



MINUTES OF THE COUNCIL OF BURWOOD held in the Conference Room, Level 1, 2 Conder Street, Burwood on Tuesday 22 October 2024 commencing at 6:51 PM.

Attendance Councillor John Faker (Mayor)
Councillor Sukirti Bhatta
Councillor Pascale Esber
Councillor David Hull
Councillor George Mannah
Councillor De Yi Wu
Councillor Alex Yang

Public Forum

The following people addressed Council at the Public Forum held prior to the meeting regarding items on the agenda for the meeting:

No:	Speaker's Name, Suburb	Agenda Item No. & Title	For/Against
1	Jacqueline Austin, Burwood	Business paper 56/24 Exhibition of the draft Croydon Housing Investigation Area master plan	Against
2	Anthony Rogers, Burwood	Business paper 56/24 Exhibition of the draft Croydon Housing Investigation Area master plan	Against
3	Simon Bromage, Burwood	Business paper 56/24 Exhibition of the draft Croydon Housing Investigation Area master plan	Against
4	Chery Kemp, Croydon	Business paper 56/24 Exhibition of the draft Croydon Housing Investigation Area master plan	For
5	Brett Marshall, Burwood	Business paper 56/24 Exhibition of the draft Croydon Housing Investigation Area master plan	For

Opening of Meeting by the Mayor

The Mayor opened the meeting.

Prayer

Rev. Dilan Jayasinghe, Baptist Community Church Burwood, lead the prayer.

Acknowledgment of Country

The Mayor gave the Acknowledgement of Country.

Apologies

There were no apologies.

Declarations of Interest

Mayor John Faker disclosed a pecuniary interest in item 56/24, which is the Croydon Housing Investigation Area Masterplan. The nature of his interest is that he owns property at 22 The Strand, Croydon, and because it is shown in the investigation map, he will remove himself from the meeting.

Declarations of Political Donations

There were no declarations of political interests by Councillors.

Confirmation of Minutes

89/24 RESOLVED

That the minutes of the ordinary meeting of the Council Meeting held on Tuesday 13 August 2024, as circulated, be confirmed and signed as a true record of the proceedings of the meeting.

For: Cr Faker, Cr Mannah, Cr Esber, Cr Hull, Cr Bhatta, Cr Wu, Cr Yang

Against: Nil

(Moved Councillor Pascale Esber/Seconded Councillor George Mannah)

Mayoral Minutes

(Item MM9/24) Welcoming a new term of Council

File No: 24/43868

Summary

I note that the Minister for Local Government, the Honourable Ron Hoenig, and the Member for Strathfield, Jason Yat-Sen Li, had hoped to join us but were unable to attend as Parliament is sitting. The Minister's ongoing support has been instrumental in helping Councils like ours achieve meaningful progress. We appreciate his commitment to empowering Local Governments.

The first council meeting of the term presents an opportunity to reflect on our achievements and the vision for the term ahead. It also provides a moment to recognise those whose support and efforts have been instrumental in reaching this point.

I want to express my heartfelt gratitude to the community for placing their trust in us once again. Your participation, engagement, and commitment to our shared vision are what make this council strong and vibrant.

To the newly elected and returning councillors, congratulations on your success, and I look forward to working closely with each of you in the coming term.

I also want to take this opportunity to thank our General Manager, Executive Team and Council staff. Your consistent hard work and dedication has been invaluable, and your commitment to ensuring that we serve our community with excellence is deeply appreciated.

As we move forward into this new term and approach the conclusion of the 150th anniversary of Burwood, I feel a sense of optimism and excitement. Together, we have the opportunity to build on the successes of the past, and continue shaping a future for our community that is inclusive, sustainable, and thriving. I have no doubt that, with the leadership of this new council and the unwavering support of our staff and community, we will achieve great things.

As Mayor of Burwood, it is a great honour to welcome you to be part of Burwood's ongoing transformation. Let this new term be one of progress, unity, and a deepened commitment to the future of our community.

Operational Plan Objective

C.11 Effective, innovative and collaborative leadership is underpinned by open, transparent and responsible governance.

90/24 RESOLVED

That Council acknowledge and note the contents of this report, reflecting on the achievements, expressions of gratitude, and the vision presented for the upcoming term of Council.

For: Cr Faker, Cr Mannah, Cr Esber, Cr Hull, Cr Bhatta, Cr Wu, Cr Yang
Against: Nil

Reports to Council

(Item 54/24) Election of Deputy Mayor

File No: 24/43111

Summary

Section 231 of the *Local Government Act 1993* outlines options for the election of a Deputy Mayor, should Council deem it appropriate at any time to elect one.

Operational Plan Objective

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

91/24 RESOLVED

That Council:

1. determine to immediately proceed with the election of a Deputy Mayor
2. agree on the period of appointment for the position of Deputy Mayor to be the period of 12 months
3. confirm the nomination status of potential candidates received for the position, or
4. pursue any agreement to proceed with the election of a Deputy Mayor by:
 - a. means of open ballot, if more than a single nomination is received for the position, or
 - b. in the event that only a single nomination for the position is received, declare the single nominee elected as Deputy Mayor for the agreed period of service.

For: Cr Faker, Cr Mannah, Cr Esber, Cr Hull, Cr Bhatta, Cr Wu, Cr Yang
Against: Nil

(Moved Councillor George Mannah/Seconded Councillor Pascale Esber)

The Returning Officer (the General Manager) called for any nominations in addition to one received before the commencement of the meeting. There being no further nominations, the nomination process was formally closed by the Returning Officer. The Returning Officer

confirmed that the single nomination of Councillor George Mannah was in order and accepted by the nominee. As there were no additional candidates for the position of Deputy Mayor, the Returning Officer declared Councillor Mannah as the Deputy Mayor.

(Item 55/24) Filling of casual vacancies in first 18 months of Council term by countback of votes

File No: 24/41511

Summary

This report seeks Council's approval to fill casual vacancies in civic office within the first 18 months of a Local Government Election by way of a countback of votes cast at the Local Government Elections held on 14 September 2024, in accordance with section 291A of the *Local Government Act 1993*.

Operational Plan Objective

C.11 Effective, innovative and collaborative leadership is underpinned by open, transparent and accountable governance

92/24 RESOLVED

That:

- (a) Burwood Council declares that casual vacancies occurring in the office of a councillor within 18 months after the last ordinary election of councillors for the Council on 24 September 2024 are to be filled by a by-election.
- (b) The General Manager notify the NSW Electoral Commission of the Council's decision within 7 days of the decision.

For: Cr Faker, Cr Mannah, Cr Esber, Cr Hull, Cr Bhatta, Cr Wu, Cr Yang

Against: Nil

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

Mayor John Faker left the meeting, the time being 7:13 pm.
Deputy Mayor George Mannah took the Chair.

(Item 56/24) Exhibition of the draft Croydon Housing Investigation Area Masterplan

File No: 24/40106

Summary

This report seeks Council's endorsement to begin community and stakeholder engagement on the draft Croydon Masterplan, developed as an alternative to the NSW Government's Transport Oriented Development (TOD) Program.

Operational Plan Objective

- C.3 An urban environment that maintains and enhances our sense of identity and place
- C.3.1 Facilitate well designed, high quality and sustainable land use and development that is appropriately scaled to complement its surroundings
- C.3.2 Protect our unique built heritage and maintain or enhance local character
- C.4 Sustainable, integrated transport, infrastructure and networks support population growth and improve liveability and productivity

C.4.2 Plan for a city that is safe, accessible and easy to get to and move around in.

93/24 RESOLVED

1. That Council endorse the draft Croydon Housing Investigation Area Masterplan for the purposes of public exhibition.
2. That the draft Croydon Housing Investigation Area Masterplan be exhibited for a period of at least 28 days.
3. That a further report be presented to Council in November 2024 to provide the outcomes of the public exhibition and subsequent recommendations and next steps with respect to the draft Masterplan.
4. That the area identified in the Structure Plan diagram within the Draft Croydon Masterplan as the Railway South Precinct, is removed from the draft Structure Plan in the Public Exhibition documents.
5. That Council commence direct engagement with landowners in Lucas Road Conservation Area, which is currently excluded from the draft Structure Plan, to gauge the sentiment regarding potential inclusion in the masterplan. The post-exhibition report is to present an option for Council's consideration on the inclusion of this area in the masterplan.
6. That Council commence a precinct-specific study for The Strand to identify opportunities to preserve and strengthen character provisions, including any necessary planning control amendments, while investing in creating a vibrant local centre into the future. The findings of this study, along with recommendations for the next steps, are to be reported to Council for consideration at the March 2025 Council meeting.
7. That Council write to the NSW Minister for Planning & Public Spaces and the NSW Department of Planning, Housing & Infrastructure, requesting an extension of three months from January 2025 to finalise the documentation required for the gazettal of the Croydon Masterplan, to allow Council to undertake additional and comprehensive community engagement.

For: Cr Mannah, Cr Esber, Cr Bhatta, Cr Wu, Cr Yang

Against: Cr Hull

(Moved Councillor Pascale Esber/Seconded Councillor Sukirti Bhatta)

Mayor John Faker returned to the meeting and resumed the Chair, the time being 7:44 pm.

(Item 57/24) Local Government NSW Annual Conference

File No: 24/42594

Summary

This year the Local Government NSW Annual Conference is being held from Sunday 17 to Tuesday 19 November 2024 at Tamworth Regional Entertainment and Conference Centre.

Council can nominate up to four voting delegates to vote on the motions and, as customary, observers to attend the Conference.

Operational Plan Objective

C.11.4 Build and maintain partnerships and advocate on behalf of the community

94/24 RESOLVED

That:

1. Council nominated the Mayor and Deputy Mayor as Voting Delegates who will be appointed as a proxy to vote on behalf of Council at the Local Government NSW Annual Conference 2024 to be held at Tamworth Regional Entertainment and Conference Centre, from Sunday 17 to Tuesday 19 November 2024.
2. The General Manager and other Observers be authorised to attend, and that the nominated Observers confirm their attendance by Monday 28 October 2024 to the General Manager.

For: Cr Faker, Cr Mannah, Cr Esber, Cr Hull, Cr Bhatta, Cr Wu, Cr Yang

Against: Nil

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

(Item 58/24) Council meeting and briefing dates for 2024 and 2025

File No: 24/41582

Summary

The proposed schedule for Ordinary Meetings of Council for the remainder of 2024 and the whole of 2025, together with the proposed schedule of councillor briefings and workshops, is presented for consideration and adoption by Council.

Operational Plan Objective

- A.110 Deliver a progressive and accountable framework to support Councillors and Burwood Local Planning Panel

95/24 RESOLVED

That Council endorse the schedule for ordinary meetings of Council and councillor briefing and workshop sessions in 2024 and 2025, as proposed in Attachment 1 to this report.

For: Cr Faker, Cr Mannah, Cr Esber, Cr Hull, Cr Bhatta, Cr Wu, Cr Yang

Against: Nil

(Moved Councillor Alex Yang/Seconded Councillor David Hull)

(Item 59/24) Adoption of Audited Financial Reports for the Year Ended 30 June 2024

File No: 24/41947

Summary

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

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

Operational Plan Objective

2.3 Ensure financial sustainability and organisational effectiveness

96/24 RESOLVED

1. That in accordance with Section 413(2)(c) of the *Local Government Act 1993* and Clause 215 of the *Local Government (General) Regulation 2005*, the Council make the following declaration:
 - a. That Council's Financial Reports have been drawn up in accordance with the *Local Government Act 1993* and associated Regulations; the Statement of Accounting Concept; the local Government Code of Accounting Practice and Financial Reporting update December 2023; and the Australian Accounting Standards.
 - b. The Audited financial reports present fairly the Council's financial position and performance for the year
 - c. These reports accord with Council's accounting and other records
2. That the Council note that the 2023–2024 Audited Financial Reports and Auditor's Report will be forwarded to the Office of Local Government.

For: Cr Faker, Cr Mannah, Cr Esber, Cr Hull, Cr Bhatta, Cr Wu, Cr Yang

Against: Nil

(Moved Councillor Sukirti Bhatta/Seconded Councillor De Yi Wu)

(Item 60/24) Annual Disclosure of Interest Returns by Councillors and Designated Persons

File No: 24/41590

Summary

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

Operational Plan Objective

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

97/24 RESOLVED

That Council notes:

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

For: Cr Faker, Cr Mannah, Cr Esber, Cr Hull, Cr Bhatta, Cr Wu, Cr Yang
Against: Nil

(Moved Deputy Mayor George Mannah/Seconded Councillor Sukirti Bhatta)

This concluded the business of the meeting and Council rose at 7.46 pm.

The Minutes of the Ordinary Meeting held on 22 October 2024 will be submitted for confirmation by Council at its next meeting on 26 November 2024.