



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

Ordinary Meeting

Notice is hereby given that a meeting of Burwood Council will be held in the Conference Room, Level 1, 2 Conder Street, Burwood on Tuesday 14 February 2023 at 6:00pm to consider the matters contained in the attached Agenda.

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

Public Forum

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

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

The Council Meeting will commence immediately after the conclusion of the Public Forum. In the event there are no speakers registered, the Public Forum will not be held and the Council Meeting will commence promptly at 6:00pm.

Tommaso Briscese
General Manager

Councillors



Cr John Faker
Mayor
9911 9916
mayor@burwood.nsw.gov.au



Cr George Mannah
Deputy Mayor
0428 363 826
george.mannah@burwood.nsw.gov.au



Cr Heather Crichton
0428 439 450
heather.crichton@burwood.nsw.gov.au



Cr Ned Cutcher
0428 531 376
ned.cutcher@burwood.nsw.gov.au



Cr Pascale Esber
0428 459 667
pascale.esber@burwood.nsw.gov.au

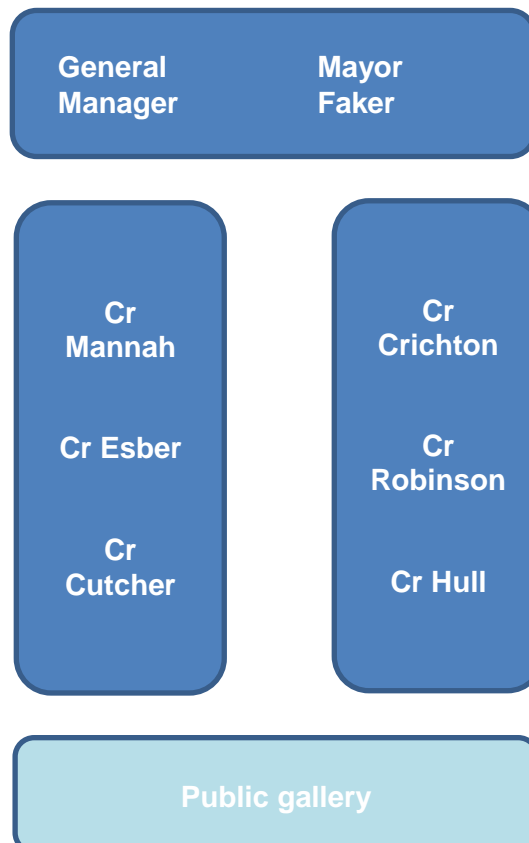


Cr David Hull
0428 369 269
david.hull@burwood.nsw.gov.au



Cr Hugo Robinson
0428 516 124
hugo.robinson@burwood.nsw.gov.au

Council meeting room



Agenda

For an Ordinary Meeting of Burwood Council to be held in the Conference Room, Level 1, 2 Conder Street, Burwood on Tuesday 14 February 2023 immediately after the Public Forum commencing at 6.00pm.

- 1. Prayer**
- 2. Acknowledgement of Country**
- 3. Statement of Ethical Obligations**
- 4. Apologies**
- 5. Declarations of Interest**
- 6. Declaration of Political Donations**
- 7. Confirmation of Minutes**
- 8. Mayoral Minutes**
- 9. General Business**

(Item 1/23)	Planning Proposal - Amendment to Schedule 5 of Burwood LEP 2012 - Group Heritage Listing of 4-10 and 14 Cooper Street, Strathfield and seven (7) electricity substations.....	5
(Item 2/23)	Review of the Burwood Development Control Plan Section 5.4 - Boarding Houses and Co-Living Housing.....	138
(Item 3/23)	Amendment to Burwood Development Control Plan Section 6.1 - Preservation of Trees or Vegetation.....	230
(Item 4/23)	Draft Section 7.12 Local Infrastructure Contributions Plan for the Burwood Local Government Area	235
(Item 5/23)	Conflict of Interest Policy: Council-related Development - Endorsement for public exhibition	268
(Item 6/23)	Draft Out of Hours Construction Policy - Results of Public Exhibition	277
(Item 7/23)	Local Government Election 2024 - Administration Arrangements.....	284
(Item 8/23)	Adoption - Community Engagement Strategy 2023-2026.....	301
(Item 9/23)	Half-Yearly Report (1 July 2022 to 31 December 2022)	336
(Item 10/23)	Budget Review for Quarter Ending 31 December 2022.....	407
(Item 11/23)	Investment Report as at 30 November 2022	419
(Item 12/23)	Investment Report as at 31 December 2022	424
(Item 13/23)	Answers to Questions on Notice	429

10. Reports of Committees

(Item RC1/23) Burwood Local Traffic Committee - February 2023 431

11. Confidential Items

(Item 14/23) Burwood Urban Park, Arts & Cultural Centre - Revised Funding Strategy

That above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 10A(2) (c) (d) of the Local Government Act, 1993, as the matter involves information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; AND commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret.

(Item 1/23) Planning Proposal - Amendment to Schedule 5 of Burwood LEP 2012 - Group Heritage Listing of 4-10 and 14 Cooper Street, Strathfield and Seven (7) Electricity Substations

File No: 23/2580

Report by Director City Strategy

Summary

A planning proposal has been prepared to amend Schedule 5 – Environmental Heritage and associated Heritage Map series of Burwood Local Environmental Plan 2012 (Burwood LEP 2012) to:

- (a) include as a group heritage listing five (5) properties in Cooper Street, Strathfield in Schedule 5 and on the Heritage Map of the Burwood LEP 2012; and
- (b) heritage list, as a group listing seven (7) electricity substations which Ausgrid has proposed to remove from the Ausgrid Section 170 Register to ensure their ongoing preservation and maintenance.

Operational Plan Objective

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

C.3.2 Protect our unique built heritage and maintain or enhance local character

P.13 Identify and plan for built heritage and local character

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

Background

Nos 4-10 & 14 Cooper Street, Strathfield

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.

In this regard, a report on the heritage significance investigation of 6-14 Cooper Street, Strathfield was considered by Council, at its meeting on 28 June 2022.

Subsequently, Council resolved (57/22) the following:

1. *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.*
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 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.*
4. *That Council at this stage not pursue the Interim Heritage Order for Nos 4 – 10 and 14 Cooper Street, Strathfield based on the current planning advice.*

GML Heritage Pty Ltd were appointed to undertake an independent heritage assessment of the properties at Nos 4-10 and 14 Cooper Street, Strathfield. Their report has recommended that the abovementioned properties be included as a group listing in Schedule 5 of Burwood LEP 2012.

The planning proposal at Attachment 1 responds to GML's recommendations.

Ausgrid Electricity Substations

Section 170 of the *NSW Heritage Act, 1977*, requires that all State Agencies establish and keep a register entitled "Heritage and Conservation Register" (S170 Register).

Clause 22 of the Heritage Regulation 2012 prescribes the following classes of items to be on a S170 Register:

- (a) *items that are listed as heritage items under an environmental planning instrument made under the Environmental Planning and Assessment Act 1979,*
- (b) *items that are subject to an interim heritage order,*
- (c) *items that are listed on the State Heritage Register,*
- (d) *items identified by the government instrumentality concerned as having State heritage significance.*

In December 2021, Ausgrid wrote to Council advising that they had undertaken a review of their S170 Heritage and Conservation Register and have identified seven (7) electricity substations within the Burwood LGA which, in their opinion, do not fall under any of the classes listed in Clause 22 of the Heritage Regulation 2012, these being:

- 5 Burwood Road, Burwood Heights
- 4 Badminton Road, Croydon Park
- 2B Cooper Street, Strathfield
- 25 Angel Road North, Strathfield
- 32 Wallace Street, Burwood
- 12 Icton Street, Burwood
- Princes Street & Cheltenham Road, Burwood

As these electricity substations were included on the S170 Register, there was no need to also have them listed as items of environmental heritage (local) in Schedule 5 of Burwood LEP 2012. Once removed from the S170 Register, and if not included in the Burwood LEP 2012, these electricity substations will no longer have any heritage protection.

Although the abovementioned properties no longer fulfil the criteria to be included in the S170 heritage and conservation register, Council has the option to locally list these in Schedule 5 of the Burwood LEP 2012 as items of local significance.

Council, at its meeting on 26 April 2022 considered a report on a comprehensive review of the Burwood LEP 2012. As part of this report, it was recommended that Council's Heritage Advisor undertake a review of the substations, and where appropriate make recommendations for heritage listing under Schedule 5 of Burwood LEP 2012.

In response to Ausgrid's correspondence, Council's Heritage Advisor, in January 2023 undertook a review of the potential heritage significance of these electricity substations and based on the information available, found that all seven (7) electricity substations fulfil the criteria for local heritage listing (group listing) in Schedule 5 of Burwood LEP 2012.

On 12 January 2023, Council advised Ausgrid of its intention to proceed with heritage listing of the seven (7) electricity substation buildings that fulfilled the criteria for heritage listing. In response, Ausgrid has agreed to retain these items on its S170 register indefinitely, pending the Planning Proposal process and subject to Council keeping Ausgrid updated on the Planning Proposal.

The Planning Proposal at Attachment 1 includes these properties to respond to Council's Heritage Advisor's recommendations.

Burwood Local Planning Panel Consideration

The Planning Proposal was considered by the Burwood Local Planning Panel (BLPP) at its meeting on 7 February 2023. The BLPP in this regard, resolved the following (LPP11/23):

1. *That the Burwood Local Planning Panel advises Council to proceed with the Planning Proposal to list the following as local heritage items (group listing) in Schedule 5 and on the Heritage Maps of the Burwood Local Environmental Plan 2012:*
 - a) *5 Burwood Road, Burwood Heights*
 - b) *4 Badminton Road, Croydon Park*
 - c) *2B Cooper Street, Strathfield*
 - d) *25 Angel Road North, Strathfield*
 - e) *32 Wallace Street, Burwood*
 - f) *12 Icton Street, Burwood*
 - g) *Princes Street & Cheltenham Road, Burwood*
2. *That the Burwood Local Planning Panel advises Council to proceed with the Planning Proposal to list the following as local heritage items (group listing) in Schedule 5 and on the Heritage Maps of the Burwood Local Environmental Plan 2012:*
 - a) *Nos 4-10 and 14 Cooper Street, Strathfield*

On the basis of the BLPP's advice, it is recommended that Council endorse the planning proposal for submission to the NSW Department of Planning and Environment (DPE) for Gateway Determination.

Heritage Assessment

As outlined above, GML Heritage Pty Ltd were appointed to undertake an independent heritage assessment of the properties at Nos 4-10 and 14 Cooper Street, Strathfield. GML Heritage's report was completed in December 2022 and is included at Attachment 2 of this report.

Council's Heritage Advisor undertook the heritage assessment of each of the seven (7) Ausgrid electricity substations in January 2023. A copy of the heritage assessment is included at Attachment 3 to this report.

Both reports have been determined that the properties demonstrate heritage significance at the local level and meet the threshold of local significance for the relevant criteria, as outlined below.

The properties were assessed against the seven criteria in the guidelines as identified in Table 1 below.

Each criterion has inclusions and exclusions guidelines that are used to assist in the assessment process. If an item meets one of the seven heritage criteria at a local level, and retains the integrity of its key attributes, it can be considered to have local heritage significance.

Table 1: NSW Heritage assessment criteria summary

Criteria	
(a) Historic significance	An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area)
(b) Associational significance	An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area)
(c) Aesthetic significance	An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area)
(d) Social significance	An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons
(e) Technological significance/ research potential	An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area)
(f) Rarity	An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area)
(g) Representativeness	An item is important in demonstrating the principal characteristics of a class of NSW's <ul style="list-style-type: none"> - cultural or natural places; or - cultural or natural environments. - or a class of the local area's - cultural or natural places; or - cultural or natural environment

Nos 4-10 and 14 Cooper Street, Strathfield

The heritage assessment report prepared by GML Heritage concludes that the subject properties demonstrate heritage significance at the local level for the following reasons:

- The cottages at 4 Cooper Street (Allema), 6 Cooper Street (Urangara), 8 Cooper Street (Duntroun), 10 Cooper Street (Illam) and 14 Cooper Street (Huggerstone) form a good example of a cohesive group of Victorian Italianate dwellings. They exhibit historic setting, form, features and design elements typical of their typology and the group is a good example of residential development within the Burwood LGA from the late Victorian period.
- They are indicative of the more modest accommodation that was prevalent in the Victorian period within Strathfield and the Burwood LGA.
- The Schute family resided in 4 Cooper Street for over 20 years, between 1890 and 1918. During this period, Richard Schute served as alderman of Burwood (from 1893 to 1913) and as Mayor three times (1896, 1909 and 1910). His son Robert Schute is associated with the Shute Shield, the rugby union cup that was named in his honour.
- As a group, the dwellings display a fair level of intactness and many architectural attributes typical of the Victorian Italianate style. This includes their asymmetrical form, hipped slated roof with intact chimneys, faceted bay, front verandah with cast iron decorations and posts, decorative mouldings, timber-framed windows and original timber doors of narrow proportions.
- Their consistent subdivision pattern, low fencing, setbacks, front gardens, form and features create visual uniformity and contribute to the streetscape character of Cooper Street. They contribute to the historic setting of Cooper Street, Strathfield, and the Burwood LGA.
- Based on the information available for the purpose of this assessment, the group at 4–10 and 14 Cooper Street meets the threshold for local heritage listing based on its historical, aesthetic and representative attributes. No. 4 Cooper Street is additionally noted for its associative values and No. 14 for its high degree of integrity externally.

Ausgrid Electricity Substations

The heritage assessment report prepared by Council's Heritage Advisor concludes that the subject properties demonstrate heritage significance at the local level for the following reasons:

- The substations meet historical significance due to their ability to demonstrate the fast growing demand for electricity in the Sydney and wider regions during the first half of the 20th Century. They demonstrate how local distribution of electricity was organised at that time and the similarity in design of a new building typology across Burwood and the broader Sydney area.
- They meet aesthetic significance due to their unique design as a building typology – infrastructure nestled within residential dwellings. The substations in Burwood LGA (which form part of this report) are all generally intact. The majority (5) are designed in the Interwar Georgian Revival with Mediterranean influences. These present attractive one storey and double height small buildings, with fanlights, arches and Spanish profile terracotta roof tiles.
- Two substations, Cheltenham Road (Art Deco) and Icceton Street (Stripped Classical) also meet the Rarity criterion as being the only substations built in their respective styles in the Burwood LGA.
- The substations all meet the threshold as Representative examples of the electricity substation typology of the first half of the 20th Century, in design and location.

Strategic and Site Specific Merit

The planning proposal has strategic and site specific merit. The planning proposal is consistent with the relevant objectives of *Greater Sydney Region Plan: A Metropolis of Three Cities (2018)* and the actions of the *Eastern City District Plan (2018)*.

The planning proposal is consistent with *Burwood 2036*, Council's Community Strategic Plan and the *Burwood Local Strategic Planning Statement* which was endorsed by the Greater Sydney Commission in March 2020. The vision for Burwood makes reference to '*cherished heritage conservation areas, ...well designed buildings and... neighbourhoods filled with distinct character*'.

One 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.

The planning proposal is consistent with the Standard Instrument – Principal Local Environmental Plan and all other applicable State environmental planning policies and applicable Section 9.1 Directions.

Consultation

On 12 January 2023, Council notified Ausgrid of the preparation of a planning proposal to heritage list the seven (7) electricity substations that are currently listed on the Ausgrid Section 170 Register.

Ausgrid has confirmed they understand the process and may make a submission as part of any future exhibition of the planning proposal.

Property owners in Cooper Street have been previously notified by letter regarding Council's resolutions to investigate the heritage significance of their properties and have been regularly updated on the progress of this process.

Should Council receive a Gateway Determination, public exhibition will be undertaken in accordance with the requirements of the *Environmental Planning & Assessment Act 1979* and the *Environmental Planning and Assessment Regulation 2021*. It will also have regard to the other relevant plans and guidelines including the Community Participation Plan, the Local Environmental Plan Making Guideline (2021) and any conditions of the Gateway Determination.

It is recommended that the planning proposal is exhibited for a minimum of 28 days and it is proposed that affected and adjoining property owners be consulted.

The public exhibition will include:

- a notice on Council's Participate Burwood page as well as reference to the DPE planning proposal tracker
- a letter to land owners/occupiers and owners of properties in the vicinity of each site

Planning or Policy Implications

Heritage listing of properties is undertaken through a planning proposal. It is advisable that any planning proposal for heritage listing be progressed in a timely manner, therefore limiting the risk of alterations to the dwellings.

Should Council resolve to progress this planning proposal, the general steps would be as follows:

- The planning proposal is submitted to the DPE for a Gateway Determination. This step will determine whether the proposal can proceed and outlines the community consultation required.
- Undertake public exhibition and consultation with relevant State agencies.
- The outcomes of community consultation are reported back to Council. The Council is asked whether it wishes to adopt the planning proposal and proceed to plan-making.
- If adopted, Council staff liaises with the DPE to amend the BLEP.
- The properties are listed in Schedule 5 of the BLEP.

It is anticipated that the process would take 8 months to complete all steps as outlined above. However, the properties are afforded heritage protection (i.e. deemed a “draft heritage item”) as soon as the planning proposal is placed on public exhibition and a notation will be placed on Council’s Planning Certificates to ensure that the information is available to current and future property owners.

Financial Implications

There are no financial implications with respect to the planning proposal other than staff allocation and resources from existing budgets.

Conclusion

A planning proposal has been prepared to heritage list, as a group listing under Schedule 5 of the Burwood Local Environmental Plan (BLEP) 2012, 4-10 and 14 Cooper Street Strathfield; and seven (7) electricity substations as a group listing that are currently listed on the Ausgrid Section 170 Register.

Heritage assessments have been undertaken which conclude the subject properties demonstrate heritage significance at the local level and meet the threshold for listing as items of local significance in the Burwood LEP 2012.

The planning proposal satisfies the requirements of section 3.33 of the Act as it includes:

- A statement of the objectives or intended outcome of the amendment to Burwood LEP 2012
- An explanation of the provisions that are to be included in the amendment to Burwood LEP 2012.
- The justification for the objectives, outcomes and provisions and the process for their implementation.
- Details of the community consultation that is to be undertaken.

In view of the BLPP’s support for the planning proposal, Council’s endorsement is sought for progressing and submitting to the DPE for Gateway Determination the planning proposal to amend Schedule 5 and the Heritage Maps of Burwood LEP 2012 for the group heritage listing of Nos 4-10 and 14 Cooper Street, Strathfield and the seven (7) Ausgrid electricity substations.

Recommendation(s)

1. That Council support the planning proposal to list the following as local heritage items in Schedule 5 and on the Heritage Maps of the Burwood Local Environmental Plan 2012:
 - a) Group listing of Nos 4-10 and 14 Cooper Street, Strathfield

- b) Group listing of the following Ausgrid electricity substations:
 - i. 5 Burwood Road, Burwood Heights
 - ii. 4 Badminton Road, Croydon Park
 - iii. 2B Cooper Street, Strathfield
 - iv. 25 Angel Road North, Strathfield
 - v. 32 Wallace Street, Burwood
 - vi. 12 Icton Street, Burwood
 - vii. Princes Street & Cheltenham Road, Burwood
2. That Council endorse forwarding the planning proposal to the NSW Department of Planning and Environment (DPE) to request a Gateway Determination under Section 3.33 of the Environmental Planning and Assessment Act 1979 for an amendment to the Burwood Local Environmental Plan 2012 (BLEP) by:
 - i. Group heritage listing five (5) properties in Cooper Street, Strathfield in Schedule 5 Environmental Heritage
 - ii. Group heritage listing seven (7) electricity substations in Schedule 5 Environmental Heritage
 - iii. Mapping the properties as "Item – General" on the Heritage Map of the Burwood LEP 2012
3. That subject to the Gateway Determination, Council endorse the planning proposal for public exhibition and affected and adjoining property owners be notified in writing.
4. That the results of the public exhibition and consultation be reported back to Council.

Attachments

- 1 [↓](#) Planning Proposal - Cooper Street and Electricity Substations
- 2 [↓](#) Heritage Assessment Report - 4-10 and 14 Cooper Street, Strathfield - GML Heritage December 2022
- 3 [↓](#) Burwood LGA Ausgrid Substations - Heritage Assessment - February 2023



Planning Proposal

Amendment to Schedule 5 of the Burwood LEP 2012

**Group Heritage Listing - Nos 4-10 and 14 Cooper Street, Strathfield
Group Heritage Listing - Seven Ausgrid electricity substations**

January 2023
Prepared by: City Planning

Part 1 – Objectives and Intended Outcomes

This planning proposal seeks to amend the provisions of the Burwood Local Environmental Plan 2012 (Burwood LEP 2012) to:

- (a) include as a group heritage listing five (5) properties in Cooper Street, Strathfield in Schedule 5 and on the Heritage Map of the Burwood LEP 2012; and
- (b) include as a group heritage listing seven (7) electricity substations which Ausgrid has proposed to remove from the Ausgrid Section 170 Register to ensure their ongoing preservation and maintenance. These properties will be included in Schedule 5 and on the Heritage Map of the Burwood LEP 2012.

This planning proposal has been prepared in accordance with section 3.33 of the Environmental Planning and Assessment Act 1979 (EP&A Act 1979) and the document prepared by the Department of Planning, Industry and Environment titled *Local Environmental Plan Making Guideline* (December 2021).

Part 2 – Explanation of Provisions

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

- Insert a listing for the relevant properties in Cooper Street, Strathfield and each substation (as identified in Table 1 below) in Part 1 (Heritage Items) of Schedule 5 (Environmental Heritage). The exact wording of the amendment will be determined by the Parliamentary Counsel prior to the making of the LEP.
- Amend the Heritage Map (Sheets HER_001 & HER_002) to identify 12 additional heritage items at their relevant addresses. Refer to Figure 1, Figure 2 and Figure 4 below.

Table 1: Properties included in planning proposal

Cooper Street Strathfield			
Address	Lot Number	Deposited Plan Number	
4 Cooper Street, Strathfield	Lot 22	DP 2089	
6 Cooper Street, Strathfield	Lot 21 and Lot 1	DP 2089 and DP 911709	
8 Cooper Street, Strathfield	Lot 1	DP 925133	
10 Cooper Street, Strathfield	Lot 1 and Lot 17	DP 1040940 and DP 2089	
14 Cooper Street, Strathfield	Lot 15	DP 2089	
Electricity Substations			
Address	Substation Number	Lot Number	Deposited Plan Number
12 Icton Street, Burwood	241	Lot 13	DP 607950
32 Wallace Street, Croydon	250	Lot 1	DP 319038
25A Angel Road, Strathfield	294	Lot 1	DP 325573
2B Cooper Street, Strathfield	308	Lot 1	DP 324150
4 Badminton Road, Croydon	313	Lot 1	DP 324990
5 Burwood Road, Enfield	319	Lot 1	DP 574784
1A Princes Street, Burwood	48	Lot 1	DP 449839



Figure 1: Aerial Photograph of Cooper Street, Strathfield subject properties. Subject properties are shown outlined in red.

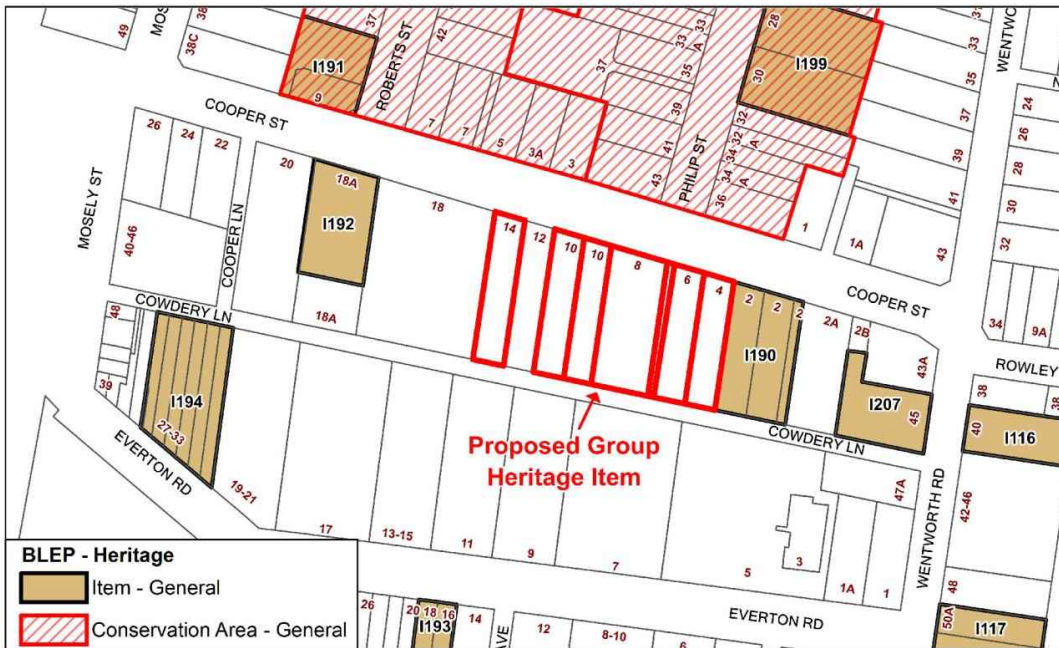


Figure 2: Existing BLEP Heritage Map of Cooper Street, Strathfield with proposed group item. Subject properties are outlined in red.



4 Cooper Street, Strathfield



6 Cooper Street, Strathfield



8 Cooper Street, Strathfield



10 Cooper Street, Strathfield

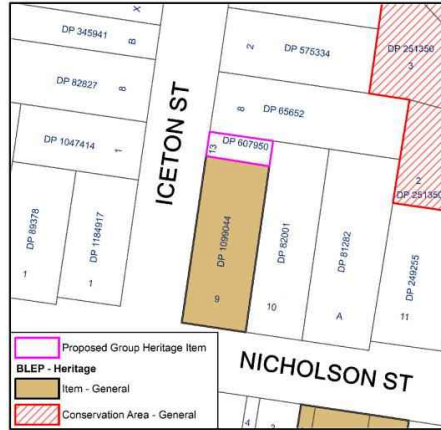


14 Cooper Street, Strathfield

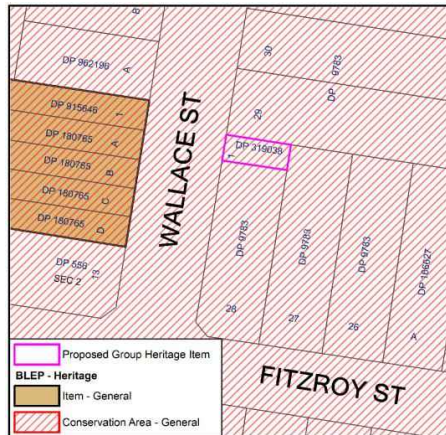
Figure 3: Photographs of Cooper Street, Strathfield subject properties
Source: GML Heritage Pty Ltd December 2022

ITEM NUMBER 1/23 - ATTACHMENT 1

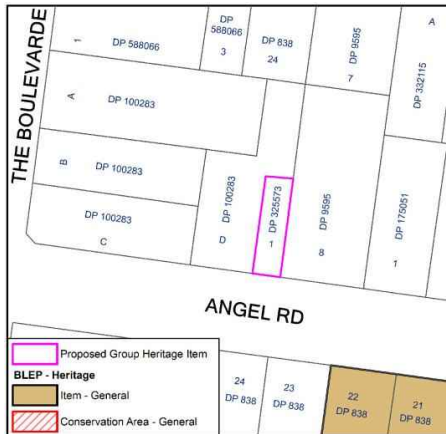
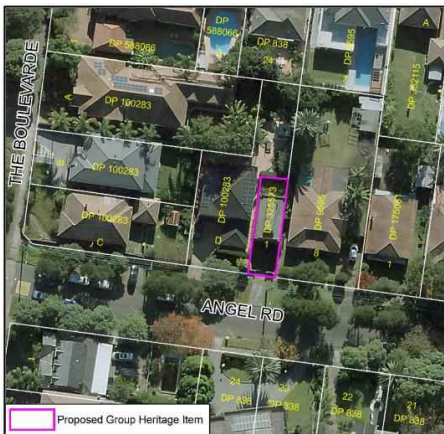
Planning Proposal - Cooper Street and Electricity Substations



12 Icton Street, Burwood



32 Wallace Street, Croydon



25A Angel Road, Strathfield



1A Princes Street, Burwood

Figure 4: Aerial photographs of subject electricity substations; and existing BLEP Heritage Map with proposed group item.
Subject properties are outlined in pink.



12 Icton Street, Burwood



32 Wallace Street, Croydon



25A Angel Road, Strathfield



2B Cooper Street, Strathfield



4 Badminton Road, Croydon



5 Burwood Road, Enfield



1A Princes Street, Burwood

Figure 5: Photographs of subject electricity substations

Source: Burwood Council January 2023

Part 3 – Justification of strategic and site-specific merit**Section A – Need for the planning proposal**

The planning proposal has strategic merit.

Nos 4-10 & 14 Cooper Street, Strathfield

The objective of the amendment to Burwood LEP 2012 is to recognise the heritage significance of five (5) properties in Cooper Street, Strathfield and provide them with statutory heritage protection. Heritage listing of these properties aims to ensure the recognition of their significance, as well as protection through ensuring any future modification proposals are assessed against heritage provisions in the Burwood LEP 2012.

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.

Subsequent Development Applications have acknowledged that potentially there is a heritage streetscape in this section of Cooper Street.

As a result of this, and also in response to feedback from the community, a report was considered by Council, at its meeting on 28 June 2022. Council, resolved 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.

Ausgrid substations

The key reason for amending the Burwood LEP 2012 is that Ausgrid have undertaken a review of their S170 heritage and conservation register and have identified properties that do not fall under any of the classes from Clause 22 of the *Heritage Regulation 2012*.

There are in total seven (7) properties listed in the S170 Register in the Burwood local government area (LGA) that do not fall into any of the four classes listed in Clause 22. The subject properties have been listed on the relevant S170 Register but are not listed under any environmental planning instrument made under the Environmental Planning and Assessment Act 1979. The substations are currently listed on the Ausgrid Section 170 Register based on a heritage study undertaken by Ausgrid in 2008.

On 22 December 2021, Council received correspondence from Ausgrid advising that they were intending on removing seven (7) electricity substations of varying ages and styles from their S.170 Register. Once the substations are removed from the S.170 Register, as they are not listed in Schedule 5 of the Burwood LEP 2012 or on the State Heritage register, there would be no heritage protection over these sites.

Council, at its meeting on 26 April 2022 considered a report on a comprehensive review of the Burwood LEP 2012. As part of this report, it was recommended that Council's Heritage Advisor undertake a review of the substations, and where appropriate make recommendations for heritage listing under Schedule 5 of Burwood LEP 2012.

In response to Ausgrid's correspondence, Council staff have undertaken a review of the potential heritage significance of these electricity substations and, based on the information available, found that all seven (7) of these fulfil the criteria for local heritage listing in Schedule 5 of the Burwood LEP 2012.

Accordingly, this planning proposal has been prepared by Council staff to amend Schedule 5 to include these substations as local heritage items to ensure their ongoing preservation and maintenance.

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

This planning proposal has been prepared as a result of a heritage assessment undertaken by:

- GML Heritage Pty Ltd in December 2022 for Nos 4-10 and 14 Cooper Street, Strathfield (refer to Attachment 1);
- Council's Heritage Advisor in January 2023 for the Ausgrid electricity substations (refer to Attachment 3).

GML Heritage and Council's Heritage Advisor have undertaken a heritage assessment of each of the subject properties which have been determined to demonstrate heritage significance at the local level and meet the threshold of local significance for the relevant criteria, as outlined below.

The properties were assessed against the seven criteria in the guidelines as outlined in Table 2 below.

Each criterion has inclusions and exclusions guidelines which are used to assist in the assessment process. If an item meets one of the seven heritage criteria at a local level, and retains the integrity of its key attributes, it can be considered to have local heritage significance.

Table 2: NSW Heritage assessment criteria summary

Criteria	
(a) Historic significance	An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area)
(b) Associational significance	An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area)
(c) Aesthetic significance	An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area)
(d) Social significance	An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons
(e) Technological significance/ research potential	An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area)
(f) Rarity	An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area)
(g) Representativeness	An item is important in demonstrating the principal characteristics of a class of NSW's <ul style="list-style-type: none"> - cultural or natural places; or - cultural or natural environments. - or a class of the local area's - cultural or natural places; or - cultural or natural environment

Nos 4-10 & 14 Cooper Street, Strathfield

The heritage assessment report concludes that the subject properties demonstrate heritage significance at the local level for the following reasons:

- The cottages at 4 Cooper Street (Allema), 6 Cooper Street (Urangara), 8 Cooper Street (Duntroon), 10 Cooper Street (Illam) and 14 Cooper Street (Huggerstone) form a good example of a cohesive group of Victorian Italianate dwellings. They exhibit historic setting, form, features and design elements typical of their typology and the group is a good example of residential development within the Burwood LGA from the late Victorian period.

- They are indicative of the more modest accommodation that was prevalent in the Victorian period within Strathfield and the Burwood LGA.
- The Schute family resided in 4 Cooper Street for over 20 years, between 1890 and 1918. During this period, Richard Schute served as alderman of Burwood (from 1893 to 1913) and as Mayor three times (1896, 1909 and 1910). His son Robert Schute is associated with the Shute Shield, the rugby union cup that was named in his honour.
- As a group, the dwellings display a fair level of intactness and many architectural attributes typical of the Victorian Italianate style. This includes their asymmetrical form, hipped slated roof with intact chimneys, faceted bay, front verandah with cast iron decorations and posts, decorative mouldings, timber-framed windows and original timber doors of narrow proportions.
- Their consistent subdivision pattern, low fencing, setbacks, front gardens, form and features create visual uniformity and contribute to the streetscape character of Cooper Street. They contribute to the historic setting of Cooper Street, Strathfield, and the Burwood LGA.
- Based on the information available for the purpose of this assessment, the group at 4–10 and 14 Cooper Street meets the threshold for local heritage listing based on its historical, aesthetic and representative attributes. No. 4 Cooper Street is additionally noted for its associative values and No. 14 for its high degree of integrity externally.

A copy of the draft inventory sheet is included at Attachment 2.

Ausgrid Substations

The heritage assessment report prepared by Council's Heritage Advisor concludes that the subject properties demonstrate heritage significance at the local level for the following reasons:

- The substations meet historical significance due to their ability to demonstrate the fast growing demand for electricity in the Sydney and wider regions during the first half of the 20th Century. They demonstrate how local distribution of electricity was organised at that time and the similarity in design of a new building typology across Burwood and the broader Sydney area.
- They meet aesthetic significance due to their unique design as a building typology – infrastructure nestled within residential dwellings. The substations in Burwood LGA (which form part of this report) are all generally intact. The majority (5) are designed in the Interwar Georgian Revival with Mediterranean influences. These present attractive one storey and double height small buildings, with fanlights, arches and Spanish profile terracotta roof tiles.
- Two substations, Cheltenham Road (Art Deco) and Iceton Street (Stripped Classical) also meet the Rarity criterion as being the only substations built in their respective styles in the Burwood LGA.

- The substations all meet the threshold as Representative examples of the electricity substation typology of the first half of the 20th Century, in design and location.

A copy of the draft inventory sheet for the Ausgrid substations is included at Attachment 4.

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

Yes. The objective is to recognise the heritage significance of the identified properties and provide them with statutory heritage protection. The best means of achieving this objective is through an amendment to the Burwood LEP 2012 to list the sites as local heritage items. This is achieved through the planning proposal process.

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 planning proposal is consistent with the relevant objectives of the Greater Sydney Region Plan: A Metropolis of Three Cities (2018) and the relevant planning priorities and actions of the Eastern City District Plan (2018), as discussed below.

Greater Sydney Region Plan: A Metropolis of Three Cities

The planning proposal is consistent with the directions and objectives of *Greater Sydney Regional Plan: A Metropolis of Three Cities*, particularly Objective 13: “Environmental heritage is identified, conserved and enhanced”.

Identifying these sites as local heritage items will provide ongoing protection and recognition of their heritage significance.

Eastern City District Plan

The planning proposal is generally consistent with the directions, priorities and objectives of the Eastern City District Plan, particularly Planning Priority E6 and Action 20:

Planning Priority E6 Creating and renewing great places and local centres, and respecting the District’s heritage

Objective 13 ‘Environmental heritage is identified, conserved and enhanced’

Action 20 ‘Identifying, conserving and enhancing the environmental heritage of the local area’ through:

- a. *engaging with the community early to understand heritage values*
- b. *applying adaptive re-use and interpreting heritage to foster distinctive local places managing and monitoring the cumulative impact of development on the heritage values and character of places*

Heritage listing of these sites will provide ongoing protection and recognition of the heritage significance of these items.

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 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 properties of local heritage significance, this planning proposal is in keeping with the vision and objectives of the LSPS.

Also, the Burwood 2036 Community Strategic Plan recognises the need to create places for people that are built around people while protecting the unique built heritage of Burwood.

Community Outcome 2.1 aims to ‘create an urban environment that maintains and enhances our sense of identity and place’. Strategy 2.1.2 is to ‘Protect our unique built heritage and maintain or enhance local character’.

The planning proposal is consistent with both Council’s LSPS and Community Strategic Plan.

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

Yes. The planning proposal is consistent with other relevant State or regional study or strategy.

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

Yes. The planning proposal is consistent with the Standard Instrument – Principal Local Environmental Plan and all other applicable State Environmental Planning Policies (refer to Table 3 below).

Table 3: Consistency with State Environmental Planning Policies

SEPP	Comment on Consistency
Housing (2021)	Not relevant. The subject properties are 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.

No 65 – Design Quality of Residential Apartment Development	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	Not relevant.
Industry and Employment	Not relevant.
Resources and Energy (2021)	Not relevant.
Primary Production (2021)	Not relevant.
Precincts – Eastern Harbour	Not relevant.
Precincts – Central River City	Not relevant.
Precincts – Western Parkland	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 all properties are currently included in the heritage conservation area. This planning proposal would not contravene the SEPP in any way.
Building Sustainability Index: BASIX (2004)	Consistent and not contravened.

7. Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions)?

Yes. The planning proposal is consistent with applicable section 9.1 directions (refer to Table 4 below).

Table 4: Consistency with Ministerial Directions

Direction		Comment
Focus area 1: Planning Systems		
1.1	Implementation of Regional Plans	Not applicable

Direction		Comment
1.2	Development of Aboriginal Land Council land	Not applicable
1.3	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.
1.4	Site Specific Provisions	Not applicable
Focus area 1: Planning Systems – Place based		
1.5	Parramatta Road Corridor Urban Transformation Strategy	Not applicable The subject properties are not within the Parramatta Road corridor, nor undermine the achievement of that Strategy's vision or objectives.
1.6	Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not applicable
1.7	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable
1.8	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable
1.9	Implementation of Glenfield to Macarthur Urban Renewal Corridor	Not applicable
1.10	Implementation of the Western Sydney Aerotropolis Plan	Not applicable
1.11	Implementation of Bayside West Precincts 2036 Plan	Not applicable
1.12	Implementation of Planning Principles for the Cooks Cove Precinct	Not applicable
1.13	Implementation of St Leonards and Crows Nest 2036 Plan	Not applicable
1.14	Implementation of Greater Macarthur 2040	Not applicable

Direction		Comment
1.15	Implementation of the Pyrmont Peninsula Place Strategy	Not applicable
1.16	North West Rail Link Corridor Strategy	Not applicable
1.17	Implementation of the Bays West Place Strategy	Not applicable
1.18	Implementation of the Macquarie Park Innovation Precinct	Not applicable
1.19	Implementation of the Westmead Place Strategy	Not applicable
Focus area 2: Design and Place		
Focus area 3: Biodiversity and Conservation		
3.1	Conservation zones	Not applicable
3.2	Heritage Conservation	The planning proposal is consistent with this Direction.
3.3	Sydney Drinking Water Catchments	Not applicable
3.4	Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	Not applicable
3.5	Recreation Vehicle Areas	Not applicable
3.6	Strategic Conservation Planning	Not applicable
Focus area 4: Resilience and Hazards		
4.1	Flooding	Not applicable
4.2	Coastal Management	Not applicable
4.3	Planning for Bushfire Protection	Not applicable
4.4	Remediation of Contaminated Land	Not applicable
4.5	Acid Sulfate Soils	The properties have 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 applicable

Direction		Comment
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 Purposes	Not applicable
5.3	Development Near Regulated Airports and Defence Airfields	Not applicable
5.4	Shooting Ranges	Not applicable
Focus area 6: Housing		
6.1	Residential Zones	The planning proposal does not seek to amend the zoning or range of permissible uses on the sites. The sensitive development of heritage properties is supported by Council's Development Control Plan (DCP).
6.2	Caravan Parks and Manufactured Home Estates	Not applicable
Focus area 7: Industry and Employment		
7.1	Business and Industrial Zones	Not applicable
7.2	Reduction in non-hosted short-term rental accommodation period	Not applicable
7.3	Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable
Focus area 8: Resources and Energy		
8.1	Mining, Petroleum Production and Extractive Industries	Not applicable
Focus area 9: Primary Production		
9.1	Rural Zones	Not applicable
9.2	Rural Lands	Not applicable
9.3	Oyster Aquaculture	Not applicable
9.4	Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable

3.2 Heritage Conservation

The objective of this Direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance. This Direction applies when a relevant planning authority prepares a planning proposal (see Table 5 below).

Table 5: Heritage Conservation Direction Assessment

Direction Requirement	Assessment
A planning proposal must contain provisions that facilitate the conservation of:	
a) items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area	The accompanying reports prepared by GML Heritage and Council's Heritage Advisor have examined each of the properties for local heritage significance. This planning proposal seeks to list these properties as new items local heritage significance, as part of group listings. Once listed the provisions of Clause 5.10 Heritage Conservation of the Burwood LEP would apply to these properties. The provisions of Clause 5.10 of the Burwood LEP seek to conserve the environmental heritage of Burwood.
b) Aboriginal objects or Aboriginal places that are protected under the National Parks and Wildlife Act 1974, and	N/A.
c) Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the relevant planning authority, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people.	There are no Aboriginal objects or places within the curtilages (or nearby) of the proposed heritage items in this proposal.

The planning proposal is consistent with this direction

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 are no critical habitat areas, threatened species, populations or ecological communities or their habitats present on the subject land. Accordingly, the proposal will not have any impact in this regard.

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 likely environmental effects that would arise as a result of the planning proposal. Protection of the items will be required when development is proposed, or if there is development proposed in its vicinity. Protection measures are not likely to result in environmental harm and will be managed through the development assessment process.

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

Yes. The heritage assessments undertook consideration of the criteria for cultural significance in the *Australia ICOMOS Burra Charter 2013*, as meaning the aesthetic, historic, scientific, social or spiritual value for past, present or future generations. This determined all properties hold significance at the local level.

The planning proposal is also considered to have positive social effect for the community. This will ensure the protection and retention of local heritage and that appropriate development controls and/or restrictions are in place to guide any future development. This will ensure best practice urban design and development that retains character and is sympathetic. The heritage listing will facilitate ongoing protection and recognition of the heritage significance of the sites ensuring ongoing conservation is implemented.

Social heritage are the non-physical aspects of our culture in our society. By retaining items of cultural significance this has positive effects on restoring the social effects of heritage. The planning proposal is considered to have positive economic effect for the community. Amending the LEP to include new heritage items will have a positive effect on the community as it ensures that cultural heritage and local character will be protected.

The planning proposal is not expected to have any adverse social or economic effects.

Section D – Infrastructure (Local, State and Commonwealth)

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

The planning proposal seeks to list new heritage items, as group listings in Schedule 5 of the Burwood LEP 2012 and the planning proposal does not alter the land zoning, and as such, does not have the potential to increase the current demand on public infrastructure.

All properties have access to adequate public infrastructure such as water, sewer, electricity and telephone services. There is no significant infrastructure demand that will result from the planning proposal. The existing services that are available to the site are suitable for the proposal of a local heritage listing.

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?*

Pre Gateway consultation

On 12 January 2023, Council notified Ausgrid of the preparation of a planning proposal to heritage list the seven electricity substations which are currently listed on the Ausgrid Section 170 Register.

Ausgrid confirmed they understand the process and may make a submission as part of any future exhibition of the planning proposal.

Post Gateway consultation

Should the planning proposal proceed to public exhibition, consultation with the relevant public authorities will be carried out. These authorities will include, but are not limited to:

- Ausgrid
- Heritage NSW

Further consultation will take place with any other authorities identified by the Gateway Determination

Part 4 – Maps

The planning proposal seeks to amend the Burwood LEP 2012 Heritage Maps (Sheets HER_001 and Sheet HER_002)

The planning proposal does not seek to alter the zoning, height of buildings, floor space ratio, or any other Burwood LEP 2012 maps.

Part 5 – Community Consultation

Burwood Council notified Ausgrid on 12 January 2023 informing them of Council's intention to prepare this planning proposal.

Affected property owners in Cooper Street have been notified by letter regarding Council's resolutions to investigate the heritage significance of their properties and have been regularly updated on the progress of this.

Public exhibition will be undertaken in accordance with the requirements of the Act and the *Environmental Planning and Assessment Regulation 2021*. It will also have regard to the other relevant plans and guidelines including the *Community Participation Plan*, the *Local Environmental Plan Making Guideline (2021)* and any conditions of the Gateway Determination.

We recommend that the planning proposal is exhibited for a minimum of 28 days and it is proposed that affected and adjoining property owners be consulted.

The public exhibition will include:

- a notice on Council's Participate Burwood page as well as reference to the DPE planning proposal tracker
- a letter to land owners/occupiers and owners of properties in the vicinity of each site,

Part 6 – Project Timeline

Council requests to be authorised to exercise the functions of the Minister for Planning under section 3.36 of the *Environmental Planning and Assessment Act 1979* for this planning proposal. As such, the proposed timeline for completion is as follows:

Plan Making Step	Estimated Completion
Report to Burwood Local Planning Panel	February 2023
Council resolution to proceed	March 2023
Submit to DPE seeking a Gateway Determination	March 2023
Gateway Determination	April 2023
Government agency consultation	May 2023
Public exhibition period	May 2023
Dates for public hearing	Not applicable
Submissions assessment	June 2023
Council decision to make the LEP amendment	July 2023
Council to liaise with Parliamentary Counsel to prepare LEP amendment	August 2023
Notification of the approved LEP	September 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

- Links to Council meeting reports and resolutions to be added later.

Appendix One

Proposed Amendment to Schedule 5

The proposed heritage items would be inserted into Schedule 5 of the BLEP 2012. The proposed Item Numbers 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
Strathfield	Victorian Italianate Houses	4-10 and 14 Cooper Street, Strathfield	Lots 15, 17, 21, 22, DP 2089; Lot 1, DP 925133; Lot 1, DP 1040940; Lot 1, DP 911709.	Local	

Suburb	Item name	Address	Property Description	Significance	Item no
Burwood, Croydon, Enfield, Strathfield	Electricity Substations	12 Icton Street, Burwood, 1A Princes Street, Burwood, 5 Burwood Road, Enfield, 32 Wallace Street, Croydon, 4 Badminton Road, Croydon, 25A Angel Road, Strathfield, 2B Cooper Street, Strathfield	Lot 13, DP 607950; Lot 1, DP 319038; Lot 1, DP 325573; Lot 1, 324150; Lot 1, 324990; Lot 1, 574784; Lot 1, DP 449839	Local	

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:
Amendment of Schedule 5 of the Burwood LEP 2012 to heritage list (group listing) 4-10 and 14 Cooper Street, Strathfield; and heritage list (group listing) seven (7) electricity substations.
Address of Land (if applicable):
4-10 and 14 Cooper Street, Strathfield; 12 Icton Street, Burwood, 1A Princes Street, Burwood, 5 Burwood Road, Enfield, 32 Wallace Street, Croydon, 4 Badminton Road, Croydon, 25A Angel Road, Strathfield, 2B Cooper Street, Strathfield.
Intent of draft LEP:
Group heritage listing of the subject Cooper Street properties and group heritage listing of electricity substations.
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		
NOTES <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. 				

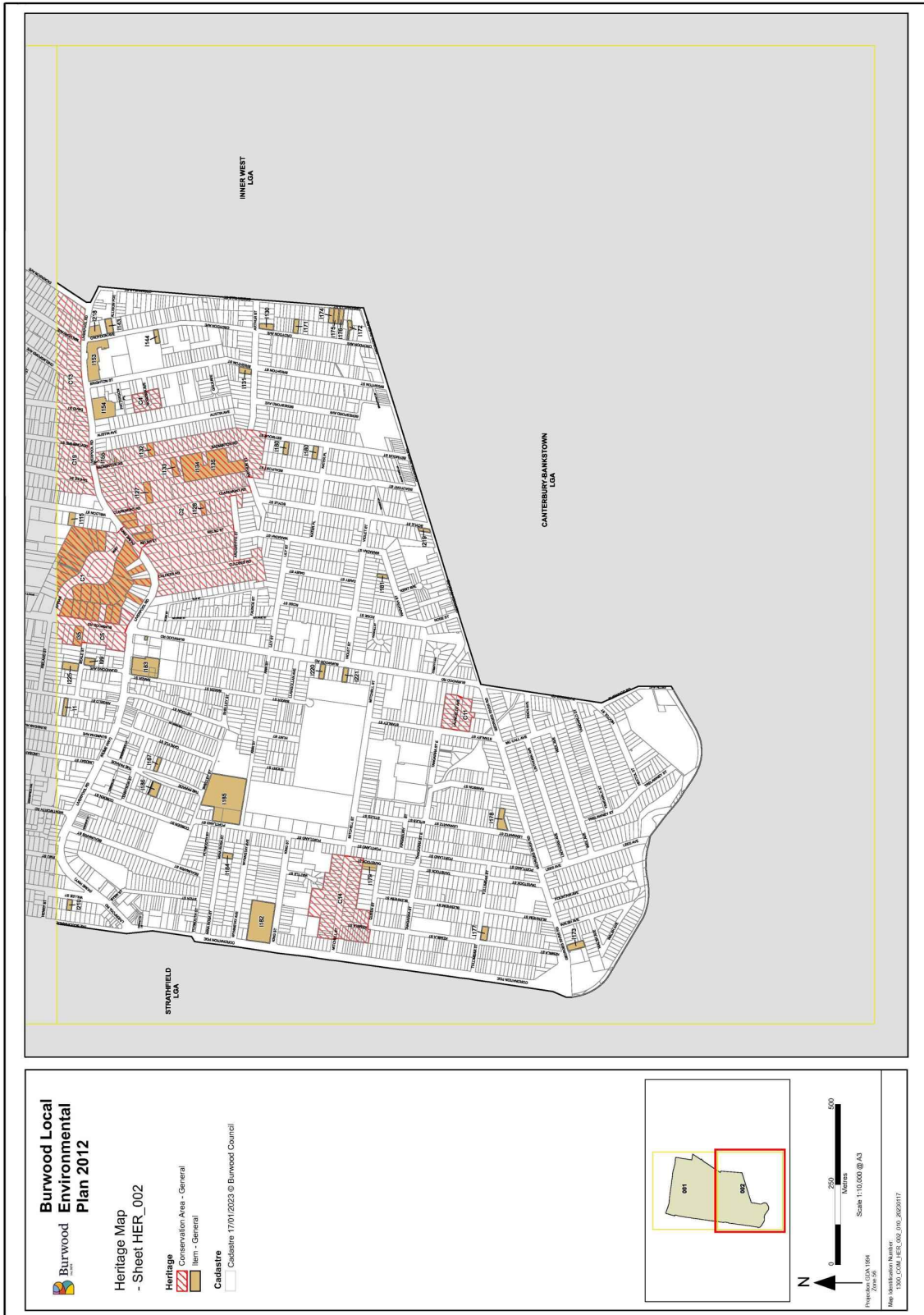
Supporting Documentation

Heritage assessments and other supporting documents are provided
under separate cover

Enclosure No.	Description
1	Heritage Assessment of 4-10 and 14 Cooper Street, Strathfield, undertaken by GML Heritage Pty Ltd in December 2022
2	Draft Inventory Sheet
3	Heritage Assessment of electricity substations, undertaken by Council's Heritage Advisor in January 2022
4	Draft Inventory Sheet

Mapping







4–10 and 14 Cooper Street, Strathfield

Heritage Assessment Report

Prepared for Burwood Council
December 2022



Acknowledgement of Country

We respect and acknowledge the Wangal Clan of the Eora Nation their lands and waterways, their rich cultural heritage, and their deep connection to Country, and we acknowledge their Elders past and present. We are committed to truth-telling and to engaging with Wangal People to support the protection of their culture and heritage. We strongly advocate social and cultural justice and support the Uluru Statement from the Heart.

Cultural warning

Aboriginal and Torres Strait Islander readers are advised that this report may contain images or names of First Nations people who have passed away.



Report register

The following report register documents the development of this report, in accordance with GML's Quality Management System.

Job No.	Issue No.	Notes/Description	Issue Date
22-0293	1	Draft Report	29 November 2022
22-0293	2	Final Report	12 December 2022

Quality assurance

The report has been reviewed and approved for issue in accordance with the GML quality assurance policy and procedures.

Right to use

GML grants to the client for this project, and the client's successors in title, an irrevocable royalty-free right to reproduce or use the material from this report, except where such use infringes the copyright or moral rights of GML or third parties.

Copyright

© GML Heritage Pty Ltd 2021

This report has been produced for the client as an internal document. Except as allowed under the *Copyright Act 1968* (Cth), no part may be copied, transmitted, published, or otherwise dealt with in any form without permission in writing from GML Heritage and the owners of copyright in images or other matter in that part of the document.

Pre-existing copyright in images and other matter is acknowledged where appropriate. Although a reasonable effort has been made to obtain permission to reproduce copyright material, GML Heritage does not warrant that permission has been obtained in all cases.

Source of images is GML unless otherwise stated.

Cover image

6 Cooper Street, Strathfield. (Source: GML Heritage)

SYDNEY Level 6 372 Elizabeth Street, Surry Hills NSW 2010 Australia T +61 2 9319 4811
CANBERRA 2A Mugga Way, Red Hill ACT 2603 Australia T +61 2 6273 7540
MELBOURNE 17 Drummond Street, Carlton VIC 3053 Australia T +61 3 9380 6933
www.gml.com.au | @GMLheritage



Contents

1	Introduction	1
1.1	Background	1
1.2	Identification of the subject sites	1
1.3	Methodology	3
1.4	Terminology	3
1.5	Limitations	4
1.6	Authorship and acknowledgements	5
1.7	Endnotes	5
2	Statutory context.....	6
2.1	Introduction	6
2.2	Heritage Act 1977	6
2.3	Environmental Planning and Assessment Act 1979	6
2.4	Burwood Local Environmental Plan 2012	6
3	Heritage context	8
3.1	Heritage listings.....	8
3.2	Heritage items in the vicinity	8
4	Planning context	11
5	Historical overview.....	14
5.1	Introduction	14
5.2	Aboriginal history.....	14
5.3	Early land grants and European occupation	15
5.4	History of the subject properties	18
5.5	Endnotes	24
6	Site analysis	26
6.1	Site and setting	26
6.2	2 Cooper Street.....	28
6.3	4 Cooper Street.....	29
6.4	6, 8 and 10 Cooper Street.....	32
6.4.1	6 Cooper Street.....	32



6.4.2	8 Cooper Street	35
6.4.3	10 Cooper Street.....	37
6.5	12 Cooper Street.....	39
6.6	14 Cooper Street.....	40
7	Comparative assessment	42
7.1	Methodology.....	42
7.2	Conclusions of the comparative assessment	55
8	Assessment against significance assessment criteria	57
8.1	4–10 Cooper Street.....	57
8.1.1	Statement of Significance	62
8.2	14 Cooper Street.....	63
8.3	Cooper Street Heritage Conservation Area	63
8.3.1	Discussion of the extent of the heritage conservation area	63
8.3.2	Assessment against significance assessment criteria	63
8.3.3	Statement of Significance	63
9	Conclusions and recommendations	63
9.1	Conclusion	63
9.2	Recommendations	64
	Appendix A—NSW Heritage Office heritage assessment guidelines	65



1 Introduction

1.1 Background

Burwood Council has engaged GML Heritage Pty Ltd (GML) to provide a heritage assessment of 4–10 and 14 Cooper Street (the subject sites/properties) to determine whether they reach the threshold for listing as individual heritage items, as a group, as a conservation area or incorporated within the adjacent conservation area, under the *Burwood Local Environmental Plan 2012*.

Burwood Council has received various development applications (DAs), planning proposals and Complying Development Applications (CDCs) for projects/works that would involve major potential development along Cooper Street, Strathfield. In response, the Council has requested a heritage assessment for the subject properties.

1.2 Identification of the subject sites

The subject properties are located at 4–10 and 14 Cooper Street, Strathfield, within the Burwood local government area (LGA). They are identified in Figure 1.1 and 1.2 below. The addresses, lot and DP numbers of each property are provided in Table 1.1 below.

Table 1.1 Property details.

Address	Lot DP
4 Cooper Street, Strathfield	Lot 22, DP 2089
6 Cooper Street, Strathfield	Lot 21, DP 2089
8 Cooper Street, Strathfield	Lot 1, DP 925133
10 Cooper Street, Strathfield	Lot 1, DP 1040940 Lot 17, DP 2089
14 Cooper Street, Strathfield	Lot 15, DP 2089



Figure 1.1 Location of subject properties. (Source: Google Maps 2022 with GML overlay)



Figure 1.2 Boundaries of subject sites. (Source: Nearmap 2022 with GML overlay)

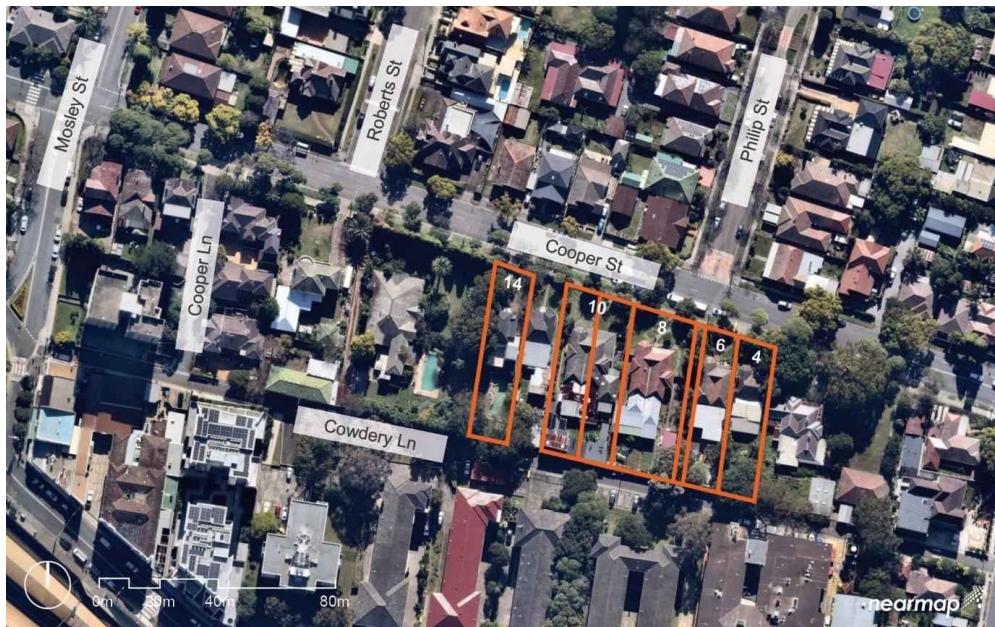


Figure 1.3 Boundaries of individual subject sites, with house numbers shown. (Source: Nearmap 2022 with GML overlay)

1.3 Methodology

The approach, methodology, assessment procedures, criteria and recommendations of the report have been prepared in accordance with the *Australia ICOMOS Charter for Places of Cultural Significance, 2013* (the Burra Charter) and the guideline 'Assessing Heritage Significance' prepared by the Heritage Division of the Office of the Environment and Heritage (now Heritage NSW) and contained in the *NSW Heritage Manual*

1.4 Terminology

The terminology used in this report is consistent with the *NSW Heritage Manual*, prepared by the Heritage Office (now Heritage Division), and the Burra Charter.

- **Place** means site, area, land, landscape, building or other work, group of buildings or other works, and may include components, contents, spaces and views.
- **Cultural significance** means aesthetic, historic, scientific, social or spiritual value for past, present or future generations. Cultural significance is embodied in



the place itself, its fabric, setting, use, associations, meanings, records, related places and related objects. Places may have a range of values for different individuals or groups.

- **Fabric** means all the physical material of the place including components, fixtures, contents, and objects.
- **Conservation** means all the processes of looking after a place so to retain its cultural significance.
- **Maintenance** means the continuous protective care of the fabric and setting of a place, and is to be distinguished from repair. Repair involves restoration or reconstruction.
- **Preservation** means maintaining the fabric of a place in its existing state and retarding deterioration.
- **Restoration** means returning the existing fabric of a place to a known earlier state by removing accretions or by reassembling existing components without the introduction of new material.
- **Reconstruction** means returning the place to a known earlier state and is distinguished from restoration by the introduction of new material into the fabric.
- **Adaptation** means modifying a place to suit the existing use or a proposed use.
- **Use** means the functions of a place, as well as the activities and practices that may occur at the place.
- **Compatible use** means a use which respects the cultural significance of a place. Such a use involves no, or minimal, impact on cultural significance.
- **Curtilage** is defined as the area of land surrounding an item that is required to retain its heritage significance. The nature and extent of the curtilage will vary and can include but is not limited to lot boundaries and visual catchments.
- **Setting** means the area around a place, which may include the visual catchment.
- **Related place** means a place that contributes to the cultural significance of another place.¹

1.5 Limitations

The background research for this report has been limited to a desktop analysis of available information only. No additional primary or archival research has been included in the scope of this assessment.



The interiors of the subject properties were not inspected due to limited access. Photographs from real estate websites were used to assess the degree of integrity of the internal fabric.

1.6 Authorship and acknowledgements

This report has been prepared by Linda Phung (Graduate Heritage Consultant), Shikha Swaroop (Senior Heritage Consultant) and Patrick Atkinson (Senior Heritage Consultant). Lynette Gurr (Senior Associate) reviewed the report and provided input.

1.7 Endnotes

¹ Australia ICOMOS Inc, *The Burra Charter: the Australia ICOMOS Charter for Places of Cultural Significance 2013*, Australia ICOMOS Inc, Burwood, VIC.



2 Statutory context

2.1 Introduction

In New South Wales, items of heritage significance are afforded statutory protection under the following New South Wales Acts:

- *Heritage Act 1977* (Heritage Act)
- *Environmental Planning and Assessment Act 1979* (EPA Act).

2.2 Heritage Act 1977

The Heritage Act is a statutory tool designed to conserve the state's environmental heritage. It is used to regulate the impacts of development on the state's heritage assets. The Heritage Act describes a heritage item as 'a place, building, work, relic, moveable object or precinct'.

The subject sites are not listed on the State Heritage Register (SHR). There are no items listed on the SHR in the vicinity.

2.3 Environmental Planning and Assessment Act 1979

The EPA Act is administered by the NSW Department of Planning and Environment and provides for environmental planning instruments to be made to guide the process of development and land use. The EPA Act also provides for the protection of local heritage items and conservation areas through listing on Local Environmental Plans (LEPs) and State Environmental Planning Policies (SEPPs), which provide local councils with the framework required to make planning decisions.

2.4 Burwood Local Environmental Plan 2012

The *Burwood Local Environmental Plan 2012* (Burwood LEP 2012) is the principal environmental planning instrument applying to the subject properties. Schedule 5 of the Burwood LEP 2012 identifies heritage items and heritage conservation areas in the Burwood LGA. The subject sites are not listed as a heritage item nor are they located within a listed conservation area.



The objectives of Clause 5.10 are as follows:

- (a) to conserve the environmental heritage of Burwood,
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,
- (c) to conserve archaeological sites,
- (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.

The subject sites are not currently listed as a heritage item, nor are they in a heritage conservation area, within Schedule 5 of the Burwood LEP 2012.

3 Heritage context

3.1 Heritage listings

The subject sites are neither listed as heritage items under the Burwood LEP 2012, nor located in a heritage conservation area. However, they are in the vicinity of other listed heritage items of local significance and a conservation area, as shown in Figure 3.1 and Table 3.1 below.



Figure 3.1 Burwood LEP 2012 heritage map showing the heritage context of the subject sites. (Source: Burwood LEP 2012 with GML overlay)

3.2 Heritage items in the vicinity

Table 3.1 Heritage items in the vicinity of the subject sites.

Item Name	Address	Listing	Significance	Item No.
Philip Street Heritage Conservation Area	-	Burwood LEP 2012	Local	C16

ITEM NUMBER 1/23 - ATTACHMENT 2

Heritage Assessment Report - 4-10 and 14 Cooper Street, Strathfield - GML Heritage December 2022



Item Name	Address	Listing	Significance	Item No.
Victorian house	2 Cooper Street, Strathfield	Burwood LEP 2012	Local	I190
Federation house and garden	9 Cooper Street, Strathfield	Burwood LEP 2012	Local	I191
1950s house and garden	18A Cooper Street, Strathfield	Burwood LEP 2012	Local	I192
Victorian cottages	28 and 30 Philip Street, Strathfield	Burwood LEP 2012	Local	I199
Victorian villa	45 Wentworth Road, Strathfield	Burwood LEP 2012	Local	I207
Electricity Substation No. 308	2B Cooper Street, Strathfield	Section 170 NSW State Agency Heritage and Conservation Register Ausgrid Heritage and Conservation Register		340515



4 Planning context

Burwood Council has received various applications (DAs, CDCs and construction certificates (CCs) and planning proposals (PPs) that involve major potential development at, or in the vicinity of, 4-10 and 14 Cooper Street, Strathfield. Table 4.1 provides a review of the relevant recent building applications.

Table 4.1 Review of planning and building applications.

Reference and Type	Property Address	Proposal	Status of application	Review of heritage impacts and implications
DA.2021.1 (DA)	2, 2A and 4 Cooper Street, Strathfield 2135 NSW	Demolition of the existing dwelling (2A Cooper) and consolidation of five lots into one, restoration and alteration to existing dwelling (2 Cooper) and the construction of a four-storey boarding house for 116 rooms with basement parking.	Deemed Refusal was lodged at the Land Environment Court (LEC) on 27 April 2021. An appeal was allowed by the Court.	<p>2 Cooper Street is listed under Schedule 5 of the Burwood LEP 2012.</p> <p>A HA prepared by Urbis stated that the dwelling at 2A Cooper Street does not meet the threshold for listing as a heritage item. The assessment was supported by Council's heritage advisor. It is unlikely an Interim Heritage Order would be supported by Heritage NSW.</p> <p>The proposed amalgamation would impact the historic subdivision pattern.</p> <p>A CDC has been lodged relating to 4 Cooper Street (see below).</p> <p>On 6 January 2022, Deferred Commencement Consent was issued by LEC. The conditions required the surrender of the CDC for demolition of 4 Cooper Street and was satisfied on 1 June 2022. The consent has been activated and will lapse on 1 June 2027.</p>

ITEM NUMBER 1/23 - ATTACHMENT 2

Heritage Assessment Report - 4-10 and 14 Cooper Street, Strathfield - GML Heritage December 2022



Reference and Type	Property Address	Proposal	Status of application	Review of heritage impacts and implications
11.2020.105.1 (CDC)	4 Cooper Street, Strathfield 2135 NSW	Demolition of existing structure and construction of new single storey dwelling.	Approved by Private Certifier. Determination Date: 7 October 2020.	The application would result in demolition of the existing building at 4 Cooper Street and replacement with a new building. No documents related to the CDC are available on Burwood Council's Application Tracker.
10.2014.96.1 (DA)	10 Cooper Street, Strathfield 2135 NSW	Two-storey boarding house.	Approved by Delegated Authority. Determination Date: 8 October 2014.	This application is not recent; however, it relates to a change of use. Two of the properties along Cooper Street are currently used as boarding houses. The application DA.2021.1 seeks to build a three and four-storey boarding house. No documents related to the DA are available on Burwood Council's Application Tracker.
DA2020.122 (DA)	18 Cooper Street, Strathfield 2135	Demolition of the existing dwelling and construction of a six-storey residential flat building.	Deemed Refusal was lodged at LEC on 1 June 2021. An appeal was allowed by the Court.	A heritage impact assessment prepared by Urbis states that 18 Cooper Street is an early twentieth century building, with no heritage significance.
11.2020.88.1 (CDC)	18 Cooper Street, Strathfield 2135	Demolition of the existing dwelling.	Under assessment.	The CDC is current and valid; therefore, an Interim Heritage Order could not be placed over the property. No documents related to the CDC are available on Burwood Council's Application Tracker.



Reference and Type	Property Address	Proposal	Status of application	Review of heritage impacts and implications
PP-2020-533 (Planning Proposal)	2-18A Cooper Street (excluding 2B), and 43A and 45 Wentworth Road, Strathfield	Delisting of a heritage item at 18A Cooper Street (I192) and change to the allowable LEP zoning, floor space ratio (FSR) and building height of 14 residential sites (Nos 2-18A) on the southern side of Cooper Street.	Approved. Gateway Determination Date: 21 December 2016.	<p>The planning proposal aimed to:</p> <ul style="list-style-type: none"> • amend the heritage map and Schedule 5 of the Burwood LEP to delist heritage item I192 at 18A Cooper Street, Strathfield; • amend the land use zoning map from R2 Low Density to R1 General Residential; • amend the floor space ratio to 2.3:1 at the western end and 1.5:1 at the eastern end; and • amend the building height to permit 20.5m at the western end and 11-14m at the eastern end. <p>The planning proposal was approved in 2016, and will result in an uplift of building height, FSR and rezoning, which allows for increased development at the sites. The delisting of the heritage item was not approved.</p> <p>It is likely that any future redevelopment at the subject sites could result in demolition.</p>

There are no relevant DAs relating to 6, 8, 10 or 14 Cooper Street, Strathfield. As these sites are not under immediate threat, an Interim Heritage Order cannot be placed on these sites. These sites are at risk of being demolished and replaced by new development, however, following the approval of the planning proposal PP-2020-533, which included delisting of a heritage item (PP-2020-533). Other recent applications relate to the existing boarding house at 2 Cooper Street (10.2021.1.1 and 12.2021.1.1).

5 Historical overview

5.1 Introduction

This section provides an overview of the historical background of the subject site. It is based on secondary research, supplemented with additional primary research from the National Library of Australia (NLA), the State Library of NSW and NSW Land Registry Services.

5.2 Aboriginal history

Burwood is part of the traditional home of the Wangal people of the Eora. The Wangal people's territory ranged across a large area extending north from the southern bank of Parramatta River, west from Iron Cove towards Homebush Bay and as far south as the northern bank of the Cooks River.

On 5 February 1788, Lieutenant William Bradley documented seeing a number of Wangal people along the banks of the river around present-day Mortlake when his party landed to cook breakfast on the shore opposite:

We made signs to them to come over & waved green boughs, soon after which 7 of them came over in two Canoes & landed near our Boats, they left their spears in the canoes and came to us; we tied beads etc about them & left them our fire to dress their Muscles [sic] which they went about as soon as our Boats put off.¹

Bennelong was a well-known Wangal man. He and Colbee, a Cadigal man, were captured on 25 November 1789 under Governor Arthur Phillip's orders. Bennelong travelled to England with Phillip in December 1792 and returned to the colony with Governor John Hunter in 1795. Following his return, Bennelong was unable to find full acceptance among his countrymen or the Europeans. He died in 1813.

The smallpox epidemic of 1789 is estimated to have killed half of Sydney's Aboriginal population. The Aboriginal people who survived the smallpox outbreak were rapidly dispossessed of their traditional lands and hunting and fishing grounds. There is scant evidence of the fate of the Wangal people, but survivors of the early contact with Europeans likely intermarried or united with other clans and spread out across the colony.

Visible physical evidence remains of Aboriginal people's occupation of present-day Burwood. Beyond the LGA's boundaries, there are sites related to the Wangal people



located along the Cooks and Parramatta rivers. According to the 2016 Census, there were 31 Aboriginal and Torres Strait Islander people living in the Burwood LGA, making up 0.2% of the population. Aboriginal history is acknowledged in multiple street names in the Burwood LGA, including Cobbitty Avenue, Quandong Avenue, and Carilla, Eurella, Irrara, Kembla, Meryla, Minna, Tangarra, Tullumbar, Waratah, Wilga, Wonga, Wyalong and Yandarlo streets. The Council opened Wangal Park, a large park in Croydon, in September 2016.

5.3 Early land grants and European occupation

On 3 August 1799, Governor John Hunter granted Captain Thomas Rowley 260 acres in the District of Liberty Plains. Rowley's grant (known as Burwood Farm) was situated on the south side of Parramatta Road and was bordered on the west side by allotments granted to Thomas Rose and Joseph Webb. Rowley increased the size of Burwood Farm in 1803 by adding the grant of Joseph Webb and the end of Rose's 120 acres to it. Rowley used his farm for grazing Merino sheep but did not live there.

On 1 January 1810, Governor Lachlan Macquarie granted 1000 acres to William Faithful in the District of Liberty Plains. Faithful's Farm adjoined Rowley's Burwood Farm and extended south to the Cooks River.

In 1812 Rowley's executor illegally sold Burwood Farm to Sydney businessman Alexander Riley, who, two years later, built 'Burwood Villa'. The site on which the villa stood is in today's Burwood Park. In about 1815, Riley acquired 200 acres of Faithful's farm, north of Liverpool Road.



Figure 5.1 Burwood Villa, the property of Alexander Riley, illustrated by Joseph Lycett, 1825. (Source: National Library of Australia)

Following Riley's death in 1833, Rowley's heirs successfully challenged the estate and regained ownership of the entire 750 acres granted to Rowley and illegally sold in 1812. Rowley's original farm was then divided amongst his heirs, John Rowley, Thomas Rowley, John Lucas and Henry Briggs.

Twenty-eight allotments in the 'Village of Burwood' were advertised for auction sale on 4 December 1835; these were located on Parramatta Road and the High Road (now Burwood Road). In the same period, William Edward Riley subdivided Alexander Riley's 200 acres south of Burwood Estate into several large allotments.

During the 1830s and 1840s, the area remained sparsely settled and dominated by farming. A railway station was constructed at Burwood in 1855 when the railway line was constructed from Sydney to Parramatta. Railway services encouraged subdivision and development in the township, as the wealthy purchased allotments close to the station and railway corridor.



From the mid-1870s, following incorporation of the Municipality of Burwood in 1874 and the opening of railway stations at nearby Croydon and Redmyre (Strathfield), several of the large country estates established in previous years were subdivided into smaller suburban lots and offered for sale. The rapid population growth experienced in the colony from 1880 resulted in a building boom, and this further encouraged property speculation and subdivision in the Burwood area. In 1885 the Municipality of Strathfield was incorporated, covering the land to the west of The Boulevard and Mosely Street. This left a small portion of the suburb of Strathfield east of these streets within the Municipality of Burwood.

Between the 1870s and 1900, the character of the current Burwood LGA changed from a sparsely settled fringe locality to a burgeoning middle-class neighbourhood. In 1874, the Burwood Municipal Council was formed to institute and manage the provision of local services and infrastructure, including the formation and maintenance of roads and streets, approval of new subdivisions, and creation of parks and reserves. Burwood LGA became a desirable residential area situated on the main Western railway line and had a bustling shopping strip on Burwood Road. Between 1874 and 1900, the population of Burwood Municipality rose from 1250 to 7400.

During the 1890s, there was an upsurge in civic works throughout the municipality. This included street planting, the first kerbing and guttering in the suburb, and the installation of street lighting. By 1896, the Council had laid down 31 miles (49.6 km) of roadway, just over half of it sealed. By the turn of the twentieth century, much of the land in Burwood had been subdivided and built on, and the street plan as it exists today was established.

In 1917, the following description of the Burwood area was furnished in *Where to live: ABC guide to Sydney and suburbs*:

Burwood, one of the most important suburbs on the main line, is bounded on the East by Ashfield, on the North by Five Dock and Concord, on the South by Enfield and West by Strathfield.

From a residential point of view, Burwood is ideal. It is connected to the city with a fast and regular service of trains, its main business thoroughfare, Burwood Road, contains splendid shops, which do probably the biggest business along this line ...

A tramway runs to Enfield and Ashfield the one way, and to Cabarita and Mortlake the other. Running right through the heart of Burwood, it has been an immense factor in pushing this suburb ahead.

Building land around Burwood itself is very scarce ... but there is a amount of good land towards Enfield and Concord as well as choice lots on the Burwood side of Strathfield which are operated by Burwood business people.



There is a big demand for Cottage Homes, ranging from £750 upwards, and comprising upwards of 4 rooms and a kitchen. There are some glorious residences with splendid gardens upon the hill from Burwood Station around Appian Avenue, and mention should also be made of the few old-timed mansions in the district. Unfurnished houses are very scarce in the district, the demand being much greater than the supply. The rents average from £1 to £30s.²

In the 1920s, the Council prohibited the construction or use of residential flat buildings in four residential districts in the municipality. The Council also restricted commercial development to specified zones and excluded any industrial development in the suburb. This influenced the predominantly residential character of much of the LGA, largely confining retail and other businesses to a narrow corridor along Burwood Road.

5.4 History of the subject properties

Nos 4–10 and 14 Cooper Street are located on land that was part of the 750 acres granted to Rowley that was illegally sold in 1812. In 1833 this land was regained by Rowley's heirs, becoming part of the 213 acres that Henry Briggs received when this land was subdivided among the inheritors by partition deed.

In 1834 Briggs' land was conveyed to John Berner and was later inherited by his son William Frederick Henry Berner. On his death this land passed to his widow Mary Berner. At some point Sir William Cooper, an English merchant, philanthropist and considerable land holder, appears to have purchased the land on the southern side of Cooper Street despite Mary's claim to ownership. To avoid litigation and to confirm his ownership, Cooper bought out Mary's interest in the land in 1858 for £130.³

In 1887 Cooper converted the land to Torrens Title by primary application and subdivided it for sale.⁴ This sale, known as the Resubdivision of Brigg's Subdivision near Strathfield Station (DP2089), covered the southern side of Cooper Street from Mosely Street to Wentworth Avenue and comprised 29 lots ranging in size from 16 to 31.5 perches. Over the next few years, the land was progressively sold and developed as a residential streetscape of predominately single-storey free-standing houses.

The land of 4–10 and 14 Cooper Street sold to various owners between 1888 and 1889. According to the Sands Directory only person lived on the south side of Cooper Street in 1889.⁵ In 1890 it was two, one of whom had purchased the land of 14 Cooper Street.⁶ The 1892 Sands Directory listed the names of all five owners on the certificates of title for the properties as living on the south side of Cooper Street, indicating all the houses had been constructed by this time.⁷

Of the five properties, only Nos 4 and 14 Cooper Street reflect the lot pattern established in the 1887 subdivision sale. Nos 6, 8 and 10 Cooper Street have an alternating pattern,



created when the land was developed by local Burwood builder Edward Hobson between 1889 and 1890. These three buildings covered lots 17 to 20 of Cooper’s subdivision.

The sections below provide a summary history of each of the five properties from the time of Cooper’s subdivision sale.

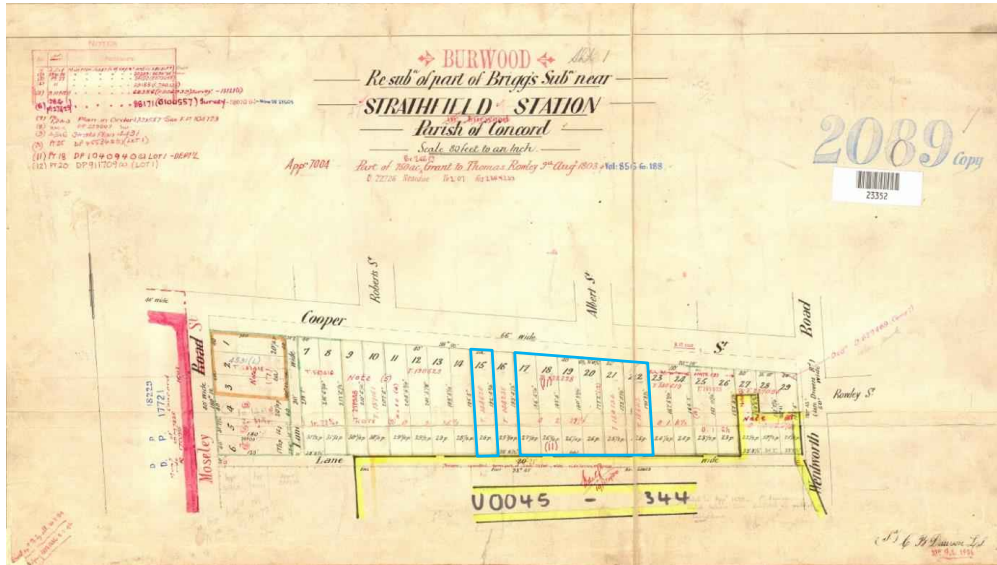


Figure 5.2 A plan of Cooper’s 1887 subdivision (Deposited Plan 2089) showing the subject sites outlined in blue. (Source: Historical Land Records Viewer, NSW Lands Registry Services)



Figure 5.3 A 1930 aerial photograph of Cooper Street, showing the development of the subject properties and the boundaries of the subject sites in yellow. (Source: NSW Spatial Services)



Figure 5.4 A 1943 aerial photograph of Cooper Street showing the subjects sites outlined in yellow. (Source: NSW Spatial Services)



4 Cooper Street

No. 4 Cooper Street was sold in 1889 as Lot 22 in the subdivision sale to John McKay, a builder from Five Dock. In 1890 McKay sold the land to Richard Shute, an architect, alderman and mayor of Burwood.

The 1891 Sands Directory lists McKay as living on the south side of Cooper Street, despite the sale to Shute. It is likely the information of the 1891 edition was out of date and gathered prior to Shute living there. Regardless, it indicates that the building had been constructed by 1890, likely by McKay. No evidence has been found to suggest 4 Cooper Street was designed by Shute, though it is possible.

From 1892 Shute and his family were living at 4 Cooper Street, which had been named 'Ailema' or 'Allema'.¹⁴ In 1911 the property was transferred to Amelia Stewart Shute, Richard's wife. In 1918 it was sold to George Newton, passing through several different owners in the mid to late twentieth century.

Richard Shute (1863–1942) was an architect and alderman of Burwood from 1893 to 1913. He served as mayor three times, in 1896, 1909 and 1910.¹⁵ Shute was a skilled sportsman and was involved in many sports organisations across Sydney. For instance, he was a founding member of the Suburban Bicycle Club and the Burwood Bowling Club, and treasurer of the NSW Cricket Association from the 1890s to 1910.¹⁶

Professionally Shute worked as an architect and was a member of the Institute of Architects of NSW. Works by Shute included the Sheridan Pavilion at the Sydney Cricket Ground (built 1912, demolished 1984), alterations to the Ladies Pavilion (c1903), and the Erina District War Memorial (1921).¹⁷

In 1918 Shute and his wife moved to Point Clare, where they resided until his death in 1942.

No. 4 Cooper Street was also the home of Robert Elliot Shute (1899–1922), the first son of Richard and Amelia. Like his father, Robert was a keen sportsman. He was an engineer by trade, and served as a gunner during the First World War.¹⁸ In 1922 Robert Shute died after being tackled in a rugby union game at Manly Oval during a trial match for the Australian team. In honour of Robert a memorial shield was created as the trophy for Sydney's first-grade rugby competition in 1923.¹⁹ The competition was renamed the Shute Shield the same year, and continues to be played each year by teams in metropolitan Sydney.



Figure 5.5 A portrait of Richard Shute. (Source: *Referee*, Wednesday 21 November 1900, p 8, accessed via Trove)

6, 8 and 10 Cooper Street

The land of Nos 6, 8 and 10 Cooper Street corresponds to Lots 17 to 21 of Cooper's subdivision. Lots 17 to 20 were purchased in 1888 by Robert and Sarah Robberds from Summer Hill, whereas Lot 21 was purchased by Edward Hobson, a local builder, in 1889.²⁰ The Robberds' purchase was likely land speculation. By contrast, Hobson intended the develop the land into residences for sale.

In 1889 Hobson purchased Lots 17 to 20 from the Robberds in 1889 and took out mortgages on the land, presumably to fund construction.²¹ Between 1889 and 1891 Nos 6, 8 and 10 Cooper Street were built by Hobson, which correspond to the following lots of Cooper's subdivision:

- 6 Cooper Street—lot 20 (part) and lot 21;
- 8 Cooper Street—lot 18 (part), lot 19 and lot 20 (part); and
- 10 Cooper Street—lot 17 and lot 18 (part).

Nos 8 and 10 were built on similarly sized lots and were identical in construction. Both were large, single-storey U-shaped cottages with a projecting bay to Cooper Street and



generous setbacks from the property boundaries. In 1890 one was advertised for sale with the following description:

A beautifully-finished detached Cottage Residence, 8 spacious lofty rooms, kit., laundry, bathroom, gas, city water, electric bells, garden laid out, N.E. aspect, lovely and uninterrupted views, land 75 x 190 ...²²

No. 6 was built to a similar design as the other two but was smaller in size owing to the smaller lot it was constructed on.

Hobson's development was successful; all three residences were sold in 1890. No. 6 was sold to Lydia Hannah Chandler, No. 8 to Reginald Gailbraith, and No. 10 to Henry Beverley.²³ By 1891 Chandler and Gailbraith were listed as living on the south side of Cooper Street in the Sands Directory.²⁴ Beverley appears to have never resided at Cooper Street, and sold No. 10 to Thomas Garrett in 1891.²⁵ By 1892 Garrett was listed as living on Cooper Street.²⁶ This indicates that all three buildings had been completed by 1891 at the latest.

By 1894 the Sands Directory listed the names of the houses. Lydia Chandler's house at No. 6 was called 'Urangara', Reginald Gailbraith's at No. 8 was 'Duntroon', and Thomas Garrett's at No. 10 was 'Ilam'.²⁷

Hobson, a resident of Park Street in Burwood, appears to have been one of the many builders who found success during the building boom of the 1880s and was later ruined by the economic depression of the 1890s. In the early 1890s Hobson built several other houses near the subject properties, including 'Camira' (c1891) and 'Cooinda' (1892), two heritage-listed Victorian Italianate houses on Vernon Street in Strathfield. His success as a developer soon faded as economic conditions worsened, and in 1893 Hobson filed for bankruptcy. To cover his debts his estate was liquidated, which included terraces in Redfern, his house on Park Road, and several parcels of land and a cottage in Strathfield.²⁸

Nos 6, 8 and 10 Cooper Street passed through various hands over the course of the twentieth century.

14 Cooper Street

No. 14 Cooper Street was sold in 1889 as Lot 15 in the subdivision sale to John William Hurst, a watchmaker and jeweller. In 1890 Hurst is listed in the Sands Directory as living on the south side of Cooper Street, indicating that the house had been built by that time. Little is known about Hurst and no information regarding the construction of 14 Cooper Street has been found. In 1894 the Sands Directory listed the name of 14 Cooper Street as 'Huggerstone', with John William Hurst and his father, John Hurst senior, listed as residents.²⁹



In 1901 the land was transferred to Amy Hurst, William's widow, who transferred it the same year to Elizabeth Sarah Hurst. Elizabeth owned and occupied the property until 1918, when it was sold to Edward Setchell. From 1919 to 1972 the building was owned by the Rose family, beginning with Frederick Rose and then his sons Rex Cullen-Ward and Ernest Douglas Rose from 1935.

Following its sale in 1972 to Walter Singleton and Amy Dorman the residence has passed through various owners.

5.5 Endnotes

- ¹ Bradley, Lieutenant William c1802, *A Voyage to New South Wales*, December 1786–May 1792, State Library of NSW.
- ² Harris, MA 1917, *Where to Live : ABC Guide to Sydney and Suburbs, Giving Particulars of about 100 Districts in and around Sydney with Numerous Illustrations*, Marchant & Co. Ltd., State Library of NSW.
- ³ Deputy Registrar 1858, Book 54, Number 618, Historical Land Title Viewer, NSW Lands Registry Services.
- ⁴ Lands Title Office 1887, Primary Application 7004, Historical Land Title Viewer, NSW Lands Registry Services.
- ⁵ 1889, *Sands Sydney, Suburban and Commercial Directory 1889*, John Sands Ltd, p 175.
- ⁶ 1890, *Sands Sydney, Suburban and Commercial Directory 1890*, John Sands Ltd, p 183.
- ⁷ 1892, *Sands Sydney, Suburban and Commercial Directory 1892*, John Sands Ltd, p 184.
- ¹⁴ 1892, *Sands Sydney, Suburban and Commercial Directory 1892*, John Sands Ltd, p 184.
'Family Notices', 2 July 1892, *The Sydney Mail and New South Wales*, p 56, accessed via Trove, National Library of Australia, viewed 20 September 2022 <<http://nla.gov.au/nla.news-article162189661>>.
- ¹⁵ Madden, AC and Grano, BL 1924, *Official Souvenir Burwood Municipal Jubilee 1874-1924*, Council of the Municipality of Burwood. p. 40.
- ¹⁶ Collingwood, L 2020, 'Who Lives at 21 Westmoreland St', *Glebe Society Bulletin*, No. 10, p 28.
- ¹⁷ Collingwood, L 2020, 'Who Lives at 21 Westmoreland St', *Glebe Society Bulletin*, No. 10, p 28.
Jackson, M 2019, 'Erina District War Memorial', *Places of Pride, National Register of War Memorials*, Australian War Memorial, viewed 20 September 2022 <<https://placesofpride.awm.gov.au/memorials/242016/erina-district-war-memorial>>.
- ¹⁸ 1917, 'Rober Elliot Stewart Shute', First World War Embarkation Roll, Australian War Memorial, viewed 20 September 2022 <<https://www.awm.gov.au/collection/R1774544>>.
- ¹⁹ 'FOOTBALL', 30 May 1923, *The Sydney Morning Herald*, p 17, accessed via Trove, National Library of Australia, viewed 21 September 2022 <<http://nla.gov.au/nla.news-article16076690>>.
- ²⁰ Registrar General, Volume 873, Folio 42 (1888) and Volume 938, Folio 73 (1889), Historical Land Title Viewer, NSW Lands Registry Services.
- ²¹ Registrar General 1888, Volume 873, Folio 42, Historical Land Title Viewer, NSW Lands Registry Services.
- ²² 'Advertising', *The Sydney Morning Herald*, 21 January 1890, p 10, accessed via Trove, National Library of Australia, viewed 21 September 2022 <<http://nla.gov.au/nla.news-article13756764>>.



- ²³ Registrar General, Volume 873, Folio 42 (1888) and Volume 968, Folio 72 (1890), Historical Land Title Viewer, NSW Lands Registry Services.
- ²⁴ 1891, *Sands Sydney, Suburban and Commercial Directory 1891*, John Sands Ltd, p 177.
- ²⁵ Registrar General 1890, Volume 968, Folio 72, Historical Land Title Viewer, NSW Lands Registry Services.
- ²⁶ 1892, *Sands Sydney, Suburban and Commercial Directory 1892*, John Sands Ltd, p 184.
- ²⁷ 1894, *Sands Sydney, Suburban and Commercial Directory 1894*, John Sands Ltd, p 196.
- ²⁸ 'Advertising', 23 October 1893, *The Sydney Morning Herald*, p 3, accessed via Trove, National Library of Australia, viewed 21 September 2022 <<http://nla.gov.au/nla.news-article13914197>>.
- ²⁹ 1894, *Sands Sydney, Suburban and Commercial Directory 1894*, John Sands Ltd, p 196.



6 Site analysis

This section summarises the key characteristics and components of the subject sites relevant to assessing their heritage significance. It has been prepared based on an inspection of the site on 20 October 2021 from the public domain only (excluding the building interiors) carried out by the GML project team.

6.1 Site and setting

The subject sites are located at the southern side of Cooper Street, a quiet residential street, and abut Cowdery Lane to the rear (south). Cooper Street runs from Wentworth Road to the east to Manson Road to the west. The sites are bound by residential properties to the east and west.

The topography of the area is relatively flat. Cooper Street is marked by some tree plantings, and the private properties' vegetation contributes to the setting of the street. Nos 4, 6 and 14 Cooper Street are partially obscured when viewed from the road because of tree plantings and hedges within the setback.

The area is primarily residential with rectangular lots of various sizes. The centre of Cooper Street is divided into narrower lots while the eastern and western ends of the street have wider and larger lots. Properties on the southern side of the street have significantly deeper setbacks than those on the northern side.

Cooper Street is characterised by freestanding Victorian and Federation era cottages as well as interwar bungalows. There are some contemporary buildings towards the western end of the street. Most are single-storey apart from a few two to three storey dwellings. They feature front gardens with small lawns and tree plantings. The front boundaries are marked by low-lying timber picket fences, masonry fences, hedges, metal railings or a combination of these.

Generally, dwellings are constructed of face brickwork or rendered external walls, timber-framed doors and windows of traditional proportions. They have varying setbacks, front verandahs and gardens. Most have hipped and gabled tiled roofs and some retain original chimneys. The properties on Cooper Street contribute positively to the streetscape and represent the periods of development in the area.

The Philip Street Heritage Conservation Area is located on the northern side of Cooper Street opposite the subject properties. It is comprised of Victorian, Federation and interwar detached dwellings of one to two storeys.



Figure 6.1 The Cooper Street context, showing the properties opposite the subject sites.



Figure 6.2 View of Cooper Street from No. 12, looking east.



Figure 6.3 Heritage listed substation at 2B Cooper Street.



Figure 6.4 View of 2 Cooper Street.



Figure 6.5 Heritage listed flats at 18A Cooper Street, Strathfield.

6.2 2 Cooper Street

No. 2 Cooper Street is not included in this assessment; however, a brief description is provided because it is a listed heritage item of local significance near the subject properties (and adjacent to No. 4).

The following description is extracted from the State Heritage Inventory (SHI) listing:

Single storey c.1870s -1880's Victorian Free Classical house with a slate tiled hipped roof and decorative rendered chimneys. The front facade is asymmetrical and constructed of a rendered brick base with rendered brickwork facades and features a projecting bay with indented eaves brackets and rendered cornice moulds, timber framed double hung windows with flat arched top sashes and decorative rendered sill, pilaster mouldings and label moulds. The eastern side has an open return verandah with concrete base and cast iron and timber posts supporting a bullnosed steel roof. The western side verandah is enclosed with fibre cement sheeting and louver windows. Other features include a wide timber and glass panelled front door with sidelights and fanlight, an eastern side verandah addition, double hung windows and single wide timber and glass panelled doors with fanlights.

There is a large front garden with lawn, plants and trees and a brick paved driveway adjacent to the eastern side boundary. A low brick edge is on the street boundary with timber posts and gates across the driveway.



Figure 6.6 No. 2 Cooper Street. (Source: Urbis 2020)

6.3 4 Cooper Street

Exterior

No. 4 Cooper Street is a Victorian Italianate cottage set on a narrow lot towards the eastern end of Cooper Street. The building occupies the northern portion of the lot and is positioned on or close to its eastern and western boundaries.

Its primary (northern) façade faces Cooper Street and the rear façade (southern) faces Cowdery Lane. It has a deep setback from the street with a front yard and abundance of plantings. A narrow concrete pathway and two concrete steps lead to the house from the timber picket gate, fence and hedges. There is a garden in the front setback with low plantings.

The house is a detached single-storey building constructed of smooth rendered and painted masonry. It has a steep hipped roof of slate tiles and terracotta ridge capping. The original gutters have been replaced with Colorbond. The building retains three identical chimneys, two located on the western elevation behind the projecting faceted bay and the third on the east. The painted masonry chimneys are decorated with plaster mouldings and an arched concrete cap.

The façade is asymmetrical, featuring a projecting faceted bay to the east and a verandah to the west. The projecting faceted bay has three vertically proportioned timber double-hung sash windows with arched trims. Rectangular recessed planes frame each window and they are emphasised by decorative plaster moulding and window hoods. It is possible that the brackets to the eaves that are typically present in the Victorian Italianate style have been removed at some point.

The front verandah has a timber deck, a bullnose-profile corrugated metal sheet roof, timber bargeboard with stop chamfering and plain timber posts which date from a later period. Concrete block steps lead to the main entrance, a four-panel timber door with glazed panels, sidelights and a fanlight. The verandah also features a French timber door with glazed panels. Both doors have a metal grille installed in front of them. Decorative plaster moulding at fanlight level appears on either side of the doors.

The east and west elevations were heavily obscured by plantings and were partially visible from the street due to the proximity of the adjacent properties. The render on the western wall is deteriorated and it does not appear to have any openings. A rear extension is visible from the street, covered by a skillion metal roof. A 1943 image of the site shows a rear extension of similar size and form; however, without closer inspection it is unclear whether this is the existing extension (Figure 5.4).



Photographs of the site from 2012, available from real estate websites, suggest the original stained-wood nameplate of the house, placed near the front door, has been removed.

Interior

Interior spaces were not inspected due to lack of access. The following description is based on desktop review of images dating from 2012 available on real estate websites. There are no photographs available of the two rear bedrooms to the west of the hallway.

The interiors are generally intact and the original layout is easily discernible on the floor plan available on the real estate website. Typical of the Victorian Italianate style, the front section consists of rooms on either side of a central hallway. The original configuration, fabric and ornamentation along the front hallway, living room, dining room and front bedroom to the front of the dwelling remain highly intact. The remaining rooms to the rear—the bedrooms, bathroom, kitchen and rear living room—show a greater degree of modification.

The decorative floral plaster ceilings and the cornices have been retained within the front section of the dwelling: the living and dining room, front bedroom and the portion of the hallway north of the archway. The plaster ceiling to the rear is plain and the cornice simpler in profile.

The internal rendered plaster walls along the front section have retained their original floral ventilation grilles located just below the cornices. Similarly, the plaster moulding to the sill level has also been retained. The front bedroom is lined with the wallpaper. The ornate timber skirtings to the front rooms are intact. The hallway features an archway with Corinthian capitals and plaster mouldings.

The original timber panel doors, with their brass hardware and timber architraves, have been retained within the front section of the dwelling. Typical of the Victorian period, the front living and dining room is connected via a bifold timber panel door.

The condition of the original timber flooring is unknown, because the front section is carpeted. The kitchen, bathroom and rear living room are lined with contemporary tiles.

The original chimney breast and fireplaces to the living room, dining room and front bedroom have been retained and are generally intact. They feature the original cast iron grate and firebox, marble surrounds and timber mantelpiece. The glazed fireplace tiles along the front bedroom are intact but have been replaced in the living and dining room.

Condition and integrity

No. 4 Cooper Street has a fair degree of integrity and is in good condition. Externally, the façade and detailing are well maintained. The dwelling remains in its original allotment. The original features that have been removed or replaced include the timber or cast iron verandah posts, the brackets to the eaves along the projecting faceted bay and the original name plate. The rear extension is modest in scale, separate from the original house, and does not impact the legibility of the original form of the dwelling.

The interior retains its original layout and circulation pattern. Significant features from the period such as the timber skirtings, internal timber panel doors, plaster ceilings and cornices and the fireplaces also remain intact. The rear of the dwelling, the kitchen and the bathroom show a higher degree of modification.

A detailed assessment of the condition of the dwelling has not been carried out due to limited visibility from the public domain. The original slate roof and bullnose verandah roof show signs of wear, but the dwelling appears to be sound.



Figure 6.7 4 Cooper Street.

6.4 6, 8 and 10 Cooper Street

Nos 6, 8 and 10 Cooper Street were constructed between 1889 and 1891 on adjacent lots by the same builder and share similar built characteristics. The allotments are narrow and orientated north-south. No. 6 is smaller in size due to its narrower lot. The Victorian Italianate cottages are identical in construction, having similar form. However, various alterations and additions have been made since and the properties are no longer identical except in overall general form and scale.

The properties' primary façades face Cooper Street to the north and Cowdery Lane to the south. They are bound on the east and west by residential properties. The dwellings have a generous front setback and similar side setbacks. The front setback comprises gardens with shrubs and lawns. The properties are fronted by low front fences of varying materiality. All three feature curved concrete pathways from the street to the main entrance.

The buildings are constructed of rendered brick masonry with hipped roof clad in later addition terracotta tiles and a projecting faceted window bay. They each feature a front verandah and timber-framed openings. As indicated by the 1943 aerial photographs of the sites, there appears to be substantial additions to the rear of each property, constructed of contemporary materials and sheet metal roofs. These additions are modest in scale and concealed behind the original front section of the dwellings and do not visually impact the houses when viewed from Cooper Street.

Thus, due to the uniform form, architectural features, scale, setbacks and garden setting of the dwellings, they are visually similar to one another and create a uniform streetscape.

6.4.1 6 Cooper Street

Exterior

No. 6 Cooper Street comprises a single-storey detached brick cottage constructed in the Victorian Italianate style. The front fence consists of the original low, sandstone plinth and metal palisade fence. The front garden contains a lawn and shrubs that partially obscure the building from the street.

The primary façade is largely intact and has retained many original architectural features typical of the Victorian Italianate style. The primary façade is asymmetrical, featuring a projecting faceted bay to the west and a front verandah and a hipped roof. The hipped roof is finished with terracotta tiles and ridge capping. It is likely that the original roof



was covered with slate rather than terracotta tiles. The original gutters have been replaced with Colorbond. The building retains three identical chimneys, two located on the west elevation behind the projecting faceted bay and the third on the east. The painted masonry chimneys are decorative, adorned with plaster mouldings and an arched concrete cap.

The projecting faceted bay consists of three vertically proportioned timber-framed double-hung sash windows. The windows are surrounded by decorative rendered concrete window hoods and protruding sills. As evident in 10 Cooper Street, the faceted bay likely had bracketed eaves which have since been removed. The eaves are lined with fibre-cement sheeting.

The front verandah comprises a tiled floor dating from a later period, cast iron posts, a decorative cast iron lace fringe and brackets, and a tiled skillion roof. The intricate design of the capitals of the iron posts and iron lace contribute to its Victorian Italianate character. Although not readily visible from the public domain, the photographs and floor plans available from real estate websites suggest that the verandah has been extended to include a semi-circular extension to the north. The main entrance is accessed via the verandah. It is a four-panel timber door with glazed panels and sidelights. A metal screen door has been installed in front. The verandah also has a timber-framed French doors with glazed panels and timber louvre shutters.

The east and west elevations were obscured by plantings and neighbouring properties. The west elevation appears to be intact, featuring a narrow double-hung timber sash window and a masonry chimney with a curved cap.

Interior

Interior spaces were not inspected due to lack of access. The following description is based on desktop review of images dating from 2022 available on real estate websites. There are no photographs available of the three bedrooms east of the hallway.

The original layout is easily discernible on the floor plan available on the real estate website. Typical of the Victorian Italianate style, the front section consists of rooms on either side of a central hallway. The original configuration, fabric and ornamentation along the front hallway and living room remain highly intact, whereas the rooms to the rear have some original features and the kitchen and bathroom are contemporary in detailing and materiality.

The original decorative plaster ceiling and cornices in the front living room and north of the hallway arch are intact. The remainder of the house has plain plaster ceilings and cornices.



The internal rendered plaster walls along the front section have retained their original ventilation grilles below the cornices. The ornate timber skirtings to the front rooms appear to have either been polished in recent years or replaced with like-for-like skirting—the profile of the skirtings appears to date from the Victorian period. The hallway features an archway with simple capitals and stop chamfering detailing. There is also an original arched entryway between the dining room and the lounge.

The original timber panel internal doors have been replaced with new doors of traditional proportions including a fanlight and architraves.

The condition of the original timber panel flooring along the front living room is unknown because it has carpet finish. The kitchen, bathroom and hallway are lined by contemporary tiles. The original timber floorboards are intact in the lounge and dining room.

The original chimney breast and fireplace in the front living room are retained and intact. It features the original cast iron grate and firebox, timber surrounds and mantelpiece. The fireplace tiles along the front bedroom appear to be intact.

Condition and integrity

No. 6 Cooper Street has a good degree of integrity externally. The dwelling remains in its original allotment. Original features that have been removed or replaced include the verandah tiles and the brackets to the eaves along the projecting faceted bay. The rear extension is modest in scale and is separate from the original house, and does not impact the legibility of its original form.

The interior retains its original layout and configuration. However, other than in the front living room and a portion of the hallway, the original features and decorations have been removed.

A detailed assessment of the condition of the dwelling has not been carried out due to limited visibility from the public domain. There is some structural cracking evident in the projecting faceted bay and peeling paint.



Figure 6.8 Northern façade of 6 Cooper Street, viewed from Cooper Street.

6.4.2 8 Cooper Street

Exterior

No. 8 Cooper Street comprises a single-storey detached, rendered and painted brick cottage constructed in the Victorian Italianate style. The front fencing consists of a later addition metal wire fence. The front garden consists of a lawn and shrub plantings.

The primary façade is asymmetrical, featuring a projecting faceted bay to the west, a front verandah and a hipped tiled roof. Although the form of the primary façade is largely intact, some of the original architectural decorative features typical of the Italianate style have been stripped, resulting in a simpler presentation of the primary facade.

The original chimneys have been removed. While the timber-framed double-hung sash windows along the projecting faceted bay and their projecting sill have been retained, the decorative plaster mouldings around it and the brackets to the eaves have been removed.



The front verandah comprises a tiled floor dating from a later period, cast iron posts, and a decorative cast iron frieze. The roof of the verandah is integrated with the main roof form, unlike 6 Cooper Street. The front verandah wraps around to the east elevation and ends at the side entrance. It has a tiled floor, cast iron posts and brackets, decorative vents and mouldings between the windows.

The main entryway to the dwelling is a four-panel timber door with glazed panels, sidelights and a fanlight. The verandah also features a French timber door with glazed panels.

Interior

Interior spaces were not inspected due to lack of access. The following description is based on desktop review of images dating from 2007 available on real estate websites. The internal layout appears intact along the front section, with a central hallway flanked by rooms on either side. Some original elements retained include an arch along the central hall, original internal timber doors with fanlights and architraves, plaster mouldings along the walls, timber skirts and a fireplace with stop chamfering along the edges of the chimney breast.

Condition and integrity

No. 8 Cooper Street has a fair degree of integrity externally. The dwelling remains in its original allotment. While the original form of the dwelling is evident, some original features have been removed or replaced, including the chimneys, verandah tiles, mouldings around the bay windows, and the eaves brackets along the projecting faceted bay. The rear extension is modest in scale and is separate from the original house, and does not impact the legibility of the original form of the dwelling. The east and west elevations were not closely inspected due to obscured views, although they also appear to be stripped of ornamentation.

The interior retains its original layout and circulation pattern. Some key decorative features from the period are still intact including the hallway archway, a fireplace, timber skirtings and internal doors.



Figure 6.9 8 Cooper Street.

6.4.3 10 Cooper Street

Exterior

No. 10 Cooper Street consists of a single-storey detached brick cottage constructed in the Victorian Italianate style, with some later additions. The cottage is set on two narrow lots behind a front lawn and a prominent face brickwork fence with bullnose cappings. The later addition fence has a curved entry with a metal gate.

The primary elevation is asymmetrical, comprising a terracotta tiled hipped roof, projecting faceted bay and an enclosed verandah. The chimneys have been removed. The faceted bay is highly intact and represents the original articulation of the bays at 6 and 8 Cooper Street. The projecting faceted bay retains three vertically proportioned, timber-framed double-hung sash windows, moulded window hoods and a protruding rendered sill, set within a recessed niche. Below are three recessed panels and decorative vents. The projecting faceted bay retains the bracketed eaves.

The enclosed verandah is a later addition. It features a rendered brick balustrade with decorative moulding and two sets of triple windows with timber-framed casement leadlight windows. The external wall enclosing the verandah appears to be fibre-cement

sheeting. The roof of the verandah has been integrated with the main roof form of the house.

The timber front door and sidelights are original; however, a metal security door has been installed. Other openings to the cottage have security grilles installed to the interior or exterior.

GML has not conducted an internal site inspection due to limited access. There are no internal photographs of the property available on real estate websites. The integrity of the interiors is unknown.

Condition and integrity

No. 10 Cooper Street is in good condition with various degrees of integrity due to its additions and alterations. The dwelling remains in its original allotment. The projecting faceted bay is intact and demonstrates the original features to Nos 6 and 8 Cooper Street. The enclosed verandah detracts from the Victorian Italianate styling but is sympathetic due to the use of material and references to the faceted bay through the pattern and ornamentation.



Figure 6.10 10 Cooper Street.

6.5 12 Cooper Street

Although a detailed assessment of 12 Cooper Street is not part of the scope of this assessment, a brief physical assessment is included below because the property forms part of the Cooper Street streetscape.

The cottage at No. 12 Cooper Street is set back from the low timber picket boundary fence, with a lawned garden. A rear extension is visible on aerial photographs of the site and a large double garage of sheet metal faces Cowdery Lane. The setback of the property is similar to Nos 4, 6, 8, 10 and 14 Cooper Street.

No. 12 Cooper Street is a detached single-storey Victorian Italianate dwelling set on a narrow lot. The building is modest, and its size and form are comparable to No. 4 Cooper Street. It is constructed of rendered and painted masonry and comprises a hipped and tiled concrete roof, a faceted bay, a small, elevated entrance and aluminium-framed openings.

There have been significant modifications to the original construction, including alterations to the roof form, enclosure of the front verandah, alteration of the arrangement of windows, replacement aluminium-framed windows and the removal of decorative mouldings to the façade.



Figure 6.11 No.12 Cooper Street.

6.6 14 Cooper Street

External

No. 14 Cooper Street is a detached two-storey Victorian villa set on a narrow lot. Its rectangular form occupies the northern portion of the lot. It is set close to its eastern and western boundaries with narrow pathways either side of the building.

The primary northern façade faces Cooper Street, with a deep setback from the street. Plantings have been restricted to the perimeter of the front garden. The front garden has been cleared and filled with gravel. The property has a timber picket fences to Cooper Street and a Colorbond fence to Cowdery Lane.

The house is constructed of rendered and painted brick masonry. It has simple rectangular massing with an articulated façade, a hipped and tiled roof, and a parapet above the eastern main entry. It is possible the original structure included a tower element above the entry, which is a typical Victorian Italianate feature.

On the ground floor, the façade features a recessed entry porch with Federation era details and a narrow verandah that has retained its original Victorian fabric. The entrance porch is covered by a bullnose roof of corrugated sheet metal and supported by decorative timber posts and brackets, with Federation styling. The Federation detailing is in contrast with the Victorian details, materials and construction; however, the design and profile are sympathetic to the Victorian character of the dwelling. Further, the additions complement the building's original style rather than detracting from its Victorian character. The bullnose roof uses similar materials and pattern to the one on the first floor balcony and the timber joinery follows the same arrangement as the cast iron ones. The original timber front door is retained; however, a metal screen security door has been installed in front of it. Sidelights and fanlights are also original.

The front verandah has tessellated tiles on a masonry foundation, three decorative cast iron posts and filigree brackets. There are two floor-to-ceiling windows set equally apart on the verandah. They are timber-framed, double-hung sash windows with two large glass panels. The top third of the windows feature a grid of coloured glass panes.

The first floor features a bullnose balcony with similar elements such as cast iron posts, filigree brackets, and two floor-to-ceiling windows that are positioned in line with the two on the ground floor. The section above the entry porch is distinct as it has a parapet and rendered external walls. Below the parapet is a single timber-framed, double-hung sash window with a masonry sill.

A rear extension is partially visible from Cooper Street and Cowdery Lane. It appears to be a two-storey weatherboard addition, with a porch on the rear wall and a metal shed.

Aerial photographs from 1943 suggest there have been multiple additions to the south and east of the original building.

Internal

GML has not conducted an internal site inspection due to limited access. There are no internal photographs of the property available on real estate websites. The integrity of the interiors is unknown.

Condition and integrity

The dwelling shows a high degree of intactness externally. It is a good example of a two-storey Victorian villa. Although there are some Federation additions to the entry porch, including ornate timber posts and brackets, they are sympathetic to the character of the Victorian dwelling.



Figure 6.12 14 Cooper Street.

7 Comparative assessment

7.1 Methodology

During the population boom in Burwood, between 1874 and 1900, many dwellings were constructed in the area to accommodate the expanding population. The Victorian Italianate style emerged as a common domestic architectural style for detached and semi-detached dwellings of the period. Victorian Italianate dwellings varied in scale and design—from humble single-storey semi-detached and detached cottages for the working-class, to grander, more ornate villas for the affluent. There are numerous examples of both these typologies within the Burwood LGA.

A comparative assessment aims to understand the representative or rarity value of the place. This assessment has been undertaken using comparative examples of houses of the Victorian Italianate architectural style that were built in the second half of the nineteenth century and that are listed as items of local significance on the Burwood LEP 2012. The LEP includes examples of Victorian Italianate houses either as individual or group heritage items. A comparison is drawn to both these typologies to understand whether the subject properties merit listing as individual items or as a group item. Nos 4, 6, 8 and 10 Cooper Street have been analysed against modest, single-storey Victorian Italianate cottages, while 14 Cooper Street has been assessed against two-storey villas of a grander scale. The examples have been sourced using the NSW SHI database.

The following properties located near the subject sites and listed as local heritage items within the Burwood LEP 2012 were used in the comparative analysis for the assessment of 4, 6, 8 and 10 Cooper Street:

- 2 Cooper Street, Strathfield (item I190)—‘Victorian house’;
- 12 Belgrave Street, Burwood (item I4)—‘Victorian house’;
- 10 Bold Street, Burwood (item I4)—‘Victorian house’;
- 2–8 Brooklyn Street, Burwood (item I11)—‘Victorian houses’; and
- 31–39 Wallace Street, Burwood (item I14)—‘Victorian cottages’.

No. 14 Cooper Street was compared to the following:

- 17 Minna Street, Burwood (item I182)—‘Victorian villa’; and
- 23 Badminton Road, Croydon (item I113)—‘Victorian villa’.

2 Cooper Street, Strathfield (item I190)—'Victorian house'



Figure 7.1 Northern elevation of 2 Cooper Street. (Source: Urbis 2021)



Figure 7.2 Northern elevation of 2 Cooper Street. (Source: Urbis 2021)

Statement of Significance

2 Cooper Street, Strathfield has historic and aesthetic significance as a very good intact example of a c. 1870s – 1880's house designed in the Victorian Free Classical style. The building retains its original form, character and detailing including a slate tiled hipped roof and decorative rendered chimneys, asymmetrical front facade, rendered brick base with rendered brickwork facades, a projecting bay with indented eaves brackets and rendered cornice moulds, timber framed double hung windows with flat arched top sashes and decorative rendered sill, pilaster mouldings and label moulds. The eastern side has an open return verandah with concrete base and cast iron and timber posts supporting a bullnosed steel roof. The building and garden make a positive contribution to the Cooper Street streetscape. (State Heritage Inventory listing sheet, 2014)

Discussion

The Victorian building at 2 Cooper Street is comparable to Nos 4, 6, 8 and 10 Cooper Street in its setting and architectural features. No. 2 Cooper Street was constructed the late 1800s and in the Victorian Italianate style, similar to the subject sites. They are all single-storey detached dwellings located on narrow rectangular lots, which is representative of early subdivision patterns. Further, they have retained their original deep setbacks and front gardens with a variety of plantings.

The Statement of Significance in the SHI states that 2 Cooper Street is of the Victorian Free Classical style. However, its form and features are more notably Victorian Italianate, similar to the properties at 4, 6, 8 and 10 Cooper Street. This is also noted in the Urbis report, 2021.

The overall form of the dwellings is similar, with asymmetrical forms, rendered brick masonry external walls, projecting bays, hipped roofs and front verandahs. Other similarities include the fenestration pattern, featuring openings of narrow traditional proportions, timber-framed double-

2 Cooper Street, Strathfield (item I190)—‘Victorian house’

hung windows, cast iron lace works and columns to the front verandah, stucco and plaster mouldings around the openings and tall masonry chimneys to the roof. There are stylistic variations between the subject sites and 2 Cooper Street. This includes the incorporation of arched openings at 2 Cooper Street and a rectangular projecting bay rather than a faceted one, as evident in 2 Cooper Street.

However, a major point of contrast between the subject sites and 2 Cooper Street is the degree of intactness. Other than the enclosure of the balcony to the west, 2 Cooper Street is highly intact and is representative as a fine example of its type. As individual dwellings, 8 and 10 Cooper Street do not demonstrate the same degree of intactness. While 4 and 6 Cooper Street are generally more intact and comparable to 2 Cooper Street, the degree of decoration and detailing at 2 Cooper Street is much higher.

As outlined in the 2021 Urbis report, 2 Cooper Street, though in poor condition, demonstrates an unusually high degree of integrity internally. The subject properties that have publicly available photographs are understood to have a fair to high degree of intactness within the front section of the dwellings. The internal layout and key features such as the plaster ceilings, fireplaces, timber flooring, skirtings and internal doors are generally intact in the subject dwellings.

12 Belgrave Street, Burwood (item I4)—‘Victorian house’



Figure 7.3 Primary elevation of 12 Belgrave Street, Burwood, July 2020. (Source: NSW SHI)



Figure 7.4 Primary elevation of 12 Belgrave Street, Burwood, July 1986. (Source: NSW SHI)

Statement of Significance

No. 12 Belgrave Street, Burwood has historic and aesthetic significance as a very good intact example of a c. 1880's house designed in the late Victorian Italianate style. The building significantly retains its overall scale, form and character including rendered brickwork, a projecting faceted bay, rendered label moulds and classical detailing, verandah with timber posts and cast-iron brackets and frieze, and tall double hung timber framed windows. The building, including the front garden makes a positive contribution to the Belgrave Street streetscape.

12 Belgrave Street, Burwood (item I4)—'Victorian house'

Discussion

No. 12 Belgrave Street was constructed the late 1800s in the Victorian Italianate style, similar to the subject sites. They are all single-storey detached dwellings located on two narrow rectangular lots, which is representative of early subdivision patterns. Further, they have retained their front gardens with a variety of plantings.

As noted in the Statement of Significance, 12 Belgrave Street is highly intact. Key architectural features include the asymmetrical form with a projecting faceted bay, hipped slate roof with tall chimneys, rendered brick masonry external walls, tall timber-framed double-hung sash windows to the bay surrounded by decorative mouldings and bracketed eaves, a front verandah with cast iron lace fringe and brackets, turned timber posts and a timber door with sidelights.

The photograph of the dwelling from 1986 shows that the verandah comprised timber fretwork frieze and cast iron columns, rather than the existing cast iron fringe and brackets and turned timber posts. The timber elements were possibly added in the interwar period. Other modifications of the dwelling are minor and reversible such as the safety bars on the window, security screen doors and the low rendered brick front fence. These modifications only have a minor impact on the overall legibility of the dwelling as a fine example of a modest Victorian Italianate dwelling.

In comparison, the individual subject properties do not demonstrate the same high degree of integrity as 12 Belgrave Street. Although 4 and 6 Cooper Street demonstrate a higher degree of integrity than 6 and 8 Cooper Street, the dwellings are as not as intact as 12 Belgrave Street.

While the SHI listing does not assess the internal fabric, real estate photographs suggest that the front section of 12 Belgrave Street has retained its original configuration and many key features such as the timber flooring and skirting, arched hallway, fireplaces, plaster cornices and plaster mouldings along the wall. A similar degree of internal integrity is seen in real estate photographs of 4 and 6 Cooper Street.

10 Bold Street, Burwood (item I4)—‘Victorian house’



Figure 7.5 Primary elevation of 12 Bold Street, Burwood, July 2020. (Source: NSW SHI)



Figure 7.6 Primary elevation of 12 Bold Street, Burwood, July 1986. (Source: NSW SHI)

Statement of Significance

No. 10 Bold Street, Burwood has historic and aesthetic significance as a good fairly intact example of a c.1880's house designed in the late Victorian Free Classical style. The building retains its overall scale, form and character including rendered brickwork, a projecting faceted bay, rendered label moulds, verandah with cast iron posts and double hung timber framed windows. The building, including the front garden makes a positive contribution to the Bold Street streetscape.

Discussion

No. 10 Bold Street was constructed the late 1800s in the Victorian Italianate style (noted as Victorian Free Classical in the SHI), similar to the subject sites. They are all single-storey detached dwellings located on two narrow rectangular lots, which is representative of early subdivision patterns. Further, they have retained their front gardens with a variety of plantings. However, 10 Bold Street is more modest in scale and size compared to the subject sites and is simpler in its architectural form and detailing.

Its architectural features include an asymmetrical form with a projecting faceted bay, a verandah along the length of the primary façade, cast iron columns along the verandah, bullnose metal roof over the verandah, hipped terracotta tiled roof with a tall chimney, a street-facing gable end with timber bargeboards and a terracotta finial, rendered brick masonry external walls, tall timber-framed double-hung sash windows to the bay (one of which has been replaced by French doors) and a timber-framed door with sidelights and fanlights with stained glass. The dwelling displays stylistic variations compared to the subject sites such as the articulation of the front verandah and the roof form, which comprises gable ends in 10 Bold Street, but the roof form of the subject dwellings is primarily hipped.

While the SHI listing does not assess the internal fabric, real estate photographs suggest that 10 Bold Street is highly intact internally and has retained its original configuration and many key features such as the timber flooring and skirting, arched hallway, fireplaces, plaster ceiling roses and cornices, and plaster mouldings along the wall. A similar degree of internal integrity is seen along the front sections of 4 and 6 Cooper Street.



10 Bold Street, Burwood (item I4)—‘Victorian house’

In comparison to the subject dwellings, 10 Bold Street has stylistic differences and a more modest scale. Despite having some external modifications compared to the subject dwellings, 10 Bold Street demonstrates a relatively higher degree of intactness both internally and externally compared to Nos 8 and 10 Cooper Street. It serves as a good example of a modest Victorian Italianate dwelling. Nos 4 and 6 Cooper Street have similar levels of intactness compared to 10 Bold Street.

2-8 Brooklyn Street, Burwood (item I11)—'Victorian houses'



Figure 7.7 Primary elevation of 2 Brooklyn Street, Burwood, July 2020. (Source: NSW SHI)



Figure 7.8 Primary elevation of 2A Brooklyn Street, Burwood, July 2020. (Source: NSW SHI)



Figure 7.9 Primary elevation of 4 Brooklyn Street, Burwood, July 2020. (Source: NSW SHI)



Figure 7.10 Primary elevation of 6 Brooklyn Street, Burwood, July 2020. (Source: NSW SHI)

2-8 Brooklyn Street, Burwood (item I11)—'Victorian houses'



Figure 7.11 Primary elevation of 8 Brooklyn Street, Burwood, July 2020. (Source: NSW SHI)



Figure 7.12 Streetscape along Brooklyn Street, Burwood, July 1986. (Source: NSW SHI)

Statement of Significance

No. 2-8 Brooklyn Street, Burwood has historic and aesthetic significance as a good example of c. 1890's house designed in the late Victorian Italianate style. The buildings retain their original form, character and detailing including rendered brickwork, a projecting faceted bay window, rendered label moulds, verandah with cast iron posts and double hung timber framed windows, except for Nos 2A and 4 that have had some modifications.

Discussion

Nos 2-8 Brooklyn Street are listed collectively as a group item of heritage value, rather than as individually listed dwellings. Built in the 1880s, they are representative of single-storey Victorian Italianate dwellings which, as a group, demonstrate similar characteristics such as their original asymmetrical form, hipped tiled roofs with gable ends and tall chimneys, rendered brickwork, projecting faceted bays, mouldings around the openings, verandahs with cast iron posts and timber-framed double-hung sash windows. The dwellings demonstrate some variations in detailing and articulation, although the overall form and key features remain. However, individually, the dwellings have a varying degree of intactness. Key modifications include the addition of brick piers along the balcony of 2 Brooklyn Street, the removal of the decorative mouldings and the chimneys in 2A Brooklyn Street and enclosure of the verandah in 4 Brooklyn Street. Their setbacks and garden setting remain intact and are consistent with one another. The SHI does not indicate whether the group was constructed by the same builder/architect, however it is assumed this would have been the case.

The houses at 4, 6, 8 and 10 Cooper Street are comparable to the Brooklyn Street group. Their overall form and features are typical of the Victorian Italianate style, even though they have some stylistic variations. Like the Brooklyn Street group, these houses show a varied degree of intactness. The dwellings at 6 and 8 Brooklyn Street are generally highly intact while 2, 2A and 4 Brooklyn Street have noticeable modifications to the primary façade. Likewise, 4 and 6 Cooper Street show a higher degree of intactness than 8 and 10 Cooper Street. Both the Brooklyn Street group and the subject dwellings are collectively visually uniform in their garden settings,



2–8 Brooklyn Street, Burwood (item I11)—‘Victorian houses’

consistent setbacks, architectural form and features, which contribute positively to the streetscape and retain their historic setting.

31–39 Wallace Street, Burwood (item I114)—‘Victorian cottages’



Figure 7.13 Primary elevation of 31 Wallace Street, Burwood, July 2020. (Source: NSW SHI)



Figure 7.14 Primary elevation of 33 Wallace Street, Burwood, July 2020. (Source: NSW SHI)



Figure 7.15 Primary elevation of 35 Wallace Street, Burwood, July 2020. (Source: NSW SHI)



Figure 7.16 Primary elevation of 37 Wallace Street, Burwood, July 2020. (Source: NSW SHI)

31–39 Wallace Street, Burwood (item I114)—‘Victorian cottages’



Figure 7.17 Primary elevation of 39 Wallace Street, Burwood, July 2020. (Source: NSW SHI)



Figure 7.18 Streetscape along Wallace Street, Burwood, July 1986. (Source: NSW SHI)

Statement of Significance

Nos. 31-39 Wallace Street, Burwood has historic and aesthetic significance as good examples of late Victorian Italianate style cottages constructed in the 1880's. The cottages are associated with the servants who worked at the nearby Victorian mansion, 'Cintra' built by Walter Friend in c.1863. (now demolished). Despite some modifications the buildings retains most of their original form, character and detailing such as front projecting bay with separate tiled roof, small entry porch with a bull-nosed corrugated steel roof, concrete stairs, stone base, timber balustrade, posts and decorative frieze to the front entry porch, moulded decoration to the square bay such as label moulds, continuous sills with timber decorative elements below, timber framed double hung windows. As a group they make a positive contribution to the streetscape.

Discussion

Nos 31–39 Wallace Street are listed collectively as a group item of heritage value, rather than as individually listed dwellings. Built in the 1880s, they are representative of modest single-storey Victorian Italianate dwellings. Historically, the group served as workers' cottages for the servants who worked at the nearby Victorian mansion Cintra.

Although they date from the late Victorian period, some of these houses also demonstrate influences of architecture from the Federation period. As a group, key common characteristics include low-lying single-storey scale, elevated position above street level with a sandstone plinth, asymmetrical form, hipped tiled roofs with chimneys, brickwork external walls, projecting bays, recessed entryways with small porches, timber and cast iron decorative posts and brackets along the porch, mouldings around the openings, and timber-framed double-hung sash windows of narrow, elongated proportions. Their setbacks and front gardens remain intact and are consistent with one another.

The dwellings demonstrate some variations in detailing and articulation, though the overall form and key features remain. Nos 33 and 37 Wallace Street show the most deviation from the Victorian Italianate style, with an influence of architectural features of the Federation period. These include a square projecting bay instead of a faceted bay, painted face brick external walls

31–39 Wallace Street, Burwood (item I114)—‘Victorian cottages’

and coloured glass to the windows. Despite these variations, Nos 33 and 37 remain visually congruent with the other dwellings in the group due to their similar scale, setting, setbacks, form and features.

The most noticeable modifications of the original fabric are the rendering of the sandstone base and the replacement of the front fences.

Comparatively, the dwellings at 4, 6, 8 and 10 Cooper Street demonstrate a single architectural style. However, the individual dwellings have a greater degree of modifications compared to the Wallace Street group. However, overall, both the Wallace Street group and the subject dwellings are collectively visually uniform in their garden settings, consistent setbacks, architectural form and features, which contribute positively to their respective streetscapes and retain their historic settings.

17 Minna Street, Burwood (item I82)—‘Victorian villa’



Figure 7.19 Primary elevation of 17 Minna Street, Burwood, July 2020. (Source: NSW SHI)



Figure 7.20 17 Minna Street within its garden setting, July 1986. (Source: NSW SHI)

Statement of Significance

17 Minna Street, Burwood has historic and aesthetic significance as a very good intact example of a two storeyed c. 1880s gentleman’s villa designed in the Victorian Italianate style. It is historically associated with the settlement of the Burwood area by the wealthy middle class in the late nineteenth century. The building has aesthetic significance as it retain [sic] its overall scale, form and character including a large projecting square bay to the ground floor and a balustraded balcony to the first floor, a two storeyed return verandah, cast iron balustrade and columns supporting a bull nosed corrugated steel roof and timber framed French doors with fanlight. Decorative elements include brackets to the eaves, vermiculated stone quoins to the corners and classical mouldings and balustrade on the first floor bay balcony. Despite the unsympathetic high front wall, the building, including the front garden makes a positive contribution to the Minna Road streetscape.

17 Minna Street, Burwood (item I82)—'Victorian villa'

Discussion

No. 17 Minna Street is listed as an item of heritage value due to its historic, aesthetic and representative significance. It is a two-storey detached Victorian villa built in the Victorian Italianate style in 1874. Key characteristic features of the villa include its asymmetrical form, hipped slate roof with rendered brick chimneys, a square projecting bay, two-storey return verandahs with cast iron columns and balustrades, and a bullnose roof, timber-framed French doors and double-hung sash windows of slender proportions and decorations such as mouldings, bracketed eaves and rendered quoins to the corners. The external façade is highly intact and acts as a fine example of its typology.

In comparison to 17 Minna Street, 14 Cooper Street is modest. Both the houses are set within their original allotment. Although 17 Minna Street has a front garden with young plantings, the front garden of 14 Cooper Street has been cleared, presumably to provide parking. Both properties are comparably intact externally. Despite the addition of some ornate timber decorations, which appear to date from the Federation period, and the likely removal of a tower-like structure to the east, 14 Cooper Street remains a good example of a Victorian Italianate mansion.

An assessment of the interiors has not been carried out due to limited photographs.

23 Badminton Road, Croydon (item I113)—'Victorian villa'



Figure 7.21 Primary elevation of 23 Badminton Street, Croydon, July 2020. (Source: NSW SHI)



Figure 7.22 23 Badminton Street, Croydon, within its garden setting, July 2020 (Source: NSW SHI)

Statement of Significance

No. 23 Badminton Road, Croydon, has historic and aesthetic significance as a free standing two storey Victorian Italianate style villa constructed in c. 1886. The building significantly retains its original form and detailing such as slate tiled hipped roof with tall rendered decorative chimneys, two storeyed facade with a large projecting faceted bay with rendered string course and sills and classical motifs and brackets and conical

23 Badminton Road, Croydon (item I113)—‘Victorian villa’

roof, two storeyed verandahs with ground floor cast iron columns, frieze, brackets and a tessellated tiled floor, a timber detailed centre frieze and a first floor balcony with cast iron decorative columns, balustrade, frieze and brackets supporting a concave corrugated steel roof. Other details include tall timber framed double hung windows with flat arched tops, a timber panelled front door with sidelights and highlight and timber framed glass French doors with highlights. The building and garden make a positive contribution to the streetscape.

Discussion

No. 23 Badminton Street is listed as an item of heritage value due to its historic, aesthetic and representative significance. It is a two-storey freestanding villa built in the Victorian Italianate style in 1886. Key characteristic features of the villa include its asymmetrical form, hipped slate roof with rendered brick chimneys, a projecting faceted bay, two-storey return verandahs with cast iron columns and balustrades, and a bullnose roof, timber-framed French doors and double-hung sash windows of slender proportions and decorations such as mouldings and bracketed eaves. The external façade is highly intact and is a fine example of its typology.

In comparison to 23 Badminton Street, 14 Cooper Street is modest. Both the houses are set within their original allotment. Although 23 Badminton Street has a large front garden with young plantings, the front garden of 14 Cooper Street has been cleared. Both properties are comparably intact externally. Despite the addition of some ornate timber decorations, which appear to date from the Federation period, and the possible removal of a tower-like structure to the east, 14 Cooper Street is still considered a good example of a Victorian Italianate villa.

The interiors of 23 Badminton Street are also highly intact, displaying original timber floorboards and skirtings, fireplace, plaster ceiling and cornices and internal timber doors.

7.2 Conclusions of the comparative assessment

The heritage listed Victorian Italianate dwellings and group of dwellings in this comparative analysis have been assessed as having historic, aesthetic and representative significance at a local level. The analysis of the heritage items in Burwood LGA demonstrates that the comparative properties have several key indicators that are consistent with the subject sites, as follows:

- The heritage items and the subject sites were constructed around the same period, the 1880s.
- The dwellings all reflect stylistic and architectural characteristics typical of the period—the Victorian Italianate style. Although they were not designed by a prominent architect of the period, and were constructed mostly to the designs of the



builders, they incorporate architectural features, detailing and materiality typical of the late Victorian period.

- The overall setting and form of all the dwellings are comparable. This includes their regular rectangular, elongated allotments, garden setting, consistent front and side setbacks, asymmetrical form with a projecting bay, hipped slated or tiled roofs with chimneys, rendered face brick external walls, vertically proportioned timber-framed double-hung sash windows, timber doors with sidelights and fanlights, front verandahs with cast iron or timber posts and brackets, and ornamentation such as plaster mouldings.
- Where the comparative examples and the subject sites differ is their degree of intactness. The dwellings listed as individual items—2 Cooper Street, 12 Belgrave Street and 10 Bold Street—all display a very high degree of external intactness. In comparison, while 4 and 6 Cooper Street are more intact than 8 and 10 Cooper Street, they do not have the same degree of detailing and sophistication as the listed examples. Further, the interiors of the listed items also display a very high degree of intactness internally.
- While the two-storey dwellings at 23 Badminton Road and 17 Minna Street are of a grander scale compared to 14 Cooper Street, the buildings, including 14 Cooper Street, display a comparable level of external intactness. They comprise highly intact primary façades and serve as a fine example of their type, externally.
- Nos 4–10 Cooper Street, as a group, are comparable to the Brooklyn Street group; both serve as representative examples of a group of Victorian Italianate dwellings that exhibit some modifications individually but serve as a cohesive group of dwellings. However, when compared to the group at Wallace Street, the subject dwellings are not as intact. Further, the dwellings at Wallace Street are historically connected as a group that served as workers' cottages for the servants at a nearby Victorian mansion. Similarly 6, 8 and 10 Cooper Street are historically connected as they were constructed by the same builder as speculative development. No. 14 Cooper Street, being of a different scale and more ornate in its detailing, does not appropriately fit in with the group of more modest single-storey dwellings at 4–10 Cooper Street.



8 Assessment against significance assessment criteria

This section sets out an assessment of the heritage significance of the subject sites in accordance with the standard significance assessment criteria established in the NSW Heritage Office guidelines (Appendix A of this report). The evaluation includes consideration of the original and subsequent layering of fabric, uses, associations and meanings of the place, as well as its relationship to both the immediate and wider setting.

The *NSW Heritage Manual* guidelines, prepared by the NSW Heritage Office and Department of Urban Affairs and Planning (July 2001), provide the framework for the assessment and the Statement of Significance in this report. These guidelines incorporate the five types of cultural heritage values identified in the Burra Charter into a specially structured framework, which is the format required by heritage authorities in New South Wales.

Under these guidelines, items (or 'places' in Burra Charter terminology) are assessed in accordance with a specific set of criteria, as set out below. An item is significant in terms of the criterion if the kinds of attributes listed in the inclusion guidelines help to describe it. Similarly, the item is not significant in terms of that criterion if the kinds of attributes listed in the exclusion guidelines help to describe it. The inclusion and exclusion guidelines are checklists only—they do not cancel each other out. The exclusion guidelines should not be applied in isolation from the inclusion guidelines, but should be used to help review and qualify the conclusions reached about the item's significance.

To apply the assessment criteria, both the nature and degree of significance for the place need to be identified. This is because items vary in the extent to which they embody or reflect key values and in the relative importance of their evidence or associations.

The assessment also needs to relate the item's values to its relevant geographical and social context, usually identified as either local or state contexts. Items may have both local and state significance for similar or different values/criteria.

8.1 4-10 and 14 Cooper Street

Historical research and physical investigation suggest that the properties at 4, 6, 8, 10 and 14 Cooper Street show stylistic similarities and demonstrate a shared history that make them likely to be best assessed as a group. Further, the modifications of the



individual properties have detrimentally affected their integrity and intactness. As such, while 4, 6 and 14 Cooper Street demonstrate a higher degree of intactness than 8 and 10 Cooper Street, collectively the five dwellings present as a cohesive group with the potential to demonstrate heritage significance under several criteria. 14 Cooper Street varies in scale from 4, 6, 8 and 10 Cooper Street but originates from the same subdivision, period of construction, architectural style, setting and setback. As such, the properties have been assessed as a group and any deviations from the criteria of any individual property has also been noted.

Table 8.1 Assessment against criteria for 4–10 and 14 Cooper Street.

Criterion A (Historical Significance)	
An item is important in the course, or pattern, of NSW’s cultural or natural history (or the cultural or natural history of the local area).	
Guidelines for inclusion	Guidelines for exclusion
<ul style="list-style-type: none"> • shows evidence of a significant human activity; • is associated with a significant activity or historical phase; or • maintains or shows the continuity of a historical process or activity. 	<ul style="list-style-type: none"> • has incidental or unsubstantiated connections with historically important activities or processes; • provides evidence of activities or processes that are of dubious historical importance; or • has been so altered that it can no longer provide evidence of a particular association.
<p>The subject properties are part of the original land grant to Captain Thomas Rowley in 1799 which came to be known as Burwood Farm. Burwood Farm was subdivided over the decades as Burwood emerged as a desirable area for residence. By 1833, Henry Briggs received a portion of the land that was still under the ownership of Rowley’s descendants.</p> <p>In 1834 Briggs’ land was conveyed to John Berner and was later inherited by his son William Frederick Henry Berner. On his death this land passed to his widow Mary Berner. Sir William Cooper bought out Mary’s interest in the land in 1858.</p> <p>In 1887 Cooper subdivided the land for sale. This sale, known as the Resubdivision of Brigg’s Subdivision, was near Strathfield Station. Over the next few years, the land was progressively sold and developed as a residential streetscape of predominantly single-storey free-standing houses. 14 Cooper Street was among the few two-storey villas that were built along Cooper Street.</p> <p>During the population boom in Burwood between 1874 and 1900, many dwellings were constructed in the area to accommodate an increasing population. The Victorian Italianate style emerged as a common domestic architectural style for detached and semi-detached dwellings of the period. They varied in scale and grandeur from humble single-storey semi-detached and detached cottages for the working-class population to more ornate mansions for the affluent. The dwellings at 4, 6, 8, 10 and 14 Cooper Street were constructed by 1889. Nos 4-10 are examples of modest dwellings constructed during the late Victorian period while No 14 was likely constructed for a more affluent family.</p> <p>The dwellings at 4, 6, 8, 10 and 14 Cooper Street retain their original lot pattern established in the 1887 Resubdivision of Brigg’s Subdivision near Strathfield Station (DP2089). Although individually, there is a varied degree of modifications to the dwellings, as a group, their</p>	



subdivision pattern, consistent setbacks, garden setting, Victorian Italianate architectural style and features demonstrate a pattern and form of housing typical of the late Victorian period.

The properties at 4-10 and 14 Cooper Street have cultural significance at a local level under this criterion.

Criterion B (Associative Significance)

An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area).

Guidelines for inclusion	Guidelines for exclusion
<ul style="list-style-type: none"> shows evidence of a significant human occupation; or is associated with a significant event, person, or group of persons. 	<ul style="list-style-type: none"> has incidental or unsubstantiated connections with historically important people or events; provides evidence of people or events that are of dubious historical importance; or has been so altered that it can no longer provide evidence of a particular association.

The subject properties are part of the original land grant to Captain Thomas Rowley in 1799, which was subdivided and transferred to various owners over the decades. By 1887, Sir William Cooper purchased the land and subdivided it to the current allotment boundaries of the subject properties.

Edward Hobson, a local builder, constructed 6, 8 and 10 Cooper Street in 1887 as speculative development. He has an incidental association with the place as a speculative development. No evidence has been found of any historically important people or events associated with 6, 8 or 10 Cooper Street.

Richard Shute was among the early residents of 4 Cooper Street and resided at the property from 1896 to 1918. Richard Shute was an architect and the alderman of Burwood from 1893 to 1913. He also served as mayor three times, in 1896, 1909 and 1910. A sport enthusiast, he was a founding member of the Suburban Bicycle Club and the Burwood Bowling Club, as well as treasurer of the NSW Cricket Association from the 1890s to 1910. Professionally Shute worked as an architect and was a member of the Institute of Architects of NSW. Works by Shute included the Sheridan Pavilion at the Sydney Cricket Ground, alterations to the Ladies Pavilion, and the Erina District War Memorial.

No. 4 Cooper Street was also the home of Robert Elliot Shute, the first son of Richard and Amelia. Like his father, Robert was a keen sportsman. He also served as a gunner during the First World War. In 1922 Robert Shute died after being tackled in a rugby union game at Manly Oval during a trial match for the Australian team. In honour of Robert a memorial shield was created as the trophy for Sydney's first-grade rugby competition in 1923. The competition was renamed the Shute Shield the same year, and continues to be played each year by teams in metropolitan Sydney.

No. 14 was constructed by 1890 and John William Hurst, a watchmaker and jeweller, was the first occupant. It is likely that the dwelling was not designed by any prominent architect, but rather was constructed to the designs of the builder following the general trends and architectural style of the period. The original and subsequent owners, though likely to be affluent considering the grandeur of the dwelling, were not particularly prominent or historically important. No evidence has been found of any historically important people or events associated with the building.



The property at 4 Cooper Street has cultural significance at a local level under this criterion.

The properties at 6-10 and 14 Cooper Street do not have cultural significance at a local level under this criterion.

Criterion C (Aesthetic Significance)

An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area).

Guidelines for inclusion	Guidelines for exclusion
<ul style="list-style-type: none"> shows or is associated with creative or technical innovation or achievement; is the inspiration for a creative or technical innovation or achievement; is aesthetically distinct; or exemplifies a particular taste, style or technology. 	<ul style="list-style-type: none"> is not a major work by an important designer or artist; has lost its design or technical integrity; its positive visual or sensory appeal or landmark and scenic qualities have been more than temporarily degraded; or has only a loose association with a creative or technical achievement.

The dwellings at 4-10 Cooper Street demonstrate the typology of a late Victorian Italianate cottage while 14 Cooper Street is representative of a typical two-storey late Victorian dwelling. Externally, they have a reasonable degree of integrity and intactness and incorporate several architectural features typical of the style and period. The degree of integrity varies across the dwellings but collectively they form a cohesive Victorian Italianate group.

The buildings retain their original form, scale, materiality and features. Further, their consistent setbacks and their garden setting contribute to the visual character of the place. While there are some modifications, the original form and architectural details of the dwellings are easily discernible.

Though not constructed to the designs of any prominent architects, they follow the general principles of the Victorian style. Significant external elements include the asymmetrical façade, a faceted bay, vertically proportionate timber windows, arched window headers, decorative mouldings, cast iron filigree, bullnose verandahs with timber flooring, French doors, and timber front doors with sidelights and highlights. One dwelling also retains its slate roof and masonry chimneys.

There are some additions to the rear that remain largely concealed when viewed from the public domain.

The buildings are example of a group of Victorian Italianate dwellings which contribute to the character of Cooper Street, Strathfield, and the Burwood LGA.

The properties at 4-10 and 14 Cooper Street have cultural significance at a local level under this criterion.

Criterion D (Social Significance)

An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons.

Guidelines for inclusion	Guidelines for exclusion
--------------------------	--------------------------



- | | |
|--|---|
| <ul style="list-style-type: none"> • is important for its association with an identifiable group; or • is important to a community's sense of place. | <ul style="list-style-type: none"> • is only important to the community for amenity reasons; or • is retained only in preference to a proposed alternative. |
|--|---|

There is no evidence to suggest that the properties hold any strong or significant associations with any local community or cultural groups.

The properties at 4-10 and 14 Cooper Street do not meet the threshold for significance at the local level.

Criterion E (Research Potential)

An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area).

Guidelines for inclusion	Guidelines for exclusion
<ul style="list-style-type: none"> • has the potential to yield new or further substantial scientific and/or archaeological information; • is an important benchmark or reference site or type; or • provides evidence of past human cultures that is unavailable elsewhere. 	<ul style="list-style-type: none"> • the knowledge gained would be irrelevant to research on science, human history or culture; • has little archaeological or research potential; or • only contains information that is readily available from other resources or archaeological sites.

The properties are unlikely to yield any information that is otherwise unknown and that could contribute to the understanding of the local area. An assessment of the subject sites' archaeological potential was beyond the scope of this assessment.

Nos 4-10 and 14 Cooper Street do not have cultural significance at a local level under this criterion.

Criterion F (Rarity)

An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area).

Guidelines for inclusion	Guidelines for exclusion
<ul style="list-style-type: none"> • provides evidence of a defunct custom, way of life or process; • demonstrates a process, custom or other human activity that is in danger of being lost; • shows unusually accurate evidence of a significant human activity; • is the only example of its type; • demonstrates designs or techniques of exceptional interest; or 	<ul style="list-style-type: none"> • is not rare; or • is numerous but under threat.



- shows rare evidence of a significant human activity important to a community.

Victorian Italianate dwellings, including groups of Victorian Italianate dwellings, are not rare in the Burwood LGA. Many examples of the type still survive in the Burwood LGA.

Nos 4–10 and 14 Cooper Street do not have cultural significance at a local level under this criterion.

Criterion G (Representativeness)

An item is important in demonstrating the principal characteristics of a class of NSW's

- cultural or natural places; or
- cultural or natural environments.

(or a class of the local area's

- cultural or natural places; or
- cultural or natural environments.)

Guidelines for inclusion	Guidelines for exclusion
<ul style="list-style-type: none"> • is a fine example of its type; • has the principal characteristics of an important class or group of items; • has attributes typical of a particular way of life, philosophy, custom, significant process, design, technique or activity; • is a significant variation to a class of items; • is outstanding because of its setting, condition or size; or • is outstanding because of its integrity or the esteem in which it is held. 	<ul style="list-style-type: none"> • is a poor example of its type; • does not include or has lost the range of characteristics of a type; or • does not represent well the characteristics that make up a significant variation of a type.

Nos 4–10 and 14 Cooper Street demonstrate the typology of a group of modest Victorian Italianate dwellings in the Burwood LGA. Although individually they have some modifications and are not highly ornate except for No.14, as a group they have retained their original subdivision pattern, setbacks, garden setting, architectural form and features. Typical features of the architectural style and period include their asymmetrical form, hipped slated roof with intact chimneys, faceted bay, front verandah, decorative mouldings, timber-framed windows and original timber doors of narrow proportions.

The retention of the historical character and overall visual consistency allows the group to serve as a good example of surviving Victorian streetscapes within the Burwood LGA.

The properties at 4–10 and 14 Cooper Street have cultural significance at a local level under this criterion.

8.1.1 Statement of Significance

The cottages at 4 Cooper Street (Allema), 6 Cooper Street (Urangara), 8 Cooper Street (Duntroon), 10 Cooper Street (Illam) and 14 Cooper Street (Huggerstone) form a good



example of a cohesive group of Victorian Italianate dwellings. They exhibit historic setting, form, features and design elements typical of their typology and the group is a good example of residential development within the Burwood LGA from the late Victorian period.

Historically, the land was part of the land grant to Captain Thomas Rowley in 1799 that was subdivided subsequently and formed part of the 1887 Resubdivision of Brigg's Subdivision. Although not designed by any prominent architects, these houses were constructed to the general principles of the Victorian Italianate style. They are indicative of the more modest accommodation that was prevalent in the Victorian period within Strathfield and the Burwood LGA.

The Schute family resided in 4 Cooper Street for over 20 years, between 1890 and 1918. During this period, Richard Schute served as alderman of Burwood (from 1893 to 1913) and as mayor three times (1896, 1909 and 1910). His son Robert Schute is associated with the Shute Shield, the rugby union cup that was named in his honour.

As a group, the dwellings display a fair level of intactness and many architectural attributes typical of the Victorian Italianate style. This includes their asymmetrical form, hipped slated roof with intact chimneys, faceted bay, front verandah with cast iron decorations and posts, decorative mouldings, timber-framed windows and original timber doors of narrow proportions. Their consistent subdivision pattern, low fencing, setbacks, front gardens, form and features create visual uniformity and contribute to the streetscape character of Cooper Street. They contribute to the historic setting of Cooper Street, Strathfield, and the Burwood LGA.

Based on the information available for the purpose of this assessment, the group at 4–10 and 14 Cooper Street meets the threshold for local heritage listing based on its historical, aesthetic and representative attributes. No. 4 Cooper Street is additionally noted for its associative values and No. 14 for its high degree of integrity externally.

9 Conclusions and recommendations

9.1 Conclusion

This report contains an analysis of the historical development, architectural and streetscape character, a comparative analysis and a detailed assessment of the heritage significance of the subject sites based on the NSW significance assessment criteria. The assessment has considered various options for heritage listing including listing of the dwellings as individuals, as a group, or as an HCA, and incorporation into nearby HCAs. This was informed by historical research, site analysis of the subject sites and their



surroundings, and a review of the relevant development applications, planning proposals and CDCs applicable to the place.

The report has concluded that an appropriate heritage management of the subject sites is as follows:

- As a group, the properties at 4–10 and 14 Cooper Street have cultural significance at a local level for their historic, aesthetic and representative values. Additionally, 4 Cooper Street has cultural significance for its associative value.

9.2 Recommendations

The group at 4–10 and 14 Cooper Street has been assessed as being of cultural significance at a local level and warrant listing as a heritage item respectively in Schedule 5 of the Burwood LEP 2012. It is recommended that Council:

- Prepare a Planning Proposal to include the group at 4–10 and 14 Cooper Street, Strathfield.



Appendix A—NSW Heritage Office heritage assessment guidelines

The *NSW Heritage Manual* guidelines, prepared by the NSW Heritage Office and Department of Urban Affairs and Planning (July 2001), provide the framework for the assessment and the Statement of Significance in this report. These guidelines incorporate the five types of cultural heritage value identified in the Burra Charter into a specially structured framework, which is the format required by heritage authorities in New South Wales.

Under these guidelines, items (or 'places' in Burra Charter terminology) are assessed in accordance with a specific set of criteria, as set out below. An item is significant in terms of the particular criterion if the kinds of attributes listed in the inclusion guidelines help to describe it. Similarly, the item is not significant in terms of that particular criterion if the kinds of attributes listed in the exclusion guidelines help to describe it. The inclusion and exclusion guidelines are checklists only—they do not cancel each other out. The exclusion guidelines should not be applied in isolation from the inclusion guidelines, but should be used to help review and qualify the conclusions reached about the item's significance.

The criteria for assessment established by the NSW Heritage Council in accordance with the Heritage Act 1977 (NSW) (Heritage Act) are set out below.

Criterion (a)—An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area).

Guidelines for inclusion	Guidelines for exclusion
<ul style="list-style-type: none"> shows evidence of a significant human activity; is associated with a significant activity or historical phase; or maintains or shows the continuity of a historical process or activity. 	<ul style="list-style-type: none"> has incidental or unsubstantiated connections with historically important activities or processes; provides evidence of activities or processes that are of dubious historical importance; or has been so altered that it can no longer provide evidence of a particular association.

Criterion (b)—An item has strong or special association with the life or works of a person, or group of persons, of importance in the cultural or natural history of NSW (or the cultural or natural history of the local area)



Guidelines for inclusion	Guidelines for exclusion
<ul style="list-style-type: none"> • shows evidence of a significant human occupation; or • is associated with a significant event, person, or group of persons. 	<ul style="list-style-type: none"> • has incidental or unsubstantiated connections with historically important people or events; • provides evidence of people or events that are of dubious historical importance; or • has been so altered that it can no longer provide evidence of a particular association

Criterion (c)—An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area)

Guidelines for inclusion	Guidelines for exclusion
<ul style="list-style-type: none"> • shows or is associated with creative or technical innovation or achievement; • is the inspiration for a creative or technical innovation or achievement; • is aesthetically distinctive; • has landmark qualities; or • exemplifies a particular taste, style or technology. 	<ul style="list-style-type: none"> • is not a major work by an important designer or artist; • has lost its design or technical integrity; • its positive visual or sensory appeal or landmark and scenic qualities have been more than temporarily degraded; or • has only a loose association with a creative or technical achievement

Criterion (d)—An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons

Guidelines for inclusion	Guidelines for exclusion
<ul style="list-style-type: none"> • is important for its associations with an identifiable group; or • is important to a community's sense of place. 	<ul style="list-style-type: none"> • is only important to the community for amenity reasons; or • is retained only in preference to a proposed alternative.

Criterion (e)—An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area)

Guidelines for inclusion	Guidelines for exclusion
<ul style="list-style-type: none"> • has the potential to yield new or further substantial scientific and/or archaeological information; • is an important benchmark or reference site or type; or • provides evidence of past human cultures that is unavailable elsewhere. 	<ul style="list-style-type: none"> • the knowledge gained would be irrelevant to research on science, human history or culture; • has little archaeological or research potential; or



Guidelines for inclusion	Guidelines for exclusion
	<ul style="list-style-type: none"> only contains information that is readily available from other resources or archaeological sites.

Criterion (f)—An item possesses uncommon, rare or endangered aspects of NSW’s cultural or natural history (or the cultural or natural history of the local area)

Guidelines for inclusion	Guidelines for exclusion
<ul style="list-style-type: none"> provides evidence of a defunct custom, way of life or process; demonstrates a process, custom or other human activity that is in danger of being lost; shows unusually accurate evidence of a significant human activity; is the only example of its type; demonstrates designs or techniques of exceptional interest; or shows rare evidence of a significant human activity important to a community. 	<ul style="list-style-type: none"> is not rare; or is numerous but under threat.

Criterion (g)—An item is important in demonstrating the principal characteristics of a class of NSW’s (or a class of the local area’s) cultural or natural places; or cultural or natural environments

Guidelines for inclusion	Guidelines for exclusion
<ul style="list-style-type: none"> is a fine example of its type; has the principal characteristics of an important class or group of items; has attributes typical of a particular way of life, philosophy, custom, significant process, design, technique or activity; is a significant variation to a class of items; is part of a group which collectively illustrates a representative type; is outstanding because of its setting, condition or size; or is outstanding because of its integrity or the esteem in which it is held. 	<ul style="list-style-type: none"> is a poor example of its type; does not include or has lost the range of characteristics of a type; or does not represent well the characteristics that make up a significant variation of a type.



BURWOOD LGA – AUSGRID SUBSTATIONS (SECTION 170)

HERITAGE ASSESSMENT FOR LOCAL LISTING IN BURWOOD LEP 2012



Contents

Introduction	3
Scope	4
Author	4
Methodology	4
Limitations	4
The Substations	5
Historical Context.....	10
Pre-Contact	10
Development of Burwood.....	10
Electrical Systems in Sydney and Substation Development.....	13
Substation Context	15
Existing Heritage Context.....	18
Heritage Assessment – Grouped Item	19
Statement of Significance.....	20
Summary Significance Matrix.....	21
Conclusion and Recommendations.....	22

Introduction

This Heritage Assessment has been prepared to provide Council with an understanding of the heritage significance of seven (7) Ausgrid electrical substations located across the Burwood LGA and the necessary information to proceed with a Planning Proposal to list all 7 substations in Schedule 5 of the *Burwood Local Environmental Plan 2012* (Burwood LEP 2012) as a group heritage item.

All seven (7) of the substations are currently listed on the Ausgrid Section 170 (Heritage Act 1977) register. All State agencies are required to maintain a register of assets which hold heritage significance.

Section 170 of the *NSW Heritage Act, 1977*, requires that all State Agencies establish and keep a register entitled "Heritage and Conservation Register" (S170 Register). By inclusion on the S170 Register, it is best practice that there is an accompanying heritage inventory sheets which is usually available to the public on the relevant stage agency website or the Heritage NSW website.

Clause 22 of the *Heritage Regulation 2012* prescribes the following classes of items to be on a S170 Register:

- (a) *items that are listed as heritage items under an environmental planning instrument made under the Environmental Planning and Assessment Act 1979,*
- (b) *items that are subject to an interim heritage order,*
- (c) *items that are listed on the State Heritage Register,*
- (d) *items identified by the government instrumentality concerned as having State heritage significance.*

Ausgrid have undertaken a review of their S170 heritage and conservation register and have identified properties that do not fall under any of the classes from Clause 22 of the Heritage Regulation 2012 above.

On 22 December 2021, Council received correspondence from Ausgrid advising that they were intending on removing seven (7) electricity substations of varying ages and styles from their S.170 Register. The primary reason why these substations were to be removed was **not** because they do not have heritage significance, but rather because Council has not included the substations as items of local heritage significance in the Burwood LEP 2012.

Once the substations are removed from the S.170 Register, as they are not listed in Schedule 5 of the Burwood LEP 2012 or on the State Heritage register, there would be no heritage protection over these sites.

Council, at its meeting on 26 April 2022 considered a report on a comprehensive review of the Burwood LEP 2012. As part of this report, it was recommended that Council's Heritage Advisor undertake a review of the substations, and where appropriate make recommendations for heritage listing under Schedule 5 of Burwood LEP 2012.

In response to Ausgrid's correspondence, Council staff have undertaken a review of the potential heritage significance of these electricity substations and, based on the information available, found that all seven (7) of these fulfil the criteria for local heritage listing in Schedule 5 of the Burwood LEP 2012.

This report includes that assessment.

Scope

This report conducts a heritage significance assessment on the built heritage of the seven (7) Ausgrid electrical substations within the Burwood LGA. The scope does not extend to an Aboriginal or archaeological assessment.

Author

This report was prepared by Gavin Patton (Heritage Advisor, Burwood Council) and reviewed by Rita Vella (Manager City Planning).

Methodology

This review has been prepared in accordance with the heritage significance assessment guidelines published by Heritage NSW in 2001 and Investigated Heritage Significance (2021). It is also consistent with the relevant principles and guidelines of the Australian ICOMOs Charter for Places of Cultural Significance 2013 (the Burra Charter).

An independent external heritage consultant was not engaged for this assessment due to these sites having previously been recognised as holding heritage significance under the Section 170 Ausgrid Register.

Limitations


None of the sites internal areas were accessible for the purposes of a site inspection. The report does not include any Aboriginal or archaeological assessment.

This assessment has excluded two substations within the Burwood LGA (38 Russell Street, Strathfield (Lot 1 DP324188) & Belmore Street (Lot1 DP316438) as they were previously identified as not meeting the threshold for listing on the former Energy Australia Heritage and Conservation Register Review Project, conducted by FuturePast and Energy Australia in 2008

The Substations

The following descriptions and history notes have been extracted from the existing Inventory Sheets on the State Heritage Inventory (SHI).


Table 1 – Ausgrid Electrical Substations within Burwood LGA

Substation No and Address	Construction Date	Images
No. 48 – Cheltenham Road. 1A Princes Street	c.1925	
<p>Description: The Cheltenham Road substation is a single storey building set back from the street behind a contemporary low brick wall and entrance gate. It is constructed in the Interwar Art Deco style, with elements including a stepped roofline and front fence, parapets, asymmetrical façade with a vertical emphasis, and a relief brick Art Deco motif on the façade and entrance gate. A Modernist style cantilevered awning covers the plant entrance.</p> <p>The Cheltenham Road substation is constructed in face brick, with a cantilevered concrete awning over the main plant door. The main plant and personnel doors are of steel construction.</p> <p>History: The Cheltenham Road substation is a purpose designed and built distribution substation. Land for the building was compulsorily acquired in 1920. The Art Deco style of the substation coupled with its early asset number suggests this is likely to be a rebuilt substation which replaced an earlier style of substation (probably Stripped Classical or Mission style). The equipment in the present substation was commissioned in 1946.</p>		

ITEM NUMBER 1/23 - ATTACHMENT 3

Burwood LGA Ausgrid Substations - Heritage Assessment - February 2023


Ausgrid Substation Review – Heritage Listing

<p>No. 241 – 1928 12 Iceton Street</p>	
--	--

Description: The Iceton Street substation is a single storey building set back from the street behind a low brick wall. The tuck pointed face brick is contrasted with a cement rendered lintel, identification plaque and projecting cornice. There is a personnel door to the left and a blank window to the right of a central plant access door. Brickwork around the main door is bull-nosed. The style is Interwar Stripped Classical, features of which are a symmetrical façade and parapet roof. Decorative elements include corbelled brickwork below the architrave, and soldier courses above the door and window.

The Iceton Street substation is constructed in load-bearing face brick. The main plant door is a steel roller-shutter.

History: The Iceton Street substation is a purpose designed and built structure dating from 1928. A cement render plaque above the plant door reads "ELECTRICITY DEPARTMENT SUBSTATION No 241". This item is typical of the substations built by the Municipal Council of Sydney in the 1920s and 1930s during the rapid expansion fo the electricity network.

<p>No. 250 – 1927 32 Wallace Street</p>	
---	--

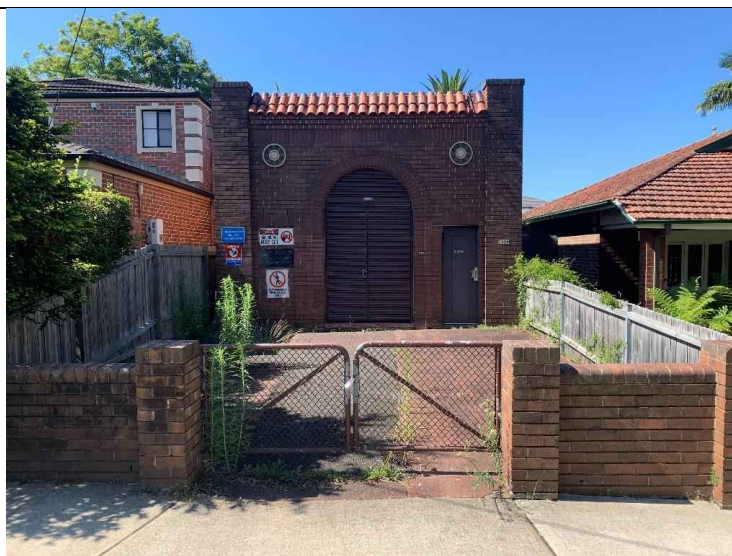
Description: The Wallace Street substation is a tuck-pointed brick building set back from the street behind a low brick wall. It is built in the Interwar Georgian Revival style with elements including a symmetrical façade, gabled parapet, arched facade gutter-openings and arched central window. Decorative elements include parapet dentils, a cement rendered cornice and pilasters at the main plant entrance. The plant entry doors are timber panelled. There are two fully louvered timber doors on either side of the main entrance.

The Wallace Street substation is constructed in face brick, with cement rendered pilasters, cornice, and parapet coping. The window opening arch is a triple course of brickwork.

The site retains its original timber door and fanlight, which are often lost on other substations in this style.

History: The Wallace Street substation is a purpose designed and built structure constructed in 1927. An identity plaque reads, "ELECTRICITY DEPARTMENT SUBSTATION No. 250". The substation is typical of those built by the Municipal Council of Sydney in the 1920s during the rapid roll-out of electricity to Sydney's suburbs.


No.294 – 1930
25A Angel
Road



Description: The Angel Road substation is a double height building set back from the street behind a low brick wall. It has a symmetrical façade designed in a mixture of the Interwar Georgian Revival and Mediterranean styles. The main feature of the façade is the central arched plant access doorway. Stylistic elements include a curved ceramic tile parapet with a corbelled brick cornice, and tuck-pointed brickwork. Decorative elements include two circular metal wall plaques and a metal name plate. There is a personnel door to the side of the arch.

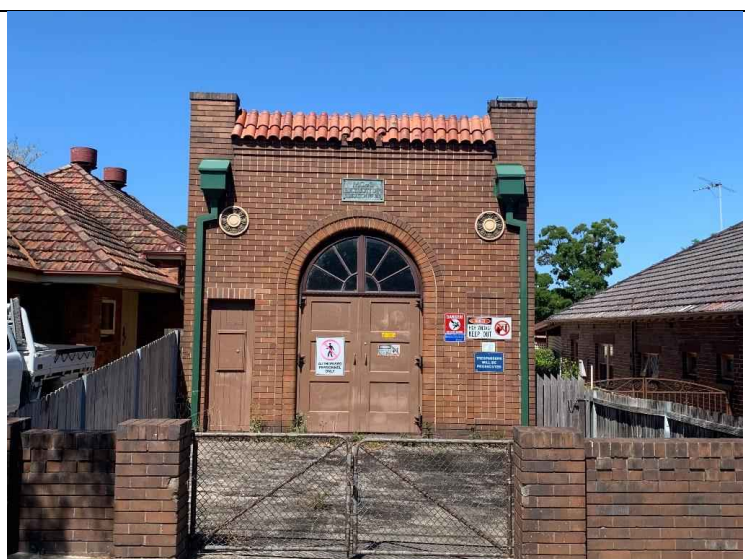
The Angel Road substation is constructed in face brick with bull-nosed brick edging to the arch and the jams of the personnel entrance. The parapet is capped with ceramic tiles.

History: The Angel Road substation is a purpose designed and built structure completed 1930. A metal name plaque reads, "M.C. of S. ELECTRICITY DEPT. SUBSTATION No. 294". The substation is typical of those built by the Municipal Council of Sydney in the 1920s during the rapid roll-out of electricity to Sydney's suburbs.


<p>No. 308 – 2B Cooper Street</p>	<p>c.1929</p>	
---	---------------	--

Description: A single storey purpose built brick substation constructed circa 1929. The front façade has a large arched central doorway lined with bullnosed bricks. Double metal doors provide access and are designed to resemble panelled timber doors. An arched timber fanlight window is located above the doors. The structure is roofed with terracotta tiles.

History: A purpose built electricity substation constructed by the Municipal Council of Sydney circa 1929. It is typical of substations constructed by the MCS throughout suburban Sydney during the roll-out of electricity to the suburbs in the 1920s and 1930s.

<p>No.313 – 4 Badminton Road</p>	<p>1930</p>	
--	-------------	--

Description: The Badminton Road substation is a double height building set back from the street behind a low brick wall. It has a symmetrical façade designed in a mixture of the Interwar Georgian Revival and Mediterranean styles. The main feature of the façade is the central arched original entrance panelled door with top lights over. Stylistic elements include curved ceramic tile parapets with corbelled brick cornices, and tuck-pointed brickwork. Decorative elements include two circular metal wall plaques and a metal name plate. There is a personnel door to the left of the arch, and a blank window panel with straight-coursed bricks to the right.

<p>The Badminton Road substation is constructed in face brick with bullnosed brick edging to the arch. The parapets are capped with ceramic tile. It retains the original entrance doors and top lights over.</p> <p>History: The Badminton Road substation is a purpose designed and built structure completed 1930. A metal name plaque reads, "M.C. of S. ELECTRICITY DEPT. SUBSTATION No. 313". The substation is typical of those built by the Municipal Council of Sydney in the 1920s during the rapid roll-out of electricity to Sydney's suburbs.</p>	
<p>No.319 – 1930 Liverpool Road. 5 Burwood Road</p>	
<p>Description: The Liverpool Road substation is a double height building with a symmetrical façade and designed in a mixture of the Interwar Georgian Revival, and Mediterranean styles. Two large arched plant access doorways are located on the street façade. Stylistic elements include a colored ceramic tiled parapet with a corbelled brick cornice, and tuck-pointed brickwork.</p> <p>The Liverpool Road substation is constructed in a dark face-brick. Elongated bull-nosed bricks form the two arched entrances. The parapet is capped with ceramic tiles.</p> <p>History: The Liverpool Road substation is a purpose designed and built structure dating from 1930. A metal name plaque reads, "M.C. of S. ELECTRICITY DEPT. SUBSTATION No. 319". It is typical of the substations built throughout Sydney during the 1920s and 1930s by the Municipal Council of Sydney.</p>	

Historical Context

Pre-Contact

The following Pre-Contact history has been extracted from the Burwood Council website.

The story of Burwood commences with the original owners of our island nation – the Aboriginal people. Long before the convict history and early European settlers, Aboriginals lived in harmony with nature. Archaeological evidence suggests that Aboriginal people occupied the area in and around Sydney at least 11,000 years ago and they may well have been there much longer.

The Aboriginals in Sydney belonged to two tribes; the 'Kuringal' or 'Eora' tribe who were coastal dwellers, and the 'Dharug' tribe who lived further inland to the foothills of the Great Dividing Range. Within these two tribes were specific clans or extended family groups.

The Aboriginals who lived in our neighbourhood, were known as the Wangal people. The Aboriginal leader Bennelong was a member of the Wangal clan.

Although the Wangal travelled about to trade and search for food, their territory was the land on the southern bank of the Parramatta River. Their boundaries extended to the west of Iron Cove to as far as Homebush Bay, with a southern boundary along the watershed between Cooks River and Sydney Harbour

The British First Lieutenant William Bradley writes in his journal about seeing a number of Wangal people along the banks of the river around Mortlake in 1788. When his exploration party stopped for breakfast on the opposite bank, a group of seven Wangals came over in canoes to meet them. "They left their spears in the canoes and came to us" wrote Lieutenant Bradley. When the Europeans had left, the Wangal people used the Europeans' fire to cook mussels they had gathered from surrounding rocks.

European invasion forced the retreat of the Wangal into alien territory, depriving them both of their source of food and spiritual connection with their country.

Development of Burwood

The following historical information has been extracted from the Heritage Impact Statement for 15 Appian Way by John Oultram in September 2021 – with Burwood Council edits. All references are contained in the original document.

The land which now includes The Appian Way, is sited within that part of Sydney granted to William Faithful in 1808. Faithful (1774-1847) was a private in the New South Wales Corps who had arrived in the penal colony in 1792. When discharged in 1799 he became the estate manager for Captain Foveaux. The new road to Liverpool (the Hume Highway) was put through Faithful's grant in 1815. At that time the 200 acres to the north of the road was purchased by Alexander Riley, and the land to the south of the road was regranted to Simeon Lord.

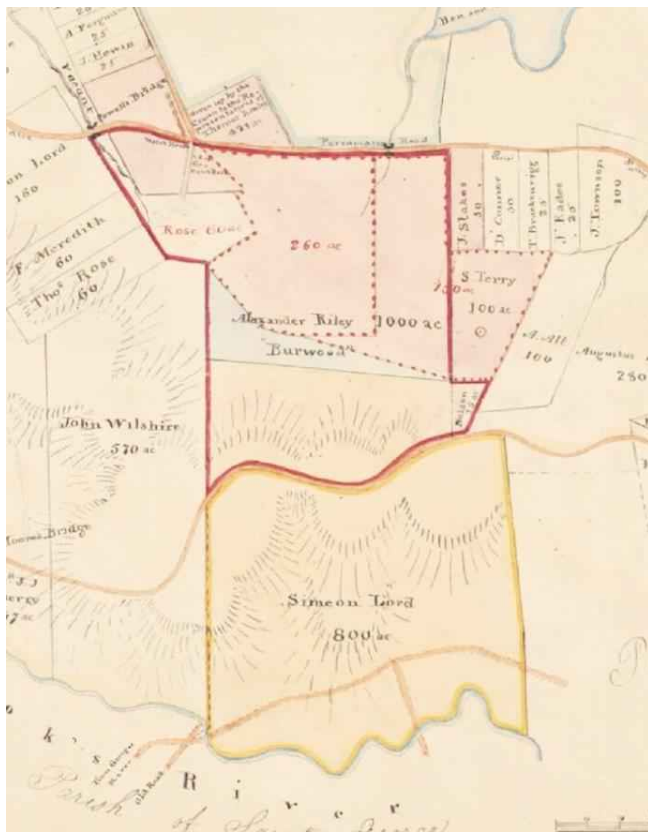


Figure 1 - This sketch survey was drawn in 1840 to show the various exchanges of land at Burwood. It recorded Faithfull's grant in yellow tint showing where Simeon Lord acquired the area south of Liverpool Road, and the area to its north now being Riley's Burwood. SLNSW

Riley (1778–1833) had arrived in Sydney in 1804 and was one of the first of the free settlers with capital to migrate to the colony. By 1809 he had settled on his grant beyond Liverpool named Raby and developed a pastoral industry there based on wool. Riley had purchased the late Captain Thomas Rowley's Burwood estate, then comprising 750 acres, in 1812. At Burwood, Riley erected around 1812 a bungalow near the Parramatta Road boundary of his estate. The bungalow (demolished in 1937) and its timbered setting were depicted in the well-known painting by Joseph Lycett published in London in 1825. This vast estate with its extensive tree cover developed into something of a resort for Sydney's bushrangers in the mid-1820s, striking at travellers on the main roads to Liverpool and Parramatta and then retreating into the bush to evade capture.



Figure 2 - Joseph Lycett's painting of Riley's Burwood Villa, published in London in 1825. NLA

Following Riley's death in 1833, Rowley's children successfully claimed entitlement to the aforementioned 750 acres. That estate was divided then between Thomas Rowley (junior), John Rowley, John Lucas (the husband of Mary Rowley), and Henry Sparrow Briggs (the husband of Eliza Rowley), while the 200 acres formerly of Faithful's grant was shared equally between them.

Over the 1830s and 1840s small areas of Burwood were released for sale by the Rowley descendants. These sales were mainly along the arterial roads leading to Liverpool and Parramatta and the purchasers in many instances were involved in trade associated with the road, such as coaching inns and other licensed premises. The bulk of the Rowleys' Burwood was subdivided in 1854 with the release of the Burwood Estate and Cheltenham Estate.

These land releases were made in anticipation of the opening of the railway station at Burwood, which opened in September 1855 on the line between Sydney and Parramatta; with Burwood being one of four (Newtown, Ashfield, and Homebush) immediate stations at the time of the opening. Prior to the development of the suburban network of railways (and tramways) the population of Sydney was largely confined to the city and surrounding villages.

The population in the city rose markedly in the 1850s owing to the Gold Rush and migration; between 1851 and 1856 the population in the city wards increased by twenty per cent while the number of new houses completed over the same period was twelve per cent.²

The railway provided the means for people to live in suburbs and commute to the city to work.

The allotments in these Burwood land releases were large at between four to 10 acres and intended more for farmlets or subsistence farming. Re-subdivision of these blocks into suburban allotments commenced soon after: in 1858 in the area beside the railway station.³

One outcome of this closer settlement was the incorporation of the district as Burwood Council in 1874 after some five years of debate.

Around the railway station and along Burwood Road a commercial and civic nexus soon developed. Being private land releases no reserves were made for civic services and these developed where they could. The site for St Paul's Anglican Church for example was purchased by the parish in 1872. The local public school, opened in 1871 after a false start in 1858, was located some distance to the west. A local post office opened in 1861, Burwood Park was acquired in 1878, etc.

Electrical Systems in Sydney and Substation Development

The 2008 FuturePast Heritage Consulting P/L review of the Energy Australia S.170 register (FuturePast Report) includes a comprehensive and detailed account of the establishment and expansion of the electricity supply network in Sydney, Newcastle and beyond. The following overview of the history has been extracted directly from that report.

The history of electricity supply in Sydney and NSW generally is rooted in the actions of local government, either operating singly or coming together with other municipalities to create regional authorities known as 'county councils. The earliest efforts in electricity supply were those of individual councils such as Sydney and Newcastle seeking to supply street lighting and, later, private light and power, to their central areas. This was often in competition with gas, which was in general supplied by private companies which operated local monopolies. Demand quickly grew in all areas where electricity became available and the local enterprises progressively expanded to supply areas outside their initial administrative boundaries. This expansion and desire for cooperative enterprises across local government boundaries led to the creation of the 'county council' system.

The power to establish county councils came with the introduction of the Local Government Act 1919. While county councils could be formed to deal with a range of issues, including noxious weed management or town planning, the vast majority were for the provision of utility services. This was primarily electricity supply but in some cases included water supply and sewerage.

Larcombe, in his history of NSW local government, notes that the takeover of local council functions by county councils were sometimes controversial and resisted, although this seems to have been more an aspect of rural councils than urban councils. Some councils chose to provide electricity services on their own, such as Redfern Municipal Council and Bankstown Municipal Council. These smaller entities were however progressively purchased by or amalgamated with larger authorities, as happened with less populous county councils from the mid-20th century. These amalgamations of smaller electricity authorities were mainly to do with efficiency and economics, with larger systems able to both better manage load and have access to better bulk supply rates for power. Similarly, private commercial electricity enterprises were progressively acquired by government. By the 1990s, the county council system was all but defunct and the remaining larger county councils concerned with electricity supply were transformed into corporatised utility enterprises.

At the same time, competition was introduced into electricity supply and private electricity enterprises re-entered the Sydney region.

Administratively, EnergyAustralia developed out of the following principal entities:

- Municipal Council of Sydney / Sydney County Council
- Balmain Electric Light and Power Supply Corporation Ltd
- St George County Council
- Mackellar County Council
- Brisbane Waters County Council
- Shortland County Council / Orion Energy

Electricity was originally supplied in the central Sydney area by the Municipal Council of Sydney (MCS). While limited one-off electrical installations had been used for special events or to supply power to individual sites in the city in the 19th century, it was not until 1904 that the MCS began producing and distributing electric light and power. The first power station was built at Pyrmont and commenced operation in 1904. That power station was decommissioned in 1961 and is now the site of the Powerhouse Museum.

This supply was supplemented with power purchased from the Railway Commissioners power station at White Bay and later with a second Council-operated power station at Bunnerong.

The MCS supplied electricity to retail customers around the inner city, Inner West (including Burwood) and Lower North Shore and provided bulk power to outer western and northern suburbs such as Penrith, Hornsby and Manly. As was typical for early electricity providers, the MCS was a vertically integrated business, responsible for all aspects of the electricity network, including generation, transmission, distribution and retailing of electricity. In addition, the MCS and, subsequently, the Sydney County Council, were retailers of household electrical appliances.

The MCS initially competed against a number of private electric supply companies, most of which were acquired by 1914. These included the Empire Electric Light Company, the Strand Electric Light Company, the Imperial Arcade Electric Light Company and the Oxford St Electric Light Company, the Redfern Electric Light Company and the Palace Electric Light Company.

These were mainly small-scale private operations supplying power principally to commercial and industrial customers.

In all cases, the MCS acquired the customers and the goodwill only; the assets were disposed of by the companies, which were contractually obligated to not allow the assets to be reused for electricity supply purposes within the MCS's area of operations. The sole surviving asset from this period of private power generation appears to be the former Redfern Municipal Power Station, which has been converted into office space and is in private hands.

The exception to these acquisitions was the private Electric Light and Power Supply Corporation (ELPSC), which was based in Balmain, operated the Balmain Power Station and supplied electricity to some inner city Sydney suburbs.

The MCS Electricity Department was recast as the Sydney County Council (SCC) in 1935, with broad responsibility for electricity supply across the Sydney region. There was a rapid expansion in the electricity distribution network throughout this period, with 40-50 substations constructed annually.

The substations tended to be of the prevailing architectural style of the day and many examples built during a given period are practically identical in both interior and exterior design. Smaller regional providers, such as the Bankstown Municipal Council electricity undertaking and the Sutherland Shire Council undertaking were progressively taken over by the SCC following a major review of the electricity supply systems in the greater Sydney area.

The St George, Mackellar and Brisbane Water County Councils were amalgamated under the SCC banner in 1980. The scale of the SCC operation consistently made it the largest local authority in Australia throughout the second half of the 20th century.

In 1991 the SCC was reconstituted as a statutory authority and became Sydney Electricity. Sydney Electricity was ultimately merged with the Hunter regional electricity authority Orion Energy (previously known as Shortland Electricity) and corporatised to become EnergyAustralia in 1996.

In March 2011, TRUenergy acquired the EnergyAustralia retail customer base and the electricity network business formerly known as EnergyAustralia was renamed Ausgrid.

Substation Context

Electricity distribution substations were generally built as modest 1 or 2 storey buildings, with Zone Substations considerably larger in scale. These were often supplemented with pole or outdoor substations. Pole substations consist of one or more transformers mounted on one or more electricity poles. In urban areas, these type of substations were often used as temporary measures during periods of rapid expansion of the distribution network. In rural areas the pole substation was generally the norm. Some continue in use to the present day though generally enclosed metal kiosk substations are preferred, particularly as they tend to be less visually intrusive and are easier to maintain. Outdoor substations are generally open air compounds of transformers and other electrical switching equipment contained in a fenced or brick-walled compound, generally unroofed. These are also still in use, but tend to be located within industrial areas.

Early on, MCS substations were constructed mainly by the City Building Constructor, using day labour, but many substations were tendered out to private construction firms. The details as to who constructed the substations for the other electricity authorities dealt with in this report are not recorded, but it likely involved a combination of construction by private contractors and employees of the undertakings. Substations for large industrial sites were often built by the industrial enterprise on its own land, then leased back to the electricity provider at a nominal rent for 20 or more years. Most substations were built of brick, although occasionally corrugated metal was used. It is not uncommon to find brick distribution substations within commercial and residential areas throughout Sydney and Newcastle.

In the early 1930s, there was an extensive program of reroofing many Sydney area substations which had been built with timber roofs, due to fire risk. While the new roofing material is not specified, it is likely this included new metal roof trusses and corrugated metal or asbestos roof sheeting. Similarly, doors and windows in substations were regularly modified; this continues to the present day. Modifications often included replacing timber windows with vents to improve internal ventilation, blocking of windows with masonry to

address noise issues and the addition of security screens. Windows were also blocked up where there was a potential danger to the public from a blast, in the event of a transformer explosion. Timber doors were often replaced with metal doors or roller doors, for security and access reasons. The situation differed somewhat in the Hunter Valley, where electricity arrived in some areas much later than Sydney. In many cases, the early infrastructure was housed in corrugated metal sheds or were pole transformers, which were progressively upgraded and replaced with brick buildings in the mid-20th century. Due to the ephemeral nature of the construction materials used in the Hunter region, no examples of the earliest types of substations survive. The replacement of substation building components continues into the present, with an active program of replacing asbestos roofs (with corrugated metal), installing fire rated doors and improving ventilation.

The style and nature of substation construction became progressively more standardised as the electricity network expanded. While the earliest substations tended to be large, well ornamented public buildings, as they became more commonplace, substations became smaller and simpler. This reflected several things, including the need for cost-effective construction methods, the reduction in size of electrical equipment and the speed with which substations needed to be constructed to keep pace with demand. While early substations were often purpose-designed and built for a specific location, by the late 1920s the trend was for standardised designs built to a similar size and generally designed to fit on a standard suburban subdivision block, typically 100-200 m². Designs did keep pace with architectural trends and it is possible to identify a number of different and distinct architectural styles of substations. One-off designed substations did continue to be built well into the mid-20th century though these tended to be restricted to what the SCC referred to as “high class” suburbs in Sydney’s east. The number of substations constructed in the Sydney region exploded from the late 1920s, with dozens of substations being constructed in any one year to cope with expanding demand. This means that, while in the early years of network construction many substations had unique characteristics and were sited in response to a particular need, from the late 1920s standardised designs were generally used and expansion was based on a need to establish and expand the electricity grid rather than in response to localised or site-specific issues. In a heritage management sense, this means that in many instances substations are essentially identical within their temporal and stylistic groupings.

By the 1950s the trend towards architecturally designed and detailed substations was exhausted. From that point on, the freestanding metal kiosk-style substation was progressively introduced, while buildings, where they were constructed, tended towards strictly functional unadorned brick enclosures. Substation design was also influenced by the general changes in Australian building construction in the mid-20th century. The trend towards larger steel and concrete buildings saw “chamber”-style substations incorporated directly within new buildings. In such circumstances the electricity provider had little or no input into the architectural style of the substation chamber, merely supplying technical requirements which influenced the location and size of the substation within the new building. This trend also saw smaller older-style substations demolished in some areas and replaced with new chamber substations incorporated into a new development. This style of construction is commonplace today, particularly in high density urban areas.

Energy Australia’s older substations range from very finely detailed to very plain and functional. The early government-run electrical authorities were aware of the need to make substations in residential areas attractive and in keeping with the surroundings, and an architect joined the substation design area of Sydney County Council in 1936. By contrast, the modern trend is to make substations essentially invisible, through incorporating them into

larger buildings, placing them wholly underground or within anonymous small steel boxes which tend to be ignored in urban environments.

The exception to this continues to be the zone substations and high voltage switchyards, which continue to require large buildings or areas of land to house equipment. Historically, better quality buildings tended to be reserved for what the MCS referred to as “high class” suburbs (e.g. Woollahra and Mosman) while middle- and working-class suburbs generally received much simpler, functional buildings. Designs tended to be reused, sometimes with only minimal variation. There are also marked stylistic differences between substations constructed by government as opposed to those constructed by the ELPSC throughout the first half of the 20th century. The ELPSC substations tend to be functionalist brick boxes with only the slightest degree of architectural detailing or ornamentation, whereas the substations constructed by municipalities, while often reusing the same underlying design with minor variation, tend to be more finely detailed and in many instances are designed to match the architecture of the surrounding area. This may reflect the different nature of the competing priorities of a private as opposed to a government enterprise.

Existing Heritage Context

This assessment has excluded two substations within the Burwood LGA (38 Russell Street, Strathfield & Belmore Road Nr Burwood Road) as they were previously identified as not meeting the threshold for listing on the former Energy Australia Heritage and Conservation Register Review Project, conducted by FuturePast and Energy Australia in 2008

At present, seven of the substations are listed as items of local significance on the Ausgrid Section 170 Heritage Register.

Two substations are located within existing Heritage Conservation Areas:

- 32 Wallace Street – *Wallace and Brady HCA (C20 BLEP 2012)*
- 4 Badminton Road – *Badminton Road to Culdees Road HCA (C2 BLEP 2012)*

Section 170 of the NSW Heritage Act 1977 requires that all State Agencies establish and keep a register entitled "Heritage and conservation Register" (S.170 Register). By inclusion on the S.170 Register it is best practice that there is an accompanying heritage inventory sheet which is usually available to the public on the relevant State agency website or the Heritage NSW website.

Clause 22 of the Heritage Regulation 2012 prescribes the following classes of items are to be included on a S.170 Register:

- a) Items that are listed as heritage items under an environmental planning instrument made under the Environmental Planning and Assessment Act 1979,
- b) Items that are subject to an interim heritage order,
- c) Items that are listed on the State Heritage Register,
- d) Items identified by the government instrumentality concerned as having State heritage significance.

As the substations do not meet points a to c and do NOT have 'State' heritage significance, Ausgrid is obliged to remove them from the Section 170 Register.

This would mean that most of the substations would have no heritage protection or acknowledgement.

It is noted that many Councils across NSW have acted in the past 12 months to include their substations on their LEP.

Heritage Assessment – Grouped Item

Table 2 – Grouped Item Heritage Assessment

NSW Heritage Criteria	Assessment
<p>Historical</p> <ul style="list-style-type: none"> ▪ important in the course, or pattern, of Burwood's cultural or natural history 	<p>The seven electricity substation buildings which have been included in this assessment are historically significant as examples of the critical electricity infrastructure built by the Municipal Council of Sydney/Sydney County Council during the rapid expansion of the suburban electricity network into the Burwood LGA in the 1920s and 1930s.</p> <p>The substations <u>therefore meet the threshold for Historical Significance.</u></p>
<p>Associative</p> <ul style="list-style-type: none"> • 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 	<p>This assessment has not uncovered any evidence to suggest that the substations are connected to or have strong links with groups or people of importance in relation to Burwood LGA.</p> <p>The substations would not meet the threshold for listing under this criterion.</p>
<p>Aesthetic or Technical</p> <ul style="list-style-type: none"> • important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in Burwood 	<p>All seven substations included in this assessment have a high degree of intactness in their structure and mostly their setting. Five of the seven substations are similarly designed in a mixture of the Interwar Georgian Revival and Mediterranean styles.</p> <p>The other substations (Cheltenham Road) is in the Art Deco design, while Iceton Street is in Stripped Classical design. The substations provide a different architectural style in their locations, mostly nestled within bungalow or other Federation dwellings</p> <p>The substations <u>meet the threshold for aesthetic significance.</u></p>
<p>Social</p> <ul style="list-style-type: none"> ▪ strong or special association with a particular community or cultural group in Burwood (social, cultural or spiritual reasons) 	<p>The grouped substations are not associated with any particular community or social group within the Burwood LGA.</p> <p>Therefore <u>the substations do not meet the threshold for Social significance.</u></p>
<p>Research Potential</p> <ul style="list-style-type: none"> • potential to yield information that will contribute to an understanding of Burwood's cultural or natural history 	<p>The likelihood of the substation sites giving rise to any unexpected findings or additional research information not readily available elsewhere is low.</p> <p>The substations do not meet the threshold for Research Potential.</p>
<p>Rarity</p>	

NSW Heritage Criteria	Assessment
<ul style="list-style-type: none"> ▪ possesses uncommon, rare or endangered aspects of Burwood's cultural or natural history 	<p>Of the seven substations, only two, Cheltenham Road (designed in Art Deco Style) and Iceton Street (designed in Stripped Classical), meet this criterion.</p>
<p>Representative</p> <ul style="list-style-type: none"> ▪ important in demonstrating the principal characteristics of a class of Burwood's cultural or natural places, or cultural or natural environments 	<p>All seven substations are representative examples of the electricity infrastructure constructed as part of the very fast expansion of delivering electricity to residents of Burwood in the 1920s and 1930s.</p> <p><u>Therefore, the substations are considered to have met the threshold for representative significance.</u></p>

Statement of Significance

The electrical substations included in this assessment all demonstrate historical, aesthetic and representative heritage significance.

They meet historical significance due to their ability to demonstrate the fast growing demand for electricity in the Sydney and wider regions during the first half of the 20th Century. They demonstrate how local distribution of electricity was organised at that time and the similarity in design of a new building typology across Burwood and the broader Sydney area.

They meet aesthetic significance due to their unique design as a building typology – infrastructure nestled within residential dwellings. The substations in Burwood LGA (which form part of this report) are all generally intact. The majority (5) are designed in the Interwar Georgian Revival with Mediterranean influences. These present attractive one storey and double height small buildings, with fanlights, arches and Spanish profile terracotta roof tiles.

Two substations, Cheltenham Road (Art Deco) and Iceton Street (Stripped Classical) also meet the Rarity criterion as being the only substations built in their respective styles in the Burwood LGA.

Finally, the seven substations all meet the threshold as Representative examples of the electricity substation typology of the first half of the 20th Century, in design and location.

ITEM NUMBER 1/23 - ATTACHMENT 3

Burwood LGA Ausgrid Substations - Heritage Assessment - February 2023

Ausgrid Substation Review – Heritage Listing

Summary Significance Matrix

Substation No. & Address	Historical	Associative	Aesthetic or Technical	Social	Research Potential	Rarity	Representative
<i>No.48 – Cheltenham Road. 1A Princes Street</i>	✓	✗	✓	✗	✗	✓	✓
<i>No. 241 – 12 Icton Street</i>	✓	✗	✓	✗	✗	✓	✓
<i>No. 250 – 32 Wallace Street</i>	✓	✗	✓	✗	✗	✗	✓
<i>No.294 – 25A Angel Road</i>	✓	✗	✓	✗	✗	✗	✓
<i>No. 308 – 2B Cooper Street</i>	✓	✗	✓	✗	✗	✗	✓
<i>No.313 – 4 Badminton Road</i>	✓	✗	✓	✗	✗	✗	✓
<i>No.319 – Liverpool Road. 5 Burwood Road</i>	✓	✗	✓	✗	✗	✗	✓

Conclusion and Recommendations

This assessment has determined that all seven substations which have been included in this review meet the threshold for *at least* three of the NSW Heritage Council's heritage significance criteria. Given the substations are all one building typology, it is prudent that Council lists these as a group listing (rather than individual listings).

It is recommended that the following substations be included in Schedule 5 of the *Burwood Local Environmental Plan 2012* as a grouped heritage item. The Inventory Sheet will include descriptions of each substation (as included above) and identify that the heritage curtilage applies to each allotment.

- *Substation No.48* – Cheltenham Road/1A Princes Street, Burwood. DP449839 Lot 1
- *Substation No. 241* – 12 Icton Street, Burwood. DP607950 Lot 13
- *Substation No. 250* – 32 Wallace Street, Croydon. DP319038 Lot 1
- *Substation No.294* – 25A Angel Road, Strathfield. DP325573 Lot 1
- *Substation No. 308* – 2B Cooper Street, Strathfield. DP324150 Lot 1
- *Substation No.313* – 4 Badminton Road, Croydon. DP324990 Lot 1
- *Substation No.319* – Liverpool Road/5 Burwood Road, Enfield. DP574784 Lot 1

(Item 2/23) Review of the Burwood Development Control Plan Section 5.4 - Boarding Houses and Co-Living Housing

File No: 22/37042

Report by Director City Strategy

Summary

The *State Environmental Planning Policy (Housing) 2021* (Housing SEPP) came into force at the end of 2021 and included changes to requirements for boarding house developments, as well as the introduction of a number of new housing typologies, including co-living housing.

The changes in the Housing SEPP have necessitated an amendment to Section 5.4 Boarding Houses of the Burwood Development Control Plan (Burwood DCP) for boarding houses, as well as introducing objectives and development controls for co-living housing.

The proposed amendments to the Burwood DCP aim to ensure that the strong objectives and practical controls are available to ensure new developments are of a high quality, consistent with streetscape character and capable to provide appropriate amenity for residents of these developments.

Operational Plan Objective

A.32 Undertake a comprehensive review of the Development Control Plan (DCP) 2013 and prepare a user friendly and interactive DCP

Background

State Environmental Planning Policy (Housing) 2021 (Housing SEPP) was gazetted on 26 November 2021 and aims to provide a mechanism for the delivery of affordable and diverse housing.

The Housing SEPP replaces the *SEPP (Affordable Rental Housing) 2009* (ARH SEPP) and *SEPP (Housing for Seniors and People with a Disability) 2004* (Seniors Living SEPP). The Housing SEPP:

- Brings together those SEPPs which share the theme of housing into a single SEPP
- Streamlines a number of provisions, particularly those relating to boarding houses and seniors housing
- Introduces two new housing types, co-living housing and independent living units (seniors housing)

The Housing SEPP provides requirements for the following types of residential development:

- Boarding houses
- Co-living housing
- Build-to-rent housing
- Seniors housing
- Secondary dwellings (granny flats)

An overview to the changes to the Housing SEPP is included at **Attachment 1**.

Prior to the gazettal of the Housing SEPP, Council, at an Extraordinary Meeting on 9 September 2021 considered a Mayoral Minute (MM25/21) on the topic of boarding houses. In this Mayoral Minute, the Mayor acknowledged the contribution that boarding houses make to the diversity of housing choice within the Burwood LGA, however raised concern with the size and scale of boarding houses that were being proposed, and the negative impacts that these developments might have upon the character and amenity of Burwood's residential areas.

As a result of the Mayoral Minute, Council resolved (in part) the following (111/21):

3. *As part of a future report outline and recommend the process by which acceptable amendments to either LEP or DCP controls in relation to Boarding House controls should be made.*

This report specifically relates to boarding house and co-living housing developments.

Housing SEPP – Boarding House vs Co-Living Developments

Boarding houses

Prior to November 2021, boarding houses under the ARH SEPP were a permitted use in the R2 Low Density Residential zone under Burwood LEP 2012. At this time, a boarding house development in the R2 zone was limited to a maximum of 12 rooms and the application had to be supported by an assessment of the development in the context of the streetscape. There were also provisions which permitted reduced car parking where developments were situated in an accessible area (close to public transport) or were within a 400m walking catchment to a centre.

The key changes between the ARH SEPP and the Housing SEPP, with respect to boarding house development is that:

- the definition of boarding houses has been amended to require that boarding houses must be operated and managed by a registered Community Housing Provider (CHP), which ensures that they are built and remain affordable as the rents are capped; and
- boarding house developments are no longer permitted in the R2 Low Density Residential zone in Burwood LEP 2012.

A boarding house under the Housing SEPP is defined as:

boarding house means a building or place—

(a) *that provides residents with a principal place of residence for at least 3 months, and*
 (b) *that contains shared facilities, such as a communal living room, bathroom, kitchen or laundry, and*

(c) *that contains rooms, some or all of which may have private kitchen and bathroom facilities, and*

(d) *used to provide affordable housing, and*

(e) *if not carried out by or on behalf of the Land and Housing Corporation—managed by a registered community housing provider,*

but does not include backpackers' accommodation, co-living housing, a group home, hotel or motel accommodation, seniors housing or a serviced apartment.

A boarding house must be used as affordable housing in perpetuity and development consent cannot be granted to subdivide a boarding house. It should be noted that this does not apply to any boarding house that was assessed and approved under the previous ARH SEPP.

This type of development is now prohibited in the R2 Low Density Residential zone under the Burwood LEP 2012. This was as a result of an amendment made to the ARH SEPP in November 2021. This amendment was in conjunction with an amendment to the Standard Instrument LEP which prohibited boarding houses generally in the R2 – Low Density Residential zone.

The land use was retained in the R2 Low Density Residential Zone only where Council's requested that it be retained. Burwood Council did not "opt in", and as a result the Burwood LEP 2012 was amended to remove "boarding houses" as a permissible use in the R2 zone.

Co-living housing

Co-living housing has been introduced as a new housing type in the Housing SEPP and is supported by a standard definition. Prior to its introduction, co-living housing was effectively being delivered using the boarding house provisions of the ARH SEPP.

Co living housing under the Housing SEPP is defined as:

co-living housing means a building or place that—

- (a) has at least 6 private rooms, some or all of which may have private kitchen and bathroom facilities, and
- (b) provides occupants with a principal place of residence for at least 3 months, and
- (c) has shared facilities, such as a communal living room, bathroom, kitchen or laundry, maintained by a managing agent, who provides management services 24 hours a day, but does not include backpackers' accommodation, a boarding house, a group home, hotel or motel accommodation, seniors housing or a serviced apartment.

Under the Housing SEPP, co-living housing:

- must provide a primary place of residence for all occupants – it may not be used for short-term tourist and visitor accommodation
- has private room sizes from 12m² for a single person or 16m² for a couple, excluding any space used for private kitchen or bathroom facilities
- may have as few as 6 private rooms but most co-living housing developments will typically have around 30 to 40 private rooms
- must provide indoor and outdoor communal space for residents to relax and socialise
- must provide adequate kitchen, bathroom and laundry facilities for all residents, either as private or shared facilities
- must have a manager, who will be responsible for implementing the plan of management for the property. The manager does not have to be always on site, but must be contactable by phone 24/7.

The Housing SEPP also provides for floor space incentives for co-living housing – the controls allow consideration of up to 10% additional floor space (above Council's controls). Car parking controls are consistent with the previous requirements for boarding houses under the ARH SEPP.

This type of development is prohibited in the R2 Low Density Residential zone under the Burwood LEP 2012, but permitted in all other zones.

Proposed Amendments to Section 5.4 of Burwood DCP

As outlined above, the Housing SEPP now prohibits boarding houses and co-living housing developments in the R2 Low Density Residential zone under the Burwood LEP 2012, however it is acknowledged that Council may still receive applications for alterations and additions to existing boarding house developments.

As a result of the amendments to the SEPP outlined above, a review of the existing provisions under the Section 5.4 of the Burwood DCP has been undertaken. The proposed amendments apply specifically to boarding house and co-living development and aim to:

- remove obsolete provisions to reflect the current legislative requirements;
- introduce robust objectives that are outcome-oriented;

- introduce new provisions that close the gap between controls in the Housing SEPP and strengthen Council's planning framework;
- introduce objectives and controls for co-living housing developments;
- ensure that the DCP provisions align and are not inconsistent with the requirements of the Housing SEPP;
- introduce robust objectives and clear controls to ensure good built form outcomes; and
- update requirements to ensure reference to current standards, Acts etc. are up-to-date.

The amended version of Section 5.4 of the Burwood DCP has been restructured so that it provides a clear and logical transition through the development design process.

A copy of the proposed amended Section 5.4 of Burwood DCP is included at **Attachment 2**.

Table 1 below provides a summary of each of the proposed provisions that sit under each of the key headings within the Chapter. Each of the provisions under these headings is supported by overall objectives:

Table 1: Summary of Proposed Provision Structure – Section 5.4 of Burwood DCP

Proposed Provision Structure	Summary
Site Planning	<p>Includes minimum site area and frontage requirements for boarding house and co-living housing developments.</p> <p>Objectives have been introduced to support the controls.</p> <p>A new provision has been included relating to site isolation. This is to ensure that applicant/ developers consider the amalgamation of sites so as to limit isolation of sites.</p>
Local Streetscape Character	<p>Streetscape character provision are proposed to be introduced to require that the applicant to undertake a detailed site analysis and consider the proposal in the context of the streetscape.</p> <p>This assessment of the character of the local area will be required to be submitted as part of the Development Application documentation. Guidance on the key characteristics required to be considered are included to ensure that designers analyse and take into consideration before providing a design response. A specific provision has also been included to address development in the vicinity of a heritage item or within a conservation area.</p>
Design Excellence	<p>Included to respond to the recommendations made by the Burwood Design Review Panel (BDRP), this provision replicates the existing design excellence provision in Burwood LEP 2012 and ensures that where the LEP provision does not apply to the site, consideration is still given to design excellence, by including objectives and provisions in the DCP.</p>
Built Form Design	<p>This part includes detailed floor to ceiling height controls and numerical setback controls are introduced for boarding house and co-living housing developments that are less than 3 storeys to ensure consistency with existing provisions for other development types. Additional controls have been introduced to strengthen the public domain outcome particularly at the street interface.</p>
Visual Appearance and Articulation	<p>Objectives and controls have been introduced to ensure building articulation across all elevations. In the absence of SEPP 65/ADG requirements, the DCP provides controls that aim to lift the quality of façade design of</p>

	boarding house and co-living housing developments.
Internal Design	These provisions provide controls which are in addition to the SEPP and include minimum provisions for uses within the individual rooms and common living areas and facilities.
Visual Privacy and Acoustic Amenity	Objectives and controls have been incorporated to mitigate potential negative impacts on visual privacy and acoustic amenity
Landscaping and Open Space	The Housing SEPP has high level controls relating to landscaping and open space. It is proposed to introduce additional objectives and provisions to ensure alignment with the ADG requirements. Landscaping deep soil requirements adapted from the ADG have been introduced and further detailed requirements with regards to location, design and amenity of private and communal open spaces are also included.
Parking	The Housing SEPP is silent on the provision of bicycle and motorcycle parking requirements. Council is committed to ensuring the delivery of active transport and considers it important that provision is made to ensure that facilities are provided for cyclists. It is proposed to introduce numerical rates for bicycle and motorcycle parking consistent with the previous rates under the former ARHSEPP
Operational Management	<p>A template Plan of Management (POM) is proposed to be introduced to ensure consistency across all developments with respect to the operational management of the boarding house and/or co-living housing development. A copy of the draft template Plan of Management is included at Attachment 3.</p> <p>The template of Plan of Management sets out the minimum requirements which would need to be addressed as part of the ongoing management and operation of the premises. The POM must accompany any development application for boarding houses or co-living housing development and will form as part of the development consent once approved.</p>
Fire Safety	Obsolete provisions with regards to BCA have been removed from this section. A new provision has been introduced to require the Emergency Evacuation Plan to be submitted with the Development Application.
Service Facilities	The design of building service facilities has been considered and controls for waste, mailbox, fire hydrant boosters, substations and mechanical ventilation are required to be integrated into the overall design of the development. There are already provisions in the Burwood DCP and this part of the DCP references these provisions.
Signage	Existing provisions have been maintained and relocated to the end of the section.

As part of this review, it is also proposed to amend a number of relevant provisions with regards to car parking rates under Section 3.9 and Section 4.6 to remove outdated provisions and ensure consistency with the car parking requirements under the Housing SEPP, which overrides the DCP provisions.

It is also proposed to update the requirements for the recycling waste generation rates for boarding house/co-living housing from 20L/occupant space/week to 60L/occupant space/week based on feedback received from Council's Manager Waste and Cleansing. These changes are based on

operational feedback and to align with the current trend in waste generation from previous boarding house developments.

The summary at **Attachment 4** provides a detailed provision-by-provision analysis of the proposed amendments to the structure and content of Section 5.4 and associated amendments to the relevant car parking and waste generation controls, and provides reasons for the proposed changes.

Consultation

Referral to Burwood Design Review Panel

The proposed amendments to Section 5.4 were referred to the Burwood Design Review Panel (Burwood DRP) meeting on 25 November 2022.

The Burwood DRP concluded that the proposed draft Section 5.4 was comprehensive and had included objectives and controls for all of the relevant requirements. They also unanimously supported the inclusion of objectives and controls relating to Design Excellence, which as outlined in Table 1 above have been incorporated into the proposed draft.

A copy of the Burwood Design Review Panel Meeting Minutes and Recommendations is included at **Attachment 5** and Council Officer's response to each recommendation is included at **Attachment 6**.

Internal Consultation - City Development

City Development staff were consulted in the preparation of the draft objectives and controls. Further engagement will be undertaken with the City Development team and other relevant staff within Council during the exhibition of the draft amendments to ensure that the objectives and controls deliver quality development.

Public Exhibition

In accordance with the requirements of the Environmental Planning and Assessment Act 1979 (the EP&A Act) and Environmental Planning and Assessment Regulation 2021 (the EP&A Regulation), Should Council endorse the amended Section 5.4 for public exhibition, it is proposed that it be publicly exhibited in accordance with the requirements of the EP&A Act and the Regulation for a minimum 28 days via the Participate Burwood platform

Any submissions received during the exhibition period will be considered as part of the post exhibition report.

In addition, and as part of our ongoing commitment to ensuring our community are engaged on planning matters and that we are seeking their feedback on important matters related to planning and development, we are proposing to host an information session on the proposed amendments to Section 5.4. An invitation will be extended to everyone who has an interest but the session will be designed to provide the industry (namely, developers and designers/architects) an overview of the objectives and controls and Council's expectations with respect to future design outcomes for co-living and boarding house developments.

Planning or Policy Implications

The proposed amendments to Burwood DCP are required to be publicly exhibited for a minimum 28 days in accordance with the *Environmental Planning and Assessment (EP&A) Regulation 2021* and Council's Community Participation Plan. A further report will be presented to Council following the completion of the exhibition period.

Financial Implications

No financial implications other than staff resources.

Conclusion

The current provisions in Section 5.4 Boarding Houses of the Burwood DCP are outdated and do not align with the requirements of the Housing SEPP.

The changes in the Housing SEPP have necessitated an amendment to Section 5.4 Boarding Houses of the Burwood Development Control Plan (Burwood DCP) for boarding houses, as well as introducing objectives and development controls for co-living housing.

The proposed amendments to Section 5.4 of the Burwood DCP aim to ensure that the objectives and controls for co-living housing and boarding house development deliver high quality development, consistent with streetscape character and provide appropriate amenity for residents of these developments.

It is recommended that Council endorse the proposed amendments to Section 5.4 of the Burwood DCP for the purposes of public exhibition. A further report will be presented to Council at the conclusion of the exhibition outlining any submissions received during the exhibition phase.

Recommendation(s)

1. That the draft amendments to:
 - Section 5.4 of the Burwood DCP, as included at Attachment 2;
 - the car parking rates for boarding houses in Section 3.9 and 4.6 of the Burwood DCP, as included at Attachment 4; and
 - the recycling waste generation rates for boarding houses in Section 8.1.6 of the Burwood DCP as included at Attachment 4be endorsed for the purposes of public exhibition and that they be exhibited in accordance with relevant Legislation and Council's Community Participation Plan.
2. That Council authorise the General Manager to allow further editorial or minor changes to draft amendments to Section 5.4 and other relevant sections as outlined in the body of this report of Burwood DCP considered necessary prior to the exhibition commences.
3. That following the exhibition of the proposed amendments outlined in (1) above, a report be brought to Council advising of the exhibition outcomes and making recommendations on the finalisation of the provisions for boarding house and co-living developments

Attachments

- 1 [↓](#) Attachment 1_Overview of the State Environmental Planning Policy (Housing) 2021
- 2 [↓](#) Attachment 2_Draft BDCP_5.4 Boarding House and Co-Living Housing
- 3 [↓](#) Attachment 3_Template for Plan of Management
- 4 [↓](#) Attachment 4_Table of amendments to Section 5.4 BDCP
- 5 [↓](#) Attachment 5_BDRP Meeting Minutes - Burwood DCP Section 5.4 Boarding House and Co-Living
- 6 [↓](#) Attachment 6_Council's Response to BDRP Recommendations

Overview of the State Environmental Planning Policy (Housing) 2021 (Housing SEPP)**Background**

The *State Environmental Planning Policy (Housing) 2021* (Housing SEPP) was gazetted on 26 November 2021.

The Housing SEPP replaces the *SEPP (Affordable Rental Housing) 2009* (ARH SEPP) and *SEPP (Housing for Seniors and People with a Disability) 2004* (Seniors Living SEPP). The Housing SEPP:

- Brings together those SEPPs which share the theme of housing into a single SEPP
- Streamlines a number of provisions, particularly those relating to boarding houses and seniors housing
- Introduces two new housing types, co-living housing and independent living units (seniors housing)

Importantly, the Housing SEPP provides controls for the following types of housing development:

- Boarding houses
- Co-living housing
- Build-to-rent housing
- Seniors housing
- Secondary dwellings (granny flats)

Summary of housing types under the Housing SEPP

The Housing SEPP provides controls with the aim to deliver more affordable housing. The Housing SEPP provides controls for the following housing types:

Boarding houses

The key change is that the definition of boarding houses has been amended to require that they are operated and managed by a registered Community Housing Provider (CHP), which ensures that they are built and remain affordable as the rents are capped.

This type of development is prohibited in the R2 Low Density Residential zone under the Burwood LEP 2012, but permitted in all other zones.

The Housing SEPP provides floor space incentives for boarding house developments – the controls allow consideration of up to 25% additional floor space (above Council's controls). Car parking is capped at 1 parking space per 5 rooms if the site is close to the public transport and 1 parking space per 2 rooms otherwise.

Co-living housing

Co-living housing has been introduced as a new housing type and is supported by a standard definition. Prior to its introduction, co-living housing was delivered using the boarding house provisions of the State Environmental Planning Policy (Affordable Rental Housing) 2009.

The Housing SEPP provides for floor space incentives for co-living housing – the controls allow consideration of up to 10% additional floor space (above Council's controls). Car parking controls are consistent with the requirements for boarding houses.

This type of development is prohibited in the R2 Low Density Residential zone under the Burwood LEP 2012, but permitted in all other zones.

Under the Housing SEPP, co-living housing:

- must provide a primary place of residence for all occupants – it may not be used for short-term tourist and visitor accommodation
- has private room sizes from 12m² for a single person or 16m² for a couple, excluding any space used for private kitchen or bathroom facilities
- may have as few as 6 private rooms but most co-living housing developments will typically have around 30 to 40 private rooms
- must provide indoor and outdoor communal space for residents to relax and socialise
- must provide adequate kitchen, bathroom and laundry facilities for all residents, either as private or shared facilities
- must have a manager, who will be responsible for implementing the plan of management for the property. The manager does not have to be always on site, but must be contactable by phone 24/7.

Built-to-rent housing

Build-to-rent housing is large-scale, purpose-built rental housing that is held in single ownership and professionally managed. There is no specific definition for build-to-rent housing other than the development will result in at least 50 dwellings occupied, or intended to be occupied, by individuals under residential tenancy agreements, and all buildings containing the dwellings are located on the same lot.

The provisions in the Housing SEPP:

- allow development to be used as build-to-rent housing anywhere that residential flat buildings is permitted, as well as in the B3 Commercial Core and B4 Mixed Use zones
- include minimum car parking rates and apply Councils' maximum car parking rates where relevant
- apply Council's height and floor space ratio standards
- prevent residential subdivision for 15 years in all zones, except the B3 zone where build-to-rent housing development can never be subdivided into separate lots in perpetuity.
- require active uses at street level in business zones for any part of a build-to-rent housing development that faces a road
- support the flexible application of the Apartment Design Guide, encouraging consideration of the amenity provided by common spaces and shared facilities

Seniors Housing

The seniors housing provisions, previously in the Seniors Living SEPP have been consolidated into the Housing SEPP. Seniors housing includes:

- Residential care facilities – sometimes also known as *nursing homes* or *aged care homes*. Residents receive full-time care.
- Independent living units – apartments or villas for seniors and people with disability. Residents can live independently.
- Hostels – includes single or shared residential accommodation staffed by support workers.

The key changes for seniors housing include:

- Bonus floor space incentives to encourage seniors housing developments in higher density areas. Incentives are between 15% and 25% bonus floor space above Council's controls.
- New internal and external communal space requirements, including at least 10sqm per bed for residential care facilities.
- Extending the moratorium on seniors housing in Heritage Conservation Areas until 31 December 2023.
- Allowing for subdivision of seniors housing in the R2 – Low Density Residential zones.
- Allowing all seniors living, including independent living unit developments in R2 Low Density Residential zones.

Secondary dwellings (granny flats)

The requirements for secondary dwellings have been transferred from the ARHSEPP without any changes.

Implications of the Housing SEPP for Burwood LGA

The introduction of the Housing SEPP has resulted in gaps and inconsistencies in our controls in the Burwood's DCP. City Strategy is currently undertaking a review of the requirements in the Burwood DCP to:

- Update the controls relating to boarding house development and, where appropriate include objectives and controls for co-living housing (these will be in addition to requirements under the Housing SEPP, but cannot be inconsistent with the Housing SEPP)
- Remove any inconsistencies in controls for boarding house (car parking requirements)
- Provide additional detail with respect to operational requirements (e.g. contents of the Plan of Management which are required to be submitted as part of a development application)
- Due to the requirement for Boarding Houses to be managed in perpetuity by a Community Housing Provider is anticipated that fewer applications for this use will be received. Instead applicants will adopt the Co-living House nomenclature.

5.4 Boarding Houses and Co-Living Housing

State Environmental Planning Policy (Housing) 2021 (Housing SEPP) includes requirements for boarding houses and co-living housing.

In addition to the Housing SEPP, applicants should be aware of their obligations under the Boarding Houses Act 2012 and the requirements of the Boarding Houses Regulation 2013.

This section of the DCP aims to encourage the provision of high quality boarding houses and co-living housing developments by providing objectives and controls in addition to those provisions in the Housing SEPP.

This section applies to

- development of new boarding houses and/ or co-living housing,
- change of use of existing buildings to boarding house or co-living housing, and
- alterations and additions to existing boarding house developments.

Reference should also be made to Area-based controls and Heritage provisions under other sections of this DCP where applicable.

General Objectives

- O1. Ensure that boarding house and co-living housing developments are well located, close to public transport and services
- O2. Ensure that the overall design of boarding house and co-living housing developments do not detract from the existing character of the neighbourhood
- O3. Ensure that the design of new boarding house and co-living housing development results in an acceptable level of amenity for future occupants through consideration of solar access, open space provisions, privacy, safety and security.
- O4. Ensure that boarding house and co-living housing developments deliver an acceptable level of amenity and minimise the impacts on neighbouring properties.

Site Planning

Objectives

- O5. Ensure the site is of sufficient width and area so is capable to
 - accommodate practical vehicular access and car manoeuvring,
 - provide open space with satisfactory level of amenity, and
 - provide reasonable separation from the adjoining properties.
- O6. Ensure development sites are of a sufficient dimension to accommodate high quality development.

Provisions

- P1. The minimum lot size for a boarding house and co-living housing developments is to be consistent with the requirements of the Housing SEPP.
- P2. The minimum site frontage for boarding house or co-living housing developments is 17m.

- P3. Development must not result in the isolation of adjoining land. Where a development may result in the creation of an isolated site or sites, the application must address the site isolation requirements under relevant sections of this DCP.

Local Streetscape Character

Objectives

- O7. Ensure that new development is compatible with the scale and compliment with the character of the surrounding development and streetscape.
- O8. Ensure that new development proposed adjacent to a heritage item or within a Heritage Conservation Area is designed so that it is sympathetic to the heritage significance and sensitively integrate the new development into its surrounding area.

Provisions

- P4. The development application is to be supported by a statement and detailed site analysis which demonstrates to Council's satisfaction the compatibility of the design of the development with the character of the local area.

The statement must include the following:

- a description of the existing character in terms of elements that contribute to the overall character of the local area (comprising streetscape and visual catchment area),
 - include the design responses for the following characteristic elements, as a minimum:
 - i. predominant building type,
 - ii. predominant height of buildings,
 - iii. predominant front setback and landscape treatment,
 - iv. predominant side setbacks, and
 - v. predominant rear alignment of buildings and rear landscaping
 - vi. the architectural form (built form, massing and proportions and roof form and pitch), materials and finishes of existing buildings that contribute to the character of the local area
 - vii. predominant parking arrangements on sites within the area (location, structures), including the location of vehicular crossings and driveway entry
 - explain how the design of the proposed development has regard to the site analysis provisions in accordance with Section 2.2 of the BDCP.
 - explain how the design of the proposed development has regard to the design excellence provisions in P6 and P7.
- P5. Boarding house and co-living housing developments located in the vicinity of a heritage item or within a Heritage Conservation Area must be designed to sympathetically address the significance of the heritage item/Heritage Conservation

Area/Item. The development application is to be supported by a statement that demonstrates compatibility of the design of the development with the character of the local area. The statement must address at least the following:

- i. elements identified in P4 above
- ii. the significance of the heritage item or Heritage Conservation Area
- iii. the age and style of existing buildings
- iv. the curtilage of the Heritage Item
- v. predominant design features such as verandas, eaves and parapets

Design Excellence

Objective

- O9. Provide quality design that delivers the highest standard of architectural, landscape and urban design
- O10. Provide design excellence that inspires and encourages the neighbourhood to follow
- O11. Enhance the qualities of the area and design to uplift the future character of the neighbourhood

Provisions

- P6. Where Clause 6.5 of the Burwood LEP 2012 applies, the Development Application must identify, through a design statement, how design excellence will be achieved in the proposed development. The design statement must include drawings and examples of the building features, textures, materials, finishes and colours and how they are suitable to the subject site and its context.
- P7. If Clause 6.5 of the Burwood LEP 2012 does not apply, the new development must exhibit design excellence and the Development Application must identify, through a design statement, how design excellence will be achieved. The design statement must respond to the following:
 - (a) whether a high standard of architectural, landscape and urban design has been achieved (including in the materials used and in detailing appropriate to the location, building type and surrounding buildings),
 - (b) whether the form and external appearance of the proposed building, and ground level detailing, will significantly improve the quality and amenity of the public domain,
 - (c) how any streetscape and heritage issues have been addressed,
 - (d) whether the amenity of the surrounding area, including any view corridors, vistas or landmark locations, will be adversely affected,
 - (e) how traffic circulation and vehicular access will be addressed and whether the proposed development supports the provision of high quality pedestrian, cycle and service access,

- (f) whether any adverse effect on pedestrian movement and experience will be avoided (and whether the public transport interchange as the focal point for pedestrian movement in the surrounding area will be reinforced and the ease of pedestrian access to and from that interchange will be facilitated),
- (g) diversity of public open spaces at the ground level, as well as the roof and other levels of buildings,
- (h) how the bulk, mass, modulation, separation, setback and height of buildings have been addressed and whether they are appropriate in the context of existing and proposed buildings,
- (i) whether a high standard of ecologically sustainable design (including low-energy or passive design) will be achieved and overshadowing, wind effects and reflectivity will be minimised.

Built Form Design

Objective

O12. Establish the appropriate separation of the built form to the public domain and adjoining development

Provisions

- P8. The main entrance of the boarding house or co-living housing development is to be provided within the street elevation to address the street. Side entrances will only be permitted on sites with a secondary frontage and only where they result in a cohesive resolution of the streetscape and do not adversely impact upon neighbouring properties.
- P9. Boarding house and co-living housing developments must have a minimum:
 - i. Minimum Floor to ceiling height of 2.7m except for corridors and non-habitable spaces.
 - ii. Minimum Floor to floor height of 3.1m. Sunken building footprints below the relative level of the front footpath will not be supported.

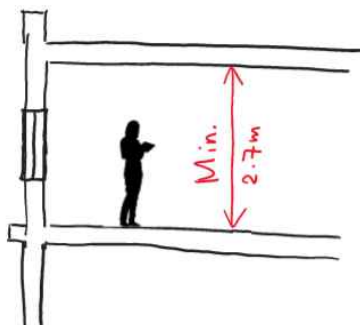


Figure 48: Minimum floor to ceiling heights for boarding houses and co-living housing

P10. In the case of existing dwellings being converted into boarding houses or co-living housing, existing floor to ceiling heights are to be maintained or be no less than 2.7m, whichever is greater. Contributory facade elements and the integrity of the dwelling's structural framework are to be maintained.

P11. Front setback of new boarding house and co-living housing developments in in R1 General Residential Zone shall provide a front setback that is equivalent to the predominant street setback or 6m, whichever is greater.

P12. For single storey or double storey boarding house and co-living housing developments in R1 General Residential Zone, the minimum side and rear setback shall comply with the following provisions:

	Side Setback	Rear Setback
Ground Floor	2.0m	6m
First floor	3.5m	6m

P13. Where a side or rear boundary is contiguous with a heritage item the required setback is:

- minimum 5m for any part of the building at or above ground level, and
- minimum 4m for any underground excavation, irrespective of the setback of the heritage building from its boundary or landscaping of that setback.

P14. The fire stairs, pump rooms or similar structures must not detract from the overall visual amenity and are generally not supported to be located within the setback area.

P15. Balconies, pergolas, etc. are not to encroach into the minimum side and rear setback area. Where balconies, pergolas etc. are proposed within the front setback, these must be designed so as to not encroach more than 20% into the front building setbacks.

P16. Development must locate the private open spaces and communal open space behind the front building line. This clause does not apply to any balconies where it is used to provide articulation to the street facade.

Visual Appearance and Articulation

Objective

O13. Ensure well-proportioned built forms, façade treatments and varied architectural character that minimises the appearance of building bulk from the public domain, including along the street.

O14. Ensure that the scale, modulation and façade articulation of development responds to its context.

O15. Manage the floorplates with pragmatic internal planning that sensibly informs the façade and external articulation

O16. Ensure services including fire booster valves, substations and other infrastructure do not detract from the streetscape presentation of a building.

Provisions

P17. Building facades must be clearly articulated and employ high quality materials and finishes that enhance and complement the streetscape character. Design solutions may include:

- A composition of varied building elements
- A defined base, middle and top of buildings
- Revealing and concealing certain elements
- Changes in texture, material, detail and colour to modify the prominence of elements
- Varied roof forms that add visual interest

P18. Building facades should be well resolved with an appropriate scale and proportion to the streetscape and human scale. Design solutions may include

- Well composed horizontal and vertical elements
- variation in floor heights to enhance the human scale
- elements that are proportional and arranged in patterns
- public artwork or treatments to exterior blank walls
- grouping of floors or elements such as balconies and windows on taller buildings

P19. Large areas of blank, minimally or poorly articulated walls are not acceptable.

P20. Development must not rely solely on the use of two-dimensional colour and materials to create visual interest. Modulation and articulation in the building form must be considered in the design of the building. Large span or proportion of rendered cement on elevations is not permitted.

P21. Important corners should be given visual prominence through a change in articulation materials or colour, roof expression or change in height.

Internal Design

Room Design

P22. The internal area of private rooms within co-living housing developments and boarding rooms must comply with the requirements of the Housing SEPP 2021.

P23. In addition to the above requirement, each private room in a co-living housing developments must provide for the following, with a minimum floor area of.

- 2m² – kitchenette, which must include a small fridge, cupboards and cooktop/microwave
- 3m² – bathroom facilities
- 1.5m² – laundry facilities (wash tub and washing machine)

Details are to be included on the plans submitted with the Development Application.

Note: laundry facilities can be integrated into the kitchenette

Communal Living Area

P24. Communal living areas in boarding houses and co-living housing developments must comply with the requirements of the Housing SEPP 2021. The calculation of the area can include any dining area, but cannot include bedrooms, bathrooms, laundries, reception area, storage, kitchens, car parking, loading docks, driveways, clothes drying areas, corridors and the like.

P25. Where communal living areas are situated:

- on ground level of a development, these must be located adjacent to the outdoor communal open space.
- above ground level of a development, these must be located as close to any outdoor communal open space

P26. For boarding houses and co-living housing developments 4 storeys or more, a communal living area is to be provided for every 4 storeys or part thereof.

Kitchen Facilities

P27. Where communal kitchen areas are provided within a development, these must be situated adjacent to the communal living area and must comply with the following requirements. Details are to be included on the plans submitted with Development Applications.

Class 1b Kitchen	A communal commercial grade kitchen area with kitchen sink and facilities for food preparation, tables and chairs in a central location, accessible to all residents with a minimum area of 6.5m ² for one to six residents or 11m ² for 7-12 residents
Class 3 Kitchen	A commercial grade communal kitchen and dining area with a minimum area of 15m ² plus 1m ² per additional person above the minimum 12 persons.
Kitchen Requirements	The following must be provided in any kitchen as a minimum: <ul style="list-style-type: none"> ▪ One sink for every six people with running hot and cold water. ▪ One stove top cooker for every six people. ▪ Exhaust ventilation. ▪ A lockable drawer or cupboard for food storage for each guest in the kitchen area.

Laundry Facilities

P28. Individual laundry facilities must be provided within each individual rooms in co-living housing developments.

P29. Where individual laundry facilities are not provided in boarding rooms, a communal laundry is to be provided for use by the occupants of the development.

P30. At a minimum, the communal laundry is to provide the following:

- 1 washing machine/dryer (or combo) for every 8 rooms or part thereof,

- 1 large laundry tub with running hot and cold water for every 8 rooms or part thereof.

P31. A least one outdoor clothes drying area shall be provided and located to maximise solar access. The outdoor clothes drying area must be well integrated within the landscape design and must not be located where visible from the street or public domain.

P32. All appliances achieve an energy star rating of 3.5 or higher, unless otherwise legislated.

Visual Privacy and Acoustic Amenity

Objectives

O17. Ensure an acceptable level of visual privacy and acoustic amenity is provided for the development and adjoining residential uses

Provisions

P33. The siting of windows and other openings and communal or gathering spaces above ground level should avoid direct overlooking to adjoining residential uses. Where overlooking cannot be avoided, redirection of views to the front or rear should be incorporated into the design of the development.

P34. Bedrooms within boarding house and co-living housing development must be designed to locate bedrooms away from significant internal and external noise sources.

P35. Consideration of the design of the development should aim to minimise the impact of noise internally and to the adjoining development. The design of the development should consider:

- the location of openings relevant to adjoining uses and neighbouring properties,
- locating similar building uses (such as bathrooms) back to back

P36. Noise mitigation treatments and design considerations for developments adjoining busy roads or rail corridors, that satisfy the requirements for habitable rooms in accordance with Department of Planning, Industry and Environment's 'Development Near Rail Corridors and Busy Roads – Interim Guideline' and the requirements of Clause 2.120 of SEPP (Transport and Infrastructure) 2021 must be addressed, where appropriate. Details are to be included with the documentation submitted with the development application.

Landscaping and Open Space

Objectives

O18. Ensure sufficient and well located private and communal open space to meet the recreational needs of residents

O19. Provide areas for deep soil planting to achieve increased urban tree canopy cover and deliver green grid connections.

O20. Maximise the landscape curtilage around the site for quality planting, establishment of tree canopies and creation of useful outdoor spaces in addition to boundary screen planting.

O21. Incorporate landscape design early in the design process to provide optimal outcomes for the residential amenity. Landscaping needs to be coordinated with other disciplines to ensure building design and service locations complement landscape and public domain.

Provisions

Landscaping and Deep Soil

P37. A detailed landscape plan must be submitted with any development application for boarding house and co-living housing developments.

P38. Existing significant trees and vegetation, where achievable, must be incorporated into the proposed landscape treatment.

P39. Deep soil zones are to be provided to meet the following minimum requirements.

Site area	Minimum dimensions	Deep soil zone (% of site area)
Less than 650sqm	1.5m	7%
650sqm – 1500sqm	3m	
Greater than 1500sqm	6m	

P40. Deep soil zones should be located to retain existing significant trees and to allow for the development of healthy root systems, providing anchorage and stability for mature trees. Design solutions may include:

- basement and sub-basement car park design that is consolidated beneath building footprints
- use of increased front and side setbacks
- adequate clearance around trees to ensure long term health
- co-location with other deep soil areas on adjacent sites to create larger contiguous areas of deep soil

P41. Under the following circumstances:

- the location and building typology have limited or no space for deep soil at ground level (e.g. central business district, constrained sites, high density areas, or in centres)
 - there is 100% site coverage or non-residential uses at ground floor level
- alternative forms of planting should be provided, such as planting on structures while ensuring appropriate stormwater management is achieved

P42. Planting in deep soil areas is to include trees that achieve a minimum mature height of 6m.

P43. Structures in a landscaped area need to be reinforced for additional saturated soil weight, as appropriate.

P44. Where development is proposed in an established residential zone, the front setback area must be landscaped to be compatible with the existing streetscape.

P45. Landscaped areas should take advantage of existing site conditions when responding to features such as:

- Changes of level;
- Views; and
- Significant landscape features including trees and rock outcrops

Private Open Space

P46. For rooms with access to the ground level or a podium, private open space must be provided to individual rooms, with access from the room.

P47. For rooms above ground level facing the street along the front elevation or secondary elevation for a corner site, a balcony with a minimum dimension of 1m and minimum area of 2m² must be provided to increase the visual interest and enhance the passive surveillance to the public domain.

P48. A minimum 20% of all rooms on a side or rear elevation must be provided with individual private open space with a minimum dimension of 1m and minimum area of 2m². The private open space above ground level is to be designed to minimise the impact of overlooking and to mitigate any other privacy impacts to the adjoining properties. Balconies may be designed to be recessed.

P49. Clear glazing to balustrades must be avoided. The balustrade design should be visually recessive.

Communal Open Space

P50. Communal open space is to be provided in accordance with the requirements of the Housing SEPP 2021 and must be consolidated into a well-designed, easily-identifiable and useable area.

P51. Communal open space may be provided above ground level where:

- i. the proposed elevated communal open space will provide a high level of amenity as a communal open space at ground level of the site; and
- ii. there will be no significant impact on surrounding properties in respect to the loss of visual and acoustic privacy.

P52. At least 50% of the required communal open space area is to receive 2 hours of direct sunlight between 9am and 3pm on 21 June.

P53. Roof top communal open space areas, amenities and common rooms should include equitable access for all residents, and must be designed to ensure that noise and overlooking will be avoided, by way of screening and setbacks from boundaries.

P54. Where roof top communal open space is proposed on a site adjoining land that permits lower maximum building height, the communal open space is to be setback to minimise the extent of overlooking onto the adjoining properties.

P55. Ancillary structures on the roof such as lift overruns and staircases should be located where their impact is minimised to reduce their visual dominance. Balustrades should be visually recessive or be incorporated into a roof feature.

P56. Communal facilities such as barbeques, seating and pergolas shall be provided within the communal open space. Details are to be included on the landscape plan submitted with the development application.

P57. Planting should be used to screen communal open space from adjoining properties or the public way, with trellis, screens with climbing vines or the like, used to complement deciduous tree planting.

Parking

Objectives

O22. Minimise the adverse impact of vehicles on the amenity of the development, streetscape and neighbourhood.

O23. Ensure adequate provision of secure bicycle parking.

O24. Ensure that basement car parking is appropriately designed for user safety and environmental sensitivity.

Provisions

P58. The number of car parking spaces will be provided at the rate as prescribed under the SEPP (Housing) 2021.

P59. At least one parking space will be provided for a bicycle for every 5 rooms in co-living housing and boarding house development.

P60. At least one parking space will be provided for a motorcycle for every 5 rooms in co-living housing and boarding house development.

P61. The design and consideration of the car park or parking facilities shall refer to the relevant Transport and Parking section in the BDCP.

Operational Management

Objectives

O25. Ensure management and operational practices ensure the safety and wellbeing of occupants.

O26. Ensure that development is operated and maintained in a manner that minimises impacts on adjoining owners and residents.

O27. Ensure that clear and suitable operational measures and practices are in place for the on-going management of boarding house and co-living housing developments.

Provisions

P62. Co-living housing developments are to be managed by a manager who has overall responsibility including the operation, administration, cleanliness, maintenance and fire safety of the premises. Management arrangements are to be set out in a Plan of Management.

P63. A development application for boarding house or co-living housing must be accompanied by a Plan of Management which provides all details relevant to the operation of the premise. The Plan of Management, as a minimum, must address the ongoing management and operational aspects of the development. A template Plan of Management is included at the Appendix X.

Note: The approved Plan of Management will form part of any development consent and any changes to the Plan of Management will require an application under the provisions of s4.55.

Fire safetyObjectives

O28. Ensure the appropriate level of fire safety within all boarding house developments and that acceptable levels of service provision are maintained.

Provisions

P64. The relevant fire safety requirements under the Building Code of Australia/ National Construction Code shall be considered at early state of the design of boarding house and co-living housing development.

P65. An Emergency Evacuation Plan must be prepared as part of the Plan of Management detailing the evacuation procedures in the event of the emergency, provision of resident log book, identifying the assembly point and detailing how residents will be made aware of the procedures contained within the plan. The Emergency Evacuation Plan must be clearly displayed within each room and in the communal living areas of the development. A condition of consent will be included in this regard.

Service Facilities**Waste Facilities**

P66. Consideration shall be given to waste collection and removal at the early stage of the overall design of the building. The waste management and services shall comply with the relevant requirements under the section 6.2 of the BDCP and shall be designed to minimise adverse impacts to the amenity of the residents and the neighbouring properties.

P67. Garbage bin areas and external storage facilities shall be sited and designed for attractive visual appearance and function and complement the architecture and environs. The size, capacity and location of garbage bin areas shall be in accordance with the Waste Management provisions of this DCP.

Mailbox and Postal Facilities

P68. Mail box and postal facilities to be included and to comply with provisions P8, P9 and P10 under Section 3.2.4 Street-Front Activities and Building Access. Refer to Figures 1(a) and 1(b).

Fire Safety and Power Supply Utilities

P69. Fire safety and power supply utilities are to comply with provision P12 under Section 3.2.4 Street-Front Activities and Building Access. Refer to Figure 1(c).

Mechanical and Ventilation Equipment

P70. Mechanical and ventilation equipment are to comply with the provisions under Section 3.2.4 Street-Front Activities and Building Access.

P71. Building services elements such as electrical substation, OSD tanks, gas meters, fire hydrant boosters and the like should be thoughtfully integrated either with building or landscape design, to improve the entry experience and maximise pedestrian amenity within the public domain interface along the street. These details must be indicated on the plans submitted with the development application.

Signage

Provisions

P72. A maximum of one external sign will be permitted with a maximum area of 0.3m². The sign shall indicate the address of the property.

P73. Details of the signs location (if proposed) are to be shown on the development application plans.

End of this Section

Plan of Management – Template

This Appendix contains a template for use in the preparation of a Plan of Management for a Boarding House or Co-Living Housing development.

The Plan of Management sets out the various requirements and responsibilities of management and lodgers and includes:

- Management Arrangement and Staff contact details
- Lease Agreements
- Council consent compliance details
- Furniture/ Equipment
- Fire Safety
- Cleaning/ Maintenance/ Gardening/ Pest Control
- Inspection and recording records
- Waste and Recycling
- Maximum Occupation
- Safety, Security and Amenity
- Neighbour Interaction/ Complaints Handling
- Maintenance of an Incidents Register
- Use of Kitchen/ Meals provision
- House Rules
- Parking Arrangement
- Emergency Evacuation Plan
- Requirements for keeping Council informed of any change in management

Note: Requirements may change from time to time, and consultation should be made with Council to ensure currency of requirements.

PLAN OF MANAGEMENT
Boarding House/ Co-Living Housing
[INSERT ADDRESS]

1. Introduction

- 1.1 This Plan of Management provides directions and controls on the use and management of the premise as a Boarding House or Co-Living Housing. The directions and controls are to be strictly adhered to in the operation of the Boarding House or Co-Living Housing, to ensure compliance with the conditions of Development Consent and health and amenity requirements for both the occupants and surrounding residents.
- 1.2 The Plan of Management refers to the plans prepared by [Insert Name] dated [Insert Date of Plans] and Development Application No. [Insert Number].
- 1.3 The Plan of Management has been prepared for a Boarding House or Co-Living Housing at premises: [Insert Address, Suburb]. The Boarding House or Co-Living Housing was approved on [Insert Date of DA Consent] and is subject to compliance with the Conditions of Consent [Insert DA Consent Number]. The Conditions of Consent and a copy of the approved plans are provided as Annexure A [Provide Copy of Relevant Consent As Annexure A].
- 1.4 The Boarding House or Co-Living Housing is to be managed by [Insert Whether an Off-Site Manager, Or On-Site Manager] who will be familiar with the content of the Plan of Management.
 [Insert Manager Contact Details]
- 1.5 The location of the premises is shown on Figure 1 – Location Plan.
 [Insert Location Plan]

2. Definitions

In this Plan of Management

- a. **Building:** means the building known as [Insert Address].
- b. **Business:** means the operation of the building as a Boarding House or Co-Living Housing.
- c. **Communal Room:** means the room(s) identified as the communal room(s) on the approved plans.
- d. **Common Areas:** means the common room(s), kitchen, laundry/bathroom, hallways and the stairs as identified on the approved plans.
- e. **Common Open Space:** means the external communal area including the front yard, side yard, rear yard, ground floor patios and porches as identified on the approved plans.

- f. **Council:** means Burwood Council.
- g. **Boarder, Lodger, Occupant:** means a person having the benefit of the use a nominated room and the common rooms /areas within the building.
- h. **Manager:** means
 - For Boarding House – the Land and Housing Corporation or a registered community housing provider;
 - For Co-Living Housing – the Manager engaged by the business proprietor.
- i. **Owner:** means the registered proprietor/s of the building.
- j. **Room:** means that part of the building occupied and used by a lodger/ occupant.

3. The Development

The subject Boarding House or Co-Living Housing development comprises the following:

- Total No. of rooms comprising
 - o No. of single rooms
 - o No. of double rooms
 - o No. of Manager's room (if any)
- No. of vehicle parking spaces
- No. of bicycle parking spaces
- No. of motorcycle parking spaces
- No. of indoor communal living area
- No. of outdoor communal open space

Refer to the approved plans prepared by [Insert Name] dated [Insert Date of Plans] and Development Application No. [Insert Number].

4. Objectives of the Plan of Management

This plan seeks to minimise the impacts associated with the ongoing use of the Boarding House or Co-Living Housing located on the Site, particularly the potential impacts on the surrounding residential properties.

The specific objectives of the plan are to:

- a. Demonstrate the responsibilities of the Manager
- b. Ensure that an acceptable level of amenity is maintained to surrounding residential properties
- c. Ensure that appropriate measures are implemented to maximise the safety and security of residents
- d. Detail the process for reporting, recording and management of complaints and incidents associated with the operation and management of the premises

5. Access to Plan of Management

A copy of the approved Plan of Management is to be provided to each occupant/ resident and will be made available to all persons involved in the operation and management of the premises. All staff and occupants are to be made aware of the contents and their obligations under approved Plan of Management.

Attachment 3 Template for Plan of Management

A full copy of the approved Plan of Management is to be permanently displayed in each room and each common area.

6. Responsibilities of The Manager

The proprietor shall engage a Manager whose responsibilities are, but not limited to, the following:

No.	Responsibility	Description
1	Availability	The Manager is contactable 24 hours/ day, 7 days/ week
2	Accommodation Registration	Maintain an up-to-date Accommodation Register providing the following details: <ul style="list-style-type: none"> - Name of the occupant - ID (typically driver's license or passport) of each occupant - Allocated room of occupant - Length of stay - Payment details - Occupation Provide a copy of the Accommodation Register to Council or the NSW Police upon request
3	Border/ Lodger/ Tenant Selection	Ensure that all tenants submit a tenancy application, together with appropriate identification and verification checks prior to entering into a Lease Agreement. All tenants will be screened through the National Tenancy Database, criminal record, employment and reference checks.
4	Incident Registration	Maintain an <i>Incident Register</i> which includes the following information and is available to neighbouring residents, police, and/ or Council upon request: <ul style="list-style-type: none"> - Incident date and time - Name, address and contact details of person reporting the incident - Details of the incident - Action undertaken by the Manager - Follow up and outcome and/or further action required
5	Complaints Registration	Maintain a <i>Complaints Register</i> which includes the following information and is available to neighbouring residents, police, and/ or Council upon request: <ul style="list-style-type: none"> - Registration No. of complaint (as provided to the person at the time of lodging the complaint)

ITEM NUMBER 2/23 - ATTACHMENT 3

Attachment 3 Template for Plan of Management

		<ul style="list-style-type: none"> - Complaint date and time - Name, address and contact details of person making the complaint - Nature of complaint - Action undertaken to resolve the complaint - Follow up and outcome and/or further action required
6	House Rules	Enforce the House Rules listed in of this Plan of Management.
7	Information Provision	Provide occupants with appropriate information prior to the commencement of occupation, as required under this POM. The Manager must ensure occupants are aware of the contents of this POM. A hard copy of this plan is to be provided to each new occupancy upon arrival.
8	Occupancy Duration	Enforce the minimum occupancy period of not less than 3 months and house rules listed in this POM. At no time is any room to be advertised or made available for short term stay accommodation such as that associated with backpacker hostels, motels, hotels or the like.
9	Cleanliness of the Premises	Ensure that a cleaner attends the Boarding House or Co-Living Housing twice weekly to make sure that the common areas, private open space, car parking and general outside areas of the Boarding House or Co-Living Housing area kept clean, tidy and disinfected to a professional standard. Ensure each room will be provided with a waste disposal container.
10	Inspection and Records	Carry out inspections on a regular basis at a minimum of once every 3 months to ensure that the building is maintained in a clean and tidy condition and that all facilities and fittings are appropriately maintained. Record all inspections in a log book which must be made available to Council upon request.
11	Waste Minimisation and Recycling	Organise the waste collection and facility needs for the site, and the ongoing storage and collection of waste on-site including transfer of waste to and from collection points for the waste collection service as required, and regular cleaning of bins/waste storage areas/ rooms.

ITEM NUMBER 2/23 - ATTACHMENT 3

Attachment 3 Template for Plan of Management

		<p>The manager is to be responsible for the collection arrangements, including making sure that the waste containers are placed adjacent to the kerb on the day of collection and removed back onto the property promptly after collection, and including the servicing of special waste such as “sharps” and/or sanitary napkin receptacles. Where receptacles are provided for the disposal of sanitary napkins, these are to be serviced and readily cleaned on a regular basis.</p> <p>Collection responsibilities of the manager include all regular garbage, recycling and green waste collection services, as well as household clean-up collection, ensuring goods for collection are managed in accordance with Council’s collection requirements (information available on Council’s website at: www.burwood.nsw.gov.au or via Council’s Customer Service 02 9911 9911).</p>
12	Occupancy Rate	The maximum number occupants of each room will be documented in the Lease Agreement between the landowner and the tenant. Quarterly inspection of each room will be carried out to ensure compliance with the Lease Agreement and this POM.
13	Impact on Adjoining Properties	Ensure minimum impact on adjoining properties by applying the House Rules.
14	Safety and Security	<ul style="list-style-type: none"> ▪ Internal signage will be prominently displayed to provide the Manager’s contact details, as well as emergency contact numbers for essential services such as fire, ambulance, police and utilities such as gas, electricity, plumbing, locksmith, security and cleaning services. ▪ Provide occupants with a key to their room and the common areas once they have entered into a Lease Agreement ▪ Frequently check equipment, fittings and furnishings and maintain them in safe working order. If equipment is identified as unusable, these items will be tagged appropriately and a replacement or repair organised within a reasonable period. ▪ Maintain the electrical circuits to a safe standard ▪ Ensure laundry facilities are maintained in safe working order within each room.

15	Change in the Management	<ul style="list-style-type: none"> ▪ Notify the Council in writing within 1 month of any change in the management and provide contact details for the new management.
----	--------------------------	--

7. Access to the Premises

The Boarding House or Co-Living Housing shall be accessible to all registered occupants 24 hours/ day, 7 days/ week. Occupants shall enter the premises by using a security card/ key.

8. Maximum Occupation

The total maximum number of occupants in the building is [Insert Number in Text and In Numerals].

The maximum number of persons per bedroom is as follows:

Room No.	Max. No. of persons
Room one (1)	[Insert number in text and in numeral]
Room two (2)	[Insert number in text and in numeral]
Room three (3)	[Insert number in text and in numeral]
Room four (4)	[Insert number in text and in numeral]
Room five (5)	[Insert number in text and in numeral]
Room six (6)	[Insert number in text and in numeral]
Room (etc.)	[etc.]

Occupants will be provided with the following:

- A copy of this Plan of Management
- A copy of their Lease Agreement
- A copy of the Emergency Evacuation Plan
- One (1) key is to be provided to each occupant to access their individual bedroom, communal living room and communal open space
- Access to vehicle parking is to be provided when specified as part of the occupant’s Lease Agreement
- Working door locks to individual bedrooms
- A container for waste disposal equipped within each room
- Fitting, equipment and furnishings are to be maintained in a safe working conditions

9. Furniture & Facilities

[This section is to be used to list the furniture and facilities provided within each room of the boarding house or co-living housing. An example list is provided]

[Example List]

1. Each room shall be provided with:
 - a. One (1) single bed, mattress and bedding
 - b. One student desk & chair
 - c. One desk lamp
 - d. Clothes storage facility of 1.0m³
 - e. Window furnishing/blind
2. The communal kitchen is to be provided with a sink, one stove (or an oven and cook top) and two large refrigerators/freezer.

3. The common room is to be provided with a dining table and [insert number] of chairs

Note: Additional inclusions should also be listed here, such as television, sofas, etc, and identification of access and facilities for people with disabilities.]

[End of example list]

10. Minimising Impacts On Residents

So as to minimise impacts upon the residents of adjoining premises as well as residents of the building the following rules are to apply:

- a. No loud music or television noise is permitted after 10.00pm.
- b. No parties or gatherings are permitted upon the premises after 10.00pm.
- c. No visitors other than residents of the property are permitted after 10.00pm.
- d. No use of the outdoor areas is permitted after 10.00pm.
- e. No smoking in areas which may affect the amenity of other residents on site or of residents of neighbouring properties.

Note: More specific references may be required to define the terms such as “loud” and “noise”, maximum number of persons after 10pm, etc depending on the scale of development proposed.

11. House Rules

House Rules must be prepared as part of the Plan of Management, and addressing the following headings. The approved House Rules must be clearly displayed within each bedroom and within each communal living area of the development

The house rules are to be clearly displayed throughout the premises and are to detail the following:

Rule	Description
Resident and guest behaviour	Residents and their guests must not interfere with the reasonable peace, comfort and privacy of other residents and neighbouring properties.
Maintenance of rooms	Residents must maintain their rooms: <ul style="list-style-type: none"> - In a clean manner - In a way that does not interfere with the reasonable comfort of other residents - In a way that does not create a fire or health hazard Residents must not intentionally or recklessly damage or destroy any part of their rooms or a facility of the Boarding House or Co-Living Housing
Guests	Residents must make sure their guests are aware of and follow the House Rules. No guests are allowed into the Boarding House or Co-Living Housing before [xx] am and after [xx] pm.

ITEM NUMBER 2/23 - ATTACHMENT 3

Attachment 3 Template for Plan of Management

Keeping of pets	Pets must not be kept on the premises without the written permission of the Manager.
Waste disposal	General waste is to be enclosed in appropriate receptacles and all waste (general, recycling and green) shall be disposed responsibly in the common waste collection area. No domestic rubbish, food scraps, food wrappers, goods or materials are to be left in the hallways, common areas or outside the Boarding House or Co-Living Housing
Fire safety	Occupants are to familiarise themselves with the location of the fire blankets, fire extinguishers, fire safety and evacuation procedures located in the hallway and within each room.
Noise control	Noise is to be kept to a minimum at all times in both private rooms and common areas. Please enter and leave the premises quietly.
Security	The front door of the premises is to be locked at all times. Please do not let anyone in the premises who has no legitimate reason to be there. Any loss of keys should be reported to the Manager for further actions.
Outdoor communal areas	The outdoor communal areas will be available for all occupants to use, between [xx] am and [xx] pm, [xx] days a week. The shared facilities within outdoor communal areas are to be kept clean and tidy after the quiet enjoyment.
Indoor communal areas	The indoor communal areas will be available for all occupants to use, between [xx] am and [xx] pm, [xx] days a week. The shared facilities within indoor communal areas are to be kept clean and tidy after the quiet enjoyment.
Communal kitchen	The communal kitchen will be available for all occupants to use, between [xx] am and [xx] pm, [xx] days a week. The communal kitchen facilities are to be kept clean and tidy after the use.
Smoking/ Alcohol/ Drugs	No smoking is permitted in private rooms. Alcohol shall be consumed responsibly. Drugs are strictly prohibited from being consumed in the Boarding House or Co-Living Housing.

Access to rooms for inspection	Access to private rooms must be made available for quarterly inspection by the Manager to ensure that the room is maintained in a clean and tidy condition and that all facilities and fittings are appropriately maintained.
Renew any lease	Incident register will be referred to prior to renewing any lease

12. Fire Safety

Emergency Evacuation Plans are to form part of this Plan of Management.

All fire safety features within the building are to be regularly maintained in accordance with any statutory requirements.

A copy of the annual fire safety statement and current fire safety schedule for the premises must be prominently displayed in the reception area.

A floor plan must be permanently fixed to the inside of the door of each sleeping room to indicate the available emergency egress routes from the respective sleeping room.

All residents are to be made aware of the fire safety features of the building and what to do in the event of an emergency.

All staff shall be trained in relation to the operation of the approved Emergency Management & Evacuation Plan.

13. Cleaning & Maintenance

The subject premises are at all times to be maintained in a safe and healthy condition. In this regard all common areas are to be cleaned to a professional standard at least once a week. The cleaning and maintenance is to occur to both the area and fixtures and fittings in the area.

In addition, all boarders are to be made aware, upon their entering into an agreement to occupy, of their responsibilities in relation to the maintenance and cleaning of the facility.

Further, the common open space areas are to be maintained in a neat and orderly manner. This will require twice/month mowing and garden maintenance during spring and summer and once/ month mowing and garden maintenance during autumn and winter.

14. Waste Management & Recycling

Residents of the facility are to be encouraged where possible to take advantage of Council's waste and recycling facilities. It is the responsibility of the boarder to sort garbage and place it in the appropriate receptacles.

The manager is to be responsible for the collection arrangements, including making sure that the waste containers are placed adjacent to the kerb on the day of collection and removed back onto the property promptly after collection, and including the servicing of special waste such as "sharps" and/or sanitary napkin receptacles. Where receptacles are provided for the disposal of sanitary napkins, these are to be serviced and readily cleaned on a regular basis.

Collection responsibilities of the manager include all regular garbage, recycling and green waste collection services, as well as household clean-up collection, ensuring goods for collection are managed in accordance with Council's collection requirements (information available on Council's website at: www.burwood.nsw.gov.au or via Council's Customer Service Centre ph: 9911 9911).

15. Safety & Security

At least the following matters are to be provided within the property:

- Internal signage indicating the property caretaker or manager and contact numbers;

- Emergency contact numbers for essential services including fire, ambulance, police and utilities such as gas, electricity, plumbing and the like;
- Perimeter lighting;
- Individual room keys (a master key is to be maintained by the manager and made available to the fire brigade);
- Landline telephone within a common area available for use by residents in the event of an emergency.

Note: Other safety and security measures for reference in the POM might also include:

- surveillance or security camera systems;
- fencing and secure gates;
- Identification of access and facilities for people with disabilities;
- Information about maximum loading of electrical circuits.

[END OF PLAN OF MANAGEMENT]

1. Proposed amendments to the structure of Section 5.4

Existing Structure	Proposed Amendments	Comment
5.4 Boarding Houses	5.4 Boarding Houses and Co-Living Housing	
<p>Introduction</p> <p>Objectives</p> <p>Definitions</p> <p>Relevant Related Legislation</p> <p>Building Code of Australia (BCA)/ National Construction Code</p> <p>Provisions</p> <ul style="list-style-type: none"> ▪ Building Form and Appearance ▪ BASIX ▪ Signage ▪ Strata Subdivision ▪ FSR, Height and Frontage Width ▪ Floor to Ceiling Heights ▪ Setbacks ▪ Mailbox and Postal Facilities ▪ Fire Safety and Power Supply Utilities ▪ Mechanical and Ventilation Equipment ▪ Room Size, Recreational Areas and Washing Facilities <ul style="list-style-type: none"> ○ Bedrooms/ Sleeping Rooms ○ Bedroom Storage ○ Kitchen Facilities 	<p>Introduction</p> <p>General Objectives</p> <p>Provisions</p> <ul style="list-style-type: none"> ▪ Site Planning ▪ Local Streetscape Character ▪ Design Excellence ▪ Built Form Design ▪ Visual Appearance and Articulation ▪ Internal Design <ul style="list-style-type: none"> ○ Room Design ○ Communal Living Areas ○ Kitchen Facilities ○ Laundry Facilities ▪ Visual Privacy and Acoustic Amenity ▪ Landscaping and Open Space <ul style="list-style-type: none"> ○ Landscaping and Deep Soil ○ Private Open Space ○ Communal Open Space ▪ Parking ▪ Operational Management ▪ Fire Safety ▪ Service Facilities 	<p>Removed headings of Definitions, Relevant Related Legislation and BCA, which are no longer consistent with the latest legislations. Reference to this information should be made to the Burwood LEP 2012, NSW Legislations and the National Construction Code, which have been amended periodically.</p> <p>Relevant provisions have been consolidated into headings based on topics to have a clear, logical and streamlined structure of this section of the BDCP.</p> <p>New headings of Site Requirements and Local Streetscape Character are introduced.</p> <p>Design Excellence provisions are introduced into the section as a response to</p>

Existing Structure	Proposed Amendments	Comment
<ul style="list-style-type: none"> ○ Communal Living Room ○ Laundries, Bathrooms and Drying Facilities ▪ Operational Controls <ul style="list-style-type: none"> ○ Management Plan ○ Management and Registration ○ On-site Manager/ Management ○ Maximum Number of Boarders and Lodgers ○ Bedroom Numbering ▪ Fire Safety and On-Site Security Measures <ul style="list-style-type: none"> ○ Fire Safety Regulation ○ Additional Safety Measures ▪ Acoustic Impact Minimisation ▪ Landscaping and Communal Open Space ▪ Accessibility for People with a Disability 	<ul style="list-style-type: none"> ○ Waste Facilities ○ Mailbox and Postal Facilities ○ Fire Safety and Power Supply Utilities ○ Mechanical and Ventilation Equipment ▪ Signage 	<p>the Burwood Design Review Panel's recommendation.</p>

2. Proposed amendments to Section 5.4 Provisions

Existing Provisions	Proposed Amendments	Comment
5.4 Boarding Houses	5.4 Boarding Houses and Co-Living Housing	Add co-living housing development to which the section applies so as to provide local planning framework co-living housing is included
<p>This part of the BDCP provides detailed controls to guide the development of boarding houses. Boarding houses are defined under both the BLEP 2012 and the Boarding Houses Act 2012. The Boarding Houses Act 2012 considers a building to be a boarding house, if it provides beds, for a fee or reward, for use by five or more residents (excluding any residents who are proprietors or managers of the building or relatives of the proprietors or managers). However, the definition of a boarding house in the BLEP 2012 prevails for the purpose of development assessment.</p> <p>Boarding houses are permissible with consent in all the residential and business zones in the BLEP 2012.</p> <p>Boarding houses are an important source of affordable long-term accommodation for some of the most marginalised groups within the community. Boarding house residents include older/aged people, low income earners, unemployed persons and single people. Council encourages the retention and</p>	<p>State Environmental Planning Policy (Housing) 2021 (Housing SEPP) includes requirements for boarding houses and co-living housing.</p> <p>In addition to the Housing SEPP, applicants should be aware of their obligations under the Boarding Houses Act 2012 and the requirements of the Boarding Houses Regulation 2013.</p> <p>This section of the DCP aims to encourage the provision of high quality boarding houses and co-living housing developments by providing objectives and controls in addition to those provisions in the Housing SEPP.</p> <p>This section applies to</p> <ul style="list-style-type: none"> • development of new boarding houses and/ or co-living housing, • change of use of existing buildings to boarding house or co-living housing, and • alterations and additions to existing boarding house developments. 	<p>Definition of boarding houses under the Boarding House Act 2012 is redundant as BLEP definition prevails – Deleted.</p> <p>The statement of permissibility is incorrect under the latest legislation and inconsistent with the Housing SEPP 2021 and BLEP 2012.</p> <p>The introduction is amended to reflect the latest planning framework under the Housing SEPP and introduce co-living housing development into this section.</p> <p>Relocated “application of this section” at the front to improve clarity.</p> <p>Inserted new paragraph to include reference to</p> <ul style="list-style-type: none"> - Area-based controls

Existing Provisions	Proposed Amendments	Comment
<p>provision of boarding house stock to assist meeting the household needs of these groups.</p> <p>Often people who reside in boarding houses have less access to private open space, shared internal amenities and facilities and rely heavily on public transport. Thus, the external environment that surrounds the boarding houses has increased importance to boarding house residents. The development controls contained within this section seek to minimise negative impacts on the amenity of adjoining neighbours. They also aim for improved amenity for future occupants through careful building layout and design.</p> <p>Provisions and Objectives of 3.7 Cooper Street Precinct, Strathfield and 3.8 Livingstone Street and Sym Avenue Precinct, Burwood also apply to boarding houses. Refer also to Section 4.1 Residential Flat Buildings in R1 Zone.</p>	<p>Reference should also be made to area-based controls and Heritage provisions under other sections of this DCP where applicable.</p>	<p>- Heritage provisions</p>
<p>Objectives</p>	<p>General Objectives</p>	<p>Distinguish general objectives that broadly apply to the section and more specific objectives under each heading based on topics</p>
<p>The broad objectives of this BDCP Part are to:</p>		<p>Superfluous wording – Deleted.</p>
<p>O1 Recognise boarding house accommodation as an essential component of residential housing for low to moderate income earners.</p>		<p>This is an intrinsic requirement from the Housing SEPP thus it is unnecessary to repeat in the DCP. – Deleted.</p>

Existing Provisions	Proposed Amendments	Comment
O2 Provide guidance to applicants on building requirements and Council regulations in the preparation of a Development Application for a boarding house.		Providing guidance on DAs is an intrinsic function of the DCP and not an objective of this section. – Deleted.
O3 Ensure that any building that has been developed or adapted into a boarding house maintains a satisfactory standard of amenity for both the needs of occupants and neighbours alike.	O3. Ensure that the design of new boarding house and co-living housing development results in an acceptable level of amenity for future occupants through consideration of solar access, open space provisions, privacy, safety and security. O4. Ensure that boarding house and co-living housing developments minimise the impacts on neighbouring properties.	Updated to include co-living housing and to broaden the subject of amenity consideration.
O4 Maintain the residential amenity of both the property and locality, where the boarding house development is to be located.	O1. Ensure that boarding house and co-living housing developments are well located, close to public transport and services	Updated to include co-living housing development.
O5 Ensure the appropriate level of fire safety within all boarding house developments and that acceptable levels of service provision are maintained.		Existing objective retained but relocated under the heading of Fire Safety.
	O2. Ensure that the overall design of boarding house and co-living housing developments do not detract from the existing character of the neighbourhood.	New general objective proposed to emphasis on character of the local area.
This BDCP section also applies to any Development Application (DA) which seeks to do any of the following:	This section applies to:	Concise wording.
<ul style="list-style-type: none"> ▪ To convert or adapt existing buildings to become boarding houses ▪ To substantially alter an existing boarding house premises 	<ul style="list-style-type: none"> ▪ Development of new boarding houses and co-living housing ▪ Change the use of existing buildings to boarding house or co-living housing, and Alterations and additions to existing boarding house premises 	Wording update to include co-living housing into developments to which this section applies.

Existing Provisions	Proposed Amendments	Comment
<ul style="list-style-type: none"> ▪ To substantially refurbish/upgrade an existing boarding house. 		
<p>Definitions</p>		<p>The current definitions are inconsistent with the definitions under the Housing SEPP and Standard Instrument LEP. - Deleted.</p>
<p>The key terms in this DCP section include:</p>		
<p>Landscaped area means a part of a residential site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area.</p>		
<p>Long term resident is defined as a resident who has used the boarding house as their principle place of residence for a period of three months or more consecutive months.</p>		
<p>Short term accommodation is defined as accommodation which is provided for short term residents or tourists staying less than three months.</p>		
<p>Temporary means the provision of short term accommodation on a nightly, weekly or monthly basis, with a person staying in the premises for not more than two months.</p>		
<p>Relevant Related Legislation</p>		<p>Some references are outdated and not required to be included in DCP. This is a superfluous provision thus – Deleted.</p>
<p>There is a significant amount of State Government legislation and policy that impacts on the establishment and operation of boarding houses, and these should always be referred to in conjunction with this DCP section.</p> <p>Some of these are:</p> <ul style="list-style-type: none"> ▪ Local Government Act 1993 ▪ Local Government (Orders) Regulation 1999 ▪ Public Health Act 1991 		

Existing Provisions	Proposed Amendments	Comment
<ul style="list-style-type: none"> ▪ Public Health (General Regulation) 2002 ▪ Australian and New Zealand Food Standards Code ▪ Protection of Environment Operations Act 1997 ▪ Building Code of Australia / National Construction Code ▪ Disability Discrimination Act 1992 ▪ State Environmental Planning Policy (Affordable Rental Housing) 2009 ▪ Boarding Houses Act 2012 ▪ Boarding Houses Regulation 2013 		
<p>Building Code of Australia (BCA) / National Construction Code</p>		<p>Compliance with BCA is a standard condition of a development consent and a legal requirement under the EPA Reg. Hence this is a redundant provision – Deleted.</p>
<p>The Building Code of Australia (BCA) contains technical provisions for the design and construction of buildings including fire safety, access and structural stability. In addition to requirements in this BDCP section, reference should be made to the BCA and the relevant Australian Standards (AS) that are contained in the BCA to ensure compliance with all aspects where necessary.</p> <p>The BCA classifies buildings according to the purpose for which they have been designed, constructed or intended to be used. To this extent, boarding houses fall under two separate classifications under the BCA, namely:</p> <p>Class 1b - A boarding house, guest house, hostel or the like with a total floor area not exceeding 300m² and in which not more</p>		<p>A succinct provision is proposed under the heading of Fire Safety to require relevant BCA/NCC fire safety requirement to be incorporated into the design.</p>

Existing Provisions	Proposed Amendments	Comment
<p>than 12 persons would ordinarily be resident, which is not located above or below another dwelling or another Class of building other than a private garage.</p> <p>Class 3 - A residential building, other than a building of Class 1 or 2, which is a common place of long term or transient living for a number of unrelated persons, including - a boarding house, guest house, hostel, lodgings house or backpackers' accommodation.</p> <p>The distinction in classification between boarding houses is important in understanding the design and safety implications and requirements under the BCA, as the requirements vary for each Class.</p>		
Provisions		
	Site Planning	Insert new objectives and provisions under "site planning" from the outset.
	<p><u>Objectives</u></p> <p>O5. To ensure the site is of sufficient width and area so is capable to</p> <ul style="list-style-type: none"> ▪ accommodate practical vehicular access and car manoeuvring, ▪ provide open space with satisfactory level of amenity, and ▪ provide reasonable separation distances from the adjoining properties. 	New objective specific to site planning.

Existing Provisions	Proposed Amendments	Comment
	O6. Ensure development sites are of a sufficient dimension to accommodate high quality development.	New objective specific to site planning.
	<u>Provisions</u> P1. The minimum lot size for a boarding house and co-living housing developments is to be consistent with the requirements of the Housing SEPP.	Provide cross-reference to SEPP to ensure clarity and consistency.
	P2. The minimum site frontage for boarding house or co-living housing developments is 17m.	Adapted from the existing P13 of the requirement of minimum 17m-frontage. It is proposed to apply the requirement regardless of the number of storeys of the development.
	P3. Development must not result in the isolation of adjoining land. Where a development may result in the creation of an isolated site or sites, the application must address the site isolation requirements under relevant sections of this DCP.	Strengthen the site planning controls.
	Local Streetscape Character	Introduce new objectives and provisions under new heading "Local Streetscape Character"
	<u>Objectives</u> O7. Ensure that new development is compatible with the scale and compliment with the character of the surrounding development and streetscape.	New objective proposed to stress compatibility with the local character
	O8. Ensure that new development proposed adjacent to a heritage item or within a Heritage Conservation Area is designed so that it is sympathetic to the heritage significance and sensitively integrate the new development into its surrounding area.	New objective proposed to provide additional guidance on development that may have heritage impacts

Existing Provisions	Proposed Amendments	Comment
	<p><u>Provisions</u></p> <p>P4. The development application is to be supported by a statement and detailed site analysis which demonstrates to Council's satisfaction the compatibility of the design of the development with the character of the local area.</p> <p>The statement must include the following:</p> <ul style="list-style-type: none"> ▪ a description of the existing character in terms of elements that contribute to the overall character of the local area (comprising streetscape and visual catchment area), ▪ include the design responses for the following characteristic elements, as a minimum: <ul style="list-style-type: none"> i. predominant building type, ii. predominant height of buildings, iii. predominant front setback and landscape treatment, iv. predominant side setbacks, and v. predominant rear alignment of buildings and rear landscaping vi. the architectural form (built form, massing and proportions and roof form and pitch), materials and finishes of existing buildings that contribute to the character of the local area vii. predominant parking arrangements on sites within the area (location, 	<p>Adapted from existing P1 and strengthening the provision by requiring the planning principle to be addressed.</p> <p>Requiring a character statement to be submitted with the DA.</p>

Existing Provisions	Proposed Amendments	Comment
	<p>structures), including the location of vehicular crossings and driveway entry</p> <ul style="list-style-type: none"> ▪ explain how the design of the proposed development has regard to the site analysis provisions in accordance with Section 2.2 of the BDCP. ▪ explain how the design of the proposed development has regard to the design excellence provisions in P6 and P7. 	
	<p>P5. Boarding house and co-living housing developments located in the vicinity of a heritage item or within a Heritage Conservation Area must be designed to sympathetically address the significance of the heritage item/Heritage Conservation Area/Item. The development application is to be supported by a statement that demonstrates compatibility of the design of the development with the character of the local area. The statement must address at least the following:</p> <ul style="list-style-type: none"> i. elements identified in P4 above ii. the significance of the heritage item or Heritage Conservation Area iii. the age and style of existing buildings iv. the curtilage of the Heritage Item v. predominant design features such as verandas, eaves and parapets 	<p>Adapted from existing P3 with additional details to provide clarity on the minimum requirements of the statement demonstrating compatibility with the heritage character.</p>
<i>Building Form and Appearance</i>		

Existing Provisions	Proposed Amendments	Comment
<p>P1 Building form and appearance of new boarding houses where viewed from public streets and adjoining sites are to be compatible with surrounding development.</p>		<p>Adapted into the new P4.</p>
<p>P2 Boarding houses shall be designed to reflect the predominant design features and respect the character of streets on which they are located.</p> <p>Design elements include:</p> <ul style="list-style-type: none"> - Massing and proportions. - Roof form and pitch. - Façade articulation and detailing. - Window and door proportions. - Features such as verandahs, eaves and parapets. - Building materials, patterns, textures and colours. - Decorative elements. - Vehicular footpath crossings. - Fence styles. - Building setbacks. - Building height and number of storeys. 		<p>Adapted into the new P4.</p>
<p>P3 Boarding houses that are located within or in the vicinity of a Heritage Conservation Area or Heritage Item must be designed sympathetically to the significance of the heritage property.</p>		<p>Adapted into the new P5.</p>
<p>P4 Boarding houses must provide the following facilities within each building:</p> <ul style="list-style-type: none"> - Manager/operator accommodation (if the boarding house has capacity to accommodate 20 or more lodgers). 		<p>As per the standard definitions of boarding houses and co-living housing under the BLEP 2012 these inclusions are required to be provided. They are also required under</p>

Existing Provisions	Proposed Amendments	Comment
<ul style="list-style-type: none"> - Sleeping room or bedrooms (containing sufficient storage area to store clothes, linen and personal items for each occupant). - Laundry facilities. - Washing/sanitary facilities. - Food preparation facilities in the form of either self-contained facilities in each room or a communal commercial grade kitchen. - Garbage storage and recycling facilities. 		<p>the relevant standards under the Housing SEPP.</p> <p>Redundant provision – Deleted.</p>
<p>P5 A boarding house development shall be designed as a contiguous building, within which all rooms are contained. Detached boarding houses are not permitted.</p>		<p>Redundant provision – deleted.</p> <p>Detailed provisions have been included under streetscape character and design excellence to ensure that new buildings for boarding house/co-living housing do not detract from the streetscape and delivery quality built form outcomes.</p>
<p>P6 Boarding houses shall be designed so that the main entry point(s) of the building are located to the street fronted elevation of the building and away from side boundary areas where adjoining property privacy may be compromised.</p>		<p>Adapted into the new P8.</p>
<p>P7 All parts of the premises and all appurtenances (including furniture, fittings, bedsteads, beds and bed linen) must be kept in a clean and healthy condition, and free from vermin.</p>		<p>Redundant provision – Deleted.</p> <p>This is added into standard conditions for boarding houses and co-living housing.</p>
<p>BASIX</p>		

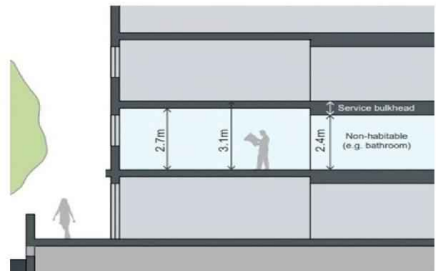
Existing Provisions	Proposed Amendments	Comment
P8 Boarding houses are to satisfy the requirements of the NSW Government's BASIX (https://www.basix.nsw.gov.au/information/index.jsp) standards for reduction in water and energy usage and provision of thermal comfort.		Redundant provision – Deleted. This is required under the SEPP (Sustainable Buildings). This is added into standard conditions for boarding houses and co-living housing.
Signage		
P9 Only one external sign is permitted for the boarding house development. The sign is limited to a maximum area of 0.3 sqm and its location is to be identified in the application for Council's consideration. The sign shall only provide the name of the boarding house and its address.		Provision adapted into the new P72 and P73 under the heading "Signage"
Strata Subdivision		
P10 Boarding houses are to be maintained and operated as a single entity. The strata subdivision of the individual rooms of a boarding house is not be permitted.		Already required under the Housing SEPP. Redundant provision – Deleted.
FSR, Height and Frontage Width		
P11 The maximum permissible FSR for boarding houses are those set out in the FSR Map of the BLEP 2012		Already required under the BLEP 2012 and the Housing SEPP. Redundant provision – Deleted.
P12 The maximum permissible height for boarding houses are those set out in the Height of Building Map of the BLEP 2012. Notwithstanding, boarding houses in the R2 zone will generally be restricted to two storeys in height to ensure their visual		Already required under the BLEP 2012 and the Housing SEPP. Redundant provision – Deleted.

Existing Provisions	Proposed Amendments	Comment
compatibility with surrounding low-density residential development.		Boarding houses are no longer not permitted in the R2 zone hence it is not relevant – Deleted.
P13 A boarding house shall generally be erected on an allotment of land having a minimum frontage of 17m for a two storey development, and being able to provide vehicle access and car manoeuvring spaces on site.		The provision is relocated and amended to P2 under Site Planning.
	Design Excellence	New objectives and provisions introduced under a new heading of “Design Excellence” as a response to the Burwood Design Review Panel’s recommendation.
	<u>Objective</u> O9. Provide quality design that delivers the highest standard of architectural, landscape and urban design O10. Provide design excellence that inspires and encourages the neighbourhood to follow O11. Enhance the qualities of the area and design to uplift the future character of the neighbourhood	To provide objectives for the Design Excellence provisions.
	<u>Provisions</u> P6. Where Clause 6.5 of the Burwood LEP 2012 applies, the Development Application must identify, through a design statement, how design excellence will be achieved in the proposed development. The design statement must include drawings and examples of the building features, textures,	To provide additional requirement of a design statement demonstrating compliance with Clause 6.5 of the BLEP 2012 when it applies.

Existing Provisions	Proposed Amendments	Comment
	materials, finishes and colours and how they are suitable to the subject site and its context.	
	<p>P7. If Clause 6.5 of the Burwood LEP 2012 does not apply, the new development must exhibit design excellence and the Development Application must identify, through a design statement, how design excellence will be achieved. The design statement must respond to the following:</p> <ul style="list-style-type: none"> (a) whether a high standard of architectural, landscape and urban design has been achieved (including in the materials used and in detailing appropriate to the location, building type and surrounding buildings), (b) whether the form and external appearance of the proposed building, and ground level detailing, will significantly improve the quality and amenity of the public domain, (c) how any streetscape and heritage issues have been addressed, (d) whether the amenity of the surrounding area, including any view corridors, vistas or landmark locations, will be adversely affected, (e) how traffic circulation and vehicular access will be addressed and whether the proposed development supports the provision of high quality pedestrian, cycle and service access, (f) whether any adverse effect on pedestrian movement and experience will be avoided (and whether the public 	To replicate the design excellence provisions in the DCP.

Existing Provisions	Proposed Amendments	Comment
	<p>transport interchange as the focal point for pedestrian movement in the surrounding area will be reinforced and the ease of pedestrian access to and from that interchange will be facilitated),</p> <p>(g) diversity of public open spaces at the ground level, as well as the roof and other levels of buildings,</p> <p>(h) how the bulk, mass, modulation, separation, setback and height of buildings have been addressed and whether they are appropriate in the context of existing and proposed buildings,</p> <p>(i) whether a high standard of ecologically sustainable design (including low-energy or passive design) will be achieved and overshadowing, wind effects and reflectivity will be minimised.</p>	
	Built Form Design	
	<p><u>Objective</u></p> <p>O12. Establish the appropriate separation of the built form to the public domain and adjoining development</p>	Specific objective proposed.
	<p><u>Provisions</u></p> <p>P8. The main entrance of the boarding house or co-living housing development is to be provided within the street elevation to address the street. Side entrances will only be permitted on sites with a secondary frontage and only where they result in a cohesive resolution of the streetscape and do not adversely impact upon neighbouring properties.</p>	Adapted from the existing P6.
Floor to Ceiling Heights		

Existing Provisions	Proposed Amendments	Comment
<p>P14 The floor to ceiling heights for boarding rooms and indoor communal areas, except for corridors and non-habitable spaces must be a minimum of 2.7 metres.</p>	<p>P9. Boarding house and co-living housing developments must have a minimum:</p> <ul style="list-style-type: none"> i. Minimum Floor to ceiling height of 2.7m except for corridors and non-habitable spaces. ii. Minimum Floor to floor height of 3.1m. Sunken building footprints below the relative level of the front footpath will not be supported. <div data-bbox="1086 598 1568 949" style="text-align: center;"> </div> <p>Figure 48: Minimum floor to ceiling heights for boarding houses and co-living housing</p>	<p>Adapted from the existing P14 and P15.</p> <p>New sketch proposed to replace ADG diagram.</p>
<p>P15 Floor to floor heights should be a minimum of 3.1 metres. Sunken building footprints below the relative level of the front footpath are not allowed.</p>		<p>Adapted into the newly proposed P9</p>
<p>P16 In the case of existing dwellings located outside of the R2 Low Density Residential zone being converted into boarding houses, existing floor to ceiling heights are to be maintained and be no less than 2.7m.</p>	<p>P12 In the case of existing dwellings being converted into boarding houses or co-living housing, existing floor to ceiling heights are to be maintained or be no less than 2.7m, whichever is greater. Contributory facade elements and the</p>	<p>Provision amended to improve clarity.</p> <p>ADG diagrams removed.</p>

Existing Provisions	Proposed Amendments	Comment						
<p>Contributory facade elements and the integrity of the dwelling's structural framework are to be maintained.</p>  <p>Figure 48: Minimum floor to ceiling heights for boarding houses (Adapted from ADG 2015)</p>	<p>integrity of the dwelling's structural framework are to be maintained.</p>							
<p>Setbacks</p>								
<p>P17 (i) Front setback provisions for Residential zones:</p> <table border="1" data-bbox="342 930 902 1161"> <thead> <tr> <th>Building Component</th> <th>Minimum Setback from Street Alignment</th> </tr> </thead> <tbody> <tr> <td>Ground floor</td> <td>Existing predominant building line</td> </tr> <tr> <td>First floor and above</td> <td>6.0m</td> </tr> </tbody> </table>	Building Component	Minimum Setback from Street Alignment	Ground floor	Existing predominant building line	First floor and above	6.0m	<p>P11. Front setback of new boarding house and co-living housing developments in in R1 General Residential Zone shall provide a front setback that is equivalent to the predominant street setback or 6m, whichever is greater.</p>	<p>The Housing SEPP specifies the front, side and rear setback requirements for the boarding houses (Section 25(2)(b)) and for the co-living housing (Section 69(2)(a)) in the R2 Low Density Residential Zone or R3 Medium Density Residential Zone. However, R1 General Residential Zone was not covered in the relevant provisions.</p> <p>This provision is therefore amended to close the gap between the SEPP requirements and the BDCP for developments in the R1 General Residential Zone</p>
Building Component	Minimum Setback from Street Alignment							
Ground floor	Existing predominant building line							
First floor and above	6.0m							

Existing Provisions		Proposed Amendments	Comment								
(ii) Side and rear setback provisions for Residential zones:		P12. For single storey or double storey boarding house and co-living housing developments in R1 General Residential Zone, the minimum side and rear setback shall comply with the following provisions:	It is specified under the Housing SEPP that for boarding houses or co-living housing for more than 3 storeys the ADG separation distances apply (Section 25 (2)(c) and Section 69 (2)(b) of the Housing SEPP). This provision is therefore amended to close the gap between the SEPP requirements and the BDCP for developments less than 3 storeys in the R1 General Residential Zone								
Building Component	Minimum Setback from Street Alignment										
Ground floor	2.0m										
First floor	3.5m										
Second floor and above	5.0m	<table border="1"> <thead> <tr> <th></th> <th>Side Setback</th> <th>Rear Setback</th> </tr> </thead> <tbody> <tr> <td>Ground Floor</td> <td>2.0m</td> <td>6m</td> </tr> <tr> <td>First floor</td> <td>3.5m</td> <td>6m</td> </tr> </tbody> </table>		Side Setback	Rear Setback	Ground Floor	2.0m	6m	First floor	3.5m	6m
	Side Setback	Rear Setback									
Ground Floor	2.0m	6m									
First floor	3.5m	6m									
P17A Notwithstanding P14, where a side or rear boundary is contiguous with a heritage item the minimum setback is 5m setback for the building at or above ground level and 4m for any underground excavation, irrespective of the setback of the heritage building from its boundary or landscaping of that setback. Fire stairs pump rooms or similar structures are not permitted in the setback area.		P13. Where a side or rear boundary is contiguous with a heritage item the required setback is: <ul style="list-style-type: none"> - minimum 5m for any part of the building at or above ground level, and - minimum 4m for any underground excavation, irrespective of the setback of the heritage building from its boundary or landscaping of that setback. 	Existing provision retained with wording streamlined.								
		P14. The fire stairs, pump rooms or similar structures must not detract from the overall visual amenity and are generally not supported to be located within the setback area.	Adapted from existing P17A.								
Advisory Note: Boarding houses within Business zones will be required to comply with the setback controls provided under the relevant Area Based Controls for Centres and Corridors in Section 3.			Redundant wording as already required under the SEPP and relevant sections of this DCP – Delete.								

Existing Provisions	Proposed Amendments	Comment
P18 Balconies, pergolas, etc. are not to encroach into the minimum setback area as set out in P14 & P14A above.	P15. Balconies, pergolas, etc. are not to encroach into the minimum side and rear setback area. Where balconies, pergolas etc. are proposed within the front setback, these must be designed so as to not encroach more than 20% into the front building setbacks.	Provision amended to remove requirement on front elevation and as such to allow reasonable articulation on the façade.
	P16. Development must locate the private open spaces and communal open space behind the front building line. This clause does not apply to any balconies where it is used to provide articulation to the street facade.	New provision proposed to provide further clarity for the new P15.
	Visual Appearance and Articulation	New group of objectives and provisions proposed under the new heading to encourage articulation
	<u>Objective</u> O13. Ensure well-proportioned built forms, façade treatments and varied architectural character that minimises the appearance of building bulk from the public domain, including along the street.	
	O14. Ensure that the scale, modulation and façade articulation of development responds to its context.	
	O15. Manage the floorplates with pragmatic internal planning that sensibly informs the façade and external articulation	
	O16. Ensure services including fire booster valves, substations and other infrastructure do not detract from the streetscape presentation of a building.	
	<u>Provisions</u>	

Existing Provisions	Proposed Amendments	Comment
	<p>P17. Building facades must be clearly articulated and employ high quality materials and finishes that enhance and complement the streetscape character. Design solutions may include:</p> <ul style="list-style-type: none"> ▪ A composition of varied building elements ▪ A defined base, middle and top of buildings ▪ Revealing and concealing certain elements ▪ Changes in texture, material, detail and colour to modify the prominence of elements ▪ Varied roof forms that add visual interest 	
	<p>P18. Building facades should be well resolved with an appropriate scale and proportion to the streetscape and human scale. Design solutions may include</p> <ul style="list-style-type: none"> ▪ Well composed horizontal and vertical elements ▪ variation in floor heights to enhance the human scale ▪ elements that are proportional and arranged in patterns ▪ public artwork or treatments to exterior blank walls ▪ grouping of floors or elements such as balconies and windows on taller buildings 	
	<p>P19. Large areas of blank, minimally or poorly articulated walls are not acceptable.</p>	

Existing Provisions	Proposed Amendments	Comment								
	P20. Development must not rely solely on the use of two-dimensional colour and materials to create visual interest. Modulation and articulation in the building form must be considered in the design of the building. Large span or proportion of rendered cement on elevations is not permitted.									
	P21. Important corners should be given visual prominence through a change in articulation materials or colour, roof expression or change in height.									
Room Size, Recreational Areas and Washing Facilities	Internal Design									
Bedrooms/Sleeping Rooms	<u>Room Design</u>									
P22 The size for a sleeping room (excluding any area used for private kitchen or bathroom facilities) within a boarding house shall be as follows:	P22. The internal area of private rooms within co-living housing developments and boarding rooms must comply with the requirements of the Housing SEPP 2021.	Adapted from the existing P22 to provide cross-reference to the SEPP.								
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 25%;">Room Type</th> <th style="width: 25%;">Minimum Room Size</th> <th style="width: 25%;">Maximum Room Size</th> </tr> </thead> <tbody> <tr> <td>Single person bedroom</td> <td>12sqm</td> <td rowspan="2">25sqm</td> </tr> <tr> <td>Two person bedroom</td> <td>16sqm</td> </tr> </tbody> </table>	Room Type	Minimum Room Size	Maximum Room Size	Single person bedroom	12sqm	25sqm	Two person bedroom	16sqm		
Room Type	Minimum Room Size	Maximum Room Size								
Single person bedroom	12sqm	25sqm								
Two person bedroom	16sqm									
P23 Dormitory style accommodation in boarding houses is not permitted		SEPP provides requirements for room configuration and does not allow for dormitory style accommodation Redundant provision - delete								

Existing Provisions	Proposed Amendments	Comment
<p>P24 Each bedroom is to ensure that there are sufficient storage and furnishing provided in the room. These requirements are as follows and should be met:</p> <p>(a) Secure Storage Facilities</p> <p>Minimum capacity of 1 sqm per person. Where more than one person is accommodated in the room, the storage space must be lockable.</p> <p>(b) Minimum Room furnishings</p> <ul style="list-style-type: none"> ▪ Bed (including base and mattress). ▪ Wardrobe. ▪ Mirror. ▪ Table and chair. ▪ A night light or other approved illumination vice for each bed. ▪ Waste container. ▪ An approved latching device on the door. ▪ Curtains, blinds or similar privacy device. <p>All room furnishings shall be detailed in the Management Plan and maintained in good repair.</p>	<p>P23. In addition to the above requirement, each private room in a co-living housing developments must provide for the following, with a minimum floor area of</p> <ul style="list-style-type: none"> ▪ 2m² – kitchenette, which must include a small fridge, cupboards and cooktop/microwave ▪ 3m² – bathroom facilities ▪ 1.5m² – laundry facilities (wash tub and washing machine) ▪ 2m³ – storage capacity per person <p>Details are to be included on the plans submitted with the Development Application.</p> <p>Note: laundry facilities can be integrated into the kitchenette.</p>	<p>Provision adapted into the new P23.</p> <p>Reference for internal room requirements were taken from existing provisions under the BDCP and Georges river DCP.</p> <p>The list of room furnishing has been relocated under the Template – Plan of Management included in the Appendix.</p>
<p>Communal Living Room</p>	<p><u>Communal Living Area</u></p>	<p>Wording updated to be consistent with the Housing SEPP</p>
<p>A communal living room refers to an indoor space, such as a lounge, games room or TV room.</p>		<p>Delete.</p>
<p>P29 Boarding houses provide accommodation for people who are unrelated and generally strangers. Whilst building design and layout should encourage resident interaction, it is also</p>		<p>This has already been expressed in the objectives of the section and in the provision under visual privacy and acoustic amenity.</p>

Existing Provisions	Proposed Amendments	Comment
<p>important to provide and maintain privacy for residents. DAs for boarding houses are to consider the impact of the development on adjoining properties, where both noise disturbance and visual impact should be minimised.</p>		<p>Redundant wording – deleted.</p>
<p>(a) Communal Living Room</p> <p>Boarding houses are to provide a communal living room of a minimum 15 sqm in area for the first 12 persons or part thereof, with a further 1.25 sqm provided for each additional person thereafter.</p> <p>Where a boarding house only has 4 or less rooms, each being self-contained, a communal living room is not required.</p>	<p>P24. Communal living areas in boarding houses and co-living housing developments must comply with the requirements of the Housing SEPP 2021. The calculation of the area can include any dining area, but cannot include bedrooms, bathrooms, laundries, reception area, storage, kitchens, car parking, loading docks, driveways, clothes drying areas, corridors and the like.</p>	<p>Adapted from the existing P29 to be consistent with the Housing SEPP.</p> <p>Additional details provided to clarify on the requirements of calculation.</p>
<p>Developments will be required to demonstrate equitable and convenient access to all boarders by spreading communal living area across floors in multi-storey premises.</p>	<p>P26. For boarding houses and co-living housing developments 4 storeys or more, a communal living area is to be provided for every 4 storeys or part thereof.</p>	<p>Provision amended in a measurable fashion to require communal living area to be provided commensurate with the density of the development.</p>
<p>(b) Location of Communal Living Room</p> <p>Communal living areas where located on the ground floor are to be located near commonly used spaces, such as kitchen, laundry, lobby entry area, manager’s office etc., or adjacent to the communal outdoor open space.</p> <p>Communal living rooms should have a northerly aspect and should be located where they will have a minimal impact on</p>	<p>P25. Where communal living areas are situated:</p> <ul style="list-style-type: none"> ▪ on ground level of a development, these must be located adjacent to the outdoor communal open space. ▪ above ground level of a development, these must be located as close to any outdoor communal open space 	<p>Provision amended to streamline the wording</p>

Existing Provisions	Proposed Amendments	Comment		
<p>adjoining properties in terms of noise generation. The use of double glazed windows or acoustic barriers can assist with this.</p> <p>Consideration should be given to ensure that habitable rooms adjoining the communal living room also protected from excessive noise.</p> <p>The use of highlight windows is encouraged along side boundaries, to minimise direct overlooking, particularly when adjoining or adjacent to residential properties.</p>		<p>Privacy mitigation measures are addressed under the heading of Visual Privacy and Acoustic Amenity.</p>		
Kitchen Facilities	<u>Kitchen Facilities</u>			
<p>P25 Notwithstanding any provision of kitchen facilities within individual boarding house rooms, a communal kitchen may be provided within the boarding house development.</p>		<p>Provision adapted to the new P27.</p>		
<p>P26 Communal kitchen areas must comply with the following requirements:</p> <p>(a) Class 1b Kitchen Facilities A communal commercial grade kitchen area with kitchen sink and facilities for food preparation, tables and chairs in a central location, accessible to all residents with a minimum area of 6.5 sqm for one to six residents or 11 sqm for 7-12 residents.</p> <p>(b) Class 3 Kitchen</p>	<p>P27. Where communal kitchen areas are provided within a development, these must be situated adjacent to the communal living area and must comply with the following requirements. Details are to be included on the plans submitted with Development Applications.</p> <table border="1" style="width: 100%;"> <tr> <td style="width: 15%;">Class 1b Kitchen</td> <td>A communal commercial grade kitchen area with kitchen sink and facilities for food preparation, tables and chairs in a central location, accessible to all residents with a minimum area of 6.5m² for one to six residents or 11m² for 7-12 residents</td> </tr> </table>	Class 1b Kitchen	A communal commercial grade kitchen area with kitchen sink and facilities for food preparation, tables and chairs in a central location, accessible to all residents with a minimum area of 6.5m ² for one to six residents or 11m ² for 7-12 residents	<p>Provision adapted to new P27.</p>
Class 1b Kitchen	A communal commercial grade kitchen area with kitchen sink and facilities for food preparation, tables and chairs in a central location, accessible to all residents with a minimum area of 6.5m ² for one to six residents or 11m ² for 7-12 residents			

Existing Provisions	Proposed Amendments		Comment
<p>A commercial grade communal kitchen and dining area with a minimum area of 15 sqm, plus 1 sqm per additional person above the minimum 12 persons.</p> <p>(c) Kitchen Requirements</p> <p>The following must be provided in any kitchen as a minimum:</p> <ul style="list-style-type: none"> ▪ One sink for every six people with running hot and cold water. ▪ One stove top cooker for every six people. ▪ A refrigerator with storage space of 0.13 sqm per person. ▪ A freezer with storage space of 0.05 sqm per person. ▪ Exhaust ventilation. ▪ A lockable drawer or cupboard for food storage for each guest in the kitchen area. 	Class 3 Kitchen	A commercial grade communal kitchen and dining area with a minimum area of 15m ² plus 1m ² per additional person above the minimum 12 persons.	The detailed storage area per person within the refrigerator and freezer have been deleted as it is unpractical to assess and enforce.
	Kitchen Requirements	<p>The following must be provided in any kitchen as a minimum:</p> <ul style="list-style-type: none"> ▪ One sink for every six people with running hot and cold water. ▪ One stove top cooker for every six people. ▪ Exhaust ventilation. ▪ A lockable drawer or cupboard for food storage for each guest in the kitchen area. 	
P27 Any kitchen facilities and utensils for the storage or preparation of food must be kept in a clean and healthy condition, in good repair, free from foul odours and, as far as practicable, free from dust, flies, insects and vermin.			Delete –This is a standard condition in development consent not a planning control for assessment.
P28 The floor of any kitchen must have an approved impervious surface.			Delete –This is a standard condition in development consent not a planning control for assessment.
Laundries, Bathrooms and Drying Facilities:	<u>Laundry Facilities</u>		

Existing Provisions	Proposed Amendments	Comment
laundry facilities shall be located in a safe and accessible location for all residents.	design and must not be located where visible from the street or public domain.	
(c) Submission requirements All laundry facilities must be nominated on the plans and details of the energy star rating of appliances must be submitted with the construction certificate.		This is a standard condition. – Delete from DCP.
(d) Bathroom facilities: Class 1(b) – up to 12 residents Bathroom facilities must comply with the minimum requirements of the BCA and be in an accessible location for all occupants. The minimum requirement is one bath or shower for each 10 occupants or part thereof and one closet pan and washbasin with hot and cold running water for each 10 occupants or part thereof. Class 3 Bathroom facilities must comply with the minimum requirement as stipulated in the BCA and in an accessible location for all occupants. The minimum requirement is one bath or shower and one closet pan and washbasin with hot and cold running water for each 10 occupants or part thereof.		Redundant provision as already required under the BCA/NCC – Delete.
P31 Communal Bathrooms are to be a minimum of 5 sqm in size.		Provision deleted – too specific
P32 Toilet and shower facilities for employees and persons with a disability are to be provided in accordance with the provisions of the BCA.		Redundant provision as already required under the BCA/NCC – Delete.

Existing Provisions	Proposed Amendments	Comment
P33 Toilet facilities, if for communal uses, must be provided in a separate compartment from the bathroom/shower room.		
	P32. All appliances achieve an energy star rating of 3.5 or higher, unless otherwise legislated.	New provision proposed to introduce energy rating requirement for appliances in boarding house and co-living housing to reduce emissions and improve sustainability.
	Visual Privacy and Acoustic Amenity	New group of provisions proposed under privacy
	<u>Objectives</u> O17. Ensure an acceptable level of visual privacy and acoustic amenity is provided for the development and adjoining residential uses.	New objective proposed.
	<u>Provisions</u> P33. The siting of windows and other openings and communal or gathering spaces above ground level should avoid direct overlooking to adjoining residential uses. Where overlooking cannot be avoided, redirection of views to the front or rear should be incorporated into the design of the development.	New provision proposed.
	P34. Bedrooms within boarding house and co-living housing development must be designed to locate bedrooms away from significant internal and external noise sources.	New provision proposed.
	P35. Consideration of the design of the development should aim to minimise the impact of noise internally and to the adjoining development. The design of the development should consider:	Adapted from the existing provision P51

Existing Provisions	Proposed Amendments	Comment
	<ul style="list-style-type: none"> ▪ the location of openings relevant to adjoining uses and neighbouring properties, ▪ locating similar building uses (such as bathrooms) back to back 	
	<p>P36. Noise mitigation treatments and design considerations for developments adjoining busy roads or rail corridors, that satisfy the requirements for habitable rooms in accordance with Department of Planning, Industry and Environment's 'Development Near Rail Corridors and Busy Roads – Interim Guideline' and the requirements of Clause 2.120 of SEPP (Transport and Infrastructure) 2021 must be addressed, where appropriate. Details are to be included with the documentation submitted with the development application.</p>	<p>New provision proposed to be consistent with the NSW planning framework.</p>
<p>Landscaping and Communal Open Space</p>	<p>Landscaping Treatment and Open Space</p>	<p>New objectives and provisions proposed to strengthen the local landscaping and deep soil requirements.</p>
<p>P53 Landscaping of the unbuilt upon area is to be provided for the recreational needs of residents, to enhance the amenity of the area and streetscape, to provide for privacy screening and to make allowance for deep soil planting.</p>		<p>Provision adapted into the new group of objectives.</p>
	<p><u>Objectives</u> O18. Ensure sufficient and well located private and communal open space to meet the recreational needs of residents.</p>	<p>New objective proposed.</p>
	<p>O19. Provide areas for deep soil planting to achieve increased urban tree canopy cover and deliver green grid connections.</p>	<p>New objective proposed.</p>

Existing Provisions	Proposed Amendments	Comment										
	O20. Maximise the landscape curtilage around the site for quality planting, establishment of tree canopies and creation of useful outdoor spaces in addition to boundary screen planting.	New objective proposed.										
	O21. Incorporate landscape design early in the design process to provide optimal outcomes for the residential amenity. Landscaping needs to be coordinated with other disciplines to ensure building design and service locations complement landscape and public domain.	New objective proposed.										
	<u>Provisions</u>											
	<u>Landscaping and Deep Soil</u>											
	P37. A detailed landscape plan must be submitted with any development application for boarding house and co-living housing developments.	New provision proposed.										
	P38. Existing significant trees and vegetation, where achievable, must be incorporated into the proposed landscape treatment.	New provision proposed.										
	<p>P39. Deep soil zones are to be provided to meet the following minimum requirements.</p> <table border="1" style="margin-left: 40px;"> <thead> <tr> <th>Site area</th> <th>Minimum dimensions</th> <th>Deep soil zone (% of site area)</th> </tr> </thead> <tbody> <tr> <td>Less than 650sqm</td> <td>1.5m</td> <td rowspan="3">7%</td> </tr> <tr> <td>650sqm – 1500sqm</td> <td>3m</td> </tr> <tr> <td>Greater than 1500sqm</td> <td>6m</td> </tr> </tbody> </table>	Site area	Minimum dimensions	Deep soil zone (% of site area)	Less than 650sqm	1.5m	7%	650sqm – 1500sqm	3m	Greater than 1500sqm	6m	<p>New provision proposed.</p> <p>The requirements are consistent with the requirements of the ADG except the minimum dimension requirement being introduced for sites smaller than 650sqm to ensure quality deep soil to be achieved on small sites. .</p>
Site area	Minimum dimensions	Deep soil zone (% of site area)										
Less than 650sqm	1.5m	7%										
650sqm – 1500sqm	3m											
Greater than 1500sqm	6m											

Existing Provisions	Proposed Amendments	Comment
	<p>P40. Deep soil zones should be located to retain existing significant trees and to allow for the development of healthy root systems, providing anchorage and stability for mature trees. Design solutions may include:</p> <ul style="list-style-type: none"> ▪ basement and sub-basement car park design that is consolidated beneath building footprints ▪ use of increased front and side setbacks ▪ adequate clearance around trees to ensure long term health ▪ co-location with other deep soil areas on adjacent sites to create larger contiguous areas of deep soil 	New provision proposed.
	<p>P41. Alternative forms of planting should be provided, such as planting on structures while ensuring appropriate stormwater management is achieved under the following circumstances:</p> <ul style="list-style-type: none"> ▪ the location and building typology have limited or no space for deep soil at ground level (e.g. central business district, constrained sites, high density areas, or in centres) ▪ there is 100% site coverage or non-residential uses at ground floor level 	New provision proposed.
	<p>P42. Planting in deep soil areas is to include trees that achieve a minimum mature height of 6m.</p>	New provision proposed.
	<p>P43. Structures in a landscaped area need to be reinforced for additional saturated soil weight, as appropriate.</p>	New provision proposed.

Existing Provisions	Proposed Amendments	Comment
P54 In Residential zones, the front setback area must be landscaped to be compatible with the existing streetscape. Any communal open space must be provided behind the front building line.	P44. Where development is proposed in an established residential zone, the front setback area must be landscaped to be compatible with the existing streetscape.	Adapted from the existing provision P54.
	P45. Landscaped areas should take advantage of existing site conditions when responding to features such as: <ul style="list-style-type: none"> ▪ Changes of level; ▪ Views; and ▪ Significant landscape features including trees and rock outcrops 	New provision proposed.
	<u>Private Open Space</u>	
	P46. For rooms with access to the ground level or a podium, private open space must be provided to individual rooms, with access from the room.	New provision proposed to ensure acceptable amenity and access to natural air and sunlight to be provided to rooms on the ground level or podium level.
	P47. For rooms above ground level facing the street along the front elevation, a balcony with a minimum dimension of 1m and minimum area of 2m ² must be provided to increase the visual interest and enhance the passive surveillance to the public domain.	New provision proposed to encourage POS to be provided while encouraging façade articulation and passive surveillance.
	P48. A minimum 20% of all rooms on a side or rear elevation must be provided with individual private open space. The private open space above ground level are to be designed in the form of recessed balconies to mitigate privacy impacts to the adjoining properties.	New provision proposed to encourage POS provision while balancing the potential impacts to neighbouring properties.

Existing Provisions	Proposed Amendments	Comment
	P49. Clear glazing to balustrades must be avoided. The balustrade design should be visually recessive.	New provisions proposed to provide clarity in the design of private open space.
	<u>Communal Open Space</u>	
<p>P55 The following communal open space areas are to be provided:</p> <ul style="list-style-type: none"> (i) In Residential zones, one area of at least 20 sqm with a minimum dimension of 3 metres for the use of the lodgers, (ii) In Residential zones, if accommodation is provided on site for a boarding house manager – one area of at least 8 sqm with a minimum dimension of 2.5 metres adjacent to that accommodation, (iii) In Business zones, one open-air area of at least 12 sqm, such as a courtyard or rooftop terrace. Privacy and acoustic screening should be provided for any elevated courtyard or rooftop terrace. 	<p>P50. Communal open space is to be provided in accordance with the requirements of the Housing SEPP 2021 and must be consolidated into a well-designed, easily-identifiable and useable area.</p>	<p>Numerical requirement deleted as inconsistent with the SEPP. Cross-reference to the Housing SEPP is provided.</p>
	<p>P51. Communal open space may be provided above ground level where:</p> <ul style="list-style-type: none"> i. the proposed elevated communal open space will provide a high level of amenity as a communal open space at ground level of the site; and ii. there will be no significant impact on surrounding properties in respect to the loss of visual and acoustic privacy. 	<p>New provision proposed.</p>

Existing Provisions	Proposed Amendments	Comment
	P52. At least 50% of the required communal open space area is to receive 2 hours of direct sunlight between 9am and 3pm on 21 June.	New provision proposed.
	P53. Roof top communal open space areas, amenities and common rooms should include equitable access for all residents, and must be designed to ensure that noise and overlooking will be avoided, by way of screening and setbacks from boundaries.	New provision proposed.
	P54. Where roof top communal open space is proposed on a site adjoining land that permits lower maximum building height, the communal open space is to be setback to minimise the extent of overlooking onto the adjoining properties.	New provision proposed.
	P55. Ancillary structures on the roof such as lift overruns and staircases should be located where their impact is minimised to reduce their visual dominance. Balustrades should be visually recessive or be incorporated into a roof feature.	New provision proposed.
P56 Wherever possible communal open space areas should be connected to communal indoor spaces such as kitchens or living areas. Communal facilities such as BBQ's, seating and pergolas are also encouraged.	P56. Communal facilities such as barbeques, seating and pergolas shall be provided within the communal open space. Details are to be included on the landscape plan submitted with the development application.	Provision adapted into P51 and P56.
P57 Planting should be used to screen communal open space from adjoining properties or the public way, with trellis, screens with climbing vines or the like, used to complement deciduous tree planting.	P57 Planting should be used to screen communal open space from adjoining properties or the public way, with trellis, screens with climbing vines or the like, used to complement deciduous tree planting.	Provision retained.
	Parking	
	<u>Objectives</u>	New group of objectives proposed.

Existing Provisions	Proposed Amendments	Comment
	O22. Minimise the adverse impact of vehicles on the amenity of the development, streetscape and neighbourhood.	
	O23. Ensure adequate provision of secure bicycle parking.	
	O24. Ensure that basement car parking is appropriately designed for user safety and environmental sensitivity.	
	<u>Provisions</u> P58. The number of car parking spaces will be provided at the rate as prescribed under the SEPP (Housing) 2021.	New group of provisions proposed to provide additional clarity in response to the amendment of Housing SEPP which removed the numerical requirement of bicycle and motorcycle parking.
	P59. At least one parking space will be provided for a bicycle for every 5 rooms in co-living housing and boarding house development.	
	P60. At least one parking space will be provided for a motorcycle for every 5 rooms in co-living housing and boarding house development.	
	P61. The design and consideration of the car park or parking facilities shall refer to the relevant Transport and Parking section in the BDCP.	
Operational Controls	Operational Management	
	<u>Objectives</u> O25. Ensure management and operational practices ensure the safety and wellbeing of occupants.	New objectives proposed.
	O26. Ensure that development is operated and maintained in a manner that minimises impacts on adjoining owners and residents.	New objectives proposed.

Existing Provisions	Proposed Amendments	Comment
	O27. Ensure that clear and suitable operational measures and practices are in place for the on-going management of boarding house and co-living housing developments.	New objectives proposed.
	<p><u>Provisions</u></p> <p>P62. Co-living housing developments are to be managed by a manager who has overall responsibility including the operation, administration, cleanliness, maintenance and fire safety of the premises. Management arrangements are to be set out in a Plan of Management.</p>	Adapted from the existing provision P43 with additional details to complement the SEPP requirement.
<p>Management Plan</p> <p>P34 A Management Plan is to be developed and maintained and be accessible to Council as requested. The Management Plan shall address the following operational aspects of the boarding house:</p> <ul style="list-style-type: none"> ▪ Fees for residency. ▪ Kitchen usage, the provision of meals or resident provision of meals. ▪ Use of communal space and facilities. ▪ Parking for cars. ▪ Cleanliness and maintenance of the property and grounds. ▪ House rules, e.g. guest behaviour, activities and noise, visitor policy, operating hours of outdoor common areas, use of alcohol and/or drugs. 	<p>P63. A development application for boarding house or co-living housing must be accompanied by a Plan of Management which provides all details relevant to the operation of the premise. The Plan of Management, as a minimum, must address the ongoing management and operational aspects of the development. A template Plan of Management is included at the Appendix X.</p> <p style="text-align: center;">Note: The approved Plan of Management will form part of any development consent and any changes to the Plan of Management will require an application under the provisions of s4.55.</p>	Details to be addressed under the Plan of Management (POM) have been relocated under the POM Template in the Appendix.

Existing Provisions	Proposed Amendments	Comment
P35 A Management Plan must be submitted with each boarding house DA including new and existing boarding houses to ensure that the proposed premises operates in a manner that maintains a high level of amenity.		
Management and Registration		
P36 A management office shall be visibly located within the boarding house and be accessible to all boarders.		Deleted from the controls – details to be included under POM which will form part of the development consent once approved.
P37 The boarding house must be registered annually with the Department of Fair Trading.		Delete – this is a standard condition not a planning control.
P38 Properties located adjacent to the boarding house premise are to be provided with a 24 hour telephone number for the property manager/caretaker.		Deleted from the controls – details to be included under POM which will form part of the development consent once approved.
On-site Manager/Management		
P39 All new boarding houses are to have a contact person acting as an agent of the Manager and must be nominated and contactable 24 hours per day, 7 days a week.		Deleted from the controls – details to be included under POM which will form part of the development consent once approved.
P40 The boarding house agent may be accessible off-site or be one of the occupants who resides on the premises.		Deleted from the controls – details to be included under POM which will form part of the development consent once approved.
P41 A clearly visible sign with the name and telephone number of the contact person must be displayed externally at the front entrance of the boarding house and internally in the common area.		Deleted from the controls – details to be included under POM which will form part of the development consent once approved.

Existing Provisions	Proposed Amendments	Comment
P42 Where on-site managers are provided, they must be over 18 years of age.		Deleted from the controls – details to be included under POM which will form part of the development consent once approved.
P43 An on-site manager/management must be responsible for the operation, administration, cleanliness and fire safety of the premises, including compliance with the Management Plan as well as an Emergency Management and Evacuation Plan.		Deleted from the controls – details to be included under POM which will form part of the development consent once approved.
Maximum Number of Boarders and Lodgers		
P44 The number of occupants must not exceed the maximum number of persons determined by the Council to be accommodated in each bedroom or dormitory and in the whole premises.		Deleted from the controls – details to be included under POM which will form part of the development consent once approved.
Bedroom Numbering		
P45 A schedule showing the numeral designation of each bedroom and the number of persons permitted to be accommodated in each bedroom must be conspicuously displayed on the premises.		Deleted from the controls – details to be included under POM which will form part of the development consent once approved.
P46 Each bedroom must be numbered in accordance with the schedule and there must be displayed clearly on the door, or in each bedroom, the maximum number of persons allowed to be accommodated in the bedroom.		Deleted from the controls – details to be included under POM which will form part of the development consent once approved.
Fire Safety and On-Site Security Measures		
Fire Safety Regulation	Fire Safety	
	<u>Objectives</u>	New objective proposed.

Existing Provisions	Proposed Amendments	Comment
	O28. Ensure the appropriate level of fire safety within all boarding house developments and that acceptable levels of service provision are maintained.	
P47 Boarding houses (Class 1b or 3) must provide a high level of fire safety. Fire management practices are to be established to ensure safe and efficient access and egress and that all fire equipment and warning systems are regularly checked on an annual basis (a fire safety statement is to be supplied to Council) and maintained in accordance with the provisions of the Local Government Act 1993 and Building Code of Australia (BCA)..	P64. The relevant fire safety requirements under the Building Code of Australia/ National Construction Code shall be considered at early state of the design of boarding house and co-living housing development.	Wording streamlined.
P48 A floor plan must be permanently fixed to the inside of the door of each bedroom and that indicates the available emergency egress routes from the respective sleeping room.	P65. An Emergency Evacuation Plan must be prepared as part of the Plan of Management detailing the evacuation procedures in the event of the emergency, provision of resident log book, identifying the assembly point and detailing how residents will be made aware of the procedures contained within the plan. The Emergency Evacuation Plan must be clearly displayed within each room and in the communal living areas of the development. A condition of consent will be included in this regard.	Provision amended.
P49 Council requires new premises to comply with the provisions of the Building Code of Australia (BCA). Where a DA proposes alterations and additions or upgrade to an existing premises it will be expected that the whole of the building will be upgraded in respect of Fire Safety and will be assessed on its merits.		Already required under the BCA/NCC. Redundant provision – Deleted.
Additional Safety Measures		

Existing Provisions	Proposed Amendments	Comment
<p>P50 Additional safety and security measures for all residents may include but are not limited to such things as internal signage indicating the property caretaker or manager and contact number, emergency contact numbers for essential services such as fire, ambulance, police, and utilities such as gas, electricity, plumbing, installation of perimeter lighting, appropriate fencing and secure gates, and all residents to have own keys.</p>		<p>Deleted from the controls – details to be included under POM which will form part of the development consent once approved.</p>
<p>Acoustic Impact Minimisation</p>		
<p>P51 The following noise abatement provisions should be complied with:</p> <p>Design considerations for noise abatement include consideration of the:</p> <ul style="list-style-type: none"> ▪ Location of windows in respect to the location of windows in neighbouring properties. ▪ Sensitive location of communal outdoor areas away from main living area or bedroom windows of any adjoining dwelling. ▪ The use of screen fencing or planting as a noise buffer for external noise sources or in terms of transferral of noise from communal areas to surrounding land uses. ▪ The use of acoustic barriers as a noise buffer to external noise sources from surrounding land uses and/or passive design considerations within the building to minimise noise intrusion 		<p>Provision relocated under privacy.</p>

Existing Provisions	Proposed Amendments	Comment
<ul style="list-style-type: none"> ▪ The incorporation of double glazing of windows or use of glass blocks (for light penetration but not suitable where natural ventilation is also required) ▪ Locate similar building uses (such as bedrooms to bathrooms) back to back internally within the building, to minimise internal noise transmission. 		
<p>P52 The development standards contained within Part F5 of the BCA regarding sound transmission and insulation ratings and construction that applies to Class 3 buildings shall now apply to Class 1B buildings.</p>		<p>Redundant provision – refer to BCA.</p>
Accessibility for People with a Disability		
<p>P58 Access, corridors and facilities are to be designed in accordance with the following:</p> <ul style="list-style-type: none"> ▪ Building Code of Australia – Access and Egress (Part D, E and F) ▪ Australian Standard 2890. 		<p>Delete redundant provision – required under BCA/AS.</p>
<p>P59 There shall be a minimum of accessible / adaptable sole occupancy units provided at the rate specified in Part D3.1 General Building Access Requirements of the Building Code of Australia (BCA) namely (up to 200 units)</p> <ul style="list-style-type: none"> ▪ 1-10 units - One accessible unit ▪ 11-40 units - Two accessible Units ▪ 41-60 units - Three accessible units ▪ 61-80 units - Four accessible units ▪ 81-100 units - Five accessible units 		<p>Delete redundant provision – required under BCA/AS.</p>

Existing Provisions	Proposed Amendments	Comment
<ul style="list-style-type: none"> ▪ 101-200 units - Five accessible units plus one additional unit for every 25 units or part thereof in excess of 100 units 		
	Service Facilities	
	<i>Waste Facilities</i>	
	P66. Consideration shall be given to waste collection and removal at the early stage of the overall design of the building. The waste management and services shall comply with the relevant requirements under the section 6.2 of the BDCP and shall be designed to minimise adverse impacts to the amenity of the residents and the neighbouring properties.	New provision proposed to complement existing waste planning controls in this DCP.
	P67. Garbage bin areas and external storage facilities shall be sited and designed for attractive visual appearance and function and complement the architecture and environs. The size, capacity and location of garbage bin areas shall be in accordance with the Waste Management provisions of this DCP.	New provision proposed.
<i>Mailbox and Postal Facilities</i>	<i>Mailbox and Postal Facilities</i>	
P19 Mail box and postal facilities to be included and to comply with provisions P8, P9 and P10 under Section 3.2.4 Street-Front Activities and Building Access. Refer to Figures 1(a) and 1(b).	P68. Mail box and postal facilities to be included and to comply with provisions P8, P9 and P10 under Section 3.2.4 Street-Front Activities and Building Access. Refer to Figures 1(a) and 1(b).	Provision relocated from P19.
<i>Fire Safety and Power Supply Utilities</i>	<i>Fire Safety and Power Supply Utilities</i>	

Existing Provisions	Proposed Amendments	Comment
P20 Fire safety and power supply utilities are to comply with provision P12 under Section 3.2.4 Street-Front Activities and Building Access. Refer to Figure 1(c).	P69. Fire safety and power supply utilities are to comply with provision P12 under Section 3.2.4 Street-Front Activities and Building Access. Refer to Figure 1(c).	Provision relocated from P20.
<i>Mechanical and Ventilation Equipment</i>	<i>Mechanical and Ventilation Equipment</i>	
P21 Mechanical and Ventilation Equipment are to comply with Provisions 15, 16, 17, 18 under Section 3.2.4 Street-Front Activities and Building Access.	P70. Mechanical and ventilation equipment are to comply with the provisions under Section 3.2.4 Street-Front Activities and Building Access.	Provision relocated from P21.
	P71. Building services elements such as electrical substation, OSD tanks, gas meters, fire hydrant boosters and the like should be thoughtfully integrated either with building or landscape design, to improve the entry experience and maximise pedestrian amenity within the public domain interface along the street. These details must be indicated on the plans submitted with the development application.	New provision proposed to consider visual presentation and design integration of building services.
	Signage	
	<u>Provisions</u> P72. A maximum of one external sign will be permitted with a maximum area of 0.3m ² . The sign shall indicate the address of the property.	Adapted from the existing provision P9 and relocated here.
	P73. Details of the signs location (if proposed) are to be shown on the development application plans.	Adapted from the existing provision P9 and relocated here.
[END OF THE SECTION 5.4]		

3. Proposed amendments to Section 3.9 Transport and Parking in Centres and Corridors

Existing Provisions	Proposed Amendments	Comments
3.9 Transport and Parking in Centres and Corridors Table 2. Car Parking Rates in Centres and Corridors		
Hostels, boarding houses Parking for residents <ul style="list-style-type: none"> ▪ 0.5 spaces per boarding room, or, ▪ in the case of development carried out by or on behalf of a social housing provider in an accessible area—at least 0.2 parking spaces are provided for each boarding room, or ▪ in the case of development carried out by or on behalf of a social housing provider not in an accessible area—at least 0.4 parking spaces are provided for each boarding room. Parking for employees or caretakers <ul style="list-style-type: none"> ▪ 1 space per 2 employees or caretakers. 	Boarding houses, Co-living housing <ul style="list-style-type: none"> ▪ Car Parking for residents – refer to the Housing SEPP ▪ Bicycle parking – one space per five rooms or part thereof ▪ Motorcycle parking – one space per five rooms or part thereof 	Ensure consistency with the SEPP and close the gaps of the silent requirement on bicycle and motorcycle parking

4. Proposed amendments to Section 4.6 Transport and Parking in Residential Developments

Existing provisions	Proposed Amendments	Comments
<p>4.6 Transport and Parking in Residential Developments Table 4 - Car Parking Rates in Residential Zones</p>		
<p>Hostels, boarding houses</p> <p>Parking for residents</p> <ul style="list-style-type: none"> ▪ 0.5 spaces per boarding room ▪ in the case of development carried out by or on behalf of a social housing provider in an accessible area—at least 0.2 parking spaces are provided for each boarding room, or ▪ in the case of development carried out by or on behalf of a social housing provider not in an accessible area—at least 0.4 parking spaces are provided for each boarding room. <p>Parking for employees or caretakers</p> <ul style="list-style-type: none"> ▪ One space per two employees or caretakers 	<p>Hostels, Boarding houses, Co-living housing</p> <ul style="list-style-type: none"> ▪ Car Parking for residents – refer to the Housing SEPP ▪ Bicycle parking – one space per five rooms or part thereof ▪ Motorcycle parking – one space per five rooms or part thereof 	<p>Ensure consistency with the SEPP and close the gaps of the silent requirement on bicycle and motorcycle parking</p>

5. Proposed amendments to Section 8.1.6 Waste/ Recycling Generation Rates

Existing Provisions			Comments
Type of premises	Waste Generation	Recycling Generation	
Boarding house	60L/occupant space/week	20L/occupant space/week	Update recycling waste generation rate to align with operation feedback from Manager Waste and Cleansing.
Guest house			
Proposed Amendments			
Type of premises	Waste Generation	Recycling Generation	
Boarding house	60L/occupant space/week	60L/occupant space/week	
Co-Living Housing			



Burwood Design Review Panel Meeting Minutes & Recommendations

Proposal Description:	Proposed amendments to Section 5.4 of the Burwood Development Control Plan - Boarding House and Co-Living Housing
Meeting Date:	25 November 2022
Panel Members:	Ms Karla Castellanos – Audax Urban (Alternate Chair) Mr Matthew Taylor – Taylor Brammer Landscape Architects Mr Greg Dyson – Urban Fabric
Apologies:	N/A
Council Staff:	Mr Dylan Porter Mr Rita Vella Ms Holly Duan
Guests:	N/A
Declarations of Interest:	None
Applicant or Applicant's representatives to address the Panel:	N/A



Background:

1. The Panel reviewed the proposed Draft DCP and supporting briefing to the Panel and met with the council staff to discuss the proposal.
2. Council staff briefed the Panel and explained the rationale and the urgency of incorporating these amendments into the local planning controls.
 - Amendments coming forward in response to the Housing SEPP an introduction of Co-Living as a new housing typology.
 - Presently the BDCP does not capture Co-living and there is a desire to introduce local controls.
 - Also, existing provisions in relation to Boarding Housing are outdated and there is a desire to update these.
 - Council is also receiving new applications for Co-living and there is a need to close gaps in the current SEPP where there is a silence on terms of design controls. For example, there is a control in the SEPP for minimum room size but no other elements in the room.
 - Council is also undertaking a whole scale review of the DCP.

Discussion:

3. Panel asked whether there are other internal amenity considerations. – Council responded that there are existing controls in the DCP and Council would be looking to bring forward these controls to also address Co-living.
4. There are no intended controls for Co-living in relation to site management and rent levels. As compared to boarding houses which have to be managed by a CHP.
5. No requirement for on-site manager. A workspace to be provided for management.
6. Council is considering options to bring forward a template for site management plans. This was viewed as a positive outcome.
7. The Panel questioned as to what might be seen as risks associated with no on site management?
 - o Suggestion that this would be controlled site via the site management plan. This may include 24 hr on call service for site management. This could also include signage and other site controls.
8. Comment from the panel: Bayside Council has had substantial experience in this housing typology.
9. Not necessarily the case that this type of housing is transition accommodation only but is used for a range of residents on temporary assignments.
10. ADG is a good tool but advisory in its nature.
11. Panel question regarding the moratorium on boarding houses in HCAs?
 - o Council informed the panel that this moratorium has been extended indefinitely.
 - o However, Co-living is not permitted in the R2 Zone which largely covers the HCAs in Burwood Council.
12. The panel asked whether Co-living has a minimum number of rooms?
 - o The SEPP definition is that Co-Living must have 6 or more rooms.



13. How is FSR going to be managed and how is bonus FSR to be managed?
 - o There is a non-discretionary standard in the SEPP which permits a 10% bonus to FSR. However, a further amendment to the SEPP has been issued from the Department which may provide further clarification. However, on first review – does not apply to Co-Living.
 - o However, for the purposes of the DCP – Council has no control over the SEPP

Comments & Feedback:

14. There is a need to clarify the applicability of Design Excellence and ensuring the clause 6.5 of the BLEP can be applied to these applications. This would allow things such as amenity, common areas outlook etc to be considered.
15. How can the Design Excellence clause to be brought to bear on co-living outside the B4 and B2 zone.
 - o Council staff suggests the design excellence provisions may be replicated in the DCP without amending the BLEP.
16. Comment from Council that Design Excellence provisions could be brought into the DCP and the objectives of the controls.
17. Remaining concern that site management is not a feature of Co-living development. There is a risk that this housing typology will decline and potentially be abused.
18. Council put forward that a provision for the requirement of on-site management can be included however, this is an on-going concern regarding the enforceability of the condition.
19. The panel reflected that this housing typology could promote and reflect contemporary social mobility and allow access to cost-effective short-term accommodation.
20. Commentary regarding the long-term upkeep and maintenance of the accommodation and this would be specifically managed – could this be drawn into the management plan.
21. What would be the consideration of reduced lot sizes? The response from Council considered that a clause 4.6 objection would be required but there was some concern and doubt as to whether substantive reduction in minimum lot size would be permitted.

Conclusions and Recommendations:

- The Panel commented on the comprehensive nature of the proposed DCP amendment and that most sections had already been covered.
- The Panel unanimously suggested that Design Excellence provisions already existing in the BDCP be also incorporated into the amendment.

General Recommendations offered by the Alternate Chair include:

- Generally, recommend a response only to the contributory elements in the surrounding context.

More detailed/specific recommendations include:



- **Provision P4:** The suggestion that the development application is to be supported by a 'statement' may signal to applicants that this is all that is needed: a statement. Place more emphasis in the process not in providing one more document.
- **P4 First Bullet point:** should the word 'contributory' be used instead of the word characteristic?
- **P4 second bullet, points vi and vii:** As per above, insert the word contributory before buildings and make sure to suggest to identify and not emulate detracting parking arrangements such as open ramps and un-'sleeved' surface carparking.
- **P6** Side entrances should not be acceptable as they are contrary to the ADG (albeit not applicable to this typology), but their acceptance could lead to inconsistencies along the streetscape. However, entrances can be permitted on primary and secondary frontages.
- **P7** This provision somehow implies that bonuses will not be considered. Should something be added to the effect that the applicant should demonstrate how (if a bonus is applicable) it is consistent with the aims of the controls?
- **P8 item i,** should the floor to ceiling height be a minimum like stated in the sketch?
- **P8 item ii,** should the floor-to-floor height be a minimum?
- **P14** should the words "within the setback", be stricken? as this opens the opportunity for them. Require the visual improvements behind the setback. They should be attractive regardless of their location.
- **P16** As we saw in the Gladstone St application, tight sites will count the front setback to meet the minimum open space provision. But, in co-living this could lead to acoustic amenity impacts from gatherings close to the street. Should communal open space only be acceptable behind the front building line?
- **P17** should the words "contributory elements of the" be inserted after the word complement? Add roof features to the least and discourage flat unarticulated roof forms.
- **P18** the suggestion of artwork on blank walls then, in a way, gives a way out to applicants to have them. It is better to encourage well-articulated walls with a 'solid to void' ratio as per the design excellence provisions in the DCP?
- **P22** refer to provisions P63 and P64 of the same document.
- **P29** is council opening a can of worms by specifying a refrigerator with a storage of 0.13 sqm per person? How can this be enforced or measured for compliance? Also is capacity not measured in cubic metres?
- **P32** suggest that it should also be well integrated within the landscape plan?
- **P34** include communal or gathering spaces in upper levels. Should everything after the words 'residential uses be stricken? If you suggest that highlight windows or screening can be used, that is exactly what applicants will do. Suggest 'redirection of views to the front or rear' instead.
- **P40** as per the ADG, 7% is for small lots. Why not equate it to the rest of the ADG percentages to cater for larger or any scale of site?
- **P42** should the first bullet point be stricken? Don't give it away so easily. Planting on Structure should then be provided. Good storm water management should be achieved as well as good planting and deep soil, not one or the other.
- **P44,** should "a established residential neighbourhood' be added in addition to residential zone?
- **P46 and p47,** should the words 'rooms in upper levels' be changed to above ground level?
- **P50 item ii** should the words 'visual and acoustic' be inserted before privacy?
- **P51** I believe that the ADG only requires 2 hours of solar access in Metropolitan areas. Is 3 hours excessive?
- **P52** Should DCP design excellence provisions for the design of roof top areas apply?



- **P54** should the words “or be incorporated into a roof feature” be inserted after the word recessive?
- **P55** the overall expected quality of the landscape is not spelled out.
- **P62-P64** Well done for including these!



Response to Burwood Design Review Panel (BDRP) 25 November 2022 Meeting Minutes



Design Review Panel's Comments	Council's Response
The Panel commented on the comprehensive nature of the proposed DCP amendment and that most sections had already been covered.	Noted
The Panel unanimously suggested that Design Excellence provisions already existing in the BDCP be also incorporated into the amendment.	Design excellence heading including objectives and provisions has been inserted into the draft DCP. These are consistent with the provisions already contained within Burwood LEP 2012
Generally, recommend a response only to the <u>contributory</u> elements in the surrounding context.	For the avoidance of the doubt, relevant provisions have been reworded to "characteristic elements that contribute to the character of the local area", rather than contributory elements as this may be confusing as contributory is generally referred to in relation to buildings in heritage conservation areas.
More detailed/specific recommendations include:	
P4: The suggestion that the development application is to be supported by a 'statement' may signal to applicants that this is all that is needed: a statement. Place more emphasis in the process not in providing one more document.	The "statement" needs to demonstrate to the satisfaction of Council how the design of the proposal is compatible with the character of the existing area. A review of the existing site analysis provisions contained in the Burwood DCP will be rolled out as part of a future review to strengthen the requirements and quality of site analysis to compliment character statement.
P4 First Bullet point: should the word 'contributory' be used instead of the word characteristic?	For the avoidance of the doubt, relevant provisions have been reworded to "characteristic elements that contribute to the character of the local area".
P4 second bullet, points vi and vii: As per above, insert the word contributory before buildings and make sure to suggest to identify and not emulate detracting parking arrangements such as open ramps and un-'sleeved' surface car parking.	For the avoidance of the doubt, relevant provisions have been reworded to "characteristic elements that contribute to the character of the local area".
P6 Side entrances should not be acceptable as they are contrary to the ADG (albeit not applicable to this typology), but their acceptance could lead to inconsistencies along the streetscape. However, entrances can be permitted on primary and secondary frontages.	Agree, this provision is proposed to be amended as follows: <i>The main entrance of the boarding house or co-living housing development is to be provided within the street elevation to address the street. Side entrances will only be permitted on sites with a secondary frontage and only where they result in a cohesive resolution of the streetscape and do not adversely impact upon neighbouring properties.</i>



<p>P7 This provision somehow implies that bonuses will not be considered. Should something be added to the effect that the applicant should demonstrate how (if a bonus is applicable) it is consistent with the aims of the controls?</p>	<p>Agree - The FSR and height are required to be complied with in accordance with the Burwood LEP 2012 and the Housing SEPP. This provision is deleted accordingly.</p>
<p>P8 item i, should the floor to ceiling height be a minimum like stated in the sketch?</p>	<p>A sketch is already included in the draft and has been relocated to the previous page to avoid confusion.</p>
<p>P8 item ii, should the floor-to-floor height be a minimum?</p>	<p>This is already stated in the control.</p>
<p>P14 should the words "within the setback", be stricken? as this opens the opportunity for them. Require the visual improvements behind the setback. They should be attractive regardless of their location.</p>	<p>Provision is amended as following: <i>The fire stairs, pump rooms or similar structures must not detract from the overall visual amenity and are generally not supported to be located within the setback area.</i></p>
<p>P16 As we saw in the Gladstone St application, tight sites will count the front setback to meet the minimum open space provision. But, in co-living this could lead to acoustic amenity impacts from gatherings close to the street. Should communal open space only be acceptable behind the front building line?</p>	<p>To respond to DRP's comment and to complement the proposed draft provision, Communal Open Space (COS) has been added into the provision.</p>
<p>P17 should the words "contributory elements of the" be inserted after the word complement? Add roof features to the least and discourage flat unarticulated roof forms</p>	<p>Do not agree with the insertion of roof features as this may result in loophole in argument for the applicant to justify a breach in the overall height of the building. Agree with the articulation of the roof forms. The following has been added into the provision <i>– varied roof forms that add to visual interest</i></p>
<p>P18 the suggestion of artwork on blank walls then, in a way, gives a way out to applicants to have them. It is better to encourage well-articulated walls with a 'solid to void' ratio as per the design excellence provisions in the DCP?</p>	<p>In centre locations, where buildings may be built boundary to boundary, public art provides a short term design solution as you generally wouldn't get the same level of articulation along the side facades Therefore, the existing draft provision is retained.</p>
<p>P22 refer to provisions P63 and P64 of the same document.</p>	<p>This provision has been relocated under the heading of the service facilities.</p>
<p>P29 is council opening a can of worms by specifying a refrigerator with a storage of 0.13 sqm per person? How can this be enforced or measured for compliance? Also is capacity not measured in cubic metres?</p>	<p>Agree – the numerical requirement of storage within a refrigerator has been removed accordingly.</p>



<p>P32 suggest that it should also be well integrated within the landscape plan?</p>	<p>This provision is amended as: <i>A least one outdoor clothes drying area shall be provided and located to maximise solar access. The outdoor clothes drying area must be integrated into the landscape design and not be located where visible from the street or public domain.</i></p>
<p>P34 include communal or gathering spaces in upper levels. Should everything after the words 'residential uses be stricken? If you suggest that highlight windows or screening can be used, that is exactly what applicants will do. Suggest 'redirection of views to the front or rear' instead.</p>	<p>This provision is amended as: <i>The siting of windows and other openings and communal or gathering spaces in upper levels should avoid direct overlooking to adjoining residential uses. Where overlooking cannot be avoided, redirection of views to the front or rear should be incorporated into the design of the development.</i></p>
<p>P40 as per the ADG, 7% is for small lots. Why not equate it to the rest of the ADG percentages to cater for larger or any scale of site?</p>	<p>The draft DCP is not proposing to introduce a deep soil requirement that is more onerous than the Apartment Design Guide. However, it is recommended to ensure quality deep soil provision on smaller sites that a minimum dimension of 1.5m be included on sites smaller than 650sqm.</p>
<p>P42 should the first bullet point be stricken? Don't give it away so easily. Planting on Structure should then be provided. Good storm water management should be achieved as well as good planting and deep soil, not one or the other.</p>	<p>This provision is amended as: <i>Alternative forms of planting should be provided instead such as planting on structures and supported by good stormwater management should be achieved under the following circumstances:</i></p> <ul style="list-style-type: none"> ▪ <i>the location and building typology have limited or no space for deep soil at ground level (e.g. central business district, constrained sites, high density areas, or in centres)</i> ▪ <i>there is 100% site coverage or non-residential uses at ground floor level</i>
<p>P44, should "a established residential neighbourhood' be added in addition to residential zone?</p>	<p>Agree, amended accordingly</p>
<p>P46 and p47, should the words 'rooms in upper levels' be changed to above ground level?</p>	<p>Agree, amended accordingly to "above ground level"</p>
<p>P50 item ii should the words 'visual and acoustic' be inserted before privacy?</p>	<p>Agree, amended accordingly</p>
<p>P51 I believe that the ADG only requires 2 hours of solar access in Metropolitan areas. Is 3 hours excessive?</p>	<p>Provision has been amended to 2 hours of solar access requirement for Communal Open Space to be consistent with the ADG.</p>



<p>P52 Should DCP design excellence provisions for the design of roof top areas apply?</p>	<p>Point (g) of Design Excellence provision refers to the roof and public open space areas.</p>
<p>P54 should the words “or be incorporated into a roof feature” be inserted after the word recessive?</p>	<p>Agree, amended accordingly.</p>
<p>P55 the overall expected quality of the landscape is not spelled out.</p>	<p>This provision is amended as follows:</p> <p style="text-align: center;"><i>Communal open space is to be provided in accordance with the requirements of the Housing SEPP 2021 and must be consolidated into a well-designed, easily identifiable and useable area.</i></p>
<ul style="list-style-type: none"> • P62-P64 Well done for including these! 	<p>Noted</p>

(Item 3/23) Amendment to Burwood Development Control Plan Section 6.1 - Preservation of Trees or Vegetation

File No: 23/1786

Report by Director City Strategy

Summary

This report proposes an amendment to Section 6.1 Preservation of Trees or Vegetation of the Burwood Development Control Plan (Burwood DCP) to respond to changes in legislation regarding permits to clear trees and vegetation.

The proposed amendment only updates the DCP to ensure alignment with the Biodiversity and Conservation SEPP 2021 and does not change the existing level of protection afforded to trees and vegetation under the DCP.

Operational Plan Objective

A.32 Undertake a comprehensive review of the Development Control Plan (DCP) 2013 and prepare a user friendly and interactive DCP

Background

Burwood DCP came into effect on 1 March 2013 and includes provisions relating to the preservation of trees and vegetation.

Section 6.1 - Preservation of Trees or Vegetation provides controls to ensure the protection of trees and vegetation. The current requirements for tree preservation and protection refer to requirements under the *State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017* (Vegetation SEPP), which was repealed in March 2022 and no longer apply.

On 1 March 2022, 45 planning policies were consolidated into 11 theme based policies to make the planning system simpler. The Vegetation in Non-Rural Areas SEPP 2017 became Chapter 2 (Vegetation in non-rural areas) of the *Biodiversity and Conservation SEPP 2021*. Chapter 2 replicated the 2017 Vegetation SEPP so no changes were required to the DCP at that time.

On 3 October 2022, the *Biodiversity and Conservation SEPP 2021* was amended to ensure that the requirements for vegetation clearing permits in Council's DCP align with Part 2.3 of the SEPP, which states that Councils can specify vegetation that requires a permit to clear by declaring it in their DCP as vegetation to which Part 2.3 of the SEPP applies. In this regard, the DCP may identify the vegetation in any manner including by listing the species, size or location of vegetation, or the presence of vegetation in an ecological community or in the habitat of a threatened species.

The DCP is required to be updated to refer to the *Biodiversity and Conservation SEPP* to ensure that an application must still be made for a tree permit and that Council can still issue such a permit.

No other changes are proposed to the DCP other than ensuring that Council still has the ability to issue a permit for those trees that have not been identified in the DCP as being exempt. It should also be noted that the list of exempt trees has not changed.

It should be noted that these changes do not affect the consideration of tree and vegetation preservation considered as part of a development application which are assessed in accordance with the provisions of Part 4 (Section 4.15) of the EP&A Act. These changes only apply to the consideration and issue of permits.

Proposed Amendment to Burwood DCP

Currently, Section 6.1 of the Burwood DCP refers to the now repealed *State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017*. This SEPP no longer exists and as such reference to its objectives and controls are redundant.

In order to ensure that the provisions relating to the preservation of trees and vegetation is relevant and up to date, it is proposed to make minor changes to the introduction and purpose headings of Section 6.1 of the DCP to ensure consistency with the relevant SEPP. No other changes are required to the DCP, as the current provision include requirements for tree permits, including:

- Exempt species of trees that do not require a permit
- The procedures for applying for a permit; and
- Information required to be submitted with the permit

The proposed amendments to the DCP will not reduce the level of protection to trees and vegetation across the Burwood LGA, nor would they allow a person to clear vegetation, prune or remove a tree without first obtaining consent from Council.

The proposed amendments do not change the way tree permit applications are considered by Council. The current level of protection identified in the DCP would remain in force.

A copy of the proposed amendments to Section 6.1 are included at Attachment 1.

Consultation

As part of the review of the Introduction and Purpose, Council's Senior Landscape Architect and Tree Management Officer have been consulted and support the proposed amendment.

The proposed amendment to Section 6.1 will be exhibited on Council's Participate Burwood engagement platform for a minimum of 28 days in accordance with the requirements of the *Environmental Planning and Assessment Regulation 2021* and Council's *Community Participation Plan*.

Any submissions received during the exhibition period will be considered as part of the post exhibition report, which will be presented to Council following the completion of the exhibition period.

Planning or Policy Implications

The changes to the Biodiversity and Conservation SEPP have necessitated the proposed amendment to Section 6.1 of the Burwood DCP. The recommended changes will ensure that the DCP provisions are consistent with the requirements of the SEPP with respect to the issue of permits for the pruning and removal of trees and/or vegetation.

In addition, the permit form and information on Council's website relating to tree permits has already been updated to include reference to the Biodiversity and Conservation SEPP.

The proposed amendments to Burwood DCP are required to be publicly exhibited for a minimum 28 days in accordance with the *Environmental Planning and Assessment (EP&A) Regulation 2021* and Council's Community Participation Plan. A further report will be presented to Council following the completion of the exhibition period.

As part of the ongoing comprehensive review of the Burwood DCP, a review of Section 6 Environmental Management is currently in progress. This will include a comprehensive review of the provision in Section 6.1. Once this review is finalised and a draft has been prepared a further report will be presented to Council.

Financial Implications

No financial implications other than staff time.

Conclusion

The proposed amendment to Section 6.1 - Preservation of Trees or Vegetation of the Burwood DCP will ensure that the DCP provisions are consistent with the requirements of the *State Environmental Planning Policy (Biodiversity and Conservation) 2021*.

It is recommended that Council support the exhibition of the proposed changes to ensure that the issue of permits for the pruning and removal of trees and/or vegetation is consistent with the correct legislation.

Recommendation(s)

1. That the draft amendments to Section 6.1 of the Burwood DCP, as included in Attachment 1, be endorsed for the purposes of public exhibition and that they be exhibited in accordance with relevant Legislation and Council's *Community Participation Plan*.
2. That following the exhibition of the DCP amendments, a report be brought to Council advising of any submissions and making recommendations on the finalisation of the draft DCP provision.

Attachments

1 [↓](#) Attachment 1 - Amendment to Section 6.1

Attachment 1 – Section 6.1 Preservation of Trees and Vegetation

Existing wording in Burwood DCP	Proposed amendment to the Burwood DCP
<p>6.1 Preservation of Trees or Vegetation</p> <p>Introduction</p> <p>State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 (the SEPP) has the aim of preserving the amenity of non-rural areas of the State, including its biodiversity values, through the preservation of trees and other vegetation.</p> <p>Authority for tree preservation is derived ultimately from Section 3.14 (1) (e) of the Environmental Planning and Assessment Act (the Act) 1979 which enables an Environmental Planning Instrument to make provision for or with respect to, among other things, the protection or preservation of trees or vegetation.</p> <p>Purpose</p> <p>Section 7 of the SEPP provides that a person must not clear vegetation (cut down, fell, uproot, kill, poison, ringbark, burn or otherwise destroy, lop or otherwise remove a substantial portion of any tree or other vegetation), other than vegetation described in Section 6.1.1 below, without the authority conferred by:</p> <p>a) A development consent, or</p> <p>b) A permit granted by Council.</p> <p>As enabled by Clause 9 of the SEPP, the purpose of this section of the DCP is to prescribe the species or kinds of trees or other vegetation that are subject to the powers of Clause 7, and to</p>	<p>6.1 Preservation of Trees and Vegetation</p> <p>Introduction</p> <p>Council's tree management and landscaping provisions aim to protect the ecological and landscape values of trees and vegetation on private land within the Burwood Local Government Area.</p> <p>Most species of trees and vegetation on private property are protected and an application for the pruning or removal of private trees may be made to Council in the form of a permit granted by Council or development consent.</p> <p>Part 2.3 of the <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i> and Part 4 of the <i>Environmental Planning and Assessment Act 1979</i> applies to the protection of trees and vegetation across the Burwood Local Government Area.</p> <p>This section also:</p> <ul style="list-style-type: none"> ▪ Explains and facilitates the procedures for applying to a permit, ▪ Indicates the information that must accompany an application for a permit, or an application for a Development Application relating to a tree or vegetation, and ▪ Informs people of the consequences of breaching the tree preservation provisions of this DCP.

Existing wording in Burwood DCP	Proposed amendment to the Burwood DCP
<p>clarify the circumstances where the powers do not apply subject to Clause 8 of the SEPP and Section 6.1.1 below. This section also:</p> <ul style="list-style-type: none"> ▪ Explains and facilitates the procedures for applying to a permit, ▪ Indicates the information that must accompany an application for a permit, or an application for a Development Application relating to a tree or vegetation, and ▪ Informs people of the consequences of breaching the tree preservation provisions of this DCP. 	<p>Note: Trees and vegetation not exempt by this section are declared to be vegetation to which Part 2.3 of the <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i> applies. This includes trees and vegetation identified as a heritage item or within the curtilage of a heritage item, as identified under Schedule 5 Environmental Heritage of <i>Burwood Local Environmental Plan 2012</i>.</p>

(Item 4/23) Draft Section 7.12 Local Infrastructure Contributions Plan for the Burwood Local Government Area

File No: 23/2180

Report by Director City Strategy

Summary

A section 7.12 local infrastructure contributions plan enables Council, or a principal certifier, to levy contributions from developments to fund the provision and/or improvement of local public infrastructure. A works schedule forms part of those contributions plans and provides a breakdown of works that will provide and/or upgrade local public infrastructure to be funded through the contributions.

A review of the current section 7.12 plans, including the works schedules, has been undertaken. It is proposed that the plans be consolidated into a comprehensive section 7.12 plan, applying to the whole of the LGA, with a comprehensive and updated work schedule.

This report outlines the changes proposed to be incorporated in the new draft plan, and recommends the draft plan be endorsed by Council for public exhibition.

Operational Plan Objective

- A.34 Review and update the Burwood Contributions Plan to facilitate appropriate delivery of infrastructure
- C.10 A well informed community active in civic life, local planning and decision making
- C.11.1 Conduct Council business with transparency, accountability, compliance and probity that ensures community confidence in decision making

Background

Council has two existing Section 7.12 (formerly Section 94A) Local Infrastructure Contributions Plans. One plan applies to land within the Burwood Town Centre. It originated from the time of the Burwood Town Centre Local Environmental Plan 2010, which was later superseded by the Burwood Local Environmental Plan (BLEP) 2012. This contributions plan was last updated in 2020. The other contributions plan applies to land outside the Burwood Town Centre and has been operational since 2012. It was last updated in 2018.

Both contributions plans apply a flat percentage levy based on capital investment value to be charged upon issue of a development consent. The rates are identified in Table 1 and Table 2 below and are calculated on the proposed cost of development:

Table 1: Burwood Town Centre

Development that has a proposed cost of carrying out the development	Levy rate
Up to and including \$250,000	Nil
More than \$250,000	4 per cent

Table 2: All other parts of the LGA

Development that has a proposed cost of carrying out the development	Levy rate
Type of development	
<ul style="list-style-type: none"> • Development of a dwelling house, and alterations and additions to a dwelling house (excluding development that results in the creation of additional lots (subdivision) or development of a secondary dwelling (granny flat)) • Any ancillary structures associated with a dwellings house 	<ul style="list-style-type: none"> • Nil for cost of development up to and including \$100,000; • 0.5% of the cost of development of more than \$100,000 and up to and including \$300,000; • 0.25% of the cost of development of more than \$300,000.
<ul style="list-style-type: none"> • All other development <p>Note: Secondary dwellings and subdivision or development that results in the creation of an additional lot or dwellings is included in this category</p>	<ul style="list-style-type: none"> • Nil for cost of development up to and including \$100,000; • 0.5% of the cost of development of more than \$100,000 and up to and including \$200,000; • 1% of the cost of development of more than \$200,000.

This review of the existing contributions plan does not propose any changes to the levies that are currently applied.

Draft Section 7.12 Contributions Plan and Proposed Changes

It is important that any changes to Council's capital works program, including and any new projects to provide and/or upgrade local public infrastructure, are reflected in the works schedules contained in the contributions plan. This is to ensure that there is a clear funding alignment between financial payments made via 7.12 contributions and the delivery of community based infrastructure.

A review of the two existing plans, including their works schedules, has been undertaken, and a consolidated, updated plan has been prepared, which complies with the requirements of the *Environmental Planning and Assessment Act 1979* (the Act) and the *Environmental Planning and Assessment Regulation 2021* (the 2021 Regulation). The draft plan is also consistent with the relevant planning circulars, issued by the Department of Planning and Environment.

The draft plan will apply to the whole of the Burwood LGA, with different levy rates being applied for land inside of and land outside of the Burwood Town Centre, consistent with the current levies.

Works Schedule Changes

The works schedule in the draft plan has been compiled based on those in the existing plans, and has been consolidated and updated as follows:

- Deletion of works that have been completed or no longer required.
- Identification of new infrastructure works to be funded wholly or in part by contributions.
- Preparation of mapping to identify location of the site specific works – mapping will be updated prior to the exhibition to align with the draft Works Schedule.
- Adjustment of priorities and the timing for the delivery of works.
- Revision of cost estimates (where known).

The proposed work schedule identifies the works, generally, based on the following categories:

- Open space – includes land acquisition for new open space, embellishment of new open space and embellishment of existing open space
- Community facilities – for example this now includes the Burwood Urban Park Arts and Cultural Centre and Enfield Aquatic Centre upgrades
- Public domain improvements
- Roads and traffic – includes intersection works, street openings, road widening, street resurfacing and kerb and gutter upgrades
- Stormwater pipe upgrades

Council's operational plan will provide the details as to what the works specifically entail and which financial year the works are proposed to be undertaken.

A copy of the draft section 7.12 plan for the Burwood LGA is included at [Attachment 1](#). A copy of the draft Works Schedule is included at [Attachment 2](#).

Legislation Changes

The 2021 Regulation came into force on 17 December 2021, repealing the *Environmental Planning and Assessment Regulation 2000*. The numbering of clauses in the two regulations is different. The draft plan has been updated to reflect the relevant clause numbers of the 2021 Regulation.

The Department of Planning and Environment issued a Section 7.12 Fixed Development Consent Levies Practice Note in February 2021. The Practice Note advises on the preparation, adoption and implementation of section 7.12 contributions plans. The draft plan seeks to be consistent with the advice of the Practice Note.

Other Changes

Other changes include:

- Insertion of an executive summary (Part 1)
- New provisions that clarify that the use of funds from the existing plans will be used for the purposes for which they were collected, including the works listed in the works schedule of the new plan (Section 2.8).
- A provision that clarifies where Council may consider a request for exemption from the payment of the section 7.12 levies, based on certain types of development (Section 3.2). There is currently an exemption provision in the existing section 7.12 contributions plan for the Burwood Town Centre, but not the plan applying to the rest of the LGA. The draft plan proposes to allow the provision to apply across the LGA and includes the following exemptions:
 - Developments (and modification applications) to be carried out by, or on behalf of Burwood Council, for the provision of public infrastructure including infrastructure
 - Developments undertaken by, or on behalf of a charity or not-for-profit organisation (as defined by the Australian Taxation Office), but only in cases where the development is of a small scale, and where Council considers that there will not be an increase in the demand for public works or infrastructure
 - Development exempted from section 7.12 levies by a Ministerial Direction under section 7.17 of the Act
- New savings provisions to reflect that the new plan will apply to development applications (DA) and applications for a complying development certificate (CDC) that have been submitted but not determined when the new plan takes effect (Section 2.9). This will ensure that any

development that is currently applicable under the existing plans will continue to be so upon adoption of the new plan.

- Change of the provisions on timing of a contribution payment for development that is subject to a CDC, from payment within two days of the issue of the CDC, to payment prior to the development commencing (Section 3.7). This is consistent with the requirements of the 2021 Regulation.
- A new provisions requiring that contributions for development, where no subdivision or building approval is required, must be paid prior to the issue of development consent (deferred commencement) or release of the occupation certificate (section 3.7). This is to ensure that the contribution is paid prior to the consent being activated and/or the development is occupied.
- New provisions on deferred or period payment (Section 3.9). The current plans are currently silent on deferred payments. However, Council does not accept the deferral of contributions, unless required to by legislation (for example, COVID requirements issued by the Minister). This provision provides clarity.
- Update to the condition of consent relating to the payment of section 7.12 contributions (Appendix 4). The condition has been updated to reflect the mandated standard condition, as prescribed by the Department of Planning and Environment.
- Editorial changes have also been made in the interests of clarity and consistency. Further minor revisions may be required should any inaccuracies or miscalculations be identified.

Consultation

The works schedule in the draft plan has been compiled after reviewing the existing works schedules in the current section 7.12 plans. Input has been provided from relevant officers across council, including Property, Community & Culture, Design & Assets, Traffic & Transport and City Planning. The draft works scheduled has also been reviewed by the Executive Team.

The Regulation 2021 sets out the requirements for public exhibition of draft contributions plans. Should Council resolve to endorse the draft plan, exhibition will be undertaken in accordance with the requirements of the relevant legislation and Council's Community Participation Plan.

Outcomes of the public exhibition will be reported to Council, prior to the final adoption of the plan.

Planning or Policy Implications

The Act and 2021 Regulation provide the strategic framework for contributions plans. The framework sets out the requirements to make or amend contributions plans. The legislation enables Council to place a condition on development consents or complying development consents requiring the payment of monetary contributions.

When the draft contributions plan is adopted by Council and becomes effective, the two existing plans will be repealed. In accordance with the proposed savings provisions, the new plan will apply to a DA and application for a CDC that have been submitted but not determined when the new plan takes effect.

Financial Implications

The total cost of the proposed works identified in the works schedule to the draft contribution plan is approximately \$245,000,000. These works would be delivery progressively, in accordance with the capital works plan and long term financial plan.

A contributions plan provides a means to fund local public infrastructure. Funding of works may also be supplemented by funds received through grants (eg WestInvest Fund), voluntary planning agreements and other charges.

No financial implications, other than staff resources.

Conclusion

The review of existing contributions plans ensures that the new draft plan and updated draft works schedule is up to date, provides clarity and is more aligned with the capital works program and Council's current infrastructure projects.

To progress this matter, it is recommended that the draft plan and draft works schedule be endorsed for public exhibition. The outcomes of the public exhibition will be reported back to Council before final adoption.

Recommendation(s)

1. That Council endorse the draft Section 7.12 Local Infrastructure Contributions Plan and the Works Schedule as included at Attachment 1 and Attachment 2 for public exhibition in accordance with the relevant legislation.
2. That the General Manager be authorised to endorse any minor revisions deemed necessary to the draft plan prior to public exhibition.
3. That a further report be provided to Council detailing the results of the public exhibition.

Attachments

- 1 [↓](#) Draft Burwood Section 7.12 Contributions Plan - February 2023
- 2 [↓](#) Draft Works Schedule - Section 7.12 Contributions Plan



Burwood
Inc.1874

BURWOOD SECTION 7.12 LOCAL INFRASTRUCTURE CONTRIBUTIONS
PLAN

For the Burwood Local Government Area

PO Box 240, BURWOOD NSW 1805
2 Conder St BURWOOD NSW 2134
www.burwood.nsw.gov.au
council@burwood.nsw.gov.au

Draft for Public Exhibition
February 2023

Table of Contents

1.	Executive Summary	1
1.1	Introduction	1
1.2	Population and Employment Growth	1
1.3	Adjustment of Cost of Development and Indexation of Contributions.....	1
1.4	Section 7.12 Contribution Levies	2
1.5	Works Schedule	3
2.	Administration	3
2.1	Name of this Plan.....	3
2.2	Purpose of this Plan	3
2.3	Area to which this Plan applies	4
2.4	Commencement of this Plan.....	6
2.5	Life of this Plan.....	6
2.6	Review of this Plan	6
2.7	Relationship with other plans and policies	6
2.8	Use of funds from repealed contributions plans.....	6
2.9	Savings and transitional arrangements.....	7
3.	Application and Operation of this Plan	7
3.1	Development for which this Plan applies.....	7
3.2	Development that is exempted under this Plan.....	7
3.3	Relationship between expected development and a need for a section 7.12 levy	8
3.4	Application of a section 7.12 levy to development types	8
3.4.1	Imposing a section 7.12 levy – consent authority.....	8
3.4.2	Imposing a section 7.12 levy – principal certifier.....	8
3.5	Section 7.12 levy amount.....	8
3.6	How is the proposed cost of a development determined?.....	9
3.7	Timing of payment.....	10
3.8	Contribution at the time of payment.....	11
3.9	Deferred or Periodic Payments.....	11
4.	General Provisions	11
4.1	Will Council accept alternatives to a levy?.....	11
4.2	Pooling of contributions funds.....	12
4.3	Obligations of accredited certifiers.....	12
4.3.1	Complying development certificates	12
4.3.2	Construction certificates.....	12
4.3.3	Occupation certificates	13

4.4 Use of contributions towards plan preparation and administration..... 13

Appendix 1 - Section 7.12 Plan Works Schedule 0

Appendix 2 – Mapping of Site Specific Works 0

Appendix 3 – Determination of Proposed Cost of Development 1

Appendix 4 – Condition of Consent..... 3

DRAFT

1. Executive Summary

1.1 Introduction

The Burwood Section 7.12 Local Infrastructure Contributions Plan (Plan) has been prepared in accordance with the provisions of the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulation 2021* and applies to the Burwood Local Government Area (LGA).

This Plan authorises consent authorities and accredited certifiers to impose conditions of consent on development applications (DAs) and complying development certificates (CDCs) for development contributions under section 7.12 of the *Environmental Planning and Assessment Act 1979*.

This Plan is intended to cater for a planning period of 2021 to 2036, which is the period for which the population forecasts have been prepared and will help to ensure adequate local public infrastructure is in place and that the existing community is not burdened by the costs of local public infrastructure required as a result of future development.

1.2 Population and Employment Growth

This Plan is based on the provision of public amenities and services to support the growth and development of the Burwood LGA including the Burwood Town Centre. As a Strategic Centre in the Eastern City District of Greater Sydney, there is expected to be substantial growth in employment, services and housing.

The Burwood Local Housing Strategy sets housing targets as 7,000 new dwellings to be built between 2016 and 2036. The population in the Burwood LGA is forecast to grow by approximately 19,500 additional residents. The employment is forecast to grow by appropriately 5,500 new jobs.

Seventy percent (70%) to 80% of new dwellings and jobs are expected to be built and created within the Burwood Town Centre. Housing targets and population and employment growth forecast will be reviewed and are expected to increase further with the completion of the Burwood North Metro Station.

The growth in residential population, employment and use of services in the Burwood LGA will require and generate demand for new, extended and augmented public amenities, services and infrastructure. New residents, workers and visitors to Burwood will have inadequate levels of service if Council does not take action to provide new public amenities and infrastructure, or extend and augment existing facilities. The levels of service for the existing population will also decline if there is inadequate public investment.

This Plan seeks to impose a levy on development to ensure the delivery of new, upgraded or augmented local infrastructure is delivered to meet the additional demand generated from the population and employment growth.

1.3 Adjustment of Cost of Development and Indexation of Contributions

The proposed cost of carrying out the development to which a levy imposed under this Plan is to be adjusted quarterly to reflect the current cost as defined by the most recent Rawlinsons Australian Cost Guide or Cordell's Building Price Book & Cost Estimating Guide – NSW.

If the contribution is not paid within the same financial quarter as the date of the development consent, the contributions payable is to be adjusted to reflect inflation in the Consumer Price Index (All Groups Index) for Sydney.

1.4 Section 7.12 Contribution Levies

This Plan applies to all development in the Burwood LGA where the proposed cost of development is more than \$100,000.

Some exemptions apply, as identified in Section 3.2 below.

The total levy amount that is to be imposed on a single development is calculated by multiplying the applicable levy rate shown in the table below by the total proposed cost of the development.

The section 7.12 levies that apply under this Plan are shown in Table 1 (Burwood Town Centre) and Table 2 (All other parts of the LGA) below:

Table 1: Burwood Town Centre (refer to Map in Figure 2)

Development that has a proposed cost of carrying out the development	Levy rate
Up to and including \$250,000	Nil
More than \$250,000	4 per cent

Table 2: All other parts of the LGA (refer to Map in Figure 1)

Development that has a proposed cost of carrying out the development	Levy rate
Type of development	
<ul style="list-style-type: none"> Development of a dwelling house, and alterations and additions to a dwelling house (excluding development that results in the creation of additional lots (subdivision) or development of a secondary dwelling (granny flat)) Any ancillary structures associated with a dwellings house 	<ul style="list-style-type: none"> Nil for cost of development up to and including \$100,000; 0.5% of the cost of development of more than \$100,000 and up to and including \$300,000; 0.25% of the cost of development of more than \$300,000.
<ul style="list-style-type: none"> All other development <p>Note: Secondary dwellings and subdivision or development that results in the creation of an additional lot or dwellings is included in this category</p>	<ul style="list-style-type: none"> Nil for cost of development up to and including \$100,000; 0.5% of the cost of development of more than \$100,000 and up to and including \$200,000; 1% of the cost of development of more than \$200,000.

1.5 Works Schedule

Contributions collected under this Plan will be used to fund, in part or in full, the local public infrastructure works set out in the Schedule of Works in Appendix 1.

2. Administration

2.1 Name of this Plan

This Plan is called the **Burwood Section 7.12 Local Infrastructure Contributions Plan** ('Plan') This Plan has been prepared for the purposes of section 7.12 of the *Environmental Planning and Assessment Act 1979* (NSW) ('EP&A Act') in accordance with Division 7.1 of the EP&A Act and Part 9 of the *Environmental Planning and Assessment Regulation 2021* ('EP&A Regulation').

2.2 Purpose of this Plan

The primary purpose of this Plan is to authorise:

- the consent authority, when granting consent to an application to carry out development to which this Plan applies, or
- the principal certifier (could be Council or a private certifier), when issuing a complying development certificate (CDC) for development to which this Plan applies,

to impose a condition requiring contributions under a fixed rate levy under section 7.12 of the Act to be made towards the provision, extension or augmentation of local infrastructure as required as a consequence of development in the Burwood LGA, or which were provided in anticipation of, or to facilitate, such development.

The plan's other, secondary purposes are to:

- provide the framework for the efficient and equitable determination, collection and management of contributions towards the provision of local infrastructure in the Burwood LGA; and
- ensure Council's management of local infrastructure contributions complies with relevant legislation and practice notes; and
- establish the relationship between expected development and proposed local infrastructure; and
- ensure that developers make a reasonable contribution to the provision of local infrastructure required for development anticipated to occur up to 2036; and
- ensure that the existing community is not burdened by the cost of providing new infrastructure, either partly or fully, as a result of development in the area.

2.3 Area to which this Plan applies

This Plan applies to all land within the Burwood LGA as shown on the map in Figure 1.

Figure 1 – The Burwood LGA and the Burwood Town Centre



The Council will apply monetary contributions and levies held by it upon the commencement of this Plan and monetary contributions and levies paid to it after the commencement of this Plan pursuant to conditions of development consents granted in accordance with contributions plans repealed by this Plan as follows:

- if the work or works for which a contribution or levy was required to be paid under a repealed plan is a work or works listed in the works schedule in Appendix 1, the contribution or levy will be applied towards the cost of that work or those works,
- if the work or works for which a contribution or levy was required to be paid under a repealed plan is not a work or works listed in the works schedule in Appendix 1, the contribution or levy will be applied towards the cost of a work or works listed in the works schedule in Appendix 1 this Plan that, in the Council's opinion, addresses the same or a similar demand for public facilities arising from development as the work or works in the repealed plan,
- if the work or works for which a contribution or levy was required to be paid under a repealed plan is not a work or works listed in the works schedule in Appendix 1 of this Plan, and there is no work or works listed in the works schedule in Appendix 1 of this Plan that addresses the same or a similar demand for public facilities arising from development as the work or works in the repealed plan, the contribution or levy will be applied at the Council's discretion towards the cost of a work or works listed in the works schedule in Appendix 1 of this Plan that the Council considers best meets the public interest.

2.9 Savings and transitional arrangements

This Plan applies to a development application (DA) and application for a complying development certificate (CDC) that had been submitted but not determined on the date on which this Plan took effect.

3. Application and Operation of this Plan

3.1 Development for which this Plan applies

This Plan applies to all development in the Burwood LGA where the proposed cost of development is more than \$100,000, unless specified as exempt in Section 3.2 below.

3.2 Development that is exempted under this Plan

At Council's absolute discretion exemptions to the payment of levies under this Plan may apply to the following types of development:

- Developments (and modification applications) to be carried out by, or on behalf of Burwood Council, for the provision of public infrastructure including infrastructure funded by section 7.12 contributions;

- Developments undertaken by, or on behalf of a charity or not-for-profit organisation (as defined by the Australian Taxation Office), but only in cases where the development is of a small scale, and where Council considers that there will not be an increase in the demand for public works or infrastructure as a result of the development which would warrant the payment of a section 7.12 levy.
- development exempted from section 7.12 levies by a Ministerial Direction under section 7.17 of the Act.

Applicants should describe how their development is consistent with the relevant exclusion in their development application. If Council is satisfied the development is consistent with the relevant exclusion, it will exclude the development from the need to pay a contribution.

Where the proposal includes a range of works or a mix of land uses, only the works or uses excluded under this Plan will be excluded from the need to pay a contribution. All other works and uses are to be levied with development contributions in accordance with this Plan. A development application seeking a partial exclusion must identify the spaces, works and costs relevant to the land use said to be the subject of the exclusion.

3.3 Relationship between expected development and a need for a section 7.12 levy

The works identified for infrastructure and facilities arising from population and employment growth of the LGA have been based on Council's long-term planning for capital works. The works to be funded through the collection of the section 7.12 levy are shown in Appendix 1 and identify the works, estimated costs, and priority for delivery subject to available funding.

3.4 Application of a section 7.12 levy to development types

3.4.1 Imposing a section 7.12 levy – consent authority

Where a consent authority determines a development application, a section 7.12 levy may be imposed as a condition of consent. The condition must be prepared in accordance with this Plan. Appendix 6 contains the current condition of consent.

3.4.2 Imposing a section 7.12 levy – principal certifier

A principal certifier (could be Council or a private certifier) must, if a complying development certificate is issued, impose a section 7.12 levy that is calculated in accordance with this Plan.

3.5 Section 7.12 levy amount

The total levy amount that is to be imposed on a single development is calculated by multiplying the applicable levy rate shown in Table 1 and Table 2 below by the total proposed cost of the development.

The section 7.12 levies that apply under this Plan are shown in Table 1: Burwood Town Centre and Table 2: All other parts of the LGA, below:

Table 1: Burwood Town Centre (refer to Figure 2 above)

Development that has a proposed cost of carrying out the development	Levy rate
Up to and including \$250,000	Nil
More than \$250,000	4 per cent

Table 2: All other parts of the LGA

Development that has a proposed cost of carrying out the development	Levy rate
Type of development	
<ul style="list-style-type: none"> Development of a dwelling house, and alterations and additions to a dwelling house (excluding development that results in the creation of additional lots (subdivision) or development of a secondary dwelling (granny flat)) Any ancillary structures associated with a dwellings house 	<ul style="list-style-type: none"> Nil for cost of development up to and including \$100,000; 0.5% of the cost of development of more than \$100,000 and up to and including \$300,000; 0.25% of the cost of development of more than \$300,000.
<ul style="list-style-type: none"> All other development <p>Note: Secondary dwellings and subdivision or development that results in the creation of an additional lot or dwellings is included in this category</p>	<ul style="list-style-type: none"> Nil for cost of development up to and including \$100,000; 0.5% of the cost of development of more than \$100,000 and up to and including \$200,000; 1% of the cost of development of more than \$200,000.

3.6 How is the proposed cost of a development determined?

Where a section 7.12 levy is required under this Plan in relation to a condition of development consent or application for a CDC, the application is to be accompanied by a Cost Summary Report prepared at the applicant’s cost, setting out an estimate of the proposed cost of carrying out the development.

The Cost Summary Report template is available on Council’s website.

The following persons are approved by the Council to provide an estimate of the proposed cost of carrying out development:

- where the applicant’s estimate of the proposed cost of carrying out the development is between \$100,001 and \$750,000 – any building industry professional suitably qualified; or

- where the proposed cost of carrying out the development is in excess of \$750,000 – a quantity surveyor who is a registered member of the Australian Institute of Quantity Surveyors.

The following must be included in the proposed cost of carrying out development:

- for development involving the erection of a building, or the carrying out of engineering or construction work - the costs of or incidental to erecting the building, or carrying out the work, including the costs (if any) of and incidental to demolition, excavation and site preparation, decontamination or remediation,
- for development involving a change of use of land - the costs of or incidental to doing anything necessary to enable the use of the land to be changed,
- for development involving the subdivision of land - the costs of or incidental to preparing, executing and registering the plan of subdivision and any related covenants, easements or other rights.

Note: Clause 208(4) of the EPA Regulation 2021 provides for costs that are excluded from any estimate or determination of the proposed cost of carrying out development.

Without limitation to the above, if an applicant fails to submit a Cost Summary Report or submits a deficient report, Council may have regard to an estimate of the proposed cost of carrying out the development prepared by an approved person engaged by Council pursuant to clause 208(3) of the EP&A Regulation 2021. In such a case, all costs associated with obtaining this advice will be at the expense of the applicant, and consent is not to be issued until such time as these costs have been paid.

3.7 Timing of payment

Council's policy in relation to the timing of payments of monetary contributions required under this Plan is outlined below.

- Development applications involving subdivision but not building work - prior to the release of the subdivision certificate.
- Development applications involving building work but not subdivision - prior to the release of a construction certificate as specified in the development consent.
- Development applications involving subdivision and building work – prior to the release of construction certificate.
- Development applications where no subdivision or building approval is required – prior to the issue of development consent (deferred commencement) or release of the occupation certificate.

- Complying development works – prior to any work authorised by the certificate commences, as required by clause 156(2) of the EP&A Regulation.

The contributions and levies are to be updated at the time of payment to the most recent indexed values, in accordance with the indexation formulas set out in Section 3.9 below.

3.8 Contribution at the time of payment

Indexation of the contribution between the date of the granted development consent or issuing of a CDC and the date of payment will be undertaken by Council.

The indexation of the contribution will be conducted according to the below formula:

$$C_2 = \frac{C_1 \times CPI_2}{CPI_1}$$

Where:

C_1	Monetary contribution imposed on the development consent
C_2	Monetary contribution at the time that the contribution is paid
CPI_1	Latest “Consumer Price Index: All Groups Index Number 6401.0” for Sydney available from the Australian Bureau of Statistics at the time of granting the relevant development consent
CPI_2	Latest “Consumer Price Index: All Groups Index Number 6401.0” for Sydney available from the Australian Bureau of Statistics at the time the contribution is to be paid

The contribution payable will not be less than the contribution that would have been payable for the previous quarter, notwithstanding any indexation calculation.

3.9 Deferred or Periodic Payments

Council will not accept the deferred or periodic payment of any monetary contribution required under this Plan.

4. General Provisions

4.1 Will Council accept alternatives to a levy?

The Council may at its absolute discretion accept the dedication of land or provision of a material public benefit or works-in-kind in part or full satisfaction of a section 7.12 levy under this Plan.

As a general rule, only land or works directly associated with the roads and traffic improvements, public domain improvements and community facilities as indicated in Appendix

1 may be considered as a material public benefit or work-in-kind in satisfaction of the contributions levy. Applicants must provide full details, costs and valuations of the land or works.

If Council agrees to an alternative to the levy, it will either require the alternative as a condition of consent, or accept it under the terms of a Voluntary Planning Agreement.

4.2 Pooling of contributions funds

To improve Council's ability to deliver infrastructure in a timely and orderly fashion, this Plan authorises monetary contributions paid for different purposes in accordance with this Plan and any other contributions plan approved by Council, to be pooled and applied progressively for those purposes.

The priorities for the expenditure of pooled monetary contributions under this Plan are the priorities for works as set out in the Section 7.12 Works Schedule in Appendix 1.

Council may reprioritise the order of projects to align with the actual new development that occurs in a sequence different to that anticipated by this Plan. Council is satisfied that the pooling and progressive application of the money paid will not unreasonably prejudice the carrying into effect, within a reasonable time, of the purposes for which the money was originally paid.

4.3 Obligations of accredited certifiers

4.3.1 Complying development certificates

This Plan requires that in relation to an application made to an accredited certifier for a complying development certificate (CDC):

- the accredited certifier must, if a complying development certificate is issued, impose a condition under s7.12 of the EP&A, and
- the amount of a levy required by a condition imposed under s7.12 must be determined in accordance with this Plan.

It is the responsibility of the principal certifying authority to accurately calculate and apply the development contribution conditions to complying development certificates. Deferred payments of contributions required by a condition of a complying development certificate will not be accepted.

4.3.2 Construction certificates

It is the responsibility of a principal certifier (could be Council or a private certifier) issuing a construction certificate to certify that any development contributions required as a condition of

development consent or complying development certificate have been paid to the Council prior to the issue of the notice of commencement.

The principal certifier must ensure that the applicant provides a receipt (or receipts) confirming that contributions have been fully paid and copies of such receipts must be included with copies of the certified plans provided to the Council. The levy must be paid in accordance with the requirements of Clause 156 in Division 5 of the EP&A Regulation 2021.

Failure to follow this procedure may render such a certificate invalid and expose the certifier to legal action. The only exceptions to the requirement are where a work in kind, material public benefit and/or dedication of land arrangement has been agreed by the consent authority. In such cases Council will issue a letter confirming that an alternative payment method has been agreed with the applicant.

4.3.3 Occupation certificates

Section 46 of the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021* require certifiers to confirm that there are no outstanding infrastructure contributions or levies prior to issuing an occupation certificate for development with a proposed cost of \$10million or more, as specified in the cost of works as specified in the development application.

An application for an occupation certificate must include a document from Council certifying that a contribution or levy under section 7.12 or 7.24 of the Environmental Planning and Assessment Act 1979 (EP&A Act):

- is not required at any time before the issue of an occupation certificate, or
- is required before the issue of an occupation certificate and the requirement has been met.

4.4 Use of contributions towards plan preparation and administration

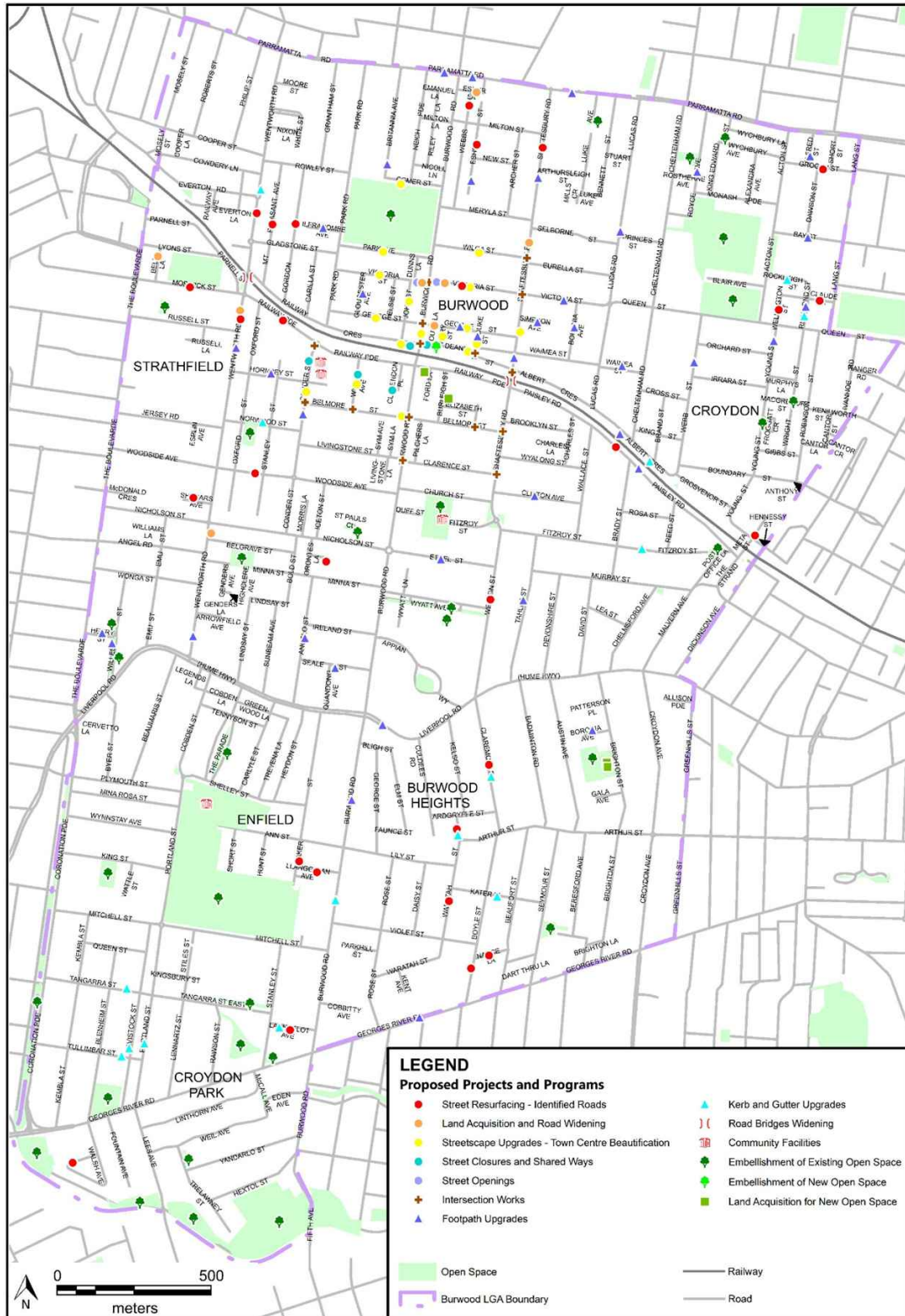
The preparation and ongoing administration of this Plan will incur costs. Council considers that the costs involved are necessary to ensure the efficient provision of amenities and services to meet the demands generated by future developments. As such, Council will recoup the cost of creating this Plan as well as ongoing costs in managing, monitoring and implementing the plan from the contributions received under this Plan.

Appendix 1 - Section 7.12 Plan Works Schedule

To be inserted prior to exhibition

BURWOOD

Appendix 2 – Mapping of Site Specific Works



(l) the costs of development that is provided as affordable housing,

(m) the costs of development that is the adaptive reuse of a heritage item.

- (5) The proposed cost may be adjusted before payment of a development levy, as specified in a contributions plan, to reflect quarterly or annual variations to readily accessible index figures adopted by the plan between the day on which the proposed cost was determined by the consent authority and the day by which the development levy must be paid.*

Example—

A contributions plan may adopt the Consumer Price Index.

- (6) To avoid doubt, this section does not affect the determination of the fee payable for a development application.*

DRAFT

Appendix 4 – Condition of Consent

Condition	Reason
<p>Payment of section 7.12 contributions</p> <p>Before the issue of a construction certificate or <INSERT ALTERNATIVE TIMING>, the applicant must pay a total contribution of <INSERT \$XX> as calculated at the date of this consent to Council under section 7.12 of the EP&A Act in accordance with <INSERT CONTRIBUTIONS PLAN REFERENCE>. The total amount payable may be adjusted at the time the payment is made, in accordance with the provisions of the <INSERT CONTRIBUTIONS PLAN REFERENCE>.</p> <p>A copy of the development contributions plan is available for inspection on the Burwood Council website <insert link to plan>.</p>	<p>To address the increased demand for regional infrastructure resulting from the approved development</p>

DRAFT

Section 7.12 Plan Works Schedule

Legend

- Items in black text are from existing plans
- Items highlighted in green have been updated
- Items in red have received/applied for grant funding (eg. WestInvest) – in case grant runs out or funding application unsuccessful
- Items in purple are projects newly added works

DESCRIPTION OF WORKS	LOCATION	COST ESTIMATE (\$)	STAGING (YEAR/ ONGOING)
OPEN SPACE			
Land acquisition for new open space		16,501,500	
168 Burwood Road, Burwood	Burwood Town Centre	12,000,000	2032
14 Burleigh Street, Burwood to consolidate with Elizabeth carpark	Burwood Town Centre	1,500,500	2032
37A Brighton Street, Croydon to enlarge Keith Smith Park	Croydon	1,500,500	2032
39 Brighton Street, Croydon to enlarge Keith Smith Park	Croydon	1,500,500	2032
Embellishment of new open space			
Pedestrian link Deane Street to Mary Street, Burwood	Burwood Town Centre	1,155,915	2026
Embellishment of existing open space			
Blair Park	Croydon	100,000	2032
Brown Reserve	Croydon Park	35,000	2032
Burwood Park	Burwood Town Centre	1,945,000	2026-2029
Wangal Park	Croydon	265,000	2026-2029
Cooinoo Reserve	Enfield	80,000	2029-2032
Coronation Parade	Enfield	145,000	2026-2032
Flockhart Park	Croydon Park	905,000	2026-2032
Froggart Crescent Reserve	Croydon	50,000	2032
Henley Park	Enfield	1,680,000	2026-2029
Wyatt Ave landscaped median (Horton Reserve)	Burwood	21,500	2032
Jackett Reserve	Burwood	36,500	2026-2029

DESCRIPTION OF WORKS	LOCATION	COST ESTIMATE (\$)	STAGING (YEAR/ ONGOING)
Jackson Park	Croydon Park	50,000	2026
Keith Smith Park	Croydon	90,000	2026
King Edward Street Landscape traffic control area	Croydon	7,000	2029
Luke Avenue Landscaped traffic control area	Burwood	1,500	2026
Martin Reserve	Croydon Park	321,500	2026-2029
Willee St landscaped median	Enfield	15,000	2029
Prowse Reserve	Croydon	46,500	2029
Rochester Reserve	Croydon	20,000	2032
Russell Street Reserve	Strathfield	3,000	2026
Sanders Reserve	Burwood	40,000	2026-2032
St. Pauls Close	Burwood	3,000	2026
Stanley Street Reserve	Croydon Park	2,000	2026
The Parade	Enfield	1,500	2026
Trelawney Street Landscaped verge	Croydon Park	1,500	2026
Fitzroy St traffic control area (Reed Reserve)	Croydon	2,000	2026
Walsh Avenue Reserve	Croydon Park	295,000	2026
Whiddon Reserve	Croydon Park	68,000	2026
Willee Street Landscaped verge	Strathfield	2,000	2026
Woodstock Park	Burwood	330,000	2026
Wyatt Avenue Park	Burwood	6,500	2026
Barbara Holborow Reserve	Croydon Park	28,000	2026
COMMUNITY FACILITIES		37,500,000	
Library and Community Hub	Burwood Town Centre	2,000,000	2026
Woodstock Community Centre	Burwood	500,000	2026
Burwood Urban Park Arts and Cultural Centre	Burwood Town Centre	20,000,000	2026
Enfield Aquatic Centre upgrades	Enfield	15,000,000	2026

DESCRIPTION OF WORKS	LOCATION	COST ESTIMATE (\$)	STAGING (YEAR/ ONGOING)
PUBLIC DOMAIN IMPROVEMENTS			
<i>Streetscape upgrades – Town Centre Upgrades</i>	Burwood Town Centre	36,710,005	
Burwood Rd - East side (Meryla St - Church St)	Burwood Town Centre	2,542,601	Ongoing
Burwood Rd - West side (Burwood Pk - Woodside St)	Burwood Town Centre	2,606,523	Ongoing
Wilga Street - South side	Burwood Town Centre	609,635	Ongoing
Victoria Street East - North side	Burwood Town Centre	703,345	Ongoing
Victoria Street East - South side	Burwood Town Centre	644,418	Ongoing
George St - North side (Shaftesbury Rd - Burwood Rd)	Burwood Town Centre	559,533	Ongoing
George St - South side (Shaftesbury Rd - Burwood Rd)	Burwood Town Centre	876,549	Ongoing
Marmaduke Street between Deane St and George St – both sides	Burwood Town Centre	436,109	Ongoing
Deane Street between Shaftesbury Road and Youth Lane – both sides	Burwood Town Centre	436,109	Ongoing
Belmore Street - North side (Conder Street - Shaftesbury Road)	Burwood Town Centre	2,100,464	Ongoing
Belmore Street - South side (Conder Street - Shaftesbury Road)	Burwood Town Centre	1,054,562	Ongoing
Conder St - West side (Livingstone St to Railway Pde)St	Burwood Town Centre	565,689	Ongoing
Conder St - East side (Norwood St to Railway Pde)	Burwood Town Centre	509,667	Ongoing
Wynne Ave - Both sides	Burwood Town Centre	916,178	Ongoing
George Street - North side (Park Road - Burwood Road)	Burwood Town Centre	553,326	Ongoing
George Street - South side (Park Road - Burwood Road)	Burwood Town Centre	669,515	Ongoing
Victoria Street West - South side (Dunns Lane – Park Road)	Burwood Town Centre	387,878	Ongoing
Park Avenue - South side	Burwood Town Centre	882,763	Ongoing
Park Avenue - North side	Burwood Town Centre	1,345,574	Ongoing
Mary Street - both sides	Burwood Town Centre	1,267,400	Ongoing
Comer Street - South side (Park Rd - Burwood Rd)	Burwood Town Centre	1,022,411	Ongoing
Railway Crescent from Park Rd to John St North Side and John St from Railway Cres to George St – both sides	Burwood Town Centre	105,780	Ongoing
John Street - George St to Victoria St – both sides	Burwood Town Centre	85,656	Ongoing
Place Underground Low Voltage Aerial Supply Line	Burwood Town Centre	10,653,984	Ongoing
Place Underground Low Voltage Customer Service Line	Burwood Town Centre	2,812,813	Ongoing

DESCRIPTION OF WORKS	LOCATION	COST ESTIMATE (\$)	STAGING (YEAR/ ONGOING)
Bus Stops, Shelters, Seats, Bins	Burwood Town Centre	839,889	Ongoing
Shaftesbury Rd - East side (Victoria St East to Deane St)	Burwood Town Centre	771,634	Ongoing
Town Centre Upgrades - various locations (not mentioned above)		750,000	Ongoing
Street Closures and Shared Ways	Burwood Town Centre	1,250,000	
Conder Street - pedestrianised zone outside Burwood Public School	Burwood Town Centre	250,000	Ongoing
Clarendon Place – pedestrianised zone	Burwood Town Centre	250,000	Ongoing
Deane Street (Mary Street to Burwood Road) - Shared Zone	Burwood Town Centre	250,000	Ongoing
Wynne Avenue pedestrianised zone	Burwood Town Centre	250,000	Ongoing
Railway Crescent (John St to Burwood Rd) - closure for pedestrian use	Burwood Town Centre	250,000	Ongoing
Footpath upgrades	Outside Burwood Town Centre	3,723,210	
Albert Crescent (Cheltenham Rd - Lucas Rd), North / West	Outside Burwood Town Centre	40,000	2032
Albert Crescent (Cheltenham Rd - Brand St), North / West	Outside Burwood Town Centre	20,000	2032
Alfred Street (Grogan St - No 3 & No 2), both sides	Outside Burwood Town Centre	50,000	2032
Angelo Street, both sides	Outside Burwood Town Centre	120,000	2029
Bay Street (Acton St - Dawson St), North / West	Outside Burwood Town Centre	25,000	2032
Bay Street (Dawson St - Lang St), North / West	Outside Burwood Town Centre	25,000	2032
Boronia Avenue, Croydon – both sides	Outside Burwood Town Centre	60,000	2032
Boronia Avenue, Burwood - South / East	Outside Burwood Town Centre	30,000	2032
Britannia Avenue (No 29 – Comer St), North / West	Outside Burwood Town Centre	100,000	2032
Burwood Road (Lily to Bligh), North / West	Outside Burwood Town Centre	40,000	2026
Clifton Avenue (Shaftesbury Rd - Clifton), South / East	Outside Burwood Town Centre	40,000	2032
Conder Street (Hornsey St - Livingston), North / West	Outside Burwood Town Centre	100,000	2032
Esher Street (New St - Meryla St), South / East	Outside Burwood Town Centre	30,000	2029
Ethel Street, both sides	Outside Burwood Town Centre	100,000	
Georges River Road (Burwood Rd - Beaufort St), North / West	Outside Burwood Town Centre	100,000	2032

DESCRIPTION OF WORKS	LOCATION	COST ESTIMATE (\$)	STAGING (YEAR/ ONGOING)
George Street (Burwood Rd - Shaftesbury Rd), both sides	Outside Burwood Town Centre	160,000	2026
Gloucester Avenue, East Side	Outside Burwood Town Centre	30,000	2032
Henry Street, Both Sides	Outside Burwood Town Centre	20,000	2029
Hornsey Street (Conder St - Wentworth), Both Sides	Outside Burwood Town Centre	85,000	2032
Ilfracombe Avenue (Park to End), North side	Outside Burwood Town Centre	45,000	2032
Liverpool Road (Greenhills St - Coronation Pde), both sides	Outside Burwood Town Centre	1,000,000	2032
Lucas Road – various between Parramatta Rd and Albert Cres	Outside Burwood Town Centre	400,000	2032
Marmaduke Street, East side	Outside Burwood Town Centre	15,000	2032
Paisley Road (Shaftesbury Rd - The Strand), Both Sides	Outside Burwood Town Centre	150,000	2029
Parramatta Road (Luke Ave - Shaftesbury Rd), South / East	Outside Burwood Town Centre	70,000	2032
Parramatta Road (No 314 - Esher St - Burwood Rd), South / East	Outside Burwood Town Centre	50,000	2032
Parramatta Road (Burwood Rd - Neiche Pde), South / East	Outside Burwood Town Centre	50,000	2032
Richmond Street, both sides	Outside Burwood Town Centre	45,000	2032
Royce Avenue (Cheltenham Rd – Parramatta Rd, both sides)	Outside Burwood Town Centre	60,000	2032
Seale Street (Burwood Rd-Quandong Ave, both sides; & Quandong Ave-Angelo St, South/East)	Outside Burwood Town Centre	51,000	2032
Shaftesbury Road (various between Milton St and Meryla St)	Outside Burwood Town Centre	45,000	2032
Shaftesbury Road (various between Meryla St & Wyalong St)	Outside Burwood Town Centre	200,000	2029
Simpson Avenue, both sides	Outside Burwood Town Centre	30,000	2032
Tahlee Street, South / East	Outside Burwood Town Centre	72,210	2032
Victoria Street (No 1 - Shaftesbury Rd), Both Sides	Outside Burwood Town Centre	120,000	2032
Waimea Street (Cheltenham Rd - No 1B - Lucas Rd), South / East	Outside Burwood Town Centre	20,000	2032
Webb Street (Irrara St - Orchard St), East Side	Outside Burwood Town Centre	35,000	2032
Wentworth Road (Russell St - Hornsey St), South / East	Outside Burwood Town Centre	25,000	2032
Wentworth Road (Arrowfield Ave - Liverpool Rd), North / West	Outside Burwood Town Centre	20,000	2032
Willee Street (Liverpool Rd - Henry St), North / West	Outside Burwood Town Centre	30,000	2032
Young Street (Queen St - Orchard St), North / West	Outside Burwood Town Centre	15,000	2032

DESCRIPTION OF WORKS	LOCATION	COST ESTIMATE (\$)	STAGING (YEAR/ ONGOING)
ROADS AND TRAFFIC			
<i>Intersection works</i>	Burwood Town Centre	11,380,055	Ongoing
Burwood Road & Livingstone Street/Clarence Street - New Traffic Signals Multi-Purpose Poles (MPP)	Burwood Town Centre	500,000	Ongoing
Burwood Road & Belmore Street - Traffic Signals Upgrade (MPP)	Burwood Town Centre	500,000	Ongoing
Burwood Road & George Street - New Traffic Signals (MPP)	Burwood Town Centre	500,000	Ongoing
Burwood Road & Victoria Street/East – New Traffic Signals (MPP)	Burwood Town Centre	1,400,000	Ongoing
Railway Parade & Conder Street - New Traffic Signals (MPP)	Burwood Town Centre	600,000	Ongoing
Burwood Road & Deane Street Traffic Signal Upgrade (MPP)	Burwood Town Centre	500,000	Ongoing
Shaftesbury Road & Clarence Street – New Traffic Signals	Burwood Town Centre	500,000	Ongoing
Belmore Street & Elizabeth Street – Footpath/Road Widening	Burwood Town Centre	50,000	Ongoing
Shaftesbury Road & Victoria Street East – Road Widening	Burwood Town Centre	1,400,000	Ongoing
Shaftesbury Road & Wilga Street – Road Widening	Burwood Town Centre	1,500,000	Ongoing
Shaftesbury Road & Belmore Street – New Traffic Signals	Burwood Town Centre	500,000	Ongoing
Shaftesbury Road & Deane Street – New Traffic Signals and Road Widening	Burwood Town Centre	2,330,055	Ongoing
Marmaduke & Deane Street – Road Widening	Burwood Town Centre	100,000	Ongoing
Belmore Street & Wynne Avenue – New Traffic Signals	Burwood Town Centre	500,000	Ongoing
Belmore Street & Conder Street – New Signals	Burwood Town Centre	500,000	Ongoing
<i>Street Openings</i>	Burwood Town Centre	10,860,000	
Victoria Street West – Future opening of the eastern end at Burwood Road – civil works		300,000	Ongoing
Victoria Street West - Future opening of the eastern end at Burwood Road - land acquisition		4,800,000	Ongoing
Victoria Street East Future opening of the eastern end at Burwood Road – land acquisition		5,760,000	Ongoing
<i>Road widening</i>		11,409,172	
Victoria Street East	Burwood Town Centre	200,000	Ongoing

DESCRIPTION OF WORKS	LOCATION	COST ESTIMATE (\$)	STAGING (YEAR/ ONGOING)
George Street (East)		400,000	Ongoing
Shaftesbury Road (various - east and west sides)	Burwood Town Centre	550,000	Ongoing
Wentworth Rd south of Railway Parade (West Side)	Burwood Town Centre	400,000	Ongoing
Shaftesbury Road - Land Acquisition	Burwood Town Centre	2,600,000	Ongoing
Shaftesbury Road - Sliplane Land Acquisition		145,000	Ongoing
Victoria Street East Land Acquisition		298,000	Ongoing
George St East between Burwood Rd and Shaftesbury Rd - southern side - land acquisition		1,407,000	Ongoing
Esher Lane, Burwood, north side between Webbs Lane & Esher Street – acquisition of land		162,500	Ongoing
As above – construction of road widening		49,750	Ongoing
16 Lyons Street – acquisition of land for Bells Lane widening		4,200,000	Ongoing
As Above - construction of road widening		200,000	Ongoing
Wentworth Road, Strathfield, west side between Russell Street and Morwick Street – acquisition of land		263,061	Ongoing
As above - construction of additional approach lane		114,500	Ongoing
As above - construction of kiss and ride lane		211,365	Ongoing
Wentworth Road, Burwood, east side to Liverpool Road - acquisition of land		148,591	Ongoing
As above - construction of additional approach lane		59,405	Ongoing
<i>Bridges widening</i>		50,000,000	
Shaftesbury Road Bridge	Burwood Town Centre		Ongoing
Wentworth Road Bridge	Burwood/Strathfield		Ongoing
<i>Street resurfacing – various roads</i>	Burwood Town Centre	40,000,000	
<i>Street resurfacing – identified roads</i>		7,500,000	
Baker Street (Ann St - End)		90,000	2026
Boyle Street (Georges River Rd – Violet St)		120,000	2026

DESCRIPTION OF WORKS	LOCATION	COST ESTIMATE (\$)	STAGING (YEAR/ ONGOING)
Claude Lane		40,000	2032
Esher Street		200,000	2026
Gordon Street		250,000	2026
Grogan Street		140,000	2026
Launcelot Avenue		100,000	2029
Llangollan Avenue		55,000	2026
Meta Street (Young St - End)		50,000	2032
Mt Pleasant Avenue		150,000	2032
Nance Lane		40,000	2032
Orontes Lane		60,000	2032
Sherars Avenue		50,000	2026
Victoria St (Burwood Rd - Shaftesbury Rd)		600,000	2026
Walsh Avenue (No 72 - No 9)		100,000	2029
Waratah Street (Violet St - Lily St)		180,000	2029
Waratah Street (Arthur St - Ardgryffe St)		120,000	2032
Webbs Lane (Milton St - Esher La)		75,000	2032
Wellington Street		50,000	2026
Wentworth Road (Railway Pde - Russell St)		350,000	2032
Woodside Avenue (Conder St - Wentworth Rd)		240,000	2032
Paisley Road – Shaftesbury Rd to The Strand		3,200,000	2032
Shaftesbury Road – Meryla St to Parramatta Rd		210,000	2026
Weldon Street - Liverpool Rd to Fitzroy St		300,000	2026
Claremont St – Arthur St to Liverpool Rd		230,000	2026
Wentworth Rd – Parramatta Rd to Cooper St		170,000	2026
Railway Pde – Oxford St to Conder St		150,000	2032
Morwick Street – Railway Pde – The Boulevard		180,000	2032
Kerb and Gutter upgrades		945,000	
Albert Crescent (Cheltenham Rd - Webb St), North / West		70,000	2032

DESCRIPTION OF WORKS	LOCATION	COST ESTIMATE (\$)	STAGING (YEAR/ ONGOING)
Burwood Road (Violet St - Llangollan Ave), both sides		70,000	2032
Claremont Road (Liverpool Rd – Arthur St), South / East		70,000	2032
Fitzroy Street (Brady St - Reed St), North side		40,000	2032
Kater Place (Boyle St - Beaufort St), North / West		30,000	2032
Launcelot Avenue, both sides		50,000	2032
Norwood Street (Conder St - Oxford St), both sides		70,000	2032
Portland Street (Georges River Rd - Tangarra St), North / West - both sides		110,000	2032
Richmond Street, both sides		30,000	2032
Rockleigh Street, both sides		60,000	2032
Tangarra Street (Blenheim St - Portland St), both sides		40,000	2032
Tavistock Street (Georges River Rd - Tullimbar St & Tullimbar St - Tangarra St), both sides		110,000	2032
Tullimbar Street (Blenheim St to Portland St both sides)		100,000	2032
Waratah Street (Arthur St - Ardgryffe St), South / East		20,000	2032
Wentworth Road (Rowley St - Gladstone St), both sides		75,000	2032

UPGRADES OF STORMWATER PIPES			
<i>Diameter of pipes (mm)</i>	<i>Length (m)</i>		9,233,250
150	113	No specific location – subject to more detailed investigation	56,500
225	1557		778,500
300	3352		1,676,250
375	4,906		2,453,125
450	2,400		1,200,375
525	502		250,875
600	1337		668,625
675	293		146,500
750	543		271,625
900	998		498,750

1050	225		112,250	2026
1200	507		253,500	2026
1350	211		105,500	2026
1500	213		106,625	2026
1650	151		75,625	2026
Open Chanel – 1	391		195,625	2026
Open Chanel – 2	766		383,000	2026

(Item 5/23) Conflict of Interest Policy: Council-related Development - Endorsement for Public Exhibition

File No: 22/45799

Report by Director City Strategy

Summary

In response to forthcoming amendments to the *Environmental Planning and Assessment Regulation 2021*, all councils are required to adopt a policy that specifically deals with council-related development and associated conflicts of interest. This report provides the background to the policy amendments and the legislated requirements Council must comply with, and seeks endorsement of the draft policy for public exhibition.

Operational Plan Objective

C.10 A well informed community active in civic life, local planning and decision making
C.11 Effective, innovative and collaborative leadership is underpinned by open, transparent and responsible governance

Background

Amendments to the *Environmental Planning and Assessment Regulation 2021* will come into effect on 3 April 2023. The legislative changes are intended to address the situations where the Council is both the applicant and regulator for particular development applications. This might arise when a Council is undertaking property renewal or replacement activities and it is intended to ensure that any inherent conflicts of interests are appropriately identified and managed. The legislative amendments have introduced the following requirements:

- Councils must adopt and have a policy that specifies how conflicts of interest in connection with council-related development applications will be handled. The policy must comply with the requirements of the NSW Government issued Guidelines (section 66A).
- Council-related development applications must now be accompanied by either a management strategy statement, which explains how the council will manage potential conflicts of interest, or a statement that the council has no management strategy for the application (section 36A).
- Councils must record conflicts of interest in connection with each council-related development application, and the measures taken to manage the conflicts, in their existing DA register (section 242A).
- Council-related development applications must be exhibited for a minimum of 28 days to ensure transparency during the assessment process (*Environmental Planning and Assessment Act 1979*, schedule 1, clause 9B).

These requirements will apply to any application that would be defined as council-related development. This means:

Development for which the Council is the applicant, developer (whether lodged by or on behalf of Council) landowner or has a commercial interest in the land subject of the application, where it will also be the regulator or consent authority.

There are a number of potential scenarios under which this policy might apply, but most commonly this would be when Council is the applicant or the land owner associated with an application.

Importantly, the requirement to adopt a policy by 3 April 2023 is mandated by the legislative changes. Under section 66A of the Act, after that date, council-related development applications

must not be determined unless the council has an adopted conflict of interest policy and council considers the policy in the determination of the application.

Proposal

In response to the legislative amendments, a draft policy 'Conflict of Interest Policy: Council-related Development Applications' has been prepared based on the guidance provided by the NSW Department of Planning and Environment (the Department).

The guidance provided by the Department makes it clear that Council is empowered to determine the risks associated with conflicts of interest and whether any specific management measures are warranted or not. However, importance is placed on communicating this assessment and decision to the community. A conflict of interest management statement will be required to be lodged with any Council-related development application.

The management statement must consider all stages of the development process, including regulatory and compliance stages post application determination. Dependent upon the identified risk associated with the application, examples of management measures might include:

- *Assessment must be by Council officers not involved in the application*
- *Assessment must be peer reviewed by the Manager City Development*
- *If determined as necessary following a risk assessment, an assessment will be undertaken by an external independent town planning consultant*
- *A management statement to be prepared and exhibited with the application*
- *Key project milestones will be publically reported by publication on the Burwood Council website*

In relation to the determination of an application, whilst the assessment maybe completed by Council officers, the decision would be made by the Burwood Local Planning Panel (BLPP). This is separately mandated under Schedule 1 of a Local Planning Panels Ministerial Direction dated 30 June 2020. Matters that involve a conflict of interest must be referred to the BLPP for determination. This means any development application where the applicant or land owner is Burwood Council must be referred to the BLPP.

Any application for Council-related development with a capital investment value of \$5 million or greater, must be referred to the Sydney Eastern City Planning Panel as the consent authority. As described above the separation between the assessment of the application and determination by independent parties, provides a further level of integrity in decision making.

To date, Council has been applying management controls consistent with those outline above in relation to the assessment of Council-related development applications. Typically, this has included the appointment of an external planning consultant to undertake the detailed assessment. This policy would confirm these existing practices and provide a management statement for each application.

Full details of the policy are contained in [Attachment 1](#) to this report.

Consultation

It is proposed that the draft policy be placed on public exhibition for a period of 28 days. The outcome of the consultation will be reported back to the March 2023 meeting of Council to enable adoption prior to the 3 April 2023 deadline.

Planning or Policy Implications

As outlined above, the policy will formally change the way in which applications for Council-related development are assessed and determined. The principal changes relate to:

- The requirement that such applications are accompanied by a conflict of interest management statement.
- The requirement to place such applications on public exhibition for a period of 28 days.

However, this does not constitute a change to the planning controls and policies that would otherwise be used to assess the acceptability or otherwise of submitted applications.

Financial Implications

There will be financial implications associated with this policy as a result of those applications where the conflict of interest risk factors required the appointment of external consultants to assess the application. However, this can be managed on a case-by-case basis and would be within standard budgetary assumptions.

Conclusion

Clearly identifying conflicts of interest and applying appropriate management measures to Council-related development applications should enhance the level and transparency and decision making in the execution of Council's planning functions. The policy will be embedded within the good practices that Council has deployed to date in managing such conflicts of interest and will provide a clear management framework for future applications.

Recommendation(s)

1. That Council endorse the *Draft Conflict of Interest Policy: Council-related Development Applications* policy for public exhibition for a period of public exhibition for a period of 28 days.
2. That a report be tabled at the 28 March Meeting 2023 outlining the outcomes of public exhibition and seeking final adoption of the policy.

Attachments

1 [↓](#) Draft Conflict of Interest Policy: Council-related Development Applications



Inc.1874
Burwood

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

CONFLICT OF INTEREST POLICY: COUNCIL-RELATED DEVELOPMENT APPLICATIONS

In accordance with the Guidelines issued under clause 66A of the Environmental Planning and Assessment Regulation 2021

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.: <Content Manager Ref. No.>
Version No.: 1
Ownership: Governance & Risk

1. Purpose

It is sometimes necessary for Council to prepare and lodge an application for the replacement, upgrade or extension of existing Council buildings, facilities and other related property matters.

This policy aims to manage potential conflicts of interest and increase transparency at all stages of the development process for Council-related development. It identifies the appropriate management controls for the assessment and determination of Council-related development.

This policy complies with the Guidelines issued under clause 66A of the Regulation.

2. Scope

This policy relates to all Council-related development.

This policy takes effect from 3 April 2023 when the relevant amendments to the Regulation commence.

This policy should be read in conjunction with Burwood Council's *Conflict of Interest Policy*, which assists individuals in determining if they have a conflict of interest in performing their public duties, including those duties related to the development process.

3. Definitions

In this policy:

Application means an application for consent under Part 4 of the Act to carry out development and includes an application to modify a development consent. It does not include an application for a complying development certificate.

Capital Investment Value (CIV) means all costs necessary to establish and operate a development, as defined in clause 3 of the *Environmental Planning & Assessment Regulation 2021*.

Council means Burwood Council.

Council-related development means development for which the Council is the applicant developer (whether lodged by or on behalf of Council), landowner, or has a commercial interest in the land the subject of the application, where it will also be the regulator or consent authority

Development process means application, assessment, determination, and enforcement.

Management statement means a Council-related Development Conflict of Interest Management Statement in the form approved by the General Manager.

Major Application means large scale, significant or contentious development that is likely to require complex development assessment and with a CIV of greater than \$5 million.

Minor Application means small scale or routine development application for minor, small scale operational matter, building upgrades or replacements with a CIV generally less than \$1 million.

Probity Advisor is a person who provides guidance and advice on how conflict of interest issues should be addressed, and may also assist in anticipating problems and advising on courses of action for the duration of the development process. Depending on the application, this may be a Council officer who is independent of the City Strategy Directorate, a legal provider on Council's legal services panel, or another third-party probity advisor who is independent of Council.

Standard Application means other development that is taking place on land within the ownership or control of Council that is consistent with existing land use zoning and relevant development control plan provisions and has a CIV generally between \$1 million and \$5 million.

the Act means the *Environmental Planning and Assessment Act 1979*.

the Regulation means the *Environmental Assessment and Planning Regulation 2021*.

A word or expression used in this policy has the same meaning as it has in the Act, and any instruments made under the Act, unless it is otherwise defined in this policy.

Notes and examples included in this policy do not form part of the policy.

4. Process for identifying and managing potential conflicts of interest

4.1 Risk-based factors impacting management controls and strategies

The nature of management controls and strategies in relation to Council-related development will vary depending upon a number of risk-based factors. In determining the appropriate management controls, the following matters should be taken into account:

- Classification as major, minor and standard application.
- The scale and nature of the development and whether it would be viewed as a consistent form of development, taking into account current local environmental plan and development control plan provisions.
- The complexity of the proposal and whether the potential impacts of the proposal would likely need consideration at the local, neighbour or sub-regional scale.
- Whether the application would trigger referral to the Sydney Eastern City Planning Panel for determination as the consent authority.
- An application that is likely to require amendment to existing planning controls or substantial variation to current controls of greater than 10%.
- The likelihood that the development application will be viewed as contentious and receive a large number of submissions.
- Whether it would attract any financial benefit to Council.

4.2 Classification of Major, Minor and Standard Applications

The classification of Council-related applications as major, minor or standard has been separately defined in this policy. It should be noted that the application classification provides an indication of the likely risk associated with an application and suggested management responses. However, the particular circumstances and nature of each application should still be individually considered.

Generally, it is expected that the nature of a major, minor or standard application would be display the characteristics as described below.

1. The classification of an application as a Minor Application is one that is consistent with Council planning policy, non-controversial and has a CIV less than \$1 million.

Examples of Minor Applications: Replacement of an existing amenities block, minor modification to an existing approved development application or small scale subdivision.

2. An application classified as a Standard Application is one that may attract some submissions, is generally consistent with Council planning policy and has a CIV of between \$1 million and less than \$5 million

Examples of Standard Applications: A new community facility or extension or replacement of an existing facility.

3. An Application classified as a Major Application is one that is likely to be contentious or attract a substantial number of objections or have a CIV greater than \$5 million.

Example of a Major Application: A new building or facilities located in prominent or sensitive location, linked to development on an adjoining site or delivered through a voluntary planning agreement.

4.3 Management controls and strategies

In all instances, any Council-related application must be prepared and lodged with Burwood Council by an external consultant. Such applications must be complete and accompanied by the required supporting information.

Subject to the general manager’s (or delegate’s) assessment under part 4 of this policy, the following management controls may be applied to:

a) The assessment of an application for Council-related development

Minor applications	Standard applications	Major applications
<ul style="list-style-type: none"> • Assessment must be by Council officers not involved in the application • Assessment will be peer reviewed by the Manager City Development. • A management statement is to be prepared and exhibited with the application, unless it is an exempt application as referred to in part 5 of this policy. 	<ul style="list-style-type: none"> • Assessment must be by Council officers not involved in the application • Assessment peer reviewed by the Manager City Development. • If determined as necessary by the risk assessment, will be undertaken by an external independent town planning consultant. • A management statement to be prepared and exhibited with the application. 	<ul style="list-style-type: none"> • Assessment by an external independent town planning consultant. • Appointment of a probity advisor to advise on and monitor the development process • A management statement to be prepared and exhibited with the application.

b) The determination of an application for Council-related development

Under Schedule 1 of the *Local Planning Panels Direction – Development Applications and Applications to Modify Development Consents* dated 30 June 2020, matters that involve a conflict of interest must be referred to the Burwood Local Planning Panel (BLPP) for determination. This means any development application for which the applicant or land owner is Burwood Council must be referred to the BLPP. This policy does not affect that requirement and all such matters will continue to be referred to the BLPP.

In addition, any application for which Council has a lease or licence, or the land is otherwise vested in or under the control of Council, but Council is not the applicant or owner of the land, will also be referred to the BLPP for determination.

The determination of applications for modifications under section 4.55 of the Act may continue to be undertaken by Council officers in accordance with the approved scheme of delegation.

c) The regulation and enforcement of approved Council-related development

Following application approval, the usual regulatory activities will need to be carried out. This includes construction certification, demonstration of compliance with conditions of consent and issue of occupation certificate. Options to manage this could include:

- Regulation and enforcement will be undertaken by Council officers not involved with the delivery or operation of the development
- Key project milestones will be publically reported by publication on the Burwood Council website. *Examples of key milestones: the issue of construction certificates or occupancy certificates.*
- Use of independent consultants.

4.4 Identifying whether a potential conflict of interest exists, assessment of level risk and determination of appropriate management controls

Applications lodged with Council that are Council-related development, are to be referred to the General Manager (or a delegate) for a conflict-of-interest risk assessment. Any delegate is to be an officer who is independent of the development process.

The General Manager is to:

- a) Assess whether the application is one in which a potential conflict of interest exists
- b) Identify the phase(s) of the development process at which the identified conflict of interest arises
- c) Assess the level of risk involved at each phase of the development process
- d) Determine what (if any) management controls should be implemented to address the identified conflict of interest (in each phase of the development process, if necessary) having regard to any controls and strategies outlined in part 4.3 of the policy and the outcome of the assessment of the level of risk involved as set out in paragraph (c) above
- e) Document the proposed conflict of management approach for the proposal in a statement that is published on the NSW Planning Portal.

The General Manager may delegate the preparation of the Conflict of Interest Management Statements referred to in paragraph (e) above, either generally or in relation to individual applications, or classes of applications.

Note: The general manager could determine that no management controls are necessary in the circumstances.

5. Types of development exempt from this policy

Council has determined that the risks associated with the following Council-related developments are sufficiently low that no specific controls are warranted:

- commercial fit outs and minor changes to the building façade
- internal alterations or additions to buildings that are not a heritage item
- advertising signage
- minor building structures projecting from a building facade over public land (such as awnings, verandas, bay windows, flagpoles, pipes, and services)

As a result, applications for developments of this kind are exempt from this policy.

6. Other Legislative Requirements

Other legislative requirements under the Act and the Regulation that apply to Council-related development applications include:

- Schedule 1, clause 9B of the Act provides that the minimum public exhibition period for a Council-related application is 28 days.
- Clause 30B of the Regulation provides that a Council-related application must be accompanied by a statement specifying how the Council will manage conflicts of interest, or a statement that a management strategy is not required.

7. Relevant Information

- *Environmental Planning and Assessment Act 1979*
- *Environmental Planning and Assessment Regulation 2021*
- *Local Government Act 1993*
- *Local Government (General) Regulation 1993*
- Conflict of Interest Management Statement Form (CM Ref: XXXXX/XXXX)

8. Review

To be reviewed every 2 years or as otherwise required by changes to relevant legislation.

9. Contact

Manager Governance & Risk 9911 9910

(Item 6/23) Draft Out of Hours Construction Policy - Results of Public Exhibition and Adoption of Policy

File No: 23/2911

Report by Director City Strategy

Summary

Following the placement of the Draft Out of Hours Construction Policy on public exhibition, this report recommends the adoption of a policy where a builder/applicant may on application to Council request an extension of construction hours in the specific circumstances of the case.

Operational Plan Objective

A.33 Provide efficient, timely development assessment services, including pre-DA support

Background

Council, at its meeting 18 October 2022, considered a report regarding the endorsement for public exhibition purposes of a draft Out of Hours Construction Policy. Council subsequently resolved that:

1. The draft Policy for Out of Hours Construction as included at Attachment 1 to this report be endorsed for the purposes of public exhibition and be exhibited in accordance with Council's Community Participation Plan for a period of 28 days.
2. Following the exhibition of the draft Policy, a report be brought to Council advising of any submissions made and making recommendations on the adoption of the Policy.

Proposal

Presently, hours of construction are controlled via a standard condition imposed on all consents issued by Council. The hours of construction impose are:

Within the Burwood Town Centre:

Hours of work shall be from 7:00am to 7:00pm Mondays to Fridays inclusive (**during daylight savings period**), 7:00am to 6:00pm Mondays to Fridays inclusive (**outside daylight savings period**) and from 7:00am to 4:00pm on Saturdays. No work shall be carried out on Sundays or Public Holidays. The owner/builder shall be responsible for the compliance of this condition by all sub-contractors, including demolishers.

Outside the Burwood Town Centre:

Hours of work shall be from 7:00am to 6:00pm Mondays to Fridays inclusive, and from 7:00am to 4:00pm on Saturdays. Demolition, excavation and/or construction works that involve heavy machinery, noisy trades or the like are **not permitted** to be carried out from 1:00pm to 4:00pm on Saturdays. No work shall be carried out on Sundays or Public Holidays. The owner/builder shall be responsible for the compliance of this condition by all sub-contractors, including demolishers.

Whilst there is no intention to vary those standard hours of construction, there are circumstances that require some operations to occur outside those hours. Typically, this would relate to concrete pours for transfer slabs that require a large quantity of concrete.

In summary the general features of the policy would include:

- No works will be approved after 10pm at night (daylight saving time), 9pm (non-daylight saving time) or before 6am.
- Should an approval be granted under the terms of the policy, it would be the responsibility of the applicant/builder to notify properties within 100m of the site of the extended working hours 5 days before the event.
- It is not intended that the proposed process be utilised for out of hours construction due to unforeseen circumstances, for example breakdown of machinery, or where the application is being lodged for the convenience of the builder or applicant.
- Applications must be lodged a minimum 15 business days before the out of hours activity would occur and with appropriate supporting information.
- The circumstances to which out of hours construction will be permitted are specific, and extended periods (more than two consecutive days) out of hours construction would not be permitted.

No variations to the policy are proposed from that originally presented to Council and placed on public exhibition.

Consultation

The policy was placed on public exhibition from 1 to 30 November 2022 on Council's web site (Participate Burwood) and also advertised in the Mayor's Newsletter.

Data gathered during the public consultation process shows that there were 55 views of the draft policy on exhibition. However, there were no formal submissions received by Council.

Planning or Policy Implications

Should the policy be adopted by Council it will be necessary to modify Council's standard conditions to include reference to the Policy and submission of an application to Council with the required fee. This will allow flexibility for out of hours construction applications to be lodged and considered appropriately. The Policy is aimed primarily at Business Zones however it does not exclude development in the R1 General Residential zone.

Out of hours construction would not be permitted in the Low Density R2 zones.

The policy will only apply for developments where the new condition of consent is able to be imposed, otherwise it will be necessary for a modification application pursuant to Section 4.55 of the *Environmental Planning & Assessment Act 1979* to be lodged for existing developments.

Financial Implications

It is considered that a flat fee of \$1500.00 will be sufficient to cover Council's costs for the processing of each application without making the cost of each application unattractive for prospective applicants. The fee will also prevent frivolous applications being lodged as it is intended that an application will not be accepted without the fee being submitted and there will be no refund in the event an application is to be withdrawn or is not approved.

Options

Council has two (2) options in relation to this draft policy.

Option 1

Adopt the draft policy as exhibited or make changes to the policy and then adopt.

Option 2

Not adopt the policy and continue with the current practice of not allowing any extension of construction hours outside Council standard conditions.

In the circumstances, and following the community consultation process, it is considered reasonable to adopt the draft policy as exhibited (Option 1). The policy can be reviewed by Council at any time and would be reviewed in any case after 2 years to gauge its effectiveness and see what impact, if any, the policy is creating generally.

Conclusion

It is considered that there is reason to introduce a policy where it is possible to extend working hours of a site in the individual circumstances. The responsibility for providing sufficient justification to permit an extension of construction hours rests firmly with the applicant, as well as providing mitigating measures that will protect the amenity of surrounding properties.

The introduction of a fee will prevent frivolous applications being lodged and the requirement for documentation to be submitted with the application and the requirement for the submission of an application well before the appointed date will protect the amenity of any of any surrounding residents and ensure that they have sufficient notice of the event.

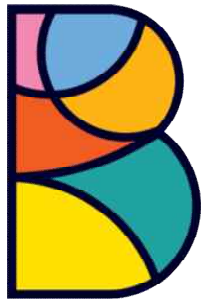
Recommendations

That:

1. The draft Policy for Out of Hours Construction as exhibited and included at Attachment 1 to this report be adopted by Council.
2. The policy provisions shall commence from 27 February 2023 and the necessary changes be made to Council's Fees and Charges for fees relating to this application.
3. Details of the adoption and commencement of the Policy be placed on Council's web site.

Attachments

1 [↓](#) Draft Out of Hours Construction Policy



Burwood ^{Inc.1874}

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

OUT OF HOURS CONSTRUCTION POLICY

DRAFT

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

<Corporate/Public> Document

Adopted by Council or Approved by the <General Manager> : <Date>

Ref. No.: <Content Manager Ref. No.>

Version No.: <Version No.>

Ownership: <Team Responsible for Document>

Purpose/Explanations

The purpose of this policy is to outline the circumstances where construction sites may have their approved hours of construction varied.

Scope

The Policy applies to development sites within the Burwood Local Government Area, in the Business Zones (B2, B4 & B6) and General Residential Zone (R1) only.

Applications should not involve out of hours works within low density residential zoned areas.

Public Infrastructure works, State Significant Development on behalf of the Crown, Emergency Services or Disaster Recovery works are exempt from this policy.

Reasons for Out of Hours Construction

Building works are to be carried out in the approved hours of construction set out in the relevant development consent, unless a permit approving variation of those hours has been granted under this policy.

Council will only consider work being undertaken outside normal working hours where it can be shown there are genuine safety, technical or public amenity issues to be addressed.

Applications that seek approval for Out of Hours Construction work based only on the amenity or convenience concerns of the applicant or building occupants will not be considered or approved.

Circumstances where Council may consider an application for extended hours include:

1. The pouring of large transfer slabs where it can be demonstrated by certification from a practising structural engineer that the pour cannot be completed within approved working hours and a control joint cannot be provided in the slab.
2. Where restrictions on size of vehicles or time limits are imposed by Transport for NSW (TfNSW) on State Roads within the LGA and documentary evidence to this effect from TfNSW is provided.
3. Where there are public safety or amenity concerns for adjoining or surrounding residents for works being carried out within approved hours.

In all circumstances, documentary evidence must be provided to support the justification for out of hours construction.

Limitations on Out of Hours Construction

The policy is not intended to apply to works such as rock breaking, excavation, piling, concrete cutting, jack hammering or other major noise generating activities.

Approval will not be given for Out of Hours Construction works to take place after 10pm at night (daylight saving time), 9pm (non-daylight saving time) or before 6am.

Applications for Out of Hours Construction works to take place on a Sunday or a Public Holiday will not be considered.

Any approval for Out of Hours Construction works relates only to the date specified in the permit, usually one day only, permits for a maximum of 2 consecutive days could be considered in exceptional circumstances. Any change of date will require a new application to be lodged.

To be clear, the issuing of a permit under this policy is not an approval for an ongoing variation to the Hours of Demolition/Construction imposed by any conditions in a Development Consent.

Application requirements

Applications must be lodged using the application form approved by the General Manager.

Applications must be accompanied by the fee approved by Council. The application fee is non-refundable in the event the application is withdrawn or not approved.

All applications must be lodged to Council at least 15 working days prior to the date on which the works are proposed to be carried out. Any applications lodged after this time will not be considered.

It is the responsibility of the applicant to provide sufficient information and describe the proposed works in detail, to enable the application to be properly considered. Failure to do so may lead to rejection of the application.

Applications must demonstrate that consideration has been given, and measures have been put in place to address, any perceived impact of the activity on nearby residential and public use buildings (especially those involving sensitive occupants). Examples may include Traffic Control Plans, Noise Abatement Plans, Light Spillage Plans (where lighting on site is required) or Dust Nuisance Plans. If approved, the agreed mitigation measures will form part of the conditions of the permit.

Where the Out of Hours Construction requires a road closure or occupation licence, a separate approval will also be required from Council or the relevant Roads authority.

Consideration of Applications

Applications will not be considered unless they have been submitted on the approved form and the required fee paid in full.

Council officers will ensure that the merit of each application is considered, including individual circumstances, and that the public interest is maintained at all times.

The matters that will be taken into consideration when considering an application include (but are not limited to) the following:

- Nature of work to be conducted
- Reason for Out of Hours completion
- Residual effect of work (Noise, Traffic, Parking)
- Demographic of area (Residential, Commercial)
- Compliance history of the subject premise
- Current hours of operation
- Mitigating or extenuating circumstances
- Impact of works not being completed

The outcome of the application will be notified to the applicant by way of the issuing of a permit or a notice of refusal at least six (6) days prior to the proposed date of works.

Notification requirements

After a permit has been granted by Council, the applicant must notify all residences, institutions and businesses within a 100 metre radius of the development site of the times the works will be conducted by way of letterbox drop at least five (5) days prior to the work taking place.

The neighbour notification letter must include a contact name and telephone number for a person with responsibility for managing Out of Hours Construction works. That person must be available and on duty at all times whilst works are underway out of hours.

A copy of any permit provided by Council must be maintained on site and produced as requested by Police or Council officers.

Cancellation of approval and enforcement

An approval for Out of Hours Construction may be cancelled without notice should it be determined that public or residential amenity is being detrimentally affected.

It is the responsibility of the builder and/or person carrying out the works on the site to ensure that mitigating measures are put in place and maintained during the tenure of the extended hours of construction. If it is determined that the mitigating measures have not been maintained or put in place, the approval will be cancelled.

Council will consider the issue of a Penalty Notice for a breach of the development consent, if an permit was not in place for out of hours construction or mitigating measures not implemented.

Related Information

Burwood Development Control Plan 2013.

Review

This policy will be reviewed in 2 years (2024).

Contact

For further information please contact the City Development Team 9911 9911.

(Item 7/23) Local Government Election 2024 - Administration Arrangements

File No: 22/36785

Report by Acting Director Corporate Services

Summary

The next general local government election is due to occur on 14 September 2024. Council normally engages the services of the NSW Electoral Commission (NSWEC) to administer such elections for Burwood. Council is obliged to make a decision no later than 18 months before the expected conduct of the 2024 election, if consideration is being given to engaging the NSWEC once more. Section 296AA of the *Local Government Act 1993* (the Act) limits the options for the conduct of such elections to the NSWEC or another electoral services provider engaged by the council.

Operational Plan Objective

C.11 Effective, innovative and collaborative leadership is underpinned by open, transparent and accountable governance

Background

Section 296AA of the Act provides that, at least 18 months before the next ordinary election of councillors, council must pass a resolution:

- a) to enter into an arrangement with the NSWEC to administer the elections of the council, or
- b) that the elections of the council are to be administered by another electoral services provider engaged by the council.

For the 2024 elections, Council must make that decision by 13 March 2023. If Council does not make a decision by that date, the default position under section 296 of the Act is that another electoral services provider will be engaged by Council.

If Council decides to engage the NSWEC, section 296 of the Act provides that that arrangement must be finalised no later than 15 months before the next ordinary elections. The date for finalising such an arrangement for the 2024 elections is 13 June 2023.

The Office of Local Government issued Circular No 22-35 on 11 November 2022 (see [Attachment 1](#)) and accompanying Frequently Asked Questions (see [Attachment 2](#)) to provide assistance to councils in making this decision.

Proposal

It is proposed that Council engages the NSWEC to conduct the 2024 Local Government Elections. Council does not have the internal resources to provide the support needed for an election run by another provider, without impacting other service delivery areas.

The NSWEC has now provided a cost estimate for the delivery of the 2024 election (see [Attachment 3](#)). The estimate of \$291,551 (including GST) is higher than in prior years and reflects the passing-on of higher expenses in several areas, including logistics, fuel levies, staffing costs and CPI increases on other expenses, as well as an increase in the number of electors.

In comparison, the NSWEC conducted the 2021 Burwood Council Election for which it charged Council \$233,000. However, that fee took into account additional State government funding that was provided to the NSWEC to reduce the cost of that particular election, including additional expenses for Covid-19 safety measures that were not passed on to councils.

Council has also investigated whether there are any alternative suppliers who might meet Burwood Council's election needs. The Australian Electoral Commission has confirmed it is not currently offering their services for local government elections, even though they have done so in the past. The potential for other government run commissions from other state and territory jurisdictions was also considered but these were not feasible.

The only other viable provider is a Queensland-based firm, which has conducted some local government elections in NSW. It is the staff's understanding, however, that their services typically need to be supported quite heavily by Council officers, effectively negating some of the benefits of outsourcing this important function.

Other providers of election support services do exist but focus on less complex and smaller scale jobs such as company shareholder and union elections.

Planning or Policy Implications

Where Councils choose to use the NSWEC they must resolve to do so at least 18 months before the next ordinary election of councillors that such an arrangement is to be entered into, and the arrangement is entered into no later than 15 months before the next ordinary election of councillors.

Any arrangement entered into with the NSWEC for the 2024 elections will automatically terminate 18-months prior to the next general council elections (in 2028), unless terminated earlier by either party.

Unless Council resolves to engage the NSWEC by the prescribed deadline the default position is that all elections, referendums and polls will be administered by another electoral services provider engaged by the council.

Financial Implications

The direct financial impact for this matter will depend on the course of action taken by Council. The estimate provided by NSWEC for the 2024 election is \$291,551 (including GST).

Should Council decide to conduct the election using another electoral services provider, the financial impact would be similar, if not more, as there would be no opportunity to leverage the economies of scale possible through the NSWEC as it services well over 100 NSW councils. The in-kind cost of services provided by council officers would also be significantly higher without recourse to NSWEC for election services.

The Local Government Election Reserve is expected to grow to \$401,000 for the 2024-2025 election year. In addition to the cost of the externally engaged election provider, that budget is would also cover local costs of supporting the election such as locally targeted communications campaigns and the provision of briefings for potential candidates.

Options

Under the Act, Council has only 2 options:

- Engaging the NSWEC, or
- Engaging another electoral services provider.

Amendments to the Act in 2019 mean that councils can no longer opt to run an election themselves.

Conclusion

It is proposed the NSWEC be engaged to run the 2024 election, given the significant expertise and resources it has in conducting elections and the limited internal resources council has to support the other option. All risk associated with conducting the election will be assumed by the Electoral Commission.

Recommendations

1. That Burwood Council resolves:
 - a. pursuant to section 296 (2) and (3) of the *Local Government Act 1993* that an election arrangement be entered into by contract for the NSW Electoral Commissioner to administer all elections of Burwood Council
 - b. pursuant to section 296 (2) and (3) of the *Local Government Act 1993*, as applied and modified by section 18, that a council poll arrangement be entered into by contract for the Electoral Commissioner to administer all council polls of the Council
 - c. pursuant to Section 296 (2) and (3) of the *Local Government Act 1993*, as applied and modified by section 18, that a constitutional referendum arrangement be entered into by contract for the Electoral Commissioner to administer all constitutional referenda of the Council
 - d. the General Manager be authorised to execute contract documents for any agreement to be entered into with the NSW Electoral Commissioner for the next ordinary election of councillors and any polls or constitutional referenda that Council may seek to conduct in conjunction with the election.
2. That the General Manager publish this resolution on the Council website as soon as practicable, as required by section 296AA (3) of the *Local Government Act 1993*.
3. That the General Manager notify the NSW Electoral Commissioner and the Deputy Secretary of NSW Crown Lands and Local Government before 13 March 2023 of its election administration intentions for the next ordinary election of councillors.

Attachments

- 1 [↓](#) OLG Circular 22-35 - Councils' decisions on the administration of their September 2024 ordinary elections
- 2 [↓](#) FAQs re OLG Circular 22-35 - 2024 local government elections
- 3 [↓](#) NSW Electoral Commission LGE24 Estimate - Burwood Council
- 4 [↓](#) Local Government Act 1993 - Sections 296AA and 296



Circular Details	Circular No 22-35/ Date 11 November 2022/ A839620
Previous Circular	18-43 – Council decisions on the administration of the September 2020 elections
Who should read this	Councillors / General Managers / Council governance staff
Contact	Council Governance Team / 02 4428 4100 / olg@olg.nsw.gov.au
Action required	Council to Implement

Councils' decisions on the administration of their September 2024 ordinary elections

What's new or changing

- Under section 296AA of the *Local Government Act 1993* (the Act), councils are required to make a decision on how their ordinary elections in September 2024 are to be administered by **13 March 2023**.
- Each council must resolve **either**:
 - to enter into an election arrangement with the NSW Electoral Commissioner (NSWEC) to administer all the council's elections, polls and constitutional referenda **or**
 - that the council's elections are to be administered by another electoral services provider engaged by the council.
- If a council does not resolve to engage the NSWEC to administer its elections by **13 March 2023**, it must engage another electoral services provider to do so.

What this will mean for your council

- Councils are required to make a decision under section 296AA by 13 March 2023 on the administration of their next ordinary election. Information to assist councils in making that decision is provided in the attached FAQ.
- If a council is proposing to engage the NSWEC to administer its elections, it should resolve to do so as soon as possible and notify the NSWEC.

Key points

- Where councils resolve to engage the NSWEC to administer their elections, polls and referenda, a model resolution is suggested in the attached FAQ.
- If a council resolves to adopt an electoral services provider other than the NSWEC, the resolution must state whether the general manager has identified an electoral services provider to be engaged for the next ordinary election and, if so, the name of that provider.

Office of Local Government
 5 O'Keefe Avenue NOWRA NSW 2541
 Locked Bag 3015 NOWRA NSW 2541
 T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209
 E olg@olg.nsw.gov.au W www.olg.nsw.gov.au ABN 20 770 707 468

Where to go for further information

- Further information to assist councils' decisions on the administration of their September 2024 ordinary elections is contained in the FAQ attached to this circular.
- Contact the Office of Local Government's Council Governance Team by telephone on 02 4428 4100 or by email at olg@olg.nsw.gov.au.
- Contact Steve Robb at the NSW Electoral Commission by telephone on 1300 135 736.

Melanie Hawyes

Deputy Secretary, Crown Lands and Local Government

Office of Local Government
5 O'Keefe Avenue NOWRA NSW 2541
Locked Bag 3015 NOWRA NSW 2541
T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209
E olg@olg.nsw.gov.au W www.olg.nsw.gov.au ABN 20 770 707 468

FREQUENTLY ASKED QUESTIONS**Part 1 Decision making on the administration of elections****What decisions must councils make on the administration of their elections?**

Under section 296AA of the *Local Government Act 1993* (the Act), each council must resolve by **13 March 2023** either:

- to engage the NSW Electoral Commissioner (NSWEC) to administer the council's elections, polls and referenda, or
- that the council's elections are to be administered by another electoral services provider.

What happens if a council fails to make a decision on the administration of its elections by 13 March 2023?

If a council fails to make a decision on the administration of its elections, polls and referenda by 13 March 2023, it will not be able to engage the NSWEC to administer its ordinary election and it will be required to make its own arrangements with another electoral services provider for the administration of its elections.

A council that fails to make a decision on the administration of its elections by 13 March 2023 will also be required to publish a notice of that failure on the council's website.

Part 2 Election arrangements with the NSWEC**What election arrangements can councils enter into with the NSWEC?**

The election arrangement is a standardised contract for all councils. The service schedule and costs schedule of the standardised contract will vary between councils and are made by the NSWEC in consultation with each council.

Where a council resolves to engage the NSWEC to administer its elections, polls and referenda, the election arrangement with the NSWEC will apply to the 2024 ordinary election and every election, poll and referendum including any by-election or countback election until the contract is automatically terminated 18 months before the following ordinary election of councillors.

Where a council resolves to engage the NSWEC to administer its elections, polls and referenda, it should use the model resolutions provided below.

If a council wishes to engage the NSWEC to administer its elections, polls and referenda what form should its resolution take?

Councils wishing to make a resolution that an election arrangement be entered into for the NSWEC to administer all elections, polls and referenda under section 296(3) of the Act should use the following model resolution:

The [insert full description of council] ("the Council") resolves:

1. *pursuant to s. 296(2) and (3) of the Local Government Act 1993 (NSW) ("the Act") that an election arrangement be entered into by contract for the Electoral Commissioner to administer all elections of the Council.*

Office of Local Government
5 O'Keefe Avenue NOWRA NSW 2541
Locked Bag 3015 NOWRA NSW 2541
T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209
E olg@olg.nsw.gov.au W www.olg.nsw.gov.au ABN 20 770 707 468

2. *pursuant to s. 296(2) and (3) of the Act, as applied and modified by s. 18, that a council poll arrangement be entered into by contract for the Electoral Commissioner to administer all council polls of the Council.*
3. *pursuant to s. 296(2) and (3) of the Act, as applied and modified by s. 18, that a constitutional referendum arrangement be entered into by contract for the Electoral Commissioner to administer all constitutional referenda of the Council.*

When must the election arrangements with the NSWEC be finalised?

Where councils have resolved to enter into an election arrangement with the NSWEC, the contract with the NSWEC must be finalised no later than 15 months before the next ordinary elections (ie **13 June 2023**).

Can election arrangements with the NSWEC be terminated?

Yes, but only after the council's ordinary election. An election arrangement for the NSWEC to administer all elections, polls and referenda of a council can be terminated by the council or the NSWEC at any time after the ordinary election by giving written notice of termination and in accordance with any notification requirements set out in the contract.

If the election arrangement is not terminated by either party, the arrangement is automatically terminated 18 months before the following ordinary election when the council will be required to determine who will conduct its next ordinary election.

If a council does not engage the NSWEC to administer its ordinary election, can it engage the NSWEC to administer a particular by-election, poll or referendum after the ordinary election?

Yes. Where a council does not enter into an election arrangement with the NSWEC to administer its ordinary election, the council may resolve to enter into an election arrangement with the NSWEC to administer a particular by-election, poll or referendum following the ordinary election.

If councils resolve to engage the NSWEC to administer a particular by-election, poll or referendum after the ordinary election, they should use the model resolutions provided below.

If a council wishes to engage the NSWEC to administer a particular by-election or countback election, what form should its resolution take?

Councils wishing to engage the NSWEC to administer a particular by-election or countback election after the ordinary election should use the following model resolution:

The [insert full description of council] ("the Council") resolves pursuant to ss. 296(2) and (4) of the Local Government Act 1993 (NSW) that:

1. *an election arrangement is to be entered into for the Electoral Commissioner to administer [insert description of the particular election but do not do so by date in case the election date is changed or postponed]; and*
2. *such election arrangement is to be entered into by contract between the Electoral Commissioner and the Council.*

Office of Local Government
5 O'Keefe Avenue NOWRA NSW 2541
Locked Bag 3015 NOWRA NSW 2541
T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209
E olg@olg.nsw.gov.au W www.olg.nsw.gov.au ABN 20 770 707 468

Note: Please refer below for additional information concerning limitations with respect to countback elections.

If a council wishes to engage the NSWEC to administer a particular poll, what form should its resolution take?

Councils wishing to engage the NSWEC to administer a particular poll after the ordinary election should use the following model resolution:

The [insert full description of council] (“the Council”) resolves pursuant to ss. 296(2) and (4) of the Local Government Act 1993 (NSW), as applied and modified by s.18, that:

- 1. a council poll arrangement be entered into for the Electoral Commissioner to administer [insert description of the council poll but do not do so by date in case the poll date is changed or postponed]; and*
- 2. such council poll arrangement be entered into by contract between the Electoral Commissioner and the Council.*

If a council wishes to engage the NSWEC to administer a particular referendum, what form should its resolution take?

Councils wishing to engage the NSWEC to administer a particular referendum after the ordinary election should use the following model resolution:

The [insert full description of council] (“the Council”) resolves pursuant to ss. 296(2) and (4) of the Local Government Act 1993 (NSW), as applied and modified by s.18, that:

- 1. a constitutional referendum arrangement be entered into for the Electoral Commissioner to administer [insert description of the constitutional referendum but do not do so by date in case the referendum date is changed or postponed]; and*
- 2. such constitutional referendum arrangement be entered into by contract between the Electoral Commissioner and the Council.*

If a council does not engage the NSWEC to administer its ordinary election, can it engage the NSWEC to administer a countback election following the ordinary election?

No. Under section 291A(b) of the Act, if the council’s ordinary election was administered by an electoral services provider other than the NSWEC, a countback election to fill a casual vacancy must be conducted by a returning officer appointed by that electoral services provider.

Part 3 Election arrangements with other electoral services providers

What information must be included in a resolution to engage an electoral services provider other than the NSWEC?

Under section 296AA, where a council resolves that its elections are to be administered by an electoral services provider other than the NSWEC, the resolution must also state whether the general manager has identified an electoral services provider to be engaged for the next ordinary election and, if so, the name of that provider.

Office of Local Government
5 O’Keefe Avenue NOWRA NSW 2541
Locked Bag 3015 NOWRA NSW 2541
T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209
E olg@olg.nsw.gov.au W www.olg.nsw.gov.au ABN 20 770 707 468

As soon as practicable after the resolution is made, the general manager must publish a copy of the resolution on the council's website.

What should councils consider before making a decision to engage an electoral services provider other than the NSWEC?

In considering the use of other electoral services providers, it is important to clarify that they can deliver the elections for the council.

Councils need to be satisfied that if the provider claims to be able to obtain all the electoral material, or hire the necessary venues, or arrange the printing of the ballot papers, or conduct the count, that they can demonstrate their successful completion of these tasks in similar circumstances.

A key consideration will be whether the provider is able to administer the complex counts required under the weighted inclusive Gregory method of preference allocation prescribed under the *Local Government (General) Regulation 2021* (the Regulation) for council elections using the proportional system.

It is also a requirement that the method proposed to be used by the provider to conduct the count of the ballot papers (whether through the use of data entry or scanning equipment) can comply with the formality, scrutiny and record keeping provisions contained in the Act and Regulation.

If councils decide to use a commercial electoral services provider, is it necessary to go to tender?

Section 55 of the Act exempts councils from tendering when entering into a contract or arrangement for the NSWEC to administer the council's elections, referendums and polls. This exemption does not apply to contracts or arrangements with any other service provider.

As the amount involved in conducting council elections can be significant it is important to ensure that any commercial organisation is providing value for money. It is also important to ensure that as public funds are being expended, principles of openness, transparency and accountability are not compromised.

Unless the cost of administering the elections is under \$250,000 or any of the other exemptions provided for in section 55 apply, councils will be required to go to tender or to conduct a selective tender when engaging a commercial electoral services provider.

What should councils consider when entering into a contract with a commercial electoral services provider?

In negotiating arrangements for the administration of their elections with commercial electoral services providers, councils need to ensure that:

- there will be an appropriate number of pre-poll and polling places
- there will be adequate staffing levels
- the provider uses counting software that can undertake counts using the weighted inclusive Gregory method
- the potential need for the provider to administer countback elections in the 18 months following the ordinary election.

Office of Local Government
5 O'Keefe Avenue NOWRA NSW 2541
Locked Bag 3015 NOWRA NSW 2541
T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209
E olg@olg.nsw.gov.au W www.olg.nsw.gov.au ABN 20 770 707 468

What is the appropriate number of polling places?

The appropriate number of polling places for any one council will depend on its individual characteristics and factors such as the number of electors, the geographic area it covers, available transport options and suitable venues.

While the cost of hiring venues will be a consideration, councils should also consider the following when negotiating the number and type of venues to be used with the electoral service provider:

- How many voters are there in total in the area, and how many voters can each particular venue comfortably handle?
- What venues have been used in the past by either the Australian Electoral Commission for federal elections or the NSWEC for either state or local government elections? What was the previous attendance pattern at these venues?
- Is the venue conveniently located, particularly in light of transport options?
- Is it suitable for the purpose of conducting an election? For example, is there sufficient space for the various tables, voting screens, ballot boxes, throughput of voters? Is there appropriate furniture for electoral officials? For example, if small tables and chairs are used in a primary school these are not appropriate for adults involved in election-related activities.
- Is it easily accessible for all voters and in particular those with a disability, mobility issues, the elderly or frail, parents with prams?
- Are there venues located close to ward boundaries that can issue ballot papers for both the ward in which they are located as well as votes for adjoining ward/s? Or in the case of an undivided council, venues located close to the boundary of another council or councils?
- Is appropriate public liability insurance in place?

It is likely that the more electors a council has, the more polling places it will need.

What are the appropriate staffing levels for a council election?

Determining the appropriate number of staff required for any particular council area depends on the estimated number of votes likely to be cast and the volume for each particular voting option (pre-poll, declared institution, postal and election day) as this will have an impact on the categories of staff recruited. For example, if it is anticipated that there will be a high demand for pre-poll voting it may be necessary to have more office assistants available in the returning officer's office than in an area where it is likely that more votes will be taken on election day at polling places.

Under the legislation, all polling places must have a minimum of two staff, one of whom is the polling place manager.

The NSWEC's polling place staffing formula is based on 450 votes per issuing table (at one election official per table) and the overall projected number of votes for the polling place determines the number of issuing tables. The number of issuing tables determines whether a particular polling place requires a deputy polling place manager, a ballot box guard and/or an enquiry officer.

Office of Local Government
5 O'Keefe Avenue NOWRA NSW 2541
Locked Bag 3015 NOWRA NSW 2541
T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209
E olg@olg.nsw.gov.au W www.olg.nsw.gov.au ABN 20 770 707 468

Is it possible to conduct the count and distribution of preferences manually?

No. The weighted inclusive Gregory method used for allocating preferences at elections using the proportional system, uses a fractional transfer system. All ballot papers of the elected candidate are used to distribute the surplus (instead of a sample). The ballot papers are distributed at a reduced rate with each transfer of votes by applying a transfer value, making manual counts impossible.

Councils should ensure that any commercial electoral services provider they engage to conduct their elections is able to undertake a count utilising counting software that allocates preferences using the weighted inclusive Gregory method.

What arrangements should be made for countback elections?

Councils have the option of filling vacancies that occur in the 18 months following the September 2024 council elections using a countback of the votes cast at the ordinary election instead of a by-election. Countback elections are not available for elections using the optional preferential voting system (including elections for popularly elected mayors).

In order to fill vacancies using a countback election, councils must resolve at their first meeting following the ordinary election that any casual vacancy is to be filled by a countback election.

If councils are proposing to fill vacancies using a countback election, they should factor this into their contractual arrangements with commercial electoral services providers. Among other things, the contractual arrangements should ensure the following:

- the retention of all electoral material, information and data for the 18 month period following the ordinary election during which countback elections may be used
- the safe storage and security of electoral material, information and data (including from cyber-attack)
- the council has ongoing access to the electoral material, information and data from the ordinary election.

What other considerations should councils factor into their contractual arrangements with commercial electoral services providers?

Councils should ensure:

- that the commercial electoral services provider has a formal policy that ensures that scrutineers are given as much opportunity as possible to be involved in the counting process by allowing the examination and comparison of ballot papers, the data entry of votes recorded on ballot papers (whether by manual data entry or digital scanning) and electronic or data entry records
- that the commercial electoral services provider has an audit system in place for checking ballot papers against the information entered into the electronic counting system used by the provider and that scrutineers are permitted to observe the audit process and its results
- that the commercial electoral services provider will make full preference data available for publication

Office of Local Government
5 O'Keefe Avenue NOWRA NSW 2541
Locked Bag 3015 NOWRA NSW 2541
T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209
E olg@olg.nsw.gov.au W www.olg.nsw.gov.au ABN 20 770 707 468

- that the source code of counting software used by the commercial electoral services provider has been independently audited by an accredited source code auditor.

What services will the NSWEC provide to councils that engage an electoral services provider to administer their elections?

The NSWEC provides enrolment services to electoral services providers such as the provision of authorised rolls, candidates' rolls, an online look-up facility for non-residential electors, a list of general postal voters and enrolment declaration envelopes. These products and services will be provided at cost to the relevant councils.

What information are councils required to provide to the NSWEC where they engage another electoral services provider to administer their elections?

Councils that have engaged a provider other than the NSWEC to administer their elections are required to provide certain information to the NSWEC to support it in the exercise of its statutory functions in connection with the administration of candidate registration and other electoral funding and disclosure requirements and the enforcement of the failure to vote provisions of the Act and Regulation.

How should election costs be managed?

General managers should prepare a budget for all facets of council elections, and record and monitor expenditure to ensure a shortfall does not occur. Activity based costing will need to be applied to ensure that all costs and expenses are identified.

Areas to be covered include:

- wages of all electoral officials and any council staff engaged in election-related work
- recruitment and training
- advertising including the placement of statutory advertisements
- candidate and elector information
- hire of venues, furniture and equipment
- production of all election-related material, including forms, envelopes and cardboard material
- printing of ballot papers including in Braille, if requested
- transportation of election-related materials
- IT software and hardware
- administration expenses such as telephone, postage, courier services, photocopiers and printers
- insurance

A number of key variables will not be known until the close of nominations, namely whether an election will be uncontested, whether there will need to be a by-election due to insufficient nominations, whether candidates will form groups and request group voting squares, and whether as a result, ballot papers will need to be printed to allow 'above the line' and 'below the line' voting.

These factors will have an impact on costs. However given the lead time required to ensure voting can go ahead at the prescribed times, provision for all likely costs has to be made.

Office of Local Government
5 O'Keefe Avenue NOWRA NSW 2541
Locked Bag 3015 NOWRA NSW 2541
T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209
E olg@olg.nsw.gov.au W www.olg.nsw.gov.au ABN 20 770 707 468

What are the reporting requirements on election costs?

Within six months of the election, the general manager must prepare a report for the Minister for Local Government on the conduct of each election. Full and transparent costings for each election must be disclosed in this report.

The following list is not exhaustive but contains a number of items that should be reported on:

- time spent on the election by the general manager as a proportion of the general manager's remuneration,
- time spent on the election by council staff as a proportion of council staff remuneration,
- the remuneration of council staff employed specifically for the purpose of the election,
- the remuneration, recruitment and training costs of election officials,
- the cost of running any candidate information seminars,
- the cost of hiring venues and equipment for the election, including council venues and equipment and any associated costs,
- the cost of any technological support, including the development of any counting software,
- the cost of preparing the written report on the election required under the Regulation,
- any electoral services provided to electors,
- any electoral services provided to candidates,
- operational details of the election,
- an overall evaluation of the conduct of the election, including feedback from stakeholders,
- the number of electors entitled to vote at the election and the number of electors who voted, specifying the number of electors who voted personally or by post,
- the cost to the council of engaging the electoral services provider to administer the election.

What is meant by 'full and transparent costings'?

It needs to be acknowledged that although council staff may be used to undertake administrative tasks related to the conduct of elections, this comes at a cost. Notably any time spent on election-related work is time not spent on other council duties. Similarly use of council office space or office equipment or resources for election-related work is at the expense of other day to day council activities.

The identification of activity-based costs and expenses allows a comparison with the fees charged by the NSWEC, to see whether one option is better value than the other for ratepayers.

Even in the case of an uncontested election or where there are insufficient nominations to enable the election to proceed on election day, there will be costs associated with having reached that stage, which also need to be reported.

Office of Local Government
5 O'Keefe Avenue NOWRA NSW 2541
Locked Bag 3015 NOWRA NSW 2541
T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209
E olg@olg.nsw.gov.au W www.olg.nsw.gov.au ABN 20 770 707 468

**2024 Local Government Election - Cost Estimate
 as at 30th January 2023
 Burwood Council**

Projects / Deliverables	Amount
<i>Ballot Papers</i>	4,214
<i>Call Centre</i>	5,564
<i>Counting and Results - Centralised</i>	15,065
<i>Counting and Results - Declaration Voting</i>	5,874
<i>Event Staffing</i>	126,539
<i>Information Technology</i>	7,312
<i>Logistics</i>	11,826
<i>Postal Voting Services</i>	12,206
<i>Venues</i>	61,790
<i>Voter Awareness</i>	12,289
<i>Financial Services</i>	2,369
<i>Constitutional Referendum</i>	-
<i>Council Poll</i>	-
TOTAL (excluding GST)	265,046
GST	26,505
TOTAL (including GST)	291,551

Note

This estimate is based on the Council election being fully contested

Shared resources will be utilised where practical



Local Government Act 1993 No 30

Current version for 13 January 2023 to date (accessed 31 January 2023 at 10:58)

[Chapter 10](#) > [Part 6](#) > [Division 1](#) > Section 296AA

296AA Councils to plan for administration of elections

- (1) At least 18 months before the next ordinary election of councillors for a council, the council must resolve—
 - (a) to enter into an arrangement with the Electoral Commissioner, by contract or otherwise, for the Electoral Commissioner to administer elections of the council (as provided by section 296), or
 - (b) that the elections of the council are to be administered by an electoral services provider engaged by the council.
- (2) A resolution referred to in subsection (1)(b) must include the following information—
 - (a) whether the general manager has identified an electoral services provider to be engaged for the next ordinary election of councillors and, if so, the name of that provider,
 - (b) any other information required by the regulations.
- (3) As soon as practicable after the making of a resolution referred to in subsection (1)(b), the general manager of the council must publish a copy of the resolution on the council's website.
- (4) If a council fails to comply with subsection (1), the general manager of the council must publish a notice of that failure on the council's website.
- (5) Despite the other provisions of this section, a council may make a resolution under subsection (1) on or before 1 October 2019 for the purposes of an arrangement that includes the ordinary election of councillors in 2020.



Local Government Act 1993 No 30

Current version for 13 January 2023 to date (accessed 31 January 2023 at 17:14)

[Chapter 10](#) > [Part 6](#) > [Division 1](#) > Section 296

296 How elections are to be administered

- (1) Elections for the purposes of this Chapter are to be administered by an electoral services provider engaged by the council concerned, except as provided by this section.

Note—

Section 18 provides that certain provisions of this Act (relating to the conduct of elections) apply to council polls and constitutional referendums, with such modifications as may be necessary, in the same way as they apply to elections.

- (2) A council can enter into an arrangement (an *election arrangement*) with the Electoral Commissioner, by contract or otherwise, for the Electoral Commissioner to administer elections of the council as provided by this section. If such an arrangement is entered into, the Electoral Commissioner is to administer elections of the council in accordance with the arrangement.
- (3) An election arrangement for the Electoral Commissioner to administer all elections of a council can be entered into if—
- (a) the council resolves at least 18 months before the next ordinary election of councillors that such an arrangement is to be entered into, and
 - (b) the arrangement is entered into no later than 15 months before the next ordinary election of councillors.
- (4) An election arrangement for the Electoral Commissioner to administer a particular election of a council (other than an ordinary election of councillors) can be entered into at any time if the council has resolved that an election arrangement for the election is to be entered into.
- (5) An election arrangement for the Electoral Commissioner to administer an ordinary election of councillors can be entered into less than 15 months before the election if—
- (a) the council has resolved that an election arrangement for the election is to be entered into, and
 - (b) the Electoral Commissioner is satisfied that there are exceptional circumstances that make it necessary or desirable for the election to be administered by the Electoral Commissioner.
- (5A) Without limiting subsection (5), an election arrangement for the Electoral Commissioner to administer all elections of a council that is to include the ordinary election of councillors in 2020, or to administer that particular election, may be entered into if—
- (a) the council resolves on or before 1 October 2019 that an arrangement is to be entered into, and
 - (b) the arrangement is entered into on or before 1 January 2020.
- (6) An election arrangement for the Electoral Commissioner to administer all elections of a council can be terminated by the council or the Electoral Commissioner at any time after the next ordinary election of councillors (by giving written notice of termination). If the arrangement is not terminated by either party after an ordinary election of councillors, the arrangement is automatically terminated 18 months before the next ordinary election of councillors.

ITEM NUMBER 7/23 - ATTACHMENT 4

Local Government Act 1993 - Sections 296AA and 296

- (7) The Electoral Commissioner is to administer the first election for an area after its constitution. Expenses incurred by the Electoral Commissioner (including the remuneration of election officials) in connection with such an election are to be met by the council and are recoverable from the council as a debt owed to the Electoral Commissioner.

- (8) This section does not apply to an election of the mayor or a deputy mayor by councillors.

(Item 8/23) Adoption - Community Engagement Strategy 2023-2026

File No: 23/2369

Report by General Manager

Summary

The Draft Community Engagement Strategy outlines Council's commitment and approach to involving our community in decision-making. The strategy is designed to improve and build on Council's engagement and communications activities, providing a common language and shared framework for all. The draft Strategy also incorporates the current Community Participation Plan (CPP), which includes the requirements for consultation as part of the planning framework.

Following public exhibition, the Draft Community Engagement Strategy is now submitted to Council for adoption.

Operational Plan Objective

- C.10.2 Provide opportunity for engagement with the community to inform Council's decision-making
- A.100 Prepare Council's Community Engagement Strategy in accordance with the Integrated Planning and Reporting Legislation

Background

Burwood Council is committed to becoming a leader in best practice community engagement.

The Draft Community Engagement Strategy 2023 - 2026 contains information and supporting resources for Council Officers and Councillors to effectively conduct holistic and diverse communications and engagement activities for major projects and decisions that affect our community.

The Draft Strategy ensures a uniform approach to how community engagement activities should take place across the organisation, utilising current methods and tools and aims to:

- Strengthen Council's approach by continuing to build on our ability to deliver quality and meaningful engagement opportunities across all areas of Council.
- Develop community partnership opportunities by harnessing relationships with local organisations and groups.
- Educate and empower our community through the provision of information and resources about Council's role, services and decision-making processes.
- Promote Council's commitment to continuous improvement and building trust with our community.
- Build on opportunities to engage in two-way communication between Council and the community.

Following endorsement by Council at its 13 December 2022 meeting, the Draft Community Engagement Strategy 2023-2026 was placed on public exhibition between 14 December 2022 and 1 February 2023.

This timeframe complies with the 28-day minimum notification period and complies with the requirements of the *Environmental Planning & Assessment Act 1979* (the Act) for the exhibition of the Community Participation Plan (CPP) component which requires Council to exclude the days from 20 December – 10 January (inclusive) from the calculation of the 28-day timeframe.

Proposal

It is proposed that Council endorse the Draft Community Engagement Strategy 2023 - 2026, which includes the provisions of the Burwood Community Participation Plan (CPP) 2019.

The CPP is a requirement of the Act and was introduced into the planning framework in March 2018.

As part of the preparation of Council's draft Community Engagement Strategy the requirements of the CPP have been consolidated into the Strategy. No changes have been made to the requirements for notification of planning applications, including notification requirements for development applications, other than updates to include correct references to legislation and deleting outdated provisions.

Once the draft Strategy is endorsed by Council, the CPP will be repealed.

Consultation

Community Consultation

The Draft Community Engagement Strategy has been developed with extensive input from individuals, groups and businesses that are from, or connected to, the Burwood Local Government Area.

1,157 contributions were gathered from people who live, work, invest and visit the Burwood Local Government Area including:

- 466 online and face to face surveys (26 language groups represented)
- 120 pop-up and pop-in participants
- 43 in-depth interviews with community and business representatives
- 12 online survey responses from community groups and service providers
- 11 participants from Council Committee workshops
- 98 online poll responses
- 406 phone surveys (Micromex, 2021)
- 151 people who were consulted as part of the 2021 Disability Inclusion Action Plan

Group workshops were also conducted with a cross-section of council staff from departments including Place Management and Communications, Community and Culture, Library and City Planning.

Feedback

The Draft Community Engagement Strategy was endorsed by Council for public exhibition at its meeting of 13 December 2022. The Draft Strategy was exhibited for community feedback from 14 December 2022 to 1 February 2023.

Council received no submissions during the public exhibition period.

A Councillor briefing was held prior to the 13 December 2022 Council meeting on key engagement findings. While the Draft Strategy was subsequently endorsed at the December 2022 Council meeting, it was suggested that further consideration be given to additional opportunities to 'Empower' the community to be decision makers.

It is important to note, that 'Empower' in a Community Participation context means 'to place the final decision in the hands of the public or to build the skills and capacity of our community to lead action and advocacy on matters important to them'. In this context, the final decision is rarely left to community; that is because the system of local government in NSW requires councils to make decisions through local democracy processes and in line with the Local Government Act and other legislation. Where possible, Council empowers the community to make non-financial decisions, these opportunities have been reflected in the Draft Community Engagement Strategy 2023-2026.

Further, the action plan outlines Council's ongoing commitment to 'continue to build on our ability to deliver quality and meaningful engagement opportunities across all areas of Council'. As part of this work Council will continue to build community capacity and enable increased opportunities to empower our community into the future.

Repeal of Part 7 of the Burwood DCP

With the adoption of the CPP in 2019, the requirements of Part 7 (Development Process Matters) for notification of planning applications in the Burwood DCP became redundant, however were never repealed.

In accordance with Section 16 of the Environmental Planning and Assessment Regulation 2021, a notice was published on Council's website and Participate Burwood notifying the community of Council's intent to repeal Part 7 - Development Process Matters of the Burwood Development Control Plan and the reasons for the repeal ensuring there is no confusion or inconsistencies with the requirements of the CPP, which are now proposed to be included in the draft Community Engagement Strategy.

Following the exhibition period, the repeal of Section 7 of the Burwood DCP took effect from Monday 30 January 2023.

Planning or Policy Implications

Burwood Council's Community Strategic Plan Burwood2036 (Strategic Action A.100) requires Council to develop a Community Engagement Strategy in accordance with the Integrated Planning and Reporting Legislation in an effort to promote ongoing consultation with the community.

Council adopted a Community Engagement Policy on 26 July 2012 outlining the guiding principles of Council's engagement activities. The Draft Community Engagement Strategy builds on the Policy and provides Council Officers and Councillors with resources and tools to carry out effective engagement activities.

Council, in accordance with the Act, is also required to have a CPP. It is proposed that the requirements of the CPP be incorporated into the Strategy, which is not inconsistent with the requirements of the Act. Once the draft Strategy is adopted by Council, the CPP will be repealed.

Exhibition timeframes for Council related Development Applications

Following the introduction of amendments to the *Environmental Planning and Assessment Regulation 2021*, which are due to come into effect in April 2023, Council is now required to exhibit applications lodged by Council or on Council land for a minimum period of 28 days. This provision has been included in the section of the strategy that relates to Community Participation in Planning Matters.

Council related development has been defined in the strategy as "Development for which the Council is the applicant, developer (whether lodged by or on behalf of Council) landowner or has a commercial interest in the land subject of the application, where it will also be the regulator or consent authority".

Financial Implications

The level and method(s) of community engagement vary according to the decision being made and the level of community impact.

The need for, and the type of engagement, is determined at the project planning stage, including identification of the most appropriate community engagement tools. This will ensure that those affected are informed of the issue, advised of opportunities to participate and that community engagement is factored into Council's project timelines and budget.

Conclusion

The Draft Community Engagement Strategy identifies opportunities to improve the way Council communicates, engages and receives information. The draft Strategy is a comprehensive document that provides information to the community on how we will engage with them on all Council related matters, including planning matters, which are currently contained within the CPP.

The draft Strategy also provides staff with information to better utilise systems and processes in responding to broader community interests, including and how to assist consultation in public forums.

Recommendation(s)

1. That Council adopts the Draft Community Engagement Strategy 2023–2026.
2. That Council endorses the repeal of the Community Participation Plan following its incorporation into the Community Engagement Strategy 2023–2026.

Attachments

- 1 [↓](#) Burwood Community Engagement Strategy 2023 - 2026



Community Engagement Strategy

2023-2026

Acknowledgment 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.

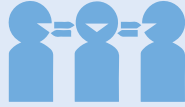
We pay our respects to their elders past, present and emerging. We acknowledge and respect their cultural heritage, beliefs and ongoing relationship with the land.



About this document

You can participate in Council's decisions about projects, planning and building matters, services and plans. This document will help you understand when and how you can influence the decisions Council makes that affect or interest you.

If you would like to speak to an interpreter, please call the Telephone Interpreting Service (TIS) on 131 450 and ask them to call Burwood Council on (02) 9911 9911.



CHINESE - SIMPLIFIED:

关于本文件

您可以参与市议会关于项目、土地使用规划、服务和计划的决策。本文件将帮助您了解何时以及如何影响市议会做出的影响或感兴趣的决定。

如果您不理解本文件并需要口译员，请拨打电话口译服务电话 131 450 并请他们拨打 (02) 9911 9911 联系 Burwood 市议会。

NEPALI:

यस कागजातको बारे मा

तपाईं परियोजनाहरू, योजना र निर्माण मामलाहरू, सेवाहरू र योजनाहरू बारे काउन्सिलको निर्णयहरूमा भाग लिन सक्नुहुन्छ। यो कागजातले तपाईंलाई कहिले र कसरी काउन्सिलले तपाईंलाई असर गर्ने वा चासो दिने निर्णयहरूलाई प्रभाव पार्न सक्छ भनी बुझ्न मद्दत गर्नेछ।

यदि तपाईंले यो कागजात बुझ्न भएको छैन र एक दोभाषे चाहन्छ भने, कृपया टेलिफोन दोभाषे सेवा (TIS) लाई 131 450 मा कल गर्नुहोस् र तनिहरूलाई (02) 9911 9911 मा Burwood काउन्सिललाई कल गर्न भन्नुहोस्।

ARABIC

دنتسملا اذه لوح

طيطختوت عيراشملا أنشب سرجملا تارارق ي ف كراشملا كنكمي
 لعل عقيثولا هذو كدعاستس . ططخل او تامدخل او ي ضارأل تام ادخسا
 سرجملا اذخنتي يتلا تارارقلا لعل ريثأتل كنكمي فيكو ي تم مهف
 كمهت وأ كي لعل رثؤت يتلاو

لاصتالا يچري ، مچرتم لعل جانتحتو دنتسملا اذه مهفت ال تنك اذ
 مهف بلطاو 131450 م قرلا لعل فتاهل ربع فيوفشلا مچرتملا مدهف
 لعل دووري سرجمب لاصتالا (02) 9911 9911

ITALIAN:

SU QUESTO DOCUMENTO

Puoi partecipare alle decisioni del Comune su progetti, pianificazione territoriale, servizi e piani. Questo documento ti aiuterà a capire quando e come puoi influenzare le decisioni che il Comune prende che ti interessano o ti interessano.

Se non capisci questo documento e hai bisogno di un interprete, chiama il Telephone Interpreting Service al numero 131 450 e chiedi loro di chiamare il Burwood Council allo (02) 9911 9911.

KOREAN:

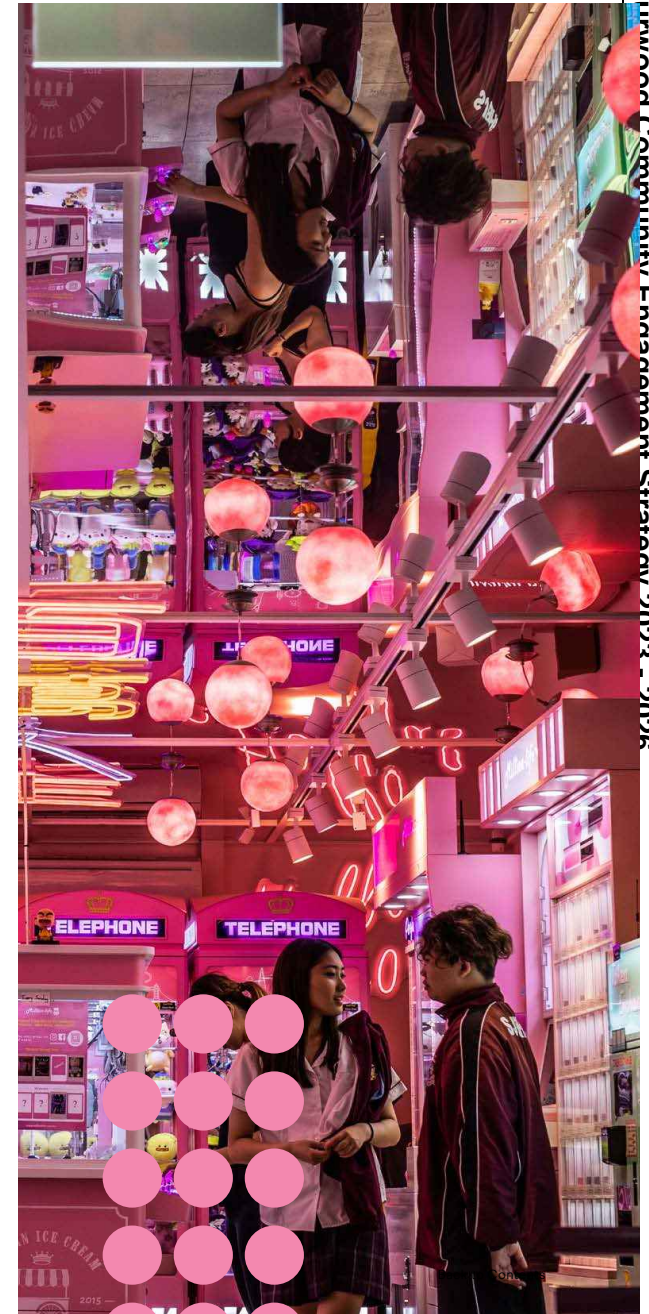
이 문서 정보

프로젝트, 토지 사용 계획, 서비스 및 계획에 대한 시의회의 결정에 참여할 수 있습니다. 이 문서는 귀하가 귀하에게 영향을 미치거나 관심이 있는 위원회의 결정에 언제 어떻게 영향을 미칠 수 있는지 이해하는 데 도움이 될 것입니다.

이 문서를 이해하지 못하여 통역사가 필요한 경우 전화 통역 서비스에 131 450으로 전화하여 Burwood Council에 (02) 9911 9911로 전화하도록 요청하십시오.

Contents

Introduction	3	Our Action Plan	18
Purpose	3	PRIORITY 1: Partnering With Our Community	19
Our Commitment to Engagement	3	PRIORITY 2: Strengthening Council’s Approach	20
Definitions	3	PRIORITY 3: Educating & Empowering	21
		PRIORITY 4: Continuous Improvement & Building Trust	22
What makes our community unique	4	Community Participation in Planning Matters	23
Our diverse community	4	When does this apply?	23
Our unique places	5	Minimum Public Exhibition Timeframes: Plan-making	23
Our vibrant community	5	Notification of Development Applications (DAs) and other related matters	24
		Extent of Notification for Development Applications	26
Why we engage	6	Definition of Planning Terms	28
Our Responsibility (Legislative Requirements)	6		
Strategic Planning Framework	7		
How we developed this strategy	8		
What you told us	10		
How we communicate	10		
How we engage	11		
What encourages you to have your say	12		
Barriers to participation and ways to overcome them	13		
Our approach	14		
Principles of engagement	14		
How we engage	15		



Introduction

Purpose

This Strategy outlines Burwood Council's commitment and approach to involving our community in decision-making. It outlines the principles that guide our work through open dialogue, easy and accessible opportunities to have your say, and meaningful participation. This Strategy has been developed with extensive input from individuals, groups and businesses that are from, or connected to, the Burwood Local Government Area.

Our aim is to embed engagement across the whole of Council and continue to listen, reflect and improve on our approach, providing a common language and shared framework for all.

Community engagement is everyone's responsibility and will change as our community grows and evolves. The Strategy is our commitment to transparently engaging with, and involving our community in, decision-making processes.

This strategy also provides our community with information on how to have your say on planning and building matters, and includes mandatory public notification requirements for planning-related matters, including development applications (see **Part 2: Community Participation in Planning Matters**).

Our Commitment to Engagement

Burwood Council is committed to becoming a leader in best practice engagement with our community.

This includes listening to, learning from and partnering with our community. We will reach out, build stronger relationships and partnerships, and draw on local knowledge and expertise.

We recognise the vital role our diverse community plays in making decisions that are in the best interest of Burwood. We are committed to finding ways to make engagement accessible, inclusive and easy for our community. We will continue to be transparent and accountable by reporting back to our community on how their input has influenced decisions.



Definitions

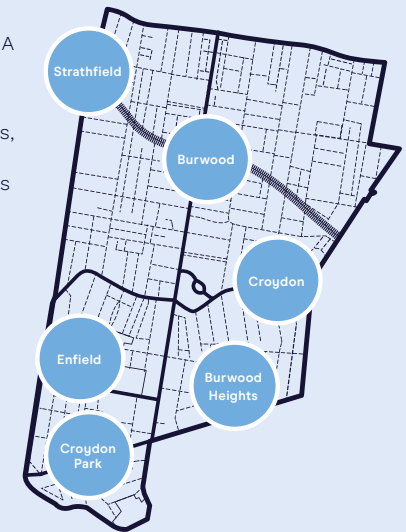
Community

People who live, work, invest, study and visit the Burwood Local Government Area (LGA).

Burwood

The suburbs in the Burwood LGA include:

Burwood, Burwood Heights, Croydon Park, Enfield and parts of Croydon and Strathfield.



Community Engagement

A two-way process that aims to encourage people and groups to get involved and be active in Council decisions that affect them or are of interest to them.

What makes our community unique

Our diverse community

Burwood is a cultural melting pot of inclusive and diverse communities.



We speak more than **56 languages** and come from more than **79 countries**.



We have a newly arrived and changing community. **More than half of our community (58%) were born overseas**. 1 in 3 of whom arrived in the last 5 years



We have many **older established communities** (Italian, Greek, Lebanese, Korean and Anglo-Celtic).



1 in 3 people were born in Australia. Nearly 1 in 2 are Australian Citizens. 1 in 5 people have lived here for more than 20 years.



We are the **5th most diverse LGA in Australia** – nearly 2 in 3 people speak a language other than English.



Our **top 3 languages** spoken (other than English) are:

- #1 Mandarin (20%) – 4 times higher than Greater Sydney
- #2 Cantonese (8%) – nearly 3 times higher than Greater Sydney
- #3 Nepali (7%) – 6 times higher than Greater Sydney



Faith and religion factor strongly in the lives of many Burwood LGA residents. Our **largest 3 religions** are:

- #1 Roman Catholic (19%)
- #2 Hindu (10%) – 2 times higher than Greater Sydney
- #3 Buddhist (8%) – 2 times higher than Greater Sydney

2X

We are one of the fastest growing areas with our **population set to nearly double by 2036**.



We have a **large workforce** that is predominantly made up of young people **aged 24-34 years**.

12-24 OR 60+

Nearly 1 in 4 people are either a **young person (12-24 years) or older than 60**.



Our unique places

Burwood is a thriving business and retail centre, with the Town Centre home to almost half (45%) of our population alone.



We have **unique historic villages**, like Croydon and Enfield, each with their own distinct character and charm.



Burwood is the first **strategic centre** west of the Sydney CBD.



Many of our community members live in **high rise apartments**.



We are a **food and cultural destination** with unique offerings like Burwood China Town and Korean cuisine in Strathfield.



Recognised for our **great transport infrastructure**, quality public open spaces and strong commercial activity, Burwood is a central meeting place for many groups, including small and emerging communities.



Our parks, like Burwood Park, Henley Park, Wangal Park and Woodstock Park are heavily used spaces frequented by the community for cultural, social and recreational activities.



Our Burwood **Library and Community Hub** is a unique and creative centre that provides access to spaces to meet and learn.



While we are a small LGA, made up of 6 suburbs, 7km² in size, our places of worship, events, food and shopping both **draw our community together** and attract people from outside the area.

Our vibrant community

Burwood has:

A vibrant economy with **5,500+ local businesses**.

Many **different places of worship**.

A **high quality learning environment** with 11 local schools and tertiary education institutions.

An **active community sector** with many community and government services based in the Burwood Town Centre.

A vibrant and active civil society with many volunteer-run, community and cultural groups providing **social, cultural and recreational support** to members of our diverse community.

See [Burwood Suburb Profiles: Our Unique Places and People](#) to discover more about our unique neighbourhoods and the communities within them.

Why we engage

When our community has their say, better decisions can be made which improve Council's plans, facilities and services and drive greater satisfaction and wellbeing.

Council is also required by law to engage with the community in specific ways on planning matters outlined in the Environmental Planning and Assessment Act 1979 (NSW).

Whenever Burwood Council is planning, delivering a project or making a decision that significantly impacts our community, people will have the opportunity to meaningfully participate in that process.



Our Responsibility (Legislative Requirements)

Some of the ways we engage with our community is guided by NSW Government legislation which sets specific requirements for Council activities.

This Strategy reflects the various requirements for community consultation and engagement set out in the Local Government Act (1993) and Environmental Planning and Assessment Act (1979).

Local Government Act 1993

Sections 402A, 406 and 8A

Requires Council to:

- develop and Engagement Strategy
- involve the community when developing the key strategic plans, policies, services and other matters
- recognise diverse local community needs, interests and abilities.

Environmental Planning & Assessment Act 1979

Section 2.23 and Schedule 1

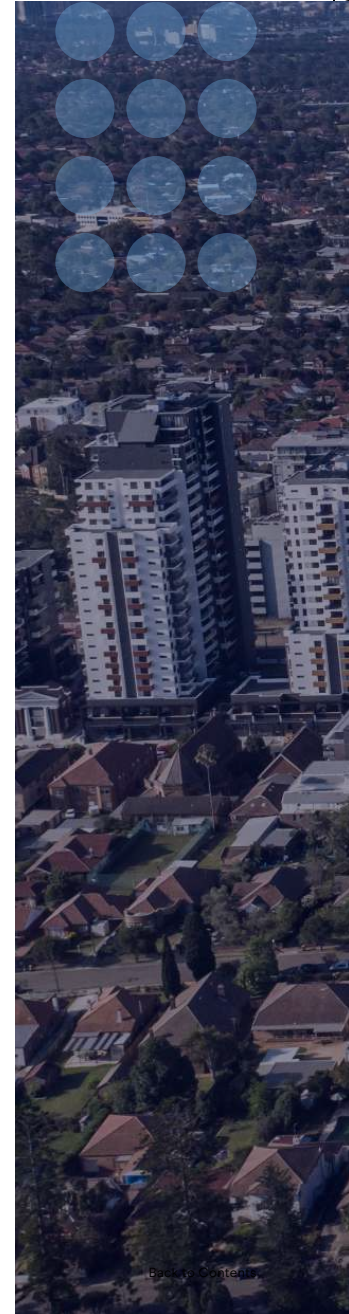
Requires Council to:

- develop a Community Participation Plan, and
- engage the community on all development and planning matters and sets out minimum standards.

Burwood Community Engagement Strategy 2023–2026

This Strategy outlines how Council engages the community and key stakeholders on:

- Council Strategies and policies
- Development and Planning matters
- other matters.



Strategic Planning Framework

The Community Engagement Strategy is a key part of our Integrated Planning and Reporting Framework. It supports and informs a number of Council plans.

Our Community Vision:

‘Burwood is a welcoming and inclusive community that is defined by our diversity of people, liveable places and progressive ideas. We acknowledge and celebrate our history and place, protect our heritage and environment and share a quality of life that is equitable, sustainable and supports each other to thrive and prosper.’ (CSP 2036)

Community Engagement Strategy

How we plan to engage with our community to inform our planning and decision-making

Burwood 2036 Community Strategic Plan

Our 'big picture' plan that identifies our community's main priorities and aspirations for the future and how we will work toward them

State and Regional Plans

Supporting Council strategies & plans
e.g. Disability Inclusion Action Plan,
Local Strategic Planning Statement

Annual Report

Delivery Program (4 years) & Operational Plan (1 year)

What we will deliver to the community – our services, activities and projects, our annual budget, our detailed works programs

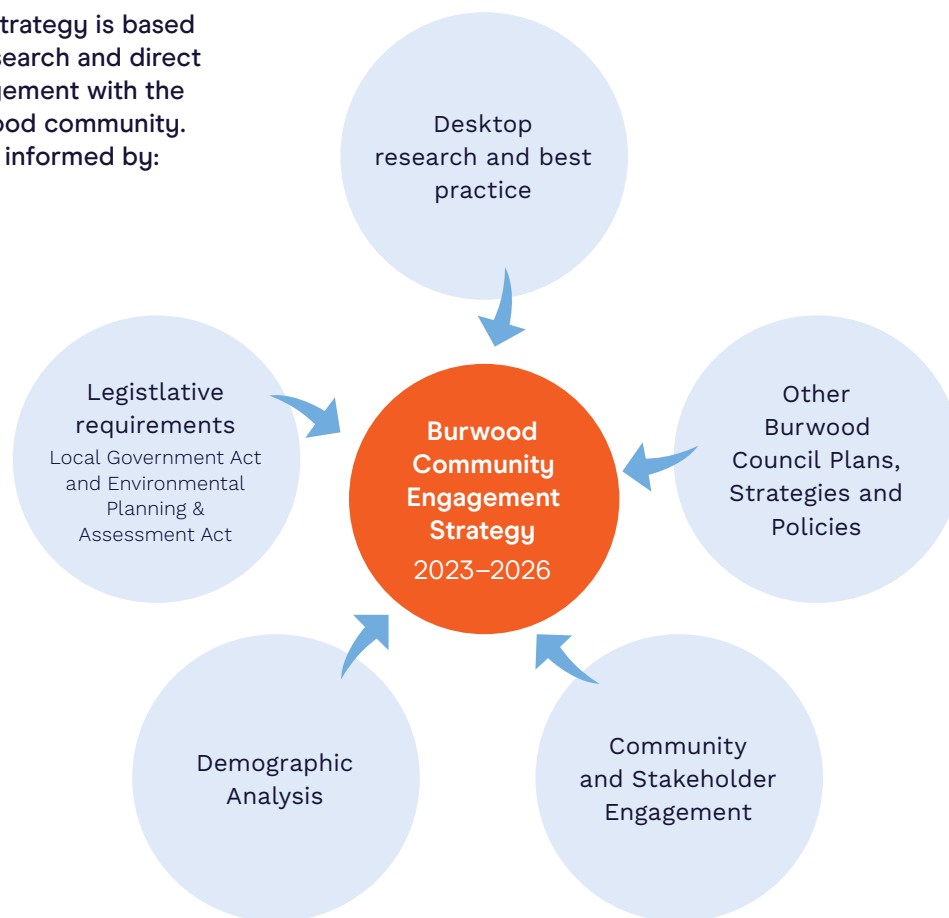
Resourcing Strategy

How we will manage our resources and risks to ensure our assets and our workforce can deliver on our commitments over the next four years

Ongoing monitoring and review

How we developed this strategy

This Strategy is based on research and direct engagement with the Burwood community. It was informed by:



Research

Desktop Research & Best Practice

A review of relevant strategies, trends and learnings has guided Council's approach and identified opportunities for further improvement.

Demographic Analysis

Analysis of demographic data has informed an understanding of who our community is and how we are changing.

[The Culturally Diverse Communities of Burwood Research Paper \(2022\)](#) provides a summary of the research and engagement undertaken to inform this Strategy.

Community and stakeholder engagement

The Strategy has also been shaped by the many voices of our local community who shared their ideas with us while developing this strategy. Participants came from diverse cultural and linguistic backgrounds, across all age groups, abilities and parts of the Burwood LGA.

Who we heard from

1,179 contributions were gathered from people who live, work, invest and visit the Burwood Local Government Area.

453 online and face to face surveys (26 language groups represented)

Community & Business Survey

Identified communication and engagement preferences, barriers and ideas for improvement.

The survey was translated into our top 3 languages to increase participation.

406 phone surveys (Micromex, 2021)

Community Satisfaction Survey

Provided valuable insights into community views on our communication and engagement.

120 pop-up & pop-in participants

Pop-up booths and pop-in consultations

Provided short responses to key questions on engagement and communication.

Council staff engaged with the public in a pop-up booth at high visibility locations such as train stations and shopping centres. Council staff also popped in to consult with community members at existing Council programs, services or activities hosted by other local groups.

35 in-depth interviews

In-depth interviews with community and business representatives

Community and cultural groups, faith-based organisations, business representatives and services working with community members from diverse cultural and linguistic backgrounds provided valuable insights into effective ways to communicate and engage with hard to reach community members.

[Back to Contents](#)

Connection to Burwood



13 online surveys

Local community groups and service providers survey

Surveys captured feedback on ways Council can overcome barriers to participation and the most effective ways to engage with community members from culturally and linguistically diverse backgrounds.

11 workshop participants

Council Committee Workshops

Council's Committees (including the Multicultural Advisory Committee, Burwood Youth Advisory Group and Disability Inclusion Panel) provided insights into barriers to participation and ways to engage community members who are isolated or harder to reach.

98 online poll responses

E-news and social media polls

One-question poll responses conducted online on Council's communication channels.

Other engagement/data:

Council staff engagement

Group workshops were conducted with Council staff to review engagement findings and inform the Action Plan.

Disability Inclusion Action Plan

Results from 2021 consultation undertaken with 151 people with a disability, carers, advocates, and local services provided valuable insights into the ways Council can improve accessibility around communication and engagement.

What you told us

How we communicate



Informed
79%

feel 'informed' to 'very well' informed about Council activities and opportunities

Community Satisfaction Survey (Micromex, 2021)






Social media

4 in 5 people

Use social media 2 in 3 follow Council

Top 3 Council platforms followed:

-  Facebook
-  Instagram
-  WeChat



Main information sources

- #1** Council's Social Media (65%)
- #2** Word of mouth (44%)
- #3** Council Website (37%)
- #4** Council E-news (28%)
- #5** Letters or flyers in mailbox (28%)



Satisfied with Information

67%

at least 'somewhat satisfied' with information received from Council



What you told us

How we engage



Community engagement
66%

of Burwood residents described Council's Community engagement as 'good' or 'excellent'

Community Satisfaction Survey (Micromex, 2021)



What prevents you from having your say

- #1 No time
- #2 Too hard
- #3 Not aware of opportunities
- #4 Not relevant/ Interested



How well did we listen?

47%

felt Council listened 'well' or 'very well' to their feedback

You prefer to have your say

- #1 Online
- #2 In person
- #3 By phone



What supports would help?

- #1 More visuals
- #2 Use bi-lingual community members
- #3 Translations
- #4 Using interpreters

Our community also felt encouraged to participate when they had the opportunity to

- respond anonymously,
- had more time to engage,
- received direct feedback about the outcomes of engagement,
- when incentives were provided or short and simple ways to give feedback such as quick polls and when the information they received was reliable.

What you told us

What encourages you to have your say

Change:

Wanting a better community

"I care about my local area and the changes that happen to it."*

"The idea that things could be better for future generations"

Trust:

Knowing your feedback will make a difference and genuinely influence Council's decisions or outcomes

"Knowing that my thoughts will be heard and ... acted upon"

"Feedback leads to change"

Interest:

Issues that you care about or directly affect you

"When something directly impacts me and I think Council can influence the outcome"

"I feel strongly about certain issues ... such as planning, urban congestion and the impacts of climate change"

Concern:

Frustration about negative changes or concern about issues which are affecting you

"If there is something really annoying that directly impacts me"

"If the situation should be changed or improved."

Ease:

Simple and accessible opportunities to have your say

"If the feedback is easy"

"[Held at a] convenient time"

"We live here so it's important to have a say on how things affect us"

"It's important for us to have our say, because what we know, the Council might not know."

* Quotes from residents completing the online Engagement Strategy survey (2022).



What you told us

Barriers to participation and ways to overcome them

We know that some members of our community may experience barriers to having their say. Council is committed to overcoming these barriers so all community members can participate in Council decision-making.

Barriers to Participation	Opportunities
<p>Time</p> <p>Too busy due to life, work and family commitments.</p> <p>It takes too long to have your say.</p>	<ul style="list-style-type: none"> • Provide quick, clear and user friendly engagement activities that are relevant to you. • Provide you with different opportunities to have your say.
<p>It's too hard</p> <p>Information is too complex or it's not easy enough to access.</p>	<ul style="list-style-type: none"> • Use simple language so information is accessible and easy to understand. • Use more visuals to support engagement activities. • Use a variety of engagement methods including face to face and online. • Seize more opportunities to go out to where the community meets or is active.
<p>Not aware</p> <p>Not aware of opportunities to have your say</p>	<ul style="list-style-type: none"> • Targeted communication so you know about opportunities to have your say. • Provide information about the role of Council and the services it provides. • Seek feedback at community events. • Share information on platforms our community already uses (e.g. WeChat).

Barriers to Participation	Opportunities
<p>Language</p> <p>Most information is only available in English</p>	<ul style="list-style-type: none"> • Engage interpreters or bilingual staff. • Translate resources and information in key languages spoken in Burwood.
<p>Relevance</p> <p>It's not relevant to me or I am not interested</p>	<ul style="list-style-type: none"> • Targeted communication so you can have your say on relevant matters. • Consider age appropriate engagement and participation activities.
<p>Accessibility</p> <p>Face to face consultations should be held at accessible times, locations or formats.</p>	<ul style="list-style-type: none"> • Ensuring consultations are held at accessible venues. • Ensuring a variety of engagement methods are used (online, in person). • Providing information in accessible formats (e.g Easy Read, braille, hard copy and large print versions).
<p>Lack of trust of government</p> <p>Fear of government due to previous experiences.</p> <p>Don't trust that my feedback will be listened to.</p>	<ul style="list-style-type: none"> • Use existing networks to make participating easier. • Collaborate with trusted networks, services and community groups to design and provide engagement opportunities. • Closing the loop after engagement activities by providing feedback on the results and how your input influenced the decision. • Provide face-to-face opportunities for the community to interact with Council staff in safe, familiar and accessible places.

Our approach

Principles of engagement

Right to participate

We will work to support our community to access and experience their right to information and participation on matters which affect them.

Accessible, inclusive and equitable

We recognise that many people experience barriers to engagement. We will make the effort to reach out to and meet people where they are in our community, in ways that make it easy to fully participate. We will provide information which is easy to access, using simple language and using translation and interpreting where needed.

Relevant and fit for purpose

We recognise our community cares about many issues which affect their own lives and the place and people of Burwood. We will engage with our community on issues which are relevant and of interest. We will clearly communicate the purpose of engagement and level of involvement of the community. We will adapt how we engage and communicate to make sure the people most interested or affected can choose to participate.

Timely

We will make every effort to give our community enough time to find out about opportunities to have their say, in ways which are meaningful. Where possible, we will seek to involve the community early so that their views can be genuinely considered.

Meaningful

We value the insights and contributions our community brings to the decision-making process, and to making Burwood a better place. We will listen to our community, and their input will play a critical role in shaping decisions.

Transparent and Accountable

We will inform and involve the community in decision-making processes because we genuinely want to make decisions in the best interests of the community. We are committed to taking input seriously, and to reporting back to our community on the outcomes of their involvement. We will also work to be transparent with the community on the limitations we are working within when we ask for input.

Harnessing local knowledge and expertise

We recognise the rich local knowledge and expertise held in our community, which is one of our biggest strengths. We are committed to listening to, learning from and working in partnership with local people who bring experience and insights which enable Council to meaningfully engage.



How we engage

We use an adapted version of the International Association for Public Participation (IAP2) Spectrum¹ to decide the most suitable level of participation for each project. The spectrum shows how differing levels of participation are appropriate depending on the goals, resources and levels of concern around the decision to

be made. At each level, we will provide all relevant information required to our community so you can meaningfully participate.

The table below shows the different levels of engagement based on impact and influence. We tailor the level of participation to the project and target group, recognising that one level is not inherently better than the other.

	Inform	Educate	Consult	Involve	Collaborate	Empower
Goal	To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions.	To provide the community with the knowledge and skills to enable them to make an informed decision.	To obtain public feedback on analysis/ and or alternatives.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution	To place the final decision in the hands of the public or build the skills and capacity of our community to lead action and advocacy on matters important to them.
Role of Council	<p>We will keep you informed.</p> <p>We will be open about how much influence you can have.</p> <p>We will be open about Council's role.</p> <p>We will clearly outline how you can provide feedback or get in touch.</p>	We will equip you with a new, shared understanding of the issues	We will listen to and acknowledge your concerns and hopes, and provide feedback on how your input influences our decisions.	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives and provide feedback on how your input influenced the decision.	We will look to you for advice and innovation in formulating solutions, and incorporate this into the decisions as much as possible.	<p>We will implement what you decide or support you to lead decision-making processes.</p> <p><i>In this context, there may be limited opportunities for final decisions to be left to community; that is because the system of local government in NSW requires councils to make decisions through local democracy processes and in line with the Local Government Act and other legislation.</i></p>

¹The International Association for Public Participation's (IAP2) Public Participation Spectrum is an industry-recognised tool designed to assist in selecting the level of community participation in a community engagement program (iap2.org.au).

How we engage

	Inform	Educate	Consult	Involve	Collaborate	Empower
Level of impact, influence and involvement from the public	● ○ ○ ○ ○ ○ ○ ○	● ● ○ ○ ○ ○ ○ ○	● ● ● ● ○ ○ ○ ○	● ● ● ● ● ○ ○ ○	● ● ● ● ● ● ○ ○	● ● ● ● ● ● ● ●
Examples of how we will engage our community	<ul style="list-style-type: none"> Website Participate Burwood Online engagement platform Newsletters E-newsletters Social media WeChat Emails Phone calls Site signage Posters or flyers Direct notification i.e. letters Interagencies Presentations and briefings Digital screens Translated materials 	<ul style="list-style-type: none"> Newsletters E-newsletters Website Participate Burwood Social media Translated material Business and/or community visits Pop-ups and/or pop-ins Mayor’s morning tea 	<ul style="list-style-type: none"> Surveys Participate Burwood (online engagement platform) Community satisfaction survey Pop-ups and pop-ins Interviews Workshops Small group discussions Focus groups Mayoral street stalls 	<ul style="list-style-type: none"> Workshops and focus groups Stakeholder groups/ meetings Pop-ups and pop-ins Committees On-site meetings/ tours 	<ul style="list-style-type: none"> Council Advisory Committees Project working groups Business networks Interagency groups 	<ul style="list-style-type: none"> Voting in Council Elections People’s Choice Awards Stakeholder or project-based reference groups/ Taskforces

	Inform	Educate	Consult	Involve	Collaborate	Empower
Examples	<p>Resident in Croydon Park</p> <p>You receive a letter from Council letting you know that a footpath in your street will be upgraded next month.</p>	<p>Local shop owner in Strathfield</p> <p>You receive a notification in an e-newsletter and a visit from a Burwood Council staff member letting you know about Council's Shopfront Improvement grants.</p>	<p>Local Burwood seniors group coordinator</p> <p>Your local seniors group hires a room at Woodstock Community Centre every week. You receive an email letting you know that Council is reviewing the annual fees and charges for facility use. You go online to look at the new fees, and provide your feedback in an online survey.</p>	<p>Property owner in Burwood North</p> <p>Council is preparing a new masterplan for the Burwood North precinct. You have given your input on an online survey last year, and are now invited to a drop-in consultation to discuss your ideas, insight and vision for the Burwood North Precinct.</p>	<p>High school student from Croydon</p> <p>You see a post on Council's instagram about an opportunity for young people to get involved in co-designing Council's new Youth Strategy. You submit an expression of interest, and then join a group of other young people to co-design an engagement process, consult with other young people, review the findings, help draft the document and launch the final Youth Strategy at a special event.</p>	<p>Resident living in Enfield</p> <p>At the end of the four-year Council term, you vote in local government elections to select the seven Burwood Councillors to represent your local interests.</p>

Did you know?

- You can keep up-to-date with opportunities to have your say by subscribing to Council's weekly e-newsletter.
- You can find out about current projects and opportunities to have your say on our engagement portal: participate.burwood.nsw.gov.au
- Burwood Council was the first Council to use WeChat to communicate with residents.



Our Action Plan

This Plan outlines how we will work to improve how Council communicates and engages with our community over the next three-years. These focus on four key priority areas.



PRIORITY 1: Partnering With Our Community

We will develop and harness relationships with local organisations and groups to reach all parts of our community so they can hear about opportunities and meaningfully participate.

The community told us they want us to:



Reach out and meet them in familiar and safe places and spaces.



Reach out and meet them in familiar and safe places and spaces.



Engage in ways which are tailored to the unique needs of the Burwood community.

#	Action
1.1	Develop and maintain partnerships with local services, businesses and community organisations to inform communication and engagement.
1.2	Investigate the feasibility of a 'Community Champion' program where Council partners with community leaders/advocates to disseminate and gather information, including use of communication platforms that Council may not currently use.
1.3	Proactively 'reach out' to the community through engagement activities which reach people in familiar places and spaces.
1.4	Pilot and evaluate a co-designed engagement model which harnesses local knowledge and lived experience to develop at least one Council plan, policy or strategy, such as Council's Youth Action Plan.

Measures of success:

- ✓ Increase in the number and types of partnerships established.
- ✓ Evidence of different forms of engagement used to reach specific community members/target groups.
- ✓ Increase in the number of people and places engaged with different demographic profiles.
- ✓ Co-design engagement model tested and evaluated.

Our Action Plan

PRIORITY 2: Strengthening Council’s Approach

We will continue to build on our ability to deliver quality and meaningful engagement opportunities across all areas of Council.

To do this we will:



Improve our understanding, processes and resourcing of engagement activities.



Improve how we plan, communicate and work together across all areas of Council.



Enhance the existing relationships, ways of engaging and knowledge of the community within the organisation.

#	Action
2.1	Embed a whole of organisation approach to the coordination and forward planning of engagement opportunities.
2.2	Continue to enhance community engagement skills and awareness of available resources/ expertise across the organisation.
2.3	Continue to promote awareness and increase the use of Council’s language aide program and interpreter services.
2.4	Continue to enhance staff skills in cultural awareness and understanding of our diverse community.
2.5	Map and promote existing mechanisms within Council for reaching and engaging the community such as advisory committees, programs or networks.
2.6	Explore opportunities and seek/allocate resources to improve accessibility of engagement methods.

Measures of success:

- ✓ Council engagement calendar developed.
- ✓ Engagement opportunities are scheduled and publicised with adequate lead times to enable people to meaningfully have their say.
- ✓ Increase in staff engagement skills.
- ✓ Increase in use of TIS and community language aide services.
- ✓ Cultural awareness initiatives implemented.
- ✓ Increase in engagement with Advisory Committees by Council departments.
- ✓ Allocation and use of resources to improve accessibility of engagement methods.

PRIORITY 3: Educating & Empowering

We will provide information and resources about Burwood Council’s role, services and decision-making processes and promote opportunities for our community to get involved.

The community told us they want us to:



To know what Council does and who to contact within Council when they need assistance or to give feedback.



Opportunities to partner with Council to share information through their networks.



To be connected to other local groups/partners and have opportunities to collaborate.

#	Action
3.1	Continue to promote Council's existing communication and engagement platforms to increase awareness and encourage the community to sign up and participate.
3.2	Where possible, undertake targeted engagement with people who have additional engagement barriers and deliver on commitments outlined in Council strategies, including the Disability Inclusion Action Plan (DIAP).
3.3	Investigate and develop resources to increase knowledge of Council's role and civic participation opportunities.
3.4	Undertake proactive engagement activities to increase visibility and accessibility of Council functions, services and staff.

Measures of success:

- ✓ Increase in registered Participate Burwood users (#), social media reach (#) and Electronic Direct Mail subscribers (#).
- ✓ Number and type of targeted engagement activities undertaken.
- ✓ Increased community understanding of Council's role.
- ✓ Increased visibility and accessibility of Council.

Our Action Plan

PRIORITY 4: Continuous Improvement & Building Trust

We will continue to listen, use your feedback and tell you how this informed our decision making.

To do this we will:



Make information easy to understand and access.



Provide regular information and a range of ways to have your say.



Tell you how your feedback was used.

#	Action
4.1	Develop a language and style guide for Council to increase use of easy-to-understand and accessible language and information provision.
4.2	Promote the availability of accessible communication channels available to residents.
4.3	Identify internal and external engagement opportunities during the pre-planning phases of major projects to ensure a more coordinated approach and regular communication to the community with updates at key milestones.
4.4	Regularly communicate and report back to the community on the outcomes of engagement, including "Closing the loop" in a variety of ways with a focus on how feedback was considered.
4.5	Continually develop and improve Council's community engagement practices and capability through regular review and evaluation.

Measures of success:

- ✓ Language and style guide developed and used by staff.
- ✓ Increase in the awareness and use of accessible communication channels.
- ✓ Early engagement of internal and external stakeholders during major projects.
- ✓ 100% of engagement programs 'close the loop' with engaged participants.
- ✓ Increase in the % of residents who describe Council's level of community engagement as good to excellent.
- ✓ Increase in the % of residents who are at least somewhat satisfied with Council's level of communication.
- ✓ Review of engagement practice completed and improvement opportunities identified and implemented.

Community Participation in Planning Matters

The following outlines how you can have your say on planning and development matters. It sets out the specific requirements and activities that Council will undertake and defines commonly used planning terms.

When does this apply?

The Environmental Planning and Assessment Act 1979 (NSW) (the Act) outlines a number of minimum, mandatory requirements for how and when Council will involve the community in planning functions like policy-making and development assessment.

This Strategy serves as Council's Community Participation Plan (CPP) in accordance with those requirements (and guided by the principles outlined in Section 2.23 of the Act).

Minimum Public Exhibition Timeframes: Plan-making

Council will consult with, and keep the community informed of planning matters using the minimum timeframes outlined below (in line with Section 2.21 (2) and Schedule 1 of the Act²).

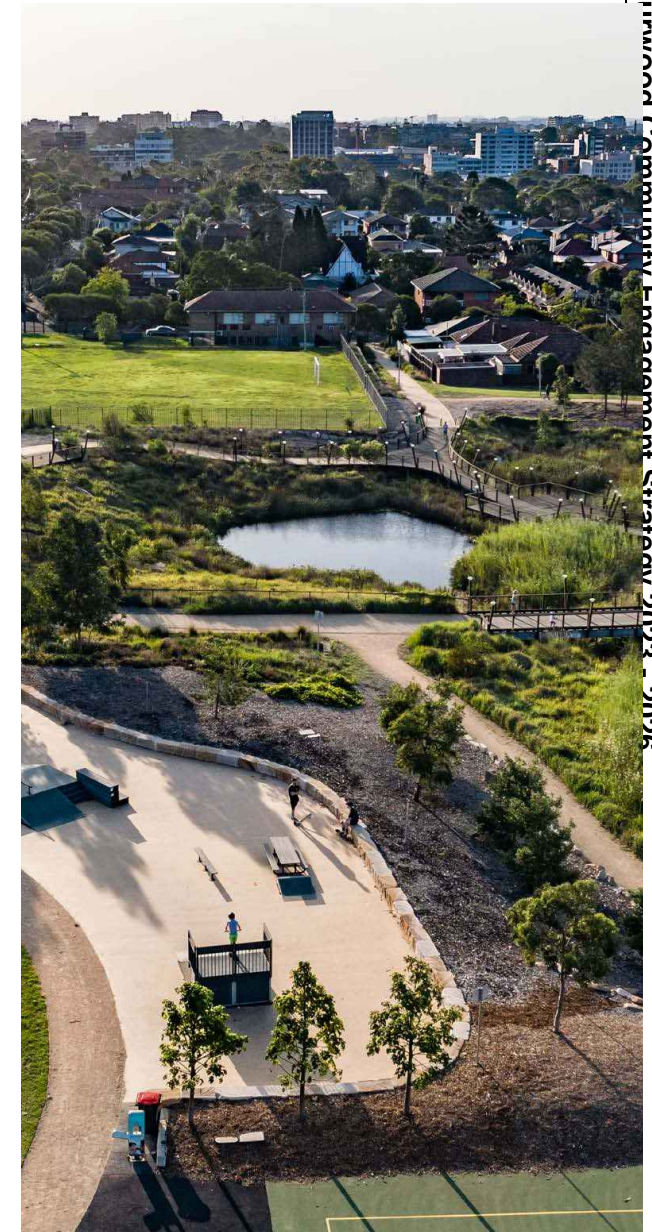
²Section 2.21 (2) of the Act details the types of proposals that must be considered in this Plan and Schedule 1: Community Participation Requirements sets a minimum exhibition timeframe for most plan making proposals.

[Back to Contents](#)

What is public exhibition?

Public exhibition is the official period in which draft documents or development applications are made available for consultation and feedback. The community and key stakeholders are encouraged to provide feedback to Council, usually in the form of a written submission.

Plan type	Minimum public exhibition requirement
Planning proposals for Local Environmental Plans subject to a Gateway determination	28 days or as specified by the gateway determination which may find, due to the minor nature of the proposal, that no public exhibition is required.
Draft Development Control Plan (DCP)	28 days
Draft Contribution Plan	28 days
Draft Local Strategic Planning Statement	28 days
Draft Community Participation Plan (this Strategy)	28 days
Planning Agreements	28 days
Reclassification of Land	In addition to the notification requirements for a planning proposal, a Public Hearing is required under the Local Government Act 1993



Community Participation in Planning Matters

Notification of Development Applications (DAs) and other related matters

Council will undertake public consultation to ensure that the community is consulted where there may be a significant impact on the neighbourhood from development. The method of notification is dependent on the scale of development and degree of environmental impact. Not all development applications require notification or public exhibition.

All development applications received by Council will be published on Council's DA Tracker: datracker.burwood.nsw.gov.au.

Development applications (DAs) and applications for modifications of a development consent will, in most cases, be publicly notified. Council will notify affected property owners and residents by one or more of the following:

- Notification letter
- Email notification
- Letterbox drop
- Participate Burwood (Council's online engagement platform).

Where a property to be notified is:

- within a Strata Scheme, all of the owners and non-owner occupiers as well as the Owners Corporation will receive notification.
- owned by Land and Housing Corporation, notification will be sent to all occupants of the property as well as the State Government agency.
- owned by the Department of Education (public schools) or another school body (private schools), the Principal of the school will also be notified.

Where a planning matter:

- relates to land adjacent to another LGA, Council will notify the General Manager of the adjoining Council, and not its individual land owners.
- is considered to be of major significance in the Burwood LGA, in part or as a whole, notification by letter box drop will be carried out in a broader area deemed appropriate by Council.



Community Participation in Planning Matters

Council will generally exhibit a Development Application (DA) or modification to a development consent in accordance with the following timeframes:

Application Type	Minimum public exhibition requirement
Development Applications relating to residential flat buildings, hospitals, boarding house/co-living housing developments, places of worship or the like	14 days
Development Applications relating to major commercial, non-residential, mixed use developments or the like	21 days
Council Related Development Applications including developments for which the Council is the applicant, developer (whether lodged by or on behalf of Council) landowner or has a commercial interest in the land subject of the application, where it will also be the regulator or consent authority	28 days
Development Applications (not listed above)	10 days
Development Applications deemed to be low impact (e.g. change of use)	Generally no public exhibition however will be at the discretion of Council
Modification of a development consent that has previously been notified	If required, same period as original DA notification
Re-exhibition of a DA or an amended DA	At Council's discretion
Applications for review under Division 8.2 and Section 8.9 of the Act	At Council's discretion
Notification of consideration of a matter by the Burwood Local Planning Panel	Letter will be sent to affected owners and those who were originally notified/ or made a submission notifying of the meeting date. The report on the relevant matter is available on Council's website the Friday prior to the meeting: www.burwood.nsw.gov.au

Note 1: If the proposal is potentially contentious or likely to be of significant interest to the community, then Council may consider additional notification requirements in addition to those outlined above.

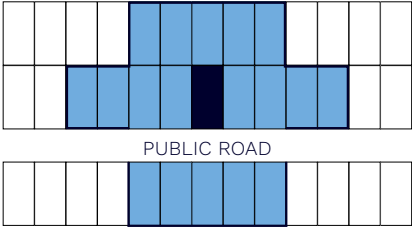
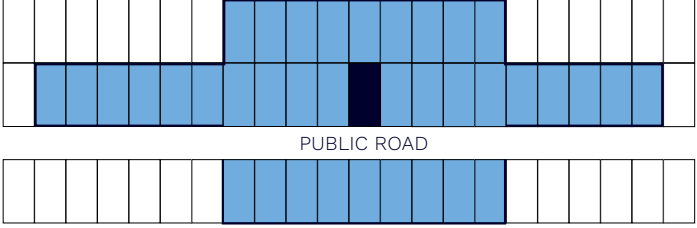
Note 2: Exhibition periods will be extended during December and January, with the period between 20 December and 10 January (inclusive) excluded from the calculation of the public exhibition period.





[Back to Contents](#)

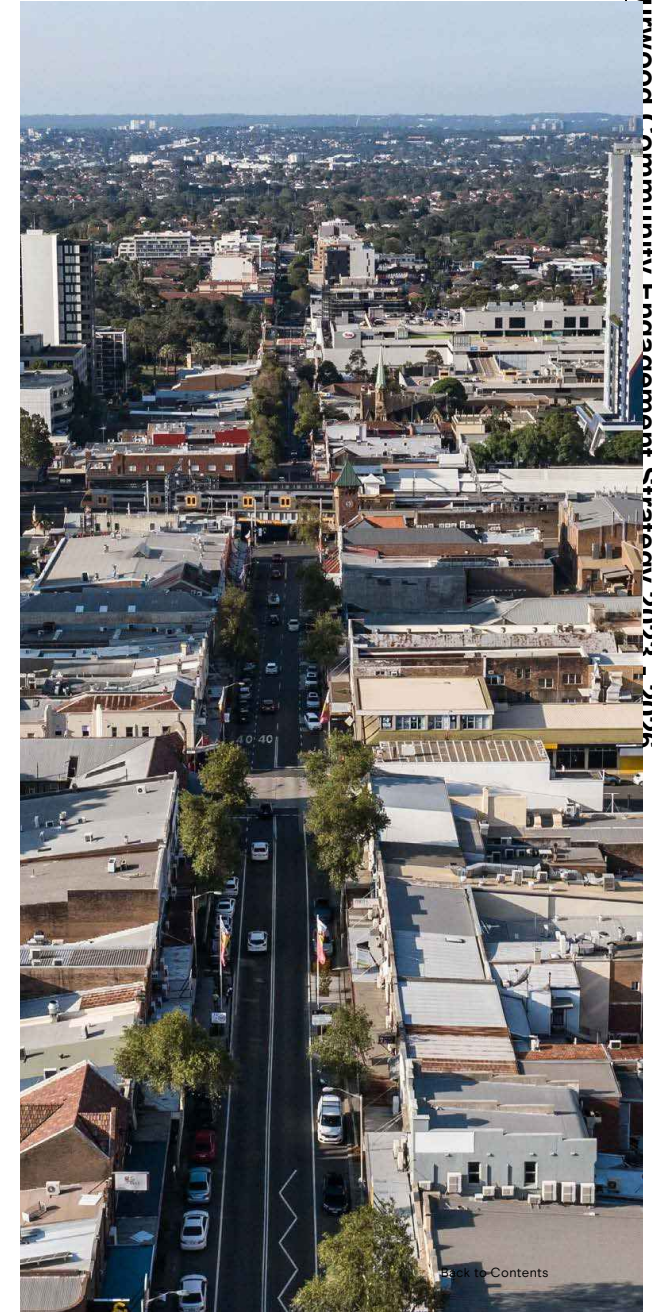
Extent of Notification for Development Applications

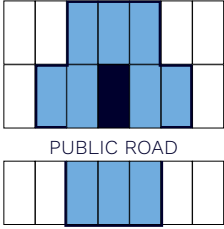
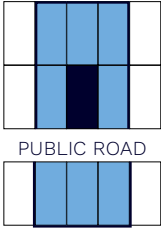
Council will notify the surrounding properties of a Development Application (DA) in accordance with the diagrams below.

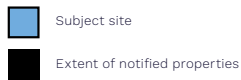
Development Application type	Extent of DA notification to surrounding properties
<p>All DAs (other than those specifically listed below)</p>	<p>Notification of 20 properties, comprising five at rear, on each side and opposite.</p>  <p>PUBLIC ROAD</p>
<p>Major DAs of commercial, non-residential, residential, or mixed use developments</p>	<p>Notification of 40 properties, comprising 10 at rear, on each side and opposite.</p>  <p>PUBLIC ROAD</p>

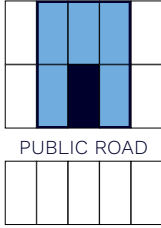
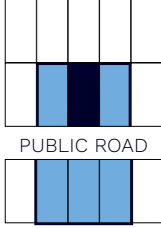
 Subject site

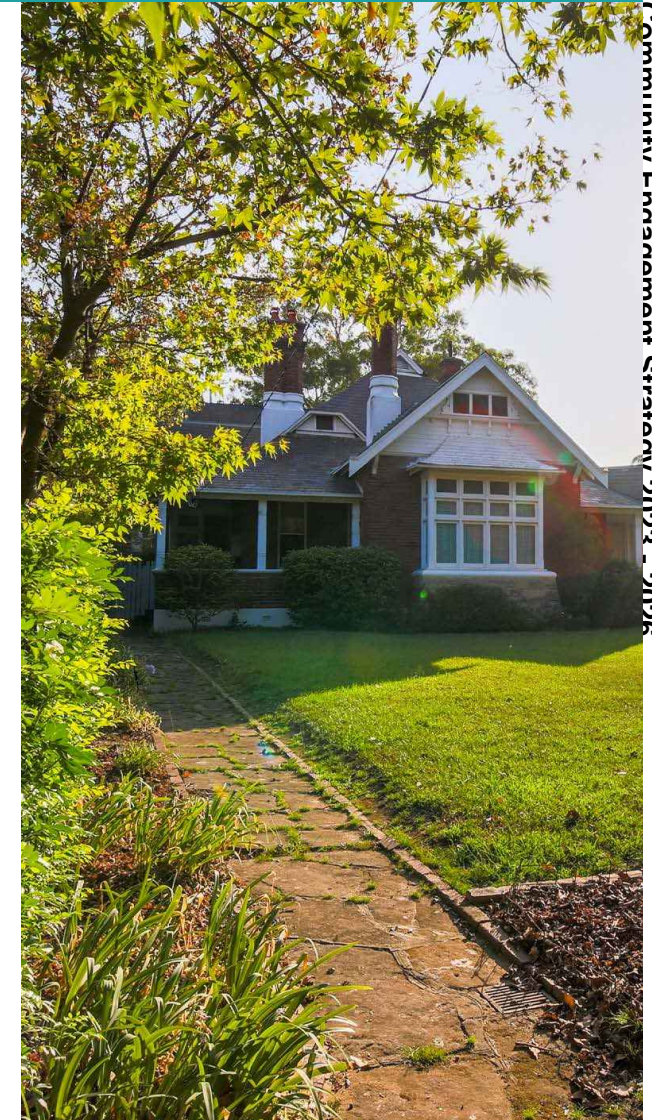
 Extent of notified properties



Development Application type	Extent of DA notification to surrounding properties
DAs for new two storey houses and first floor additions (including demolition)	Notification of two properties each side, three to the front and to the rear. 
DAs for new single storey houses	Notification of each adjoining property plus three opposite. 



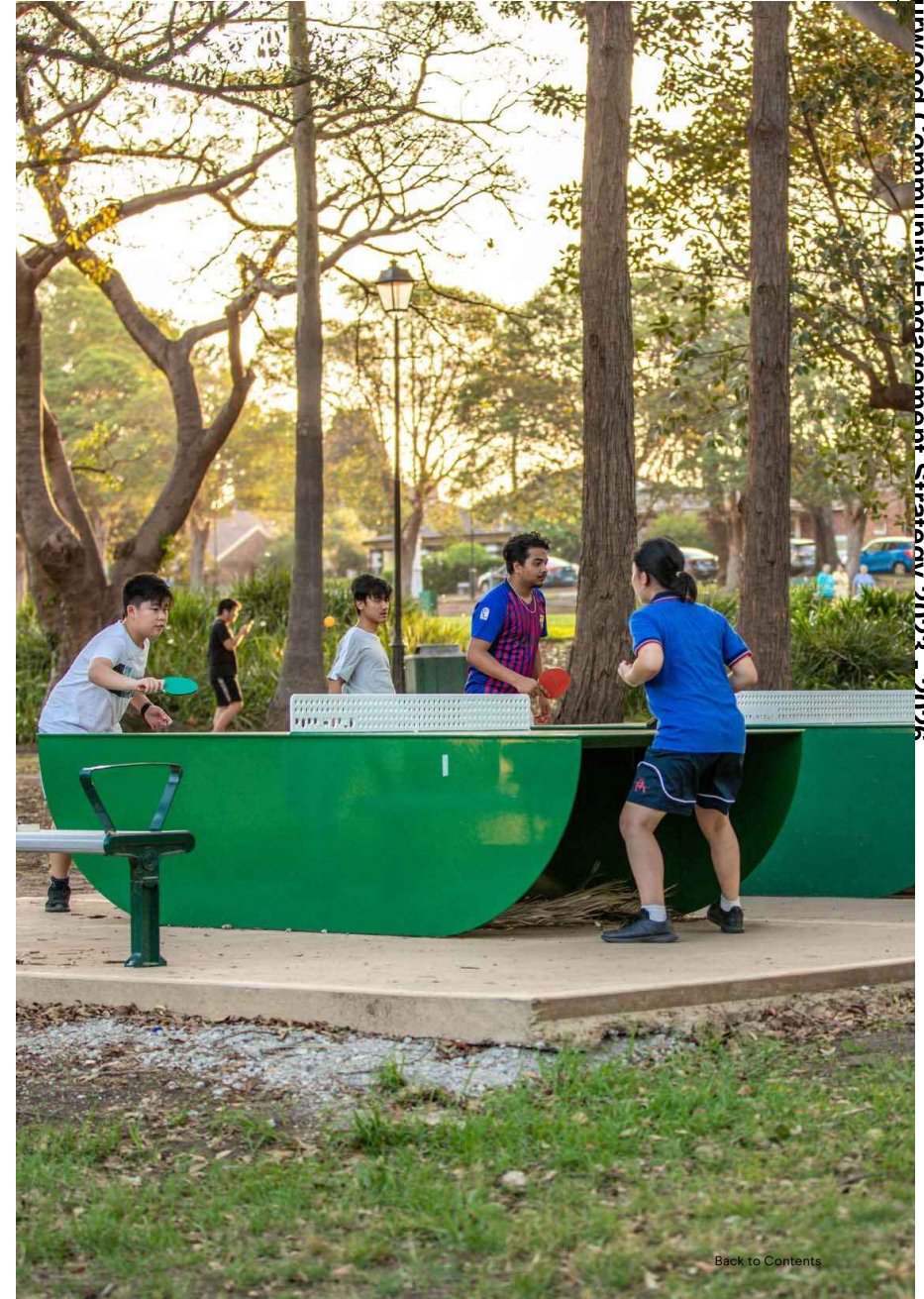
Development Application type	Extent of DA notification to surrounding properties
DAs for ground floor alterations and additions	Notification of each adjoining property 
DAs for carports forward of the building line and front fences	Notification of adjoining property on each side plus three opposite 



Community Participation in Planning Matters

Definition of Planning Terms

Planning term	Definition
Community Strategy Plan (CSP)	A plan prepared by Council under the Local Government Act 1993 which focuses on achieving the long term social, environment and economic aspirations of the community.
Local Strategic Planning Statement (LSPS)	A strategy that focuses on the vision and priorities for land use within the Council area.
Local Environmental Plan (LEP)	A process which involves an amendment to a Council's LEP which sets the planning framework for a local government area.
Development Control Plan (DCP)	A plan that provides detailed planning and design guidelines to support the planning controls in a Local Environment Plan (LEP).
Contributions Plan	A plan prepared by Council for the purpose of gaining financial contributions from new development towards the cost of new and upgraded public amenities and/or services required to accommodate the new development.
Gateway determination	A gateway determination is issued following an assessment of the strategic merit of a proposal to amend or create a Local Environment Plan (LEP) and allows for the proposal to proceed to public exhibition.
Planning Proposals	The preparation of a planning proposal is the first step in making an amendment to the existing Local Environmental Plan (LEP). A planning proposal is a document that explains the intended effect of, and justification for, the proposed amendment.
Planning Agreement	An agreement between a developer and council for the provision of funds or works by the developer for public infrastructure.





Follow Council @BurwoodCouncil
www.burwood.nsw.gov.au

2 Conder St, Burwood NSW 2134
PO Box 240 Burwood NSW 1805

P 02 9911 9911
E council@burwood.nsw.gov.au



(Item 9/23) Half-Yearly Report (1 July 2022 To 31 December 2022)

File No: 23/2470

Report by Director People & Performance

Summary

A report on the progress of Council's Delivery Program 2022 to 2026 is to be presented to Council on a half-yearly basis in accordance with legislative requirements of the State Government's Integrated Planning and Reporting Framework.

Operational Plan Objective

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

P.44 – Plan, monitor and report on the delivery of services and initiatives in accordance with the Integrated Planning and Reporting Framework under the Local Government Act.

A. 102 – Undertake corporate planning and reporting.

Background

Council's Integrated Planning & Reporting (IP&R) documentation reports information in a transparent and streamlined way to provide easy access to information for the community.

Reflecting the IP&R Framework, reporting follows the structure of the Delivery Program 2022 to 2026 and Operational Plan 2022 to 2023, which delivers upon the strategic goals identified by the community in the Burwood2036 Community Strategic Plan.

This Half-Yearly Report is the first report for the Operational Plan 2022 to 2023 covering the period from 1 July 2022 to 31 December 2022.

The strategic goals are divided into five themes:

1. Inclusive community and culture
2. Place for people
3. Sustainable and protected environment
4. Vibrant city and villages
5. Open and collaborative leadership

Each strategic goal is divided into actions which represent the specific initiatives Council proposes to implement to achieve the identified targets. The Delivery Program includes a total of 124 actions which are incorporated into the Operational Plan.

Reporting Structure

Key users are required to provide a status update and comment for each action they are responsible for as follows:

Completed	An action has been completed during the reporting period.
On Track	The action is on track for completion as scheduled.
Not Due to Start	The action is not due to start during the reporting period.
Monitor	The action is underway, but may not be completed in time or it has been postponed.

These requirements support and promote a continuous risk evaluation process for staff and management which allows the identification of risks and opportunities at an early stage in the delivery of activities/projects.

Measuring our Success

For the period 1 July 2022 to 31 December 2022, Council has registered the following progress:

Status	Number
Completed	15
On Track	105
Not Due to Start	0
Monitor	4
Total	124

Some significant highlights during this timeframe that have benefited the community include:

- Deane Street Precinct Transformation Project which was successfully completed in November 2022 and remains open to the public until July 2023 after which Council will begin works on the permanent re-imagining of the street through the WestInvest fund.
- Acknowledgement for the work delivered to our community through the Bounce Back Program including:
 - Recognition as a finalist (top 3) in the Business Campaign of the Year category at the 2022 Premier's Multicultural Communications Award; and
 - Runner-Up in the Disaster Preparedness category at the National Awards for Local Government receiving an Honourable Mention for the positive outcomes achieved across our community.
- WestInvest saw Council secure \$21.553 million to deliver eight transformational projects for the Burwood LGA.
- The Legacy Projects continued to be delivered including:
 - The Enfield Village Revitalisation Project was completed including significant public art projects.
 - The Grant Park All Abilities Playground was completed and opened on 30 November 2022 in celebration of International Day of People with Disability.
 - Burwood Park Nature Playground, Sensory Garden and Pond Upgrade works commenced.
- A number of key strategic documents and policies were developed and adopted including:
 - Library Strategic Plan
 - Disability Inclusion Action Plan
 - Child Safe Policy
 - Traffic and Transport Study
 - Draft Community Engagement Strategy
- Council entered into a 100% renewable electricity supply agreement commencing 1 January 2023.
- Our Customer Experience exceeded the Local Government service level targets.
- Consultation with the community included:
 - The exhibition of 28 new projects on Participate Burwood with 18,759 views and 6,742 visitors
 - In person consultation in relation to the Burwood North Masterplan which saw 100 people contribute their knowledge, views and aspirations for Burwood North's future
 - The Burwood Disability Inclusion Advisory Panel was established
 - The Multicultural Advisory Committee membership was increased from four to eight members increasing diversity and representation
 - The Burwood Design and Review Panel was established
- Council achieved a significant increase in reach across all social media platforms including a 68.9% increase on Facebook, a 40.5% increase on Instagram and a 50% increase on LinkedIn.
- The use of Council's facilities increased by 50% with 23 new user groups accessing community facilities.
- The 2023 Burwood Art Prize has been further expanded with the introduction of three new artwork mediums and an increase in prize money to \$14,000.

- The success of Council's Mobile Playvan continued with 78 sessions held, 2,262 attendees and an average of 30 families per session.
- All 125 bus stops across the Burwood LGA were upgraded to ensure compliance with the Disability Discrimination Act 1992.
- Council celebrated our First Nations people during NAIDOC week with the launch of artworks in Wangal Park and activities held at the Burwood Library.
- In collaboration with the Burwood Asian Business Partnership, Council supported the reactivation of a strong sole Chamber of Commerce in Burwood.
- Council delivered, or supported the delivery of, major events and activations including:
 - Two Deane Street activations attracting over 1,000 people
 - Christmas in the Park attracting over 2,500 people
 - Christmas musical offerings at The Strand, Croydon
 - Support to six community events including the annual Greek Street Fair, Moon Festival in Burwood Park and a World Cup Event coordinated by Enfield Rovers

Consultation

Once the Half-Yearly Report is adopted by Council, it will be made available to the public on Council's website.

Planning or Policy Implications

In accordance with s 404 of the *Local Government Act 1993* the General Manager must provide progress reports to Council, at least every six months, as to its progress with respect to the principal activities detailed in Council's Delivery Program. Burwood Council's Operational Plan 2022 to 2023 (Action 102) requires that the corporate planning and reporting process is completed in accordance with the requirements of the *Local Government Act 1993*.

Financial Implications

No Financial implications.

Conclusion

Council's Delivery Program 2022 – 2026, Operational Plan 2022 – 2023 and the Half Yearly Report 1 July 2022 to 31 December 2022 provides Council with ongoing updates on the progress of the objectives identified in Council's Delivery Program and Operational Plan.

Recommendation(s)

1. That Council endorse the Half-Yearly Report –1 July 2022 to 31 December 2022.
2. That the General Manager is authorised to make minor typographical and proofing corrections prior to publication of Council's Integrated Planning & Reporting documents and reports.

Attachments

- 1 [↓](#) Half-Yearly Report (1 July 2022 to 31 December 2022)



Burwood2036
Half Yearly Report

Acknowledgement of Country






We acknowledge the Wangal Clan of the Eora Nation, the traditional custodians of the lands on 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.





Contents

Introduction	4
 Inclusive community & culture	11
 Places for people	25
 Sustainable & protected environment	37
 Vibrant city & villages	45
 Open & collaborative leadership	57

Introduction

The Integrated Planning and Reporting Process

This report forms part of Council's Integrated Planning and Reporting documentation. It is qualitative reporting communicated through a transparent and streamlined process to allow improved access to information for the Burwood Community.

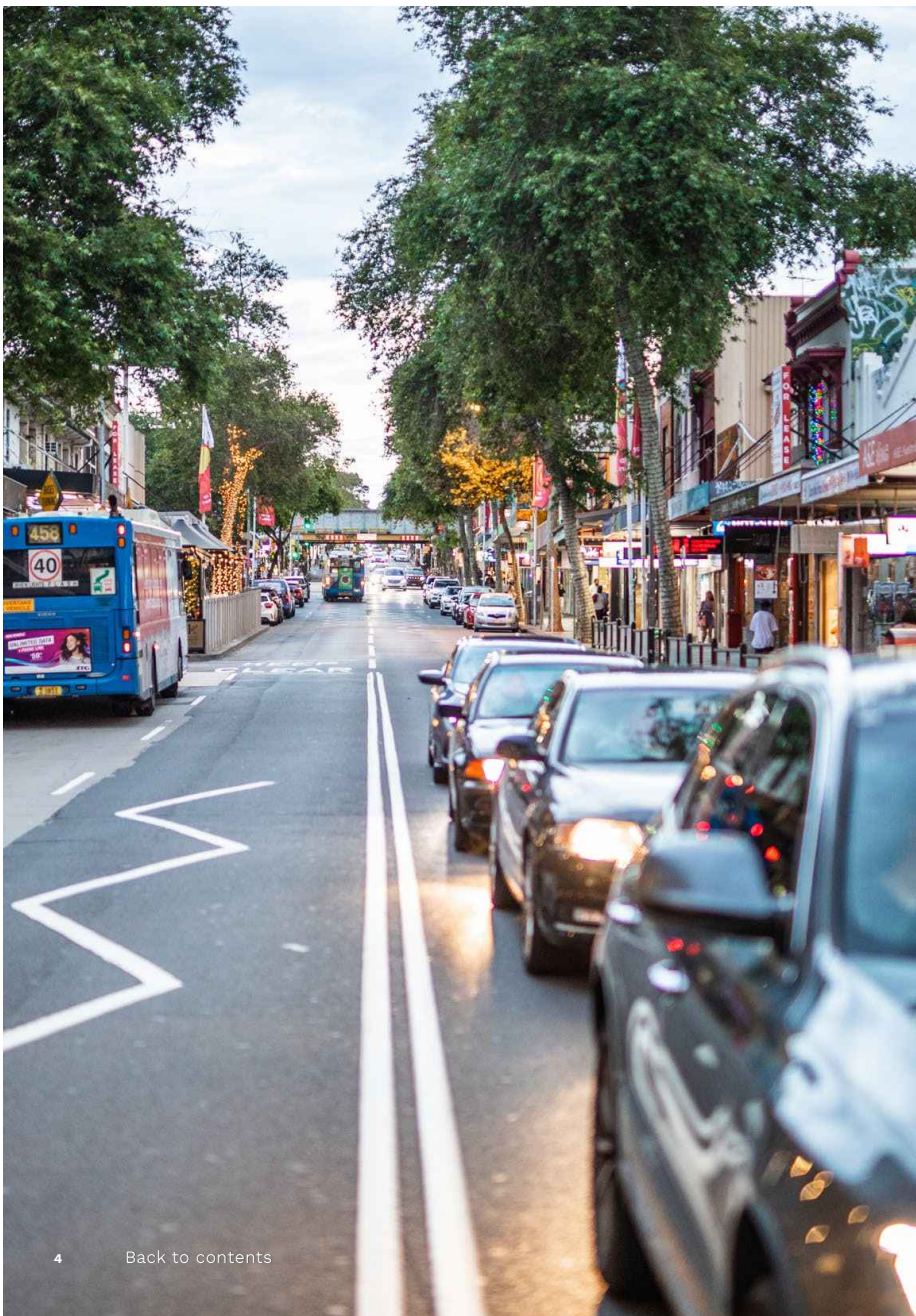
This Half-Yearly Report is the first report for the Operational Plan Financial Year 2022/2023.

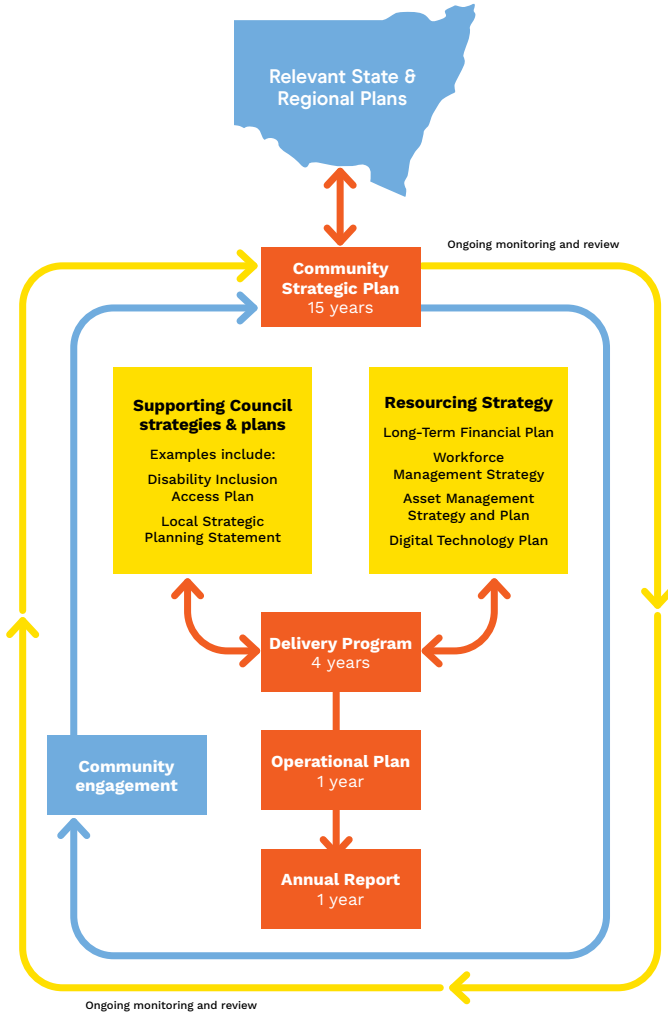
It provides the community with a summary of how Council has responded in the first half of the 2022/2023 financial year to the strategic goals, objectives and planned actions in the Delivery Program 2022 to 2026.

Strategic goals, objectives and actions are grouped under five themes:

- Inclusive community and culture
- Places for people
- Sustainable and protected environment
- Vibrant city and villages
- Open and collaborative leadership

This report addresses the 124 actions incorporated under these themes and found in the Operational Plan 2022/2023.

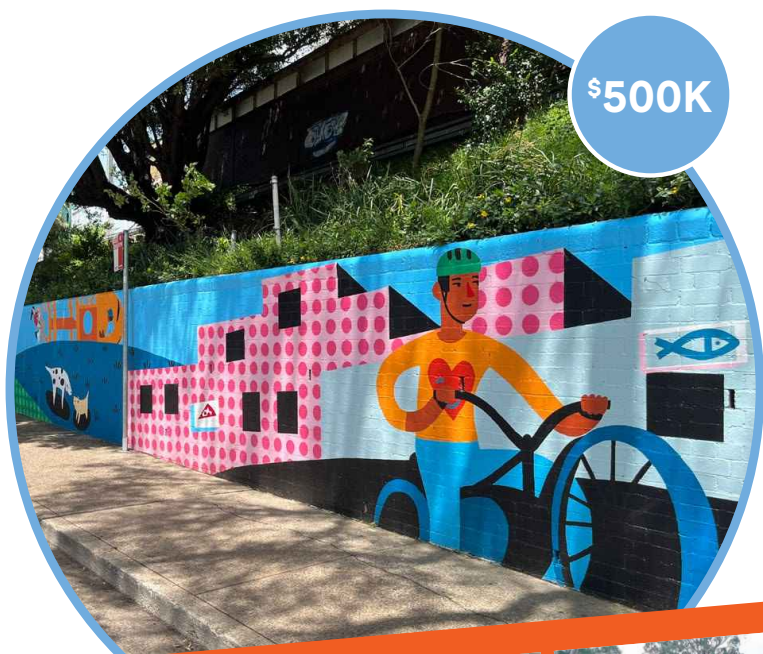




Measuring our success

Completed	An action has been completed during the reporting period	15 actions completed
On Track	The action is on track for completion as scheduled	105 actions on track
Not Due to Start	The action is not due to start during the reporting period	0 actions not due to start
Monitor	The action is underway, but may not be completed in time or it has been postponed	4 actions being monitored

Our highlights



Deane Street Precinct Transformation Project was successfully completed in November 2022 and remains open to the public until July 2023 after which Council will begin works on the permanent re-imagination of the street through the WestInvest fund.



Council continued to receive acknowledgement for work delivered to our community through the Bounce Back program including:

- Recognition as a finalist (top 3) in the Business Campaign of the Year category at the 2022 Premier's Multicultural Communications Awards.
- Runner-Up in the Disaster Preparedness category at the National Awards for Local Government receiving an Honourable Mention for the positive outcomes achieved across our community.



WestInvest saw **Council secure \$21.553 million to deliver eight transformational projects** for the Burwood LGA.

Delivering a legacy of safe, quality public open space.



\$1M

Enfield Village Revitalisation Project completed including significant public art projects.



\$3.5M

Burwood Park Nature Playground, Sensory Garden and Pond Upgrade works have commenced.

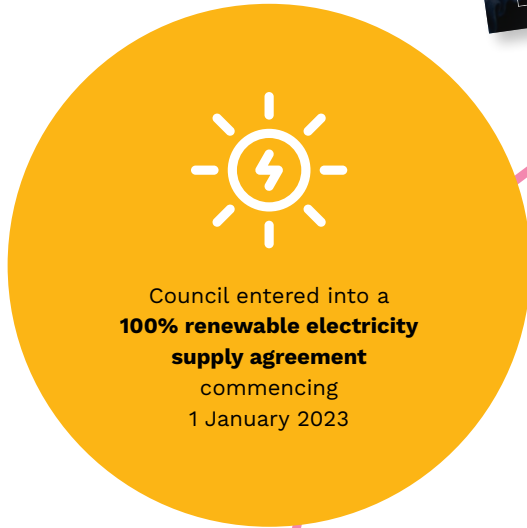


\$1M

Grant Park All Abilities Playground was completed and opened on 30 November 2022 in celebration of International Day of People with Disability.

Strategic documents and policies developed and adopted included:

- Library Strategic Plan
- Disability Inclusion Action Plan
- Child Safe Policy
- Traffic and Transport Study
- Draft Community Engagement Strategy



Council entered into a **100% renewable electricity supply agreement** commencing 1 January 2023



Customer Experience exceeds the Local Government service level targets with:

- 612 customers served at the Customer Service Counter with 94.8% being served within 5 minutes
- 13,918 calls taken with 86% being answered in less than 40 seconds

Our highlights cont'd



Council continued to consult with the community including:

- The exhibition of 28 new projects on Participate Burwood with 18,759 views and 6,742 visitors
- In person consultation in relation to the Burwood North Masterplan which saw 100 people contribute their knowledge, views and aspirations for Burwood North's future
- The Burwood Disability Inclusion Advisory Panel established
- The Multicultural Advisory Committee membership was increased from 4 to 8 members to increase diversity and representation
- The Burwood Design and Review Panel was established



Council achieved a significant increase in reach across all social media platforms including:

- Facebook reach increased by 68.9% to 56,272
- Instagram reach increased by 40.5% to 9,938
- LinkedIn reach increased by 50%
- An average increase in reach of 30% across all social media platforms



The **2023 Burwood Art Prize** has been further expanded with the introduction of three new artwork mediums and an increase in prize money to \$14,000.

The success of Council's **Mobile Playvan** continued with **78 sessions held, 2,262 attendees** and an average of 30 families per session.



The use of Council's facilities grew with a 50% increase in facilities usage and 23 new user groups accessing community facilities.





Council celebrated our First Nations people during **NAIDOC week in July 2022 with the launch of artworks in Wangal Park** and activities held at the Burwood Library.



All 125 bus stops across the Burwood Local Government Area were upgraded to ensure compliance with the Disability Discrimination Act 1992.



Reactivation of the Burwood Chamber of Commerce - in collaboration with the Burwood Asian Business Partnership, Council supported the reactivation of a strong sole Chamber of Commerce in Burwood.

Delivery and support of major events and activations including:



Two Deane Street activations attracting over 500 people.



Christmas in the Park attracting over 2,500 people.



Christmas musical offerings at The Strand, Croydon.



Support to 6 community events including the annual Greek Street Fair, Moon Festival in Burwood Park and a World Cup Event coordinated by Enfield Rovers from July to December 2022.





Inclusive community & culture



A thriving community where diversity is embraced, everyone is valued, connected and has the opportunity to contribute and belong.

Inclusive community & culture cont'd

A welcoming community that cares and looks after each other

Support and deliver initiatives that encourage social inclusion and community connections

Action Code	Responsible Officer Unit	Action	Status	Comments
A.1	Community and Culture	Coordinate Council's Volunteer Program and initiatives to support and recognise volunteering in the community	On Track	Council's Volunteering Program promotes and recruits volunteers for placement in community programs and registered local community organisations. As of December 2022, Council has referred 201 volunteers to external organisations.
A.2	Place Management & Communications	Deliver annual awards programs that recognise local community and business achievements	On Track	<p>Planning is underway for the Mayor's Commendation Awards to be held in March 2023. Council will be appealing to eligible businesses in five categories honouring their economic and social contribution to Burwood.</p> <p>Council continues to support the annual Inner West Local Business Awards, with 19 Burwood business finalists promoted via communication channels this year.</p> <p>Promotion has commenced for the 2023 Australia Day Citizen (aged 26+) and Young Citizen (aged 16-25) of the Year Awards Program. All candidates and nominators will be invited to attend Council's Burwood Citizen of the Year Awards ceremony where the awards will be announced and presented. The winners of these awards will be invited to participate and represent the Burwood community at various events and initiatives throughout 2023.</p>
A.3	Community and Culture	Deliver capacity building and funding initiatives to support the community sector, including the annual Community Grants, Club Grants and the Councillor's Donation Programs	On Track	<p>Council's Community Grants Program is currently open and accepting applications of up to \$5,000 from local community organisations.</p> <p>Council, in partnership with Burwood RSL ran another successful Club Grants program funding 47 organisations in August 2022.</p> <p>The Mayoral Donations Program continues to provide vital support for local charities, helping the vulnerable in our community.</p>

Action Code	Responsible Officer Unit	Action	Status	Comments
A.4	Community and Culture	Prepare and implement the Disability Inclusion Action Plan 2022-2025	On Track	<p>The Disability Inclusion Action Plan was adopted by Council in August 2022 and Year One actions are underway. Some completed actions include:</p> <ul style="list-style-type: none"> • The Burwood Disability Inclusion Advisory Panel was established 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. • Council publications and social media posts have begun reflecting and celebrating the diversity of our community, including featuring positive images and stories of people with disability and our website highlights the accessibility of Council venues and facilities. • We have celebrated International Day of People with Disability with a range of inclusive events including a busy opening of the Grant Park Inclusive Play Space, the design of which was based on the NSW Government Everyone Can Play guidelines.
A.5	Community and Culture	Develop Council's Multicultural Strategy	On Track	Council has undertaken extensive community engagement and research into the diverse cultural communities of the Burwood Local Government Area. The 'Culturally Diverse Communities of Burwood Research Paper' has been completed which will inform the preparation of the Multicultural Strategy in 2023.
A.6	Community and Culture	Undertake initiatives that address homelessness and the needs of rough sleepers across the Burwood LGA	On Track	Council continued to provide support for rough sleepers in our LGA through collaboration with Housing NSW and Wesley Mission. Work has commenced to undertake a homeless street count in 2023. Council will host the regional count including Canada Bay and Strathfield. Council also attended the regional service provider forum held in August 2022.
A.7	Community and Culture	Prepare the Burwood Youth Action Plan	On Track	After successfully receiving funding from Resilience NSW, Council has engaged five Youth Engagement Officers to assist with the research and consultation component of the Youth Action Plan. The Youth Engagement Officers will be undertaking IAP2 training to develop their engagement skills in February 2023. This initiative will deliver a Plan that is relevant to our younger residents and visitors.
A.8	Community and Culture	Coordinate social research projects and activities to identify and address existing and emerging community needs	On Track	Council undertook several research initiatives to support key organisational projects to address emerging needs and opportunities. This included extensive research into the diverse communities of Burwood, the Disability Inclusion Action Plan and the delivery of an arts and cultural forum. Council also engaged five Youth Engagement Officers who will undertake training and engage local young people to develop the Youth Action Plan.

Inclusive community & culture cont'd

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

Action Code	Responsible Officer Unit	Action	Status	Comments
A.9	Customer Experience & Business Improvement	Manage the allocation and use of community facilities, venues, parks and sports fields	On Track	<p>Community Facilities usage from 1 July 2022 to 31 December 2022 included:</p> <ul style="list-style-type: none"> • Burwood Park Community Centre (403) • Fitzroy Hall (381) • Woodstock (820) • George Street Centre (192) • The Community Hub (808) • Henley Park Community Centre (46) • Henley Park Kitchen (64) • Henley Park Dressing rooms (59) • Conference Room (126) <p>The Woodstock Artisan Markets successfully held four market events on the 7 August, 6 November, 20 November (Retro Markets) and 4 December 2022.</p> <p>The sports field usage from 1 July 2022 to 31 December 2022 included:</p> <ul style="list-style-type: none"> • Blair Park (98) • Burwood Park (87) • Woodstock Park (25) • Flockhart Park (79) • Grant Park (53) • Wangal Park (30) • Keith Smith (0) • Henley Park (879) • Conder Street Car Park (3) • Sanders Reserve (1) <p>The Community Facilities and Parks Hire Policy was adopted by Council on 18 October 2022. Three additional hireable locations were added to the booking system (Keith Smith Reserve, Sanders Reserve and Wangal Park sheltered area).</p>
A.10	Customer Experience & Business Improvement	Undertake a review of the Community Facilities Policy to incorporate the use and hire of parks	Completed	<p>The revised Community Facilities and Park Hire Policy was adopted by Council on 18 October 2022.</p>

Support community resilience initiatives to adapt to changing circumstances

Action Code	Responsible Officer Unit	Action	Status	Comments
A.11	Place Management & Communications	Deliver Burwood Bounce Back initiatives to support community and business post-pandemic recovery	Completed	<p>Council has committed a total of \$50,000 to the 2022/2023 Shopfront Improvement Program. Eligible businesses can apply for up to of \$3,000 to improve the appearance of their shopfront. Since the program launched in 2019, Council has provided over \$45,000 to 16 local businesses.</p> <p>The Deane Street Precinct Transformation Project was successfully completed in November 2022 and involved the installation of 2 new public art murals, 4 new bench seats, shade cover and a mobile parklet, providing increased opportunities for people to dine and socialise; while supporting businesses with increased trading opportunities. Two activation events were held in November and December 2022 attracting over 500 people. Four more activations will continue to take place until February 2023.</p> <p>In addition to receiving the LG Excellence Award, Council received further acknowledgment in the National Local Government Awards, and the Premier's Multicultural Communications Awards for the Burwood Bounce Back program.</p>



Inclusive community & culture cont'd

Acknowledge, respect and engage First Nations peoples, their culture and heritage

Action Code	Responsible Officer Unit	Action	Status	Comments
A.12	Community and Culture	Deliver initiatives that recognise and respect First Nations' history and ongoing culture	On Track	<p>Council celebrated NAIDOC Week in July 2022 with a launch of artworks in Wangal Park and activities at Burwood Library.</p> <p>Council is engaging First Nations Artists to develop artworks for flags for Burwood Park. As part of this process a Wangal artist has been engaged to advise the artists and selection process. Council is investigating opportunities to commence the development of a Reconciliation Action Plan.</p>



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

Provide access to formal and informal lifelong learning and recreation opportunities, facilities and services

Action Code	Responsible Officer Unit	Action	Status	Comments
A.13	Library & Community Hub	Prepare and implement the Burwood Library Strategic Plan	On Track	The Library Strategic Plan was adopted by Council in August 2022. Implementation of Year One actions has commenced and these are due to be completed by June 2023.
A.14	Library & Community Hub	Develop the Burwood Library Collection Development Policy	On Track	Research has been undertaken on existing policies and procedures by other councils for the development of the Library Collection Development Policy which is scheduled to go on public exhibition in March 2023.
A.15	Library & Community Hub	Undertake a series of Library program service reviews to improve community engagement and customer experience	On Track	Three service reviews have been initiated with the children's programs complete and the Home Library Service underway. A review of the Midnight Hours initiative has also been undertaken with the intent of improving program delivery in 2023.
A.16	Library & Community Hub	Deliver initiatives that promote and improve access to local heritage	On Track	Work on the Burwood Pictorial History Publication continues and is on track to be delivered on time. Digitisation of the collection is ongoing and we are working towards ensuring the collection is accessible in the future. Three heritage walks were organised in September 2022 including two sessions of the Croydon History Walk (40 people) and a St Thomas Cemetery tour (22 people). Weekly Burwood Memories posts are done on Council's social media to promote local heritage.
A.17	Library & Community Hub	Activate the Community Hub with new programs and events	On Track	<p>A number of regular programs have been introduced to activate the Hub. These include STEAM Clubs for children and seniors, Plant Doctors and Playtime for Grown Ups.</p> <p>Special events have also taken place in the Hub. Most popular has been Midnight Hours, a period of extended opening hours and supportive activities for Higher School Certificate students in the lead up to exams.</p> <p>External events have also been held such as the storytelling event Behind Closed Doors and a panel discussion on the future of libraries as part of the SPARKS Festival.</p> <p>December 2022 saw the launch of the Bubble Tea Tour; a tour of bubble tea businesses in Burwood with the history of bubble tea.</p>

Inclusive community & culture cont'd

Action Code	Responsible Officer Unit	Action	Status	Comments
A.18	Community and Culture	Deliver community programs to promote health, wellbeing and creativity across a range of Council venues	On Track	<p>Council staff partnered with local groups and organisations to provide community programs and activities these included:</p> <ul style="list-style-type: none"> • Fitter & Stronger • Line Dancing • Chinese Art classes • Chinese Line Dancing • Chinese Traditional Dancing • Zumba classes • Community Soccer • Kids Art Workshops • Women & Girls Self Defence • Dance Reciters • Living Longer Living Stronger • Smartphone Photography • Speakers Corner • Junior Multi-Sport Program • Earthbeats Music Early Childhood Program • Sewing Bee Club • Photography Club • Youth Recreation & Life Skills Programs • Youth Art Workshops <p>These programs were held throughout the Burwood LGA in community centres and parks.</p>
A.19	Community and Culture	Deliver Council's Mobile Play Van Service in community spaces	On Track	<p>The Mobile Playvan operated from July to December 2022 in Term 3 and 4. During this time, 78 sessions were held and a total of 2,262 families attended, with an average of 30 families per session. The largest number of families that attended in one day was 70 families.</p> <p>The Bi-Cultural Support Worker from Diversity Kids attended eight sessions to assist in engagement with our diverse communities.</p> <p>In addition to the weekly sessions, The Mobile Playvan attended The Henley Park Fun Day, the Grant Park All Abilities Playground launch and Christmas in the Park.</p> <p>Council engaged Ebenezer Coffee Cart to attend sessions at Woodstock Park to provide coffee for carers who attend on Mondays.</p>

Action Code	Responsible Officer Unit	Action	Status	Comments
A.20	Property	Complete review of design and scope for Stage 4 of the EAC Masterplan, including community engagement	On Track	<p>In May 2022, as part of the EAC Masterplan's Stage 2 & 3 delivery, Council launched its new 25m indoor program pool which has been extremely well received by the community.</p> <p>The new pool has resulted in an increased learn to swim participation of approximately 40%.</p> <p>Council has now commenced the planning and design review of the next stage of the Enfield Aquatic Centre Masterplan, and is currently pursuing funding opportunities to support a major upgrade of the facility.</p>
A.21	Enfield Aquatic Centre (EAC)	Operate and expand Council's Learn to Swim Program	On Track	<p>A total of 870 student bookings were made for Term 3 2022 resulting in programs running at approximately 85% capacity.</p> <p>In Term 4 2022 bookings increased to 1,312 students, with a total booking capacity of 88%.</p> <p>In Term 3 our Program Lessons commenced in the Centre's state-of-the-art Programs pool which provided a specialised learning environment.</p> <p>During Term 3 we also established a partnership program with Royal Life NSW which provided sponsored opportunities for community members to become qualified Learn to Swim Teachers. This initiative also saw the introduction of an additional 88 classes with a capacity of 450 students expanding our ability to provide additional learn to swim classes.</p> <p>In Term 4 2022 our newly launched School Intensive Program engaged schools within the catchment area and provided essential learn to swim programs for approximately 800 students over a six-week period.</p>
A.22	Enfield Aquatic Centre (EAC)	Develop a range of new health, fitness and wellbeing programs to drive visitation	On Track	<p>Council introduced four new Aqua Fitness classes to the EAC to help drive visitations and improve our service offering to the community.</p> <p>The EAC team has been developing Mat Pilates as another fitness and wellbeing offering in 2023.</p> <p>The EAC also held two Family Fun Days to encourage the community to get to know and use the facilities and services.</p>
A.23	Enfield Aquatic Centre (EAC)	Undertake Royal Life Saving Aquatic Facility Safety Assessment (AFSA) Audit Program	On Track	<p>The Royal Life Saving ASFA Audit is booked for 13 February 2023.</p>

Inclusive community & culture cont'd

Action Code	Responsible Officer Unit	Action	Status	Comments
A.24	Enfield Aquatic Centre (EAC)	Undertake targeted customer experience improvement initiatives	On Track	<p>The EAC is taking part in a Mystery Shopper experience.</p> <p>Reviewing and monitoring feedback from the Rate It iPad takes place daily and this, along with feedback through email or in person, is considered and responded to within our day to day management of both the services and the facility.</p> <p>The EAC has a live pool availability link on the EAC webpage which displays the availability for each facility. The live pool availability is in sync with the EAC's system. This has been a success as it allows customers to check availability prior to coming to the EAC. The EAC also displays print outs of the carnival schedule for customers to use as a reference.</p>



Ensure people of all abilities and backgrounds can enjoy our public spaces and places

Action Code	Responsible Officer Unit	Action	Status	Comments
A.25	Community Safety	Coordinate Council's CCTV Program	On Track	Council's Community Safety Team work closely with enforcement agencies including local Police, the State Crime Commission and Federal Police to produce evidence for criminal matters as listed in the Code of Practice. During the quarter Council received 10 CCTV footage applications which were produced within service level timeframes.
A.26	Community Safety	Prepare the Crime Prevention Plan and implement initiatives that improve community safety in partnership with NSW Police	On Track	Preparations have been underway for the development of a Crime Prevention Plan with the data analysis, stakeholder discussions and community engagement via an online community safety survey. This work will inform the development of the Plan and shape the priorities and actions within it.
A.27	Community and Culture	Implement the Child Safe Standards to become a Child Safe Organisation	On Track	<p>Council's Child Safe Policy was adopted in July 2022 and actions have commenced by an internal Child Safety Working Group with the key goal to develop a Child Safety Action Plan (CSAP). The CSAP will develop key actions to assist in the implementation of the 10 Child Safe Standards across the organisation.</p> <p>During November 2022 child safety training for staff in child-related or front-line roles was delivered by child safety specialists, Child Abuse Prevention Service.</p> <p>A child safety e-learning module is currently being developed to roll out to all staff in the first half of 2023.</p>

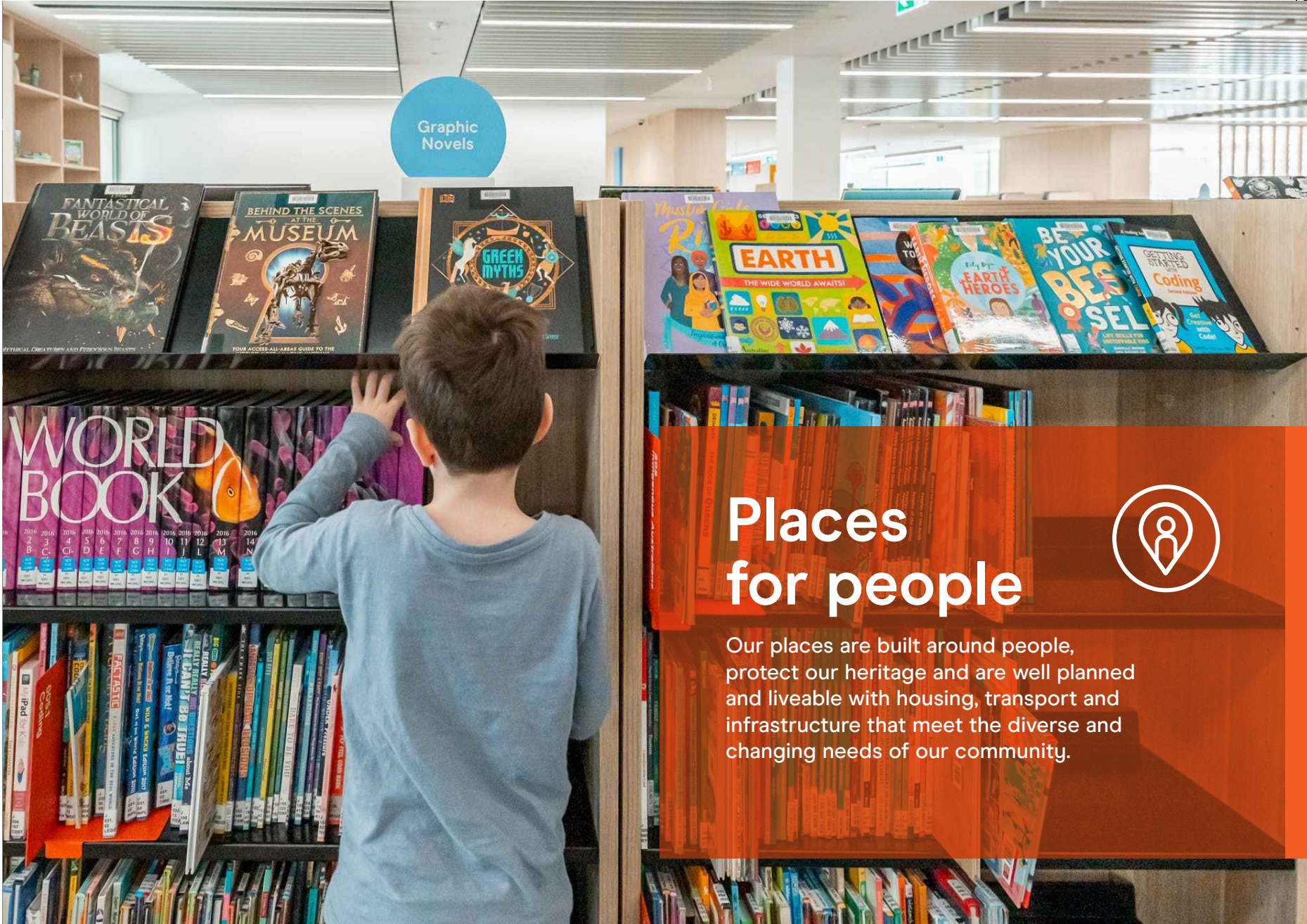
Inclusive community & culture cont'd

Provide opportunities for people to participate in activities and events that celebrate our diverse community, history and culture

Action Code	Responsible Officer Unit	Action	Status	Comments
A.28	Place Management & Communications	Deliver regular citizenship ceremonies	Completed	<p>Burwood Council places great importance on Australian citizenship. Council hosts ceremonies for local residents who have been approved to become Australian citizens by the Department of Home Affairs.</p> <p>During the reporting period Council held two Citizenship Ceremonies on 15 September 2022 where 60 residents received their citizenship.</p> <p>Planning has commenced for the Australia Day Citizenship Ceremony which will see 100 residents receive their Citizenship.</p> <p>Burwood's 2023 Citizen and Young Citizen of the Year Awards will also be presented at the ceremony.</p>
A.29	Community and Culture	Deliver Council's ongoing program of community events that celebrate local community and culture	On Track	<p>The following events were successfully delivered including:</p> <ul style="list-style-type: none"> • Two Deane St activations • Christmas in the Park which successfully returned to Burwood Park after a two-year hiatus • Christmas musical offerings at The Strand, Croydon <p>Preparations have commenced for Australia Day, Lunar New Year and ANZAC Day 2023.</p>
A.30	Community and Culture	Support external partners to deliver community events	On Track	<p>Council has provided support to six community events between July and December 2022 including the:</p> <ul style="list-style-type: none"> • Annual Greek Street Fair • Moon Festival in Burwood Park • World Cup event coordinated by Enfield Rovers activating a park in a local area







Places for people



Our places are built around people, protect our heritage and are well planned and liveable with housing, transport and infrastructure that meet the diverse and changing needs of our community.

Places for people cont'd



An urban environment that maintains and enhances our sense of identity and place

Facilitate well designed, high quality and sustainable land use and development that is appropriately scaled to complement its surroundings

Action Code	Responsible Officer Unit	Action	Status	Comments
A.31	City Planning	Prepare Planning Proposal for 2021 Local Environmental Plan (LEP) Amendment	On Track	<p>The Housekeeping LEP amendment was gazetted in August 2022.</p> <p>The Burwood North Precinct Masterplan will inform the planning framework and these will be incorporated into a Planning Proposal to amend the Burwood LEP.</p> <p>The planning proposal will identify changes to the Burwood LEP to facilitate well designed, high quality and sustainable development that is appropriately scaled to complement its surroundings.</p>
A.32	City Planning	Undertake a comprehensive review of the Development Control Plan (DCP) 2013 and prepare a user friendly and interactive DCP	On Track	<p>Work has commenced on the review of the Burwood DCP to update and refine the objectives and controls. This work is ongoing and will continue into 2023.</p>
A.33	City Development	Provide efficient, timely development assessment services, including pre-DA support	Monitor	<p>Median turnover time was 84 days which also includes the Burwood Place Development lodged by Holdmark and Burwood RSL Club relocation. Both represented major projects within the Burwood Town Centre and have taken additional time to assess, however, good project outcomes have been achieved for both applications.</p> <p>Further work is underway to review information available to support the lodgement of well made development applications. This includes a review of pre-DA services. These initiatives will be rolled out throughout the second half of the year.</p>
A.34	City Planning	Review and update the Burwood Contributions Plan to facilitate appropriate delivery of infrastructure	On Track	<p>Work has commenced to review the Works Schedule associated with the section 7.12 plan. A comprehensive review of the Contributions Framework will be undertaken in 2023.</p>
A.35	City Development	Ensure that design excellence is assessed as part of the development application process	On Track	<p>The Burwood Design Review Panel (BDRP) has now been established with the appointment of a pool of eight panel members all with industry recognition in their respective fields. The first meeting was held in October 2022 with a total of six matters being referred to the panel to date. Additional information has also been posted on the Burwood Council website outlining the design review process.</p>

Places for people cont'd

Protect our unique built heritage and maintain or enhance local character

Action Code	Responsible Officer Unit	Action	Status	Comments
A.36	City Planning	Revise and update the Comprehensive DCP heritage provisions and develop an applicant information pack	On Track	<p>Work has commenced to review the objectives and provisions relating to heritage items and heritage conservation areas in the Burwood DCP.</p> <p>City Planning is currently reviewing the Heritage Conservation Areas to identify the classification of each property. Once this work has been completed specific provisions will be developed and incorporated into the DCP to ensure that development is in keeping with the character of the conservation area.</p> <p>Work has also commenced to develop a series of Fact Sheets to assist owners of heritage items and properties within Heritage Conservation Areas with respect to development works.</p> <p>This will be ongoing.</p>
A.37	City Planning	Undertake a heritage assessment of existing building stock to identify and update the register of contributory or heritage items	On Track	Work has commenced to review the objectives and provisions relating to heritage items, including the identification and update of inventory sheets. Work has also commenced to identify properties across the LGA which have heritage significance but are not yet listed in Council's LEP. This work will be ongoing.
A.38	City Development	Undertake a heritage assessment of all development applications relating to heritage items or conservation	On Track	There were 35 DAs referred to Council's Heritage Adviser in the last reporting period. Advice has been provided in a timely and consistent manner.

Promote greater diversity of quality housing and affordability to meet current and future community needs

Action Code	Responsible Officer Unit	Action	Status	Comments
A.39	City Planning	Develop an Affordable Housing Policy	On Track	The project has commenced - SGS Consultants were appointed in October 2022 to develop an Affordable Housing Policy, which includes a Contributions Framework for the delivery of affordable housing across the Burwood LGA. This is on target to be placed on public exhibition in early 2023.

Sustainable, integrated transport, infrastructure and networks support population growth and improve liveability and productivity

Plan and manage transport infrastructure to meet current and future community needs

Action Code	Responsible Officer Unit	Action	Status	Comments
A.40	Traffic & Transport	Investigate traffic hot spots and implement solutions such as pedestrian refuges, roundabouts or traffic calming devices	On Track	<p>Investigations are undertaken for all requests received for traffic calming devices, parking improvements or pedestrian facilities. Additionally, locations are identified by staff based upon Centre for Road Safety accident data.</p> <p>Locations where improvements can be made are presented to the Burwood Local Traffic Committee prior to being reported to a Council Meeting for adoption.</p> <p>There were 15 reports presented across five meetings of the Burwood Local Traffic Committee held between July and November 2022.</p> <p>There were 14 traffic devices installed in this period including traffic calming devices and parking improvements in Lily Street, Weil Avenue and Walsh Avenue.</p>
A.41	Traffic & Transport	Identify black spots based on accident history and apply for grant funding for facility upgrades	Completed	<p>A review of crash data for local unclassified roads under the care of Council did not identify any locations for black spot grant funding which met the requirement of the grant for the 2023/2024 financial year. Council will continue to fund minor road safety upgrades such as pedestrian crossings, pedestrian refuges, speed cushions and raised thresholds.</p>
A.42	Traffic & Transport	Undertake a review of parking provisions for required development applications	Completed	<p>All major development applications are referred to Council's Traffic Engineers for review. The assessment of these applications includes ensuring that provisions of off-street parking for motor vehicles and bicycles meets Council's DCP or relevant State Environmental Planning Policy, as well as confirming all relevant standards are met with regards to the design of the parking areas.</p> <p>There were 28 referrals completed in relation to traffic and parking for developments during this period.</p>

Places for people cont'd

Action Code	Responsible Officer Unit	Action	Status	Comments
A.43	Property	Undertake an audit and develop a preventative maintenance program for Council facilities	On Track	<p>The assessment of Council's nine community facilities, two admin operational facilities, investment properties and park amenities buildings has been conducted as part of a new system implementation.</p> <p>A preventative maintenance schedule is currently being developed, due to go live in quarter one of 2023.</p> <p>An internal reporting tool has been implemented to allow staff to log maintenance requests that are provided to the property team to manage maintenance requests more effectively and efficiently.</p> <p>In the last six months, 149 maintenance requests have been received with 100% of the requests responded to and 80% of them being completed.</p>
A.44	Operations	Undertake annual planned preventative maintenance program for civil infrastructure and parks building assets	On Track	<p>A Preventative Footpath Renewals Program has been developed in the Civil Infrastructure area to undertake programmed maintenance works.</p> <p>These works are scheduled throughout the financial year and programs updated in the smart sheet. To date this financial year we have completed 3,129 square metres of footpath renewals.</p>



Action Code	Responsible Officer Unit	Action	Status	Comments
A.45	Assets & Design	Undertake design and upgrade of road infrastructure to improve performance, lifecycle and accessibility	On Track	<p>Council's Capital Works Program has achieved the following:</p> <ul style="list-style-type: none"> • Road Resurfacing Program – works commenced in December 2022 • Roads to Recovery (Wentworth Road concrete road replacement) completed • Kerb and Gutter, Footpath and Streetscape Programs – 50% completed • Traffic Facilities Program - 50% completed • Installation of Tactile Indicators at Bus Stops – completed • Storm Water Drainage Improvements Program including (Special Rate Variation funded) – 60% completed • Parks Improvements Program – progressing • Council-wide 500 street tree planting – 90% completed • DPIE Grant Funded Projects – (Enfield Village and Grant Park All Abilities Playground) are completed and (Burwood Park Nature Play, Sensory Garden and Pond) is underway • Transport for NSW (TfNSW) Project (Fifth Avenue Bridge works) is in procurement phase • Streets as Shared Spaces Grant – Deane Street precinct transformation – 100% completed • Solar Lighting upgrades along Cooks River Path – 95% completed
A.46	Assets & Design	Undertake CCTV camera inspections of Council's drainage network	On Track	<p>Council undertakes CCTV camera inspections to 10% of Council's drainage network every year. Council is currently in the procurement stage and will undertake the CCTV camera inspections in the second half of this year.</p>

Places for people cont'd

Plan for a city that is safe, accessible and easy to get to and move around in

Action Code	Responsible Officer Unit	Action	Status	Comments
A.47	City Planning	Investigate options to complement the Burwood North and Sydney Metro Station Precinct	On Track	Council, in October 2022, appointed Cox Architects to develop a Masterplan for the Burwood North Precinct. The Masterplan process will investigate options to ensure the delivery of infrastructure to support any growth proposed by the Masterplan.
A.48	Traffic & Transport	Finalise the Traffic and Transport Study	Completed	The Traffic and Transport Study has been finalised and consulted with internal stakeholders as well as TfNSW. The study will be used to guide Council in its decision making process moving forward with direct input into areas such as the Works Schedules for the Section 7.12 Contributions Plans.
A.49	Traffic & Transport	Review parking strategy within the Burwood CBD and investigate parking initiatives to alleviate traffic congestion	On Track	The Burwood Public Parking Strategy will commence in Q3 of 2022/2023 and be reported to Council in Q4. The Strategy Review looks at a number of options to improve parking turnover, decrease traffic generated by circulating vehicles searching for parking and address the impact of high parking demand in residential streets. Sustainability will also be reviewed including provisions for additional Electric Vehicle (EV) charging and car share options.
A.50	Traffic & Transport	Undertake an audit of all bus stop facilities to ensure accessibility and compliance with the Disability Discrimination Act 1992	Completed	Council has upgraded all 125 bus stops across the LGA to ensure compliance with Disability Discrimination Act 1992 which includes the installation of tactile ground surface indicators and modifications to the bus stop layout to ensure sufficient room for maneuverability for users with disabilities.
A.51	Traffic & Transport	Undertake a Pedestrian Access and Mobility Plan (PAMP) for Burwood Town Centre including access and connections to neighbouring residential areas, facilities and open spaces	On Track	The PAMP will need to incorporate changes proposed to the Burwood Town Centre via the expansion resulting from the Burwood North Masterplan as well as the Burwood North Metro West Station which will be located at the intersection of Burwood Road and Parramatta Road.

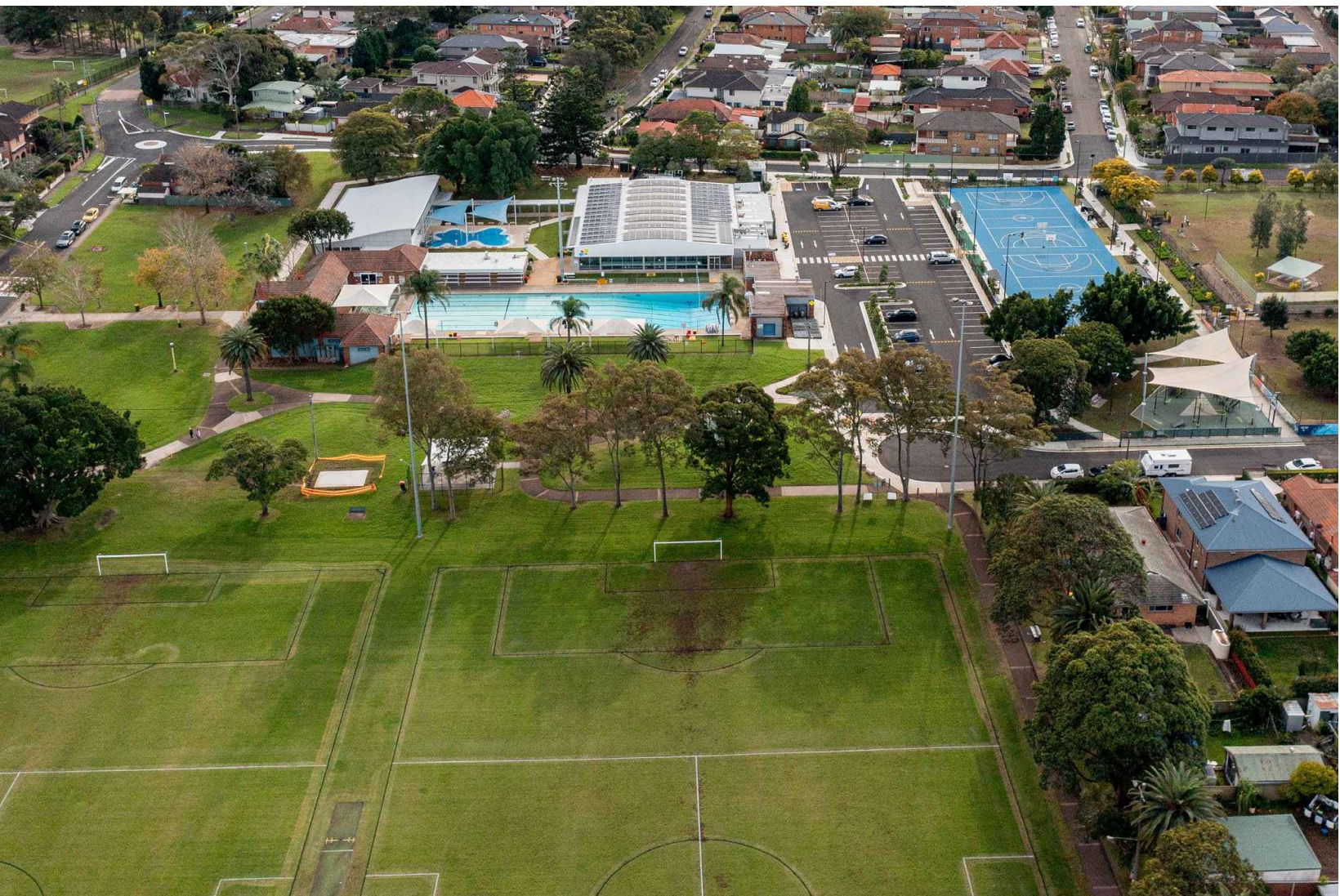
Public and open spaces are high quality, welcoming, accessible and enjoyable places seamlessly connected with their surroundings

Plan and deliver quality public spaces and open spaces that fulfil and support diverse community needs and lifestyles

Action Code	Responsible Officer Unit	Action	Status	Comments
A.52	Information Technology	Evaluate and adopt smart city technologies to improve service delivery	On Track	During the reporting period Council has installed five waste bin sensors in Deane St and Conder St to evaluate the potential benefits these could provide. The evaluation of the sensors has identified that Council can achieve efficiencies in waste collection, therefore additional bin sensors are being planned to be installed in bins located in public spaces.
A.53	Place Management & Communications	Undertake planning for the delivery of the Burwood Urban Park, Arts and Cultural Centre (BUPACC)	On Track	<p>During the reporting period Council commenced promotion and public notification on the progress of the BUPACC. This included website updates, e-newsletter promotion, a printed newsletter distributed to over 13,000 residents and social media posts.</p> <p>Work on the BUPACC has continued. The design of the project has progressed with a Development Application lodged for assessment in August 2022. It is expected that the application will be determined in early 2023 and if approved the project will progress with detailed design and planning for construction delivery.</p>
A.54	Place Management & Communications	Develop and introduce Place Management Framework across the organisation	On Track	<p>Over the past six months Council has introduced a new multi-disciplinary approach to the planning, design and management of public spaces through the delivery of tactical place-making activities in an effort to de-risk, test and pilot new ideas.</p> <p>To further support this work into the future, the development of a draft Place Management Framework has been prepared to build confidence, increase momentum and promote a shared understanding of place-making principles across the organisation. Extensive desktop research and engagement has been undertaken to inform the draft framework.</p> <p>Council has since engaged a non-profit social enterprise who specialise in place-making and place improvement to further inform the development of the framework, providing education and training services to capacity build staff and key stakeholders, creating an evidence base for future strategies. It is anticipated that the final framework will be completed in March 2023.</p>

Places for people cont'd

Action Code	Responsible Officer Unit	Action	Status	Comments
A.55	Place Management & Communications	Undertake planning for the delivery of projects funded under WestInvest	On Track	<p>On 4 October 2022, Treasurer Matthew Kean announced that over \$20 million would be injected directly into the Burwood LGA to support the delivery of eight new ambitious projects as part of the WestInvest fund (Local Government Allocation Round).</p> <p>Planning has commenced for the delivery of these projects including the preparation of tender documentation, communication and stakeholder engagement plans, traffic studies and budget reviews.</p> <p>To support the delivery of these projects Council has developed an internal resourcing strategy which has seen the engagement of new project managers and positions responsible for communication and engagement functions, program reporting, monitoring and evaluation.</p> <p>Council is awaiting the receipt of funding deeds from the Department of Premier and Cabinet, at which time formal delivery will commence.</p> <p>Council has also been advised that announcements of successful projects under the competitive round of funding are due to be released in January 2023.</p>
A.56	Assets & Design	Implement Masterplans for major parks and reserves	On Track	<p>Construction of the new Grant Park Inclusive Playspace has been completed and was opened on 30 November 2022.</p> <p>Construction of the Burwood Park Pond, Sensory Garden and Nature Play project commenced in September 2022 and works are ongoing.</p> <p>Council has applied for WestInvest grant funding in the competitive stream for Flockhart Park Upgrade Works which includes the Playground upgrade.</p> <p>A decision on the grant funding application is expected in January 2023.</p>







Sustainable & protected environment



We work together to protect our natural resources and assets to ensure that our impact on the environment is reduced so we and future generations can live in a clean and sustainable environment.

Sustainable & protected environment cont'd

The urban forest and natural environment are maintained, enhanced and connected

Maintain and increase green spaces, the urban tree canopy, natural shade and enhance biodiversity corridors

Action Code	Responsible Officer Unit	Action	Status	Comments
A.57	Operations	Undertake scheduled maintenance program for parks, reserves, playgrounds, sports fields and open spaces	On Track	Major Parks scheduled maintenance program for Burwood Park, Henley Park, Wangal Park, Blair Park and Flockhart Park is ongoing. Scheduled maintenance and upkeep of reserves is ongoing.
A.58	Assets & Design	Implement the Street Tree Management Strategy	On Track	Planting of trees was undertaken in George Street, Burwood to mark National Tree Day on 29 July 2022. The Street Tree Masterplan has been completed and Council finalised the planting locations for the further 500 street trees in the most suitable locations to best increase the urban tree canopy and reduce the overall temperature of the urban environment. Planting of the 500 additional trees across the LGA is underway with approximately 90% completed.
A.59	Property	Explore options for potential park expansions at Henley Park and Russell Street Reserve to deliver additional green open space	On Track	Council has secured over \$20 million in grants, to be injected directly into the Burwood LGA through the delivery of eight new projects to rejuvenate and improve our local communities. This funding will enable Council to deliver better local facilities, new open spaces, activated streets and convenient new services close to home. \$814,641 of this funding has been allocated to the Henley Park and Russell Reserve Expansions which will create 1,450 square metres of additional green open space. Both park expansion projects are expected to commence in the first half of 2023.



Sustainable & protected environment cont'd

People and infrastructure contribute positively to the environment and respond to climate

Deliver efficiency and innovation in the use of resources

Action Code	Responsible Officer Unit	Action	Status	Comments
A.60	City Planning	Implement the 'big moves' identified in the Sustainable Burwood Strategy	On Track	<p>Burwood Council is presently implementing a Food Organics and Garden Organics (FOGO) trial for a select number of households. The trial is currently in the evaluation phase and will be reviewed in the early part of 2023.</p> <p>Council has also adopted a 100% green energy plan across all properties. This initiative is also being promoted to households and businesses as a way of reducing the carbon footprint of energy consumption.</p> <p>In addition, Council is also reviewing the current Vehicle Fleet Policy with a view to encouraging the transition to hybrid or all electric vehicles.</p>
A.61	City Planning	Investigate the provision of vehicle charging stations across the LGA, including the introduction of new planning controls to encourage electric charging infrastructure	On Track	<p>Work has commenced on the development of an EV Strategy for the Burwood LGA. Council is also a member of the EV Working Group established by Southern Sydney Regional Organisation of Councils (SSROC).</p> <p>The Strategy will identify actions for implementation to encourage the delivery of EV Charging infrastructure.</p>
A.62	City Planning	Implement new initiatives with the community to reduce, reuse or recycle waste	On Track	<p>A program of initiatives is being developed that will ensure the delivery of three new initiatives to reduce, reuse and recycle waste. This has included the implementation of a FOGO trial and business support for the implementation of the NSW Government ban on single use plastics.</p>

Develop strong planning controls to protect and support a green and sustainable environment

Action Code	Responsible Officer Unit	Action	Status	Comments
A.63	City Planning	Research plans and opportunities for the creation of public open spaces as part of the planning of the Burwood North Precinct	On Track	This action is being considered as part of the Burwood North Masterplan. Scenario testing has been conducted on a range of options including dispersed, consolidated and hybrid models of open space provision. Investigations have also been undertaken to identify national and international best practice in relation to open space provision within existing urban areas.
A.64	City Development	Identify opportunities to encourage the provision of publicly accessible open space or other landscape features such as roof top gardens as part of new developments	On Track	Extensive landscape and urban design improvements have been included in major developments approved for the Burwood RSL Club and Holdmark developments with an emphasis on the provision of public art. Other current projects have been identified which have the potential to support new public spaces or laneways. Through the use of Voluntary Planning Agreements (VPA), funding has been secured to deliver the BUPACC project alongside the Burwood Place development. This project will include over 2,000 square metres of open space and underground community facilities.
A.65	City Planning	Work with developers to promote sustainable development	On Track	Work is ongoing to update the DCP to include objectives and provisions to ensure sustainability outcomes in new development.
A.66	Community Safety	Respond to and address complaints relating to building non-compliance	On Track	Council responded to 154 building related complaints during the period. These complaints were commenced as per the service level provisions and actioned accordingly.





Sustainable & protected environment cont'd

Improve waste reduction, recycling and re-using practices in homes, workplaces, development sites, public places and Council assets

Action Code	Responsible Officer Unit	Action	Status	Comments
A.67	City Planning	Work with business and community to reduce waste, improve recycling practices and reduce single use plastics	On Track	Council has supported the NSW Government in the roll-out of the single use plastics ban which came into effect on 1 November 2022. This has included locally based information and social media campaign, information seminars and direct contact with businesses.
A.68	City Planning	Evaluate the FOGO trial and implement service expansion based on evaluation results	On Track	Implementation of a FOGO service across the LGA is a requirement which needs to be enacted by 2030. A FOGO trial is currently being undertaken and its success will be measured by an audit, which is being undertaken externally and was due to be completed by the end of November 2022. A report will be presented to Council in early 2023 with an overview of the success of the trial and options for implementation moving forward.
A.69	Operations	Deliver scheduled domestic and business kerbside waste and recycling collection service	On Track	Every residential premise is provided with a regular, scheduled waste and recycling service. Council collects over 27,000 residential bins each week. Council business waste services have ceased, and businesses now organise private waste collection services.
A.70	Operations	Conduct bin audits and provide information to encourage correct recycling practices	On Track	Detailed bin audits will be undertaken across financial year 2022/2023, in partnership with SSROC to provide a like-for-like benchmark across our region. SSROC has recently engaged a professional auditor for this project.
A.71	Operations	Deliver booked household waste collection clean-up service	On Track	Council continues to deliver ongoing waste collection clean-up services. Over 60 scheduled bulk household collections are provided every week.
A.72	Operations	Deliver litter management/removal service for major parks	On Track	Litter management and removal is provided at Council parks, with over 100 litter bins emptied each week.





Vibrant city & villages



Our business and entertainment precincts are economically sustainable and prosperous where residents, workers and visitors enjoy diverse retail, dining and entertainment experiences and interesting places that are attractive, active and welcoming.

Thriving city and centrally located, strategic business and employment hub within Sydney

Promote Burwood as a great place to live, work, visit and invest in

Action Code	Responsible Officer Unit	Action	Status	Comments
A.73	Place Management & Communications	Undertake marketing and promotional campaigns that promote Burwood as a destination and support local business	Completed	<p>During the reporting period Council launched two campaigns solidifying Burwood as a thriving destination for businesses. These campaigns were:</p> <ul style="list-style-type: none"> Council in collaboration with the Burwood Asian Business Partnership successfully reactivated the Burwood Chamber of Commerce. Council promoted and marketed the initiative through its business e-newsletters (reaching over 1,400 businesses), community e-newsletters (12,000 people), WeChat (1,300 people) and Facebook (7,100 people). Over 100 people attended the launch event which attracted existing and prospective Burwood business owners. In November 2022, Council launched the Deane Street Transformation project. Unique marketing methods were undertaken to promote the space/activation events including the engagement of social media influencers with over 100,000 followers and use of platforms such as Broadsheet. Focus was also placed on attracting high quality and diverse business offerings e.g. Messina Gelato to Burwood.
A.74	Community and Culture	Coordinate the Shopfront Improvement and Enforcement Programs	On Track	Round Two of the Shopfront Improvement Program was successfully implemented with several local businesses receiving funds. Round Three was opened in December 2022 and is due to close in March 2023. Extensive promotion is underway to encourage local businesses to participate in this initiative.



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

Action Code	Responsible Officer Unit	Action	Status	Comments
A.75	Place Management & Communications	Undertake research and consult with stakeholders to deliver business support programs	Completed	<p>Council has successfully supported the reactivation of a strong sole Chamber of Commerce in Burwood. Over 100 local businesses attended the launch with Council providing six months temporary administration support to the Chamber, to better promote and protect the interests of the business community in Burwood.</p> <p>Council together with the State MP and Strathfield Council, hosted a successful business breakfast with over 40 local businesses attending.</p> <p>Council continues to disseminate digital Local and State Government business support information to over 1,400 businesses through regular business e-newsletters.</p> <p>During the reporting period, 12 local businesses were promoted on social media through Mayoral visits, reaching over 3,300 people.</p> <p>Council successfully delivered the NSW Small Business Month networking event in November 2022 with over 60 people in attendance. Council subsidised 75% of the cost of facility hire for small business owners in Burwood throughout the month.</p>
A.76	City Planning	Undertake initiatives that support new economic growth in the Burwood North Precinct and Burwood Town Centre	On Track	<p>As part of the development of the Burwood North Masterplan an analysis will be undertaken with respect to opportunities for employment based land uses. In addition, we will be working closely with the Council's Executive Manager, Place Management & Communications to develop an RFQ to appoint a consultant to undertake a comprehensive strategy, which will include an Economic Development Discussion Paper, Night Time Economy Strategy, Burwood After Dark Implementation Plan and a Visitation and Future Investment Prospectus.</p> <p>This work will be ongoing and actions identified in the Strategy will be translated into planning controls in the LEP and DCP.</p>

Vibrant city & villages cont'd

Safe, clean and activated streets, centres and public places are enjoyed by people day and night

Develop place planning to activate the CBD, high streets and villages to support local businesses and foster local identity, creativity and culture

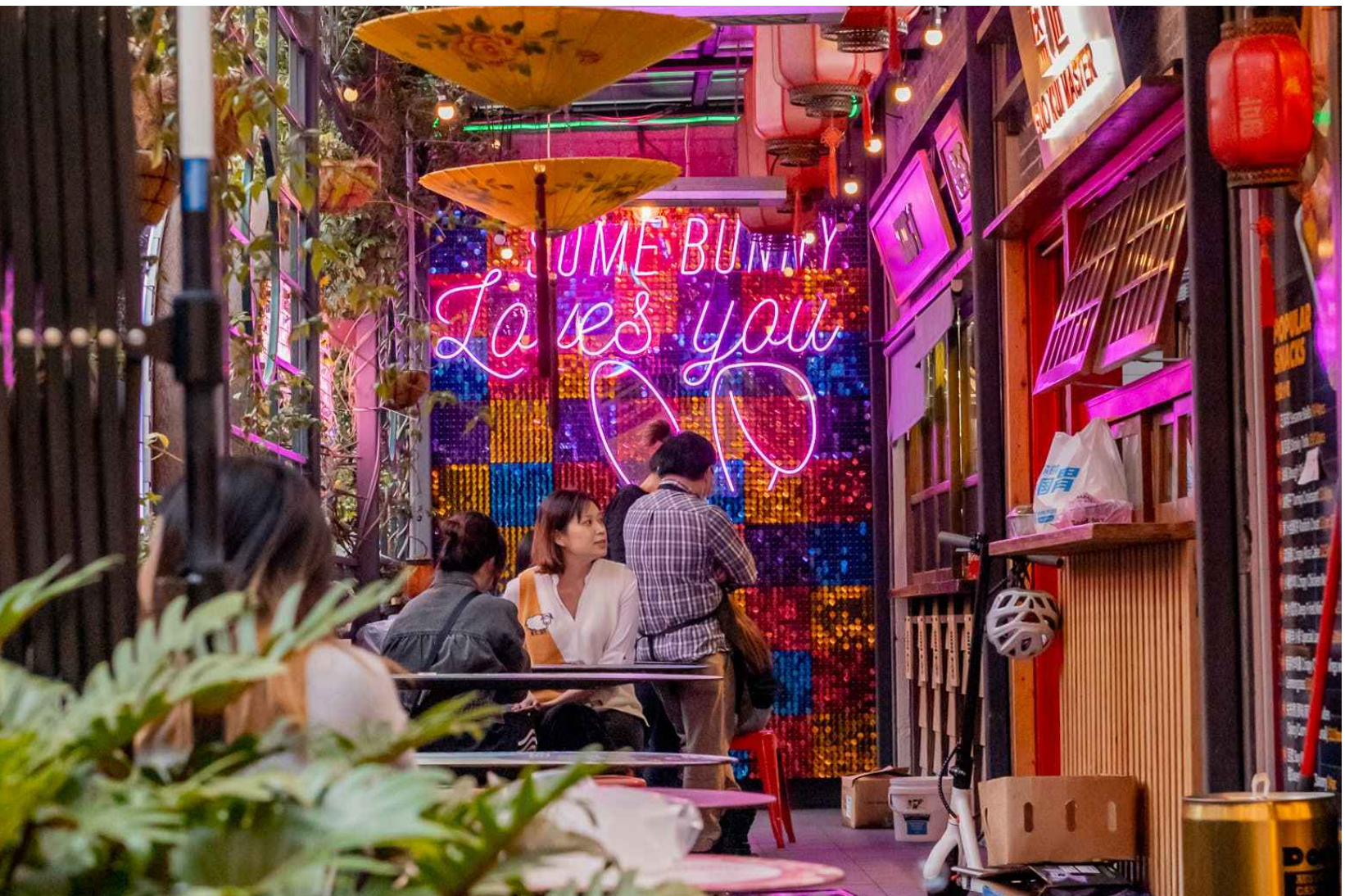
Action Code	Responsible Officer Unit	Action	Status	Comments
A.77	Place Management & Communications	Prepare the Burwood Night Time Acceleration Plan to enhance the 24-hour economy	On Track	<p>Using the NSW Government's Local Area Acceleration Toolkit for Councils, a draft Night Time Acceleration Plan has been prepared. The Plan has assisted Council in identifying key stakeholders, opportunities for alignment with State Government strategies and the resources required to start executing.</p> <p>During this time, Council was able to secure funds to enable more detailed research to be undertaken as well as the subsequent engagement of a specialist consultant in February 2023 to prepare an Economic Development Discussion Paper, Night Time Economy Strategy and Visitation and Future Investment Prospectus. The Strategy will also feature a four year implementation plan for Council.</p> <p>Council has continued a very productive dialogue with government agencies including Investment NSW and Destination NSW to inform the preparation of this documentation.</p> <p>These strategic documents are anticipated to be completed by June 2023.</p>
A.78	Community and Culture	Develop a sponsorship prospectus to support the growth of large-scale festivals and events	On Track	The development of a sponsorship prospectus has commenced and is due for completion in May 2023.
A.79	Community and Culture	Implement Council's public art program to enhance and foster local identity and activate public spaces	On Track	<p>The 2022/2023 Public Art Program has four projects planned for delivery by June 2023. Council has already delivered both the Enfield Murals Project and the Deane Street project.</p> <p>The Enfield Murals Project saw the commissioning of three large scale murals as a part of the broader Enfield Revitalisation Project while the Deane Street project involved delivery of a floor mural and wall mural.</p> <p>By June 2023 Council also plans to deliver the Burwood Bus Depot Mural and a First Nations Banners project in Burwood Park.</p> <p>Council is also working towards the delivery of two sculptural installations for September 2023 at Burwood Park and Luke Avenue.</p>

Action Code	Responsible Officer Unit	Action	Status	Comments
A.80	Community and Culture	Develop and coordinate arts and cultural programs, including the Burwood Art Prize	On Track	<p>Entries for the 2023 Burwood Art Prize were opened in November 2022. Council has made significant changes to the Prize including:</p> <ul style="list-style-type: none"> • Expanding entries to all Sydney based artists • Introducing three new artwork mediums • Increasing the prize pool and establishing a permanent ongoing theme for the Prize <p>As well as expanding the Prize and exhibition parameters, Council is also working towards significantly expanding the public programming element of the project in order to provide further opportunities for cultural programs and activations to the community. These programs will cross-over many different cultural and artistic disciplines so as to connect to the Art Prize as well as reach a broader range of the community whilst continuing to activate The Hub.</p> <p>The exhibition will be hosted from May to June 2023.</p> <p>Council also held an Arts and Cultural Forum to facilitate the coming together of local individuals and agencies and begin the exploration of opportunities to work together.</p>



Vibrant city & villages cont'd

Action Code	Responsible Officer Unit	Action	Status	Comments
A.81	Operations	Implement scheduled program of sweeping of streets, Council car parks, commercial and town centres	On Track	Council undertakes daily street sweeping of CBD areas and sweeps all streets in the LGA every three weeks. Car parks are swept and litter picked at least weekly.
A.82	Operations	Undertake mowing of verges for residents who are pensioners/ with a qualifying medical condition	On Track	Scheduled mowing planned and programmed for the residents who are pensioners with a qualifying medical condition. New residents are also added to the maintenance schedule as approved. Frequency of mowing scheduled is every eight weeks.
A.83	Operations	Deliver the Safe and Clean Program across key town centre locations	On Track	The Safe and Clean Program continues to be implemented in the Burwood CBD and satellite shopping centres. Satellite shopping centres include Strathfield, Croydon, Enfield and Croydon Park Business Districts. Financial year to date, safe and clean staff have removed 4,030 litres of rubbish, 210 advertising posters, 212 spills and moved 444 trolleys off pedestrian walkways.
A.84	Major Capital Works & Projects	Undertake the Enfield Revitalisation Project	Completed	The Enfield Village Revitalisation Project was completed successfully within budget and ahead of schedule. The Project sought to improve access and beautify Enfield's shopping precinct, creating a gateway welcome to visitors and residents of the LGA and neighbouring suburbs. Existing concrete footpaths have been upgraded to all paving. Landscape planting has added colour and vibrancy to the area in the form of trees and hedges. Street furniture has also been improved and increased in quantity. Three major public artwork pieces have been installed to represent the history of Enfield Village. Banner arms have also been added to Burwood's banner cycle. The improved connectivity and accessibility of Enfield has been well received by the public, creating a new legacy within the LGA for the community to thrive within.



Vibrant city & villages cont'd

Plan and deliver infrastructure, services and information which safeguard public health and support community safety

Action Code	Responsible Officer Unit	Action	Status	Comments
A.85	Community Safety	Carry out a regular program of inspections of development sites to ensure compliance with safe and sustainable practices	On Track	Building Sites in the LGA are patrolled daily with around 30 sites patrolled per day. Currently Council commences action for any breaches of the provisions when they are observed. The number of building sites can fluctuate based on commencement of new sites and completion of current sites.
A.86	Community Safety	Undertake scheduled and responsive inspections of cooling towers, water systems, food, health, beauty and cosmetic premises to identify and respond to risks	On Track	Council has undertaken its inspection program for boarding houses, restricted premises, hair, beauty and cosmetic premises. Food and Cooling Towers inspection will commence from December 2022 until June 2023.
A.87	Community Safety	Conduct regulatory inspections of health (pollution-land/water/noise/air), overgrown vegetation, boarding houses, water drainage and tree regulatory functions	On Track	The Environmental Health and the Community Safety Teams regulate the health provisions. All complaints received are commenced within the service time levels and matters are actioned accordingly.
A.88	Community Safety	Deliver campaigns and provide initiatives to support the health of food premises	On Track	A range of programs were conducted in the quarter focusing on food safety - these programs included a site seminar at Burwood Plaza for all food related businesses, educational awareness programs as listed on the educational calendar and the promotion of the "Scores on Doors" Program. These programs work in conjunction with health inspections and management of complaints.

Action Code	Responsible Officer Unit	Action	Status	Comments
A.89	Traffic & Transport	Undertake road safety campaigns and run targeted programs and initiatives to promote safety around schools and town centres, pedestrian and cycling safety	Completed	<p>Several Road Safety Programs are run each year with an aim of reducing accidents and educating the public on road rules and behaviour improvements.</p> <p>Programs include:</p> <p>#OnTheRoad - social media engagement program with targeted posts each Monday on local areas of concern</p> <p>Slow Down campaign - targets streets which have a percentage of recorded accidents which were contributed to speed</p> <p>Child Safety Restraint Check program - provides a free installation/check of any child seats by a qualified installer. Child restraint fitting days were run on 2 August, 25 October, 23 November and 21 December 2022</p> <p>Graduated Licensing Scheme - workshops to help new drivers gain the correct knowledge by educating parents and carers who will be accompanying new learner drivers. A workshop was held online on 23 November 2022</p> <p>Safety Around Schools program - weekly email outreach and school newsletter engagement. Regular visits to local schools pick up drop off zones are undertaken to ensure that the road environment surrounding the school is safe</p>
A.90	Property	Implement scheduled program of public toilet cleaning	On Track	<p>An Expressions of Interest (EOI) is currently being developed to establish a new panel of providers for the provision of cleaning services.</p> <p>Council owns nine community facilities (some with multiple rooms for hire), two operations facilities and multiple park amenities that require scheduled and/or ad-hoc cleaning.</p> <p>The EOI will seek qualified and experienced organisations for the provision of cleaning services to Council through the establishment of a pre-qualified cleaning panel, after a selective tender process.</p> <p>The EOI is estimated to be advertised via VendorPanel in January 2023.</p>
A.91	Operations	Deliver services to address illegal dumping, graffiti and abandoned trolleys in public spaces	On Track	<p>Council continues to deliver programs to reduce and manage illegal dumping, graffiti and abandoned trolleys in public spaces.</p> <p>Grffiti is being removed from Council property and infrastructure as it is reported.</p> <p>Council has removed over 570 trolleys from public land and investigated over 220 illegal dumping events to December 2022 with material either removed by Council or by the responsible dumper where identified in each illegal dumping event.</p>

Vibrant city & villages cont'd



Action Code	Responsible Officer Unit	Action	Status	Comments
A.92	Operations	Implement program of maintenance and upgrades of local roads, footpaths, kerbs and gutters based on condition data	On Track	Council's Assets Team developed a priority list for road re-sheet and rehabilitation works, kerb and gutter, and footpath renewal program based on the condition assessment. Concrete works for program year 2022/2023 is well underway and roadworks have been scheduled to commence on 5 December 2022. To date, this financial year Council has completed 1.56 km of kerb and gutter, 3,129 square metres of footpath, 8,021 square metres of road re-sheet/construction, 308 signs repaired/replaced and 54 square metres of graffiti removed.
A.93	Operations	Maintain and clean the stormwater drainage network and clear blocked pits	On Track	Council's civil maintenance teams are continuously cleaning and maintaining the drainage networks. Burwood LGA has been divided into zones for the Civil Team to inspect and clear blockages and undertake necessary drainage works.
A.94	Community Safety	Provide information and relevant campaigns to raise community awareness of companion animal responsibilities	On Track	Three animal awareness programs were delivered as listed in the educational calendar program. These programs were focused on owner responsibilities, off leash and registration requirements.
A.95	Community Safety	Undertake compliance inspections on dangerous and restricted dogs	On Track	All inspections on dangerous and restricted dogs have been conducted as per the annual requirements.





Open & collaborative leadership



A strong local democracy with an actively engaged community who are listened to, respected and who trust in our leaders experiences and interesting places that are attractive, active and welcoming.

Open & collaborative leadership cont'd

A well informed community active in civic life, local planning and decision making

Deliver strategic, relevant communications which facilitate understanding, dialogue and participation

Action Code	Responsible Officer Unit	Action	Status	Comments
A.96	Place Management & Communications	Utilise existing channels and explore new methods of communication to keep our community informed and enhance Council's reach and reputation	On Track	<p>During the reporting period 28 e-newsletters were emailed to over 12,000 subscribers. A 12-page newsletter was distributed to aged care facilities and 17,000 households LGA wide. Over 20 communications, marketing and engagement campaigns were delivered utilising videos, brochures, flyers, letters, postcards, digital displays, e-signatures, street flags, banners, surveys and merchandise.</p> <p>During the reporting period, Facebook had a reach of 56,272 with 68.9% increase. Instagram has also increased by 40.5% with over 9,938 reach, and Twitter over 21,800 impressions.</p> <p>LinkedIn has had a 50% increase in followers over the past six months.</p> <p>Council's multicultural communication also continues to expand with WeChat growing to over 1,350 followers.</p>



Action Code	Responsible Officer Unit	Action	Status	Comments
A.97	Governance & Risk	Ensure all public information is accessible and made available in a timely manner	Monitor	<p>A preliminary program outline has been developed and will be further refined in the coming months, whilst priority attention was given to the review of critical policy instruments in accordance with legislative requirements.</p> <p>During the reporting period 16 new/updated documents have been made available online:</p> <ul style="list-style-type: none"> • Library Strategic Plan 2022-2027 • Disability Inclusion Action Plan 2022–2026 • Burwood Park Plan of Management • Unity Place Plan of Management • Property Strategy 2022 – 2026 • Code of Conduct for Councillors • Code of Conduct for Staff • Code of Conduct for Committee Members, Delegates of Council, Council Advisers, Volunteers, Contractors • Procedures for the Administration of the Codes of Conduct • Code of Meeting Practice • Community Facilities and Parks Hire Policy • Gifts and Benefits Policy • Interaction Between Council Officials Policy • Councillor Briefings and Workshops Policy • Internal Audit Charter • Burwood Public Art Guidelines for Developers
A.98	Governance & Risk	Determine information access applications lodged in accordance with the Government Information (Public Access) Act	On Track	<p>67 formal applications were completed in the reporting period – a 266% increase in comparison with the same period in 2021.</p> <p>55 informal applications were completed – down by a little over 15% in comparison with the same period in 2021.</p> <p>Processing met or well exceeded minimum requirements for timeliness in processing. No internal reviews were required.</p> <p>Business improvement work to streamline the online application process for formal applications is on track for implementation in January or February 2023 - it will accommodate easy payment of the application fee at the same time the request is lodged and eliminate delays of two or more business days in finalising payment processing before work on an application can officially proceed.</p> <p>Work commenced on the annual revision of the Agency Information Guide as well as the Proactive Release Program.</p>

Open & collaborative leadership cont'd

Provide opportunity for engagement with the community to inform Council's decision-making

Action Code	Responsible Officer Unit	Action	Status	Comments
A.99	Place Management & Communications	Undertake comprehensive community engagement programs to seek community input on Council projects, operations, initiatives and major decisions	Completed	<p>During the reporting period Council exhibited 28 new projects on Participate Burwood that attracted 18,759 views by 6,742 visitors.</p> <p>There have been 804 project contributions by 804 contributors and 57 new followers.</p> <p>Council implemented an extensive community engagement program to inform the further development of the BUPACC project, including seven face-to-face community consultation stalls, two community workshops, 45 online survey responses and a number of key stakeholder meetings engaging approximately 30 community members.</p> <p>Council has also conducted comprehensive research and consulted with the community extensively on the draft Community Engagement Strategy.</p> <p>1,157 contributions were gathered including 406 online and face-to-face surveys and 406 phone surveys, 120 pop-ups and pop-in sessions, 43 in-depth interviews and 98 online poll responses.</p>
A.100	Community and Culture	Facilitate interagency networks and advisory committees to provide opportunities for collaboration and participation	On Track	<p>Council appointed a newly expanded Multicultural Advisory Committee increasing the diversity and representation on the Committee. The Committee meets bi-monthly and has assisted in the development of a successful application to Multicultural NSW for a \$7,000 Harmony Day event.</p> <p>Council has also established a Disability Inclusion Advisory Panel who have met to begin working on the Disability Inclusion Action Plan actions and addressing other barriers and opportunities as they arise. Council continues to convene the regional Child and Family Interagency for local service providers, and maintains the annual workplan of this body.</p>
A.101	Place Management & Communications	Prepare Council's Community Engagement Strategy in accordance with the Integrated Planning and Reporting legislation	On Track	<p>Council has conducted comprehensive research and consulted with the community extensively on the development of the draft Community Engagement Strategy.</p> <p>1,157 contributions were gathered including 406 online and face-to-face surveys, and 406 phone surveys, 120 pop-ups and pop-in sessions, 43 in-depth interviews and 98 online poll responses.</p> <p>Council adopted the draft Community Engagement Strategy at the December 2022 Council Meeting and it is currently on public exhibition until 1 February 2023. Following the receipt of community feedback, the final report will be tabled at the February 2023 Council meeting for endorsement.</p>

Effective, innovative and collaborative leadership is underpinned by open, transparent and responsible governance

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

Action Code	Responsible Officer Unit	Action	Status	Comments
A.102	People & Performance	Undertake corporate planning and reporting	On Track	During the reporting period, the Half-Yearly Report and Annual Report were completed and endorsed by Council. The 2023/2024 Operational Plan is currently under development.
A.103	Finance	Comply with financial management responsibilities to promote transparency and accountability	On Track	In accordance with the Office of Local Government's Quarterly Budget Reporting Guidelines, the September 2022 Budget Review was undertaken in October 2022 and submitted to the November 2022 Council meeting.
A.104	Finance	Implement and monitor appropriate investment strategies and prepare monthly investment reports	On Track	<p>Council has developed an Investment Strategy and an Investment Policy through a third party Investment Advisor which are reviewed regularly.</p> <p>Council invests surplus funds with various financial institutions during the year. These invested funds have been receiving at least 0.25 basis points above the RBA official rate at time of investing. Council staff ensured that these invested funds are in secure financial instruments.</p> <p>Staff ensured that Council were made aware of all Invested Funds through a monthly report tabled at Council meetings in accordance with legislative requirements.</p>



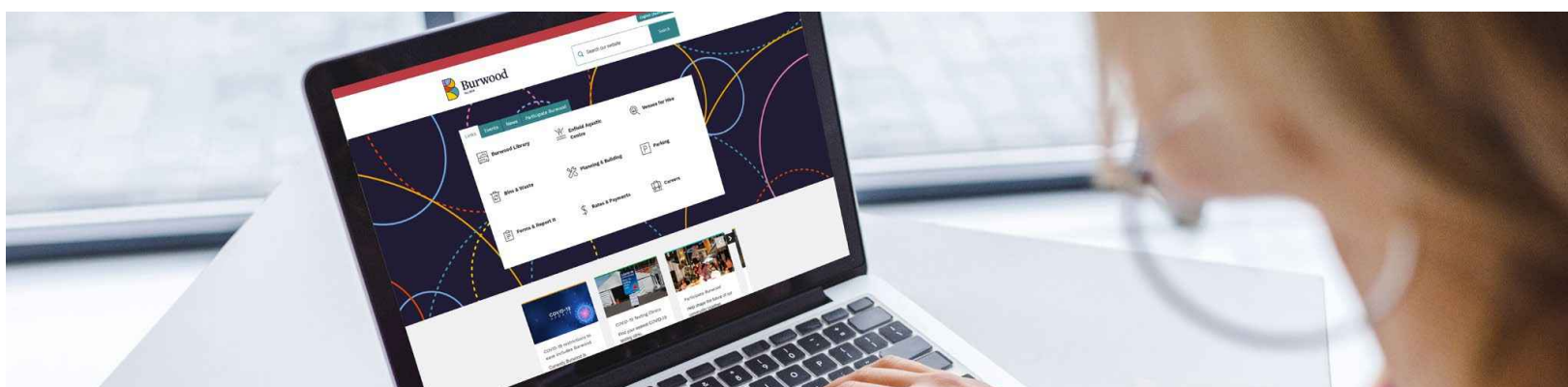
Open & collaborative leadership cont'd

Action Code	Responsible Officer Unit	Action	Status	Comments
A.105	Property	Manage Council's property portfolio to optimise financial returns from Council owned properties	On Track	<p>Council has secured tenants for its Belmore St and half of its Elsie St Burwood investment properties.</p> <p>Subdivision works have commenced to divide the 2,400 square metre Elsie St property into four tenancies in preparation for two of the four tenancies to be leased in Q1 2023.</p> <p>Council has secured the NSW Electoral Commission to lease one portion of the Elsie St property for a period of four months whilst active marketing continues for the remaining portion of the premises.</p> <p>The lease of the 527 square metre Belmore Street property is currently being finalised and is set to commence on 1 March 2023.</p> <p>Council's Railway Pde property has recently become available and has had significant interest. As such, an EOI campaign is currently being run by Council's appointed leasing agent with the EOI scheduled to close on 16 January 2023.</p> <p>Council will continue to explore other income generating opportunities from property related activities and facilitate Council's drive toward financial sustainability.</p>
A.106	Property	Secure competitive pricing agreement from electricity retailers for the supply of Council's grid and renewable energy requirements	Completed	<p>As part of the SSROC, Burwood is one of 25 Councils who has entered into an Electricity Supply Agreement with ZEN Energy Retail Pty Ltd for the energy supply of its small and large market sites. All power to Burwood's facilities will be 100% driven by renewable energy as of 1 January 2023. Worth approximately \$180 million, the milestone retail electricity agreement will deliver over 214 gigawatt hours of electricity per year to 25 councils across NSW and will be delivered from three solar farms in rural NSW. It involves the supply of electricity to over 300 major council facilities, more than 210,000 street lights and more than 3,000 small sites managed by councils. The 25 participating councils collectively represent over 3 million people, which is almost 38% of NSW population. The agreement commences 1 January 2023 and runs to 2026 with an option to extend to 2030.</p>

Action Code	Responsible Officer Unit	Action	Status	Comments
A.107	Property	Develop business case with financial modelling and delivery plan for Council's Operation Centre	On Track	<p>As part of the review and planning of Council's current Operations Centre located at 8 Kingsbury Street, a structural assessment was undertaken on the 60+ year old mechanics and stores buildings. It was reported that the structural integrity of the buildings require urgent attention. Council has commenced the planning of the demolition of two buildings and is investigating options to accommodate the Operations Centre pre and post the demolition work.</p> <p>Council has also recently undertaken a service strategy review of Council's Operations Centre as part of a feasibility assessment to ensure that it will meet the current and future operational service requirements of the Burwood LGA, is fit-for-purpose and provides an operational asset that contributes to efficient service delivery.</p> <p>Council is also currently pursuing funding opportunities to assist in the review, planning and design delivery of its 8 Kingsbury Street site.</p>
A.108	Governance & Risk	Convene the Audit, Risk and Improvement Committee (ARIC) to provide independent oversight and support continuous improvement	On Track	<p>Meetings of the ARIC were convened in August, October and November 2022 as per schedule. The October 2022 meeting was dedicated to the review of the statement of financial audit prepared by the Audit Office of NSW.</p> <p>During the reporting period improvements were made to tools for business paper production and the monitoring of progress against management commitments in response to completed internal audits.</p> <p>A comprehensive audit of Work Health and Safety practices was conducted during the reporting period and reviewed by the ARIC at its November 2022 meeting.</p>
A.109	Governance & Risk	Develop a Records Management Strategy based on insights from Records Management Assessment Tool analysis	Monitor	<p>Commencement of work on this deliverable has had to be delayed due to unexpected resource constraints. The constraints have arisen from the delay in commencement of a major software upgrade to the Council's electronic document and records management system. Resources have been further stretched due to urgent attention required to rehouse a significant collection of physical records that that became exposed to risk of loss or damage.</p>
A.110	Governance & Risk	Develop and implement a comprehensive records digitisation program	On Track	<p>A proposal for a five-year program that would eliminate the need to retain any physical records was prepared. The approach outlined in the program has had to be reconsidered as the result of the urgent need to rehouse locally held inventory with a commercial supplier. However, the rehousing need provided an opportunity to fast track some important costing work that is paving the way for prompt action on the program.</p>

Open & collaborative leadership cont'd

Action Code	Responsible Officer Unit	Action	Status	Comments
A.111	Governance & Risk	Deliver a progressive and accountable framework to support Councillors and Burwood Local Planning Panel	On Track	The spread of meetings and requirements for notice of Council meeting business comfortably met all statutory obligations. 14 Councillor briefings/workshops were convened on topics as diverse as WestInvest grant bids, a proposal to participate in a NSW Government sponsored e-scooter trial, affordable housing and preparations for development of the Burwood North Precinct Masterplan (many of these sessions qualified as professional development opportunities for Councillors). Councillors Faker, Crichton, Esber, Mannah and Cutcher attended individual and/or conference based professional development opportunities - these included company director skills, urban planning, transport emissions management and annual conferences for both the Australian Local Government Association and Local Government NSW. There were sufficient matters for referral to be able to proceed with three of the six scheduled Burwood Local Planning Panel meetings.
A.112	Information Technology	Develop and adopt Cyber Security Framework which complies with NSW Cyber Security Policy	On Track	A Cybersecurity Incident Response Plan has been developed in line with Cyber Security NSW Policy framework and is presently in draft form. After formal adoption, several tabletop exercises and simulations will be organised to provide a better understanding of possible scenarios, their impacts and required responses.
A.113	Information Technology	Implement Cyber Security Mitigation initiatives	On Track	Council has implemented secure authentication methods on many of its platforms and plans are in place to expand this to more applications in the coming period. Council has also continued to update and modernise systems and processes to ensure cyber security mitigations are up-to-date.



Deliver innovation and excellence in customer experience and services delivery

Action Code	Responsible Officer Unit	Action	Status	Comments
A.114	Customer Experience & Business Improvement	Undertake a review of service standards against current industry benchmarks and ensure services available reflect community expectations and customers are attended to in line with service standards	On Track	<p>A review of service standards was conducted by the National Local Government Benchmarking Comparative Report. Burwood Council is performing above the mean Local Government service level targets of 80.1% of calls answered with 57 seconds and 80% of customers served at the counter within five minutes.</p> <p>During the period of 1 July 2022 to 14 December 2022, the number of customers served at the Customer Service Counter was a total of 612 with 94.8% being served within five minutes. The number of calls received within the call centre during this period of time was 13,918 with 86.08% being answered in less than 40 seconds.</p>
A.115	Customer Experience & Business Improvement	Implement Customer Feedback Program to track real-time satisfaction with Council services	On Track	Customer feedback devices and a feedback mechanism on staff email signatures provide a voice for the customer and provide a benchmark for Council to measure the customer experience. During the period Council received an overall Customer Experience Score (CX) of 7.9 based on 5,217 ratings across the organisation.
A.116	Place Management & Communications	Prepare biennial Community Satisfaction Survey	On Track	<p>Preparation has commenced on the administration of Council's fourth series of benchmarking community surveys.</p> <p>The biennial Community Satisfaction Survey will engage a representative sample of the community to measure the overall satisfaction levels with Council's performance. The survey will be administered in early 2023 and will be completed by April 2023.</p>
A.117	Customer Experience & Business Improvement	Conduct Mystery Shopping Program across Council	Completed	A comprehensive Mystery Shopping program across Council was conducted in December 2022. Council created a customer focused survey for phone calls and in-person visits. Shoppers were engaged to either call or visit nominated departments and complete a questionnaire to provide feedback on their experience. The results will drive the ongoing improvement of services across Council.
A.118	Customer Experience & Business Improvement	Prepare Customer Experience Strategy	On Track	Council has commenced the development of a Customer Experience Strategy which is due for completion in 2023. As part of this, Council has analysed information from a number of sources to determine the key customer experience drivers. Council has reviewed best practice customer-focused initiatives to ensure we meet our customers needs and improve their experience with Council.

Open & collaborative leadership cont'd

Action Code	Responsible Officer Unit	Action	Status	Comments
A.119	Customer Experience & Business Improvement	Develop a service review program of core Council functions to deliver improved services and efficiencies	On Track	Council conducted several comprehensive reviews of core functions including our Operations Team, the Parks Operations Team and Operations Centre. A review of Council's Financial Services was commenced which will conclude in 2023. Other business improvement reviews included the Animal Companion Register, Promotion and Charitable Collections Permit and 2P Parking Permits functions. The Works On Council Property - Road Closure Permit process was also reviewed and streamlined to enable customers to access additional prepaid permits at short notice. Reviews of three Library services were also conducted as part of the implementation of the Library Strategy.
A.120	Information Technology	Implement year 1 actions of Council's Digital Strategy	On Track	<p>With a view to provide a better customer experience, Council has implemented an Asset Management Software Solution to manage Council assets. During the reporting period the solution was deployed on mobile devices for staff to facilitate and expedite action on work orders in the field.</p> <p>A review of existing information systems and requirements for suitable software solutions has commenced in order to identify the best long term solution for Council.</p> <p>Migration of Council's Telephony system with Software-as a-Service platform is scheduled to commence in February 2023.</p>



Build and maintain strong partnerships and advocate on behalf of the community

Action Code	Responsible Officer Unit	Action	Status	Comments
A.121	Community and Culture	Investigate options for shared use of school facilities	On Track	A partnership between Council and Schools Infrastructure NSW has resulted in the opening of the multipurpose courts at Burwood Public School to the community every weekend from 9am to 6pm over a one year trial. This included extensive collaboration, infrastructure works, communicating and engaging with residents and community.
A.122	City Planning	Work with SSROC to champion new sustainable technologies, policies and procedures	On Track	<p>Council continues to work closely and partner with SSROC on the development of policy and DCP requirements to ensure the delivery of new sustainable technologies.</p> <p>Members of the City Planning Team are currently part of a SSROC working group for the development of an electric vehicle (EV) charging framework. The objective of this working group is to develop guidelines, policy or directions for councils covering EV infrastructure, suitable locations, use of public land and other council requirements, while ensuring equity for community and service providers.</p> <p>This work is ongoing.</p>
A.123	Place Management & Communications	Seek funding opportunities that address Council and community needs	Completed	<p>During the reporting period, Council's total grant income was \$4.6 million.</p> <p>Most notably, Council successfully obtained over \$20 million from the State Government for the delivery of eight new ambitious projects through the WestInvest fund:</p> <ul style="list-style-type: none"> • \$6.6 million for the Burwood Main Street Transformation • \$3.9 million for the Deane Street Precinct Transformation • \$2.7 million for the Henley Park Sports Field Upgrade • \$814,641 for the Henley Park and Russell Reserve Expansion • \$2.2 million for the Strathfield Place Making • \$2.5 million for the Burwood Park Inclusive Play Space • \$1.2 million for the Woodstock Sensory Garden • \$876,150 for the Burwood Library Pod <p>Council also successfully obtained \$5,000 from NSW Small Business Month to deliver a successful 'Connect for Success' networking event in November 2022.</p> <p>Over 60 small business owners gathered to network, hear from two keynote speakers and discover what Council and State Government supports are on offer.</p>
A.124	People & Performance	Implement Year 1 actions of the Workforce Management Plan	Monitor	Progress on Year 1 of the actions of the Workforce Management Plan is being made with a significant portion of the actions due to be completed in the second half of the 2022/2023 financial year.



Follow Council @BurwoodCouncil
www.burwood.nsw.gov.au

2 Conder St, Burwood NSW 2134
PO Box 240 Burwood NSW 1805

P 02 9911 9911
E council@burwood.nsw.gov.au



(Item 10/23) Budget Review for Quarter Ending 31 December 2022

File No: 23/2389

Report by Acting Director Corporate Services

Summary

The 2022-2023 Budget was adopted at the Council Meeting held on 28 June 2022 with a surplus of \$4,877. The adopted budget was prepared on the basis of the organisational structure that included five Directorates and the General Manager, (City Assets, City Strategy, Community Life, Corporate Services and People & Performance).

This report provides Council with the financial results for the period ending 31 December 2022, in the 2022-2023 Financial Year. In accordance with Clause 203(1) of the *Local Government (General) Regulation 2005* (the Regulation) the Responsible Accounting Officer is required to prepare and submit to Council a budget review statement no later than two months after the end of each quarter (except the June Quarter).

The following Statement of Budget Income and Expenditure identifies a forecast funding surplus of \$3,302 as at 31 December 2022 compared to the September revised surplus of \$9,495.

The reasons for the net decrease of \$6,193 are outlined in the report, additionally Council will need to continue to closely monitor and review budgets with particular focus on identifying opportunities for additional grants and internal savings moving forward.

Operational Plan Objective

A.102 Comply with financial management responsibilities to promote transparency and accountability

Background

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

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

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

This requires Council to:

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

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

BURWOOD COUNCIL							
Statement of Budget Income & Expenditure							
as at 31 December 2022							
Income							
Type	Budget	Adopted Variations September	Amended Budget	Recommended Amendments	Forecasted Year End	Reference	Actuals
Rates & Annual Charges	(35,414,334)	(203,440)	(35,617,774)	(120,629)	(35,738,403)	1	(35,697,807)
User Charges & Fees	(9,827,851)	(54,000)	(9,881,851)	(49,000)	(9,930,851)	2	(4,617,663)
Interest & Investment Revenue	(650,000)	-	(650,000)	(385,686)	(1,035,686)	3	(779,761)
Other Revenue	(4,893,342)	-	(4,893,342)	(274,625)	(5,167,967)	4	(2,586,035)
Rental Income	(2,349,582)	-	(2,349,582)	740,000	(1,609,582)	5	(773,456)
Operating Grants & Contributions	(2,896,889)	(669,180)	(3,566,069)	(593,878)	(4,159,947)	6	(1,379,528)
Capital Grants & Contributions	(16,300,651)	(2,967,436)	(19,268,087)	(21,526,110)	(40,794,197)	7	(4,166,670)
Carryover Grants	-	-	-	-	-	8	-
Total Income	(72,332,649)	(3,894,056)	(76,226,705)	(22,209,928)	(98,436,633)		(50,000,921)
Expenditure							
Type	Budget	Adopted Variations September	Amended Budget	Recommended Amendments	Forecasted Year End	Reference	Actuals
Employment Costs	23,025,870	(578,960)	22,446,910	(834,597)	21,612,313	9	10,100,577
Borrowing Costs	335,191	-	335,191	-	335,191	10	146,490
Materials & Services	23,615,465	4,904,463	28,519,928	2,714,868	31,234,796	11	11,487,549
Depreciation	10,412,886	-	10,412,886	-	10,412,886	12	5,025,015
Other Expenses	999,625	82,116	1,081,741	-	1,081,741	13	993,122
Total Expenditure	58,389,037	4,407,619	62,796,656	1,880,271	64,676,927		27,752,753
Net Operating Result	(13,943,612)	513,563	(13,430,049)	(20,329,657)	(33,759,706)		(22,248,168)
Net Operating Result before Capital Items	2,357,039	3,480,999	5,838,038	1,196,453	7,034,491		(18,081,498)
Funding Statement							
Net Operating Result	(13,943,612)	513,563	(13,430,049)	(20,329,657)	(33,759,706)		(22,248,168)
<i>Add Back Non Cash Items</i>							
Depreciation	(10,412,886)	-	(10,412,886)	-	(10,412,886)	14	(5,025,015)
Movement in ELE	-	-	-	-	-		-
Adjusted Net Operating Result	(24,356,498)	513,563	(23,842,935)	(20,329,657)	(44,172,592)		(27,273,183)
Source of Capital Funds							
Sale of Assets	(825,000)	-	(825,000)	-	(825,000)	15	(97,749)
Loan Funding	-	-	-	-	-	16	-
Transferred From Section 7.12	(1,700,450)	(227,109)	(1,927,559)	(416,000)	(2,343,559)	17	-
Transferred From Reserves	(2,395,000)	(6,317,818)	(8,712,818)	(556,522)	(9,269,340)	18	-
Add Back Non Cash Property	-	-	-	-	-		-
Funds Available	(29,276,948)	(6,031,364)	(35,308,312)	(21,302,179)	(56,610,491)		(27,370,932)
Funds Utilised:							
Acquisition of Assets	17,281,225	6,026,746	23,307,971	21,478,372	44,786,343	19	6,399,816
Loan Principal Repayment	728,701	-	728,701	-	728,701	20	362,011
Lease Liability Principal Repayment	217,145	-	217,145	-	217,145	21	124,102
Transfer to Section 7.12	10,030,000	-	10,030,000	-	10,030,000	22	-
Transfer to Reserves	1,015,000	-	1,015,000	(170,000)	845,000	23	-
Budget Result	(4,877)	(4,618)	(9,495)	6,193	(3,302)		(20,485,002)

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

Total Income from continuing operations

Income from continuing operations was originally forecast at \$72,332,649. At the September review this was increased to \$76,226,705. As at December there has been a further increase of \$22,209,928 to \$98,436,633. The major items resulting in this forecast income adjustment include:

Reference 1 – Rates and Annual Charges - An increase in Council's Rating Base of \$120,629 attributed to an increase in residential strata units coming on line and the re-categorisation of property within the Local Government Area of \$91,523 and an increase in the Domestic Waste Management Charges of \$29,106.

Reference 2 – User Charges and Fees - An increase of \$49,000 attributed to the following;

- An increase in Community Room hire of \$29,000 due to increased patronage.
- An increase of \$100,000 in Car Parking income, on street and off street income nearing pre-Covid levels.
- A decrease in of \$80,000 in Event Hire income, Burwood Festival cancellation.

Reference 3 – Interest & Investment Revenue – An increase of \$385,686 attributed to the following;

- A final dividend of \$85,686 in relation to Lehmann Brothers Australia litigation case stemming back to the Global Financial Crisis (GFC) 2008.
- An increase of \$300,000 in investment income due to the RBA continually raising interest rates during the six months.

Reference 4 – Other Revenue - An increase of \$274,625 attributed to the following;

- An increase in Parking Fine enforcement of \$350,000 this figure is nearing pre-Covid collection levels, however this figure is partially offset by an increase in processing charges highlighted in Reference 11 - Materials and Services.
- An increase in Regulatory Fines and Costs of \$30,000 relating to increased policing of business premises.
- An increase of \$50,000 relating to WH&S Workers Compensation contributions not originally budgeted. Offset against Reference 11 – Materials and Services
- A decrease of \$150,000 in Impounding Fees for abandoned Shopping Trolleys due to new legislation introduced inhibiting Council impounding shopping trolleys.

Reference 5 – Rental Income – A decrease of \$740,000 in rental income in relation to premises 1a Railway Pde, 49 Belmore Street and 1-17 Elsie Street.

Reference 6 – Operating Grants and Contributions – An increase in Operating Grants and Contributions of \$593,878 attributed to the following;

- An increase in the Library Per Capita Grant of \$13,876 for 2022-23 financial year not expected during the budget process. Offset against Reference 11 – Materials & Services
- A \$500 grant from Transport NSW in relation to road safety programme (Plan B), Offset against Reference 11 – Materials & Services
- A grant of \$150,000 from Department of Planning & Environment for Burwood North Precinct Traffic & Transport assessment. Offset against Reference 11 – Materials & Services
- A grant of \$269,999 from Department of Planning & Environment for Flood Management programme. Council is also required to contribute \$135,001 toward the project, Council's contribution is sourced from Stormwater Management Capital Works. Offset against Reference 11 – Materials & Services

- \$41,921 grant monies carried over from 2021-22 financial year toward Public Art projects. Offset against Reference 11 – Materials & Services
- A grant of \$24,000 received from the Australia Day Council the celebrations of Australia Day within the Burwood Local Government area. Offset against Reference 11 – Materials & Services
- A Grant of \$114,582 from Local Government NSW for Open Space Canopy Enhancement throughout the Burwood Local Government area. Offset against Reference 11 – Materials & Services.
- A contribution of \$16,000 from Burwood RSL toward Library Creative programmes and Midnight hours at the Library and Community Hub. Offset against Reference 11 – Materials & Services.
- \$37,000 reduction in contributions (Sponsorship) in relation to Christmas Tree Lights and Carols.

Reference 7 – Capital Grants and Contributions – An increase of \$21,526,110 in Capital Grants and Contributions attributed to the following;

- \$809,319 grant monies carried over from 2021-22 financial year toward Public Art projects. Offset against Reference 11 – Materials & Services
- Grants totalling \$20,716,791 for various projects allocated to Burwood Council from the Department Premier and Cabinet (WestInvest). (Burwood Main Street Transformation, Deane Street Precinct, Henley Park Sports Field, Park Extensions, Burwood Park Inclusive Play Space, Strathfield Place, Woodstock Sensory Garden and Burwood Library Pod). Offset against Reference 19 – Acquisition of Assets

Total Expenditure from continuing operations

Expenditure from continuing operations was originally forecast at \$58,389,037. At the September Review it was increased to \$62,796,656. As at December 2022 there is a further increase of \$1,880,271 to \$64,676,927. The major items resulting in this forecast expenditure adjustment include:

Reference 9 – Employment Costs - An overall decrease in Employee costs of \$834,597 is attributed to, but not limited to:

- Savings from various Business Units Wages and Salaries components of \$528,000 for the funding of Contractors – Temporary Staff who are employed to fill vacant positions within the organisation. Areas which required the transfers during the quarter were Risk Management, Community Life, Customer Service, Parking Enforcement, Asset Management, EAC, Operations Centre and Parks Operations. A commensurate offset in Reference 11 – Materials and Services.
- A review of all Employee costs throughout Council was undertaken and a savings of \$290,000 found to assist with the balancing of the budget. These savings in part were due to vacancies which were not filled through Contractors – Temporary Staff.

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

Reference 11 – Materials and Services - An additional expenditure amount of \$2,714,868 was attributed to various movements within Business Units throughout the budget. Significant movements and additional funding requests were:

- Contracted Temporary Staff - \$528,000 to fill various positions throughout the organisation. These funds were in part sourced from savings within Wages and Salaries respective budgets. Reference 9 – Employment Costs.
- Consultancy expenses of approximately \$561,800 to support the following functions:

- Burwood North Precinct - Traffic & Transport assessment, Reference 6 - Operating Grants & Contributions - \$150,000
- Floodplain Management Programme - Surveyor and Technical Advice, Traffic & Transport assessment, part funding Reference 6 Operating Grants & Contributions and Reference 19 – Acquisition of Assets - \$405,000
- City Assets and Recruitment – Technical Advice - \$61,800
- Public Art grant monies carried over from 2021-22 \$851,240. Reference 6 and 7 - Grants and Contributions
- Australia Day grant expenses of \$24,000. Reference 6 - Operating Grants and Contributions
- \$16,000 Library Contributions toward Library Creative programmes and Midnight hours at the Library and Community Hub. Reference 6 - Operating Grants and Contributions
- An additional amount of \$13,876 expenditure due to increase in Library Per Capita grant funding. Reference 6 - Operating Grants and Contributions
- An additional \$50,000 relating to WH&S Workers Compensation. Offset against Reference 4 – Other Revenue
- Additional \$31,500 required for General Maintenance of Council's Community buildings due to high occupation. Reference 2 – User Charges and Fees
- An amount of \$200,000 required for additional Fine processing charges. Offset against Reference 4 – Other Revenue
- An amount of \$115,000 required to move Council Records located at the Operations Centre to more secured premises whilst works are completed in the demolition of a couple of buildings.
- Costs associated with the relocation of the Operations Centre staff whilst works are completed in the demolition of a couple of buildings \$100,000. Offset 18 – Transferred from Reserves
- An additional \$115,000 required for increased costs associated with maintaining newly installed Garden Beds and Hanging Baskets throughout the local area.
- An additional amount of \$35,000 required for recruitment expenses due to the amount of staff being recruited to fill vacant positions.
- Additional \$40,000 from Footpath Landscaping to Streetscape Maintenance for removal of street pole. Reference 19 – Acquisition of Assets
- A savings of \$94,606 in expenditure with the cancellation of the Burwood Festival due to inclement weather, however an additional amount of \$48,941 was required for the Christmas Tree Lights and Carols event.

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

Capital Expenditure

Reference 19 – Acquisition of Assets - Council's original adopted 2022-2023 Capital Budget, per Delivery Plan, was \$17,281,225. At the September review it was increased to \$23,307,971. As at December there is a further allocation of \$21,478,372 bringing the total Capital Works programme to \$44,786,343.

Capital Plant, Equipment and Other Assets:

Actual Expenditure to 31 December 2022 represents 14.43% of the revised budget as shown in the table below.

Property Acquisitions/Disposals:

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

Capital Works Program:

During the December quarter review the Capital Program Working Party assessed and revised the 2022-2023 Capital Works Program based on recommendations from the respective Project Managers and Council initiatives, the following adjustments have been made:

- Westinvest Grants totalling \$20,716,791 has been allocated to Burwood Council from the Department Premier and Cabinet (WestInvest).
 - Burwood Main Street Transformation - \$6,585,000
 - Deane Street Precinct - \$3,897,000
 - Henley Park Sports Field - \$2,734,000
 - Park Extensions - \$814,641
 - Burwood Park Inclusive Play Space - \$2,469,000
 - Strathfield Place - \$2,173,000
 - Woodstock Sensory Garden - \$1,168,000
 - Burwood Library Pod - \$876,150.
- A reduction of \$135,001 from Stormwater Management Capital programme transferred to Floodplain Management Grant as Council's contribution. Reference 11 – Materials and Services
- An increase of \$400,000 for Infrastructure Road works within the Burwood Town Centre. Reference 17 – Transfer from Section 7.12 Reserve.
- An allocation of \$345,000 for Capital works at the Operations Centre (Demolition of two Council's Buildings. Reference 18 – Transfer from Reserve.
- An allocation of \$100,000 for Elsie Street Commercial Fit out to enable leasing of premises. Reference 18 – Transfer from Reserve.
- Reallocation of \$20,000 from Traffic Facilities Capital toward the replacement of Tree Lighting at The Strand and Georges River precinct. No financial change to budget.
- Transfer of \$40,000 from Footpath Landscaping to Streetscape Maintenance for removal of street pole. Reference 11 – Materials & Services
- A reduction in Corporate projects of \$39,000 to fund additional expenditure relating to Christmas Carols and Tree Lighting. Reference 11 – Materials & Services
- \$114,582 grant Open Space Canopy Enhancement throughout the Burwood Local Government area. Reference 6 - Operating Grants and Contributions
- \$16,000 additional funding required for paving works at 267 Georges River Road. Offset against Reference 17 – Transferred from Section 7.12 Reserve.

BURWOOD COUNCIL							
Statement of Capital Income & Expenditure							
Budget Review as at 31 December 2022							
Income							
Adopted Variations							
Capital Expenditure	Budget	September	Amended Budget	Recommended Amendments	Forecasted Year End	Reference	Actuals
Renewal Assets (Replacement):							
Fleet Capital Acquisitions Sales	1,650,000	-	1,650,000	-	1,650,000	19	185,106
Furniture and Equipment	-	-	-	-	-	19	-
Grant Funded Capital Works	507,503	-	507,503	-	507,503	19	179,326
Roads	1,550,000	1,232,100	2,782,100	400,000	3,182,100	19	384,439
Traffic Facilities	225,000	45,651	270,651	(34,500)	236,151	19	144,321
Footpaths	520,000	(30,000)	490,000	2,000	492,000	19	309,927
Kerb & Gutter	495,000	27,700	522,700	-	522,700	19	262,471
Drainage	2,495,955	1,108,360	3,604,315	(135,001)	3,469,314	19	723,806
Park Improvements	3,370,500	819,079	4,189,579	(10,000)	4,179,579	19	590,587
Playground Equip	250,000	752,346	1,002,346	(90,000)	912,346	19	871,279
Street Furniture	520,000	84,341	604,341	84,582	688,923	19	77,568
Public Domain Chargable Works	750,000	-	750,000	16,000	766,000	19	87,984
Library Collection	140,000	-	140,000	-	140,000	19	36,046
Lib Resources	40,000	-	40,000	-	40,000	19	6,408
IT Projects	995,000	238,900	1,233,900	-	1,233,900	19	164,107
Corporate Projects	250,000	82,000	332,000	(26,500)	305,500	19	692,065
Town Centre Beautification	500,000	1,646,469	2,146,469	110,000	2,256,469	19	1,456,307
Council Buildings	2,757,267	-	2,757,267	445,000	3,202,267	19	118,943
Enfield Pool	150,000	19,800	169,800	-	169,800	19	24,055
WestInvest - Stage1	-	-	-	20,716,791	20,716,791	19	64,100
Domestic Waste Collection	115,000	-	115,000	-	115,000	19	20,973
Total Capital Expenditure	17,281,225	6,026,746	23,307,971	21,478,372	44,786,343		6,399,816
Capital Funding							
Rates & other Charges	3,954,876	1,698,628	5,653,504	1,020,260	6,673,764		
Capital Grants & Contributions	(16,300,651)	(2,967,436)	(19,268,087)	(21,526,110)	(40,794,197)		
Loan Funding	-	-	-	-	-		
Domestic Waste Charge	(115,000)	-	(115,000)	-	(115,000)		
Sale of Assets	(825,000)	-	(825,000)	-	(825,000)		
Reserves:							
Section 7.12 Funding	(1,700,450)	(227,109)	(1,927,559)	(416,000)	(2,343,559)		
Reserve Funding	(2,295,000)	(4,530,829)	(6,825,829)	(556,522)	(7,382,351)		
Total Capital Funding	(17,281,225)	(6,026,746)	(23,307,971)	(21,478,372)	(44,786,343)		

Transfers to and From Reserves:

Reference 17 – Transferred from Section 7.12 – An increase of \$416,000 relating to the following projects:

- Infrastructure Road works within the Burwood Town Centre – \$400,000
- Paving works at 267 Georges River Road – \$16,000

Reference 18 – Transferred from Reserves – An increase of \$556,522 relating to the following projects:

- Operations Centre Demolition of two Council Buildings - \$345,000
- Domestic Waste Reserve (part funding SSROC Waste Audit)- \$11,522
- Operations Centre relocation of staff due to demolition of two buildings - \$100,000
- Elsie Street Fit out to enable commercial leasing - \$100,100

Reference 23 – Transfer to Reserve – A decrease of \$170,000 relating to Elsie and 49 Belmore Streets Commercial properties due to continued vacancy.

Cash and Investments Budget Review Statement

Budget Review for quarter ended 31 December 2022						
Cash & Investments						
	Opening Balance as at 1 July 2022 000s	Original Budget 2022-23 000s	Budget Review September 2022-23 000s	Budget Review December 2022-23	Projected Year End Result 000s	Actual YTD figures 000s
Total Cash, Cash Equivalents and Investment Securities	45,594	52,544	45,949	44,807	44,807	49,475
Restrictions						
External Restrictions						
Developers Contributions	8,716	8,330	-277	-416	16,353	16,353
Specific Purpose Unexpended Grants	23				23	23
Loans	2,000		-1,000		1,000	1,000
Stormwater Management	275				275	275
Domestic Waste Management	1,722	-600	-739	-11	372	372
Total External Restrictions	12,736	7,730	-2,016	-427	18,023	18,023
Internal Restrictions						
Plant & Vehicle Replacement	2,091	-600			1,491	1,491
Employees Leave Entitlements	1,189				1,189	1,189
Carry Over Works	1,270		-787		483	483
Deposits, Retentions & Bonds	4,967				4,967	4,967
Financial Assistance Grant (advance)	934				934	934
Information Technology	835	-260	-295		280	280
WHS	429		-50		379	379
Parking Meters Replacement	466	100			566	566
Property Sales	500				500	500
Future Property Investment	3,692	170	-1,033	-170	2,659	2,659
LATMs	294				294	294
Woodstock Community Building	287				287	287
Election	161	120			281	281
Property Maintenance	1,222	-50	-255	-100	817	817
Park Upgrades	770				770	770
Car Park Upgrades	0				-	-
Enfield Aquatic Centre Maintenance/Upgrade	239	50	-19		270	270
Local Environmental Plan	1,045	150	-1,026		169	169
Insurances	0	50			50	50
CCTV	193				193	193
Organisational Alignment	0				-	-
Technology Enhancements	971	-410			561	561
Infrastructure - SRV	1,114		-1,114		-	-
Operations Centre	600	-100		-445	55	55
Business Continuity (operational reimbursement)	600				600	600
Contract Liabilities	7,288				7,288	7,288
Town Centre festive decorations	150				150	150
Other	425				425	425
Total Internal Restrictions	31,732	-780	-4,579	-715	25,658	25,658
Total Restrictions	44,468	6,950	-6,595	-1,142	43,681	43,681
Unrestricted Cash	1,126	1,126	1,126	1,126	1,126	5,794

Council's Current Unrestricted Cash is distorted as Council has received a high volume of rate revenue as at 31 December 2022. The Unrestricted Cash figure will fluctuate during the year as it will be used to fund planned expenditure.

Investments:

Council's investments have been made in accordance with its Investment Policy and the Investment Guidelines issued by the Minister for Local Government at the time of their placement. As at 31 December 2022, Council's investment portfolio stood at \$50,479,435. Council's Investments are tabled on a monthly basis as a separate report.

Cash:

Council's Finance Officers undertake a monthly bank reconciliation, which reconciles funds held in Council's General Fund Bank Account with those within its ledger. The most recent reconciliation was undertaken on 17 January 2023 for the month ending 31 December 2022. The reconciliation was approved by the Financial Operations Accountant and the balance in Council's General Fund Bank Account totalled \$6,206,394.08.

Key Performance Indicators Statement

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

	Performance Indicator	2022-23 Original Budget	2022-23 Budget Sept Review	2022-23 Budget Dec Review	Local Government or NSW Treasury Corp Bench Mark	December quarter Comments
1	Operating Performance Ratio	-4.21%	-10.23%	-12.20%	Greater or equal to break-even	The increase in negativity was caused by reduction in Commercial Income projected along with Operation Centre's additional expenditure during the December 2022 quarter.
2	Consolidated Budget Result	\$4,877 Surplus	\$9,495 Surplus	\$3,302 Surplus	N/A	Current budget tracking to revised result.
3	Unrestricted Current Ratio	2.29:1	4.55:1	3.26:1	Greater or equal to 1.5:1	Currently trending above the benchmark.
4	Debt Service Result	1.90%	1.87%	1.85%	Greater than Zero	Tracking as per Budget.
5	Rates and Annual Charges Outstanding %	5.64%	62.44%	43.35%	Less than or equal to 5%	For the year to 31 December 2022 Council has received \$21,398,660 in payment of Rates, Annual Charges and Interest levied which equates to 56.65% paid.
6	Building and Infrastructure Renewals Ratio	199%	279%	568%	>100% or 1:1	Ratio increased in December quarter due to WestInvest capital works projects brought to account.

- 1. Operating Performance Ratio** - The Operating Performance Ratio measures the ability of Council to contain operating expenditure within operating revenue excluding capital amounts. An indicator of "equal to or greater than zero percent".

2. **Consolidated (Budget) Result** - The Consolidated (Budget) Result is the increase or call on Council funds which shows the source and application of both Operating and Capital Income and Expenditure along with transfers to and from Reserves applicable to those activities. A Surplus is a positive financial indicator.
3. **Unrestricted Current Ratio** - The Unrestricted Current Ratio is an industry based liquidity ratio which measures the serviceability of debt. Over time the preferred level of adherence has shifted from 2:1 (or \$2 in cash for every \$1 of debt) to 1.5:1. Some local government practitioners (including independent auditors) consider 1:1 is satisfactory. Council currently projects to have a ratio of 3.26:1 at years end. A ratio greater than 1.5 is a positive financial indicator.
4. **Debt Service Result** - This ratio measures annual debt service costs (Principal and Interest) against operating result before capital excluding interest and depreciation. NSW Treasury Corporation benchmark suggests an indicator at 2% minimum. A ratio of 2.1 or more is a positive financial indicator.
5. **Rates and Annual Charges Outstanding Percentage** - This indicator measures the collectability of Council's rates and annual charges revenue and highlights the strengths of collection policies and strategies. A ratio of 5% or less is a positive financial indicator. Currently Council has collected 56.65% of the Rates and Annual Charges raised, based on these figures a collection rate for the year will be below the OLG recommended 5% level.
6. **Building and Infrastructure Renewal Ratio** - This ratio indicates the rate of renewal/replacement of existing assets as against the depreciation of the same category of Assets. A ratio greater than one is a positive financial indicator.

Budget Review Contracts and Other Expenses

Part A – Contracts Listing

Contracts entered into by Council during the quarter ending 31 December 2022 which are required to be reported.

Contractors	Contract Details and purpose	Contract Value GST excl	Commencement Date	Duration of contract	Budgeted (Y/N)
BRAK PTY LTD	Replacement of compact sweeper plant	\$127,129	November 2022	28 February 2023	Y
Toro Australia Group Sales Pty Ltd	Replacement Toro GM4010 Air Cab	\$151,488	November 2022	28 February 2023	Y
Information Management Group Pty Ltd	Relocation of Council's physical records	\$115,000	November 2022	December 2022	Y
Renewable Energy Corp Australia Pty Ltd	Mattress collection and recycling	\$184,470	December 2022	December 2025	Y
WMA Water Pty Ltd	Burwood Council LGA Wide Flood Risk Management Study and Plan	\$245,300	December 2022	March 2024	Y

Part B – Legal Expenses

Type	Individual Matter	Expenditure Year to Date	Cost Recovery / Fines YTD
Advice	Legal advice - Power Of Attorney	560.00	
Advice	Division 8.2 Review of Determination Application Of New SEPPs	4,743.00	
Advice	Advice-Burwood Urban park & Burwood Place	3,640.00	
Advice	Legal Advice Public Art Policy	3,000.00	
Advice	Preparation and advice on suite of contract templates	16,132.00	
Advice	Legal 1a Railway Pde - Kiosk	8,654.68	
Advice	Town Planning Legal - Lease advice	12,957.15	
Voluntary	Legal Advice - 17 Dean Street	2,952.60	
Voluntary	Legal Advice - 254/256 Liverpool Road	0.00	2,984.98
Voluntary	Legal Advice - 127-133 Burwood Road Burwood	0.00	2,945.50
Advice	6 Woodside Ave Burwood - dog attack	0.00	990.00
Advice	2 Culdees Road Burwood Heights	7,634.46	
Advice	20A Angelo St Burwood - Liana Sugrono unlawful works	0.00	180.00
Supreme Court	13 Appian Way Burwood	4,511.00	
Advice	Legal Advice - Shopping Trolleys Left on the Roadway	1,050.00	
Advice	Visy Recycling Contract Negotiations	1,117.50	
Advice	Ilias Panas - 9 Badminton Road Croydon Dog Attack	0.00	200.00
Advice	38 Kembla St CroydonPark Prosecution-Unauthorised removal of trees demolition & commenced	560.00	
Advice	7 Deane St & 1 Marmaduke St Burwood - Judicial review of decision of BLPP	1,536.00	
Unlawful Works	20 Seymour Street Croydon Park	3,577.00	
Advice	Council vs Arthur Barber – parking fine number 321368810	0.00	2,100.00
Advice	Council vs Jet Express Plumbing Maintenance Pty Ltd 319-321 Liverpool Rd Strathfield-2 development	0.00	9,850.00
Advice	36 Oxford Street Burwood Order regarding unsafe structure at the rear yard	21,379.03	
Advice	Roller Shutters - Council vs 12 shops on Burwood Road Breach of a Council Order to remove a roller	1,359.35	
Advice	Legal - 18 Appian Way Burwood DA.2021.8 DA.2021.8 - L&E Court Appeal	69,674.25	
Advice	Legal - 4 Sherars Ave DA 2020.84 - Demo of existing structure	260.00	
Land &	Legal action against CASS for illegal use DA -Change of Use for CASS 11 Elm St, Burwood Heights	1,236.42	
Advice	Appeal - Disobey no parking sign - case# 2021/00093842 John Hadchiti	0.00	616.00
Advice	Council vs M/s Carolina Baron- 33 Beresford Ave Croydon Park overgrown vegetation matter at the	6,474.10	
Advice	Council vs Ms Rita Habib - Infringements notice issued for building consent breach at 23 Beaufort Street	3,003.00	3,100.00
Advice	Legal Advice - 23 Victoria Street	9,088.63	
Local Court	Council vs Affordable Demolitions & Excavations Pty Ltd 7-9 Belmore St - Development not accord	1,008.00	
Advice	Council vs Airlie Designs Pty Ltd 7-9 Belmore St - Development not accord consent	1,232.00	2,350.00
Advice	Legal Advice - DA 68 Fitzroy Street Alterations to Boarding House	6,154.00	
Land &	New court case for Illegal Works – Rooftop Penthouse 68-72 Railway Pde and 2-10 Oxford St Burwood	11,811.54	
Advice	Advice - Delegations for Contract and Temporary Appointments	2,275.00	
Advice	Council vs Strathfield Real Estate Management P/L (Devine) Penalty Notice7681475790-A frame on	1,508.00	
Advice	Dog Attack - 23-31 Morwick Street	1,575.00	
Land &	Legal Appeal - 254-256 Liverpool Rd DA2021.132 L&E Court	14,381.20	
Land &	Council vs Elbadoui Aziz Habib L&E Court - Refusal BIC E22/7720 20 Seymour St	4,589.00	
Advice	68-72 Railway Pde and 2-10 Oxford St Burwood Refusal of a S4.44 Modification	640.00	
Advice	Lease transfer Burwood Café	2,218.65	
Advice	Legal Advice - Tender Urban Public Art Projects	1,526.30	
Advice	Review & Advice Construction Variation Claim	11,316.00	
Advice	VPA with HoldMark - Legal advice Burwood Urban park & Cultural Ctr	2,357.00	
Advice	BP Contract Legal Review Burwood Park Sensory Garden	5,000.00	
		252,692	25,316
Annual Budget		395,500	

Conclusion

The current forecast budget result and the variations identified as part of the 31 December 2022 Quarter review have been undertaken by the Executive Team and the Chief Finance Officer.

During this quarter Council has brought to account Grant funding from Westinvest for projects, which will be completed over several years, unspent grant monies will continually be brought forward from one year to the next. Council's Operating Performance ratio has also negatively increased this is due in part to the reduction in Commercial rent from Elsie and Belmore Streets along with the additional operating costs associated with the demolition of two Council buildings at

the Operation Centre (rehousing Council staff and the relocation of Council's records). There were also minor income and expenditure changes made throughout the budget which had minimal effect on the revised projected surplus.

There are a number of budget items that must be closely monitored and reviewed over the next six months, with particular focus being placed on identifying opportunities for additional income and internal expenditure savings. These areas include Enfield Aquatic Centre revenue and expenditure, Enforcement Fine income, Car Parking income, Development Application income, legal and consultancy expenses, Temporary Agency Staff expenses (the filling of current vacancies should become a priority in the next quarter) and Wages and Salaries Overtime.

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

Regulatory Compliance

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

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

"It is my opinion that the Quarterly Budget Review Statement for Burwood Council for the quarter ended 31 December 2022 indicated in the above report, takes into account and reflects the changing economic and other conditions that are currently impacting on Council. Council is in a satisfactory position at present, however this could change if Council's management do not continually monitor their budgets and wherever possible endeavour to minimise excessive and nonessential expenditure, with particular attention being placed on reducing reliance on external contractors and consultants, maintain revenue streams where possible and the delivering of Council's Capital Works programme."

Recommendation(s)

1. That the Budget Review Statement of the 2022-2023 Budget as at 31 December 2022, including the statement by the Responsible Accounting Officer, Chief Finance Officer, be received and noted.
2. That in accordance with Clauses 203 and 211 of the *Local Government (General) Regulation 2005*, the revised estimates of income and expenditure for 2022-2023 surplus of \$3,302, as shown in the report be approved and that Council's adopted budget be adjusted accordingly and that the expenditure and income variations projected in the report and the transfers to and from External and Internal Restricted Reserves be approved.

Attachments

There are no attachments for this report.

(Item 11/23) Investment Report as at 30 November 2022

File No: 22/42774

Report by Acting Director Corporate Services

Summary

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

Operational Plan Objective

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

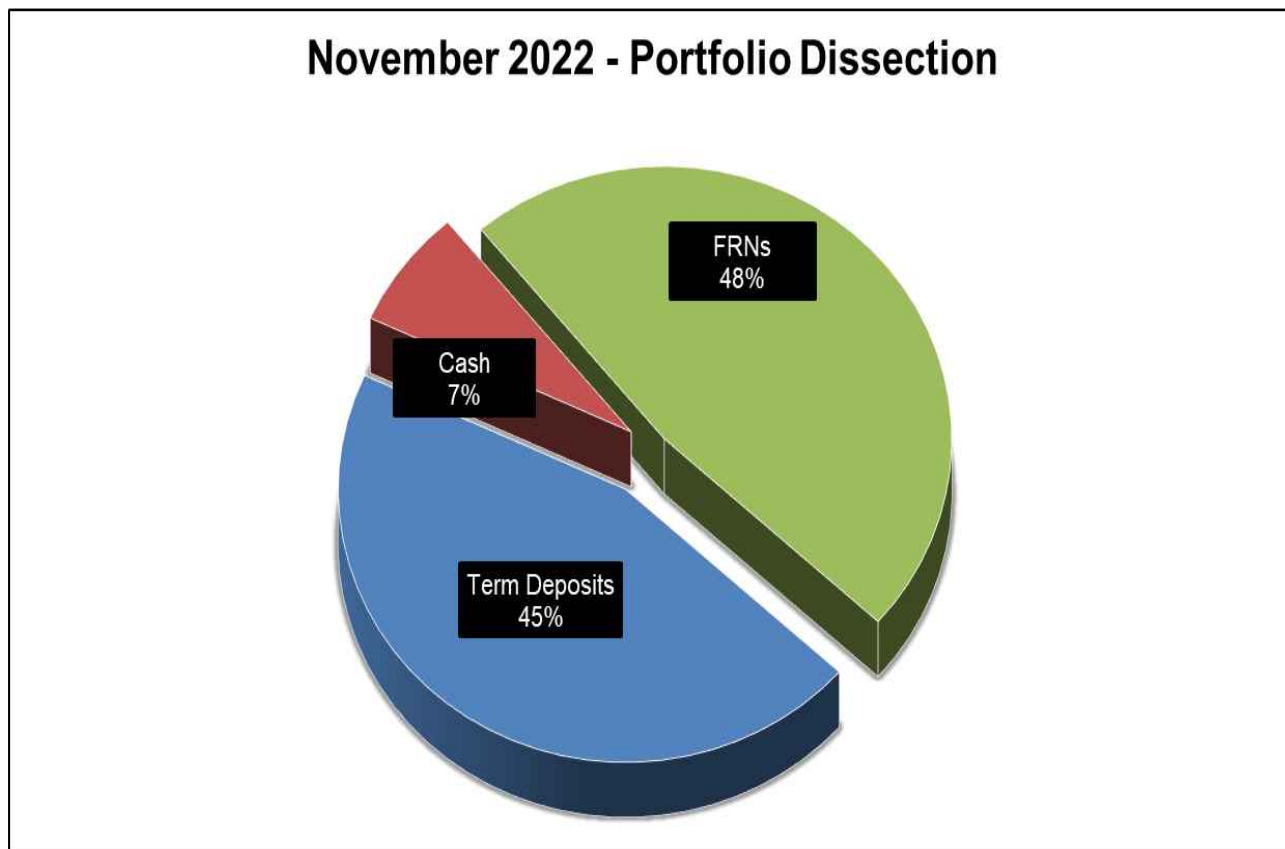
Background

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

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

Investment Portfolio

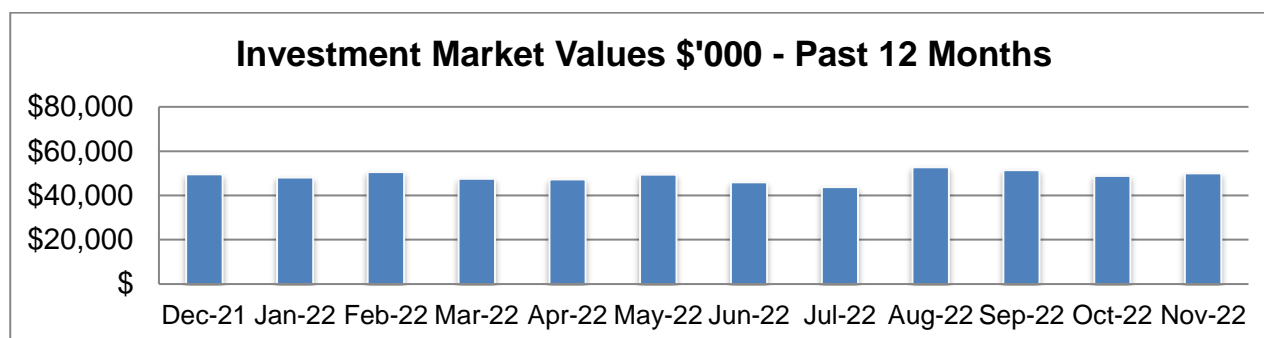
Council has a diversified investment portfolio and has a number of direct investments in term deposits. Its investment portfolio as at 30 November 2022 is:



As at 30 November 2022 Council held the following term deposits:

Purchase Date	Financial Institution	Principal Amount	Interest Rate	Investment Days	Maturity Date
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
15 Aug 22	AMP Bank	4,000,000	3.70%	184	15 Feb 23
08 Sep 22	National Australia Bank	4,000,000	3.18%	91	08 Dec 22
28 Sep 22	National Australia Bank	4,000,000	3.64%	104	10 Jan 23
16 Nov 22	National Australia Bank	4,000,000	3.72%	90	14 Feb 23
Total		22,000,000			

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 6 December 2022, the Board decided to increase the official cash rate by 25 basis points to 3.10 per cent. According to the RBA Governor "... The Board has indicated that Inflation in Australia is too high, at 6.9 per cent over the year to October. Global factors explain much of this high inflation, but strong domestic demand relative to the ability of the economy to meet that demand is also playing a role. Returning inflation to target requires a more sustainable balance between demand and supply.

A further increase in inflation is expected over the months ahead, with inflation forecast to peak at around 8 per cent over the year to the December quarter. Inflation is then expected to decline next year due to the ongoing resolution of global supply-side problems, recent declines in some commodity prices and slower growth in demand. Medium-term inflation expectations remain well anchored, and it is important that this remains the case. The Bank's central forecast is for CPI inflation to decline over the next couple of years to be a little above 3 per cent over 2024.

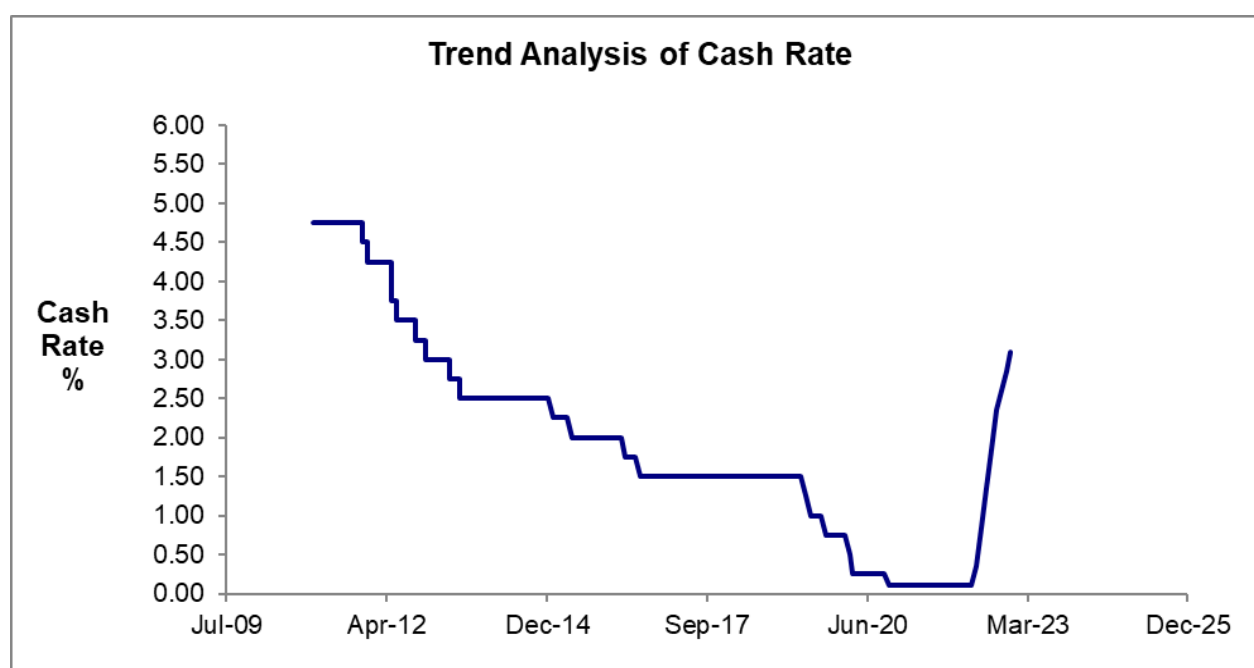
The Australian economy is continuing to grow solidly. Economic growth is expected to moderate over the year ahead as the global economy slows, the bounce-back in spending on services runs its course, and growth in household consumption slows due to tighter financial conditions. The labour market remains very tight, with many firms having difficulty hiring workers. The unemployment rate declined to 3.4 per cent in October, the lowest rate since 1974. Job vacancies and job ads are both at very high levels, although they have declined a little recently. Employment growth has also slowed as spare capacity in the labour market is absorbed. Wages growth is continuing to pick up from the low rates of recent years and a further pick-up is expected due to the tight labour market and higher inflation. Given the importance of avoiding a prices-wages spiral, the

Board will continue to pay close attention to both the evolution of labour costs and the price-setting behaviour of firms in the period ahead.

There has been a substantial cumulative increase in interest rates since May. This has been necessary to ensure that the current period of high inflation is only temporary. High inflation damages our economy and makes life more difficult for people. The Board's priority is to re-establish low inflation and return inflation to the 2–3 per cent range over time.

The Board expects to increase interest rates further over the period ahead, but it is not on a pre-set course. It is closely monitoring the global economy, household spending and wage and price-setting behaviour. The size and timing of future interest rate increases will continue to be determined by the incoming data and the Board's assessment of the outlook for inflation and the labour market. The Board remains resolute in its determination to return inflation to target and will do what is necessary to achieve that. Statement by Philip Lowe, Governor: Monetary Policy Decision – 6 December 2022".

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



Recommendation(s)

1. That the investment report for 30 November 2022 be received and endorsed.
2. That the Certificate of the Responsible Accounting Officer be received and noted.

Attachments

- 1 [↓](#) Investment Register - 30 November 2022
- 2 [↓](#) Investment Types

**BURWOOD COUNCIL
INVESTMENT PORTFOLIO
as at 30 November 2022**

Investment Adviser	Issuer	ADI or N-ADI	Investment Name	Type	Rating S&P	Invested Amount	Market Value as at 30/09/2022	Market Value as at 31/10/2022	Market Value as at Reporting Date	% of Total Invested
Cash										
Council	Commonwealth Bank	ADI	Operating Account	Cash	AA-	3,120,365	6,915,935	8,032,124	3,120,365	6.96
Council	Commonwealth Bank	ADI	Online Saver	At Call	AA-	352,175	350,731	351,394	352,175	0.71
Council	Macquarie Bank	ADI	Accelerator Account	At Call	AA-	0	4,041,487	-	-	0.00
Council	AMP Bank Limited	ADI	AMP Business Saver	At Call	BBB-	1,253	1,252	1,252	1,253	0.00
Council	AMP Bank Limited	ADI	AMP Notice Account	Notice 30 days	BBB-	3,487	3,471	3,478	3,487	0.01
Term Deposits										
Council	National Australia Bank	ADI	National Australia Bank	Term Deposit	AA-	4,000,000	4,000,000	4,018,470	4,028,925	8.07
Council	Westpac	ADI	Westpac	Term Deposit	AA-	3,000,000	3,001,849	3,003,760	3,000,000	6.01
Council	National Australia Bank	ADI	National Australia Bank	Term Deposit	AA-	4,000,000	4,000,798	4,013,164	4,025,131	8.06
Council	National Australia Bank	ADI	National Australia Bank	Term Deposit	AA-	4,000,000	-	-	4,005,707	8.02
Council	Commonwealth Bank	ADI	Commonwealth Bank	Term Deposit	AA-	-	3,006,523	-	-	0.00
Council	AMP Bank Limited	ADI	AMP Business Saver	Term Deposit	BBB-	4,000,000	4,018,652	4,031,222	4,043,386	8.10
Council	National Australia Bank	ADI	National Australia Bank	Term Deposit	AA-	3,000,000	3,001,973	3,004,011	3,005,984	6.02
Term Deposits - Covered Fixed Bond										
Council	Suncorp-Metway Limited	ADI	Suncorp-Metway Limited	Covered Fixed Bond (4.87%) Semi Annual	AA-	1,000,000	-	1,003,450	1,014,160	2.03
Floating Rate Notes										
Council	MyState Bank Ltd	ADI	MyState Bank Ltd	Floating Rate Notes (90 day BBSW +130 bps)	BBB	1,500,000	-	1,502,640	1,508,085	3.02
Council	Suncorp-Metway Limited	ADI	Suncorp-Metway Limited	Covered Floating Bond (90 day BBSW +88 bps)	AA-	800,000	-	800,984	804,264	1.61
Council	Bendigo-Adelaide	ADI	Bendigo Bank & Adelaide Bank	Floating Rate Notes (90 day BBSW mid + 105 bps)	BBB+	1,500,000	1,510,830	1,502,370	1,507,185	3.02
Council	ANZ Group	ADI	ANZ Group	Floating Rate Notes (90 day BBSW mid + 77 bps)	AA-	2,000,000	2,013,960	2,003,900	2,009,660	4.02
Council	Newcastle Permanent Building Society	ADI	Newcastle Permanent Building Society	Floating Rate Notes (90 day BBSW +140 bps)	BBB	1,250,000	1,259,150	1,262,713	1,255,225	2.51
Council	Sumitomo Mitsui Banking Corporation Sydn	ADI	Sumitomo Mitsui Banking Corporation Sydn	Floating Rate Notes (90 day BBSW +110 bps)	A	2,000,000	-	-	2,009,680	4.02
Council	National Australia Bank	ADI	National Australia Bank	Floating Rate Notes (90 day BBSW +41 bps)	AA-	1,500,000	1,478,280	1,477,890	1,475,805	2.96
Council	MyState Bank Ltd	ADI	MyState Bank Ltd	Floating Rate Notes (90 day BBSW +65 bps)	BBB	2,500,000	2,484,575	2,488,400	2,500,575	5.01
Council	Westpac Banking Corporation Ltd	ADI	Westpac Banking Corporation Ltd	Floating Rate Notes (90 day BBSW +80 bps)	AA-	1,800,000	1,807,902	1,809,234	1,804,410	3.61
Council	Commonwealth Bank of Australia	ADI	Commonwealth Bank of Australia	Floating Rate Notes (90 day BBSW +102 bps)	AA-	2,400,000	2,409,768	2,407,584	2,405,064	4.82
Council	Commonwealth Bank of Australia	ADI	Commonwealth Bank of Australia	Floating Rate Notes (90 day BBSW +93 bps)	AA-	2,000,000	2,015,020	2,020,380	2,010,140	4.03
Council	Commonwealth Bank of Australia	ADI	Commonwealth Bank of Australia	Floating Rate Notes (90 day BBSW +113 bps)	AA-	4,000,000	4,057,720	4,034,760	4,049,520	8.11
Grand Total						49,727,280	51,379,875	48,773,179	49,940,186	100.00

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

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.



Wayne Armitage
Chief Finance Officer

Investment Types

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 12/23) Investment Report as at 31 December 2022

File No: 22/47733

Report by Acting Director Corporate Services

Summary

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

Operational Plan Objective

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

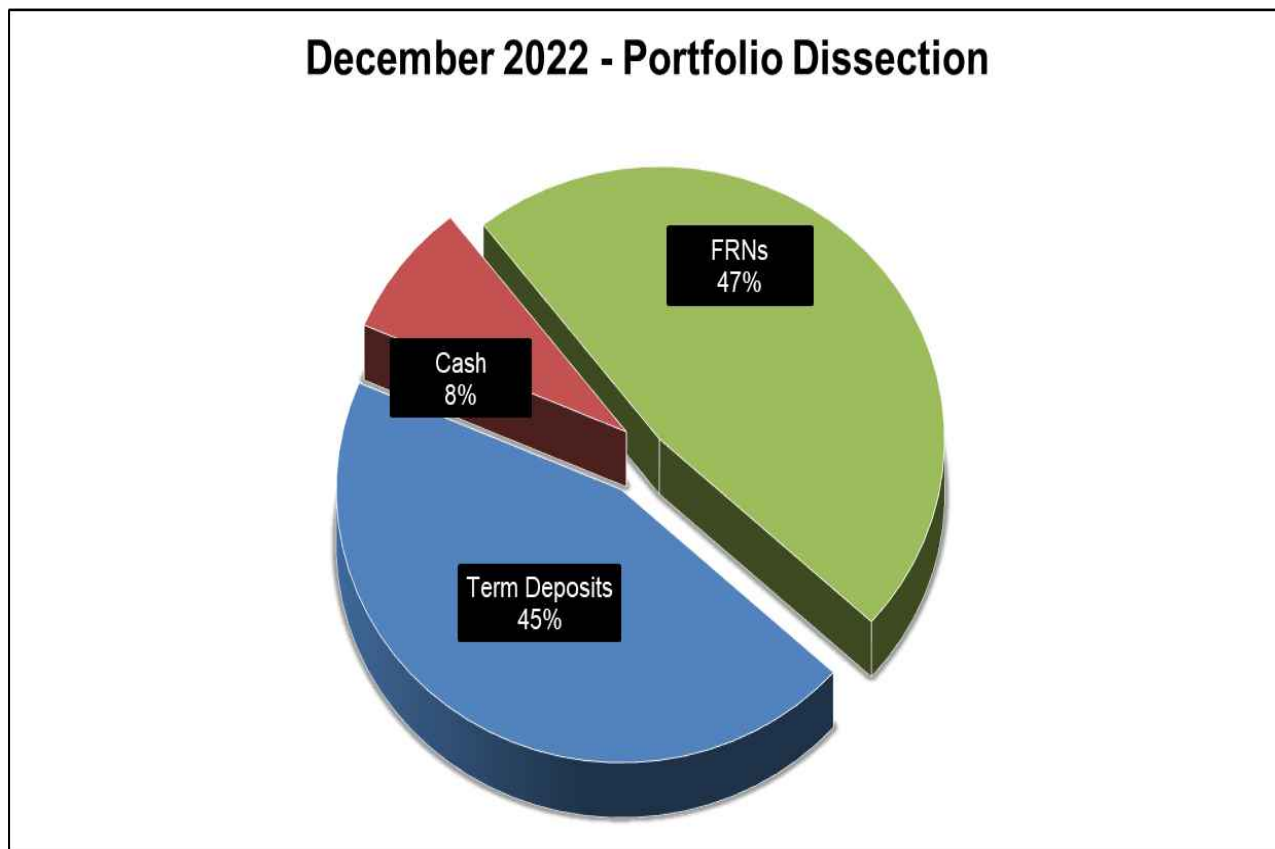
Background

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

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

Investment Portfolio

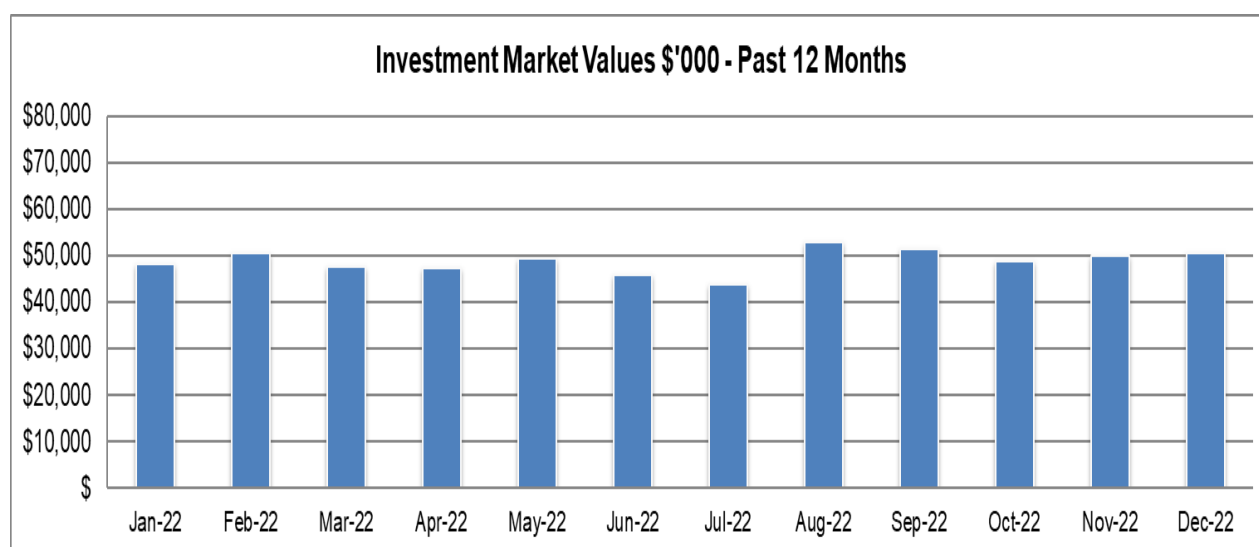
Council has a diversified investment portfolio and has a number of direct investments in term deposits. Its investment portfolio as at 31 December 2022 is:



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

Purchase Date	Financial Institution	Principal Amount	Interest Rate	Investment Days	Maturity Date
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
15 Aug 22	AMP Bank	4,000,000	3.70%	184	15 Feb 23
28 Sep 22	National Australia Bank	4,000,000	3.64%	104	10 Jan 23
16 Nov 22	National Australia Bank	4,000,000	3.72%	90	14 Feb 23
08 Dec 22	National Australia Bank	4,000,000	3.83%	90	08 Mar 23
Total		22,000,000			

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



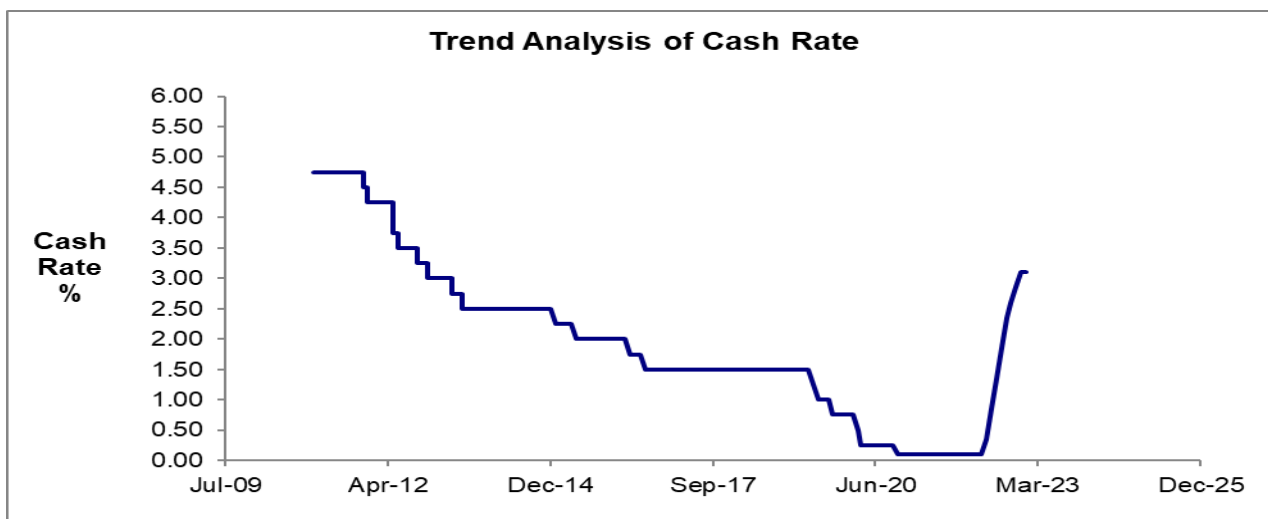
Council's investment portfolio is recognised at market value and some of its investments are based on the midpoint valuations of the underlying assets and are subject to market conditions that occur over the month.

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

There was no Reserve Bank of Australia (RBA) meeting held on the 3 January 2023 due to the Christmas and New Year break, the official cash rate remained at 3.10 per cent. The next RBA meeting will take place in February 2023.

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



Recommendation(s)

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

Attachments

- 1 [↓](#) Investment Register as at 31 December 2022
- 2 [↓](#) Investment Types

**BURWOOD COUNCIL
INVESTMENT PORTFOLIO
as at 31 December 2022**

Investment Adviser	Issuer	ADI or N-ADI	Investment Name	Type	Rating S&P	Invested Amount	Market Value as at 31/10/2022	Market Value as at 30/11/2022	Market Value as at Reporting Date	% of Total Invested
Cash										
Council	Commonwealth Bank	ADI	Operating Account	Cash	AA-	3,598,251	8,032,124	3,120,365	3,598,251	7.13
Council	Commonwealth Bank	ADI	Online Saver	At Call	AA-	353,012	351,394	352,175	353,012	0.70
Council	Macquarie Bank	ADI	Accelerator Account	At Call	AA-	0	-	-	-	
Council	AMP Bank Limited	ADI	AMP Business Saver	At Call	BBB-	1,254	1,252	1,253	1,254	0.00
Council	AMP Bank Limited	ADI	AMP Notice Account	Notice 30 days	BBB-	3,496	3,478	3,487	3,496	0.01
Term Deposits										
Council	National Australia Bank	ADI	National Australia Bank	Term Deposit	AA-	-	4,018,470	4,028,925	-	0.00
Council	Westpac	ADI	Westpac	Term Deposit	AA-	3,000,000	3,003,760	3,000,000	3,001,911	5.95
Council	National Australia Bank	ADI	National Australia Bank	Term Deposit	AA-	4,000,000	4,013,164	4,025,131	4,037,497	8.00
Council	National Australia Bank	ADI	National Australia Bank	Term Deposit	AA-	4,000,000	-	4,005,707	4,018,345	7.96
Council	National Australia Bank	ADI	National Australia Bank	Term Deposit	AA-	4,000,000	-	-	4,009,654	7.94
Council	AMP Bank Limited	ADI	AMP Business Saver	Term Deposit	BBB-	4,000,000	4,031,222	4,043,386	4,055,956	8.03
Council	National Australia Bank	ADI	National Australia Bank	Term Deposit	AA-	3,000,000	3,004,011	3,005,984	3,008,022	5.96
Term Deposits - Covered Fixed Bond										
Council	Suncorp-Metway Limited	ADI	Suncorp-Metway Limited	Covered Fixed Bond (4.87%) Semi Annual	AA-	1,000,000	1,003,450	1,014,160	1,010,780	2.00
Floating Rate Notes										
Council	MyState Bank Ltd	ADI	MyState Bank Ltd	Floating Rate Notes (90 day BBSW +130 bps)	BBB	1,500,000	1,502,640	1,508,085	1,514,670	3.00
Council	Suncorp-Metway Limited	ADI	Suncorp-Metway Limited	Covered Flating Bond (90 day BBSW +88 bps)	AA-	800,000	800,984	804,264	807,272	1.60
Council	Bendigo-Adelaide	ADI	Bendigo Bank & Adelaide Bank	Floating Rate Notes (90 day BBSW mid + 105 bps)	BBB+	1,500,000	1,502,370	1,507,185	1,511,715	2.99
Council	ANZ Group	ADI	ANZ Group	Floating Rate Notes (90 day BBSW mid + 77 bps)	AA-	2,000,000	2,003,900	2,009,660	2,015,280	3.99
Council	Newcastle Permanent Building Society	ADI	Newcastle Permanent Building Society	Floating Rate Notes (90 day BBSW +140 bps)	BBB	1,250,000	1,262,713	1,255,225	1,259,125	2.49
Council	Sumitomo Mitsui Banking Corporation Sydr	ADI	Sumitomo Mitsui Banking Corporation Sydney	Floating Rate Notes (90 day BBSW +110 bps)	A	2,000,000	-	2,009,680	2,019,180	4.00
Council	National Australia Bank	ADI	National Australia Bank	Floating Rate Notes (90 day BBSW +41 bps)	AA-	1,500,000	1,477,890	1,475,805	1,481,325	2.93
Council	MyState Bank Ltd	ADI	MyState Bank Ltd	Floating Rate Notes (90 day BBSW +65 bps)	BBB	2,500,000	2,488,400	2,500,575	2,470,575	4.89
Council	Westpac Banking Corporation Ltd	ADI	Westpac Banking Corporation Ltd	Floating Rate Notes (90 day BBSW +80 bps)	AA-	1,800,000	1,809,234	1,804,410	1,811,088	3.59
Council	Commonwealth Bank of Australia	ADI	Commonwealth Bank of Australia	Floating Rate Notes (90 day BBSW +102 bps)	AA-	2,400,000	2,407,584	2,405,064	2,414,208	4.78
Council	Commonwealth Bank of Australia	ADI	Commonwealth Bank of Australia	Floating Rate Notes (90 day BBSW +93 bps)	AA-	2,000,000	2,020,380	2,010,140	2,015,980	3.99
Council	Commonwealth Bank of Australia	ADI	Commonwealth Bank of Australia	Floating Rate Notes (90 day BBSW +113 bps)	AA-	4,000,000	4,034,760	4,049,520	4,060,840	8.04
Grand Total						50,206,012	48,773,179	49,940,186	50,479,435	100.00

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

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

Investment Types

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 13/23) Answers to Questions on Notice

File No: 23/2756

Report by Acting Director Corporate Services

Summary

The following Questions on Notice were submitted by Councillor Ned Cutcher.

Operational Plan Objective

A.110 Deliver a progressive and accountable framework to support Councillors and Burwood Local Planning Panel

P.49 Ensure transparency and accountability in decision making

Question 1:

What has been the take-up rate of local residences using the FOGO service since the implementation of the trial?

Response by Director City Strategy

The NSW Government's Waste and Sustainable Materials Strategy 2041 (WaSM) introduced new requirements for councils to provide food organics and garden organics (FOGO) collections to all NSW households by 2030. The initiatives are designed to reduce organics waste in landfill, where it generates methane, a potent greenhouse gas, and instead create a clean stream of a valuable resource that can be processed into compost and used to generate energy. The WaSM supports the NSW Government's Net Zero Plan Stage 1 goal for net zero emissions from food, garden and textile waste landfilled from 2030.

To ensure alignment with the WaSM, Council, at its meeting on 26 October 2021 resolved to undertake a limited FOGO collection trial (12 months) in selected streets in the LGA (area bounded by Greenhills Street, Liverpool Road, Arthur Street and Culdees Street in and around Burwood Heights) incorporating approximately 600 homes. The trial commenced in February 2022 and there was an extensive education and awareness campaign both prior to and during the roll out of the trial.

The FOGO collection trial will be ending at the end of February 2023 and a detailed report on the FOGO trial and options for implementation across the LGA will be presented to the Council, at its meeting on 28 March 2023.

Question 2:

How much organic material has been diverted from landfill as a result of the trial?

Response by Director City Strategy

The findings of a recent audit, which was undertaken independently by EnviroCom Pty Ltd, a waste consulting company, will soon be available. The audit randomly selected FOGO bins in the trial area to gauge the success of the trial and audits of the bins were undertaken between 11 – 19 January 2023.

Council has been advised that the final audit report will be received by mid-February 2023.

Question 3:

When will the FOGO service be made available to other residences within the LGA?

Question 4:

Will the FOGO service be made available to residents who live in strata complexes within the LGA?

Response to Questions 3 and 4 by Director City Strategy

The findings of the FOGO audit will allow Council to assess the performance of the trial service and to identify required changes to the future introduction of FOGO services across the Local Government Area.

This will include:

- Proposed options / program for implementation of FOGO collection to all single dwellings across the LGA
- Options for a FOGO collection trial in multi-unit dwellings (MUDs) (strata)
- Funding opportunities, which will assist Council in the rollout of FOGO collection across the LGA as well as a FOGO trial in MUDs.

Recommendation(s)

That Council receive and note this report.

Attachments

There are no attachments for this report.

(Item Rc1/23) Burwood Local Traffic Committee - February 2023

File No: 23/2381

Report by Director City Assets

Summary

Attached are the Minutes of the Burwood Local Traffic Committee from its meeting of February 2023. The Minutes are hereby submitted to the Ordinary Council Meeting for consideration and adoption by Council.

Operational Plan Objective

C.4.1 Plan and manage transport infrastructure to meet current and future community needs
A.40 Investigate traffic hot spots and implement solutions such as pedestrian refuges, roundabouts or traffic calming devices

Recommendation

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

(ITEM LTC1/23) SHAFTESBURY ROAD, BURWOOD - PROPOSED NO PARKING RESTRICTIONS

Recommendation

That Council approve the installation of 'No Parking – Emergency Vehicles Excepted' parking restrictions on the western side of Shaftesbury Road Burwood, immediately south of the driveway of #77 for a length of 8.8m.

Attachments

- 1 [↓](#) Burwood Local Traffic Committee Agenda - 02.02.2023
- 2 [↓](#) Burwood Local Traffic Committee Minutes - 02.02.2023



Notice of Burwood Local Traffic Committee Meeting

The February 2023 meeting of the Burwood Local Traffic Committee will be held electronically with the Agenda emailed to Members for review. The minutes from the November 2022 meeting have also been emailed to members for confirmation. All comments are requested to be returned to Council by 9.30 am Friday 3 February 2022.

George El Kazzi
Director City Assets

Agenda

Acknowledgement of Country

Council acknowledges the Wangal people of the Eora Nation who are the traditional custodians of this land. Council also pays respect to their elders, both past and present, and extends that respect to other First Nations People who may be present.

Apologies/Leave of Absences

Confirmation of Minutes

Recommendation

That the Minutes of the November 2022 Meeting of Burwood Local Traffic Committee as typed and circulated, be confirmed and signed as a true record of the proceedings of that meeting.

GENERAL BUSINESS

(ITEM LTC1/23)	SHAFTESBURY ROAD, BURWOOD - PROPOSED NO PARKING RESTRICTIONS	4
----------------	--	---

(ITEM LTC1/23) SHAFTESBURY ROAD, BURWOOD - PROPOSED NO PARKING RESTRICTIONS

File No: 23/1138

REPORT BY TRAFFIC ENGINEER & DESIGN

Summary

Council has received a request from residents at 77 Shaftesbury Road to modify the parking restrictions along the western side of Shaftesbury Road Burwood in order to improve sight lines for motorists exiting the property.

Background

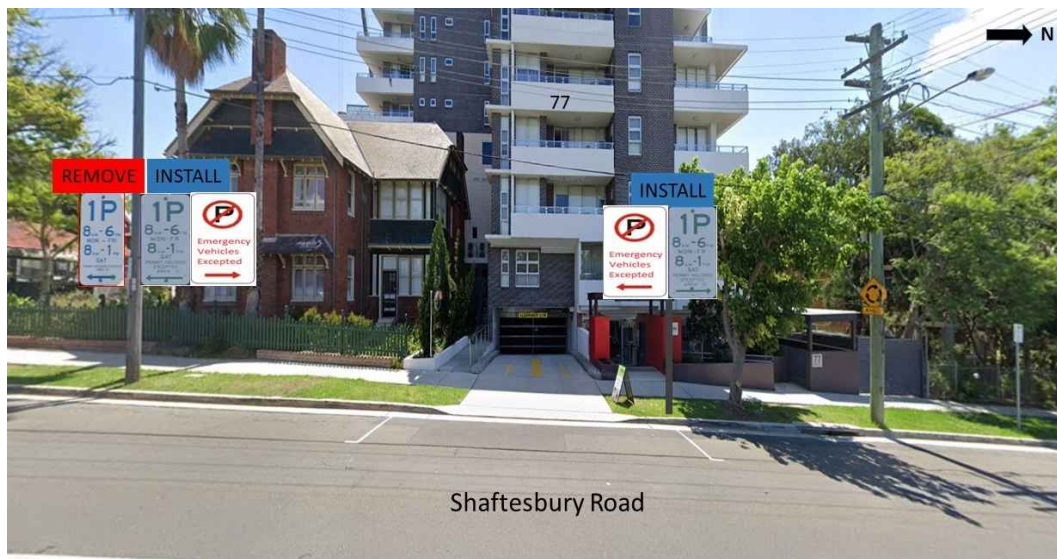
Shaftesbury Road is a collector road that connects Parramatta Road to Weldon Street. The street has a 50kph speed limit. Shaftesbury Road currently has various combinations of restricted parking along both sides of the road, with '1P 8am – 6pm Mon – Fri and 8am – 1pm Sat Permit Holders Excepted Area 15' restriction on the western side between Belmore Street and Clarence Street.

The property at 77 Shaftesbury Road Burwood is a mixed use development constructed in 2015. It is composed of a Theological College and 42 independent seniors' dwellings.

Council officers inspected the area of concern and noted that when vehicles are routinely parked in the available parking space immediately south of the driveway, visibility of approaching northbound traffic is obstructed.

Proposal

It is proposed to install new 'No Parking – Emergency Vehicles Excepted' restrictions on the western side of Shaftesbury Road, south of the driveway of #77 for a length of 8.8m. This modification will retain three onstreet parking spaces between Clarence Street and the proposed 'No Parking' area, and will result in the loss of one restricted parking space.



Shaftesbury Road

The proposed modification will help ensure that drivers have safer egress onto Shaftesbury Road by providing improved sight distance and visibility of approaching vehicles.

Consultation

Consultation was conducted with the most affected residents located on the western side of Shaftesbury Road between Wyalong Street and Clarence Street. Council has received 26 responses from 43 survey letters, representing a 60% response rate. All responses were 'Strongly in Favour' or 'In Favour' of the proposal.

Financial Implications

The cost of modifying and installing signs is estimated to be \$850.00 and will be funded from the 2022/23 Traffic Facilities budget.

Recommendation

That Council approve the installation of 'No Parking – Emergency Vehicles Excepted' parking restrictions on the western side of Shaftesbury Road Burwood, immediately south of the driveway of #77 for a length of 8.8m.

Attachments

There are no attachments for this report.



MINUTES OF THE MEETING OF THE BURWOOD LOCAL TRAFFIC COMMITTEE held electronically in February 2023.

Attendance

Cr John Faker (Mayor) Chairperson
Snr Constable Germaine Grant, NSW Police Service
Ms Tanmila Islam, Transport for NSW
Ms Maryann Duggan, Representative for State Member for Strathfield
Mr Peter Whitney, Transit Systems

Mr George El Kazzi, Director City Assets
Mr Roberto Di Federico, Manager Traffic and Transport
Mr Jeremy Tinslay, Traffic Engineer
Mrs Manasa Simhalapathi, Traffic & Design Engineer

Apologies

That there were no apologies.

Confirmation of Minutes

That the minutes of the Burwood Local Traffic Committee of Burwood held November 2022, as circulated, be confirmed and signed as a true record of the proceeding of the meeting.

GENERAL BUSINESS

(ITEM LTC1/23) SHAFTESBURY ROAD, BURWOOD - PROPOSED NO PARKING RESTRICTIONS

File No: 23/1138

Summary

Council has received a request from residents at 77 Shaftesbury Road to modify the parking restrictions along the western side of Shaftesbury Road Burwood in order to improve sight lines for motorists exiting the property.

Recommendation

That Council approve the installation of 'No Parking – Emergency Vehicles Excepted' parking restrictions on the western side of Shaftesbury Road Burwood, immediately south of the driveway of #77 for a length of 8.8m.

This concluded the business of the meeting.