Maintain and increase green spaces, the urban tree canopy, natural shade and enhance biodiversity corridors (page 44).</p>

Council has responded to each submission writer, providing them with a written response to their feedback and noting the amendments made to the draft documents prior to Council's consideration for adoption. In addition to the above amendments, Council has also made minor amendments to the *Draft Statement of Revenue Policy 2022 – 2023* based on new strata data received during the public exhibition period.

The full suite of Draft IP&R documents are included under Attachments 1 to 4 of this report and are recommended for adoption by Council.

It should be noted that with the exception of the *Draft Long Term Financial Plan 2022-2032*, other elements of the *Draft Resourcing Strategy 2022-2032*, namely the *Draft Asset Management Strategy 2022-2032*, *Draft Workforce Management Plan 2022-2026* and *Draft Digital Strategy 2022-2026* were not required to undergo the public exhibition process. These additional documents are now enclosed under Attachment 4 for Council's consideration and adoption as part of the full suite of IP&R documents.

Consultation

The *Draft Community Strategic Plan – Burwood 2036*, *Draft Delivery Program 2022-2026*, *Draft Operational Plan 2022-2023*, *Draft Fees & Charges 2022-2023* and *Draft Long Term Financial Plan 2022- 2032* were placed on public exhibition for a period of 28 days from Thursday 28 April 2022 to Wednesday 25 May 2022.

During the public exhibition period the documents were made available to the community for comment via Council's online engagement platform – Participate Burwood. There was a total of 369 views of the project page by a total of 255 unique visitors. Two submissions were received via Participate Burwood and two submissions were emailed to Council during the period.

In addition, Council offered two in person drop-in sessions on Tuesday 17 May 2022 from 11am to 12pm and Wednesday 18 May 2022 from 6pm – 7pm in the Burwood Library for members of the community to obtain further information, ask questions and provide additional feedback on the draft documents. Council also utilised its social media and e-news channels to promote the public exhibition period.

The draft documents were also presented to the Audit, Risk and Improvement Committee (ARIC) at its meeting held on Tuesday 17 May 2022. The ARIC commended Council on improvements made to the documents and the rigorous research, planning and community engagement processes that had been undertaken by Council to address the recommendations of the 2020 independent audit of IP&R.

Planning or Policy Implications

The requirements for IP&R are set out in the *Local Government Act 1993* (the Act) and the *Local Government (General) Regulation 2021* (the Regulation).

The Integrated Planning and Reporting (IP&R) Guidelines issued by the Office of Local Government were last updated in September 2021 to reflect legislative changes enacted through the *Local Government Amendment (Governance and Planning) Act 2016*. These Guidelines explain what councils must do to ensure they comply with their planning and reporting requirements set out in the Act and have been utilised by Council to develop the Draft IP&R documents included under Attachments 1 to 4 of this report.

The revised *Draft Community Strategic Plan – Burwood 2036* along with the *Draft Delivery Program 2022-26* and *Operational Plan 2022-23* form the primary policy documents of Council. These documents set out the long term community vision, strategic directions, strategies, principal activities, actions and targets that Council commits to delivering over their respective timeframes. Changes to these documents by way of addition or deletion of activities can only be made via Council resolution and all other plans of Council must link to the IP&R framework and associated documents.

Progress on these important plans will be reported to Council and the community through Council's reporting framework consisting of the *State of the City Report* detailing performance against the Community Strategic Plan and Delivery Program; and six monthly and annual reports on the Operational Plan, clearly outlining to the community the extent to which Council is delivering on its integrated plans.

Financial Implications

In accordance with the *Integrated Planning and Reporting Guidelines for Local Government in NSW (2021)*, the Draft Long-Term Financial Plan must be used to inform decision making during the preparation and finalisation of the Community Strategic Plan and the development of the Delivery Program. In preparing the *Draft Long-Term Financial Plan 2022 - 2032*, *Draft Budget 2022/23*, *Statement of Revenue Policy* and *Draft Fees and Charges 2022/23*, due regard has been given to promoting the financial sustainability of Council.

Conclusion

The *Draft Community Strategic Plan – Burwood 2036* and the associated draft IP&R documents included with this report have been revised and significantly updated to reflect the current vision, aspirations and priorities of the community following a period of extensive review and community engagement. Minor amendments have been made to the documents as a result of four submissions received during the public exhibition period. Together the documents will form the primary corporate planning and policy documents of Council and set out the long term strategic directions, strategies, principal activities, actions and targets that Council commits to delivering over their respective timeframes.

This report now recommends that Council adopt the full suite of Draft IP&R documents included under Attachments 1 to 4, following the conclusion of the public exhibition period.

Recommendations

1. That Council adopt the *Draft Community Strategic Plan – Burwood 2036* included under Attachment 1.
2. That Council adopt the *Draft Delivery Program 2022-2026* and *Draft Operational Plan 2022-2023*, incorporating the *Draft Budget 2022-2023* and *Draft Statement of Revenue Policy 2022-2023* included under Attachment 2.
3. That Council adopt the *Draft Schedule of Fees and Charges 2022-2023* included under Attachment 3.
4. That Council adopt the *Draft Resourcing Strategy 2022 – 2032* included under Attachment 4.
5. That Council levy two ordinary rates, being “Residential” and “Business”.
6. That the “Residential” rate be sub-categorised into:
 - a. Residential
 - b. Residential – Town Centre.
7. That the “Business” rate be sub-categorised into:
 - a. Business A
 - b. Business B
 - c. Business C
 - d. Business D
 - e. 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 0.00155387 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 \$1,111.17;

- b. An Ordinary Rate (Residential–Town Centre) of 0.00079304 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 \$1,417.03;
 - c. An Ordinary Rate (Business A) of 0.00218363 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 \$1,215.12;
 - d. An Ordinary Rate (Business B) of 0.00314901 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 \$1,215.12;
 - e. An Ordinary Rate (Business C) of 0.00403134 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 \$1,215.12;
 - f. An Ordinary Rate (Business D) of 0.00673615 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 \$1,554.45;
 - g. An Ordinary Rate (Town Centre–Minor Business) of 0.0025429 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 \$1,554.45;
 - 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 2022-2023 of \$434.75 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 2022-2023 Schedule of Fees and Charges document.
10. That Council note the Rate Yield for 2022-2023 with the Independent Pricing and Remuneration Tribunal (IPART) Special Rate Variation (SRV) increase of 4.5% and the rates shown in the following table:

2022-2023 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 \$	NOTIONAL YIELD \$
Ordinary	Residential	10,408*	0.00155387	4,402*	\$1,111.17	\$16,445,187
Ordinary	Business A	456*	0.00218363	145*	\$1,215.12	\$1,624,610
Ordinary	Business B	43	0.00314901	3	\$1,215.12	\$655,849
Ordinary	Business C	31	0.00403134	2	\$1,215.12	\$472,827
Ordinary	Business D	42	0.00673615	4	\$1,554.45	\$2,589,730
Ordinary	Residential Town Centre	3,731	0.00079304	3,682	\$1,417.03	\$5,413,228
Ordinary	Town Centre - Minor Business	434	0.0025429	227	\$1,554.45	\$1,659,853
Total		15,145		8,465		\$28,861,284

11. That the yield from the Residential Waste Management Service Availability Charges of \$6,815,091 be noted in the Statement of Revenue Policy 2022-2023.
12. That the yield from the Stormwater Management Service Charges of \$298,097 be noted and updated in the Statement of Revenue Policy 2022-2023.
13. That the yield for the Section 611 Charges (Gas Mains Assessment) be noted as approximately \$26,000.
14. That for the 2022-2023 rating year the additional pensioner rebate will be \$125 in addition to any other pensioner rates concession granted to a rates assessment of an eligible pensioner.
15. That Council adopt the maximum rate of interest payable on overdue rates and charges as determined by the Minister being 6% p.a.
16. That the General Manager levy the rates and charges for the period 1 July 2022 to 30 June 2023 by service of the rates and charges notices pursuant to the *Local Government Act 1993* and the Regulations made there under.
17. That Council adopt the tabled 2022-2023 Statement of Revenue Policy incorporating the Schedule of Fees & Charges for 2022-2023.
18. 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 2022-2023 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.

Attachments

- 1 Draft Community Strategic Plan - Burwood 2036
- 2 Draft Delivery Program 2022- 2026 and Operational Plan 2022 - 2023
- 3 Draft Fees and Charges 2022 - 2023
- 4 Draft Resourcing Strategy 2022 - 2032

(ITEM 55/22) ADOPTION - DRAFT PROPERTY STRATEGY

File No: 22/21869

REPORT BY DIRECTOR CORPORATE SERVICES

Summary

To seek Council's resolution to adopt the Draft Property Strategy.

Operational Plan Objective

2.1.3 Ensure transparency and accountability in decision making.

Background

Council adopted its first Property Strategy in 2005, with the current Property Strategy having been endorsed by Council in February 2015.

As part of its commitment to good governance, Council regularly reviews the way in which it manages its property assets. Like all strategies, it is important that the draft Property Strategy is reviewed in accordance with Council's Integrated Planning & Reporting Framework and regularly monitored for effectiveness. It is also important the Property Strategy remains flexible and responsive to ever changing market conditions.

Subsequently, Council engaged APP Corporation Pty Ltd (APP) to undertake a review of Council's existing 2015 Property Strategy in alignment with Council's Burwood2036.

APP undertook technical analysis on Council's property portfolio and provided advice in developing Council's strategic response to the development and implementation of Council's updated draft Property Strategy.

The draft Property Strategy is the developed outcome of the review.

Proposal**Purpose**

The draft Strategy seeks to incorporate the strategic directions presented in Council's Community Strategic Plan (CSP) and Local Strategic Planning Statement (LSPS) and apply these directions to its property portfolio by providing Burwood Council with a framework for the management of property assets.

The draft Strategy will assist Burwood Council in the management of its land and building assets and guide short, medium and long term decision-making with the aim to ensure the most effective provision and use of Council property assets to meet the present and future needs of our community.

Property Objectives

Council has defined high level strategic property objectives which represent the tangible outcomes that will be realised from its property management activities. These objectives have been identified in direct response to the strategic direction established by Burwood2036, our CSP and the property portfolio analysis detailed within the draft Strategy.

1. Provide for present and future community outcomes
2. Maximise operational efficiencies that support the delivery of services to the community

3. Create an ongoing source of revenue to assist with Council's financial sustainability and to reduce pressure on rates

Guiding Principles

The following Guiding Principles have been established to guide Council on how to achieve its property objectives for the community whilst ensuring financial sustainability.

- Acquire properties strategically
- Review existing assets for development opportunities
- Grow the Property Portfolio - Redevelopment/Voluntary Planning Agreements
- Diversify income streams
- Use efficient portfolio management practices
- Apply a sound Governance & Probity Framework

Action Plan

A strategic action plan has been developed in alignment with Council's four-year Delivery Program. Translating community priorities into the principal activities, Council will focus on during its term in office to help move towards the community vision in the CSP.

Governance & Probity Framework

The draft Strategy seeks the implementation of a sound Governance and Probity framework, which will provide Council with property projects that are viable, sustainable, reflective of the best interests of Council and its Community.

From time to time certain projects will deliver opportunities for Council to consult with the community in a way that may increase the value of a project or aspect thereof. Assessment of these opportunities will be undertaken in accordance with the Office of Local Government's Capital Expenditure Guidelines, whereby all projects must have a sound project management framework in place prior to commencement, including, but not limited to, project, probity, risk management, consultation and communication plans

Review

The principles and objectives as outlined in the draft Strategy have been used to develop Council's four-year Delivery Program and annual operational plan. As such the Property Strategy will be reviewed in alignment with this program.

Consultation

The draft Strategy has been developed in alignment with Council's CSP and other draft IP&R documents. The strategic directions presented in these documents have been shaped by the people who participated in Council's extensive community engagement activities that commenced in 2021.

Planning or Policy Implications

All property related activity will be undertaken in accordance with relevant legislation including, but not limited to, the Local Government Act, Residential Tenancies Act, Real Property Act, Conveyancing Act, Retail Leases Act and Crown Land Management Act.

Financial Implications

Adoption of the draft Strategy as detailed in the report will allow Council to explore other income generating opportunities from property related activities and facilitate Council's drive toward financial sustainability.

It is noted that the progression and implementation of the draft Strategy may see Council invest in the development of these actions and opportunities.

Conclusion

The implementation of the draft Property Strategy will enable Council to realise best value and benefit from its properties, whether in financial or service delivery terms, and will enable Council to meet the needs of the community as they evolve over time.

Furthermore, this draft Property Strategy will assist Council in minimising risk and guiding future strategic decision making, investments and budget allocations in relation to its property holdings.

It is recommended that Council resolve to adopt the draft Property Strategy.

Recommendation(s)

That Council adopt the draft Property Strategy and the objectives and guiding principles detailed within it.

Attachments

1 Draft Property Strategy



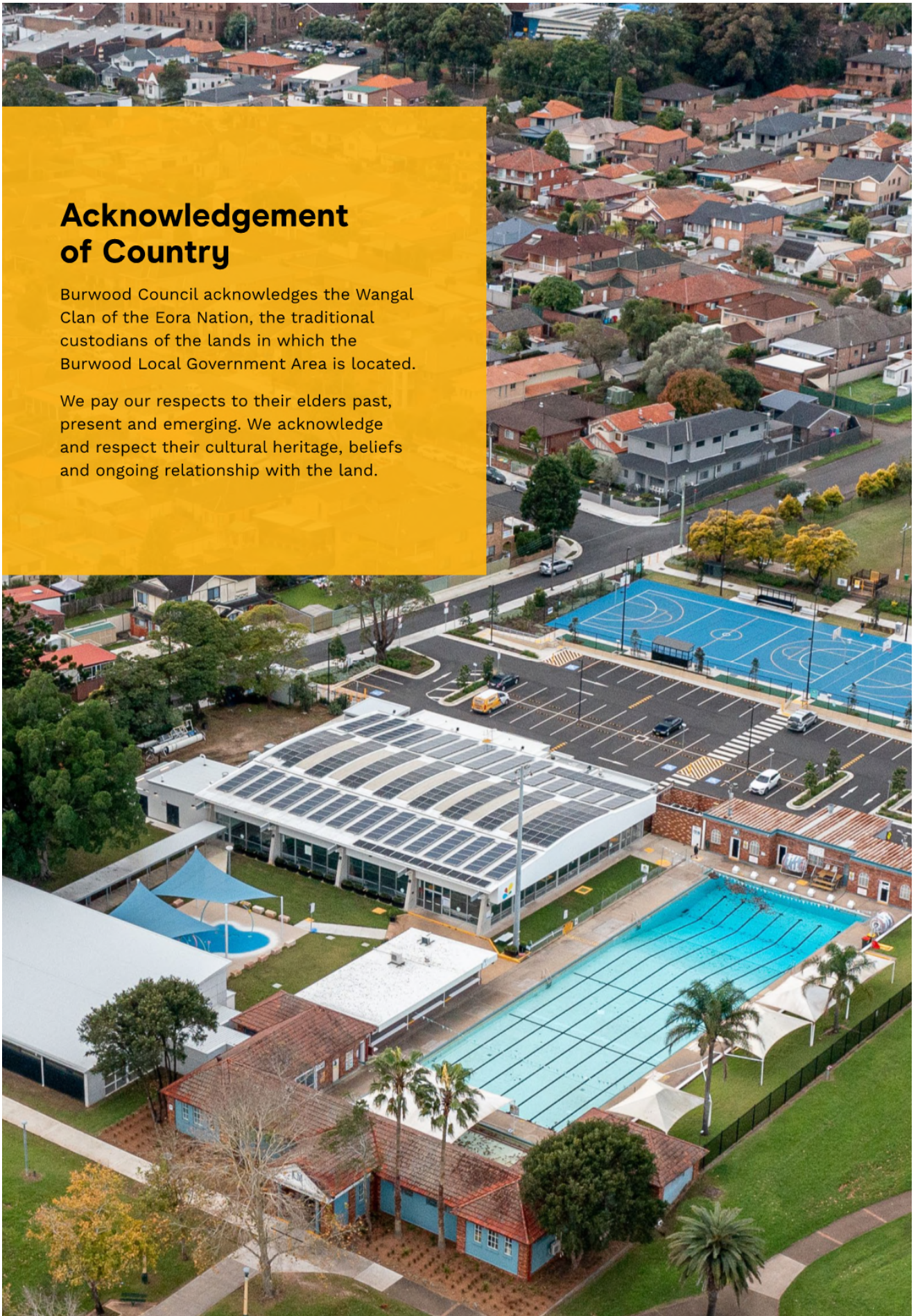
Draft Property Strategy



Acknowledgement of Country

Burwood Council acknowledges the Wangal Clan of the Eora Nation, the traditional custodians of the lands in which the Burwood Local Government Area is located.

We pay our respects to their elders past, present and emerging. We acknowledge and respect their cultural heritage, beliefs and ongoing relationship with the land.



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1. Executive summary

Burwood Council's property portfolio consists of Council owned parks, car parks, public reserves, vacant land parcels, buildings on Council land, as well as Crown land under the management of Council. The management of these assets range from direct management by Council, to management by community-based organisations and private lessees/licensees.

The aim of the Property Strategy is to deliver clear and meaningful guiding principles that assist Council's decision-making processes and ensure that key portfolio decisions addressing how property is utilised, optimised and developed for the long-term benefit of the community, are aligned to Council's strategic direction.

To support the delivery of a broad range of services both now and in the future, Council's Property Strategy has been developed in conjunction with and led by Council's Integrated Planning and Reporting framework (IP&R) and Community Strategic Plan (CSP).

Like the CSP, community outcomes and long term financial sustainability are at the core of the Property Strategy where the importance of environmental, economic, social and civic perspectives are considered in decision-making in relation to all property dealings.

This Strategy formalises Council's approach to the strategic management of its property

portfolio and aligns Council's organisational objectives with its service delivery objectives and community expectations.

One of Council's strategic goals as detailed in the CSP is to ensure Council is financially sustainable. This goal is underpinned by Council's delivery plan action to investigate opportunities to expand revenue from commercial operations of the property portfolio and other income generating assets.

Application of this Property Strategy will enable Council to best realise the value and benefits from its properties, whether in financial or service delivery terms, and will enable Council to meet the needs of the community as they evolve over time.

The Property Strategy will assist Council in minimising risk and guiding future strategic decision making, investments and budget allocations in relation to its property holdings.

2. Background

Burwood LGA

Located between Sydney and Parramatta, the Burwood Local Government Area (LGA) is a diverse multicultural community with business and retail centres. The Burwood LGA covers seven square kilometres with a population exceeding 40,866 residents.

Burwood is a cultural melting pot of inclusive and diverse communities with a thriving business and retail centre surrounded by historic villages, each with their own distinct character and charm. The LGA includes Burwood, Burwood Heights Croydon Park and Enfield and parts of Croydon and Strathfield.

The quality of life residents enjoy, the central location, local schools and excellent transport infrastructure has made the Burwood LGA an attractive destination for people to live, work and visit.

As the first strategic centre west of the Sydney CBD, Burwood will strengthen its role in Sydney

over the next 10 years, attracting new business sectors, higher skilled jobs and a diverse mix of housing.

By 2036 the population of the Burwood LGA is anticipated to nearly double to 73,500. This means over 32,000 more people will require housing, transport, schools, healthcare, services, leisure opportunities and green and open spaces.

Council's focus is to improve the accessibility and amenity of the LGA to create a liveable and lovable place for its residents and those who choose to live, work, and grow here.



Figure 1 – Burwood and its locational context



Figure 2 - Council's Local Government Area



Purpose

Council owns and manages a wide variety of property that serves a range of community, administrative and commercial uses. This Property Strategy seeks to incorporate the strategic directions presented in Council's Community Strategic Plan (CSP) and Local Strategic Planning Statement (LSPS) and apply these directions to its property portfolio by providing Burwood Council (Council) with a framework for the management of property assets. It will assist the management of our land and building assets and guide short, medium and long term decision-making with the aim to ensure the most effective provision and use of Council property assets to meet the present and future needs of our community.

This document will be reviewed and updated as necessary throughout the implementation of the Strategy and again as part of the next cycle of IP&R review and development.



What is Council property?

For the purposes of the Property Strategy, Property means any kind of interest, legal or otherwise, which Council holds in both land and improvements. This includes Property where Council is:

- the land owner or registered proprietor of freehold land (this means land that is free from holds or restrictions for the benefit of the owner in perpetuity); or,
- the lessee or tenant under a lease agreement (this means land and/or buildings that are not in Council's ownership, but over which Council has been granted exclusive possession for a specified period of time for a particular use or purpose); or,
- the appointed Public Land Manager by another agency, such as the Committee of Management over Crown land on behalf of the State Government.

Property also includes other types of interests such as, but not limited to easements and airspace stratum over road reserves.

This strategy relates to both land management and the use of land, in addition to physical assets such as buildings; facilities and infrastructure, and applies irrespective of a property's classification, or third party encumbrances such as leases and licenses. The types of building uses include aquatic centres, libraries, childcare and community centres, arts and cultural services, pavilions, grandstands and sporting club facilities, community amenities, works depots, council offices, carparks and other investment properties that Council owns and manages.

Core property team functions

The primary functions which are central to the effective management of Council's property portfolio include:

Leases and licenses

This function relates to Council in its capacity as a landlord, irrespective of the end use of the Property. This includes the assessment, suitability and negotiation of new leases and licenses for occupiers of Council owned or managed Property, as well as the ongoing management and enforcement of lease and license provisions and maintenance of the Lease and Licence register. This also includes Council's role as a Tenant, whereby property is owned by a third party, but is used by Council to deliver a direct service to the community, or where Council is requested to be party to a Joint Use Agreement.

Maintenance

The Maintenance function relates to actions in respect of preventive, responsive and scheduled maintenance of Property assets held or managed by Council, and is fundamental to the ability to achieve direct service delivery to the community.

Acquisitions

This function relates to identifying and/or procuring property assets necessary for the delivery of a Council service, amenity or to strengthen Council's financial position. This comprises all land acquisitions, including the use of Council's powers as an acquiring authority (compulsory acquisition) as well as securing interests in third party (private) land, such as a drainage easement.

Disposals

This function relates to the divestment of Council owned property assets for which there is no demonstrated medium to long term service delivery need, that may be identified as surplus to Council requirements or as an asset whose value is better directed toward the achievement of Council's strategic objectives. This includes a comprehensive review of disposal options, consideration of the benefits of disposal or alternative end uses, and the timing of sales to maximise the financial return to Council.

Property projects

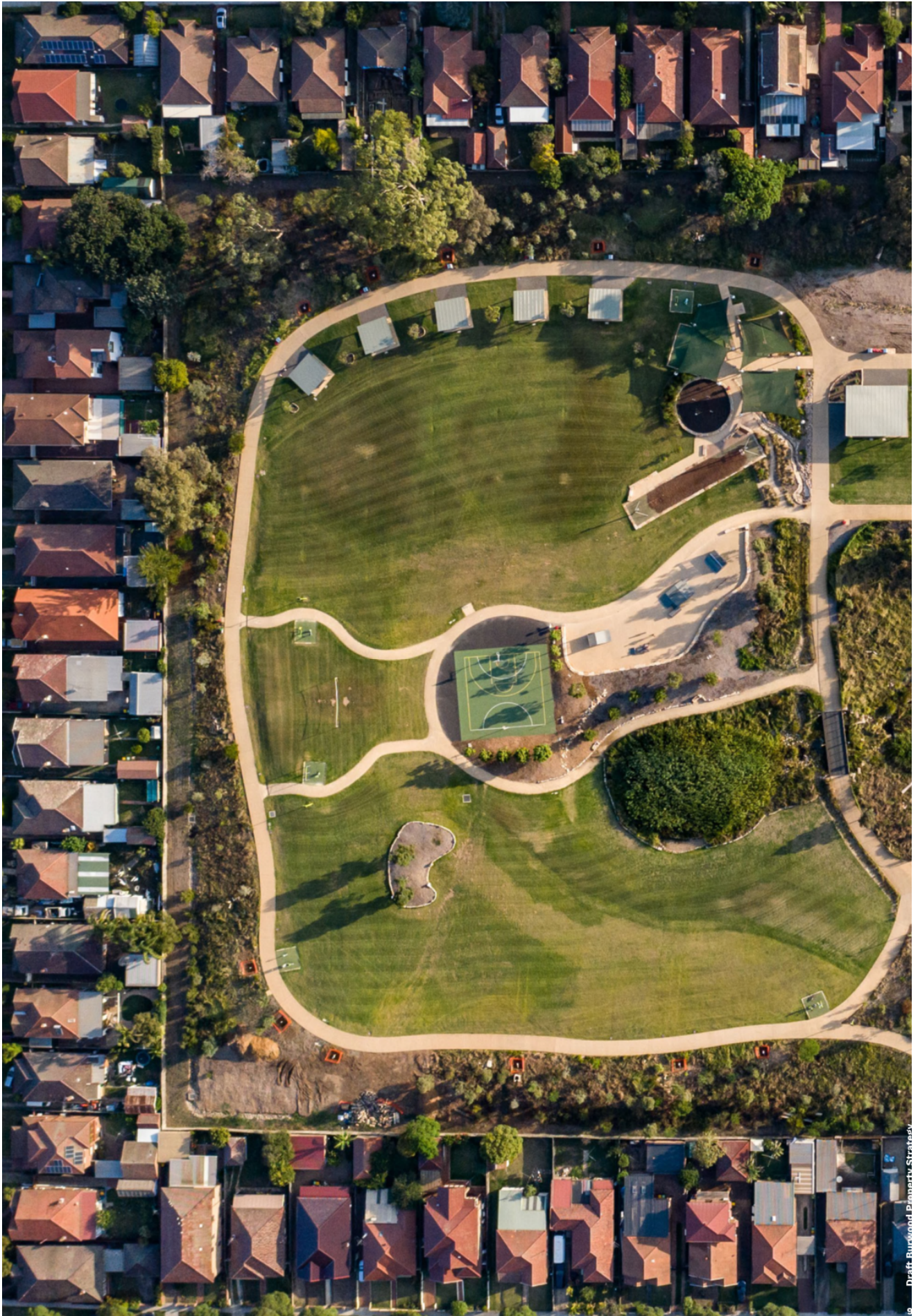
This function relates to the management and delivery of Council property and building related projects in line with Council objectives, policies, procedures and business processes.

Land register

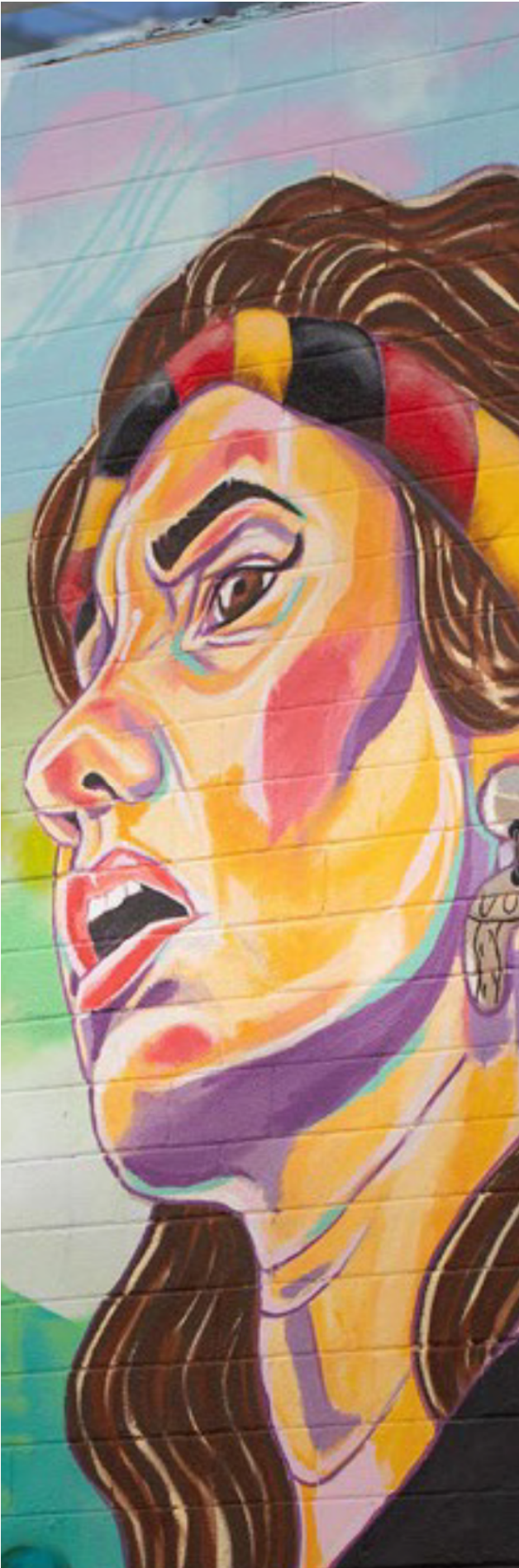
Under section 53 of the *Local Government Act 1993* Council is required to keep a register of all land vested in it or under its control. The register contains information that is constantly changing and evolving in line with the implementation of new legislation and ongoing property and land dealings. The register can be accessed via Council's website.



Draft Property Strategy



Draft - Buckland Planning Strategy

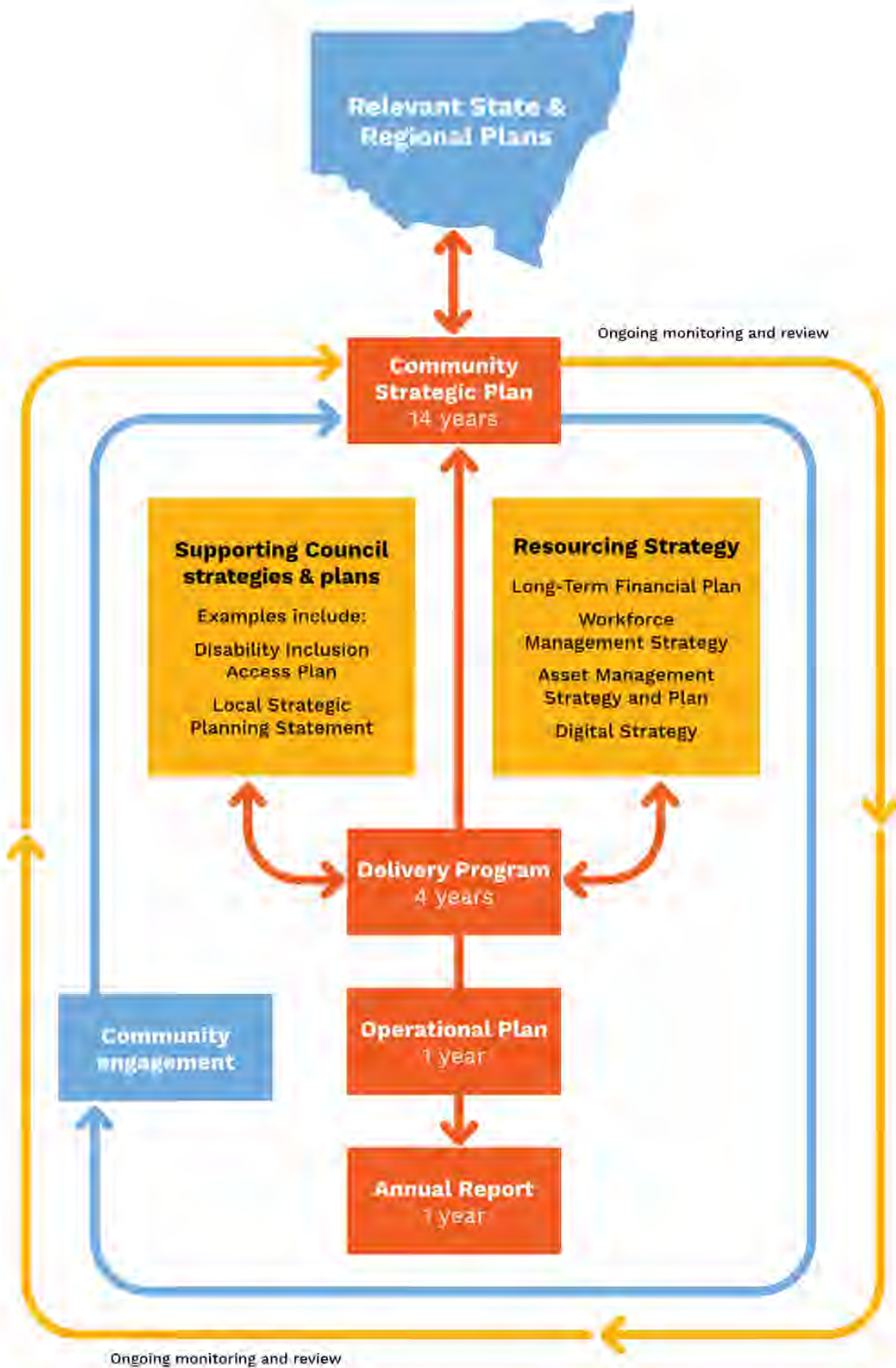


3. Strategic context

Integrated Planning and Reporting framework

In accordance with the *Local Government Act 1993*, Integrated Planning & Reporting (IP&R) is a framework that each Council in NSW must implement to ensure long term planning for the area is based on community aspirations, priorities and needs along with sound data and information. The framework (shown below) requires Council to have in place a cascading set of plans for the community and Council that translates community aspirations and priorities into action.

Introduced in 2010, the IP&R framework enables NSW councils to draw their various plans together, to understand how they interact and inform one another, and get the maximum benefit by planning holistically for the future.



Community Strategic Plan

The Community Strategic Plan (CSP) represents the highest level of planning Council undertakes at a local government level.

The release of Burwood2036 in May 2022 follows a program of extensive community engagement which means it is not a 'Council Plan' but rather the plan, informed and shaped by the community and reflective of community collective responses, to which Council is committed.

The CSP guides Council in ensuring the plans and resources are focused on the community's priorities, improve transparency in the decision-making process and promote greater collaboration between all government levels, agencies, community groups and businesses to achieve the desired outcomes of the CSP.

Council's service delivery, major projects, activities and actions in response to the strategic directions, outcomes and strategies outlined in the CSP can be found in the Burwood Resourcing Strategy, the four-year Delivery Program and Council's annual Operational Plan.

Local Strategic Planning Statement

In early 2018, the Environmental Planning and Assessment Act 1979 was amended to require local government bodies to prepare Local Strategic Planning Statements (LSPS) to establish a direction on land use, planning principles and actions for the coming twenty years.



Council's LSPS accomplishes this by setting out Burwood's economic, social and environmental land use needs over the next 20 years. It sets Planning Priorities about what will be needed, such as homes, jobs, parks, transport and services. It then includes actions to deliver these priorities (short, medium and long term), building upon the work of Burwood2030.

Burwood2030 and Burwood Council's LSPS key themes

Council's Community Strategic Plan – Burwood2023

-  **Theme 1**
Community & lifestyle
-  **Theme 2**
Leadership & innovation
-  **Theme 3**
Healthy & sustainable environment
-  **Theme 4**
Planning & infrastructure
-  **Theme 5**
Vibrant city & villages

Council's Local Strategic Planning Statement

-  **Theme 1**
Infrastructure & contribution
-  **Theme 2**
Liveability
-  **Theme 3**
Productivity
-  **Theme 4**
Sustainability

The LSPS has identified that Burwood's economy is largely focused around the town centre with Burwood Road serving as a popular retail and entertainment spine. The health care and social assistance industry is the largest employer (3,285 local jobs in 2017-18), followed by education and training (3,189 jobs) and retail (2,801 jobs). More than 80% of Burwood's working population commute to work outside the LGA.

The community feedback included a need for improved public transport options, local services and facilities (including open space) and ensuring a balance and cohesiveness between heritage and new development.

Priorities and actions within the LSPS were organised into the four themes that were referenced in developing this strategy.



Draft: Enfield Promotional Strategy 13

4. Property portfolio analysis

Portfolio overview

Council holds and manages property to support the delivery of a broad range of services to meet the needs of the community both now and into the future. The needs and principles identified in Council strategies and policies inform why Council owns and manages property on behalf of the community.

Council's property assets are categorised based on types of use. These include:

Community benefit

Assets that contribute to improved livability, environment, sustainability, community, and positive social outcomes are regarded as beneficial to the community. These assets include open space, community hubs, amenities buildings, libraries, aquatic centres and sporting fields. While unlikely to generate positive financial returns, these assets provide beneficial social and economic outcomes by creating a more vibrant, livable LGA.

Operational premises

Council requires operational assets to provide an orderly and economically sustainable service to the LGA. It is important that assets in this category are:

- fit-for-purpose
- financially sustainable, and
- do not conflict with applicable land use planning principles

Assets in this category include Council offices and depots.

Investment assets

A key objective of the property portfolio is to improve Council's financial sustainability and reduce the pressure on Council's rates revenue stream. To accomplish this, Council must balance its portfolio with investment assets.



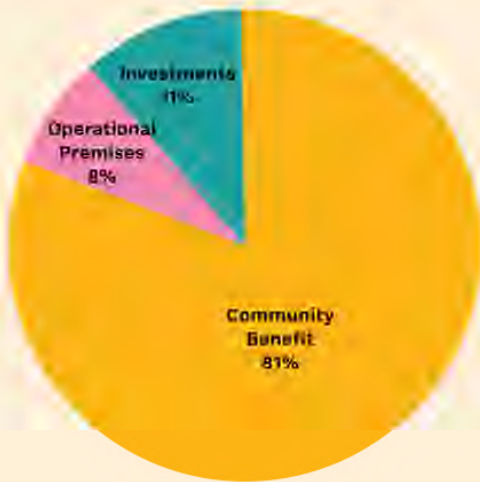
Portfolio breakdown

A majority of Council's Portfolio serves for community benefit. The balance is split between investments and operational land on a land size basis.

Investment portfolio by use

Council's investment assets cover all sectors, with most of the investments being devoted to recreational use on a land size basis. The balance is split between commercial, residential, and childcare, with limited exposure to retail assets.

Portfolio by category



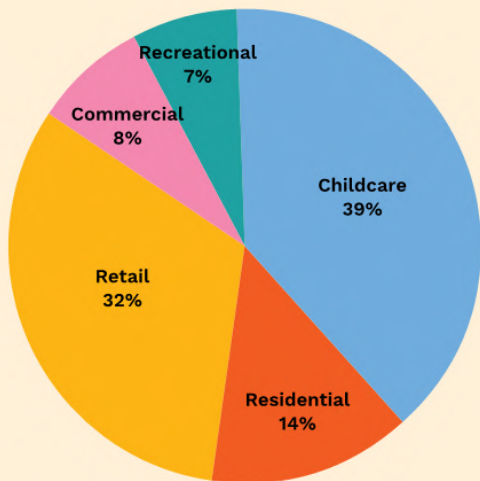
Investment portfolio by use



Gross revenue by use

Council's gross revenue is heavily weighted into childcare and retail assets (71% of total gross Property revenue for 2021).

Gross revenue by use



Land classification

Overview

Classification determines the ease with which land may be sold, leased, licensed or used for other purposes.

Council owned land is classified as Operational, Crown or Community Land under legislation and each classification has requirements that must be adhered to.

The purpose of classification is to identify clearly that land which should be kept for use by the general public (community) and land that does not need to be restricted in its use (operational).

Appendix A provides a map identifying the types of Council managed land within the Burwood LGA.



Community land

Community land is intended for public access and use. It is property held for administration, operations, recreation, and/or infrastructure uses. For example, Community land would ordinarily comprise of land such as public parks, sportsgrounds and land containing facilities such as community centres and amenities.

Community land may only be leased or licensed for up to 21 years if public notice of the proposed lease or license is given and, in the event that an objection is made to the proposed lease or license, the Minister's consent is obtained. For any term over 21 years, the Minister's consent for the issuing of the lease must be obtained.

A Plan of Management is required for community land and it must not be sold, except in limited circumstances referred to in s45(4) of the *Local Government Act 1993*.

Operational land

Operational land has no special restrictions other than those that may apply to any freehold parcel of land. Operational land would ordinarily comprise land held as a temporary asset or as an investment (e.g. commercial and residential property), land which facilitates the carrying out by Council of its functions, or land which may not be open to the general public.



Crown land

Council is the Land Manager for a number of Crown Reserves and is responsible for the care, control and management of most of the Crown Reserves located within the Burwood Local Government Area.

Any Crown land that is a public reserve for the purposes of the *Local Government Act 1993* with no appointed Crown Land Manager or that is not held under lease from the Crown is considered to be devolved to Council Management in accordance with section 48 of the *Local Government Act 1993*.

Since the inception of the *Crown Land Management Act 2016*, Councils now manage Crown Land as if it were public land under the *Local Government Act 1993*, subject to some Ministerial oversight. Transitional arrangements are in place for the management of Crown Land that does not have a current PoM. Over time Council will put in place a PoM for all Crown Land it manages.

Considerations in effective decision making

The following key considerations have informed the development of the Property Strategy and will be considered by Council throughout the implementation of the strategy:

- Financial
- Social
- Economic
- Political
- Risk
- Environmental

Financial

Council will ensure via the application of sound financial analysis and pro-active management that returns obtained on real estate assets (where deemed appropriate) achieve or exceed market value for that particular asset class.

Council and the Community derive a direct financial benefit from property activities via:

- Achieving the highest and best use of Council's land
- Minimising costs associated with the maintenance of Council's properties
- Effective performance monitoring of assets
- Ensuring investments reflect current market levels
- Staying flexible and pro-active in property dealings
- Careful analysis of the highest opportunities
- Use of the most appropriate timing and method of sale for a particular asset
- Retain land that may prove capable of supporting community facilities

Social

The social amenity of Burwood will always be considered when assessing the value of any project.

Value in property activity is not solely measured in financial terms. Benefits to Council may accrue through non-financial means such as:

- Improvements in the social amenity
- Creation of new or enhanced facilities
- Embellishment of existing open space areas
- Environmental protection

Economic

Council's real estate (as publicly owned assets) will be pro-actively managed in a way that facilitates optimal financial returns and maximises usefulness to the Community while ensuring cost efficiency.

A property portfolio with under-utilised assets denies Council the opportunity to experience alternate uses. In cases where under-utilised assets exist, consideration will be given to alternate uses that facilitate:

- Community betterment
- Recreation
- Development to promote economic growth and create employment opportunities
- Disposal for financial return
- Council's property activities can also be seen as an agent to promote economic growth within Burwood.
- Council's location as a potential tourist destination.

Political

Council will ensure clear separation exists between its role as vendor and as consent authority. It will do so via the development and application of sound probity principles as detailed in a "probity plan".

As Vendor Council will seek to obtain financial returns that equal or exceed market value. It will do so via the application of sound research and sale methods as outlined in this policy.

As Consent Authority, Council will apply the same level of scrutiny to its land dealing as it would to any external developer.

Balance

Council’s will ensure that its desire to generate alternative forms of income is balanced within the context of its wider community obligations.

Risk

Council will ensure that all elements of risk are thoroughly examined prior to commencing any project be it disposal, purchase, development or lease.

Council will develop a quality control process to ensure that this occurs.

Risk associated with every property activity must be quantified, managed and minimized. Council is not in the position to accept “the higher the risk the higher the return” approach often adopted by sector investors. In other words, Council’s property development/ investment proposal must expose Council to minimum risk and maximum certainty of return.

Risks associated with every proposal must be holistically assessed at the planning phase to ensure balancing of Council’s various objectives:

Risks associated with property projects include:

- Property market fluctuation
- Change in economic, political climate
- Weak financial feasibility
- Lack of appropriate market research

- Lack of sensitivity analysis
- Poor project delivery or project management systems
- Unexpected costs derived from weather, strike, inflation, etc.
- Unsuitable marketing strategies
- Unsecured tenants
- Reputational
- Lack of funding i.e. high level of borrowing
- Lack of guidelines, policy and procedures
- Lack of long term asset management planning
- Not providing sufficient skills and resources
- Global economic climate
- State Government Policy

Environmental

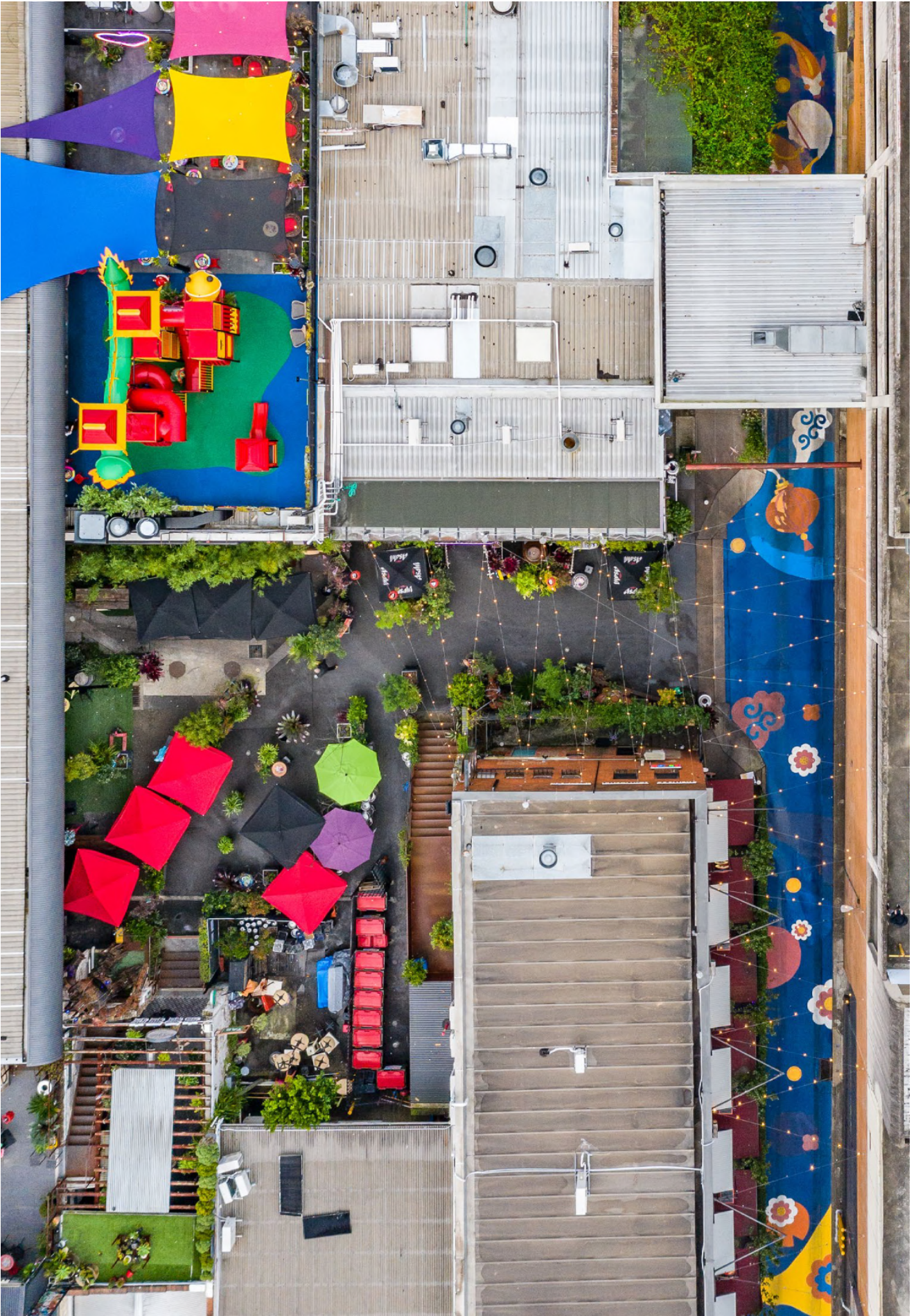
Council will consider the impact of Environmental considerations including:

- Local Environmental Plans and Development Control Plans
- State wide Environmental Plans
- Bushfire issues
- The finite supply of land
- Water/sewerage and other infrastructure issues
- Best practice development principles



Draft Runned Promenu Strategy

Draft Property Strategy



5. Strategic response

Strategic property objectives

Council has defined high level strategic property objectives which represent the tangible outcomes that will be realised from its property management activities. These objectives have been identified in direct response to the strategic direction established by Burwood2036, our CSP and the property portfolio analysis detailed in this strategy.



Provide for present and future community outcomes

Council will ensure its properties meet community needs and expectations taking into consideration future trends and changes in community demographics and ensure its property management practices are consistent with Council's strategic goals, as defined in its Community Strategic Plan.



Maximise operational efficiencies that support the delivery of services to the community

Property values, uses and needs change over time. An annual review of our needs allows for the identification of potential gaps in the property portfolio to meet service delivery expectations whilst annual review of our existing portfolio ensures the properties we have are fit for purpose, minimise our risk and maximises our benefits.

Council will ensure that its properties are maintained in accordance with best practice strategic asset management principles and are safe, secure and compliant with relevant legislation and other regulatory obligations including Council policies, procedures and guidelines.



Create an ongoing source of revenue to assist with Council's financial sustainability and to reduce pressure on rates

Council will ensure its property portfolio is managed in a financially sustainable way that optimises the balance of both commercial and community outcomes specific to each property.

Setting aside opportunities to enhance income via processes such as rental reviews and minor asset sales, Council will identify income generating opportunities within the existing portfolio.



Guiding principles

Whilst this strategy has been developed to manage Council's long-term property portfolio, it is necessary to prioritise assets for attention in the short-term to achieve our long-term vision.

Council's property portfolio is split approximately 80:20 community benefit and operational/investment assets. Council may use its net positive cashflow to continue to build its investment portfolio to provide a pathway to long-term financial sustainability.

Net proceeds from development can be reinvested back into the property portfolio where possible to continue to deliver Council's strategic objectives. Proceeds from its investment portfolio will continue to provide an income stream for Council to avoid pressure on service levels or the rates revenue stream.

The implementation of Council's LSPS creates considerable change and growth for the Burwood LGA. Council can capitalise on this growth by seeking opportunities to improve the value delivered by its property portfolio to the community through the redevelopment of its existing assets, whether itself or partnered with the market, to continue to catalyse development and capital value uplift. Or through expansion of the property portfolio as a result of voluntary planning agreements.

The following Guiding Principles will guide Council on how to achieve its property objectives for the community whilst ensuring financial sustainability.



Acquire properties strategically

Council will acquire properties strategically to achieve the stated objectives. Acquisition of properties neighbouring its existing landholdings has the potential to:

- augment existing open space
- add mass to a known development opportunity, or
- create a potential development opportunity to provide greater services to the community

Independent valuation of properties for acquisition will provide an indication of likely purchase price, assisting Council’s investment decision. Where the property would form part of a larger development, a development feasibility incorporating the potential property acquisition will ensure the purchase price is commercially sound.



Review existing assets for development opportunities

A way to unlock additional funds is to redevelop existing landholdings. To determine if there is a development opportunity available to generate additional proceeds and contribute to the strategic objectives of the LSPS, the existing land use and applicable planning controls including zoning, height, floor space ratio and heritage will be evaluated to determine the highest and best use.

If the optimum use of the site is not the existing use, consolidating or relocating the use to an existing site or new site will be investigated.



Grow the property portfolio – redevelopment/ Voluntary Planning Agreements

Council will evaluate opportunities to retain portions of new developments for income generating purposes. For example, in a mixed-use development on Council’s existing land, a portion of the constructed commercial or retail floor space can be retained to provide Council with ongoing income, while the residential or other portions may be divested as freehold. These opportunities may present by way of contributions under Voluntary Planning Agreements (VPA’s).



Diversify income streams

Council will continue to diversify its investment portfolio income streams across all asset classes to ensure it is protected from a downturn in a particular sector. This will help to ensure it capitalises on performance in all sectors and to protect against a downside in a single asset class. These include childcare facilities, residential, retail, and commercial assets.



Use efficient portfolio management practices

Council will manage property assets by utilising efficient methods and external resources as necessary, such as establishing preventative maintenance schedules, longer-term leases or appointing external managing agents to deal with rent collection and tenant maintenance requests.



Apply a sound Governance and Probity framework

A sound Governance and Probity framework will provide Council with property projects that are viable, sustainable, reflective of the best interests of Council and its Community.

In accordance with Office of Local Government’s Capital Expenditure Guidelines, all projects must have a sound project management framework in place prior to commencement, including, but not limited to, project, probity, risk management, consultation and communication plans.



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6. Action plan

The strategic action plan with the implementation timeline has been detailed in Council's four-year Delivery Program. Translating community priorities into the principal activities Council will focus on during its term in office to help move towards the community vision in the CSP.

Principal Activity	Action	2023	2024	2025	2026
Deliver Stage 4 of EAC Masterplan	Complete review of design and scope for Stage 4 of the EAC Masterplan, including community engagement	●	●	●	●
Deliver a preventative maintenance program for Council assets and facilities to ensure their ongoing viability	Undertake an audit and develop a preventative maintenance program for Council facilities	●			
Seek opportunities for land acquisition or change of use to deliver additional green, open space	Explore options for potential park expansions at Henley Park and Russell Street Reserve to deliver additional green open space	●	●		
Investigate opportunities to expand revenue from commercial operations, property portfolio and other income generating assets	Manage Council's property portfolio to optimise financial returns from Council owned properties	●	●	●	●
	Secure competitive pricing agreement from electricity retailers for the supply of Council's grid and renewable energy requirements	●			
	Develop business case financial modelling delivery plan for Council's Operation Centre	●	●	●	●

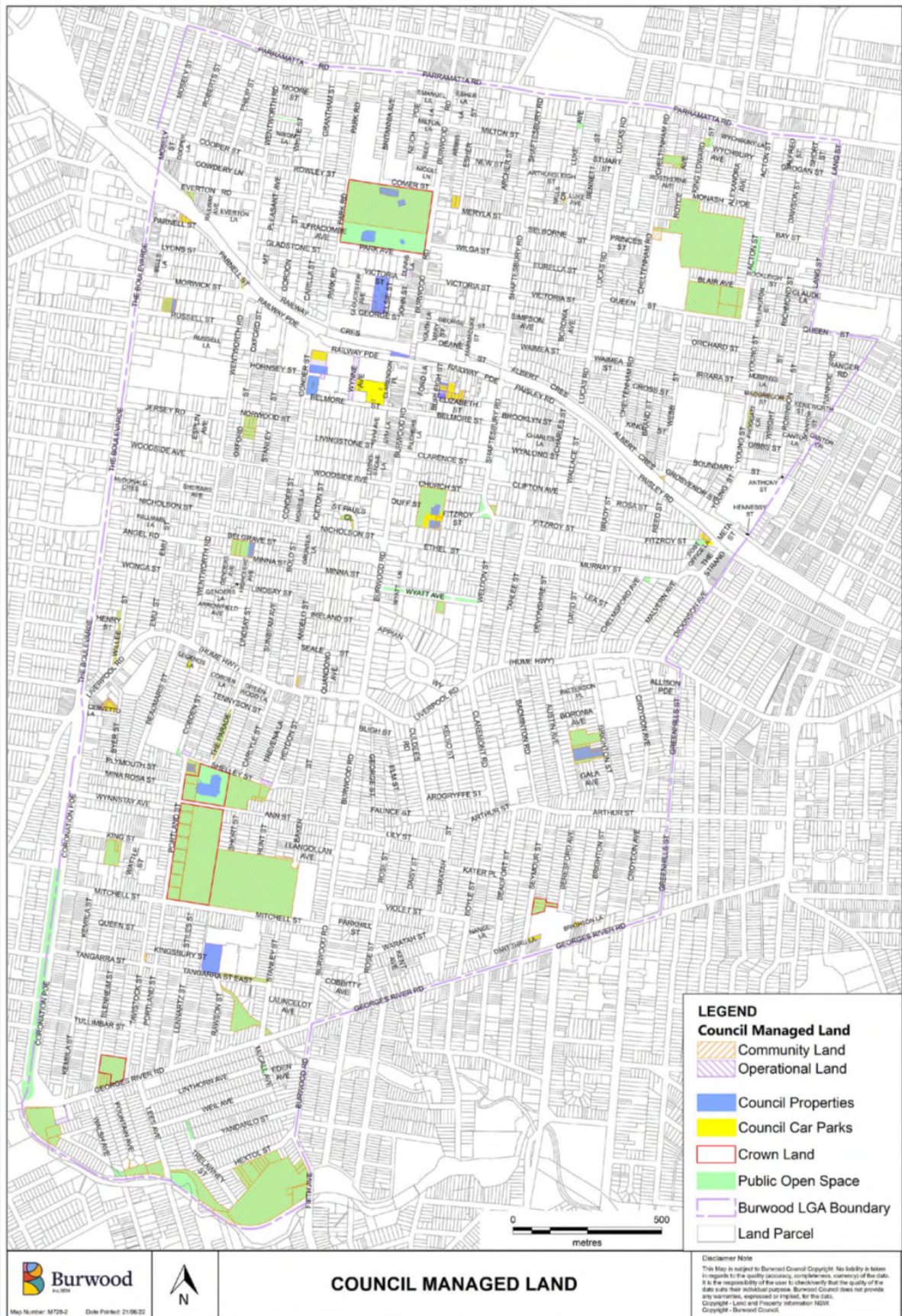
Review

The principles and objectives as outlined in this strategy have been used to develop Council's four-year delivery program and annual operational plan. As such the Property Strategy will be reviewed in alignment with this program.

Contact

**Council's
Property Team
(02) 9911 9911**

Appendix A – Council Managed Land Map





Draft: Emerald Broomeby Strategy 27



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(ITEM 56/22) DRAFT DISABILITY INCLUSION ACTION PLAN 2022 - 2026 - ENDORSEMENT FOR PUBLIC EXHIBITION

File No: 22/14027

REPORT BY DIRECTOR COMMUNITY LIFE

Summary

This report presents the *Draft Disability Inclusion Action Plan (DIAP) 2022-2026*, which sets out Council's four-year roadmap to create a more inclusive and accessible Burwood for people with disability. The report seeks Council's endorsement to place the *Draft DIAP* on public exhibition for a period of 28 days for feedback from the community. Once the public exhibition period has concluded, necessary amendments will be made and the final plan will be reported to Council for adoption.

Operational Plan Objective

A.4: Prepare and implement the Disability Inclusion Action Plan 2022-2026.

Background

The *NSW Disability Inclusion Act 2014* defines disability as "a long-term physical, psychiatric, intellectual or sensory impairment that, in interaction with various barriers, may hinder the person's full and effective participation in the community on an equal basis with others." At the time of the 2016 ABS Census, 1,896 people living in Burwood (5.2%) reported needing help in their day-to-day lives due to disability.

Disability inclusion action planning is a requirement of local councils under the *NSW Disability Inclusion Act 2014*. Each DIAP must outline the measures intended to be put in place so that people with disability can access general supports and services available in the community and are able to participate fully in the community without barriers. The Plan is required to include actions relating to four focus areas, including: Positive attitudes and behaviours; Liveable communities; Access to meaningful employment; and Accessible systems and processes.

Proposal

The *Draft DIAP* has been developed in alignment with Council's new Community Strategic Plan – *Burwood2036*. The *Draft DIAP* aims to achieve several community outcomes and strategies included in *Burwood2036*, such as 'a welcoming community that cares and looks after one another'; 'a healthy and active lifestyle where people experience a sense of connection and wellbeing'; 'transport and infrastructure that improves liveability'; and 'safe streets, centres and public spaces to be enjoyed day and night'.

The *Draft DIAP* sets out four focus areas as stipulated by the *NSW Disability Inclusion Act 2014* for disability planning:

- Focus Area 1: Encourage positive community attitudes and behaviours
- Focus Area 2: Create liveable communities
- Focus Area 3: Access to meaningful employment
- Focus Area 4: Accessible systems and processes.

A total of 43 actions are outlined across 14 goals within the *Draft DIAP*, highlighting the work that Council will undertake by June 2026. A copy of the Draft DIAP is included under Attachment 1.

If endorsed by Council, the *Draft DIAP* will undergo public exhibition for 28 days for the community's review and feedback. Once the public exhibition period has concluded, necessary amendments will be made and the final document reported to Council for adoption in August 2022.

Consultation

The *Draft DIAP* has been shaped by community and stakeholder engagement which occurred between February and April 2022. A total of 156 participants provided input and shared their views through surveys, focus groups, workshops and interviews. Participants included people with disability, their families, carers, service providers and advocates. Council staff from across multiple departments were also invited to provide input into the development of the *Draft DIAP*.

This report recommends that the *Draft DIAP* be placed on public exhibition for a period of 28 days to enable further input from the community. During the public exhibition period the *Draft DIAP* will be made available on the Council Website at www.burwood.nsw.gov.au and feedback will be sought via Council's online engagement platform - Participate Burwood. In addition to the *Draft DIAP* document, a detailed background report on the community engagement findings will be made available to the community via Participate Burwood. An Expression of Interest process will also run concurrently inviting community members to apply for the Burwood Disability Inclusion Advisory Panel referred to under Action 1.1.1 of the *Draft DIAP*.

Council will also utilise its social media and e-news channels to promote the public exhibition period throughout its duration.

Feedback and public comments arising from the public exhibition period will be reported back to Council in August 2022 along with any recommended amendments. These amendments will be incorporated into the final document prior to adoption by Council.

Planning or Policy Implications

The *Draft DIAP* aligns with a range of International, National and State legislation and standards to guide Council's role in planning for and supporting people with disability. The Draft Community Strategic Plan - *Burwood2036, Delivery Program 2022 – 2026* and *Operational Plan 2022 – 2023* were also utilised as sources to inform the development of the *Draft DIAP* at a local level.

The *Draft DIAP* is particularly essential to achieving the strategic direction of 'inclusive community and culture' as set out in the Community Strategic Plan – *Burwood2036*. This strategic direction seeks for Burwood to be 'a thriving community where diversity is embraced, everyone is valued, connected, and has the opportunity to contribute and belong'.

Once adopted, the *DIAP* will be subject to formal reporting during its implementation phase to ensure accountability and transparency, including six monthly progress reports through the Integrated Planning and Reporting process. Key achievements in relation to the implementation of the *DIAP* will also feature within Council's Annual Report.

Financial Implications

There is sufficient budget allocated in the Draft Operational Plan budget 2022-2023 to implement year 1 actions. Council has a proven track record in securing additional grants from the NSW Government and other funding bodies to support the delivery of projects that support people with disability. Council will continue to pursue external grant opportunities to support the actions outlined in the *Draft DIAP* as they arise, however, additional funding may be required by Council to support the implementation of action items specified from years 2 to 4 of the plan.

Conclusion

Council has developed the *Draft DIAP* following a period of extensive research coupled with community engagement involving people with disability, their families, carers, service providers

and advocates in the community. This report now seeks Council's endorsement to place the *Draft DIAP* on public exhibition for a period of 28 days for feedback from the community. Council will actively seek the community's input during the public exhibition period. Upon conclusion of the public exhibition period, the final plan will be reported to Council for adoption and submitted to the Disability Council and NSW Department of Communities and Justice as per the requirements of the *NSW Disability Inclusion Act 2014*.

Recommendation(s)

That Council:

1. Endorse the *Draft Disability Inclusion Action Plan (DIAP) 2022-2026* and place the document on public exhibition for a period of 28 days.
2. Receive a report following the conclusion of public exhibition period outlining all submissions received and detailing any changes to the final document recommended for adoption by Council.

Attachments

- 1 Draft Disability Inclusion Action Plan 2022 - 2026



Draft Disability Inclusion
Action Plan 2022-2026

Acknowledgement of Country

Burwood Council acknowledges the Wangal Clan of the Eora Nation, the traditional custodians of the lands in which the Burwood Local Government Area is located.

We pay our respects to their elders past, present and emerging. We acknowledge and respect their cultural heritage, beliefs and ongoing relationship with the land.





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Message from The Mayor, John Faker



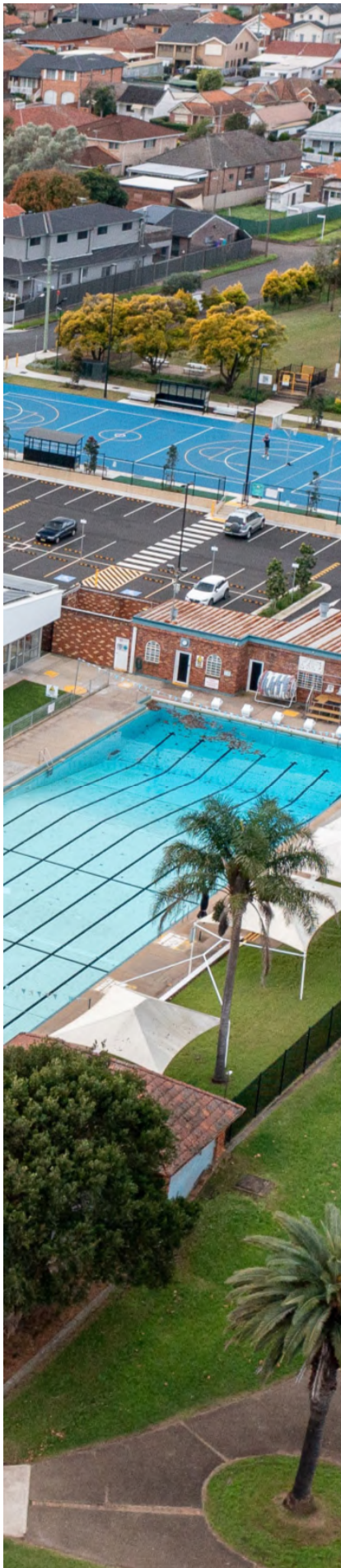
The Burwood Disability Inclusion Action Plan 2022 - 2026 seeks to achieve a more inclusive and accessible Burwood for people with disability. It builds on the ways our community looks out for one another, and aspires to make Burwood the best it can be for everyone who lives, works, and visits here.

Burwood Council has long been focussed on strengthening and maintaining a welcoming, supportive and connected community, inclusive of people of all abilities. We have many strengths that I am proud of - a diverse and vibrant community, access to great local services, inclusive programs and events, and a variety of high quality public spaces and community facilities. In ensuring that people with disability have equal access to what makes Burwood great, we strengthen the liveability of Burwood for everyone.

This Plan details the goals and actions Council has committed to undertaking over the next four years. It represents Council's commitment to breaking down barriers experienced by people with disability and outlines the ways in which we will increase positive community attitudes and behaviours, create liveable places, provide access to meaningful employment and develop more accessible systems.

Importantly, this Plan has been developed with input and contributions from people with lived experiences of disability as well as their families and advocates in the community. I sincerely thank those who shared their stories, experiences, ideas and priorities for improvement to accessibility and inclusion in our community. By working together, we will ensure we achieve our goals to make Burwood more welcoming, liveable, accessible and connected for all.

I look forward to working with my fellow Councillors and staff in supporting the implementation of this Plan, and in turn ensuring Burwood is a thriving community where diversity is embraced, everyone is valued, and has the opportunity to contribute and belong.



About this Plan

The Burwood Disability Inclusion Action Plan 2022-2026 (DIAP) sets out a four-year roadmap for a more inclusive and accessible Burwood for people with disability.

Our commitment

Burwood Council (Council) is committed to leading the way in ensuring access and inclusion for everyone that lives, works and visits the Burwood Local Government Area. We know that people with disability in our community have many strengths and are valued workers, volunteers, friends and family members. We also recognise that people with disability are more likely to experience physical, attitudinal and social barriers to participating in community life.

Our Disability Inclusion Action Plan sets out our commitment to breaking down those barriers and to making our communities, services, spaces and information more accessible and inclusive for people with disability. The Plan aims to support people with disability to enjoy the range of opportunities and choices offered in Burwood, without barriers.

Developing the Plan

Our Plan was developed with the support and contributions of people with lived experiences of disability as well as their families and advocates in our community.

Our approach included:

- **Research:** We undertook desktop research and analysis to understand what our community looks like now and how it will change over the coming years; we reviewed planning policies and directions at the national, state and local level, as well as our previous DIAP.
- **Our community:** We consulted with people with disability, their families, carers, service providers and advocates through an online survey, Easy Read survey, in-person and online focus groups and phone interviews.
- **Our team:** We consulted with Burwood Council staff across multiple departments through an online workshop and one-on-one phone interviews.

Council's role in access and inclusion

Under the NSW Disability Inclusion Act 2014 (DIA), local councils are required to undertake disability inclusion action planning. Recent challenges such as the COVID-19 pandemic have further highlighted local governments' responsibilities and duty of care in supporting people with disability.

Burwood Council has long been committed to strengthening and maintaining an inclusive and diverse community in which people of all abilities are able to connect, participate and thrive. Council has provided leadership and planning, most recently through its first Disability Inclusion Action Plan 2017-2021, which is superseded by this Plan.

Importantly, to deliver sustainable outcomes, Council needs to build capacity and work in close partnership with other levels of government, the community, private sector and other stakeholders.

We recognise that the Burwood community has many strengths to build on, including a diverse and skilled community and good access to local services. This Plan outlines opportunities for collaboration and partnership, recognising that we all have a role to play in creating a more inclusive and accessible community for people with disability.

Council's role involves:

Leading and advocating

- Promote positive attitudes and behaviours in the community
- Listen to people with diverse abilities to understand their needs
- Advocate to other agencies and levels of government

Planning and regulating

- Develop policies that respond to the diverse needs of our community, including people with disability
- Align decision-making to the diverse needs and aspirations of our community
- Building partnerships and capacity
- Unlock capacity within our community by sharing information and resources
- Partner with organisations and our community to achieve shared goals, including increasing access to meaningful employment

Delivering infrastructure and services

- Ensure Council services and programs are inclusive of people with disability
- Plan and deliver public places and spaces that are accessible and welcoming for all

Strategic context

This Plan aligns with a range of International, National and State legislation and standards to guide Council's role in planning for and supporting people with disability.

Importantly, this Plan is essential to achieving our community vision as set out in our Community Strategic Plan, Burwood 2036.

This Plan is particularly relevant to the strategic direction 'Inclusive community and culture,' which seeks to create "a thriving community where diversity is embraced, everyone is valued, connected and has the opportunity to contribute and belong."



International

- UN Convention on the Rights of Persons with Disability (2006)

National

- Australia's Disability Strategy 2021-2031
- National Disability Insurance Scheme (NDIS)
- Disability Discrimination Act 1992
- Disability (Access to Premises – Buildings) Standards 2010

State

- NSW Disability Inclusion Act 2014
- Carers (Recognition) Act 2010 NSW
- Anti-Discrimination Act 1997
- The NSW Disability Inclusion Plan 2021-2025

Burwood Council

- Community Strategic Plan – Burwood 2036
- Delivery Program 2022-2026
- Operational Plan
- Local Environment Plan (LEP)
- Development Control Plan (DCP)
- Burwood Community Engagement Strategy

Defining disability

Around 1 in 6 people in Australia – or about 4.4 million people (18%) – live with disability.

The NSW Disability Inclusion Act 2014 defines disability as “long-term physical, psychiatric, intellectual or sensory impairment that, in interaction with various barriers, may hinder the person’s full and effective participation in the community on an equal basis with others.”

Disability may be acquired at birth, or may be the result of an accident, injuries, diseases, illnesses or hereditary conditions, or ageing in life. A disability may be temporary or permanent, total or partial, lifelong or acquired, visible or invisible. Some people require a high level of support in their day-to-day lives, while many others live totally independently.

Types of disability



Figure 1 - Types of Disabilities: Physical Limitations, Vision Difficulty, Hearing Difficulty, Independent Living Difficulty, Learning Disability, Intellectual Disability Nielsen’s Reaching Prevalent, Diverse Consumers with Disabilities Report, October 2016 (<https://neatebox.com/blog/whyinclusionmustmattertobusinesses>)

Our community

About Burwood

Burwood is a cultural melting pot of inclusive and diverse communities with a thriving business and retail centre surrounded by historic villages. The LGA includes Burwood, Burwood Heights Croydon Park and Enfield and parts of Croydon and Strathfield.

At the time of the 2016 Census, Burwood was home to more than 40,800 residents and by 2036 our population is anticipated to nearly double to 73,500. Our community is highly culturally diverse with 58% of residents born overseas and 64% speaking a language other than English at home, the most common languages other than English being Mandarin, Cantonese, Italian, Korean, Arabic and Nepali.

Disability and caring in Burwood snapshot

At the time of the 2016 ABS Census, Burwood was home to 1,896 people with disability, representing 5.2% of our population. This is a similar proportion compared to Greater Sydney at 4.9%.

5.2%

or 1,896 people living in Burwood reported needing help in their day-to-day lives due to disability.

The number of people with disability increased by

213

people between the 2011 and 2016 Census.

10.4%

or over 3,320 people living in Burwood provide unpaid care to a person with disability, long term illness or old age.

Some suburbs have a higher proportion of residents with disability, including:

Croydon (South) – 10.5%

Croydon – 8.1%

Strathfield (North) – 7.7%

Data Source: Australian Bureau of Statistics (2016), Census of Population and Housing 2016. Compiled using id Profile (Usual residence data).

Engagement findings

How we engaged the community

This Plan was developed through consultation with our community including people with disability, carers and advocates, local service providers and Council staff to find out what they think is working well for inclusion and access in Burwood, what could be improved, and their ideas and priorities for the future.

We would like to extend our deepest thanks and appreciation to every participant who shared their stories, experiences, ideas and priorities for improvement to accessibility and inclusion in our community.



What you told us

Across all engagement activities, the following key priorities were identified:

Accessible transport and parking

The community told us that while there is good public transport in Burwood, they would like to see more accessible and affordable parking options for people with disability. They want Council to prioritise increasing the provision of accessible parking close to essential services such as medical centres, schools, shopping centres, parks and community facilities. People also want to see more sheltered pick up and drop off zones; more community transport options and better information about accessible transport.

“The lack of disability parking and parking in general sometimes prevents access to amenities.” – focus group participant

Inclusive programs, activities and events

The community told us they would like to see more social groups, programs and activities that are inclusive of people with disability and carers. In particular, people said there is an opportunity for more free and affordable activities for children and young people to help overcome social isolation. People told us they would like to see more events and activities that include everyone in the community, not just target group focused and separate activities.

“Create events and forums where people with disability of all ages can come together in a safe space and get to know one another. Social isolation is a big thing especially for children with complex disabilities.” – survey respondent



Increasing community education and awareness

The community told us there is a need for increased public education in Burwood about different types of disabilities, particularly less visible disabilities like autism, to break down stigmas and stereotypes. People said they would like to increase the visibility of people with disability and create opportunities for meaningful community connections and interactions.

“Promoting a positive image and increasing visibility of people with disability in our community to make genuine connections and not transactional connections.” – service provider

Local employment opportunities

The community told us they would like to see more local employment and work experience opportunities for people with disability in Burwood, including at Council and in local businesses. Some said they think there is opportunity to increase understanding and awareness within the business community to better promote and support local employment opportunities.

“Council already puts out a weekly business newsletter, so it could promote employers taking on people with disability, and let people know about employment service providers that can connect them with potential employees.” – survey respondent

Accessible public spaces

The community told us that they value local parks and public open spaces and want to see these places become more accessible and inclusive by providing more amenities such as shaded areas, seating close to footpaths, accessible toilets and change rooms, and ramp access. People would like these spaces to support inclusive events and programs.

“Our parks are nice, wide, big and green, but Council needs to update Woodstock Park and Burwood Park, particularly the footpaths as they are all brick. They also need to install more wheelchair ramps in parks.” – focus group participant

Engagement findings *cont'd***Pathways, roads and signage**

The community told us that having wide, flat-surfaced and clear continuous pathways, kerbs and road crossings is a priority to ensure easy access when moving around the LGA. While some areas are working well, people said there is a need for continuous improvements. People would also like to see improved accessible signage and wayfinding, including braille and pictorial street signs and tactile ground surfaces.

“For people with low vision or who are blind, add street signs so they can feel the braille, especially on Burwood Road and at bus stops. Be more guide dog friendly in some areas in Burwood. Use tactile strips on stairs.” – focus group participant

Engagement and access to information

The community told us it is important that Council provides information in a range of formats and languages to ensure that everyone is included, including forms and documents, Council’s website and communications collateral such as newsletters and social media.

“What matters is that whatever communication method is used; it has maximum accessibility. For example, make sure all the emails are drafted in accordance with web accessibility guidelines.” – focus group participant

Accessible toilets, change rooms and amenities

The community would like to see more accessible toilets, particularly in public spaces such as parks and playgrounds, community centres, as well as in local businesses such as cafés and restaurants. Adult change rooms in public spaces and community events is a key priority to ensure people with disability and their carers can come out and stay as long as they would like.

“There needs to be availability of accessible adult change facilities, particularly for when there are events on like International Day of People with Disability, so people know they can come and stay for several hours because toilet facilities are available.” – survey respondent

Consulting with people with disability

The community expressed how important it is to listen, learn and collaborate with people with lived experience. We heard people with disability and carers should be consulted when planning for our community spaces, facilities, events and programs.

“Establish an advisory group to guide the process of consultation, and to include some of the services and people with disability.” – service provider



Our Action Plan

Our Disability Inclusion Action Plan sets out our four-year roadmap across four key focus areas in order to achieve a more inclusive and accessible Burwood for people with disability.

The key focus areas include:

<p>FOCUS AREA 1 Encourage positive community attitudes and behaviours</p> 	<p>FOCUS AREA 2 Create liveable communities</p> 
<p>FOCUS AREA 3 Access to meaningful employment</p> 	<p>FOCUS AREA 4 Accessible systems and processes</p> 

The following Action Plan outlines a total of 14 goals and 43 actions that Council will work towards by June 2026.



FOCUS AREA 1:

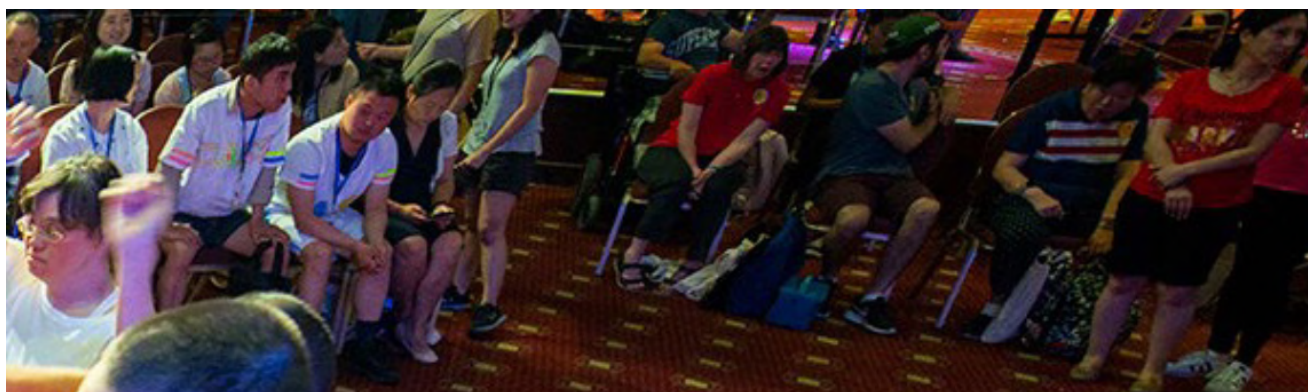


Encourage positive community attitudes and behaviours

Developing positive community attitudes and behaviours is central to making people with disability feel more welcome and included in all aspects of community life, and ensuring that people with disability can live and work more comfortably in Burwood.

This focus area encompasses two goals, including:

- GOAL 1.1:** Increase community awareness and understanding of disability inclusion.
- GOAL 1.2:** Increase Council staff and Councillor awareness and understanding of disability inclusion.



Our actions working towards these goals are outlined below.

#	Action	Outcome	Target	Service Area	Timeframe
GOAL 1.1: Increase community awareness and understanding of disability inclusion					
1.1.1	Establish the Burwood Disability Inclusion Advisory Panel to work with Council to raise awareness in the community about diverse types of disability and emerging issues relating to people with disability, including barriers to access and inclusion.	Increased awareness in the community of disability and inclusion related issues	Hold at least 4 meetings per annum	Community and Culture	Year 1 (2022–2023)
1.1.2	Investigate opportunities to partner with the Multicultural Network to deliver the 'Zero Barriers' initiative to increase accessibility to local businesses for people with disability.	Increased knowledge and skills of local businesses related to improving accessibility and inclusion	Liaise with Multicultural Network and investigate funding sources	Community and Culture	Year 2 (2023–2024)
1.1.3	Ensure Council publications, social media and marketing materials reflect and celebrate the diversity of our community including positive imagery and stories of people with diverse types of disability in Burwood.	Council communications materials are representative of the diverse Burwood community	# of Council publications, social media and marketing materials that represent people with disability Compile and maintain an up-to-date suite of images of people with disability and carers in the Burwood community	Place Management and Communications	Year 1 (2022–2023) and then ongoing
1.1.4	Work with local service providers and the community to facilitate and deliver inclusive events, activities or projects that celebrate the contributions of people with disability, including around International Day of People with Disabilities and Carers Week.	Increased awareness in the community of the importance of inclusion and the contributions of people with disability	Deliver at least two events, activities or projects that celebrate disability inclusion each year	Community and Culture	Ongoing

ITEM NUMBER 56/22 - ATTACHMENT 1

Draft Disability Inclusion Action Plan 2022 - 2026

FOCUS AREA 1: Encourage positive community attitudes and behaviours *cont'd*

#	Action	Outcome	Target	Service Area	Timeframe
GOAL 1.1: Increase community awareness and understanding of disability inclusion					
1.1.5	Promote volunteering opportunities at local not for profit disability services to our community.	Increased volunteering and awareness in the community	At least 10 volunteering opportunities promoted via Council channels per annum	Community and Culture	Ongoing
1.1.6	Review the Community Impact Award criteria to include a focus on access and inclusion within the annual Mayor's Business Commendation Awards Program.	Increased recognition of small businesses championing access and inclusion	Award included in annual Mayor's Business Commendation Awards Program	Place Management and Communications	Year 2 (2023–2024)
1.1.7	Deliver disability awareness training for local community organisations, workers and volunteers.	Community organisations have increased awareness of disability inclusion practices	# of community organisations, workers and volunteers attending training	Community and Culture	Year 2 (2023–2024)
GOAL 1.2: Increase Council staff and Councillor awareness and understanding of disability inclusion					
1.2.1	Deliver disability awareness training and information for all Council staff and Councillors with ongoing education delivered as part of inductions.	Council staff and Councillors have increased awareness of disability inclusion practices	# of Council staff and Councillors attending training	People and Performance with Community and Culture	Year 1 (2022–2023)



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FOCUS AREA 2:



Create liveable communities

In order to be a liveable community our public spaces and places, streets, parks, homes and community facilities need to be accessible to all people. This includes being able to get around easily, to know where are you going, and to have quality, clean and safe facilities in public spaces to enable you to stay out. Liveable communities also means having access to social and recreation opportunities, transport, and accessible and affordable housing.

This focus area encompasses seven goals, including:

- GOAL 2.1:** Ensure new and upgraded Council facilities and open spaces are accessible and inclusive for all.
- GOAL 2.2:** Improve accessibility of town centres and streetscapes.
- GOAL 2.3:** Ensure planning embeds inclusion and accessibility principles.
- GOAL 2.4:** Increase access to parking and transport.
- GOAL 2.5:** Increase accessible and inclusive community programs and events.
- GOAL 2.6:** Increase access to community and recreation services.
- GOAL 2.7:** Increase the number of accessible public toilets and change facilities.



Our actions working towards these goals are outlined below.

#	Action	Outcome	Target	Service Area	Timeframe
GOAL 2.1: Ensure new and upgraded Council facilities and open spaces are accessible and inclusive for all					
2.1.1	<p>Ensure best practice accessibility within new and upgraded public open spaces and playgrounds as per the NSW Government Everyone Can Play Guidelines. Key projects include:</p> <ul style="list-style-type: none"> - Burwood Park Nature Play (completed by June 2023) - Grant Park All Abilities Playground (completed by June 2023) - Flockhart Park Playground Upgrade (completed by June 2023) - Walsh Avenue Reserve Playground (completed by June 2023) - Monash Parade Playground (completed by June 2024) - Martin Reserve Playground (completed by June 2023) - Additional public open spaces and playgrounds, subject to funding. 	Improved accessibility of new and upgraded public open spaces and playgrounds	All new and upgraded play spaces are designed based on Everyone Can Play guidelines	Design and Assets	Ongoing
2.1.2	<p>Ensure the design of all new and upgraded Council-managed community facilities comply with current access legislation. Key projects include:</p> <ul style="list-style-type: none"> - Burwood Urban Park, Arts and Cultural Centre (estimated completion by June 2025) - Enfield Aquatic Centre Upgrade Stage 4 (estimated completion by June 2026 with extent of upgrades subject to funding) - Additional community facilities, subject to funding. 	All new and upgraded Council community facilities adhere to Disability Discrimination Act (DDA) and Building Code of Australia (BCA) standards	All new and upgraded Council facilities are designed to satisfy access requirements.	Property	Ongoing
2.1.3	Undertake targeted community consultation with the community, Burwood Disability Inclusion Advisory Panel members and industry stakeholders to inform the design and evaluation of new and upgraded public open spaces and community facilities.	Increased consultation with people with lived experience and industry stakeholders	All new and upgraded public open spaces and facilities are informed by community and specialist input	Place and Communications Community and Culture	Ongoing

FOCUS AREA 2: Create liveable communities *cont'd*

#	Action	Outcome	Target	Service Area	Timeframe
GOAL 2.1: Ensure new and upgraded Council facilities and open spaces are accessible and inclusive for all					
2.1.4	Ensure Council website provides up to date information about the accessibility of recreation, aquatic and community facilities as well as Council-managed parks and playgrounds.	Council website provides up to date and complete information	Website content reviewed and updated each year New online formats investigated to improve access to information	Customer Service and Business Improvement Place Management and Communications	Year 1 (2022–2023)
2.1.5	Complete the implementation of the wayfinding strategy for parks and open spaces to improve accessibility and mobility across the Burwood Local Government Area.	Wayfinding signage meets standards and improves access to parks and open spaces	Signage in key parks and open spaces meets accessibility standards	Traffic and Transport	Year 4 (2025–2026)
2.1.6	Undertake a review of park benches within Henley Park and Wangal Park to ensure there are sufficient places to sit and rest next to walking paths.	Seating in key locations is accessible and provides an improved experience for people with disability	Increased seating next to walking paths at Henley Park and Wangal Park	Design and Assets	Year 2 (2023–2024)
GOAL 2.2: Improve accessibility of town centres and streetscapes					
2.2.1	Undertake a Pedestrian Access and Mobility Plan (PAMP) for the Burwood Town Centre and other local centres including access and connections to neighbouring residential areas, facilities and open spaces.	Continuous accessible pathways support travel throughout key destinations	# of continuous accessible paths of travel increased	Traffic and Transport	Year 2 (2023–2024)
2.2.2	Develop public mobility maps for Burwood Town Centre and other local centres, including accessible parking, toilets and public spaces.	Increased awareness of accessible areas across Burwood and other local centres	Mobility maps developed and promoted to the community	Traffic and Transport	Year 2 (2023–2024)
GOAL 2.3: Ensure planning embeds inclusion and accessibility principles					
2.3.1	Review and update LEP and DCP to include objectives around access and inclusion for people with disability and ensure accessibility standards are up to date.	Access and inclusion for people with disability is considered in the LEP and DCP	LEPs and DCPs updated	City Planning	Year 1 (2022–2023) Year 1 (2022–2023)
2.3.2	Through the development of the Affordable Housing Policy, facilitate the expansion of accessible and affordable housing through proactive policies and collaboration.	Increased awareness of accessible and adaptable housing in the LGA	Information obtained and results produced	City Planning	Year 1 (2022–2023)

#	Action	Outcome	Target	Service Area	Timeframe
2.3.3	Deliver a social research project to identify and address barriers to inclusion for people with disability in Burwood. e.g. a series of “walkshops” in public open spaces with people with lived experience in Burwood.	Increased understanding of barriers to inclusion of people with disability in public open space in Burwood.	Social research completed.	Community and Culture	Year 3 (2024–2025)

GOAL 2.4: Increase access to parking and transport

2.4.1	Increase provision of accessible parking and pick up/drop off zones in proximity to services, shops and transport hubs.	An audit of existing on street mobility parking spaces is completed and strategies identified through the review of the Parking Strategy.	# of new accessible parking spaces and pick up/drop off zones	Traffic and Transport	Year 1 (2022–2023) and then ongoing
2.4.2	Provide information about the locations of accessible parking spaces and pick up/drop off zones.	Increased awareness of accessible public parking spaces and pick up/drop off zones	Street mobility parking spaces and pick up/drop off zones reflected on Council’s website	Traffic and Transport	Year 1 (2022–2023)
2.4.3	Explore the feasibility of agreements with commercial parking operators to enforce mobility parking/appropriate use of accessible parking spaces.	Increased awareness of accessible private parking spaces	Liaise with commercial parking operators including Westfield	Community Safety Traffic and Transport	Year 1 (2022–2023) and then ongoing
2.4.4	Undertake a review of all bus stop facilities to ensure accessibility and compliance with the Disability Discrimination Act (DDA) 1992.	Increased accessibility of bus stop facilities	# of bus stop facilities that are accessible and compliant with DDA standards	Traffic and Transport	Year 1 (2022–2023)

GOAL 2.5: Increase accessible and inclusive community programs and events

2.5.1	Investigate opportunities to make Council’s ongoing program of community events and programs more accessible and inclusive for people with disability, including the development of an inclusive events checklist.	Increase in participation of community events by people with disability	# of community events that are more accessible for people with disability	Community and Culture	Year 2 (2023–2024) and then ongoing
2.5.2	Ensure promotion of Council events and programs provides clear information about accessibility of venue and activities.	Council events and programs are more accessible for people with disability	100% of Council promoted events and programs provide information about accessibility	Community and Culture Place Management and Communications	Year 1 (2022–2023) and then ongoing

FOCUS AREA 2: Create liveable communities *cont'd*

#	Action	Outcome	Target	Service Area	Timeframe
2.5.3	Work with local service providers to deliver or facilitate targeted programs for people with disability and carers, noting an identified need for social groups for young people and families with children with disability in the Burwood area.	Improved programming for families with children and young people with disability	# targeted programs delivered or facilitated	Community and Culture	Ongoing
2.5.4	Continue to convene and coordinate the Inner West Disability Forum in collaboration with Inner West Council to ensure ongoing engagement with disability service providers and their clients.	Increased collaboration with and between services	# of initiatives delivered in collaboration with local disability services	Community and Culture	Ongoing
GOAL 2.6: Increase access to community and recreation services					
2.6.1	Promote information resources and deliver or facilitate targeted library programs for people with disability and their carers.	Increased participation by people with disability in library programs	Increased utilisation and access for people with disability and carers	Library and Community Hub	Ongoing
2.6.2	Investigate the feasibility of reduced entry fees and subsidised programs at Enfield Aquatic Centre for people with disability and carers that live in the Burwood LGA.	Affordable access to council facilities	Increased utilisation and access for people with disability and carers	Enfield Aquatic Centre	Year 1 (2022–2023)
2.6.3	Trial the use of bookable spaces in the Community Hub as free quiet study areas for students with disability.	Free access to quiet study rooms for students with disability	Improved learning experience for people with disability and their carers	Library and Community Hub	Year 1 (2022–2023) and ongoing
GOAL 2.7: Increase the number of accessible public toilets and change facilities					
2.7.1	Undertake a review of the distribution and appropriateness of Council-owned accessible public toilets and adult change rooms across the LGA to develop a prioritised list for upgrade or increased provision.	Increased provision of accessible toilets and adult change facilities in the LGA	Based on findings of review, increase the provision of accessible toilets and adult change facilities (# of new facilities)	Property	Year 2 (2023–2024)





FOCUS AREA 3:



Access to meaningful employment

Employment provides a sense of value and access to an income that improves our wellbeing. Employment contributes to independence and feelings of self-worth, social interaction and mental health, and increases opportunities to support individual choice and control. To increase access to meaningful employment, Council is committed to connecting people with disability to training and employment pathways.

This focus area encompasses two goals, including:

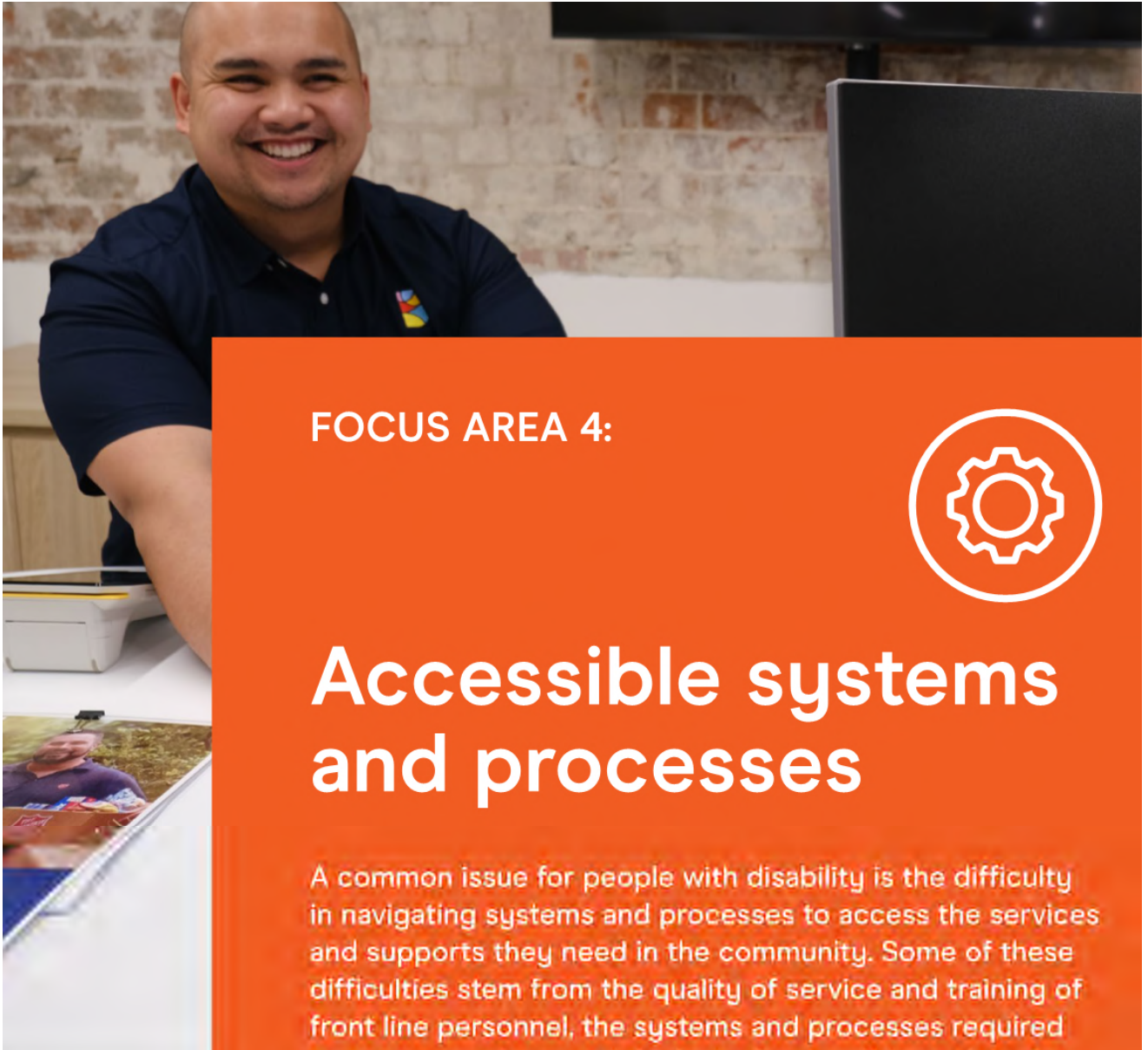
GOAL 3.1: Increase employment of people with disability within Council.

GOAL 3.2: Increase employment of people with disability in local businesses.



Our actions working towards these goals are outlined below.

#	Action	Outcome	Target	Service Area	Timeframe
GOAL 3.1: Increase employment of people with disability within Council					
3.1.1	In collaboration with disability employment services, investigate opportunities to increase access to employment opportunities at Council for people with disability.	Increase opportunities for supported employment within Council	# of opportunities identified and implemented	People and Performance	Ongoing
3.1.2	Provide people with disability with work experience through volunteering, apprenticeship, or internship opportunities across different Council services, programs and events.	Increase opportunities for meaningful and suitable employment opportunities for people of all ages with disability	# people engaged who identify as a person with disability per year	People and Performance	Year 4 (2025-2026)
3.1.3	Liaise with NSW Accessible Arts to investigate opportunities to engage artists with disability to work with Council on arts and cultural projects.	Increased representation of artists with disability as part of Council's arts and cultural programming	# of artists with disability engaged or collaborative works developed with people with disability	Community and Culture	Year 1 (2022-2023)
GOAL 3.2: Increase employment of people with disability in local businesses					
3.2.1	In partnership with local employment service providers and local business chambers, share information and resources with local businesses about employing people with disability and creating more inclusive workplaces.	Increased knowledge of local businesses	# resources shared in the Burwood Cares Business Newsletter	Place Management and Communications	Year 2 (2023-2024) and then ongoing
3.2.2	Investigate funding sources to deliver an accessibility audit of small businesses across the Burwood Town Centre.	Increased accessibility of local businesses for employees and customers	Funding obtained and audit program delivered	Community and Culture	Year 4 (2025 - 2026)



FOCUS AREA 4:



Accessible systems and processes

A common issue for people with disability is the difficulty in navigating systems and processes to access the services and supports they need in the community. Some of these difficulties stem from the quality of service and training of front line personnel, the systems and processes required to access services, and the lack of accessible options for communicating, accessing information or providing input or feedback. Being able to have a say about what happens in the Burwood Local Government Area is important for all.

This focus area encompasses three goals, including:

- GOAL 4.1:** Increase access to information and Council services.
- GOAL 4.2:** Embed inclusive practices in Council's planning documents.
- GOAL 4.3:** Monitor and report on Disability Inclusion Action Plan progress and achievements.



Our actions working towards these goals are outlined below.

#	Action	Outcome	Target	Service Area	Timeframe
GOAL 4.1: Increase access to information and Council services					
4.1.1	Ensure Council application forms are available in a range of accessible formats, such as Easy Read, digital, print and community languages as required.	Council delivers essential information in a variety of formats which meet varying communication needs in the community	# of key application forms available in accessible versions	Customer Experience and Business Improvement	Year 1 (2022–2023) and then ongoing
4.1.2	Improve accessibility of Council external communications channels including increasing use of alternate text for images on social media and website.	Information on Council website and other communications channels is easily accessible for people with disability	Key Council external communications channels provide accessible formats	Place Management and Communications	Year 1 (2022–2023)
4.1.3	Work towards website Web Content Accessibility Guidelines (WCAG) 2.0 level AAA rating.	Increased accessibility of Council website	Review undertaken with key improvements identified to work towards AAA rating	Place Management and Communications	Year 2 (2023–2024)
GOAL 4.2: Embed inclusive practices in Council’s planning documents					
4.2.1	Ensure all new and updated strategic plans and policies, including master plans and local planning agreements, include consideration of disability access and inclusion issues and principles.	Increased consideration of disability access and inclusion across Council’s strategic planning	100% of new or updated plans or documents prepared include focus on disability access and inclusion	City Planning	Ongoing
4.2.2	Ensure development of forthcoming social and cultural strategies, such as the Multicultural Strategy, Youth Action Plan and Cultural Plan, include consultation with people with disability and carers.	Upcoming plans consider access and inclusion	100% of new social and cultural strategies prepared involve participation opportunities for people with disability and their carers	Community and Culture	Ongoing

FOCUS AREA 4: Accessible systems and processes *cont'd*

#	Action	Outcome	Target	Service Area	Timeframe
GOAL 4.3: Monitor and report on Disability Inclusion Action Plan progress and achievements					
4.3.1	Ensure Disability Inclusion Action Plan is integrated into and reported on through the IP&R framework.	Reporting of work in progress actions and DIAP achievements	DIAP is integrated in and reported on through the IP&R framework	Community and Culture	Ongoing
4.3.2	Raise awareness of the Disability Inclusion Action Plan internally by sharing achievements through regular updates to Council staff.	Increased awareness of Council staff of DIAP achievements	Increased ownership of DIAP actions with achievements celebrated across the organisation	Community and Culture	Ongoing

Implementing, monitoring and reporting on our Plan

Council is committed to achieving an inclusive and accessible Burwood to live, work, play in and visit.

We will implement this Plan over the next four years and will keep the community updated on our progress through a range of informal and formal reporting measures to ensure accountability and transparency.

This will include:

- Reporting of progress on implementation of DIAP Actions in annual reports to be made available to the community online, and in hard copy at the Burwood Library and Community Hub.
- Council will promote the implementation of the DIAP across the organisation and report on its progress of implementation biannually through Integrated Reporting and Planning processes.
- Establishment of Council's Disability Inclusion Advisory Panel to provide advice as required.
- Incorporation of disability inclusion questions in Council's Community Satisfaction survey undertaken every 2 years.
- Ensure senior staff members report to Council on the Plan's progress every year.

Appendix 1

Overview and description of international, national, state and local documents.

International

UN Convention on the Rights of Persons with Disability (2006)

The UNCRPD was adopted in 2006 and sets out the fundamental human rights of people with disability. The purpose of the Convention is *“to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect for their inherent dignity.”*

National

Australia’s Disability Strategy 2021-2031

Australia’s Disability Strategy 2021-2031 sets out a 10-year plan for continuing to improve the lives of people with disability in Australia, and drive change to uphold the rights, inclusion and participation of people with disability in all areas of Australian life.

The Strategy’s vision is for *‘an inclusive Australian society that ensures people with disability can fulfil their potential, as equal members of the community.’*

National Disability Insurance Scheme (NDIS)

The NDIS is a national system of disability support focused on individual needs and choices of people with disability. The NDIS aims to encourage a ‘person-centred’ approach to service delivery as opposed to designing and delivering services with a ‘one size fits all’ approach.

Disability Discrimination Act 1992

This Act states that discrimination against people with disability is unlawful. Council has an obligation to ensure that its services, facilities and programs are accessible.

Disability (Access to Premises – Buildings) Standards 2010

These Standards ensure reasonably achievable access to buildings, facilities and services within buildings; and give certainty to building certifiers, developers and managers so that if standards are complied with, they cannot be subject to a successful complaint under the Disability Discrimination Act.

NSW

NSW Disability Inclusion Act 2014

The Disability Inclusion Act 2014 (DIA) demonstrates the ongoing commitment of the NSW Government to building an inclusive community and requires the government to produce a Disability Inclusion Plan. This Act requires all government departments and certain public authorities in NSW to have a Disability Inclusion Action Plan.

Carers (Recognition) Act 2010 NSW

This Act provides recognition of carers and the role that carers play in providing daily care and support to people with a disability, medical conditions or who are frail aged.

Anti-discrimination Act 1997

The NSW Anti-Discrimination Act 1977 (ADA) relates to discrimination in places of work, the public education system, delivery and goods and services including services such as banking, health care, property and night clubs.

The NSW Disability Inclusion Plan 2021-2025

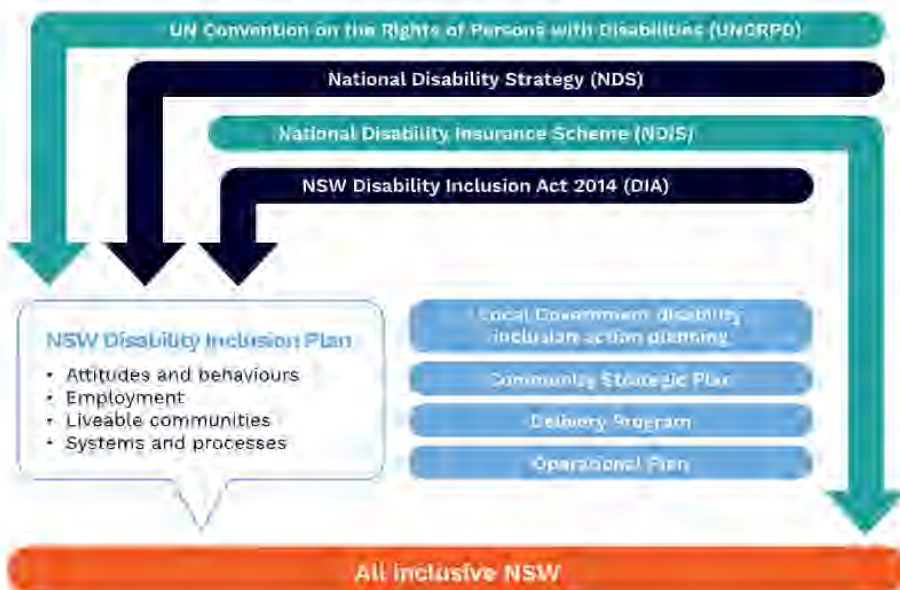
The NSW Disability Inclusion Plan 2021-2025 (DIP) strengthens the state’s accessibility framework and outlines work underway to improve outcomes for people with disability.

Burwood Council

Community Strategic Plan

The goals and actions in this DIAP align with Council’s Community Strategic Plan – *Burwood2036*.

Burwood2036 is underpinned by a four-year Delivery Plan and an annual Operational Plan. The diagram below shows how the Disability Inclusion Action Plan fits into the integrated planning and reporting process, and relates to other Council plans and documents.



Policy and legislation framework (Credit: Cred Consulting)



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(ITEM 57/22) DRAFT CHILD SAFETY AND WELLBEING POLICY - ADOPTION

File No: 22/17362

REPORT BY DIRECTOR COMMUNITY LIFE

Summary

At the Ordinary Meeting of Council held on 26 April 2022, Council resolved to place the *Draft Child Safety and Wellbeing Policy* on public exhibition for a period of 28 days for feedback from the community. Now that the public exhibition period has concluded, this report seeks Council's adoption of the *Draft Child Safety and Wellbeing Policy* with no amendments proposed as a result of feedback received during the public exhibition period.

Operational Plan Objective

- 1.2.3.1 Provide leadership on the community's vision and values.
- 2.3.2.3 Provide structured procedures and processes to ensure organisational effectiveness.

Background

The NSW Government passed the *Children's Guardian Amendment (Child Safe Scheme) Bill 2020* (the Bill) in November 2021 to amend the *Children's Guardian Act 2019* (the Act). As a result, child safe organisations (which include local councils) are now required to implement the ten Child Safe Standards recommended by the Royal Commission into Institutional Responses to Child Sexual Abuse. Child safe organisations create cultures, adopt policies and strategies, and act to prevent harm to children including, but not limited to, sexual abuse.

The *Draft Child Safety and Wellbeing Policy* was developed by Council in alignment with the above legislation and outlines Council's requirements to minimise risk to children and young people and ensure their safety and wellbeing across all areas of Council's work. The Draft Policy was developed by staff who interact with children and young people in collaboration with other internal stakeholders and with guidance from the NSW Office of the Children's Guardian (OCG).

Proposal

The *Draft Child Safety and Wellbeing Policy* was placed on public exhibition for a period of 28 days from Thursday 28 April 2022 to Wednesday 25 May 2022.

Two submissions were received during the public exhibition period. One in relation to consent around photography involving children at Council events and the other in relation to child road safety with a particular focus on cycling and active travel.

Key points outlined in the submissions and Council's responses are summarised in the following table:

Key Points of Submission	Council Response
Photographers at Council events should seek consent from parents/guardians before taking photographs of anyone's child/children.	<p>The Draft Policy outlines Council's commitment to child safety and wellbeing and applies to Council events and community programs, including the obligations of Council staff when carrying out their duties at events.</p> <p>Section 1.5 places a particular emphasis on: 'Using a risk management approach in which staff are required to identify and mitigate risks to ensure children's safety and wellbeing whilst attending Council events, programs, services, activities and</p>

Key Points of Submission	Council Response
	<p>facilities’.</p> <p>At an operational level, specific measures are being implemented to mitigate the risk around photography and video footage of children at Council events. This includes ensuring that official Council photographers/videographers are identified with a uniform and badge, and ensuring that Council’s official photographer/videographer actively seeks consent from parents/carers for any footage taken of children at Council events and prior to Council use.</p> <p>As per Section 5 of the Draft Policy, Council staff will receive ongoing training aligned with the Policy, including related processes and procedures.</p>
<p>The Policy does not address child road safety in relation to children who cycle and participate in active travel in the Burwood LGA. Particular reference was made to improving strategies around bike lanes, crossings on major roads and railway line overpasses.</p>	<p>This is already covered in the Draft Policy under sections 1.6 and 1.7 respectively, where it outlines Council will ‘develop a four-year action plan for the organisation that will involve the ongoing development of internal tools, systems and processes’ and rollout a program of ‘ongoing public campaigns following the adoption of Council’s Policy Statement to formalise the focus on keeping children safe and making relevant information available to the community’.</p> <p>Council has supplied the writer of the submission with further information on Council’s road safety education and awareness program and has directly linked them with Council’s Road Safety Officer. In addition, Council has noted in its response that it will be developing an Active Transport Plan in the near future which will also involve a review of Council’s existing cycle network to make further improvements. It was further noted that Council currently conducts regular audits in areas of concern, such as school zones and implements actions in collaboration with local schools as required.</p>

Given the broad coverage of the Draft Policy, the focus on the 10 Child Safe Standards and the immediate operational measures being implemented or underway, no policy changes are recommended in response to the two submissions received during the public exhibition period. Council has responded to each submission writer providing them with a detailed response to their feedback, also noting that specific actions will be included within Council’s Child Safe Action Plan to ensure children’s safety is embedded across Council’s service provision, including when photographs are taken at Council events and in relation to road safety.

The *Draft Child Safety and Wellbeing Policy* is included under Attachment 1 of this report and is recommended for adoption by Council.

Consultation

The *Draft Child Safety and Wellbeing Policy* was placed on public exhibition for a period of 28 days from Thursday 28 April 2022 to Wednesday 25 May 2022. During the public exhibition period the documents were made available to the community for comment via Council’s online engagement platform – Participate Burwood. Council also circulated the Draft Policy and information about the public exhibition period to community e-networks (including Government agencies, not-for-profit organisations, local early childhood services, and local primary and high schools) and promoted the opportunity to provide feedback via Council’s social media and e-news channels.

In addition to the above, Council intends to communicate its commitment to being a child safe organisation to the community by commencing the immediate roll out of a campaign utilising the popular play van service following the adoption of Council's policy statement.

Planning or Policy Implications

Following adoption of the policy, Council's Community and Culture team will work with other areas of Council to complete an action plan of activities that will ensure Council is actively implementing the *Child Safety and Wellbeing Policy* and related legislation.

Relevant policies will also be reviewed and updated, where required, to ensure they are aligned with the *Child Safety and Wellbeing Policy*. The Child Safe Standards will also be considered when developing Council's Community Engagement Strategy, which is due to come before Council by December 2022.

Updated training will be rolled out to all staff, with a specific focus on staff that interact with or provide services that are utilised by children and young people as well as staff with leadership responsibilities and other frontline staff.

Council's Mandatory Reporting and Working with Children Check processes will remain in place and will be further strengthened as required.

Financial Implications

There are no financial implications associated with this report. Any actions arising from the implementation of the policy can be readily integrated into the existing business of Council and draw upon existing budgets available.

Conclusion

This report recommends that Council adopts the *Draft Child Safety and Wellbeing Policy* included under Attachment 1, following the conclusion of the public exhibition period.

The 10 Child Safe Standards and the passing the *Children's Guardian Amendment (Child Safe Scheme) Bill 2020* sends a strong message that child safety is the responsibility of every member of an organisation. The *Draft Child Safety and Wellbeing Policy* demonstrates Council's commitment to this message and shows the community that Council shares the understanding that children's safety is a collective responsibility.

Recommendation(s)

That Council adopts the *Draft Child Safety and Wellbeing Policy* included under Attachment 1 of this report.

Attachments

1 Draft Child Safety and Wellbeing Policy - Recommended for Adoption



Burwood
Inc.1874

DRAFT CHILD SAFETY AND WELLBEING POLICY

PO Box 240, BURWOOD NSW 1805
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Public Document
Adopted by Council: [Yet to be adopted]
Document No.: 22/11933
Ownership: Community Life
Version No.1 (Draft for public exhibition)

Purpose

This Policy has been developed in alignment with state and federal legislation and outlines Council's requirements to minimise risk to children and young people and ensure their safety and wellbeing across all areas of the organisation's work.

It also informs Councillors, staff and volunteers of Burwood Council about their obligations to act to protect the rights of children and young people and the important role they play in ensuring their safety and wellbeing.

Scope

This Policy applies to all Council activities and facilities which involve contact with children and young people, including but not limited to:

- Community events
- Community programs
- Community engagement activities
- Burwood Library and Community Hub
- Enfield Aquatic Centre
- Public facilities, including parks and reserves
- Hireable community spaces
- Attendance at external facilities, such as schools and childcare centres
- Visiting private residences
- Internships, traineeships, work experience and volunteer programs.

This Policy applies to all Council Officials.

Definitions

Child - A person aged under 18 years. Note: Under child protection legislation a child is defined as aged under 16 years for Mandatory Reporting purposes and as aged under 18 years for Reportable Conduct (see below for more information).

Child-Related Positions - Positions involving work with children and/or young people where the work normally involves being face to face or where contact is more than incidental.

Council Officials - Councillors, employees, volunteers, consultants and contractors.

Mandatory Reporting - The legal requirement for any person delivering a service to children or young people, or in management of a service for children or young people, to report concerns for a child at risk of significant harm.

Reportable Conduct - Any offensive behaviour or misconduct committed against, with or in the presence of a child or young person, including the following:

- A sexual offence against, with or in the presence of a child
- Sexual misconduct against, with or in the presence of a child
- Ill treatment of a child
- An assault against a child
- Neglect or failure to protect a child from abuse or harmful environments
- Inflicting psychological harm on a child.

Wellbeing - A sense of happiness or success.

Working with Children Check - An official clearance to work with children and young people provided by the NSW Office of the Children's Guardian in relation to anyone in a position classified as one involving in child-related work.

Young Person - A person that is 16 or 17 years of age.

Policy Statement

Burwood Council is proud to be a child safe organisation and shares the understanding that children's safety is a universal responsibility. The Child Safety and Wellbeing Policy demonstrates Council's commitment to the safety and wellbeing of children and young people in the Burwood Local Government Area. The policy reflects a culture of shared responsibility for child safety and will help to ensure that every person who works for or with Council is aware of their responsibilities for promoting and upholding child safety.

Policy Requirements

Burwood Council is committed to being a child safe organisation by embedding the 10 Child Safe Standards into organisational leadership, governance, culture and practices as outlined below.

1. A commitment to child safety and wellbeing

Through the adoption of this Policy, Council will embed the Child Safe Standards across all relevant Council processes, including but not limited to the following:

- All child-related positions include working with children requirements and a current Working with Children Check (WWCC) is in place for each Council Officer occupying a child-related position.
- Recruitment documentation is regularly reviewed to ensure it includes child safe requirements, such as WWCCs for all identified positions.
- Induction of new staff and volunteers includes information about Council's child safety and wellbeing approach.
- Ongoing training with a key focus on front line staff.
- Using a risk management approach in which staff are required to identify and mitigate risks to ensure children's safety and wellbeing whilst attending Council events, programs, services, activities and facilities.
- Development of a four-year Child Safe Action Plan for the organisation that will involve the ongoing development of internal tools, systems and processes to ensure Council remains focussed on child safety and wellbeing.
- Ongoing public campaigns following the adoption of Council's Policy Statement to formalise the focus on keeping children safe and making relevant information available to the community.

2. Taking child participation seriously

Council regularly consults with children and young people. This practice will continue and be reviewed to maintain a best practice approach at all times.

In addition, children and young people have access to information about their rights through publicly available and actively promoted information and resources on Council's website and at Council facilities.

3. Involving families and communities

This Policy and Council's Policy Statement is to be readily accessible via the Council website and be placed on display in public places and facilities to communicate Council's commitment to child safety and wellbeing.

As much as possible, information will be provided in child-friendly language and will be translated into community languages. Council will continue to utilise a range of methods and channels to ensure the purpose of the Policy and its requirements are effectively communicated to the community.

4. Respecting equity and diversity

Council is committed to the principles of equity and creating opportunities for all community members regardless of age, race, gender, ethnicity or disability to participate in community and civic life.

5. Ensuring that staff are suitable and supported

Council applies and maintains a rigorous recruitment, screening and selection process for all child-related positions. This includes thorough reference checking and confirmation of WWCC status for all preferred applicants for roles that engage or work with children and young people. Council will review its list of positions deemed to be child-related as required.

All staff across the organisation will receive ongoing training aligned with the Child Safety and Wellbeing Policy and related processes and procedures.

6. Child focused complaint systems

With children's safety being a prime focus, Council staff are trained to identify, respond to and report on all concerns and complaints relating to children.

All child-related complaints about Council Officers will be determined via the 'Complaints Against Council Officers Process' outlined in the Complaints Management Policy. The Internal Ombudsman or NSW Ombudsman is responsible for dealing with serious or difficult complaints which have been escalated to them.

Staff observations of reportable conduct by a member of the public against a child or young person, will be reported to the police or other appropriate authority.

Council will continually review and refine its complaints handling process for all community members, including children and young people.

7. Staff knowledge, skills and awareness

Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.

All Councillors, staff and volunteers will be trained in the Policy requirements and relevant procedures and training will be ongoing and relevant to their roles. Council Officials will be made aware that keeping children safe is everyone's responsibility and ongoing initiatives will be delivered to make the Burwood Local Government Area a safe and welcoming place for children and young people.

8. Safe physical and online environments

Council's risk assessment processes help determine where child safety risks may arise and ensure measures are put in place to eliminate or minimise these risks.

All staff are appropriately trained to identify and minimise risks and report on any concerns.

9. Review of child safe policies and practices

Implementation of the National Principles for Child Safe Organisations is regularly reviewed and improved. Council reviews policies every two to four years, or sooner if legislation changes or other forces generate the need for more frequent review.

Council's Child Safe Action Plan will be reviewed and implemented on an annual basis over the next four years to ensure Council remains a child safe organisation.

10. Documenting policies and procedures

Council's child-related positions have a clear, well developed framework and ongoing appropriate training so that staff and volunteers know their roles and responsibilities and have the capability to maintain safety for children and young people.

Council will identify child safety and wellbeing 'champions' across the organisation who will take the lead in coordinating policy development and implementation of related procedures and actions.

Related Information/Glossary

Related legislation:

- *Children's Guardian Child Safe Scheme 2021*
- *United Nations Convention on the Rights of the Child*
- *Children & Young Persons (Care and Protection) Act 1998*
- *Children Legislation Amendment (Wood Enquiry Recommendations) Act 2009*
- *Child Protection (Working with Children) Act 2012*
- *Children's Guardian Act 2019*
- *Government Information (Public Access) Act 2009*
- *Local Government Act 1993 (NSW)*

Related Council policies and plans:

- Code of Conduct
- Complaints Management Policy
- Children in the Library Policy
- Community Strategic Plan, Delivery Program and Operational Plan
- Community Engagement Strategy

Review

Date of next review is two years from the date of adoption by Council.

Contact

Coordinator Community Development – (02) 9911 9941.

(ITEM 58/22) HORNSEY STREET (EAST) ROAD CLOSURE & LEASE OF PART OF HORNSEY STREET BURWOOD

File No: 22/22547

REPORT BY DIRECTOR CORPORATE SERVICES

Summary

To seek Council's resolution to close part of Hornsey Street (East), Burwood and enter into a short term lease with Anson City Developments 2 (Australia) Pty Ltd for part of Hornsey Street, identified as Lot 10.

Operational Plan Objective

4.2.1 Improve the accessibility of Burwood CBD

Background

Hornsey Street (now Unity Place) forms one of the many pedestrian links Council is strategically developing as a network of connections through the centre of Burwood, as well as linking the community with Burwood Council's Library & Community Hub.

In order to commence the activation and complete the pedestrian walkway linking Conder Street and Wynne Avenue Burwood, Council at its meeting of 28 April 2020 resolved to propose the closure of Hornsey Street (East), Burwood, in accordance with Part 4 Division 3 of the Roads Act and endorse the proposal of a short term lease of five years for a part of Hornsey Street, identified as Lot 10, to be entered into under sections 153 to section 157 of the Roads Act.

The portion of road in subject once provided access to the rear of the Masonic Hall as well as the old community building and car park which have both been demolished as part of the development of Burwood Grand, rendering this section of Hornsey Street as "not reasonably required as a road for public use".

As a result of the amended Voluntary Planning Agreement (VPA) in connection with the Burwood Grand project (Development Application No. 193/20150), Council is to grant the developer Anson City Developments 2 (Australia) Pty Ltd (Anson) a 99 year lease over part of the land currently classified as a public road to further support the activation of Hornsey Street. However, the portion of Hornsey Street identified as Lot 10 remains a council public road and there are restrictions upon granting leases with respect to the road until Council resolves to close the road and it is formally registered with NSW Land Registry Services (LRS). Therefore, the term of the lease of the road is restricted to not more than five years.

The amended VPA has enabled Council to control Hornsey Street in the interest of public benefit and is able to meet Council's objectives in its Local Strategic Planning Statement for quality urban design and inviting public spaces. It also brings forward Council's strategic planning in respect of creating a public square/forecourt in accordance with Council's Development Control Plan (DCP).

Under the Roads Act, a Council that is proposing to close a council public road must cause notice of the proposal which involves the proposal to be gazetted and that all owners of land adjoining the road and all notifiable authorities are also notified. In creating a short-term lease on a public road under sections 153 to section 157 of the Roads Act, this requires the service of notices on adjoining owners and a notice to be published in the local newspaper.

The notification process of both the proposal to close the subject portion of council public road and the lease proposal of part of Hornsey Street has now been undertaken, with the submission period closing on 20 June 2022. It is noted that no formal submissions have been received.

This report seeks to further inform Council of the outcome of this process and the required next steps.

Draft Survey

Proposal

In accordance with Part 4 Division 3 of the Roads Act, Council must now formally make a determination on the road closure.

If Council resolves to close the portion of Hornsey Street in subject, a survey plan will be prepared and lodged with NSW Land Registry Services (LRS) for registration.

As Council cannot currently comply with the obligation to grant a 99 year lease for Lot 10 to the developer in accordance with the VPA, Council can resolve to enter into a short-term lease with the developer whilst proceeding with the registration process for the road closure with LRS.

As the proposed road is a council public road, on closure it will remain vested in Council. Therefore, it is recommended that Council seek to classify the portion of Hornsey Street, identified as Lot 10, as operational land.

Consultation

The notification of the proposed road closure and the proposal of the short term lease was advertised on 20 May 2022. Notification of the proposals were also served on all owners of land adjoining the road and all notifiable authorities, as required under the Roads Act.

Planning or Policy Implications

The road closure is consistent with Council's Development Control Plan (DCP) which identifies this dead-end section of Hornsey Street as a public square/forecourt.

Financial Implications

In accordance with the amended VPA and Council's objective to control Hornsey Street in the interest of public benefit, the Lessee being Anson will pay Council an annual rent in-kind.

Conclusion

It is recommended that Council endorse the closure of Hornsey Street and grant a short term lease for five years to the developer for the strip of land (Lot10) forming part of Hornsey Street and immediately adjacent to the developer's land.

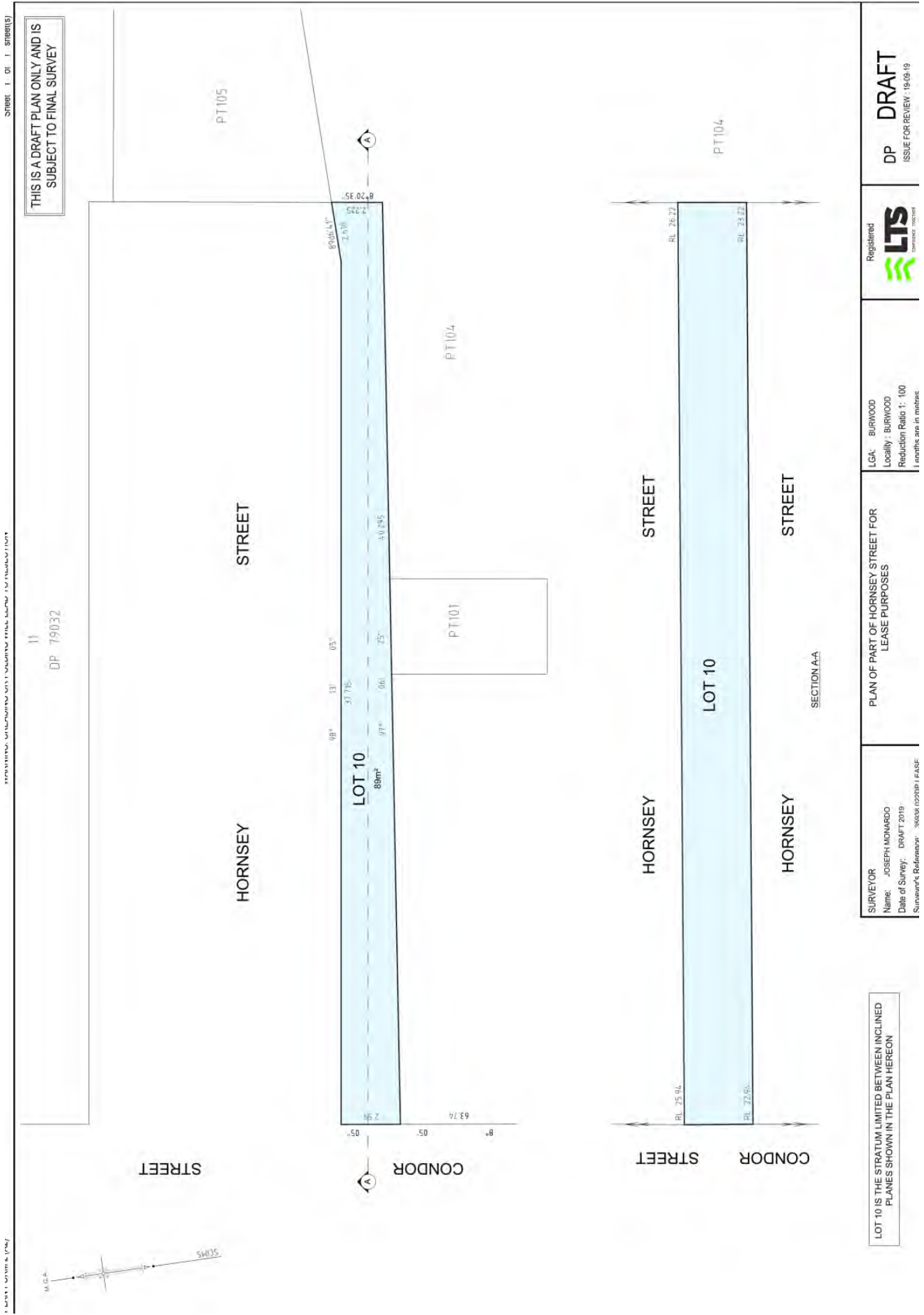
Recommendation(s)

1. That Council endorse the road closure of Hornsey Street (East) as identified and that the land comprising of the former road remains vested in Council, under section 38E of the Roads Act, as operational land.
2. That the General Manager follows through with all necessary steps under Part 4 Division 3 of the Roads Act in respect of finalising the registration of the road closure.
3. That Council provide the General Manager with authority to finalise the terms and enter into a short-term lease of five years with Anson City Developments 2 (Australia) Pty Ltd under POA.
4. That Council publish the notice of determination of the road closure, under section 38D of the Roads Act.

Attachments

- 1 Draft Survey

Draft Survey



(ITEM 59/22) COUNCILLORS EXPENSES AND FACILITIES POLICY AND CIVIC RECOGNITION, CONDOLENCES AND SMALL DONATIONS POLICY - ADOPTION

File No: 22/20573

REPORT BY DIRECTOR CORPORATE SERVICES

Summary

Section 252 (1) of the *Local Government Act 1993* (the Act) requires that the Council must, within the first 12 months of each term of Council, adopt a policy concerning the payment of expenses incurred and facilities provided to the Mayor and Councillors. The *Councillor Expenses and Facilities Policy* has been reviewed. A proposed *Civic Recognition, Condolences and Small Donations Policy* has also been developed to deal with matters previously in the *Councillor Expenses and Facilities Policy* that are better suited to a standalone policy. Following a period of public exhibition, those policies are now presented to Council for adoption.

Operational Plan Objective

2.1.3 Ensure transparency and accountability in decision making.

Background

At its meeting of 24 May 2022 Council resolved to place on public exhibition the draft *Councillors Expenses and Facilities Policy* and the draft *Civic Recognition, Condolences and Small Donations Policy* for a period of 28 days.

Consultation

The draft *Civic Recognition, Condolences and Small Donations Policy* was on public exhibition for 28 days from 25 May to 21 June 2022.

The draft *Councillors Expenses and Facilities Policy* was on public exhibition for 28 days from 26 May to 22 June 2022.

Council advertised the draft policies:

- on Council's website, and
- in the Burwood Community Update e-Newsletter.

Submissions and proposed amendment

No submissions were received during the public exhibition period.

During the public exhibition period Council officers identified the need for two minor amendments to the proposed *Councillor Expenses and Facilities Policy*.

The first proposed change relates to travel by private vehicle. Clause 6.3 of the draft policy currently provides the following:

Allowances for the use of a private vehicle will be reimbursed by kilometre at the rate contained in the *Local Government (State) Award*, subject to the cost not exceeding the average airfare of other councillors who flew or, if no other councillor flew, the Flexible Economy Class airfare to the same destination available at the time of the conference or seminar. Should the cost of the car travel exceed the Flexible Economy Class airfare, the cost of the Flexible Economy Class airfare will be reimbursed.

The proviso requiring a comparison with Flexible Economy Class airfares is intended to ensure the most effective use of Council resources for longer-distance travel. In light of the level of fluctuation

in the cost of air travel, and the legitimate need to also consider other logistics for any given trip, it is proposed that a less prescriptive qualifier be included.

It is proposed that clause 6.3 be replaced with the following:

Allowances for the use of a private vehicle will be reimbursed by kilometre at the rate contained in the *Local Government (State) Award*, subject to consideration being given to comparative methods of travel such as air travel or the use of a pool or hire car, taking into account the nature and destination of the trip, to ensure the best use of Council resources.

The second proposed amendment relates to Councillor professional development. The amendment would allow a Councillor the option of using their full \$5,300 allowance to undertake the *Company Director Course* delivered by the Australian Institute of Company Directors. As an elected council operates similarly to a board, the skills developed through that course are particularly relevant to the role of a councillor. Council will top-up the professional development allowance for a councillor on a one-off basis to enable a Councillor to attend that course. The current cost of the intensive Sydney course is \$11,849 and via online mode is \$9,379 (including GST).

The above amendments have been included in the proposed policy at Attachment 1.

No amendments to the draft *Civic Recognition, Condolences and Small Donations Policy* are proposed. That policy is included as Attachment 2.

Planning or Policy Implications

Once adopted, the new *Councillors and Expenses Policy* will supersede the current policy and the *Civic Recognition, Condolences and Small Donations Policy* will replace the *Discretionary Grants – Small Donations Policy*.

Financial Implications

The proposed limits contained within the proposed policies are consistent with existing budgets.

Conclusion

The proposed *Councillor Expenses and Facilities Policy* is in line with modern local government practices supporting improved transparency and accountability around the allocation and use of funds. The *Civic Recognition, Condolences and Small Donations Policy* separates matters in relation to allocation of funds for purposes that are not central to enabling councillors to exercise their core duties.

Recommendation(s)

That Council:

1. Adopts the *Councillor Expenses and Facilities Policy*, including:
 - a. in relation to travel by private vehicle as provided for clause 6.3, the requirement that consideration is given to comparative methods of travel such as air travel or the use of a pool or hire car, taking into account the nature and destination of the trip, to ensure the best use of Council resources
 - b. a new clause 6.28 providing the option for councillors to use their full professional development allowance for once-only participation in the *Company Director Course* delivered by the Australian Institute of Company Directors, and for Council to top up the councillor's professional development allowance for that year to cover the full cost of that course.
2. Adopts the *Civic Recognition, Condolences and Small Donations Policy*.
3. Retires the *Councillor Expenses and Facilities Policy* adopted by Council on 16 April 2019.

4. Retires the *Discretionary Grants – Small Donations Policy* adopted by Council on 5 February 2019.

Attachments

- 1 Councillor Expenses and Facilities Policy
- 2 Civic Recognition, Condolences and Small Donations Policy



Burwood Inc.1874

Burwood . Burwood Heights . Croydon . Croydon Park . Enfield . Strathfield

COUNCILLOR EXPENSES AND FACILITIES POLICY

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Public Document
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Ref. No.: 22/8098
Version No. 15
Ownership: Governance & Risk

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Policy Summary

This policy enables the reasonable and appropriate reimbursement of expenses and provision of facilities to councillors to help them undertake their civic duties.

It ensures accountability and transparency, and seeks to align councillor expenses and facilities with community expectations. Councillors must not obtain private or political benefit from any expense or facility provided under this policy.

The policy has been prepared in accordance with the *Local Government Act 1993* (the Act) and *Local Government (General) Regulation 2021* (the Regulation), and complies with the Office of Local Government’s Guidelines for the payment of expenses and provision of facilities to Mayors and Councillors in NSW.

The policy sets out the maximum amounts council will pay for specific expenses and facilities. Expenses not explicitly addressed in this policy will not be paid or reimbursed.

The main expenses and facilities are summarised in the table below. All monetary amounts are exclusive of GST.

Expense or facility	Maximum amount	Frequency
General travel expenses	\$1,000 for each councillor An additional \$1,000 for the Mayor	Per financial year
Interstate, overseas and long distance intrastate travel expenses	\$10,000 total for all councillors	Per financial year
Accommodation and meals	As per the <i>NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009</i> , adjusted annually	Per meal/night
Professional development	\$5,300 per councillor Option: On one occasion only, a councillor may use their full allowance to undertake the <i>Company Director Course</i> delivered by the Australian Institute of Company Directors. The allowance will be topped-up for that year only to cover the full cost of the course.	Per financial year
Conferences and seminars	\$8,000 total for all councillors	Per financial year
Functions (council approved)	Maximum \$250 for entry costs	Per function
ICT expenses	iPad with a 10GB data plan issued to Mayor and all councillors [From the Council term commencing September 2024, the Mayor and councillors will have a choice of a laptop or iPad]	Per term

Expense or facility	Maximum amount	Frequency
	iPhone and accessories valued up to \$2,500 issued to the Mayor	Every financial year
	iPhone and accessories valued up to \$2,500 issued to each councillor	Every 2 years
	\$1,200 calls and data for the Mayor	Per financial year
	\$600 calls and data per non-mayoral councillor	Per financial year
	\$4,000 for other office tools and applications per councillor	Per term
Carer expenses	\$2,000 per councillor	Per financial year
Home office expenses	\$500 per councillor	Per financial year
Business cards	\$400 per councillor	Per financial year
Access to facilities in a Councillor common room	Provided to all councillors	Not relevant
Council vehicle, fuel card and cleaning	Provided to the Mayor	Not relevant
Car parking – a 'works permit' and access to shared parking spaces at Council offices	Provided to all councillors	Not relevant
Furnished office	Provided to the Mayor	Not relevant
Appropriate staff to support the Mayor and Councillors	Provided to the Mayor and councillors	Not relevant

Additional costs incurred by a councillor in excess of these limits are considered a personal expense that is the responsibility of the councillor.

Councillors must provide claims for reimbursement within three months of an expense being incurred. Claims made after this time cannot be approved.

Definitions

accompanying person	Means a spouse, partner or de facto or other person who has a close personal relationship with or provides carer support to a councillor
appropriate refreshments	Means food and beverages, excluding alcohol, provided by council to support councillors undertaking official business
Act	Means the Local Government Act 1993 (NSW)
Clause	Unless stated otherwise, a reference to a clause is a reference

	to a clause of this policy
Code of Conduct	Means the Code of Conduct adopted by Council or the Model Code if none is adopted
Councillor	Means a person elected or appointed to civic office as a member of the governing body of council who is not suspended, including the Mayor
council approved meeting or event	<p>Means the meeting or event meets one of the following criteria (based on Councillors' legislative role and responsibilities):</p> <ul style="list-style-type: none"> ▪ a leadership role in guiding the development and implementation of the Community Strategic Plan and Council's Delivery and Operational Programs ▪ direct and control the affairs of the Council in accordance with the Act ▪ furthered the optimum allocation of the Council's resources for the benefit of the area ▪ related to the creation and review of the Council's policies and objectives and criteria relating to the exercise of the Council's regulatory functions ▪ related to a review of the performance of the Council and its delivery of services and the delivery program and revenue policies of the Council <p>Specific examples include:</p> <ul style="list-style-type: none"> ▪ meeting with the Member for Strathfield at Parliament House or electorate office regarding the Burwood Local Government Area ▪ meetings with adjacent Councils to discuss the development of policy relating to joint project delivery
General Manager	Means the General Manager of Council and includes their delegate or authorised representative
incidental personal use	Means use that is infrequent and brief and use that does not breach this policy or the Code of Conduct
long distance intrastate travel	Means travel to other parts of NSW of more than three hours' duration by private vehicle
maximum limit	Means the maximum limit for an expense or facility provided in the text and summarised in Appendix 1
official business	<p>Means functions that the Mayor or councillors are required or invited to attend to fulfil their legislated role and responsibilities for council or result in a direct benefit for council and/or for the local government area, and includes:</p> <ul style="list-style-type: none"> ▪ meetings of council and committees of the whole ▪ meetings of committees facilitated by council ▪ civic receptions hosted or sponsored by council ▪ meetings, functions, workshops and other events to which attendance by a councillor has been requested or approved by council
professional development	Means a seminar, conference, training course or other

	development opportunity relevant to the role of a councillor or the Mayor
Regulation	Means the Local Government (General) Regulation 2021 (NSW)
year	Means the financial year, that is the 12-month period commencing on 1 July each year

Part A — Introduction

1. Introduction

- 1.1. The provision of expenses and facilities enables councillors to fulfil their civic duties as the elected representatives of Burwood Council.
- 1.2. The community is entitled to know the extent of expenses paid to councillors, as well as the facilities provided.
- 1.3. The purpose of this policy is to clearly state the facilities and support that are available to councillors to assist them in fulfilling their civic duties.
- 1.4. Council staff are empowered to question or refuse a request for payment from a councillor when it does not accord with this policy.
- 1.5. Expenses and facilities provided by this policy are in addition to fees paid to councillors. The minimum and maximum fees a council may pay each councillor are set by the Local Government Remuneration Tribunal as per Section 241 of the Act and reviewed annually. Council must adopt its annual fees within this set range

2. Policy objectives

- 2.1. The objectives of this policy are to:
 - enable the reasonable and appropriate reimbursement of expenses incurred by councillors while undertaking their civic duties
 - enable facilities of a reasonable and appropriate standard to be provided to councillors to support them in undertaking their civic duties
 - ensure accountability and transparency in reimbursement of expenses and provision of facilities to councillors
 - ensure facilities and expenses provided to councillors meet community expectations
 - support a diversity of representation
 - fulfil the council's statutory responsibilities.

3. Principles

- 3.1. Council commits to the following principles:
 - **Proper conduct:** councillors and staff acting lawfully and honestly, exercising care and diligence in carrying out their functions
 - **Reasonable expenses:** providing for councillors to be reimbursed for expenses reasonably incurred as part of their role as councillor
 - **Participation and access:** enabling people from diverse backgrounds, underrepresented groups, those in carer roles and those with special needs to serve as a Councillor
 - **Equity:** there must be equitable access to expenses and facilities for all councillors
 - **Appropriate use of resources:** providing clear direction on the appropriate use of council resources in accordance with legal requirements and community expectations
 - **Accountability and transparency:** clearly stating and reporting on the expenses and facilities provided to councillors.

4. Private or political benefit

- 4.1. Councillors must not obtain private or political benefit from any expense or facility provided under this policy.
- 4.2. Private use of council equipment and facilities by councillors may occur from time to time. For example, telephoning home to advise that a council meeting will run later than expected.
- 4.3. Such incidental private use does not require a compensatory payment back to Council.
- 4.4. Councillors should avoid obtaining any greater private benefit from Council than an incidental benefit. Where there are unavoidable circumstances and more substantial private use of council facilities does occur, councillors must reimburse the Council.
- 4.5. Campaigns for re-election are considered to be a political benefit. The following are examples of what is considered to be a political interest during a re-election campaign:
 - production of election material
 - use of council resources and equipment for campaigning
 - use of official council letterhead, publications, websites or services for political benefit
 - fundraising activities of political parties or individuals, including political fundraising events.
- 4.6. Where a service is partly used for official council business, councillors must claim only that part directly related to their civic duties as a councillor. Individual councillors must, therefore, make a reasonable estimate as to their private and civic duties use (in percentage terms) for such accounts.

Part B — Expenses**5. General expenses**

- 5.1. All expenses provided under this policy will be for a purpose specific to the functions of holding civic office. Allowances for general expenses are not permitted under this policy.
- 5.2. Expenses not explicitly addressed in this policy will not be paid or reimbursed.

6. Specific expenses**General travel arrangements and expenses**

- 6.1. All travel by councillors should be undertaken using the most direct route and the most practicable and economical mode of transport.
- 6.2. Each councillor may be reimbursed up to a total of \$1,000 per year, and the Mayor may be reimbursed an additional \$1,000 per year, for travel expenses incurred while undertaking official business, professional development, attending approved conferences or seminars, or attending council approved meetings or events within NSW.

This includes reimbursement:

- for public transport fares
 - for the use of a private vehicle or hire car
 - for parking costs for Council and other meetings
 - for tolls
 - by Cab Charge card or equivalent
 - for documented ride-share programs, such as Uber, where tax invoices can be issued.
- 6.3. Allowances for the use of a private vehicle will be reimbursed by kilometre at the rate contained in the *Local Government (State) Award*, subject to consideration being given to

- comparative methods of travel such as air travel or the use of a pool or hire car, taking into account the nature and destination of the trip, to ensure the best use of Council resources.
- 6.4. Councillors seeking to be reimbursed for use of a private vehicle must keep a log book recording the date, distance and purpose of travel being claimed. Copies of the relevant log book contents must be provided with the claim.
 - 6.5. If a Cab Charge or a ride-sharing program is used, the councillor must not include a tip for the driver at Council's expense.
 - 6.6. Councillors will need to complete a Cab Charge Advice Form for each charge used. The form can be found on the Councillor Portal. Cab Charge must not be used for travel that is considered to be of a personal nature.
 - 6.7. A councillor may also use a Council-owned pool vehicle (if one is available) to facilitate the councillor's travelling requirements, for the following purposes:
 - travel to and from approved seminars and conferences
 - travel to and from Council business within the Metropolitan Area, subject to the General Manager's written approval in consultation with the Mayor

Councillors will provide a copy of a current and valid driver's licence to the Manager Governance & Risk, indicating that they are licensed to drive a vehicle.

Councillors will pick up and return the vehicle to the Council. Except in cases of an emergency, the vehicle is not to be driven by anyone other than the councillor(s) who have requested the vehicle. Council will meet the cost of fuel and all normal running expenses.

Interstate, overseas and long distance intrastate travel expenses

- 6.8. In accordance with Section 4, Council will scrutinise the value and need for councillors to undertake overseas travel. Councils should avoid interstate, overseas and long distance intrastate trips unless direct and tangible benefits can be established for the council and the local community. This includes travel to sister and friendship cities.
- 6.9. Total interstate, overseas and long distance intrastate travel expenses for all councillors will be capped at a maximum of \$10,000 per year. This amount will be set aside in Council's annual budget.
- 6.10. Councillors seeking approval for any interstate, overseas or long distance intrastate travel must submit a case to the General Manager prior to travel.
- 6.11. All travel requests submitted under section 6.8 will be considered at an open meeting of the council prior to travel, through a report from the General Manager.
- 6.12. The case should include:
 - objectives to be achieved in travel, including an explanation of how the travel aligns with current council priorities and business, the community benefits which will accrue as a result, and its relevance to the exercise of the councillor's civic duties
 - who is to take part in the travel
 - duration and itinerary of travel
 - a detailed budget including a statement of any amounts expected to be reimbursed by the participant/s.
- 6.13. For interstate and long distance intrastate journeys by air of less than three hours, the class of air travel is to be economy class.
- 6.14. For interstate journeys by air of more than three hours, the class of air travel may be premium economy.
- 6.15. For international travel, the class of air travel is to be premium economy, if available. Otherwise, the class of travel is to be economy.
- 6.16. Bookings for approved air travel are to be made through the General Manager's office.

- 6.17. For air travel that is reimbursed as council business, councillors will not accrue points from the airline's frequent flyer program. This is considered a private benefit.

Travel expenses not paid by Council

- 6.18. Council will not pay any traffic or parking fines or administrative charges for road toll accounts.
- 6.19. Should a councillor choose to use their own vehicle for travel on Council business or to approved conferences and seminars, Council will not accept responsibility for the cost of any breakdowns or damage to the vehicle as a result of such travel. Such costs are the individual councillor's responsibility. For example, Council will not pay for extra accommodation costs associated with vehicle breakdowns.
- 6.20. Claims for motor vehicle accidents/incidents involving councillors' private vehicles during a council approved trip will be assessed on a case by case basis.

Accommodation and meals

- 6.21. Council will reimburse costs for accommodation and meals while councillors are undertaking prior approved travel or professional development outside metropolitan Sydney.
- 6.22. The daily limits for accommodation and meal expenses within Australia are to be consistent with those set out in Part B Monetary Rates of the *NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009*, as adjusted annually.
- 6.23. The daily limits for accommodation and meal expenses outside Australia are to be determined in advance by the General Manager, being mindful of Clause 6.22.
- 6.24. Councillors will not be reimbursed for alcoholic beverages.

Refreshments for council related meetings

- 6.25. Appropriate refreshments will be available for council meetings, council committee meetings, councillor briefings, approved meetings and engagements, and official council functions as approved by the General Manager.
- 6.26. As an indicative guide for the standard of refreshments to be provided at council related meetings, the General Manager must be mindful of Part B Monetary Rates of the *NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009*, as adjusted annually.

Professional development

- 6.27. Council will set aside \$5,300 per councillor annually in its budget to facilitate professional development of councillors through programs, training, education courses and membership of professional bodies.
- 6.28. On one occasion only, a councillor may opt to use the full \$5,300 allowance referred to in clause 6.27 to undertake the *Company Director Course* delivered by the Australian Institute of Company Directors. Given the relevance of the skills developed through that course, Council will top-up the professional development allowance for that councillor for that year only to cover the cost of that course. Council will pay for attendance either by online mode or in person at the Sydney-based 5-day intensive. (At the time of adoption of this policy, the online mode cost \$9,379 and the Sydney-based intensive cost \$11,849).
- 6.29. In the first year of a new council term, Council will provide a comprehensive induction program for all councillors that considers any guidelines issued by the Office of Local Government (OLG). The cost of the induction program will be in addition to the ongoing professional development funding.
- 6.30. Annual membership of professional bodies will only be covered where the membership is relevant to the exercise of the councillor's civic duties, the councillor actively participates in

the body and the cost of membership is likely to be fully offset by savings from attending events as a member.

- 6.31. Approval for professional development activities is subject to a prior written request to the General Manager outlining the:
- details of the proposed professional development
 - relevance to council priorities and business
 - relevance to the exercise of the councillor's civic duties.
- 6.32. In assessing a councillor request for a professional development activity, the General Manager must consider the factors set out in Clause 6.30, as well as the cost of the professional development in relation to the councillor's remaining budget.

Conferences and seminars

- 6.33. Council is committed to ensuring its councillors are up to date with contemporary issues facing council and the community, and local government in NSW.
- 6.34. Council will set aside a total amount of \$8,000 annually in its budget to facilitate councillor attendance at conferences and seminars. This allocation is to cover all councillors. The General Manager will ensure that access to expenses relating to conferences and seminars is distributed equitably.
- 6.35. This expenditure relates to relevant local governance conference and seminars, either within NSW or interstate, such as:
- The Australian Local Government Association (ALGA) and Local Government NSW (LG NSW) Annual Conferences
 - Special "one off" conferences called by LG NSW
 - Others as approved by Council resolution.
- 6.36. Attendance at the ALGA and LG NSW annual conferences will be approved by council at an open meeting of council.
- 6.37. Councillors seeking approval to attend another conference or seminar must submit a case to the General Manager. The case should cover the following factors:
- relevance of the topics and presenters to current council priorities and business and the exercise of the councillor's civic duties
 - cost of the conference or seminar in relation to the total remaining budget.
- 6.38. All requests submitted under section 6.34 will be considered at an open meeting of the council, through a report from the General Manager.
- 6.39. Council will meet the reasonable cost of registration fees, transportation, meals and accommodation associated with attendance at conferences approved by the General Manager. Council will also meet the reasonable cost of meals when they are not included in the conference fees. Reimbursement for accommodation and meals not included in the conference fees will be subject to Clauses 6.21–6.24.
- 6.40. Council will not meet the following costs:
- laundry or dry cleaning services
 - use of the bar fridge other than water and non-alcoholic beverages
 - expenses incurred for movies provided in a hotel room
 - expenses incurred at bars (including the bar located at the hotel)
 - any tips for service provided by the councillors.
- 6.41. On returning from the seminar or conference, councillors, or a member of staff accompanying the councillor/s, should provide a written report to the next available Council meeting on the aspects of the seminar or conference relevant to Council business and/or the local community. This report is not required for the Local Government NSW Annual Conference or the Australian Local Government Association Annual Conference.

Council approved functions

- 6.42. Entry costs for attending official Council approved functions in the Sydney Metropolitan Area will be reimbursed to a maximum of \$250 per function.
- 6.43. Parking fees will be reimbursed to a maximum of \$100 per function and will be deducted from the general travel expense limits outlined at Clause 6.2.
- 6.44. Council approved functions are those where the councillor receives an official invitation addressed specifically to the councillor in his/her capacity as an elected representative of Burwood Council and is relevant to the Burwood Local Government Area.
- 6.45. Councillor expenses may not be used to support attendance by councillors at political fund-raising functions.

Accompanying person's expenses

- 6.46. Council will meet certain expenses incurred by a councillor on behalf of an accompanying person, providing they are properly and directly related to the role of the councillor as follows:
- Attendance at official Council functions that are of a formal and ceremonial nature, as considered appropriate, when accompany councillors within the local government area. Examples include, but are not limited to, Australia Day Award ceremonies, Citizenship ceremonies, Civic receptions and charitable functions for charities formally supported by Council.
 - Limited expenses of accompanying persons associated with attendance at the Local Government NSW and the Australian Local Government annual conferences. These expenses are limited to the cost of registration and the official conference dinner. Travel expenses, any additional accommodation expenses, and the cost of partner tours, etc., are the responsibility of individual councillors.
- 6.47. In relation to seminars and conferences attended by a councillor, all costs for an accompanying person, including any additional accommodation costs must be met by the councillor or accompanying person.
- 6.48. The payment of expenses for accompanying persons attending appropriate functions as permitted above will be confined specifically to the ticket, meal and/or the direct cost of attending the function. Peripheral expenses incurred by spouses such as grooming, special clothing and transport will not be reimbursed.

Information and communications technology (ICT) expenses

- 6.49. Council will provide the councillors with a package of ICT devices and services for use during each term of council, as determined by the General Manager.
- 6.50. These devices and services are provided for councillors to undertake their civic duties, such as:
- receiving and reading council business papers
 - relevant phone calls and correspondence
 - diary and appointment management.
- 6.51. Council will issue the Mayor and councillors with an iPad to a specification determined by the General Manager but including WiFi capability and a data SIM each term. It is the intention that the iPad will be used as the primary means of accessing council business papers. From the start of the Council term commencing in September 2024 the Mayor and Councillors will have the option of an iPad or a laptop.
- 6.52. The iPad and data services will be managed, paid for and maintained centrally by council to a Fairplay Policy Data Plan (or equivalent). As at January 2022, this plan was valued at \$540 per councillor per year.

- 6.53. At the start of each term, council will issue the Mayor with an iPhone and accessories up to a value of \$2,500 and to a specification determined by the General Manager. The Mayor will be reimbursed for the cost of calls and data used for council business to a maximum of \$1,200 per year.
- 6.54. At the start of each term, council will issue each councillor, other than the Mayor, with an iPhone and accessories up to a value of \$2,500 and to a specification determined by the General Manager. This will include a call and data plan managed and paid for centrally by council under a Fairplay Policy Voice and Data Plan (or equivalent) to a maximum of \$600 per councillor per year. As at January 2022, this plan was valued at \$540 per councillor per year.
- 6.55. In addition, council will reimburse councillors for expenses associated with other ICT or home office tools or applications up to a limit of \$4,000 per term for each councillor. It is noted that council's IT staff will not maintain or support the additional items purchased under this clause. Items purchased under this clause remain the property of Council and must be returned to Council in accordance with clause 14.1.
- 6.56. Councillors will be issued with a Council email address and access to the Council's email system for their civic duties.
- 6.57. Councillors will have access to a secure Councillor Portal where business papers, forms, access to policy documents and other key information will be made available.

Maintenance and replacement of ICT devices during the term

- 6.58. Councillors are expected to take the utmost care for any equipment provided to them.
- 6.59. Any scheduled or regular maintenance of Council provided facilities, including software upgrades or replacement of equipment due to technical redundancy, are carried out at Council's expense by Council staff.
- 6.60. The Mayor's iPhone will be replaced each year, with the approval of the General Manager.
- 6.61. An iPhone for a non-mayoral councillor will be replaced every 2 years, with the approval of the General Manager.
- 6.62. In the event that a piece of equipment is faulty or damaged, it will either be repaired or replaced following an assessment of the cost.
- 6.63. Any other repairs, unscheduled maintenance or negligently broken, stolen or lost equipment, must be paid for by the councillor personally.
- 6.64. Councillors must report the theft of any equipment issued immediately to the Police and to the Manager Governance & Risk.

Special requirements and carer expenses

- 6.65. Council encourages wide participation and interest in civic office. It will seek to ensure council premises and associated facilities are accessible, including provision for sight or hearing impaired councillors and those with other disabilities.
- 6.66. Transportation provisions outlined in this policy will also assist councillors who may be unable to drive a vehicle.
- 6.67. In addition to the provisions above, the General Manager may authorise the provision of reasonable additional facilities and expenses in order to allow a councillor with a disability to perform their civic duties.
- 6.68. Councillors who are the principal carer of a child or other elderly, disabled and/or sick immediate family member will be entitled to reimbursement of carer's expenses up to a maximum of \$2,000 per annum for attendance at official business, plus reasonable travel from the principal place of residence.
- 6.69. Child care expenses may be claimed for children up to and including the age of 16 years where the carer is not a relative.

- 6.70. In the event of caring for an adult person, councillors will need to provide suitable evidence to the General Manager that reimbursement is applicable. This may take the form of advice from a medical practitioner

7. Insurances

- 7.1. In accordance with Section 382 of the Act, Council is insured through CivicRisk Mutual with a range of insurance covers. Councillors are included as a named insured in all Council's insurance policies.
- 7.2. Insurance protection is only provided if a claim arises out of or in connection with the councillor's performance of his or her civic duties, or exercise of his or her functions as a councillor. All insurances are subject to any limitations or conditions set out in the policies of insurance.
- 7.3. Council will pay the insurance policy excess in respect of any claim that is indemnified by Council. In the case of allegations against the councillor that are not indemnified by Council, the excess must be paid by the individual councillor.
- 7.4. Appropriate travel insurances will be provided for any councillors travelling on approved interstate and overseas travel on council business.

8. Legal assistance

- 8.1. Council may, if requested, indemnify or reimburse the reasonable legal expenses of:
- a councillor defending an action arising from the performance in good faith of a function under the Act provided that the outcome of the legal proceedings is favourable to the councillor
 - a councillor defending an action in defamation, provided the statements complained of were made in good faith in the course of exercising a function under the Act and the outcome of the legal proceedings is favourable to the councillor
 - a councillor for proceedings before an appropriate investigative or review body, provided the subject of the proceedings arises from the performance in good faith of a function under the Act and the matter has proceeded past any initial assessment phase to a formal investigation or review and the investigative or review body makes a finding substantially favourable to the councillor.
- 8.2. In the case of a Code of Conduct complaint made against a councillor, legal costs will only be made available where the matter has been referred by the General Manager to a conduct reviewer and the conduct reviewer has commenced a formal investigation of the matter and makes a finding substantially favourable to the councillor.
- 8.3. Legal expenses incurred in relation to proceedings arising out of the performance by a councillor of his or her functions under the Act are distinguished from expenses incurred in relation to proceedings arising merely from something that a councillor has done during his or her term in office. For example, expenses arising from an investigation as to whether a councillor acted corruptly would not be covered by this section.
- 8.4. Council will not meet the legal costs:
- of legal proceedings initiated by a councillor under any circumstances
 - of a councillor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation
 - for legal proceedings that do not involve a councillor performing their role as a councillor.
- 8.5. Reimbursement of expenses for reasonable legal expenses must have Council approval by way of a resolution at a council meeting prior to costs being incurred.

Part C — Facilities

9. General facilities for all councillors

Facilities

- 9.1. Council will provide the following facilities to councillors to assist them to effectively discharge their civic duties:
 - a councillor common room appropriately furnished to include multi-function device (including photocopier and printer), desk, pigeon hole message boxes and appropriate refreshments (excluding alcohol)
 - personal protective equipment for use during site visits
 - a name badge that may be worn at official functions.
- 9.2. Councillors will be provided with a security pass for entrance to the councillors' common room and the public areas of the council administration building.
- 9.3. Councillors may book meeting rooms for official business in a specified council building at no cost. Rooms may be booked through the Executive Assistant to the Mayor and Councillors.
- 9.4. The provision of facilities will be of a standard deemed by the General Manager as appropriate for the purpose.
- 9.5. The councillor common room and facilities, including multi-function devices, are not to be used for private purposes and, in no circumstances, are they to be used to produce electoral material.

10. Car parking

- 10.1. Councillors are provided with a Parking Permit (a 'Works Permit') to be used when performing their Civic Duties in areas where parking restrictions (time limited or metered) apply.
- 10.2. Where councillors have access to more than one vehicle, they may be issued with a maximum of two permits, with each permit identifying the applicable registration number for the vehicle. Parking Permits are valid for a period of 12 months.
- 10.3. The conditions of use for Parking Permits are as follows:
 - The Parking Permit is only valid if it is displayed in the vicinity of the lower windscreen on the passenger side of the vehicle and is clearly visible to an authorised officer.
 - Vehicles displaying valid Parking Permits are exempt from time limits and parking charges in locations signposted as ¼, ½, 1, 2, 4, 6 or 10 Hour Parking (ticket, metered or free), including all Burwood Council operated off-street car parks.
 - The Parking Permits are not an exemption from other restrictions including, but not limited to, "NO STOPPING", "NO STANDING", "NO PARKING", "LOADING ZONE", "TRUCK ZONE", "WORKS ZONE", "BUS ZONE" or "CLEARWAY".
 - The Permits are not valid for use in parking spaces approved by the General Manager and designated for Law Enforcement Vehicles.
 - Permit holders are strictly prohibited from selling, leasing, transferring or assigning any Parking Permit to any third party.
 - Incorrect use of a Parking Permit may result in disciplinary action and/or parking infringement notices (fines).
 - All Parking Permits remain the property of Burwood Council.
 - Permit Parking must be strictly used for Civic Duties only.
- 10.4. Councillors will also have access to 3 shared car parking spaces allocated for councillors in the secure basement parking area of the Council administration building for use while

attending council meetings. Councillors may use any other available shared car parking spaces in that car park when attending council meetings occurring after normal business hours.

Home office and stationery expenses

- 10.5. Each councillor may be reimbursed up to \$500 per year for costs associated with the maintenance of a home office, such as minor items of consumable stationery, letterhead, greeting cards for council events, and toner cartridges.
- 10.6. In addition, council will provide councillors with business cards to a value of \$400 per year.
- 10.7. Council will pay for postage of official correspondence provided that all mail is directed through council's mailing system and a copy of correspondence is maintained on relevant council records.
- 10.8. Councillors are not permitted to personalise Council's letterhead in any way that may portray the councillor as acting on behalf of Council.
- 10.9. Council funds are not to be used to promote groups or affiliations and they are not to be displayed or promoted on correspondence as this practice is considered to be electioneering.
- 10.10. Councillors, excluding the Mayor, are prohibited from using any of Council's intellectual property, including, but not limited to, Council's name, logo and motto, on any personalised stationery. Photographs for which Council is the copyright owner, must not be used on personalised stationery without the written approval of the General Manager. The only exception is the Mayoral Letterhead, as this is produced by Council.

Administrative support

- 10.11. Council will provide administrative support to councillors to assist them with their civic duties only. Administrative support may be provided by the Executive Assistant to the Mayor and Councillors or by another member of council's administrative staff as arranged by the General Manager or their delegate.
- 10.12. As per Section 4, council staff are expected to assist councillors with civic duties only, and not assist with matters of personal or political interest, including campaigning.
- 10.13. All interactions are to be undertaken in accordance with the *Interaction Between Council Officials Policy*.

11. Additional facilities for the Mayor

- 11.1. Council will provide to the Mayor a maintained vehicle to a similar standard of other council vehicles, with a fuel card and a regular carwash service. The vehicle will be supplied for use on business, professional development and attendance at the Mayor's office.
- 11.2. Council will provide the Mayor with a furnished office incorporating a computer configured to council's standard operating environment, telephone and meeting space.
- 11.3. Appropriate refreshment supplies will be provided up to a value of \$500 per year (excluding alcohol).
- 11.4. In performing his or her civic duties, the Mayor will be assisted by the Executive Assistant to the Mayor and Councillors who will provide administrative and secretarial support, or by another member of council's administrative staff as determined by the General Manager.
- 11.5. As per Section 4, staff in the Mayor's office are expected to work on official business only, and not for matters of personal or political interest, including campaigning.
- 11.6. All interactions are to be undertaken in accordance with the *Interaction Between Council Officials Policy*.
- 11.7. Council provides and maintains Mayoral Robes and the Mayoral Chain of Office for use by the Mayor at official, civic and ceremonial services.

Part D — Processes**12. Approval, payment and reimbursement arrangements**

- 12.1. Expenses should only be incurred by councillors in accordance with the provisions of this policy.
- 12.2. Approval for incurring expenses, or for the reimbursement of such expenses, should be obtained before the expense is incurred.
- 12.3. Up to the maximum limits specified in this policy, approval for the following may be sought after the expense is incurred:
- local travel relating to the conduct of official business
 - carer costs
 - ICT expenditure under Clause 6.54
 - home office and stationery expenses.
- 12.4. Final approval for payments made under this policy will be granted by the General Manager or their delegate.

Direct payment

- 12.5. Council may approve and directly pay expenses. Requests for direct payment must be submitted to the Manager Governance & Risk for assessment against this policy using the prescribed form, with sufficient information and time to allow for the claim to be assessed and processed.

Reimbursement

- 12.6. All claims for reimbursement of expenses incurred must be made using the approved form provided on the Councillor Portal and must be supported by appropriate receipts and/or tax invoices.
- 12.7. Reimbursement claims should be submitted to the Governance team (Governance@burwood.nsw.gov.au) within the three month claim deadline.

Advance payment

- 12.8. The payment of expenses in advance will not be considered.

Notification

- 12.9. If a claim is approved, council will make payment directly or reimburse the councillor through accounts payable.
- 12.10. If a claim is refused, council will inform the councillor in writing that the claim has been refused and the reason for the refusal.

Reimbursement to council

- 10.1. If council has incurred an expense on behalf of a councillor that exceeds a maximum limit, exceeds reasonable incidental private use or is not provided for in this policy:
- council will invoice the councillor for the expense, and
 - the councillor will reimburse council for that expense within 14 days of the invoice date.
- 10.2. If the councillor cannot reimburse council within 14 days of the invoice date, they are to submit a written explanation to the General Manager. The General Manager may elect to deduct the amount from the councillor's allowance.

Timeframe for reimbursement

- 10.3. Unless otherwise specified in this policy, councillors must provide all claims for reimbursement within the financial year in which the expense was incurred. Claims made after this time cannot be approved.
- 10.4. Expenses incurred close to the end of a financial year should be immediately submitted for reimbursement to ensure funds are expended from the appropriate year's budget and council can meet the Annual Reporting requirements in line with the Act.

13. Disputes

- 13.1. If a councillor disputes a determination under this policy, the councillor should discuss the matter with the General Manager.
- 13.2. If the councillor and the General Manager cannot resolve the dispute, the councillor may submit a notice of motion to a council meeting seeking to have the dispute resolved. Any decision by Council is final.

14. Return or retention of facilities

- 14.1. All unexpended facilities or equipment supplied under this policy are to be relinquished immediately upon a councillor or Mayor ceasing to hold office or at the cessation of their civic duties. This includes items purchased under clause 6.54.
- 14.2. Should a councillor desire to keep any equipment allocated by council, then this policy enables the councillor to make application to the General Manager to purchase any such equipment. The General Manager will determine an agreed fair market price or written down value for the item of equipment.
- 14.3. All equipment not returned within 30 days must be paid for by the councillor at replacement cost.
- 14.4. The prices for all equipment purchased by councillors under Clause 14.2 will be recorded in Council's annual report.

15. Publication

- 15.1. This policy will be published on council's website.

16. Reporting

- 16.1. Council will report on the provision of expenses and facilities to councillors as required by the Act and Regulations. This includes providing a statement of the total payment of expenses and provision of facilities for Councillors in the Annual Report, including costs for:
- provision of dedicated office equipment allocated to Councillors
 - telephone calls made by Councillors
 - attendance by Councillors at Conferences and Seminars
 - professional development
 - interstate visits by Councillors, including transport, accommodation and other out of pocket travelling expenses
 - overseas visits by Councillors, including transport, accommodation and other out of pocket travelling expenses
 - expenses of any spouse, partner or other person who accompanied a Councillor that were met by Council
 - expenses involved in the provision of care for a child or an immediate family member of a Councillor.

17. Breaches

- 17.1. Suspected breaches of this policy are to be reported to the General Manager.

- 17.2. Alleged breaches of this policy shall be dealt with by following the processes outlined for breaches of the Code of Conduct, as detailed in the Code and in the Procedures for the Administration of the Code.

Related Information

- *Local Government Act 1993*, sections 252 and 253
- *Local Government (General) Regulation 2021*, sections 217 and 403
- Burwood Council Code of Conduct
- Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors in NSW, 2009
- Councillor Handbook, 2021
- Local Government Circular 21-12 “Electoral Matter” and use of council resources prior to local government elections
- Local Government Circular 17-17 Councillor Expenses and Facilities Policy – Better Practice Template

Review

As required by section 252 of the Act, this policy will be reviewed in the first 12 months of each new term of Council.

Contact

Coordinator Governance, Ph. 9911 9908



Burwood ^{Inc.1874}

Burwood . Burwood Heights . Croydon . Croydon Park . Enfield . Strathfield

CIVIC RECOGNITION, CONDOLENCES AND SMALL DONATIONS POLICY

PO Box 240, BURWOOD NSW 1805
2 Conder Street, BURWOOD NSW 2134
Phone: 9911-9911 Fax: 9911-9900
Email: council@burwood.nsw.gov.au
Website: www.burwood.nsw.gov.au

Public Document
Adopted by Council: <Date>
Ref. No.: 22/15052
Version No.: 1
Ownership: Governance & Risk

Purpose

This policy provides for Council and the elected Councillors to provide civic recognition and condolences for individuals and organisations in limited circumstances. It also provides guidelines for small donations determined by the Mayor of the day.

Scope

This policy applies to the Mayor, Councillors and Council Officers when determining appropriate support for and recognition of individuals and community organisations.

Gifts and recognition

1. Giving a gift

In circumstances where it is appropriate for Councillors to give a gift (for example, on a Council business-related trip or when receiving a visitor) Councillors will be provided with a gift by Council.

2. Civic recognition

Flowers or an equivalent small gift to a maximum value of \$150 may be given to recognise the following:

- appreciation for lengthy or significant service to Council (either as an employee or Councillor) at the cessation of their tenure or employment
- acknowledgement of lengthy or significant service to the Burwood Council or the Burwood community on cessation of their involvement in the relevant activity (for example, a long-serving community representative on a Council committee stepping down from that committee)
- to provide well wishes during a period of serious illness to a member of the community who had provided lengthy or significant service to Burwood Council or the Burwood community.

The gift is to be labelled “from the Mayor and Councillors of Burwood Council” or “from the General Manager and employees of Burwood Council”, depending on the circumstances.

3. Acknowledging significant milestones

Flowers or an equivalent small gift to a maximum value of \$150 may be sent on behalf of Council for the following:

- to a resident turning 100 years of age or other major milestone, where Council has been notified
- to a resident couple celebrating 50 years of marriage or other major milestone, where Council has been notified.

The gift is to be labelled “from the Mayor and Councillors of Burwood Council”.

4. Condolences

Wreaths, flowers or the equivalent to the value of \$150 may be given for the purpose of a tribute on the death of a resident or former employee who made a significant contribution to the Council or to the Burwood community during their lifetime.

The wreath, flowers or equivalent are to be labelled “from the Mayor and Councillors of Burwood Council”.

5. Donations at charitable events

Any Councillors who are invited to an approved event under the Councillor Expenses and Facilities Policy that occurs for charity purposes, can present a donation of a gift hamper or monetary

Civic Recognition, Condolences and Small Donations Policy

donation (made via a cheque to the charity) to the value of up to \$150. Only one donation for each event is allowed, including where a small donation has been made by the Mayor under clause 7.

The donation is to be labelled "from the Mayor and Councillors of Burwood Council".

6. Other significant gifts

Significant gifts valued at more than \$150 may be approved by Council at an open meeting of the Council.

Small donations at the discretion of the Mayor

7. Categories and criteria

This scheme is intended to provide civic leadership by supporting organisations or individuals through the allocation of small donations on behalf of Council.

The small donation categories and criteria are as follows:

1. For personal development of individual community members representing NSW or higher in their chosen fields, including sporting, academic, cultural and artistic endeavours and who require financial assistance to attend events or activities or compete in their chosen field. Applications can only be made by individuals who are a resident of the Burwood Local Government Area.
2. Relief and other emergency support organisations. Applications will only be considered where a national or international natural disaster has been declared.
3. Registered charitable organisations that provide benefits to the Burwood Local Government Area.
4. Groups and organisations located in the Burwood Local Government Area that service the Burwood community and are established as not-for-profit, community based groups, including P&C associations. Applications will only be considered where the group or organisation has not applied under the community grants program.
5. Requests of a humanitarian nature. These requests will be considered at the discretion of the Mayor.
6. When invited to an event that occurs for charity purposes, to make a donation, whether it be a gift hamper or monetary donation (made via cheque to the charity).

Community-based projects and activities of benefit to residents of Burwood Council that would be substantial donations are to be applied through the Community Grants Program in accordance with Section 356 of the *Local Government Act 1993*.

If an applicant has previously made an application through the Burwood Community Grant Program, they are not eligible under this policy for the same purpose.

Donations made under this section should be labelled "from the Mayor and Councillors of Burwood Council".

8. Monetary limits

Financial assistance for all categories outlined in clause 7 is capped at \$1,000 per donation.

An annual budget of \$15,000 will be provided to the Mayor for small donations made under this section. In election years, a pro-rata budget allocation will be made based on the date of the election.

9. Application requirements

All applications must be in writing, on letterhead where applicable, and addressed to Council, clearly stating the purpose of the donation.

Donations are granted for a specified purpose and not on the basis of a group or organisation.

Approval, budget and reporting

10. Approval of giving of gift or recognition

Notice of the death, significant milestone, civic duty or charitable event should be given to the General Manager or Mayor.

The General Manager and Mayor will consult on the appropriateness of the gift or recognition and approve or decline the proposed action within one day of notification.

11. Approval of small donations

Small donations made under clauses 7–9 will be approved at the discretion of the Mayor, according to the criteria outlined in those sections, and the requisition authorised by the General Manager.

12. Budget limitations for condolences, milestones and civic recognition

A budget allocation of \$2,500 is available each financial year for gifts under clauses 2–5, with all gifts to be capped at \$150, unless approved at an open meeting of Council.

Council funds must not be spent on gifts for purposes not referred to in this policy or approved by Council at an open meeting.

13. Reporting

Expenditure on gifts and donations referred to in this policy will be reported to Council on a six-monthly basis.

Review

To be reviewed every four years.

Contact

Coordinator Governance

Ph 9911 9908

(ITEM 61/22) TABLING OF UPDATED AND FIRST TIME RETURNS - DISCLOSURE OF INTERESTS - DESIGNATED PERSONS

File No: 22/23835

REPORT BY DIRECTOR CORPORATE SERVICES

Summary

The Burwood Council Code of Conduct requires councillors and designated persons to submit disclosure of interests returns within 3 months of taking up their position with Council. The *Local Government Act 1993* obliges the General Manager to add these to a consolidated register of returns and bring the returns to the notice of Council by promptly tabling them at a Council meeting. 20 updated or first time returns have been lodged in recent months and are now brought to the attention of elected Council.

Operational Plan Objective

2.1.3 Ensure transparency and accountability in decision making

Background

Sections 440AAA and 440AAB of the *Local Government Act 1993* establish the framework for disclosure of interests that must be completed by councillors and designated persons. The returns are fundamental transparency and accountability documents and as such must be retained as part of a publicly accessible register. Section 6(2) of the *Government Information (Public Access) Act 2009* stipulates that certain open access information must be made publicly accessible on the Council website. Returns of interests of councillors, designated persons and delegates are classed under Schedule 1 of the *Government Information (Public Access) Regulation 2018* as open access information for the purposes of website publication. Those requirements are echoed in clause 4.2 of the *Burwood Council Code of Conduct*.

Discussion

Specific requirements for preparation and lodgement of returns is contained the Model Code of Conduct, which is required under the *Local Government Act 1993*. The Model Code is the basis of the *Burwood Council Code of Conduct*. All councillors and designated persons must lodge disclosure of interest returns within 3 months of:

- a) becoming a councillor or designated person (first time return)
- b) 30 June each year
- c) the councillor or designated person becoming aware of an interest they are required to disclose under Schedule 1 of the Burwood Council Code of Conduct that has not been previously disclosed in a return lodged in a first time return or an annual return

A 'designated person' is described in clause 4.8 of the *Burwood Council Code of Conduct* as:

- a) the general manager
- b) other senior staff of the council
- c) a person (other than a member of the senior staff of the council) who is a member of staff of the council or a delegate of the council and who holds a position identified by the council as the position of a designated person because it involves the exercise of functions under the LGA or any other Act (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the person's duty as a member of staff or delegate and the person's private interest
- d) a person who is a member of a committee of the council identified by the council as a committee whose members are designated persons because the functions of the committee

involve the exercise of the council's functions (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the member's duty as a member of the committee and the member's private interest.

Preparation and proactive release of disclosure of interests returns are important elements in promoting public accountability of Council. They help to protect the integrity of Council decision making processes by allowing scrutiny of potential conflicts of interest that could arise where councillors or other key council officials participate in decision making from which they or their close associates may derive (or be perceived to derive) personal or financial benefit.

Updated and first time returns have recently been submitted by 20 council officials. The majority of those officials are either new to Burwood Council or have been recently appointed to a "designated person" role. These returns are tabled accordingly.

Conclusion

Pursuant to Section 440AAB of the *Local Government Act 1993*, first time and updated returns are now formally tabled for information from the following council officials:

Councillors

- Ned Cutcher (Councillor)
- David Hull (Councillor)
- Pascale Esber (Councillor)
- Hugo Robinson (Councillor)

Council officers

- Michelle Butler (Coordinator Governance)
- Paul Dahdal (Projects & Contracts Officer)
- Roberto Di Federico (Manager Traffic & Transport)
- Tara Donaldson (Director People & Performance)
- Alison Dungey (Payroll/HR Officer)
- Edwina Holland (Sustainability & Resilience Officer)
- Susan Kehoe (Former Director People & Performance)
- James Lancaster (Major Capital Works & Projects)
- Scott McMurray (Manager Enfield Aquatic Centre)
- Danielle McQuoid (Manager Library & Community Hub)
- Gavin Patton (Heritage Advisor)
- Dylan Porter (Director City Strategy) – Updated return
- Mikaela Thorogood (Manager Property)
- Rita Vella (Manager City Planning)
- Miriam Wassef (Executive Officer Place Management & Communication)
- Tanya Whitmarsh (Manager Governance & Risk) – Updated return

The above disclosures have been published on Council's website as required by Clause 4.2 of the *Burwood Council Code of Conduct* and Schedule 1 of the *Government Information (Public Access) Regulation 2018*.

Recommendation(s)

That Council notes:

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

Councillors

- Ned Cutcher (Councillor)
- David Hull (Councillor)
- Pascale Esber (Councillor)
- Hugo Robinson (Councillor)

Council officers

- Michelle Butler (Coordinator Governance)
- Paul Dahdal (Projects & Contracts Officer)
- Roberto Di Federico (Manager Traffic & Transport)
- Tara Donaldson (Director People & Performance)
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- Danielle McQuoid (Manager Library & Community Hub)
- Gavin Patton (Heritage Advisor)
- Dylan Porter (Director City Strategy) – Updated return
- Mikaela Thorogood (Manager Property)
- Rita Vella (Manager City Planning)
- Miriam Wassef (Executive Officer Place Management & Communication)
- Tanya Whitmarsh (Manager Governance & Risk) – Updated return

Attachments

There are no attachments for this report.

(ITEM 62/22) INVESTMENT REPORT AS AT 31 MAY 2022

File No: 22/21489

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

2.3.1 Identify and maintain additional revenue sources to ensure financial sustainability

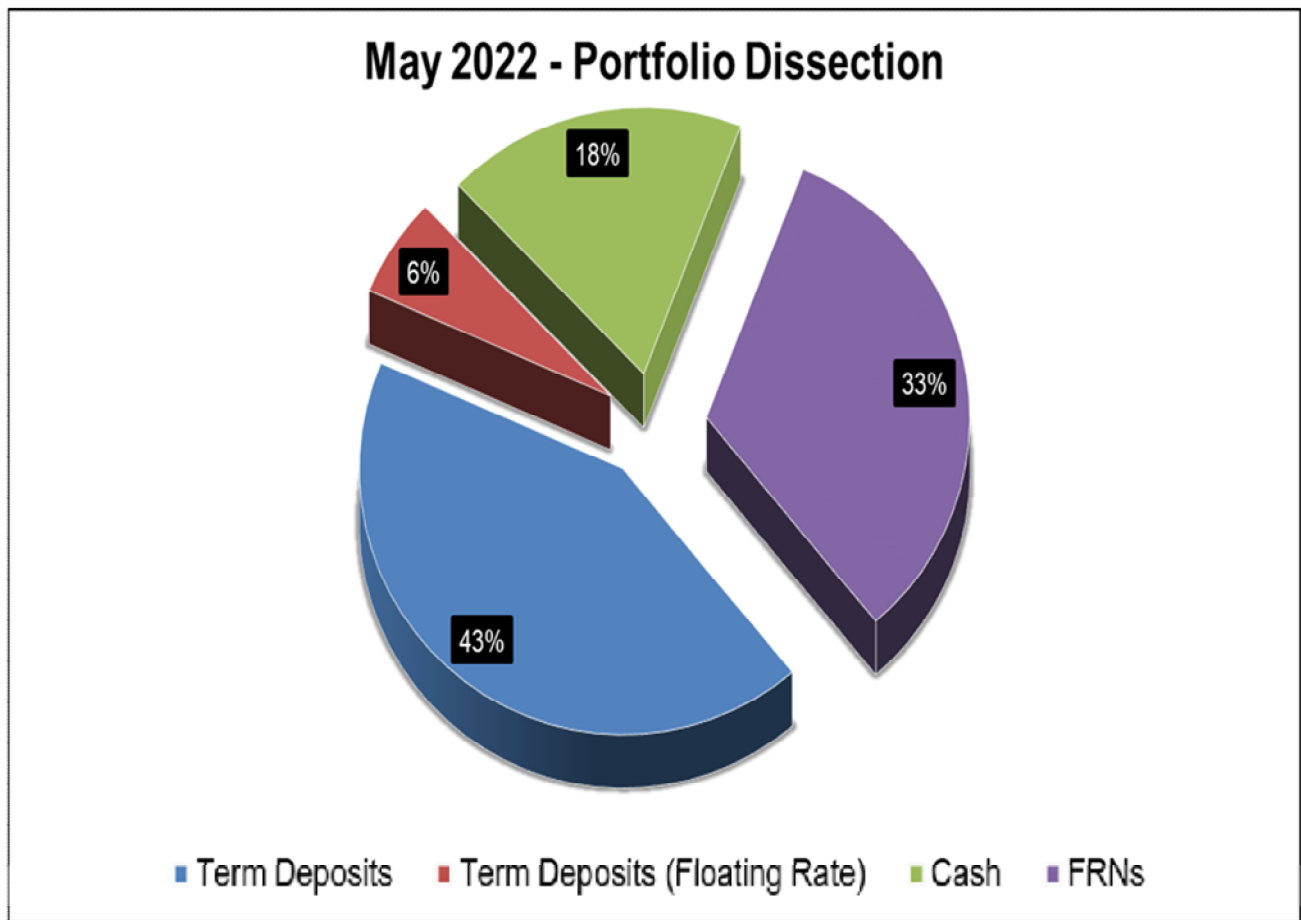
Background

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

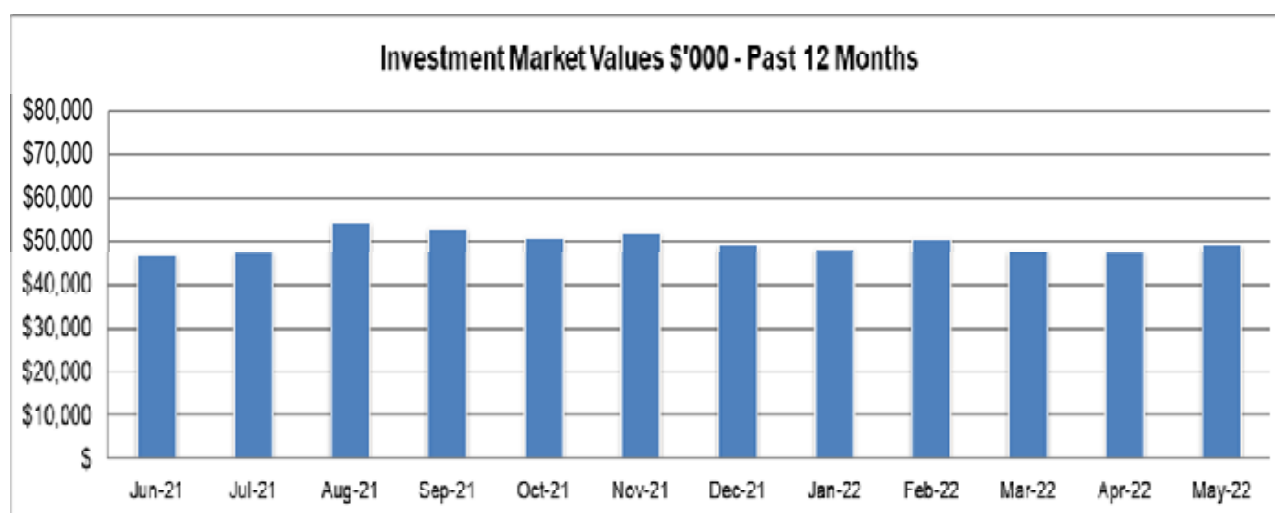
Council has a diversified investment portfolio and has a number of direct investments in term deposits. Its investment portfolio as at 31 May 2022 is:



As at 31 May 2022 Council held the following term deposits:

Purchase Date	Financial Institution	Principal Amount	Interest Rate	Investment Days	Maturity Date
14 Jul 20	Westpac	4,000,000	0.89%	730	14 Jul 22
14 Jul 20	National Australia Bank	4,000,000	0.90%	730	14 Jul 22
31 Aug 21	National Australia Bank	3,000,000	0.80%	1,095	30 Aug 24
31 Aug 21	Westpac	3,000,000	0.75%	1,095	30 Aug 24
27 Apr 22	Commonwealth Bank of Australia	3,000,000	1.10%	90	26 Jul 22
26 May 22	National Australia Bank	4,000,000	0.53%	32	27 Jun 22
Total		21,000,000			

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 and for the previous two months 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 June 2022, the Board decided to increase the official cash rate by 50 basis points to 0.85 per cent. According to the RBA Governor "... The Board judged that now was the right time to further increase the official cash rate as inflation in Australia has increased significantly. While inflation is lower than in most other advanced economies, it is higher than earlier expected. Global factors, including COVID-related disruptions to supply chains and the war in Ukraine, account for much of this increase in inflation. But domestic factors are playing a role too, with capacity constraints in some sectors and the tight labour market contributing to the upward pressure on prices. The floods earlier this year have also affected some prices.

Inflation is expected to increase further, but then decline back towards the 2–3 per cent range next year. Higher prices for electricity and gas and recent increases in petrol prices mean that, in the near term, inflation is likely to be higher than was expected a month ago. As the global supply-side problems are resolved and commodity prices stabilise, even if at a high level, inflation is expected to moderate.

The Australian economy is resilient, growing by 0.8 per cent in the March quarter and 3.3 per cent over the year. Household and business balance sheets are generally in good shape, an upswing in

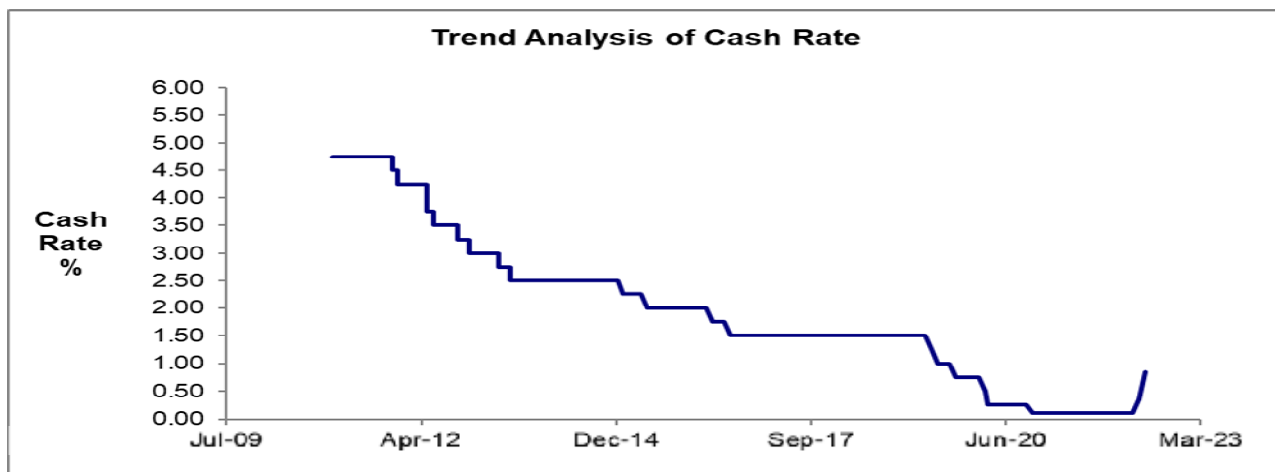
business investment is underway and there is a large pipeline of construction work to be completed. The labour market is also strong. Employment has grown significantly and the unemployment rate is 3.9 per cent, which is the lowest rate in almost 50 years. Job vacancies and job ads are at high levels and a further decline in unemployment and underemployment is expected. The Bank's business liaison program continues to point to a lift in wages growth from the low rates of recent years as firms compete for staff in a tight labour market

One source of uncertainty about the economic outlook is how household spending evolves, given the increasing pressure on Australian households' budgets from higher inflation and increasing interest rates. Housing prices have declined in some markets over recent months but remain more than 25 per cent higher than prior to the pandemic, supporting household wealth and spending. The household saving rate also remains higher than it was before the pandemic and many households have built up large financial buffers. While the central scenario is for strong household consumption growth this year, the Board will be paying close attention to these various influences on consumption as it assesses the appropriate setting of monetary policy.

The Board will also be paying close attention to the global outlook, which remains clouded by the war in Ukraine and its effect on the prices for energy and agricultural commodities. Real household incomes are under pressure in many economies and financial conditions are tightening, as central banks withdraw monetary policy support in response to broad-based inflation. There are also ongoing uncertainties related to COVID, especially in China.

The Board is committed to doing what is necessary to ensure that inflation in Australia returns to target over time. This will require a further lift in interest rates over the period ahead. The Board will continue to closely monitor the incoming information and evolving balance of risks as it determines the timing and extent of future interest rate increases. Statement by Philip Lowe, Governor: Monetary Policy Decision – 7 June 2022”.

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



Recommendation(s)

1. That the investment report for 31 May 2022 be received and endorsed.
2. That the Certificate of the Responsible Accounting Officer be received and noted.

Attachments

- 1 Investment Register - 31 May 2022
- 2 Types of Investments

Investment Register - 31 May 2022

BURWOOD COUNCIL
INVESTMENT PORTFOLIO
as at 31 May 2022

Credit Ratings	
AAA	Extremely strong capacity to meet financial commitments. Highest Rating
AA	Very strong capacity to meet financial commitments but somewhat susceptible to adverse economic conditions and changes in circumstances.
A	Adequate capacity to meet financial commitments, but more subject to adverse economic conditions.
BBB	Currently vulnerable and dependent on favourable business, financial and economic conditions to meet financial commitments
CCC	Payment default on financial commitments
D	Means that a rating may be raised
+	Means that a rating may be lowered
-	

Investment	Issuer	ADI or N-ADI	Investment Name	Type	Rating S&P	Invested Amount	Market Value as at 31/03/2022	Market Value as at 30/04/2022	Market Value as at Reporting Date	% of Total Invested
sh										18.45
uncil	Commonwealth Bank	ADI	Operating Account	Cash	AA-	4,744,623	2,796,093	2,560,175	4,744,623	9.60
uncil	Commonwealth Bank	ADI	Online Saver	At Call	AA-	349,447	349,359	349,404	349,447	0.71
uncil	Macquarie Bank	ADI	Accelerator Account	At Call	AA-	4,021,964	4,017,934	4,019,949	4,021,964	8.13
uncil	AMP Bank Limited	ADI	AMP Business Saver	At Call	BBB-	1,275	1,274	1,274	1,275	0.00
uncil	AMP Bank Limited	ADI	AMP Notice Account	Notice 30 days	BBB-	3,454	3,451	3,453	3,454	0.01
Term Deposits										42.59
uncil	National Australia Bank	ADI	National Australia Bank	Term Deposit	AA-	4,000,000	4,025,644	4,028,603	4,031,660	8.15
uncil	Westpac	ADI	Westpac	Term Deposit	AA-	4,000,000	4,007,413	4,001,561	4,004,584	8.10
uncil	Westpac	ADI	Westpac	Term Deposit	AA-	3,000,000	3,001,911	3,003,760	3,000,000	6.07
uncil	AMP Bank	ADI	AMP Bank	Term Deposit	BBB+	-	3,088,733	-	-	0.00
uncil	Commonwealth Bank	ADI	Commonwealth Bank	Term Deposit	AA-	3,000,000	3,000,271	3,003,074	3,003,074	6.07
uncil	National Australia Bank	ADI	National Australia Bank	Term Deposit	AA-	4,000,000	-	-	4,000,290	8.09
uncil	National Australia Bank	ADI	National Australia Bank	Term Deposit	AA-	-	4,001,490	4,002,805	-	0.00
uncil	National Australia Bank	ADI	National Australia Bank	Term Deposit	AA-	3,000,000	3,013,940	3,015,912	3,017,951	6.10
Fixed & Floating Rates										6.07
uncil	Westpac	ADI	Westpac	Coupon Select Deposit 2 Yr Fixed plus 3 Yr (90day BBSW + 1.05 bps)	AA-	3,000,000	3,007,593	3,014,941	3,000,490	6.07
Floating Rate Notes										32.89
uncil	Suncorp-Metway Limited	ADI	Suncorp-Metway Limited	Floating Rate Notes (90 day BBSW mid +94 bps)	A+	1,500,000	1,505,490	1,505,560	1,502,820	3.04
uncil	Bendigo-Adelaide	ADI	Bendigo Bank & Adelaide Bank	Floating Rate Notes (90 day BBSW mid + 105 bps)	BBB+	1,500,000	1,510,365	1,505,700	1,506,690	3.05
uncil	ANZ Group	ADI	ANZ Group	Floating Rate Notes (90 day BBSW mid + 77 bps)	AA-	2,000,000	2,010,360	2,005,060	2,005,400	4.06
uncil	Newcastle Permanent Building Soc	ADI	Newcastle Permanent Building Society	Floating Rate Notes (90 day BBSW +140 bps)	BBB	1,250,000	1,261,400	1,261,488	1,257,563	2.54
uncil	National Australia Bank	ADI	National Australia Bank	Floating Rate Notes (90 day BBSW +41 bps)	AA-	1,500,000	1,475,730	1,474,515	1,467,840	2.97
uncil	MyState Bank Ltd	ADI	MyState Bank Ltd	Floating Rate Notes (90 day BBSW +65 bps)	BBB	2,500,000	2,481,750	2,480,800	2,475,775	5.01
uncil	Commonwealth Bank of Australia	ADI	Commonwealth Bank of Australia	Floating Rate Notes (90 day BBSW +93 bps)	AA-	2,000,000	2,016,540	2,015,360	2,010,280	4.07
uncil	Commonwealth Bank of Australia	ADI	Commonwealth Bank of Australia	Floating Rate Notes (90 day BBSW +113 bps)	AA-	4,000,000	4,054,880	4,038,560	4,035,120	8.16
Grand Total						49,370,763	47,551,349	47,289,070	49,440,300	100.00

Certificate of Responsible Accounting Officer

I hereby certify that the investments listed have been made in accordance with Section 625 of the Local Government Act 1993, Clause 212 of the Local Government (General) Regulation 2005 and Council's Investment Policies at the time of their placement.

W. Armitage

Wayne Armitage

Chief Finance Officer

Types of Investments

Types of Investments

Council's investment portfolio consists of the following types of investment:

1. **Cash and Deposits at Call** – Cash and Deposits at Call accounts are a flexible savings facility providing a competitive rate of interest for funds which are at call (available within 24hours). These accounts enable us to control Council's cashflows along with council's General Fund Bank account. Interest rates are updated in accordance with movements in market rates.

The following investments are classified as Cash and Deposits at Call:

- Commonwealth Bank of Australia – Online Saver AA-
- Commonwealth Bank of Australia – Operating Account AA-
- AMP Business Saver and Notice – At Call/Notice BBB-
- Macquarie Accelerator – At Call account AA-

2. **Floating Rate Notes (FRN)** - FRNs are a contractual obligation whereby the issuer has an obligation to pay the investor an interest coupon payment which is based on a margin above bank bill. The risk to the investor is the ability of the issuer to meet the obligation.

FRNs are either sub-debt or senior-debt which means that they are guaranteed by the bank that issues them with sub-debt notes rated a notch lower than the bank itself. The reason for this is that the hierarchy for payments of debt in event of default is:

1. Term Deposits
2. Global Fixed Income Deposits
3. Senior Debt
4. Subordinated Debt
5. Hybrids
6. Preference shares
7. Equity holders

In the case of default, the purchaser of subordinated debt is not paid until the senior debt holders are paid in full. Subordinated debt is therefore more risky than senior debt.

(ITEM 63/22) CROYDON AVENUE, CROYDON - INVESTIGATION INTO ON-STREET PARKING

File No: 22/22595

REPORT BY DIRECTOR CITY ASSETS

Summary

Additional investigations have been undertaken following a report to the Burwood Local Traffic Committee in May 2022 regarding parking within Croydon Avenue, Croydon.

Operational Plan Objective

4.1.5 - Work with RMS and Transport NSW in the development of integrated transport plans.

Background

Council's Traffic & Transport team undertook an investigation of Croydon Avenue, Croydon following a petition received by residents of The Brighton Catholic Healthcare. The petition called for the removal of a trailer parked on the western side of Croydon Avenue south of the site's main vehicular entry and exit, stating that the trailer does not move and is restricting sightlines of oncoming traffic.

The attached report was presented to the May meeting of the Burwood Local Traffic Committee which was subsequently reported to the May Ordinary Council Meeting. At the Council Meeting representatives of The Brighton Catholic Healthcare addressed the Council, outlining their concerns for safety of residents and reiterating their desire to see the trailer removed. Council unanimously resolved the following in relation to this report.

3. Item LTC6/22 detailed below be deferred and referred back to the General Manager for investigation of:
 - a. improving the sight lines existing near Brighton Catholic Healthcare on Croydon Avenue,
 - b. the possibility of including speed calming cushions or devices in this location, and
 - c. options for enforcement under boat-trailer impounding legislation.
4. the General Manager report back to the next meeting on the investigation relating to Item LTC6/22.

The following investigations have taken place into methods to improve sightlines, traffic calming and enforcement of the trailer. The below options require further investigation and consultation with the neighbouring properties.

Timed Parking Restrictions

Implementing timed parking restrictions to the south of the driveway to Brighton Catholic Healthcare would encourage the turnover of parked vehicles and prevent vehicles from parking all day. Site visits have shown that parking demand in this area is high, with minimal available parking throughout the day. A short section of timed parking would assist all visitors and delivery vehicles to the area in obtaining parking and require the subject trailer to be relocated.

'No Parking – Motor Vehicles Excepted' Restrictions

It is possible for Council to implement 'No Parking – Motor Vehicles Excepted' restrictions along the western side of Croydon Avenue, south of the driveway. This type of restriction prevents parking with the exemption of motor vehicles. A motor vehicle as defined under the NSW Road

Rules is a vehicle with a motor. The intention of these restrictions is to allow the parking of motor vehicles, and restrict the parking of all types of trailers and caravans.

Traffic Calming

Traffic counts were undertaken on Croydon Avenue immediately adjacent to the trailer for one week from 25 May to 1 June 2022. The data collected shows that the 85th percentile speed of northbound traffic at this location was 50km/h which is in accordance with the sign posted speed limit. Less than 0.5% of northbound traffic at this location was found to be traveling at a speed greater than 60km/h. A review of crash data recorded by the NSW Police Force and compiled by the Centre for Road Safety has been undertaken for this section of Croydon Avenue. The data shows that there have been no recorded accidents in this section of the street in the last 5 years of available data.

Based on the traffic count and accident data, additional traffic calming devices would not be warranted at this location, however the addition of traffic calming devices would assist drivers exiting the site by ensuring low traffic speeds for north bound traffic. It is noted that at the May Ordinary Council Meeting residents of The Brighton objected to the proposal to investigate additional traffic calming devices in this location.

Compliance

The subject trailer has been reviewed by Council's Community Safety Team who have advised that the trailer is registered and parked legally under the NSW Road Rules. As such Council is unable to have the trailer removed or relocated.

Boat Trailer Impounding Act 1993

A review of the Boat Trailer Impounding Act 1993 has been undertaken. The Act is used specifically for boat trailers which by definition are "a trailer constructed for, or used for, the conveyance of a boat and includes any boat (including any article that is secured to or in such a boat) or other article mounted on such a trailer".

This definition does not cover the type of trailer which is presently parked in Croydon Avenue. Furthermore, Council's must elect to be a declared area as part of the Act in order to utilise the powers of impounding. Given that there is not an ongoing issue with boat trailers within the Burwood Local Government Area Burwood is not a declared area.

Tree Removal

Council staff have spoken with the owner of the trailer who had advised that it has been parked in this location as they do not have adequate space within their property to store the trailer, and that the street tree fronting their property prevents the trailer from being placed in this location given the trailer's height.

Council's Tree Management Officer (TMO) has inspected the street tree and found it to be healthy and in good structural condition, and that there is no Council Policy that would support to remove the tree. The TMO also advised that pruning of the tree would leave the crown of the tree asymmetric and biased over the footpath and private properties, destroying the natural shape and form of the bottlebrush tree. The TMO added that trimming would constitute 'Lopping' and 'Topping' which would not conform to AS4373 (Pruning of Amenity Trees, 2007). It is also noted that by allowing the trailer to park in front of the owner's property would only displace the problem and likely cause line of sight issues for neighbouring properties.

Conclusion

Given the above, it is proposed to undertake consultation with residents along Croydon Avenue within the vicinity of the trailer with options including timed parking restrictions, No Parking – Motor Vehicles Excepted parking restrictions, and traffic calming devices. The results of the consultation will then be reported back to a meeting of the Burwood Local Traffic Committee.

Recommendation

That Council receives and notes this report.

Attachments

1 Item LTC6-22 Burwood Local Traffic Committee Report - Croydon Avenue - May 2022

(ITEM LTC6/22) CROYDON AVENUE, CROYDON - REVIEW OF PARKING NEAR THE BRIGHTON CATHOLIC HEALTHCARE

File No: 22/9961

REPORT BY MANAGER TRAFFIC & TRANSPORT

Summary

Burwood Council has received a petition from residents of The Brighton Catholic Healthcare, located at 17-23 Croydon Avenue, to review parking adjacent to their driveway with a view to improve sightlines for drivers exiting the site's basement car park.

Background

In 2017 a review of the parking adjacent to the site's driveway on Croydon Avenue was undertaken with Council resolving to install 'No Parking' restrictions either side of the driveways for a total length of 36 metres which resulted in the loss of four on-street parking spaces.

Residents of 'The Brighton' have since raised further safety concerns resulting from large vehicles and trailers parked south of the driveway limiting sightlines of northbound traffic. A petition was received signed by 82 residents representing 63 dwellings.

The below photo shows the view for drivers exiting the sites driveway and looking south towards Arthur Street. The large trailer has been parked at this location for several months without moving.



It is noted that there is a secondary exit for the site via Brighton Street which may be used by residents wanting to head north or south. In 2020 Council installed 10 metres of 'No Parking' restrictions north of the Brighton Street driveway to also assist with improving sightlines for drivers exiting the site.

Consultation

Given the level of support to extend the existing 'No Parking' restrictions from residents of The Brighton no further consultation was undertaken with these residents. Consultation was undertaken with 21 residential properties in this area excluding residents from The Brighton providing three options.

- Option 1 – Extend the existing 'No Parking' restrictions 6m south of the current location (loss of one parking space)
- Option 2 – Do nothing.
- Option 3 – Other (with residents to suggest their own preferred treatment).





One response was received from an anonymous source which was in favour of Option 1 and two responses were received in favour of Option 2.

One submission for Option 2 requested a review of the existing 'No parking' restrictions either side of The Brighton Catholic Healthcare's driveways in Croydon Avenue suggesting that the 'No Parking' area north of the northern most driveway is not warranted and would best be returned to parking given the high demand and intensification of land use in the area.

This northern driveway is used by the porte cochere only and as such has much lower volume of vehicles exiting.



Proposal

Whilst it is acknowledged that the trailer parked on the western side of Croydon Avenue is impacting sightlines for drivers exiting The Brighton Catholic Healthcare there is still adequate opportunities for drivers to observe northbound traffic. The site's second exit point onto Brighton Street provide an alternate safe egress for residents who do not feel safe exiting onto Croydon Avenue.

Given the above and lack of support from surrounding properties it is recommended not to make any changes to parking in this area.

Financial Implications

There are no financial implications with this option.

Recommendation

That Council does not make any changes to parking restrictions on the western side of Croydon Avenue near the driveways of The Brighton Catholic Healthcare.

Attachments

There are no attachments for this report.

(ITEM RC5/22) BURWOOD 150 YEARS ANNIVERSARY STEERING COMMITTEE MINUTES - 10 MAY 2022

File No: 22/22501

REPORT BY DIRECTOR COMMUNITY LIFE

Summary

This report presents the draft minutes of the Burwood 150 Years Anniversary Steering Committee meeting held on Tuesday 10 May 2022.

Operational Plan Objectives

- 1.2 A well-informed, supported and engaged community.
- 1.4 A proud and inclusive community that celebrates diversity.
- 2.2 Strong partnerships to benefit the community.
- 5.3 Enhance and foster local identity.

Background

The Burwood 150 Years Anniversary Steering Committee has been established to provide a forum for Council to engage with and obtain feedback from the community to support the planning and delivery of the Burwood 150 Years Anniversary Program to take place in 2024.

Meeting Overview

The Burwood 150 Years Anniversary Steering Committee held its fifth meeting on 10 May 2022. The Committee discussed key action updates arising from the meeting held on 22 February 2022 and discussed public art opportunities for 2024 in some detail along with proposed events for 2024.

The Committee also unanimously endorsed the application of Michael Pellegrino to join the 150 Years Anniversary Steering Committee, following the resignation of Jack Karnaghan.

The draft minutes of the Committee Meeting are included under Attachment 1 of this report.

Consultation

There are no further consultation processes associated with this report.

Planning or Policy Implications

The Committee is conducted in accordance with its Terms of Reference adopted by Council on 8 December 2020. Whilst the role of the Committee is to act as an advisory body to Council, the Terms of Reference specifies that the minutes of the Committee are to be submitted to the next available Ordinary Meeting of Council.

Financial Implications

Council has sufficient funds allocated in the Library Services **Operational Budget 2021/22** to complete the Burwood History Publication. Council is in the process of pursuing significant funding applications to support the delivery of public art opportunities identified to date.

Conclusion

This report provides the draft minutes of the Burwood 150 Years Anniversary Steering Committee held on 10 May 2022 for Council's information. The Burwood 150 Years Anniversary Steering Committee will continue to meet quarterly.

Recommendation(s)

That Council:

1. Receives and notes the draft minutes of the Burwood 150 Years Anniversary Steering Committee held on 10 May 2022 (included under Attachment 1).
2. Accepts the resignation of Jack Karnaghan from the Committee and endorses Michael Pelligrino as a community representative on the Burwood 150 Years Steering Committee.

Attachments

- 1 150 Years Anniversary Steering Committee Meeting - Draft Minutes, 10 May 2022



**BURWOOD 150 YEARS ANNIVERSARY
STEERING COMMITTEE
Tuesday 10 May 2022
1.30pm - 2.50pm**

Draft Minutes

ATTENDEES:

Committee Members:

Andrew Anderson	Community Representative
Susan Borel	Community Representative
Cecily Gray	Burwood Historical Society Representative
Dennis Quinlan	Community Representative

Guests and Council Officers:

Brooke Endycott	Director Community Life - <i>Chair</i>
Katarzyna Malicka	Local Heritage Librarian
Richard Old	Events Coordinator
Dominique Roberts	Cultural Projects & Public Art Producer
Daniel Pocaterra (Minutes)	Executive Assistant – Community Life

APOLOGIES:

Cr John Faker	Mayor of Burwood - <i>Chair</i>
Cr Heather Crichton	Burwood Council - <i>Alternate Chair and Delegate</i>
Claire Boskett	Community Representative
Justine Ann Channing	Community Representative
Li Hua Chu	Community Representative

1. WELCOME & ACKNOWLEDGEMENT OF COUNTRY

Burwood Council's Director Community Life, Brooke Endycott opened the meeting with an Acknowledgement of Country and noted the apologies of the Mayor and Cr Heather Crichton.

2. DECLARATIONS OF INTEREST

Nil declarations of interest were submitted.

3. CONFIRMATION OF MINUTES OF THE MEETING HELD ON 22 FEBRUARY 2022

The Burwood 150 Years Anniversary Steering Committee minutes were confirmed as an accurate record of the proceedings of the previous meeting held on 12 October 2021 with Committee member (Moved by Cecily Gray/ Seconded by Susan Borel).

4. UPDATE ON ACTIONS ARISING FROM MEETING HELD ON 22 FEBRUARY 2022

Council officers provided an update on the actions arising from the meeting held on 22 February 2022, including the following:

- Council's Local Heritage Studies Librarian provided an update on the research into the current copyright status of *Between Two Highways* by Mr. Eric Dunlop. It was noted following further research and consultation with the National Library, that the copyright

of the publication will expire in 2023. Arrangements and preparation can commence at this time to see it digitised and uploaded by 2024.

- Council has further followed up with the managing agent to discuss restoration of the Burwood Clock Tower. As it is a private building, Council will assist by identifying heritage grants available.
- Council confirmed that contact details of author Roger Coombs and publisher Catherine Warne have been exchanged to members of the Committee so they can directly provide suggestions of potential sources and photographs for the publication. Both the author and publisher are currently pursuing information and resources externally. Once further research has been carried out, they will look to the Committee for further information and resources.

Actions or Recommendations arising:

- 4.1 Dennis Quinlan noted that the Burwood RSL is over 100 years old and has an archive of photographs and prints. Dennis has offered to digitise any photos from the archive to present to the author and publisher should they wish to utilise the photos in the publication.
- 4.2 Council to investigate any possible grant opportunities for the Burwood Clock Tower so the owner can pursue restoration work.

5. PRESENTATION ON PUBLIC ART OPPORTUNITIES

Council's Cultural Projects & Public Art Producer provided a presentation to the Committee outlining the current and planned public art program for the Burwood Local Government Area.

Current public art projects in progress that were discussed included:

- Site 1 – Liverpool Road; 343-347 Liverpool Road, Strathfield NSW 2135
- Site 2 – Cevetto Lane; 6-8 Coronation Parade, Enfield NSW 2136

Proposed public artworks discussed included:

- Site 3: Railway Parade and Burwood Road corner, direct visibility with Burwood Train station entrance / exit. Typology: Contemporary Mural and potential lighting installation. Theme: Contemporary Mural and lighting installation to reflect Burwood town centre's unique cultural identity, reflecting how our demographics and uses of the space have changed over time.
- Site 4: Railway Parade and Burleigh Street. Typology: Light Projections onto railway picture windows. Theme: Burwood's musical history.
- Site 5: Railway Parade and Ford Lane Installation. Typology: Contemporary Street Art Mural. Theme: Burwood's Musical History.
- Site 6: Burwood Art seat (open-air gallery in Burwood Park). Typology: Digital & printed display. Theme: Artist asked to respond to the 150-year celebration of Burwood. This site could potentially be focused on First Nations recognition. In place by 2024 linking to telling the story of Burwood.

A range of street activation projects celebrating Burwood's history throughout time were also discussed. Options included:

- Inclusion of 150 Year banner artworks into Council's Street Banner Program.
- Installation of floor decals with images and stories sourced from Burwood's local studies collection and developed in consultation with the Burwood Historical Society and community groups.
- Inclusion of a 150-year themed artwork into Council's Creative Hoarding Program.

Council will keep the Committee updated as artworks are developed and will engage the Committee as distinct projects progress. Council invited the Committee to send through any suggestions to Council for any other public artwork locations or ideas for consideration.

Actions or Recommendations arising:

- 5.1 The Committee agreed that Railway Parade and Burleigh Street would be great locations, and particularly supported the concept to have artwork displayed via lighting projections so as not to impact the heritage wall.
- 5.2 The Committee suggested a theme for the Burwood Road underpass, to recreate an impression of the original train station.
- 5.3 Council officer, Dominique Roberts will follow up with Dennis Quinlan to assist with reference imagery for the proposed projects.
- 5.4 The Committee suggested the corner of Portland Street and Tangarra Street, Enfield as a possible public art site, which will be followed up by Council.

6. REVIEW OF 2024 EVENTS SCHEDULE

Council's Events Coordinator provided an update to the Committee outlining the current and scheduled events organised by Council including:

- The Lighting Project over winter (July) to align with the first meeting of Council.
- Road Show, with ongoing promotion throughout the year.
- Return of the Street Parade as part of the Burwood Festival held in September/October.
- Currently scheduling local park experiences over April-May and September-October.

Actions or Recommendations arising:

- 6.1 The Committee suggested that Council arrange a 150 Years theme across all events in 2024.
- 6.2 Burwood RSL Club will tentatively book the dates of Friday and Saturday 12 April and 13 April 2024 for the 150 Years Dinner and Awards night.
- 6.3 Council will provide a presentation for next Committee Meeting covering on the Burwood Urban Park Arts and Cultural Centre.
- 6.4 The Committee suggested to explore the possibility of engaging the Burwood Band for the Burwood Festival. Council to investigate what groups are currently operating and could provide unique performances.

7. GENERAL BUSINESS

Council received an application from a local resident, Michael Pelligrino, requesting to join the Committee. Michael is a young person and local resident and has studied local history, geological studies and is an active volunteer at the St Thomas Church, Enfield.

Given that Jack Karnaghan has formally resigned from the Committee, the Committee unanimously endorsed the application of Michael Pellegrino to join the 150 Year Anniversary Steering Committee.

8. NEXT MEETING

The next meeting was scheduled for **9 August 2022**.

9. CLOSE OF THE MEETING

Director Community Life, Brooke Endycott thanked the Committee for their attendance and participation. The meeting was closed at 2.50pm.