



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

## ORDINARY MEETING

Notice is hereby given that a meeting of the Council of Burwood will be held in the Conference Room, 2 Conder Street, Burwood on Tuesday 28 April 2026 at 6:00 PM to consider the matters contained in the attached Agenda.

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

### **Public Forum**

A public forum will be held at 6:00 pm, 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 2:00 pm 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.

Tommaso Briscese  
**General Manager**

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## Council meeting room

General  
Manager

Mayor

Cr  
Mannah

Cr Bhatta

Cr Yang

Cr Esber

Cr Wu-  
Coshott

Cr Hull

Public gallery

# Agenda

**For an Ordinary Meeting of Burwood Council to be held in the Conference Room, Level 1, 2 Conder Street, Burwood on Tuesday 28 April 2026 immediately after the Public Forum commencing at 6.00pm.**

## 1. Prayer

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

## 2. Acknowledgement of Country

## 3. Statement of Ethical Obligations

## 4. Recording of Meeting

## 5. Apologies

## 6. Declarations of Interest

## 7. Declaration of Political Donations

## 8. Confirmation of Minutes

*Minutes of the Council Meeting held on Tuesday, 24 March 2026, copies of which were previously circulated to all councillors be hereby confirmed as a true and correct record.*

## 9. Mayoral Minutes

(Item MM7/26) Retirement of Fr James Collins OAM – Recognition of Outstanding Service to the Burwood Community ..... 4

(Item MM8/26) Burwood North Metro Station - A Precinct-Shaping Opportunity..... 6

## 10. Reports to Council

(Item 23/26) Endorsement for Gateway - BLEP 2012 Amendments - City Activation Exempt Provisions ..... 7

(Item 24/26) Endorsement for Gateway - BLEP 2012 Amendments - Community Infrastructure Clause ..... 61

(Item 25/26) Policy Housekeeping..... 159

(Item 26/26) Finance Policy Package - Endorsement for Public Exhibition ..... 161

(Item 27/26) Investment Report as at 31 March 2026..... 182

(Item 28/26) ReSmart (formerly RecycleSmart) Recycling Service..... 188

(Item 29/26) Change of Council Meeting Date for June 2026 ..... 192

(Item 30/26) Tabling of First Time and Updated Disclosures of Interest ..... 193

## 11. Conclusion of the Meeting

## Mayoral Minutes

### (Item MM7/26) Retirement of Fr James Collins OAM – Recognition of Outstanding Service to the Burwood Community

File No: 26/17058

Mayoral Minute by Cr John Faker (Mayor)

#### Summary

Tonight, I am moving this Mayoral Minute to acknowledge the dedicated service and remarkable contribution of Fr James Collins OAM, recently retired Rector at St Paul's Anglican Church, Burwood.

#### **Operational Plan Objective**

C.10 A well informed community active in civic life, local planning and decision making.

#### Background

Fr James Collins OAM has been a respected and deeply valued leader within the Burwood community through his long-standing service as Rector at St Paul's Anglican Church since 9 February 2011. His ministry spans more than 50 years of active service in the Church, reflecting a lifetime commitment to faith, community, and service to others.

Fr James grew up in rural Western Australia. Before entering full-time ministry, he worked as a music teacher, bringing with him a lifelong passion for music. He later undertook a Bachelor of Theology and was priested in 1988. He completed a Ph.D. in Sociology and served in the Diocese of Tasmania from 2001 to 2011 before joining St Paul's in Burwood.

During his time in Burwood, Fr James' leadership has left a profound and lasting impact on the community. He has demonstrated an unwavering commitment to pastoral care, social justice, and community development, particularly in supporting those experiencing disadvantage and complex social challenges. His work with people experiencing homelessness, domestic violence, social isolation, and poverty has provided dignity, safety, and hope to many during their most vulnerable moments.

One of his most enduring legacies is the establishment of the Parish Pantry, an essential service that has nourished and supported members of the Burwood community for over 15 years, and which proved especially critical during the COVID-19 pandemic. Through his advocacy and collaboration with Council, State and Federal representatives, community organisations, and local churches, Fr James has consistently worked to ensure that no one in the community is left behind.

Under his leadership, St Paul's Anglican Church has flourished. Music, connection, and community have become vibrant and unifying forces within the parish. Worship services have grown, and he has nurtured a talented and deeply committed group of volunteers who give generously of their time in service to others.

Importantly, Fr James has overseen the complete refurbishment of St Paul's Church, strengthening both the physical and social infrastructure of the parish and surrounding community. He has created a welcoming and community-focused environment that will continue to serve future generations.

His service has been formally recognised through his naming as Burwood Citizen of the Year in 2015, his recognition as a Westfield Local Hero in 2018, and the award of the Medal of the Order of Australia (OAM) in 2022. These honours reflect the extraordinary generosity and impact of his life's work.

Known for his humility, Fr James has led with quiet strength and selflessness, always placing others before himself.

As he retires from his formal duties, I extend my sincere gratitude to Fr James on behalf of Burwood Council, including my fellow Councillors, the General Manager, Council staff, and the broader community.

In recognition of the way he has nurtured our community, I have made a small symbolic gesture on behalf of Council, which will allow him to select trees or plants for his new home as he begins to put down new roots in Scotland.

Burwood is stronger because of Fr James, and his legacy will continue to be felt for many years to come.

**I therefore move:**

That Council acknowledge and honour the outstanding service of Fr James Collins OAM on the occasion of his retirement as Parish Priest of St Paul's Anglican Church, Burwood.

**Attachments**

There are no attachments for this report.

## **(Item MM8/26) Burwood North Metro Station - A Precinct-Shaping Opportunity**

File No: 26/17332

Mayoral Minute by Cr John Faker (Mayor)

### **Operational Plan Objective**

- C.4.2 Plan for a city that is safe, accessible and easy to get to and move around in.
- C.11.3 Build and maintain strong partnerships and advocate on behalf of the community.
- C.3 An urban environment that maintains and enhances our sense of identity and place.

### **Background**

The Burwood North metro station represents a once-in-a-generation opportunity to shape a new, transit-oriented precinct. In addition to doubling rail capacity and unlocking additional housing and jobs, the station also has the potential to deliver significant public domain outcomes along the corridor.

With tunnelling complete, focus has shifted to station delivery, with construction progressing this year and opening anticipated in 2032, and recently, Transport NSW released concept designs for six Sydney Metro West stations, including Burwood North.

I believe the success of the investment on the Metro West line and the Burwood North station will ultimately be defined not just by movement, but by the quality of place it delivers.

Council has already laid strong foundations through the Burwood North Precinct Masterplan, supported by a broader program of city-shaping work focused on placemaking, public domain improvements and a vibrant night-time economy.

Council and our community have long expressed support for the Burwood North Metro Station, recognising its crucial role in shaping the future of our region. It is critical, however, that we continue to work closely with the NSW Government to ensure the project delivers not only critical transport infrastructure, but also the Burwood North Metro Station delivers strong, lasting placemaking outcomes.

This means collectively focusing on:

- Active, human-scale ground floor uses that create energy and support local business
- Integrated public art and cultural expression reflective of Burwood's identity
- High-quality public domain, wayfinding and pedestrian connectivity
- Design that enables a vibrant, safe and inclusive night-time economy.

A coordinated approach will ensure these outcomes are informed by diverse design, cultural, community and economic perspectives at both local and state levels and are intentionally planned for and embedded as a core part of the project's overall success.

### **I therefore move:**

That the General Manager continue to pursue opportunities for collaboration with the NSW Government on the design and delivery of the Burwood North Metro Station, with a focus on achieving high-quality public domain and placemaking outcomes for the Burwood North precinct.

### **Attachments**

There are no attachments for this report.

## Reports to Council

### (Item 23/26) Endorsement for Gateway - BLEP 2012 Amendments - City Activation Exempt Provisions

File No: 26/17269

Report by Director City Strategy

#### Summary

Council has prepared a Planning Proposal (Attachment 1) to amend Schedule 2 of the Burwood Local Environmental Plan 2012 (BLEP) by introducing new exempt development provisions. These provisions aim to reduce red tape and facilitate further city activation initiatives without the need for a development application.

The Planning Proposal responds to Council's resolution at its meeting on 23 September 2025, which endorsed the preparation of a Council-led Planning Proposal and its public exhibition.

In accordance with Ministerial Directions, this Planning Proposal to amend the BLEP has been submitted to, and endorsed by, the Burwood Local Planning Panel.

The matter is now referred to Council for final endorsement of the Planning Proposal prior to its progression to Gateway Determination.

#### **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.
- C3.2 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.
- C.1.1 Support and deliver initiatives that encourage high-quality design, sustainable development and enhanced urban amenity.
- C.9 Safe, clean and activated streets, centres and public places are enjoyed by people day and night
- 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
- A.70 Work with developers to promote sustainable development
- P.38 Deliver attractive, healthy streetscapes and centres that are inviting and foster community pride
- P.34 Facilitate the growth and prosperity of local businesses and target the growth of business sectors and growth industries
- A.79 Undertake activities that support new economic growth in the Burwood North Precinct and Burwood Town Centre
- A.80 Implement activities or initiatives that enhance Burwood's night-time economy

#### Background

On 23 September 2025, Council resolved to endorse the preparation of a Planning Proposal to amend the *Burwood Local Environmental Plan 2012* (BLEP 2012) by incorporating new exempt development provisions under Schedule 2 of BLEP 2012.

The intent of these new provisions is to reduce red tape and facilitate further city activation initiatives without the need for a development application. This is intended to be done whilst still maintaining appropriate governance through *Local Government Act*, *Roads Act*, and *Crown Land Act* legislation, as well as landowner consent where Council is the predominant landholder. These provisions would also support Council initiatives such as the *Licence to Play Policy*.

The proposed exempt development provisions would apply to public art on footpaths, including sculptures, murals and pavement installations; street art; the temporary use of Council land or roads for community and fundraising events; the display of goods on footpaths; outdoor dining associated with food and drink premises; mobile food vending vehicles (food trucks); and advertisements, such as bus and taxi rank shelter signs.

These provisions are intended to create a more seamless implementation process for applicants seeking to improve the vibrancy of the Local Government Area (LGA), ultimately generating flow-on benefits for local businesses, the community, and visitors to Burwood.

In addition to the 23 September 2025 Council resolution, these provisions were previously endorsed by Council in January 2025 as part of the Alternate Croydon Masterplan. However, the Department of Planning, Housing and Infrastructure (DPHI) advised that it would not proceed with the adoption of the exempt provisions via the Croydon SEPP as they have LGA-wide implications. As a result, to progress these initiatives, a Council Planning Proposal to amend Schedule 2 of BLEP 2012 is required.

### Strategic Context and Alignment

Burwood Council is committed to delivering a vibrant, accessible, and inclusive city that celebrates diverse cultures and community life. The BLEP 2012 enables a range of land uses and activities that reinforce and enhance Burwood's reputation as a growing hub for entertainment, dining, shopping, placemaking, and activation.

As a designated strategic centre, Council has implemented a variety of strategies and initiatives to bring this vision to life. These include *Licence to Play*, *Permit Plug and Play*, the *Burwood After Dark Strategy*, the *Creative Burwood Strategy*, and the designation of a Special Entertainment Precinct in the Burwood Town Centre as part of a future planning proposal.

Planned future growth through the Burwood North Masterplan and Croydon Masterplan will further support Council's vision to make Burwood a destination of choice to live, visit, and do business. In prioritising liveability and vibrancy, Council is also committed to enhancing public spaces to strengthen community connection and foster a strong sense of place.

The proposal aligns with key strategic objectives outlined in Council's *Local Strategic Planning Statement* (LSPS), *Community Strategic Plan* (CSP), *After Dark Strategy*, and Special Entertainment Precinct. The proposal also supports Council initiatives such as *Licence to Play*, and combined all emphasise vibrancy, accessibility, and public domain activation.

### Burwood Local Planning Panel Advice

In accordance with the Ministerial Directions under the *Environmental Planning and Assessment Act 1979*, advice on the Planning Proposal was sought from the Burwood Local Planning Panel (BLPP) on 15 April 2026 (Attachment 2).

The BLPP acknowledged the strategic merit of the planning proposal and endorsed Council's recommendation to progress seeking a Gateway Determination from the Department of Planning, Housing and Infrastructure (Attachment 3). The BLPP also requested that Council staff consider the impact of the proposed provisions for 'Public art on footpaths, including sculptures, murals and pavement installations' and 'Advertisements - bus and taxi rank shelter signs' on heritage conservation areas, and whether the proposed provisions be amended to exclude the application of the proposed exempt development within a Heritage Conservation Area.

The BLPP request was considered by Council's Senior Heritage Planner, who advised that:

- A minor amendment was appropriate to the proposed provision for 'Public art on footpaths, including sculptures, murals and pavement installations' to exclude the application of the proposed exempt development within a Heritage Conservation Area;
- No amendment is required to the proposed provision for 'Advertisements – bus and taxi rank shelter signs'.

Accordingly, the proposed amendments have been updated following advice from the BLPP and Council's Senior Heritage Planner.

It is noted, that whilst an exemption may not apply in this circumstance, a low-level assessment could be undertaken for these matters under Clause 5.10(3) of Burwood LEP where the works could be undertaken through a Heritage Exemption Certificate from Council where it is determined that the works would not adversely impact the heritage significance of the area.

### **Proposal**

The new updated proposed exempt development provisions under Schedule 2 of BLEP 2012 read as follows;

**Table 1: Proposed additional provisions to Schedule 2 of BLEP 2012**

Provision	Explanation & Justification
<p><b>Insert New Provision to: Schedule 2 Exempt development</b></p> <p><b>Display of goods on footpath</b></p> <p>(1) Must be associated with an adjacent or nearby lawfully established commercial premises or industrial retail outlet</p> <p>(2) Must be authorised under Part 9, Division 3 of the <i>Roads Act 1993</i></p> <p>(3) Must be authorised under Part 1 or Part 3 of Chapter 7 of the <i>Local Government Act 1993</i></p> <p>(4) Must be authorised Part 5 of the <i>Crown Land Management Act 2016</i></p> <p><b>Outdoor dining (associated with food and drink premises)</b></p> <p>(1) Must be associated with an adjacent or nearby lawfully established food and drink premises</p> <p>(2) Must be authorised under Part 9, Division 3 of the <i>Roads Act 1993</i></p> <p>(3) Must be authorised under Part 1 or Part 3 of Chapter 7 of the <i>Local Government Act 1993</i></p> <p>(4) Must be authorised Part 5 of the <i>Crown Land Management Act 2016</i></p>	<p>The proposed amendments to Schedule 2 of BLEP 2012 demonstrate strategic alignment and merit within both the local and regional planning frameworks. The proposal supports key planning principles including placemaking, economic resilience and equitable access to public places and spaces. The additional exempt provisions enable existing and future developments to incorporate elements that can seamlessly be incorporated to create active and vibrant street life and public spaces to benefit the community.</p> <p>Burwood Council's Local Strategic Planning Statement (LSPS) outlines a 20-year vision for land use planning across the LGA and aligns strategic planning objectives with the Greater Sydney Region Plan and the Eastern City District Plan. This proposal advances those strategic objectives by:</p> <ul style="list-style-type: none"> <li>- Encouraging a diverse night-time economy and cultural vibrancy.</li> <li>- Supporting main streets and town centres as thriving, inclusive, and activated community hubs.</li> <li>- Reducing regulatory barriers for small-scale interventions that enhance local character and liveability without requiring</li> </ul>

Provision	Explanation & Justification
<p><b>Mobile food vending vehicles (food trucks)</b></p> <p>(1) Must be on land or road owned by, or under the care or control of, the Council</p> <p>(2) If located on a Council-owned road or car park must be located within lawful car parking spaces</p> <p>(3) Must not be for more than 52 days (whether or not consecutive) in any 12 month period</p> <p>(4) Must be authorised under Part 9, Division 3 of the <i>Roads Act 1993</i></p> <p>(5) Must be authorised under Part 1 or Part 3 of Chapter 7 of the <i>Local Government Act 1993</i></p> <p>(6) Must be authorised Part 5 of the <i>Crown Land Management Act 2016</i></p>	<p>development consent; and</p> <ul style="list-style-type: none"> <li>- Enabling innovation and economic growth through streamlined public domain regulations.</li> </ul> <p>These outcomes reinforce the LSPS's vision for a well-connected, liveable, and resilient city that can adapt to change and remain vibrant over time.</p>
<p><b>Public art on footpaths, including sculptures, murals and pavement installations</b></p> <p>(1) Must be on land or road owned by, or under the care or control of, the Council</p> <p>(2) Must be installed by or on behalf of Council</p> <p>(3) Must be safe and structurally sound</p> <p>(4) Must not constitute signage</p> <p><b>Note —</b> Signage includes advertisements and advertising structures</p> <p>(5) Must not be located on a heritage item or within a Heritage Conservation Area</p> <p>(6) Must be designed, fabricated and installed in accordance with applicable Australian Standards</p> <p>(7) Must allow a minimum 1.5m wide pathway for pedestrians</p> <p>(8) Must be authorised under Part 9, Division 3 of the <i>Roads Act 1993</i></p> <p>(9) Must be authorised under Part 1 or Part 3 of Chapter 7 of the <i>Local Government Act 1993</i></p> <p>(10) Must be authorised Part 5 of the <i>Crown Land Management Act 2016</i></p>	<p><b>Infrastructure and Collaboration</b></p> <p>The introduction of additional exempt development provisions such as temporary community events and public art can improve the vibrancy of the existing public domain without placing major pressures on existing infrastructure. By encouraging uses that create attractions while complementing existing infrastructure and local amenities will deliver low-cost and high impact benefits for the area.</p> <p>Co-designing city activation initiatives such as events, public art, and lighting in and around existing and future transport hubs in Burwood and Croydon centres will elevate their attractiveness and accessibility, encouraging more people to visit and contribute to local businesses.</p>
<p><b>Street art (Wall Murals)</b></p> <p>(1) Street art must only be carried on the land and associated building or structure with the approval of the owner</p> <p>(2) Must not project more than 30mm from a wall or other surface</p> <p>(3) If adjacent to a public place, must not reduce the pedestrian access path to less than 1.5m</p> <p>(4) Must be safe, structurally sound and installed in accordance with applicable</p>	<p><b>Liveability</b></p> <p>The proposed additional provisions will facilitate a high-quality of life by enabling street art, murals and footpath activations that reinforce Burwood's identity as a creative, diverse, and walkable city. By making it easier to deliver low-scale and low impact placemaking initiatives, this proposal supports a more vibrant public environment that complements residential growth and access to public amenities and services. This aligns with LSPS objectives to enhance the distinct character of local centres, support a diverse and multicultural community, and elevate urban design and placemaking outcomes in strategic locations such as the Croydon and Enfield areas. Furthermore, by reducing regulatory barriers for small-scale activation, the proposal ensures equitable access to the planning system for businesses and community groups and thereby strengthening social inclusion and enhancing liveability.</p> <p>It is noted, that whilst an exemption may not apply in the circumstance of a Heritage conservation Area, the works could still</p>

Provision	Explanation & Justification
<p>Australian Standards</p> <p>(5) Must not constitute signage</p> <p><b>Note —</b> Signage includes advertisements and advertising structures.</p> <p>(6) Must not be located on a heritage item or within a heritage conservation area or a special character area</p> <p>(7) Must not contain material in the opinion of Council that—</p> <p>(a) discriminates against or vilifies any person or group, or</p> <p>(b) is offensive or sexually explicit.</p> <p>(8) In this clause, <b>street art (wall mural)</b> means art that is painted, marked or otherwise affixed to the outside of a building or structure that is visible from a public place (within the meaning of the <i>Local Government Act 1993</i>)</p> <p><b>Note —</b> Street art (wall mural) may only be carried out subject to requirements to obtain the approval of the owner of the building on which the street art is located or any statutory authorities (such as Transport for NSW).</p> <p>See also Part 2 of the <i>Graffiti Control Act 2008</i> for graffiti related offences.</p>	<p>proceed via, a low level assessment which could be undertaken for these matters under Clause 5.10(3) of Burwood LEP where the works could be undertaken through a Heritage Exemption Certificate from council where it is determined that the works would not adversely impact the heritage significance of the area or through a DA.</p> <p><b>Productivity</b> These low-impact changes have high-benefits for the community and support economic growth and encourage a night-time economy expansion. Implementing these changes enhances the vitality of the local streetscape and attract both residents and visitors to be a part of the night-time economy. This also allows for cost-effective entry points for local entrepreneurs and small businesses by reducing regulatory burdens and support flexible ways of operating and aligns strongly with initiatives proposed for Council's Special Entertainment Precinct. Initiatives such as food trucks and pop-up events can also attract broader spheres of influence through social media and encourage more people to the area.</p> <p>Overall, this approach promotes centres as mixed-use and people-orientated destinations. By supporting after-hours activities such as outdoor dining and community-centred initiatives, the proposed LEP amendments reinforce the viability of centres beyond business hours and contributes to the development of a safe, lively, and diverse community.</p>
<p><b>Advertisements—bus and taxi rank shelter signs</b></p> <p>1) Must be on land or road owned by, or under the care or control of, the Council</p> <p>2) Must be associated with a lawfully established bus and taxi rank shelter building or structure with the approval of the owner of the land on which it is situated</p> <p>3) Must only be carried with the approval of the owner the land</p> <p>4) Must not extend beyond the perimeter of the shelter</p> <p>5) Must not exceed 1.8metres in height x 1.2metres in width</p> <p>6) Only 1 advertising panel per shelter that may comprise an advertisement on 2 sides</p> <p>7) Must not contain flashing or neon signage</p> <p>8) Must not obstruct pedestrian paths of travel</p> <p>9) Must not obstruct the line of sight of vehicular traffic.</p> <p>10) Must not cause a road safety hazard</p> <p>11) Must comply with AS 4282—1997, Control of the obtrusive effects of outdoor lighting</p> <p>12) Must comply with Part 3 Advertising and road safety of the NSW Government Transport Corridor Outdoor Advertising and</p>	<p><b>Site-Specific Merit</b> The proposed amendments to Schedule 2 of BLEP 2012 demonstrate clear site-specific merit by facilitating interventions in areas within the Burwood LGA that are well-suited to low-impact, activation-based development. These locations include walkable, mixed-use centres with strong pedestrian activity, commercial streets, and access to public transport.</p> <p>In particular, the Burwood Town Centre has pedestrian-oriented places and streets to introduce initiatives such as outdoor dining, footpath retail, and mobile food vendors. Active streets such as Burwood Road, Deane Street, and Belmore Street consist of wide footpaths, existing public infrastructure, and a high concentration of cafes and retail, making them prime candidates for small-scale, exempt</p>

Provision	Explanation & Justification
<p>Signage Guidelines dated November 2017</p> <p>13) Must be authorised under Part 9, Division 3 of the <i>Roads Act 1993</i></p> <p><b>Temporary use of council land or road for events</b></p> <p>(1) Use must be on land or road owned by, or under the care or control of, the Council</p> <p>(2) Must only be carried with the approval of the owner the land</p> <p>(3) Must not be for more than 52 days (whether or not consecutive) in any 12 month period</p> <p>(4) Must be authorised under Part 9, Division 3 of the <i>Roads Act 1993</i></p> <p>(5) Must be authorised under Part 1 or Part 3 of Chapter 7 of the <i>Local Government Act 1993</i></p> <p>(6) Must be authorised Part 5 of the <i>Crown Land Management Act 2016</i></p>	<p>development.</p> <p>Other centres such as The Strand in Croydon and the Enfield retail strip along Liverpool Road also feature active frontages and would benefit from enhanced public life through community events, food trucks, and public art installations. These changes will support economic vitality and community well-being in these local areas.</p> <p>The amendments include clear exclusions for residential zones, heritage conservation areas, and environmentally sensitive sites. This ensures that activation is concentrated in appropriate commercial areas and does not impact amenity of residents or the natural environment.</p> <p>By establishing clear and simple framework for these developments, the proposed Schedule 2 provisions streamline the approval process, allowing Council to focus time and resources on assessing larger, complex development proposals. This planning approach will also provide certainty to the local business community and confidence to align with Council's placemaking and activation vision.</p> <p>Overall, these amendments offer a practical, sustainable, and locally responsive planning solution that builds on Burwood's urban strengths and supports Council's long-term strategic goals.</p> <p>The proposed exempt development controls align with established planning policy and will provide regulatory clarity, reduce assessment time and administrative costs and support Council in delivering its public domain and economic development goals.</p>

The wording of the Schedule 2 development standards has been prepared to ensure that they are effectual and consistent with the current planning legislative requirements. The above development standards were referred to the Council at its meeting on September 2025 and no concerns were raised.

On the advice of Council's Senior Heritage Planner, a minor amendment has been included in the proposed provision for 'Public art on footpaths, including sculptures, murals and pavement installations' to prohibit the application of the proposed exempt development within a Heritage Conservation Area.

### **Relationship with other Council Initiatives**

*License to Play* is a Council Policy which provides the guidance and permissions needed to transform streets, laneways, and vacant shopfronts into vibrant, interactive spaces. The program

supports creative activations and streetscape improvements by simplifying the approvals process and ensures events are accessible to everyone. For example, “Extended Eats” is an initiative under the *License to Play Policy* that allows food and beverage businesses with an existing outdoor dining approval to extend their outdoor dining areas along adjacent building frontages and expand their business without the need to pay any additional fees.

The City Activation LEP Provisions complement the *License to Play Policy*, which aims to create a new era for city-making, fostering opportunities for dynamic partnerships between local government, businesses, property owners, and the community.

The Planning Proposal was also referred to Council’s Place Making Team who reviewed the draft Schedule 2 Provisions and confirmed that the provisions align with the *License to Play Policy*.

### **Consultation**

The subject Planning Proposal was publicly exhibited on Council’s ‘Participate Burwood’ community engagement platform from 5 November 2025 to 3 December 2025. During this period, no submissions were received.

### **Planning or Policy Implications**

The purpose of these provisions is to streamline approval processes and support increased activation across the local area without requiring a development application. This approach aims to reduce administrative barriers while maintaining appropriate regulatory oversight through legislation such as the *Local Government Act*, *Roads Act* and *Crown Land Act*, as well as ensuring landowner consent where Council is the primary landholder. The provisions will also complement existing Council initiatives, including *License to Play*.

### **Financial Implications**

There are no financial implications with respect to the Planning Proposal.

### **Next Steps**

Following the Burwood LPP endorsement in respect to the Planning Proposal, the matter can progress to the Gateway Determination stage, subject to Council resolution.

The key steps in progressing the Planning Proposal are outlined below:

1. Submission of the Planning Proposal to DPHI for Gateway Determination. This step establishes whether the proposal may proceed and sets out the requirements for formal community consultation.
2. Formal public exhibition of the Planning Proposal and consultation with relevant State agencies, consistent with requirements of the *Environmental Planning and Assessment Act*, the *Environmental Planning and Assessment Regulation 2021*, as well as other relevant plans and guidelines including the *Burwood Community Engagement Strategy*, *Local Environmental Plan Making Guideline* and any conditions of the Gateway Determination.
3. Reporting the outcomes of the formal community consultation to Council, at which time Council will determine whether to adopt the Planning Proposal and proceed to plan-making.
4. If adopted, Council will submit relevant documentation to DPHI to amend the relevant clauses of the of BLEP 2012.
5. Formal amendment to the relevant clause of the Burwood LEP 2012 completed.

## **Conclusion**

The proposed BLEP amendments seek to streamline approval processes and support increased activation across the local area without requiring a development application. This approach aims to reduce administrative barriers while maintaining appropriate regulatory oversight through legislation such as the *Local Government Act*, *Roads Act* and *Crown Land Act*, as well as ensuring landowner consent where Council is the primary landholder. The provisions will also complement existing Council initiatives, including *Licence to Play*.

The proposed exempt development provisions would apply to a range of activities, including public art within footpath areas (such as sculptures, murals and pavement treatments), street art, temporary use of Council land or roads for community and fundraising events, the display of goods on footpaths, outdoor dining associated with food and beverage premises, mobile food vendors (food trucks), and certain forms of signage, including bus shelter and taxi rank advertising. These measures are intended to simplify the approval pathway for applicants and enhance the vibrancy of the Local Government Area, generating benefits for local businesses, residents and visitors.

In accordance with Ministerial Directions under the *Environmental Planning and Assessment Act 1979*, advice was sought from the Burwood Local Planning Panel (BLPP) on the draft Planning Proposal to amend Schedule 2 of the BLEP 2012 and is attached for Council's information and consideration.

## ***Recommendation(s)***

That:

1. Council approve and endorse the preparation and submission to the NSW Department of Planning, Housing and Infrastructure (DPHI) of a request for Gateway Determination for a Planning Proposal to amend the Burwood Local Environmental Plan 2012 by updating Schedule 2 as described in this report.
2. Subject to the issuing of a Gateway Determination by DPHI, the Planning Proposal be publicly exhibited for a minimum period of 28 days, with community consultation undertaken in accordance with the *Environmental Planning and Assessment Act 1979*.
3. The General Manager be delegated authority to make minor modifications to correct any numerical, typographical, interpretive or formatting errors, if required.
4. The results of the Gateway Determination, community consultation and engagement process be reported back to Council.

## **Attachments**

- 1 [DRAFT Planning Proposal - LEP Amendments - City Activation](#)
- 2 [Burwood Local Planning Panel Meeting Report - 15 April 2026 - Amendments to BLEP 2012 to include City Activation Exempt Provisions](#)
- 3 [BLPP Meeting Minutes - 15 April 2026 - LEP Amendment - City Activation](#)



## Planning Proposal

### **Amendment of Schedule 2 of the Burwood LEP 2012 to include new exempt development provisions for city activation initiatives**

**April 2026**

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

## Table of Contents

Introduction .....	3
Background .....	3
Part 1 – Objectives and intended outcomes .....	3
Part 2 – Explanation of Provisions .....	4
Part 3 – Justification of Strategic and Site-specific merit .....	7
Part 4 – Maps .....	8
Part 5 – Community Consultation .....	10
Part 6 – Project Timeline .....	10

### **Attachments**

**Attachment 1:** Council Report

**Attachment 2:** Council Meeting Minutes

## Introduction

Burwood Council proposes to amend the Burwood Local Environmental Plan 2012 (BLEP 2012) by introducing new exempt development provisions under Schedule 2 to support a variety of city activation initiatives.

The proposed provisions would apply to public art on footpaths, including sculptures, murals and pavement installations; street art; the temporary use of Council land or roads for community and fundraising events; the display of goods on footpaths; outdoor dining associated with food and drink premises; mobile food vending vehicles (food trucks); and advertisements, such as bus and taxi rank shelter signs.

The provisions would apply to all land within the Burwood Local Government Area, as shown in **Figure 1** of this report.

## Background

On 23 September 2025 Council resolved to endorse the preparation of a Planning Proposal to amend the Burwood Local Environmental Plan 2012 (BLEP 2012) by incorporating new exempt development provisions under Schedule 2. The intent of the new provisions is to facilitate city activation initiatives without the need for development consent. The amendment will continue to uphold all necessary governance requirements, including approvals under the *Local Government Act 1993*, *Roads Act 1993*, and the *Crown Land Management Act 2016*, as well as landowner consent where Council is the predominant landholder.

These provisions were previously endorsed by Council in January 2025 as part of the Alternate Croydon Masterplan. However, the Department of Planning, Housing and Infrastructure (DPHI) advised that it would not proceed with the adoption of the exempt provisions via the Croydon SEPP as they have LGA-wide implications. As a result, to progress these initiatives, a Council Planning Proposal to amend Schedule 2 of BLEP 2012 is required. The draft amendment was publicly exhibited from 5 November to 3 December 2025 and no submissions were received.

## Part 1 – Objectives and intended outcomes

The purpose of this Planning Proposal is to amend the BLEP to introduce new exempt development provisions under Schedule 2. These provisions aim to facilitate low-impact and small-scale activation-based uses across the local government area, particularly in commercial centres.

The proposed amendment will provide a clear and efficient pathway for small-scale city activation initiatives which will help create vibrant, inclusive and lively spaces that enhance the character of Burwood's centres and contribute to the city's evolving cultural identity.

Importantly, the Planning Proposal supports a range of existing Council strategies and initiatives, including the ***Creative Burwood Strategy***, ***After Dark Strategy***, and ***Licence to Play***. Collectively, these initiatives emphasise the role of place-based activation in

improving liveability, strengthening community connection and promoting a safe and thriving night-time economy. This is further supported by the designation of a Special Entertainment Precinct in the Burwood Town Centre as part of a separate Planning Proposal.

The proposed exempt development provisions were endorsed by Council in January 2025 as part of the Alternate Croydon Masterplan. However, DPHI has since advised that it will not progress the provisions through the Croydon North Masterplan SEPP amendment due to their LGA-wide implications. Accordingly, Council is progressing a Planning Proposal to amend Schedule 2 of the BLEP, which will be submitted to DPHI for Gateway determination.

## Part 2 – Explanation of Provisions

This report supports Council's endorsement to prepare a Planning Proposal to amend BLEP 2012 by introducing new exempt development provisions under Schedule 2 to support a range of city activation initiatives. The proposed provisions are outlined below:

**Table 1: Proposed additional provisions to Schedule 2 of Burwood Local Environmental Plan 2012**

Provision	Explanation & Justification
<p><b>Insert New Provisions in BLEP Schedule 2 Exempt development</b></p> <p><b>Display of goods on footpath</b></p> <p>(1) Must be associated with an adjacent or nearby lawfully established commercial premises or industrial retail outlet</p> <p>(2) Must be authorised under Part 9, Division 3 of the <i>Roads Act 1993</i></p> <p>(3) Must be authorised under Part 1 or Part 3 of Chapter 7 of the <i>Local Government Act 1993</i></p> <p>(4) Must be authorised Part 5 of the <i>Crown Land Management Act 2016</i></p> <p><b>Outdoor dining (associated with food and drink premises)</b></p> <p>(1) Must be associated with an adjacent or nearby lawfully established food and drink premises</p> <p>(2) Must be authorised under Part 9, Division 3 of the <i>Roads Act 1993</i></p> <p>(3) Must be authorised under Part 1 or Part 3 of Chapter 7 of the <i>Local Government Act 1993</i></p> <p>(4) Must be authorised Part 5 of the <i>Crown Land Management Act 2016</i></p> <p><b>Mobile food vending vehicles (food trucks)</b></p> <p>(1) Must be on land or road owned by, or under the care or control of, the Council</p>	<p>The proposed amendments to BLEP Schedule 2 demonstrate strategic alignment and merit within both the local and regional planning frameworks. The proposal supports key planning principles including placemaking, economic resilience and equitable access to public places and spaces. The additional exempt provisions enable existing and future developments to incorporate elements that can seamlessly be incorporated to create active and vibrant street life and public spaces to benefit the community.</p> <p>Burwood Council's Local Strategic Planning Statement (LSPS) outlines a 20-year vision for land use planning across the LGA and aligns strategic planning objectives with the Greater Sydney Region Plan and the Eastern City District Plan. This proposal advances those strategic objectives by:</p> <ul style="list-style-type: none"> <li>- Encouraging a diverse night-time economy and cultural vibrancy.</li> <li>- Supporting main streets and town centres as thriving, inclusive, and activated community hubs.</li> <li>- Reducing regulatory barriers for small-scale interventions that enhance local character and liveability without requiring development consent; and</li> <li>- Enabling innovation and economic growth through streamlined public domain regulations.</li> </ul> <p>These outcomes reinforce the LSPS's vision for a well-connected, liveable, and resilient city that can adapt to change and remain vibrant over time.</p>

Provision	Explanation & Justification
<p>(2) If located on a Council-owned road or car park must be located within lawful car parking spaces</p> <p>(3) Must not be for more than 52 days (whether or not consecutive) in any 12 month period</p> <p>(4) Must be authorised under Part 9, Division 3 of the <i>Roads Act 1993</i></p> <p>(5) Must be authorised under Part 1 or Part 3 of Chapter 7 of the <i>Local Government Act 1993</i></p> <p>(6) Must be authorised Part 5 of the <i>Crown Land Management Act 2016</i></p> <p><b>Public art on footpaths, including sculptures, murals and pavement installations</b></p> <p>(1) Must be on land or road owned by, or under the care or control of, the Council</p> <p>(2) Must be installed by or on behalf of Council</p> <p>(3) Must be safe and structurally sound</p> <p>(4) Must not constitute signage</p> <p><b>Note —</b> Signage includes advertisements and advertising structures.</p> <p>(5) Must not be located on a heritage item or within a Heritage Conservation Area</p> <p>(6) Must be designed, fabricated and installed in accordance with applicable Australian Standards</p> <p>(7) Must allow a minimum 1.5m wide pathway for pedestrians</p> <p>(8) Must be authorised under Part 9, Division 3 of the <i>Roads Act 1993</i></p> <p>(9) Must be authorised under Part 1 or Part 3 of Chapter 7 of the <i>Local Government Act 1993</i></p> <p>(10) Must be authorised Part 5 of the <i>Crown Land Management Act 2016</i></p> <p><b>Street art (Wall Murals)</b></p> <p>(1) Street art must only be carried on the land and associated building or structure with the approval of the owner</p> <p>(2) Must not project more than 30mm from a wall or other surface</p> <p>(3) If adjacent to a public place, must not reduce the pedestrian access path to less than 1.5m</p> <p>(4) Must be safe, structurally sound and installed in accordance with applicable Australian Standards</p> <p>(5) Must not constitute signage</p> <p><b>Note —</b> Signage includes advertisements and advertising structures.</p> <p>(6) Must not be located on a heritage item or within a heritage conservation area or a special character area</p> <p>(7) Must not contain material in the opinion of Council that—</p> <p>(a) discriminates against or vilifies any person or group, or</p> <p>(b) is offensive or sexually explicit.</p>	<p><b>Infrastructure and Collaboration</b></p> <p>The introduction of additional exempt development provisions such as temporary community events and public art can improve the vibrancy of the existing public domain without placing major pressures on existing infrastructure. By encouraging uses that create attractions while complementing existing infrastructure and local amenities will deliver low-cost and high impact benefits for the area.</p> <p>Co-designing city activation initiatives such as events, public art, and lighting in and around existing and future transport hubs in Burwood and Croydon centres will elevate their attractiveness and accessibility, encouraging more people to visit and contribute to local businesses.</p> <p><b>Liveability</b></p> <p>The proposed additional provisions will facilitate a high-quality of life by enabling street art, murals and footpath activations that reinforce Burwood's identity as a creative, diverse, and walkable city. By making it easier to deliver low-scale and low impact placemaking initiatives, this proposal supports a more vibrant public environment that complements residential growth and access to public amenities and services. This aligns with LSPS objectives to enhance the distinct character of local centres, support a diverse and multicultural community, and elevate urban design and placemaking outcomes in strategic locations such as the Croydon and Enfield areas. Furthermore, by reducing regulatory barriers for small-scale activation, the proposal ensures equitable access to the planning system for businesses and community groups and thereby strengthening social inclusion and enhancing liveability.</p> <p><b>Productivity</b></p> <p>These low-impact changes have high-benefits for the community and support economic growth and encourage a night-time economy expansion. Implementing these changes enhances the vitality of the local streetscape and attract both residents and visitors to be a part of the night-time economy. This also allows for cost-effective entry points for local entrepreneurs and small businesses by reducing regulatory burdens and support flexible ways of operating and aligns strongly with initiatives proposed for Council's Special Entertainment Precinct. Initiatives such as food trucks and pop-up events can also attract broader spheres of influence through social media and encourage more people to the area.</p> <p>Overall, this approach promotes centres as mixed-use and people-orientated destinations. By supporting after-hours activities such as outdoor dining and community-centred initiatives, the proposed LEP amendments reinforce the viability of centres beyond business hours and contributes to the development of a safe, lively, and diverse community.</p> <p><b>Site-Specific Merit</b></p>

Provision	Explanation & Justification
<p>(8) In this clause, <b>street art (wall mural)</b> means art that is painted, marked or otherwise affixed to the outside of a building or structure that is visible from a public place (within the meaning of the <i>Local Government Act 1993</i>)</p> <p><b>Note —</b> Street art (wall mural) may only be carried out subject to requirements to obtain the approval of the owner of the building on which the street art is located or any statutory authorities (such as Transport for NSW). See also Part 2 of the <i>Graffiti Control Act 2008</i> for graffiti related offences.</p> <p><b>Advertisements—bus and taxi rank shelter signs</b></p> <p>(1) Must be on land or road owned by, or under the care or control of, the Council</p> <p>(2) Must be associated with a lawfully established bus and taxi rank shelter building or structure with the approval of the owner of the land on which it is situated</p> <p>(3) Must only be carried with the approval of the owner the land</p> <p>(4) Must not extend beyond the perimeter of the shelter</p> <p>(5) Must not exceed 1.8metres in height x 1.2metres in width</p> <p>(6) Only 1 advertising panel per shelter that may comprise an advertisement on 2 sides</p> <p>(7) Must not contain flashing or neon signage</p> <p>(8) Must not obstruct pedestrian paths of travel</p> <p>(9) Must not obstruct the line of sight of vehicular traffic.</p> <p>(10) Must not cause a road safety hazard</p> <p>(11) Must comply with AS 4282—1997, Control of the obtrusive effects of outdoor lighting</p> <p>(12) Must comply with Part 3 Advertising and road safety of the NSW Government Transport Corridor Outdoor Advertising and Signage Guidelines dated November 2017</p> <p>(13) Must be authorised under Part 9, Division 3 of the <i>Roads Act 1993</i></p> <p><b>Temporary use of council land or road for events</b></p> <p>(1) Use must be on land or road owned by, or under the care or control of, the Council</p> <p>(2) Must only be carried with the approval of the owner the land</p> <p>(3) Must not be for more than 52 days (whether or not consecutive) in any 12 month period</p> <p>(4) Must be authorised under Part 9, Division 3 of the <i>Roads Act 1993</i></p> <p>(5) Must be authorised under Part 1 or Part 3 of Chapter 7 of the <i>Local Government Act 1993</i></p> <p>(6) Must be authorised Part 5 of the <i>Crown Land Management Act 2016</i></p>	<p>The proposed amendments to Schedule 2 of BLEP 2012 demonstrate clear site-specific merit by facilitating interventions in areas within the Burwood LGA that are well-suited to low-impact, activation-based development. These locations include walkable, mixed-use centres with strong pedestrian activity, commercial streets, and access to public transport.</p> <p>Specifically, the Burwood Town Centre has pedestrian-oriented places and streets to introduce initiatives such as outdoor dining, footpath retail, and mobile food vendors. Active streets such as Burwood Road, Deane Street, and Belmore Street consist of wide footpaths, existing public infrastructure, and a high concentration of cafes and retail, making them prime candidates for small-scale, exempt development.</p> <p>Other centres such as The Strand in Croydon and the Enfield retail strip along Liverpool Road also feature active frontages and would benefit from enhanced public life through community events, food trucks, and public art installations. These changes will support economic vitality and community well-being in these local areas.</p> <p>The amendments include clear exclusions for residential zones, heritage conservation areas, and environmentally sensitive sites. This ensures that activation is concentrated in appropriate commercial areas and does not impact amenity of residents or the natural environment.</p> <p>By establishing a clear and simple framework for these developments, the proposed Schedule 2 provisions streamline the approval process, allowing Council to focus time and resources on assessing larger, complex development proposals. This planning approach will also provide certainty to the local business community and confidence to align with Council's placemaking and activation vision.</p> <p>Overall, these amendments offer a practical, sustainable, and locally responsive planning solution that builds on Burwood's urban strengths and supports Council's long-term strategic goals.</p> <p>The proposed exempt development controls align with established planning policy and will provide regulatory clarity, reduce assessment time and administrative costs and support Council in delivering its public domain and economic development goals.</p>

## Part 3 – Justification of Strategic and Site-specific merit

### **Strategic Context and Alignment**

Burwood Council is committed to delivering a vibrant, accessible, and inclusive city that celebrates diverse cultures and community life. The BLEP 2012 currently enables a range of land uses and activities that reinforce and enhance Burwood's reputation as a growing hub for entertainment, dining, shopping, placemaking, and activation.

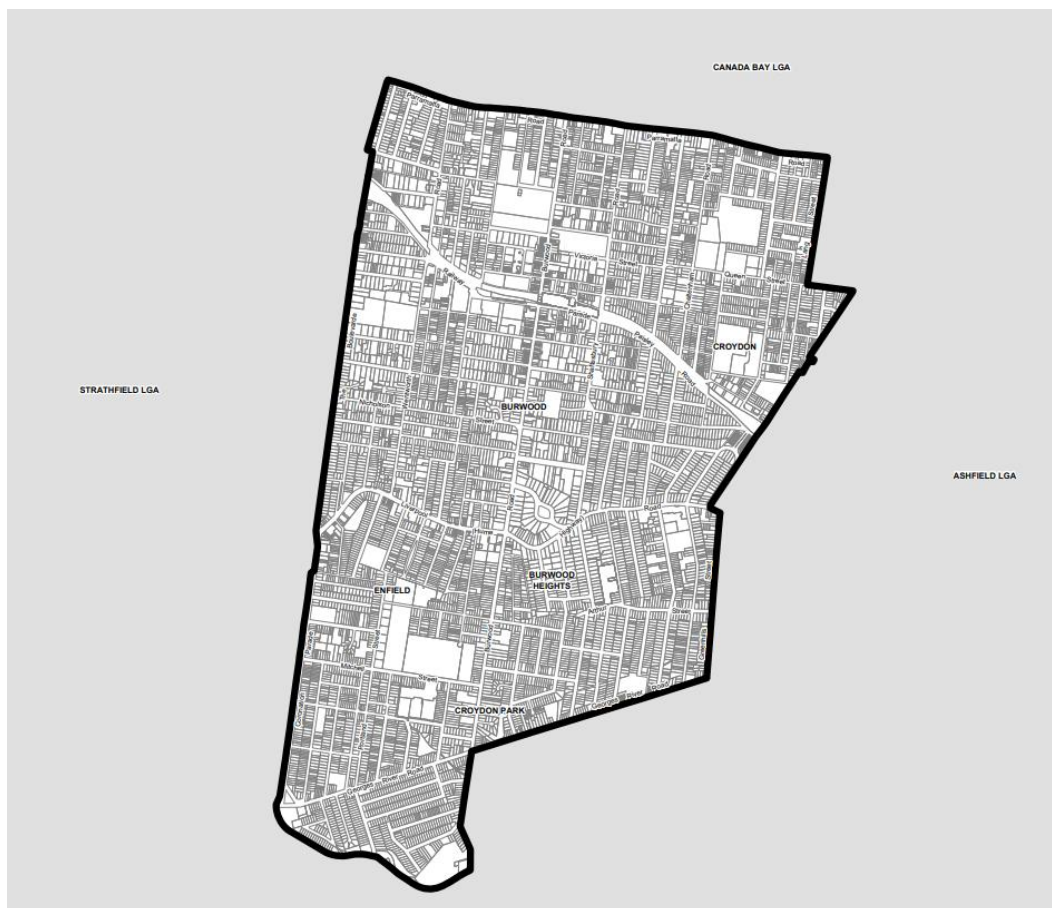
As a designated strategic centre, Council has implemented a variety of strategies and initiatives to bring this vision to life. These include *Licence to Play*, *Permit Plug and Play*, the *Burwood After Dark Strategy*, the *Creative Burwood Strategy*, and the designation of a Special Entertainment Precinct in the Burwood Town Centre as part of a future Planning Proposal.

Planned future growth through the Burwood North Masterplan, Croydon North Masterplan, and numerous State Significant Developments will further support Council's vision to make Burwood a destination of choice to live, visit, and do business. By prioritising liveability and vibrancy, Council is committed to enhancing public spaces in ways that strengthen community connection and build a strong sense of place.

The proposal aligns with key strategic objectives outlined in Council's Local Strategic Planning Statement (LSPS), Community Strategic Plan (CSP) and After Dark Strategy, all of which emphasise vibrancy, accessibility and public domain activation.

## Part 4 – Maps

The BLEP amendments will apply to all properties within the Burwood LGA.



**Figure 1:** Application of proposed BLEP amendments to the whole Burwood Local Government Area.

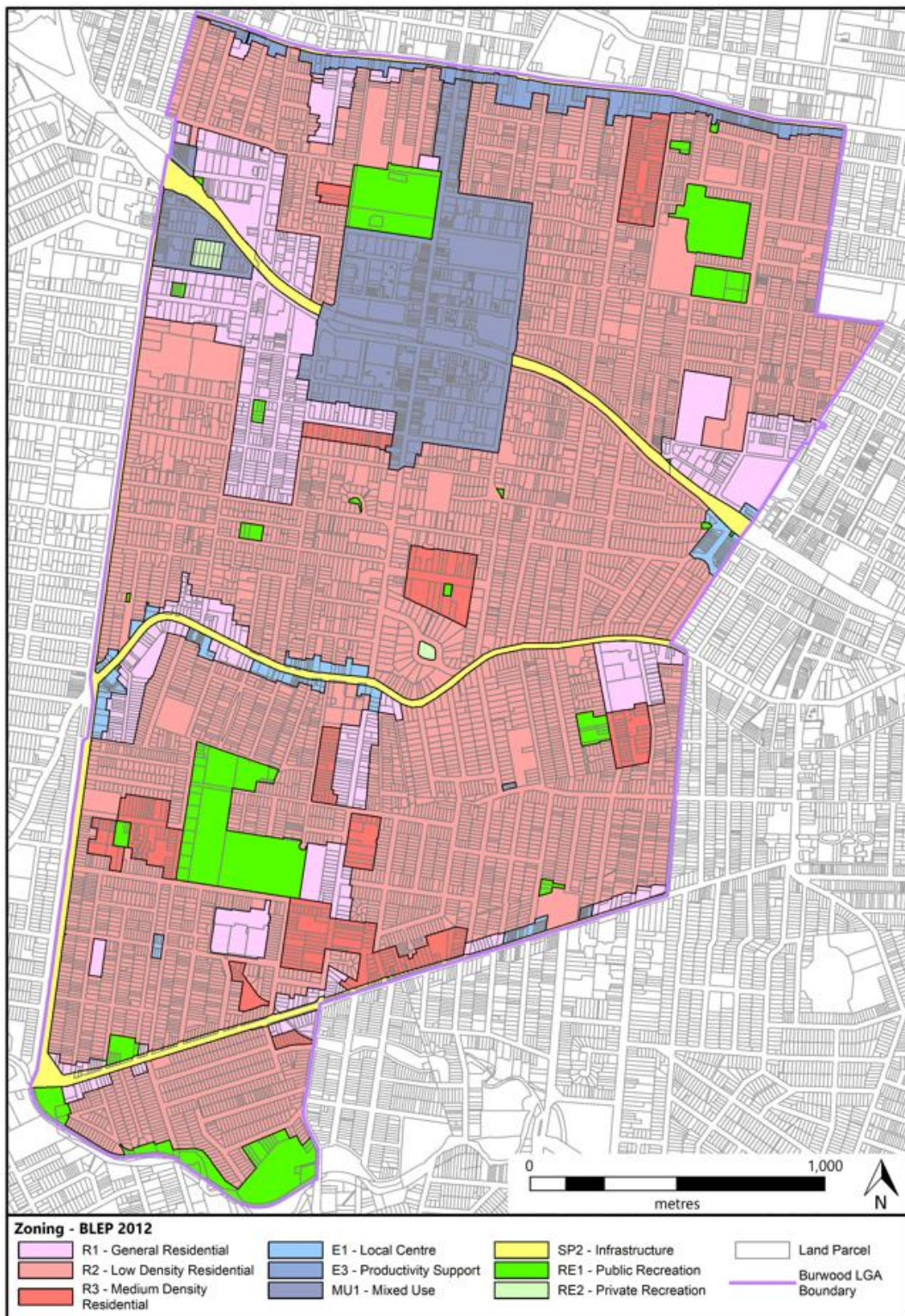


Figure 2: Land Zoning Map - Burwood Local Environmental Plan 2012.

Council Ref.: 25/49924

## Part 5 – Community Consultation

Upon Gateway determination of the Planning Proposal, the proposed amendments to Schedule 2 of BLEP 2012 will be exhibited on Council's Participate Burwood online engagement platform for 28 days in accordance with the requirements of the *Environmental Planning and Assessment Regulation 2021* and Council's *Community Participation Plan*.

Members of the public, stakeholders and affected parties will be able to view the proposal and provide their comments through the platform,

## Part 6 – Project Timeline

<b>Stage</b>	<b>Action</b>	<b>Timing</b>
Report to Council	Resolved to endorse proposed amendments and preparation of Planning Proposal	23 September 2025
Public exhibition	Exhibited on Council's Participate Burwood Community Engagement platform	5 Nov – 3 Dec 2025
Report to BLPP	BLPP endorsement	15 April 2026
Post-exhibition report to Council	Endorsement to lodge Planning Proposal with DPHI	28 April 2026
Submit to DPHI	Gateway assessment	April/May 2026
Public Exhibition	28 Days	Post-Gateway determination
Review Submissions	Report to Council	Post-public exhibition
Finalisation	LEP Amendment (if approved)	Late 2026

## Consistency with Region Plan, District Plan, Community Strategic Plan and Local Strategic Planning Statement

### A. Greater Sydney Region Plan – A Metropolis of 3 Cities

Direction	Objective	Does this objective apply to the Planning Proposal?	How does this Planning Proposal implement the Direction and Objective?
A city supported by infrastructure	<b>Objective 1:</b> Infrastructure supports the three cities	Yes	Consistent, the proposal facilitates city activation and place making initiatives.
	<b>Objective 2:</b> Infrastructure aligns with forecast growth – growth infrastructure compact	N/A	N/A
	<b>Objective 3:</b> Infrastructure adapts to meet future needs	Yes	Consistent, the proposal facilitates city activation and place making initiatives.
	<b>Objective 4:</b> Infrastructure use is optimised	Yes	Consistent, the proposal facilitates city activation and place making initiatives.
A collaborative city	<b>Objective 5:</b> Benefits of growth realised by collaboration of governments, community and business	Yes	Consistent, the proposal facilitates city activation and place making initiatives.
A city for people	<b>Objective 6:</b> Services and infrastructure meet communities' changing needs	Yes	Consistent, the proposal facilitates city activation and place making initiatives.
	<b>Objective 7:</b> Communities are healthy, resilient and socially connected	Yes	Consistent, the proposal facilitates city activation and place making initiatives.
	<b>Objective 8:</b> Greater Sydney's communities are culturally rich with diverse neighbourhoods	Yes	Consistent, the proposal facilitates city activation and place making initiatives.
	<b>Objective 9:</b> Greater Sydney celebrates the arts and supports creative industries and innovation	Yes	Consistent, the proposal facilitates city activation and place making initiatives.
Giving people housing choices	<b>Objective 10:</b> Great places that bring people together	Yes	Consistent, the proposal facilitates city activation and place making initiatives.
	<b>Objective 11:</b> Housing is more diverse and affordable	N/A	N/A
A city of great places	<b>Objective 12:</b> Great places that bring people together	Yes	Consistent, the proposal facilitates city activation and place making initiatives.
	<b>Objective 13:</b> Environmental heritage is identified, conserved and enhanced	N/A	N/A
A well-connected city	<b>Objective 14:</b> A Metropolis of 3 Cities – integrated land use and transport creates walkable and 30-minute cities	N/A	N/A
	<b>Objective 15:</b> The Eastern, GOP and Western Economic Corridors are better connected and more competitive.	N/A	N/A
	<b>Objective 16:</b> Freight and logistics network is competitive and efficient	N/A	N/A
	<b>Objective 17:</b> Regional connectivity is enhanced	N/A	N/A
Jobs and skills for the city	<b>Objective 18:</b> Harbour CBD is stronger and more competitive	N/A	N/A

**Item Number 23/26 - Attachment 1**

**DRAFT Planning Proposal - LEP Amendments - City Activation**

	<b>Objective 19:</b> Greater Parramatta is stronger and better connected	N/A	N/A
	<b>Objective 20:</b> Western Sydney Airport and Badgerys Creek Aerotropolis are economic catalysts for Western Parkland City	N/A	N/A
	<b>Objective 21:</b> Internationally competitive health, education, research and innovation precincts	N/A	N/A
	<b>Objective 22:</b> Investment and business activity in centres	Yes	Consistent, the proposal facilitates city activation and place making initiatives.
	<b>Objective 23:</b> Industrial and urban services land is planned, retained and managed	N/A	N/A
	<b>Objective 24:</b> Economic sectors are targeted for success	N/A	N/A
<b>A city in its landscape</b>	<b>Objective 25:</b> The coast and waterways are protected and healthier	N/A	N/A
	<b>Objective 26:</b> A cool and green parkland city in the South Creek corridor	N/A	N/A
	<b>Objective 27:</b> Biodiversity is protected, urban bushland and remnant vegetation is enhanced	N/A	N/A
	<b>Objective 28:</b> Scenic and cultural landscapes are protected	Yes	Consistent, the proposal facilitates city activation and place making initiatives.
	<b>Objective 29:</b> Environmental, social and economic values in rural areas are protected and enhanced	N/A	
	<b>Objective 30:</b> Urban tree canopy cover is increased	N/A	N/A
	<b>Objective 31:</b> Public open space is accessible, protected and enhanced	N/A	N/A
	<b>Objective 32:</b> The Green Grid links parks, open spaces, bushland and walking and cycling paths	N/A	N/A
<b>An Efficient City</b>	<b>Objective 33:</b> A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change	N/A	N/A
	<b>Objective 34:</b> Energy and water flows are captured, used and reused	N/A	N/A
	<b>Objective 35:</b> More waste is re-used and recycled to support the development of a circular economy	N/A	N/A
<b>A resilient city</b>	<b>Objective 36:</b> People and places adapt to climate change and future shocks and stresses	N/A	N/A
	<b>Objective 37:</b> Exposure to natural and urban hazards is reduced	N/A	N/A
	<b>Objective 38:</b> Heatwaves and extreme heat are managed	N/A	N/A
	<b>Objective 39:</b> A collaborative approach to city planning	N/A	N/A
	<b>Objective 40:</b> Plans refined by monitoring and reporting	N/A	N/A

B. Eastern City District Plan

Direction	Objective	Does this objective apply to the Planning Proposal?	How does this Planning Proposal implement the Direction and Objective?
A city supported by infrastructure	<b>Planning Priority E1</b> Planning for a city supported by Infrastructure	Yes	Consistent, the proposal facilitates city activation and place making initiatives.
A collaborative city	<b>Planning Priority E2</b> Working through Collaboration	Yes	Consistent, the proposal facilitates city activation and place making initiatives.
A City for People	<b>Planning Priority E3</b> Providing services and social infrastructure to meet people's changing needs	Yes	Consistent, the proposal facilitates city activation and place making initiatives.
	<b>Planning Priority E4</b> Fostering healthy, creative, culturally rich and socially connected communities	Yes	Consistent, the proposal facilitates city activation and place making initiatives.
Housing the city	<b>Planning Priority E5</b> Providing housing supply, choice and affordability with access to jobs, services and public transport	N/A	N/A
A city of great places	<b>Planning Priority E6</b> Creating and renewing great places and local centres, and respecting the District's heritage	N/A	N/A
A well-connected city	<b>Planning Priority E10</b> Delivering integrated land use and transport planning and a 30-minute city	N/A	N/A
	<b>Planning Priority E7</b> Growing a stronger and more competitive Harbour CBD	N/A	N/A
	<b>Planning Priority E8</b> Growing and investing in health and education precincts and the Innovation Corridor	N/A	N/A
	<b>Planning Priority E9</b> Growing international trade gateways	N/A	
	<b>Planning Priority E11</b> Growing investment, business opportunities and jobs in strategic centres	Yes	Consistent, the proposal facilitates city activation and place making initiatives.
	<b>Planning Priority E12</b> Retaining and managing industrial and urban services land	N/A	
	<b>Planning Priority E13</b> Supporting growth of targeted industry sectors	Yes	Consistent, the proposal facilitates city activation and place making initiatives.
A city in its landscape	<b>Planning Priority E14</b> Protecting and improving the health and enjoyment of Sydney Harbour and the District's waterways	N/A	N/A
	<b>Planning Priority E15</b> Protecting and enhancing bushland and biodiversity	N/A	N/A
	<b>Planning Priority E16</b> Protecting and enhancing scenic and cultural landscapes	Yes	Consistent, the proposal facilitates city activation and place making initiatives.

	<b>Planning Priority E17</b> Increasing urban tree canopy cover and delivering Green Grid connections	N/A	
	<b>Planning Priority E18</b> Delivering high quality open space	Yes	
An efficient city	<b>Planning Priority E19</b> Reducing carbon emissions and managing energy, water and waste efficiently	N/A	
A resilient city	<b>Planning Priority E20</b> Adapting to the impacts of urban and natural hazards and climate change	N/A	
Implementation	<b>Planning Priority E21</b> Preparing local strategic planning statements informed by local strategic planning	Yes	Consistent, the proposal facilitates city activation and place making initiatives.
	<b>Planning Priority E21</b> Monitoring and reporting on the delivery of the Plan	Yes	Consistent, the proposal facilitates city activation and place making initiatives.

C. Burwood 2036, Community Strategic Plan

Strategic Direction	Compliance
Inclusive Community and Culture	Consistent, the proposal supports city activation and place making initiatives across the Burwood LGA.
Places for People	
Sustainable and Protected Environment	
Vibrant City and Villages	
Open and Collaborative Leadership	

D. Burwood Local Strategic Planning Statement

Direction	Planning Priority	Does this apply to the Planning Proposal?	How does this Planning Proposal implement the Planning Priority?
Infrastructure and Collaboration	P1. Plan for a city that is supported by infrastructure.	Yes	The proposal supports the embellishment of street infrastructure through art.
	P2. Deliver local infrastructure, services and facilities.	Yes	The proposal supports food businesses such as mobile food vending vehicles and food premises which seek to expand and provide outdoor dining.
Liveability	P3. Provide housing supply, choice and affordability in close proximity to jobs, services and public transport.	N/A	N/A
	P4. Provide high quality planning and urban design outcomes for key sites and precincts	Yes	The proposal supports positive urban design outcomes through art.
	P5. Identify local character areas considering preservation, enhancement and desired future character.	Yes	The proposal enhances the public domain through art.

**Item Number 23/26 - Attachment 1**

**DRAFT Planning Proposal - LEP Amendments - City Activation**

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Productivity	P6. Strategically grow investment, business opportunities and jobs.	Yes	The proposal allows commercial precincts to expand through advertisements, display of goods on footpaths and provide outdoor dining options for customers.
	P7. Grow Burwood's night-time entertainment, dining and other recreational opportunities.	Yes	The proposal supports city activation and place making initiatives.
	P8. Increase the long term viability of all centres.	Yes	The proposal supports small-scale temporary businesses such as food trucks.
	P9. Support urban freight and commercial servicing along commercial corridors	N/A	N/A
Sustainability	P10. Deliver high quality open space and recreation facilities.	Yes	The proposal supports the delivery of high-quality open space through the provision of art.
	P11. Increase urban tree canopy cover.	N/A	N/A
	P12. Deliver Green Grid connections	N/A	N/A
	P13. Promote the improved health and enjoyment of the Cooks River waterway and Parramatta River catchment.	N/A	N/A
	P14. Protect and enhance biodiversity.	N/A	N/A
	P15. Reduce carbon emissions and manage energy, water and waste efficiently.	N/A	N/A
	P16. Build resilience across Burwood Council and the Burwood community.	Yes	The proposal supports the community through the facilitation of street art.
	P17. Protect and enhance scenic and cultural landscapes.	Yes	The proposal enhances cultural landscapes through the provision of public art and embellishment of public areas.

**Consistency with Applicable SEPPs**

State Environmental Planning Policy	Consistency
State Environmental Planning Policy (Biodiversity and Conservation) 2021	Not applicable.
State Environmental Planning Policy (Sustainable Buildings) 2022	Yes. This Planning Proposal will not contradict or hinder the application of this SEPP
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	Yes. This Planning Proposal will not contradict or hinder the application of this SEPP
State Environmental Planning Policy (Housing) 2021	Not applicable.
State Environmental Planning Policy (Industry and Employment) 2021	Yes. This Planning Proposal will not contradict or hinder the application of this SEPP
State Environmental Planning Policy (Planning Systems) 2021	Yes. This Planning Proposal will not contradict or hinder the application of this SEPP
State Environmental Planning Policy (Precincts—Central River City) 2021	Not applicable
State Environmental Planning Policy (Precincts—Eastern Harbour City) 2021	Yes. This Planning Proposal will not contradict or hinder the application of this SEPP
State Environmental Planning Policy (Precincts—Regional) 2021	Yes. This Planning Proposal will not contradict or hinder the application of this SEPP
State Environmental Planning Policy (Precincts—Western Parkland City) 2021	Not applicable
State Environmental Planning Policy (Primary Production) 2021	Not applicable
State Environmental Planning Policy (Resilience and Hazards) 2021	Not applicable
State Environmental Planning Policy (Resources and Energy) 2021	Not applicable
State Environmental Planning Policy (Sustainable Buildings) 2022	Yes. This Planning Proposal will not contradict or hinder the application of this SEPP
Cultural State Environmental Planning Policy (SEPP)	Yes.  This Planning Proposal is consistent with the objectives of the recently finalized SEPP which aims to encourage more creative, hospitality and cultural activities that contribute to the 24-hour economy.

## Consistency with relevant Section 9.1 Directions by the Minister

	Direction	Consistency
<b>Planning Systems</b>		
1.1	Implementation of Regional Plans	The Planning Proposal is consistent with this Direction.
1.2	Development of Aboriginal Land Council land	Not applicable.
1.3	Approval and Referral Requirements	Not applicable.
1.4	Site Specific Provisions	The Planning Proposal is consistent with this Direction.
1.4A	Exclusion of Development Standards from Variation	Not applicable.
<b>Planning Systems – Place Based</b>		
1.5	Parramatta Road Corridor Urban Transformation Strategy	The Planning Proposal is consistent with this Direction.
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 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.
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.
1.20	Implementation of the Camellia-Rosehill Place Strategy	Not applicable.
1.21	Implementation of South West Growth Area Structure Plan	Not applicable.
1.22	Implementation of the Cherrybrook Station Place Strategy	Not applicable.
<b>Design and Place</b>		
<b>Biodiversity and Conservation</b>		
3.1	Conservation Zones	Not applicable.
3.2	Heritage Conservation	Not applicable.
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.
3.7	Public Bushland	Not applicable.
3.8	Wilandra Lakes Region	Not applicable.
3.9	Sydney Harbour Foreshores and Waterways Area	Not applicable.
3.10	Water Catchment Protection	Not applicable.
<b>Resilience and Hazards</b>		
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	Not applicable.
4.6	Mine Subsidence and Unstable Land	Not applicable.
<b>Transport and Infrastructure</b>		
5.1	Integrating Land Use and Transport	Not applicable.
5.2	Reserving Land For Public Purposes	The Planning Proposal is consistent with this Direction.
5.3	Development Near Regulated Airports and Defence Airfields	Not applicable.
5.4	Shooting Ranges	Not applicable.
5.5	High pressure dangerous goods pipelines	Not applicable.
<b>Housing</b>		
6.1	Residential Zones	Not applicable.
6.2	Caravan Parks and Manufactured Home Estates	Not applicable.
<b>Industry and Employment</b>		
7.1	Employment Zones	The Planning Proposal is consistent with this Direction.
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.
<b>Resources and Energy</b>		
8.1	Mining, Petroleum Production and Extractive Industries	Not applicable.
<b>Primary Production</b>		
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.

## Attachment 1 – Council Report

Council Meeting

23 September 2025

### **(Item 62/25) LEP Amendment - City Activation Exempt Provisions**

File No: 25/38828

Report by Director City Strategy

#### **Summary**

This report seeks Council's endorsement to prepare a Planning Proposal to amend the *Burwood Local Environmental Plan 2012* (BLEP 2012) by incorporating new exempt development provisions under Schedule 2 of BLEP 2012. The intent is to reduce red tape and facilitate further city activation initiatives without the need for a development application, while still maintaining appropriate governance through Local Government Act, Roads Act, and Crown Land Act legislation, as well as landowner consent where Council is the predominant landholder. These provisions would also support Council initiatives such as *Licence to Play*.

The proposed exempt development provisions would apply to public art on footpaths, including sculptures, murals and pavement installations; street art; the temporary use of Council land or roads for community and fundraising events; the display of goods on footpaths; outdoor dining associated with food and drink premises; mobile food vending vehicles (food trucks); and advertisements, such as bus and taxi rank shelter signs. These provisions are intended to create a more seamless implementation process for applicants seeking to improve the vibrancy of the Local Government Area (LGA), ultimately generating flow-on benefits for local businesses, the community, and visitors to Burwood.

These provisions were previously endorsed by Council in January 2025 as part of the Alternate Croydon Masterplan. However, the Department of Planning, Housing and Infrastructure (DPHI) has since advised that it will not proceed with the adoption of the exempt provisions via the Croydon SEPP as they have LGA wide implications.

As a result, the progress these initiatives, a Council Planning Proposal to amend Schedule 2 of BLEP 2012 is required.

#### **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.
- C3.2 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.
- C.1.1 Support and deliver initiatives that encourage high-quality design, sustainable development and enhanced urban amenity.
- C.9 Safe, clean and activated streets, centres and public places are enjoyed by people day and night
- 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
- A.70 Work with developers to promote sustainable development
- P.38 Deliver attractive, healthy streetscapes and centres that are inviting and foster community pride
- P.34 Facilitate the growth and prosperity of local businesses and target the growth of business sectors and growth industries
- A.79 Undertake activities that support new economic growth in the Burwood North Precinct and Burwood Town Centre
- A.80 Implement activities or initiatives that enhance Burwood's night time economy

**Background**

Burwood Council is committed to delivering a vibrant, accessible, and inclusive city that celebrates diverse cultures and community life. The BLEP 2012 enables a range of land uses and activities that reinforce and enhance Burwood's reputation as a growing hub for entertainment, dining, shopping, placemaking, and activation.

**Strategic Context**

As a designated strategic centre, Council has implemented a variety of strategies and initiatives to bring this vision to life. These include *Licence to Play*, *Permit Plug and Play*, the *Burwood After Dark Strategy*, the *Creative Burwood Strategy*, and the designation of a Special Entertainment Precinct in the Burwood Town Centre for a future planning proposal.

Planned future growth through the Burwood North Masterplan and Croydon Masterplan will further support Council's vision to make Burwood a destination of choice to live, visit, and do business. In prioritising liveability and vibrancy, Council is also committed to enhancing public spaces to strengthen community connection and foster a strong sense of place.

**Alignment with Strategic Plans**

The proposal aligns with key strategic objectives outlined in the Local Strategic Planning Statement (LSPS), Community Strategic Plan (CSP), and the After Dark Strategy, all of which emphasise vibrancy, accessibility, and public domain activation.

**Previous Consideration by Council**

The proposed provisions were previously endorsed by Council in January 2025 as part of the Alternate Croydon Masterplan. However, the Department of Planning, Housing and Infrastructure (DPHI) has since advised that it will not proceed with the adoption of the exempt development provisions via the Croydon SEPP, as the provisions have broader implications across the entire LGA.

**Need for a Council-Led Planning Proposal**

To progress these initiatives, a Council-led Planning Proposal is required to amend Schedule 2 of BLEP 2012. The intent of the amendment is to reduce red tape and enable further city activation initiatives without the need for a development application.

The proposed provisions would also complement existing Council-led programs such as *Licence to Play* by creating a more seamless regulatory pathway for community-focused and place-based activities.

**Proposal**

This report seeks Council's endorsement to prepare a Planning Proposal to amend the *Burwood Local Environmental Plan 2012* (BLEP 2012) by incorporating new exempt development provisions under Schedule 2 of BLEP 2012, the new provisions are as follows:

**Table 1: Proposed additional provisions to Schedule 2 of BLEP 2012**

Provision	Explanation & Justification
<p><b>Insert New Provision to: Schedule 2 Exempt development</b></p> <p><b>Display of goods on footpath</b></p>	<p>The proposed amendments to Schedule 2 of BLEP 2012 demonstrate strategic alignment and merit within both the local and regional planning frameworks. The proposal supports key planning principles including placemaking,</p>

Provision	Explanation & Justification
(1) Must be associated with an adjacent or nearby lawfully established commercial premises or industrial retail outlet (2) Must be authorised under Part 9, Division 3 of the <i>Roads Act 1993</i> (3) Must be authorised under Part 1 or Part 3 of Chapter 7 of the <i>Local Government Act 1993</i> (4) Must be authorised Part 5 of the <i>Crown Land Management Act 2016</i>	economic resilience and equitable access to public places and spaces. The additional exempt provisions enable existing and future developments to incorporate elements that can seamlessly be incorporated to create active and vibrant street life and public spaces to benefit the community.
<p><b>Outdoor dining (associated with food and drink premises)</b></p> (1) Must be associated with an adjacent or nearby lawfully established food and drink premises (2) Must be authorised under Part 9, Division 3 of the <i>Roads Act 1993</i> (3) Must be authorised under Part 1 or Part 3 of Chapter 7 of the <i>Local Government Act 1993</i> (4) Must be authorised Part 5 of the <i>Crown Land Management Act 2016</i>	Burwood Council's Local Strategic Planning Statement (LSPS) outlines a 20-year vision for land use planning across the LGA and aligns strategic planning objectives with the Greater Sydney Region Plan and the Eastern City District Plan. This proposal advances those strategic objectives by: <ul style="list-style-type: none"> <li>- Encouraging a diverse night-time economy and cultural vibrancy.</li> <li>- Supporting main streets and town centres as thriving, inclusive, and activated community hubs.</li> <li>- Reducing regulatory barriers for small-scale interventions that enhance local character and liveability without requiring development consent; and</li> <li>- Enabling innovation and economic growth through streamlined public domain regulations.</li> </ul>
<p><b>Mobile food vending vehicles (food trucks)</b></p> (1) Must be on land or road owned by, or under the care or control of, the Council (2) If located on a Council-owned road or car park must be located within lawful car parking spaces (3) Must not be for more than 52 days (whether or not consecutive) in any 12 month period (4) Must be authorised under Part 9, Division 3 of the <i>Roads Act 1993</i> (5) Must be authorised under Part 1 or Part 3 of Chapter 7 of the <i>Local Government Act 1993</i> (6) Must be authorised Part 5 of the <i>Crown Land Management Act 2016</i>	These outcomes reinforce the LSPS's vision for a well-connected, liveable, and resilient city that can adapt to change and remain vibrant over time.
<p><b>Public art on footpaths, including sculptures, murals and pavement installations</b></p> (1) Must be on land or road owned by, or under the care or control of, the Council (2) Must be installed by or on behalf of Council (3) Must be safe and structurally sound (4) Must not constitute signage <p><b>Note —</b>                      Signage includes advertisements and advertising structures.</p> (5) Must not be located on a heritage item (6) Must be designed, fabricated and installed	<p><b>Infrastructure and Collaboration</b></p> The introduction of additional exempt development provisions such as temporary community events and public art can improve the vibrancy of the existing public domain without placing major pressures on existing infrastructure. By encouraging uses that create attractions while complementing existing infrastructure and local amenities will deliver low-cost and high impact benefits for the area.  Co-designing city activation initiatives such as events, public art, and lighting in and around existing and future transport hubs in Burwood and Croydon centres will elevate their attractiveness and accessibility, encouraging more people to visit and contribute to local businesses.

Provision	Explanation & Justification
<p>in accordance with applicable Australian Standards</p> <p>(7) Must allow a minimum 1.5m wide pathway for pedestrians</p> <p>(8) Must be authorised under Part 9, Division 3 of the <i>Roads Act 1993</i></p> <p>(9) Must be authorised under Part 1 or Part 3 of Chapter 7 of the <i>Local Government Act 1993</i></p> <p>(10) Must be authorised Part 5 of the <i>Crown Land Management Act 2016</i></p>	<p><b>Liveability</b></p> <p>The proposed additional provisions will facilitate a high-quality of life by enabling street art, murals and footpath activations that reinforce Burwood’s identity as a creative, diverse, and walkable city. By making it easier to deliver low-scale and low impact placemaking initiatives, this proposal supports a more vibrant public environment that complements residential growth and access to public amenities and services. This aligns with LSPS objectives to enhance the distinct character of local centres, support a diverse and multicultural community, and elevate urban design and placemaking outcomes in strategic locations such as the Croydon and Enfield areas. Furthermore, by reducing regulatory barriers for small-scale activation, the proposal ensures equitable access to the planning system for businesses and community groups and thereby strengthening social inclusion and enhancing liveability.</p>
<p><b>Street art (Wall Murals)</b></p> <p>(1) Street art must only be carried on the land and associated building or structure with the approval of the owner</p> <p>(2) Must not project more than 30mm from a wall or other surface</p> <p>(3) If adjacent to a public place, must not reduce the pedestrian access path to less than 1.5m</p> <p>(4) Must be safe, structurally sound and installed in accordance with applicable Australian Standards</p> <p>(5) Must not constitute signage</p> <p><b>Note —</b> Signage includes advertisements and advertising structures.</p> <p>(6) Must not be located on a heritage item or within a heritage conservation area or a special character area</p> <p>(7) Must not contain material in the opinion of Council that— (a) discriminates against or vilifies any person or group, or (b) is offensive or sexually explicit.</p> <p>(8) In this clause, <b>street art (wall mural)</b> means art that is painted, marked or otherwise affixed to the outside of a building or structure that is visible from a public place (within the meaning of the <i>Local Government Act 1993</i>)</p> <p><b>Note —</b> Street art (wall mural) may only be carried out subject to requirements to obtain the approval of the owner of the building on which the street art is located or any statutory authorities (such as Transport for NSW). See also Part 2 of the <i>Graffiti Control Act 2008</i> for graffiti related offences.</p>	<p><b>Productivity</b></p> <p>These low-impact changes have high-benefits for the community and support economic growth and encourage a night-time economy expansion. Implementing these changes enhances the vitality of the local streetscape and attract both residents and visitors to be a part of the night-time economy. This also allows for cost-effective entry points for local entrepreneurs and small businesses by reducing regulatory burdens and support flexible ways of operating and aligns strongly with initiatives proposed for Council’s Special Entertainment Precinct. Initiatives such as food trucks and pop-up events can also attract broader spheres of influence through social media and encourage more people to the area.</p> <p>Overall, this approach promotes centres as mixed-use and people-orientated destinations. By supporting after-hours activities such as outdoor dining and community-centred initiatives, the proposed LEP amendments reinforce the viability of centres beyond business hours and contributes to the development of a safe, lively, and diverse community.</p>
<p><b>Advertisements—bus and taxi rank shelter signs</b></p>	<p><b>Site-Specific Merit</b></p> <p>The proposed amendments to Schedule 2 of</p>

Provision	Explanation & Justification
<p>(1) Must be on land or road owned by, or under the care or control of, the Council</p> <p>(2) Must be associated with a lawfully established bus and taxi rank shelter building or structure with the approval of the owner of the land on which it is situated</p> <p>(3) Must only be carried with the approval of the owner the land</p> <p>(4) Must not extend beyond the perimeter of the shelter</p> <p>(5) Must not exceed 1.8metres in height x 1.2metres in width</p> <p>(6) Only 1 advertising panel per shelter that may comprise an advertisement on 2 sides</p> <p>(7) Must not contain flashing or neon signage</p> <p>(8) Must not obstruct pedestrian paths of travel</p> <p>(9) Must not obstruct the line of sight of vehicular traffic.</p> <p>(10) Must not cause a road safety hazard</p> <p>(11) Must comply with AS 4282—1997, Control of the obtrusive effects of outdoor lighting</p> <p>(12) Must comply with Part 3 Advertising and road safety of the NSW Government Transport Corridor Outdoor Advertising and Signage Guidelines dated November 2017</p> <p>(13) Must be authorised under Part 9, Division 3 of the <i>Roads Act 1993</i></p>	<p>BLEP 2012 demonstrate clear site-specific merit by facilitating interventions in areas within the Burwood LGA that are well-suited to low-impact, activation-based development. These locations include walkable, mixed-use centres with strong pedestrian activity, commercial streets, and access to public transport.</p> <p>In particular, the Burwood Town Centre has pedestrian-oriented places and streets to introduce initiatives such as outdoor dining, footpath retail, and mobile food vendors. Active streets such as Burwood Road, Deane Street, and Belmore Street consist of wide footpaths, existing public infrastructure, and a high concentration of cafes and retail, making them prime candidates for small-scale, exempt development.</p> <p>Other centres such as The Strand in Croydon and the Enfield retail strip along Liverpool Road also feature active frontages and would benefit from enhanced public life through community events, food trucks, and public art installations. These changes will support economic vitality and community well-being in these local areas.</p>
<p><b>Temporary use of council land or road for events</b></p>	<p>The amendments include clear exclusions for residential zones, heritage conservation areas, and environmentally sensitive sites. This ensures that activation is concentrated in appropriate commercial areas and does not impact amenity of residents or the natural environment.</p>
<p>(1) Use must be on land or road owned by, or under the care or control of, the Council</p> <p>(2) Must only be carried with the approval of the owner the land</p> <p>(3) Must not be for more than 52 days (whether or not consecutive) in any 12 month period</p> <p>(4) Must be authorised under Part 9, Division 3 of the <i>Roads Act 1993</i></p> <p>(5) Must be authorised under Part 1 or Part 3 of Chapter 7 of the <i>Local Government Act 1993</i></p> <p>(6) Must be authorised Part 5 of the <i>Crown Land Management Act 2016</i></p>	<p>By establishing clear and simple framework for these developments, the proposed Schedule 2 provisions streamline the approval process, allowing Council to focus time and resources on assessing larger, complex development proposals. This planning approach will also provide certainty to the local business community and confidence to align with Council's placemaking and activation vision.</p>
	<p>Overall, these amendments offer a practical, sustainable, and locally responsive planning solution that builds on Burwood's urban strengths and supports Council's long-term strategic goals.</p> <p>The proposed exempt development controls align with established planning policy and will provide regulatory clarity, reduce assessment time and administrative costs and support</p>

Provision	Explanation & Justification
	Council in delivering its public domain and economic development goals.

**Planning or Policy Implications**

In New South Wales, any amendment to a Local Environmental Plan (LEP) to permit additional forms of exempt development must follow the formal Planning Proposal process outlined in the Environmental Planning and Assessment Act 1979. This process serves as the statutory mechanism for amending planning instruments such as the Burwood Local Environmental Plan 2012 (BLEP 2012).

Council, as the proponent, typically initiates the process by seeking a formal resolution to proceed. Where the Planning Proposal is assessed as demonstrating both strategic and site-specific merit, Council may then prepare the necessary detailed justification and any supporting technical studies.

Following this, initial consultation is undertaken, and the matter is referred to the Local Planning Panel for an independent planning recommendation.

Once endorsed by the Local Planning Panel, the Proposal may be submitted to the NSW Department of Planning, Housing and Infrastructure (DPHI) for a Gateway Determination. Subject to Gateway approval, the Planning Proposal proceeds to the public exhibition phase, during which community submissions are invited and considered.

At the conclusion of the exhibition period, all submissions are reviewed. The Proposal is then reported back to Council for final endorsement. If supported, the Local Environmental Plan is amended accordingly to reflect the new exempt development provisions, thereby formalising the changes within the statutory planning framework.

**Consultation**

Upon Gateway determination of the Planning Proposal, the proposed amendments to Schedule 2 of BLEP 2012 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*.

**Financial Implications**

No Financial implications.

**Conclusion**

The proposed amendments to Schedule 2 of the Burwood LEP is a response to enhancing city activation outcomes for the current and future community of Burwood. It establishes a seamless development pathway to enable quick implementation and low-impact and effective outcomes across commercial precincts in the LGA. This exempt development pathway strengthens Council's commitment to supporting and enhancing economic activity, local character, and improve the functionality and accessibility of the public domain.

These additional provisions through the exempt development implementation pathway will encourage local businesses and community organisations to create activated streets and public spaces in ways that are safe, inclusive and beneficial to public spaces and places. The proposal has been carefully designed to only apply to existing commercial areas and, avoids low-medium density residential and heritage areas to protect their amenity.

***Recommendation(s)***

That Council:

1. Endorse the preparation of a Planning Proposal to amend Schedule 2 of Burwood Local Environmental Plan 2012 by adding additional exempt development provisions as detailed in Table 1 of this report.
2. Delegate authority to the General Manager to finalise the Planning Proposal for submission to the Department of Planning, Housing and Infrastructure for Gateway determination.
3. Receive a further report following the public exhibition of the draft amendment, outlining any submissions received and providing recommendations on the finalisation of the amendment.

**Attachments**

There are no attachments for this report.











































## **(Item 24/26) Endorsement for Gateway - BLEP 2012 Amendments - Community Infrastructure Clause**

File No: 26/17270

Report by Director City Strategy

### **Summary**

Council, at its meeting of 28 October 2025, considered a report outlining a new *Draft Burwood Planning Agreement Policy 2025*, as well as proposed amendments to Clause 4.3A (Exceptions to height of buildings) and Clause 4.4A (Exceptions to floor space ratio) of the *Burwood Local Environmental Plan 2012* (BLEP) to enable the delivery of community infrastructure to a broader catchment of high-density developments within the Burwood Local Government Area.

At this meeting, Council resolved to publicly exhibit the Draft Burwood Planning Agreement Policy 2025 and the proposed LEP amendments.

This report focuses on the proposed amendments to the *Burwood Local Environmental Plan 2012* (BLEP) to enable the delivery of community infrastructure to a broader catchment of high-density developments. Following community submissions, a review of the *Draft Burwood Planning Agreement Policy 2025* is currently being undertaken and will be reported back to Council at a later date.

Council has prepared a Planning Proposal (**Attachment 1**) to amend Clause 4.3A (Exceptions to height of buildings) and Clause 4.4A (Exceptions to floor space ratio) of the *Burwood Local Environmental Plan 2012* (BLEP), ensuring these provisions are consistent with the *Draft Planning Agreement Policy 2025*.

The proposed BLEP amendments seek to expand bonus floor space provisions beyond the Burwood Town Centre to higher-density zones, including Zone R1 General Residential, Zone R3 Medium Density Residential, Zone E1 Local Centre and Zone MU1 Mixed Use. The amendments also aim to support the delivery of community infrastructure more broadly across the LGA and require developers to achieve design excellence, respond appropriately to the desired local character, and improve sustainability performance whilst also increasing capacity for housing supply.

In accordance with Ministerial Directions under the *Environmental Planning and Assessment Act 1979*, advice was sought from the Burwood Local Planning Panel (BLPP) on the draft Planning Proposal to amend Clauses 4.3A and 4.4A of the BLEP 2012. The BLPP subsequently endorsed the Planning Proposal for progression to Gateway Determination (**Attachments 2 & 3**).

### **Operational Plan Objectives**

- C.1.1 Support and deliver initiatives that encourage high-quality design, sustainable development and enhanced urban amenity.
- C.11.1 Conduct Council business with transparency, accountability, compliance and probity that ensures community confidence in decision making.
- C.3.1 Facilitate well designed, high quality and sustainable land use and development that is appropriately scaled to complement its surroundings.

### **Background**

Council, at its meeting of 28 October 2025, considered a report outlining a new *Draft Burwood Planning Agreement Policy 2025*, as well as proposed amendments to Clause 4.3A (Exceptions to height of buildings) and Clause 4.4A (Exceptions to floor space ratio) of the *Burwood Local Environmental Plan 2012* (BLEP) to enable the delivery of community infrastructure to a broader catchment of high-density developments within the Burwood Local Government Area. At this

meeting, Council resolved to publicly exhibit the *Draft Burwood Planning Agreement Policy 2025* and the proposed LEP amendments.

Whilst operating independently, Council's current Planning Agreement Policies seek to align with the provisions of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and Clauses 4.3A and 4.4A of the *Burwood Local Environmental Plan 2012* (BLEP).

These BLEP provisions allow, in certain circumstances, an additional 10% above the base Floor Space Ratio (FSR) on specific sites within and around the Burwood Town Centre, where community infrastructure is delivered or contributions address car parking deficiencies. These provisions may also apply to planning agreements associated with planning proposals and development applications involving variations to development standards under Clause 4.6 of the BLEP.

This report focuses on the proposed amendments to the *Burwood Local Environmental Plan 2012* (BLEP) to enable the delivery of community infrastructure to a broader catchment of high-density developments. Following community submissions, a review of the *Draft Burwood Planning Agreement Policy 2025* is currently being undertaken and will be reported back to Council at a later date.

This Planning Proposal has been prepared following Council's resolution of 28 October 2025 to publicly exhibit the *Draft Burwood Planning Agreement Policy 2025* and to prepare a Planning Proposal to amend the BLEP so that Clauses 4.3A and 4.4A can apply more broadly to higher density zones (R1, R3, MU1 and E1).

In line with Council's Operational Plan and updated guidelines issued by the Department of Planning, Housing and Infrastructure (DPHI), a review of Council's Voluntary Planning Agreement (VPA) framework and policies was undertaken, informed by advice from the Independent Commission Against Corruption (ICAC) and specialist consultants. As a result of this review, a new *Planning Agreement Policy* has been prepared to improve clarity, probity and consistency, and to reflect recent legislative changes. The new policy will operate alongside other contribution mechanisms established under the *EP&A Act*, including Sections 7.11 and 7.12 development contributions.

Clauses 4.3A (Exceptions to height of buildings) and 4.4A (Exceptions to floor space ratio) of the BLEP 2012 currently govern planning agreements, allowing additional building height and floor space in certain areas within and around the Burwood Town Centre, subject to the delivery of community infrastructure either through in kind or monetary contributions towards such infrastructure through a VPA.

As the Burwood LGA continues to grow, with its population projected to double over the next decade, demand for supporting public infrastructure will increase significantly. Expanding the application of these planning agreement clauses to higher density areas will assist in facilitating the delivery of essential community infrastructure needed to support this growth.

#### *Burwood Local Planning Panel Advice*

In accordance with the Ministerial Directions under the *Environmental Planning and Assessment Act 1979*, advice on the Planning Proposal was sought from the Burwood Local Planning Panel (BLPP) on 15 April 2026 (**Attachment 2**).

The BLPP endorsed Council's recommendation to progress seeking a Gateway Determination from the Department of Planning, Housing and Infrastructure (**Attachment 3**) noting that further review of the Draft updated VPA Policy in terms of value capture be undertaken.

## **Proposal**

Council proposes to amend Clause 4.3A (Exceptions to height of buildings) and Clause 4.4A (Exceptions to floor space ratio) of the *Burwood Local Environmental Plan 2012* (BLEP). These amendments seek to expand bonus floor space provisions beyond the Burwood Town Centre to higher-density zones, including R1 General Residential, R3 Medium Density Residential, MU1 Mixed Use and E1 Local Centre. The amendments aim to support the delivery of community infrastructure more broadly across the LGA, while also requiring high-quality design outcomes, responsiveness to local character and improved sustainability performance.

The bonus floor space provisions will be facilitated through planning agreements, consistent with the provisions of the *Environmental Planning and Assessment Act 1979* (EP&A Act), where development includes works for a “public purpose”, rather than being limited to “community infrastructure”. Development applications seeking to access the bonus provisions through a Voluntary Planning Agreement (VPA) must satisfy the design excellence requirements under Clause 6.5 of the BLEP 2012, be compatible with the character of the local area, and, for BASIX-affected development, exceed the BASIX water and energy targets by at least 10%.

Specifically, the proposed amendments to the BLEP 2012 seek to:

- Expand the objectives of the clauses to clearly state that their purpose is to increase the provision of community infrastructure across the entire Local Government Area, not only the Burwood Town Centre, through application in Zones R1, R3, E1 and MU1;
- Update the clauses to reflect legislative changes by adopting the broader definition of “public purpose” consistent with the VPA provisions of the EP&A Act;
- Limit the application of the clauses in Zones E1 Local Centre and MU1 Mixed Use to development comprising residential flat buildings, boarding houses, seniors housing, shop top housing, serviced apartments or commercial premises;
- Limit the application of the clauses in Zones R1 General Residential and R3 Medium Density Residential to development comprising multi dwelling housing, boarding houses, residential flat buildings, seniors housing or shop top housing; and
- Introduce a merit-based assessment framework to ensure high-quality built form outcomes and improved environmental performance, while protecting the amenity of surrounding areas. Development must demonstrate that:
  - it achieves design excellence under Clause 6.5 of the BLEP 2012;
  - the design is compatible with the desirable elements of the existing local character or, in areas undergoing transition, aligns with the desired future character; and
  - for BASIX-affected development, the project exceeds the BASIX water and energy targets by at least 10%.

Clause 6.5 of the BLEP 2012 already mandates design excellence in Zones R1, R3, E1 and MU1, and was recently updated through the gazettal of the Croydon SEPP.

Overall, the proposed amendments to the BLEP 2012 are intended to facilitate the delivery of community infrastructure across the Burwood LGA, while ensuring that future development achieves a high standard of design and amenity for residents and users.

## **Consultation**

The proposed amendments to Clause 4.3A (Exceptions to height of buildings) and Clause 4.4A (Exceptions to floor space ratio) of the *Burwood Local Environmental Plan 2012* (BLEP) as well as the *Draft Burwood Planning Agreement Policy 2025*, were publicly exhibited concurrently on Council’s ‘Participate Burwood’ online engagement platform for eight (8) weeks in accordance with

the requirements of the *Environmental Planning and Assessment Regulation 2021* and Council's *Community Participation Plan*.

The exhibition was extended due to the timing of the notification over the Christmas and New Year period. Members of the public, stakeholders and affected parties were able to view the proposal and provide their comments through the platform. Council received two (2) public submissions, which are summarised in the table below.

**Table 1: Summary of public submissions**

Submission received	Council's Response
<p>The submission from a private resident raises strong concerns about extending bonus floor space provisions into the R1 General Residential zone, arguing that such areas are intended to maintain Burwood's established suburban character. The author contends that bonus floor space would encourage bulkier developments that are out of scale with existing housing, placing pressure on narrow residential streets with limited parking and already-constrained traffic conditions. They contend that local schools, parks, and utilities are planned around current population levels, and increasing development capacity without parallel infrastructure upgrades could compromise service quality and liveability for existing residents.</p> <p>The submission also asserts that the R1 zone serves as a transition area between higher-density areas and low-density areas, and that extending bonus provisions into these neighbourhoods blurs this zoning hierarchy. The author argues that smaller R1 lots are poorly suited to delivering meaningful affordable housing outcomes, risking added density without corresponding community benefit. They express concern about insufficient community consultation and the potential erosion of trust in Council's planning processes.</p> <p>On this basis, the submission urges Council to restrict bonus floor space provisions to strategic growth areas, specifically the Burwood Town Centre, R3 Medium Density, MU1 Mixed Use, and E1 Local Centre zones.</p>	<p>Council acknowledges that some streets and lots within the R1 General Residential zone have comparatively narrow dimensions, which may limit their capacity to accommodate higher density development. While the proposed amendments to the BLEP development standards under this Planning Proposal are intended to enable additional floor space and height in certain circumstances, Council recognises that not all R1-zoned sites within the Burwood LGA will be suitable or eligible to access these incentives.</p> <p>The R1 General Residential zone is not intended to function as a transition between higher and lower density residential areas. Rather, it is Council's principal high-density residential zone. In the local context, for example, the Burwood Town Centre directly adjoins R2 Low Density Residential areas to the east and south. The R1 zone therefore operates as a distinct residential area intended to accommodate a range of housing types and densities, consistent with the objectives of the zone under the LEP.</p> <p>Future development applications and any associated Planning Agreements will be assessed on a case-by-case basis. Consideration will be given to site-specific factors including location, site area, site width, vehicular access, parking provision, traffic impacts, local character and the existing streetscape to determine the suitability of each site for development.</p> <p>Furthermore, the intent of the proposed amendments is to increase the provision of community infrastructure while also enhancing design quality outcomes across the LGA.</p>

Submission received	Council's Response
<p>Urban Taskforce Australia lodged a submission to Council on 21 January 2026 to the <i>Draft Burwood Planning Agreement Policy 2025</i> and the proposed amendments to the <i>Burwood Local Environmental Plan 2012</i>. Council notes that the submission primarily focuses on matters concerning details of the exhibited <i>Draft Burwood Planning Agreement Policy 2025</i>, and no commentary on the proposed amendments to clauses 4.3A and 4.4A of BLEP.</p> <p>The submission specifically raises concerns about several operational and legal aspects of the exhibited <i>Draft Burwood Planning Agreement Policy</i> and agreement template, and provides feedback on specific clauses of the exhibited <i>Draft Burwood Planning Agreement Policy 2025</i> and template, recommending clearer definitions, streamlined land dedication processes, reduced reliance on caveats, capped Council cost recoveries, and the inclusion of appropriate timeframes for approvals, variations, and dispute resolution.</p> <p>Overall, the submission encourages Council to review these matters with legal advisors to ensure the final policy and agreement template are workable, consistent, and aligned with industry practice.</p>	<p>Council notes the submission made by Urban Taskforce Australia in relation to specific aspects of the exhibited <i>Draft Burwood Planning Agreement Policy 2025</i> and is currently undertaking a review of these matters.</p> <p>Council also notes that the submission from Urban Taskforce Australia does not raise any issues in relation to the proposed amendments to Clauses 4.3A and 4.4A of the BLEP, which are the subject of this Planning Proposal.</p> <p>It is important to progress the LEP amendments to avoid delays in the broader implementation of the <i>Burwood Planning Agreement Policy 2025</i> once finalised.</p>

### **Planning or Policy Implications**

The proposed amendments to the *Burwood Local Environmental Plan 2012* (BLEP) seek to expand bonus floor space provisions beyond the Burwood Town Centre to higher-density zones, including Zone R1 General Residential, Zone R3 Medium Density Residential, Zone E1 Local Centre and Zone MU1 Mixed Use. The amendments also aim to support the delivery of community infrastructure more broadly across the LGA, while requiring developers to achieve design excellence, respond appropriately to the desired local character, and improve sustainability performance whilst also increasing capacity for housing supply.

The proposed amendments to the BLEP 2012 are not dependent on those elements of the *Draft Burwood Planning Agreement Policy 2025* that are yet to be finalised following consultation. It is therefore important that the BLEP amendments progress independently to avoid any delay in the broader implementation of the Policy once finalised, which will support the delivery of essential infrastructure to meet the needs of a growing population.

### **Financial Implications**

The proposed BLEP amendments are expected to increase infrastructure funding across the LGA.

### **Next Steps**

Following the Burwood LPP endorsement in respect to the Planning Proposal, the matter can progress to Gateway Determination stage subject to Council resolution.

The key steps in progressing the Planning Proposal are outlined below:

1. Submission of the Planning Proposal to DPHI for Gateway Determination. This step establishes whether the proposal may proceed and sets out the requirements for formal community consultation.
2. Formal public exhibition of the Planning Proposal and consultation with relevant State agencies, consistent with requirements of the *Environmental Planning and Assessment Act*, the *Environmental Planning and Assessment Regulation 2021*, as well as other relevant plans and guidelines including the *Burwood Community Engagement Strategy*, *Local Environmental Plan Making Guideline* and any conditions of the Gateway Determination.
3. Reporting the outcomes of the formal community consultation to Council, at which time Council will determine whether to adopt the Planning Proposal and proceed to plan-making.
4. If adopted, Council will submit relevant documentation to DPHI to amend the relevant clauses of the of BLEP 2012.
5. Formal amendment to the relevant clause of the Burwood LEP 2012 completed.

## **Conclusion**

The proposed BLEP amendments seek to expand bonus floor space provisions beyond the Burwood Town Centre to higher-density zones, including Zone R1 General Residential, Zone R3 Medium Density Residential, Zone E1 Local Centre and Zone MU1 Mixed Use. The amendments also aim to support the delivery of community infrastructure more broadly across the LGA and require developers to achieve design excellence, respond appropriately to the desired local character, and improve sustainability performance whilst also increasing capacity for housing supply.

In accordance with Ministerial Directions under the *Environmental Planning and Assessment Act 1979*, advice was sought from the Burwood Local Planning Panel (BLPP) on the draft Planning Proposal to amend Clauses 4.3A and 4.4A of the BLEP 2012. The BLPP subsequently endorsed the Planning Proposal for progression to Gateway Determination.

## **Recommendation(s)**

That:

1. Council approves and endorses the preparation and submission to the NSW Department of Planning, Housing and Infrastructure (DPHI) of a request for Gateway Determination for a Planning Proposal to amend the *Burwood Local Environmental Plan 2012* by amending clauses 4.3A and 4.4A as described in this report and the draft Planning Proposal at Attachment 1.
2. Subject to the issuing of a Gateway Determination by DPHI, the Planning Proposal be publicly exhibited for a minimum period of 28 days, with community consultation undertaken in accordance with the *Environmental Planning and Assessment Act 1979*.
3. The General Manager be delegated authority to make minor modifications to correct any numerical, typographical, interpretative or formatting errors, if required.
4. The results of the Gateway Determination, community consultation and engagement process be reported back to Council.

## **Attachments**

- 1 [DRAFT Planning Proposal Report - Planning Agreement Policy BLEP Amendments to clauses 4.3A & 4.4A](#)
- 2 [Local Planning Panel Report\\_LEP Amendment \\_Planning Agreements\\_15042026](#)
- 3 [Local Planning Panel Minutes\\_LEP Amendment \\_Planning Agreements\\_15042026](#)

























































































































































































**(Item 25/26) Policy Housekeeping**

File No: 26/17234

Report by Director Corporate Services

**Summary**

A review of active Council policies has found that there are multiple policies, codes and plans that are no longer in use but have not been formally revoked by Council. The purpose of this report is to officially retire those policies.

**Operational Plan Objective**

A.106 Maintain, enhance and embed Council's governance, risk and compliance frameworks to support compliance and good governance.

**Background**

Council officers are currently reviewing policies, codes and plans that are still in force, with a particular focus on those that are past their designated review date. This review has identified several redundant or superseded policies.

Where a new or revised policy has been adopted by Council, the relevant former policy must be formally revoked by Council. This report proposes to revoke the first tranche of policies identified by this review. It is likely that further policies will be identified as the review continues.

**Proposal**

It is proposed the following policies and codes that were adopted by Council be revoked for the reasons outlined in the table below:

<b>Policy</b>	<b>Date of Approval</b>	<b>Action</b>	<b>Reason</b>
Off Street Car Parking Code	1 January 1982	Revoke	Provisions are contained within the Development Control Plan (DCP)
Townhouse Code	2 November 1999	Revoke	Provisions are contained within the DCP
Dual Occupancy Code	12 September 2000	Revoke	Provisions are contained within the DCP
Landscaping Code	23 March 2010	Revoke	Provisions are contained within the DCP
Tree Preservation Order (TPO) Policy	18 October 2011	Revoke	Provisions are contained within the DCP
Green Action Plan	1 July 2012	Revoke	Superseded by the Sustainable Burwood Plan
Burwood Library Community Notices Board Policy	24 April 2012	Revoke	Relates to the former Library on Deane Street
Burwood Library Meeting Room Use Policy	24 July 2012	Revoke	Relates to the former Library on Deane Street
Burwood Library and Community Hub Statement on Access to Information	23 February 2015	Revoke	Superseded by the Burwood Library Strategic Plan and Burwood Library Collection Development Policy

### **Planning or Policy Implications**

The 9 identified policies will be formally retired, to reflect the fact that they are no longer used in practice.

### **Conclusion**

Ongoing review of active Council policies has identified 9 policies that are redundant and should be formally revoked.

### ***Recommendation(s)***

That Council formally revoke the following:

1. Off Street Car Parking Code
2. Townhouse Code
3. Dual Occupancy Code
4. Landscaping Code
5. Tree Preservation Order Policy
6. Green Action Plan
7. Burwood Library Community Notices Board Policy
8. Burwood Library Meeting Room Use Policy
9. Burwood Library and Community Hub Statement on Access to Information

### **Attachments**

There are no attachments for this report.

## **(Item 26/26) Finance Policy Package - Endorsement for Public Exhibition**

File No: 26/16500

Report by Director Corporate Services

### **Summary**

The purpose of this report is to seek endorsement for the public exhibition of a package of finance-related policies that are required to support Council's financial management obligations under the *Local Government Act 1993*. The suite of policies are primarily long-standing policies that have been reviewed and updated to ensure they remain current and fit for purpose.

### **Operational Plan Objective**

- A.103 Implement and monitor appropriate investment strategies and prepare monthly investment reports.
- C11.1 Conduct Council business with transparency, accountability, compliance and probity that ensures community confidence in decision making

### **Background**

These finance-related policies are subject to periodic review. A comprehensive review has been undertaken, and the proposed updates are outlined below.

### **Proposal**

#### **Draft Aggregation of Land Values for Rating Purposes Policy**

The draft policy is based on the current *Aggregation of Land Values for Rating Purposes Policy* adopted in 2018 and has been reviewed to ensure alignment with the current legislation. Despite no significant changes to the applicable legislation, the review identified several areas where updates would improve readability and, therefore, make it easier to comply with the Policy.

An extra provision has been added relating to the aggregation of parcels within a strata scheme being that only one car park and one utility/storage lot can be aggregated with the occupiable business or residential lot in the strata scheme.

#### **Draft Loan and Borrowings Overdraft Policy**

The draft policy is based on the current *Loan Borrowings and Overdraft Policy* adopted in 2018 and has been reviewed to ensure alignment with the current legislation. Despite no significant changes to the applicable legislation, the review identified several areas where updates would improve readability and, therefore, make it easier to comply with the Policy.

#### **Back Dating of Pensioner Claims for Pensioner Rebates Policy**

The draft policy is based on the current *Back Dating of Pensioner Claims for Pensioner Rebates Policy* adopted in 2018 and has been reviewed to ensure alignment with the current legislation and administration requirements. There is one notable change, the draft policy limits the backdating of pensioner rebates to one previous rating year, where the current policy allowed three previous years. Based on the number of new pensioners Council processes in a year, this will unlikely have an impact on any residents. There are no significant changes to the applicable legislation, however, the review identified several areas where updates would improve readability and, therefore, make it easier to comply with the Policy.

## Investment Policy

The draft policy is based on the current *Investment Policy* adopted in 2018 and has been reviewed to ensure alignment with the current legislation and guidelines. The main changes are listed below. In addition, the review identified several areas where updates would improve readability and, therefore, make it easier to comply with the Policy. The updated Policy clarifies definitions and reporting responsibilities, whilst simplifying the process and forms for managing disclosures.

The reason for these changes is to enable Council to maximise its return on investments. The main changes for the investment report relate to the following tables:

### *Portfolio Credit Framework*

#### Draft Policy

- <b>Long Term Rating</b>	- <b>Maximum Portfolio Limit</b>
- AAA	- 100%
- Major Banks* AA-	- 100%
- TCorp IM Funds	- 10%
- A+ to A-	- 70%
- BBB+ to BBB	- 40%
- BBB- to Unrated	- 10%

#### Current Policy

<b>Long Term Rating</b>	<b>Maximum Portfolio Limit</b>
AAA	100%
Major Banks* AA-	100%
A+ to A-	30%
BBB+ to BBB	20%
BBB- to Unrated	10%
TCorp IM Funds	100%

### *Individual Counterparty Credit Framework*

#### Draft Policy

- <b>Long Term Rating</b>	- <b>Maximum individual Limit</b>
- Federal or NSW Government	- 50%
- AAA	- 50%
- Major Banks AA-	- 40%
- A+ to A-	- 30%
- BBB+ to BBB	- 15%
- BBB- to Unrated	- \$250,000

#### Current Policy

<b>Long Term Rating</b>	<b>Maximum individual Limit</b>
Federal or NSW Government	100%
AAA	100%
Major Banks AA-	100%
A+ to A-	20%
BBB+ to BBB-	10% Note
BBB- to Unrated	\$250,000

Council recently appointed a new investment advisor being Arlo Advisory Pty Ltd.

### **Consultation**

It is proposed to place these policies on public exhibition for 28 days and invite submissions from the public. If no submissions are received, it is proposed that the policies be automatically adopted without further amendment. If submissions are received, a further report will be brought back to Council.

### **Planning or Policy Implications**

No planning or additional policy implications.

### **Financial Implications**

No financial implications.

### **Conclusion**

The finance-related policies presented in this report represent a necessary and prudent step in ensuring Council's continued compliance with its obligations under the *Local Government Act 1993*. The reviewed and updated suite of policies reflects Council's commitment to sound financial governance and transparent public accountability. Public exhibition of these policies will provide the community with an opportunity to review and comment on the frameworks that underpin Council's financial management practices.

### **Recommendation(s)**

That Council:

1. Places the following draft policies contained in Attachments 1–5 on public exhibition for a period of 28 days and invites submissions from the public:
  - a) Draft Aggregation of Land Values for Rating Purposes Policy
  - b) Draft Loan and Borrowings Overdraft Policy
  - c) Draft Backdating of Claims for Pensioner Rebate Policy
  - d) Draft Investment Policy
2. If submissions are received for a policy listed in Item 1, directs the General Manager to report on the outcome of public exhibition for that policy at the next ordinary meeting of Council following the last date for the lodgement of submissions.
3. If no submissions are received for a policy listed in Item 1, adopts that policy without further amendment and authorises the General Manager to make any minor editorial or typographical corrections to the policy considered necessary before the document becomes effective.

### **Attachments**

- 1 [↓](#) Draft Aggregation of Land Values for Rating Purposes
- 2 [↓](#) Draft Loan Borrowing and Overdraft Policy
- 3 [↓](#) Draft Backdating of Claims for Pensioner Rebates Policy
- 4 [↓](#) Draft Investment Policy





































## (Item 27/26) Investment Report as at 31 March 2026

File No: 26/16423

Report by Director Corporate Services

### Summary

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

### **Operational Plan Objective**

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

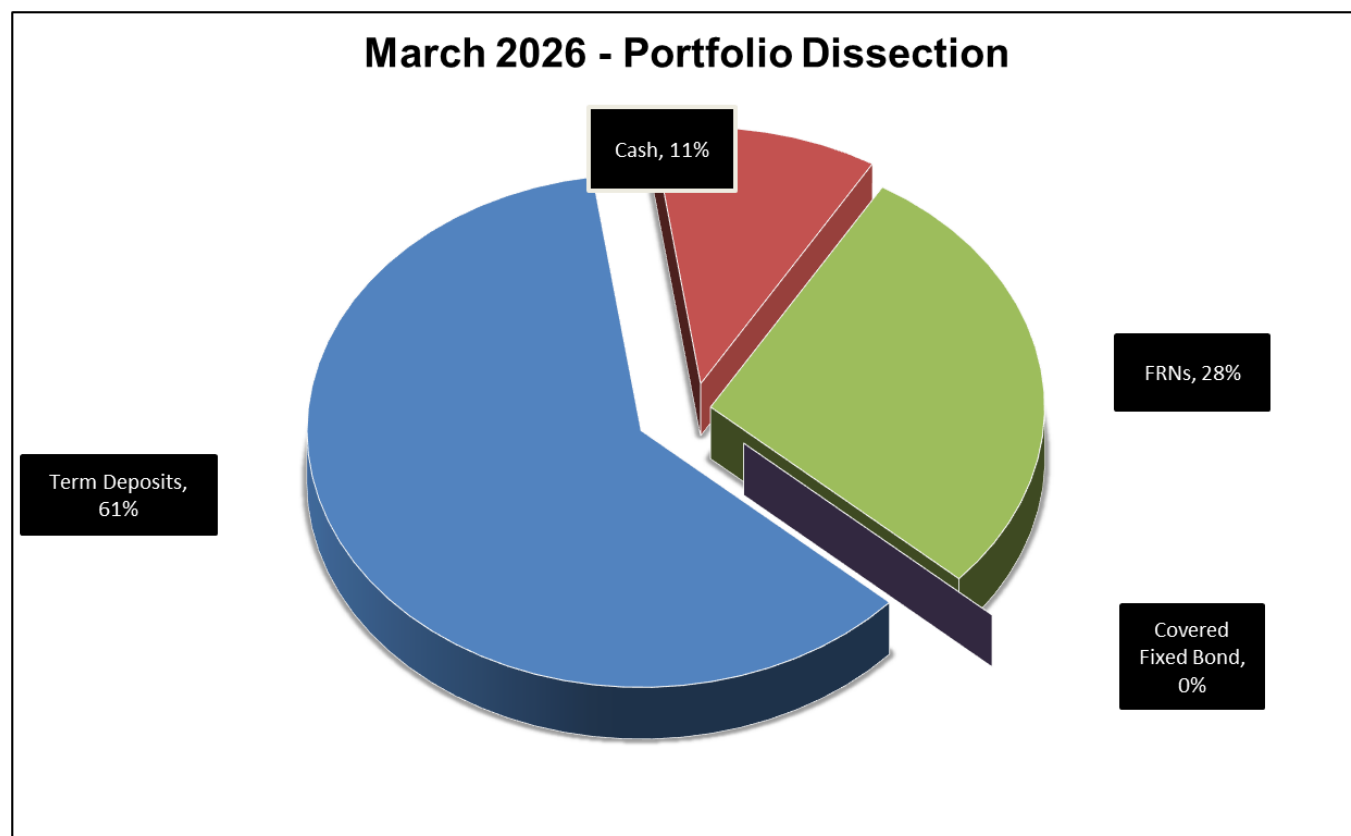
### Background

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

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

### Investment Portfolio

Council has a diversified investment portfolio and has a number of direct investments in term deposits. Its investment portfolio as at 31 March 2026 is:



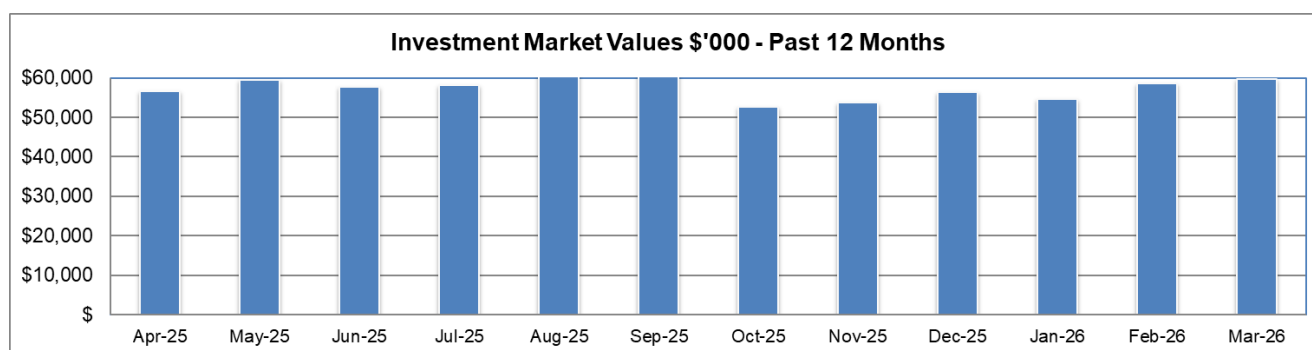
As at 31 March 2026, Council held the following term deposits:

Purchase Date	Financial Institution	Principal Amount	Interest Rate	Investment Days	Maturity Date
05 Nov 25	Westpac	5,000,000	4.34%	366	06 Nov 26
05 Nov 25	Westpac	4,000,000	4.34%	366	06 Nov 26
27 Nov 25	Westpac	5,000,000	4.45%	365	27 Nov 26
09 Dec 25	Commonwealth Bank of Australia	4,000,000	4.54%	365	09 Dec 26
10 Dec 25	Westpac	2,000,000	4.90%	1,097	11 Dec 28
11 Dec 25	Commonwealth Bank of Australia	3,000,000	4.60%	364	10 Dec 26
05 Feb 26	Westpac	2,000,000	4.87%	365	05 Feb 27
23 Feb 26	Westpac	4,000,000	4.57%	120	23 Jun 26
26 Feb 26	NAB	4,000,000	4.90%	365	26 Feb 27
18 Mar 26	NAB	3,000,000	5.28%	365	18 Mar 27
	<b>Total</b>	<b>36,000,000</b>			

As at 31 March 2026, Council held the following Floating Rate Notes:

Purchase Date	Financial Institution	Principal Amount	Current Coupon Rate	Investment Days	Maturity Date
18 Aug 22	Commonwealth Bank of Australia	2,400,000	4.9858%	1,826	18 Aug 27
13 Jan 23	Commonwealth Bank of Australia	3,000,000	4.8915%	1,826	13 Jan 28
19 Jan 23	Rabobank U.A Australia Branch	1,500,000	4.8617%	1,826	19 Jan 28
10 Feb 23	Newcastle Permanent Building Society	1,000,000	4.9428%	1,461	10 Feb 27
03 Mar 23	HSBC Sydney Branch	2,000,000	4.7184%	1,827	03 Mar 28
18 May 23	Suncorp-Metway Limited	1,500,000	5.0158%	1,096	18 May 26
16 Jun 23	QPCU Limited T/A QBANK	2,750,000	5.4132%	1,096	16 Jun 26
15 Dec 25	Police Bank Ltd	1,000,000	4.9150%	1,054	03 Nov 28
15 Dec 25	Bank Australia Limited	1,500,000	5.0161%	1,078	27 Nov 28
	<b>Total</b>	<b>16,650,000</b>			

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



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

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

### **Investment Performance and Market Commentary**

At the Reserve Bank of Australia (RBA) meeting on the 17 March 2026, the Board decided to increase the official cash rate by 25 basis points to 4.1 per cent. According to the Statement by the Reserve Bank Board:

"...While inflation has fallen substantially since its peak in 2022, it picked up materially in the second half of 2025. Information since the February meeting suggests that some of the increase in inflation reflects greater capacity pressures. In addition, the conflict in the Middle East has resulted in sharply higher fuel prices, which, if sustained, will add to inflation. Short-term measures of inflation expectations have already risen. As a result, the Board judged that there is a material risk that inflation will remain above target for longer than previously anticipated.

Higher capacity pressures reflect, in part, the greater momentum in demand in the latter part of 2025. Growth in private demand strengthened substantially more than was expected in mid-2025, although the composition of that growth surprised in the December quarter. Business investment was above expectations and consumption was below expectations. Meanwhile, growth in unit labour costs declined. More recently, the unemployment rate has been a little lower than expected and measures of labour underutilisation remain at low rates. Activity and prices in the housing market grew strongly over the past year, although housing price growth moderated somewhat at the start of 2026.

Financial conditions have tightened a little this year, but the extent to which monetary policy is restrictive is uncertain. Credit is readily available to both households and businesses and the effects of interest rate reductions in 2025 are yet to flow through fully to aggregate demand, prices and wages. The exchange rate, money market interest rates and government bond yields have risen over the past month. In large part, higher interest rates reflect expectations for the path of monetary policy, which have risen in Australia and most other advanced economies in response to the expected inflationary implications of the conflict in the Middle East.

There are material uncertainties about the outlook for domestic economic activity and inflation and the extent to which monetary policy is restrictive. Globally, the conflict in the Middle East poses substantial risks in both directions. A longer or more severe conflict could put further upward pressure on global energy prices; this will push up near-term inflation and could also increase inflation further out if it impairs supply capacity or price rises get built into longer term inflation expectations. Higher prices and prolonged uncertainty may cause growth to be lower in Australia's major trading partners and also in Australia.

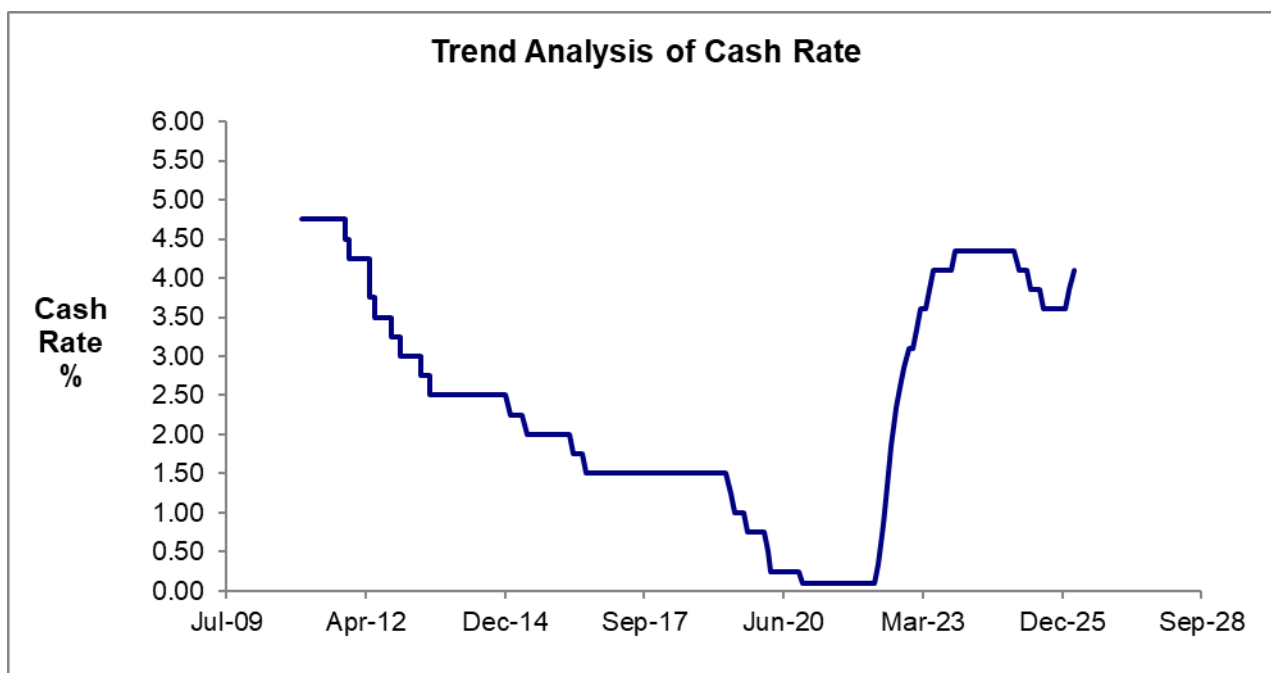
A wide range of data over recent months have confirmed that inflationary pressures picked up materially in the second half of 2025. While part of the pick-up in inflation is assessed to reflect temporary factors, the Board judged that the labour market has tightened a little recently and capacity pressures are slightly greater than previously assessed. Developments in the Middle East remain highly uncertain, but under a wide range of possible scenarios could add to global and domestic inflation.

In light of these considerations, the Board judged that inflation is likely to remain above target for some time and that the risks have tilted further to the upside, including to inflation expectations. It was therefore appropriate to increase the cash rate target.

The Board will be attentive to the data and the evolving assessment of the outlook and risks to guide its decisions. In doing so, it will pay close attention to developments in the global economy and financial markets, trends in domestic demand and the outlook for inflation and the labour market. Monetary policy is well placed to respond to developments and the Board is focused on its mandate to deliver price stability and full employment. It will do what it considers necessary to achieve that outcome.

Today's policy decision was made by majority: five members voted to increase the cash rate target by 25 basis points to 4.10 per cent; four members voted to leave the cash rate target unchanged at 3.85 per cent."

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



**Recommendation(s)**

1. That the investment report for 31 March 2026 be received and endorsed.
2. That the Certificate of the Responsible Accounting Officer be received and noted.

**Attachments**

1. Investment Register March 2026
2. Investment Types





## **(Item 28/26) ReSmart (formerly RecycleSmart) Recycling Service**

File No: 25/45981

Report by Director City Strategy

### **Summary**

Since 2020, Council has engaged Recycle Smart (rebranded as ReSmart in November 2025) to provide an additional subsidised waste collection service for items not typically accepted through Council's standard kerbside collection.

The service is delivered directly to residents' properties within the Burwood LGA, offering a solution that is regularly utilised on a monthly basis. It collects, transfers, and facilitates the recycling of materials such as soft plastics, textiles (used clothing), e-waste, batteries, coffee pods, books and cosmetics.

Given the length of time the program has been in place, it is timely to review and determine whether to continue this type of service. Should Council elect to proceed, a formal procurement process will be undertaken to identify and appoint a service provider that offers the most efficient and best value-for-money waste collection arrangement available in the market, supported by a formal contract.

### **Operational Plan Objective**

- P.27 Implement initiatives which work towards a net zero emissions community by 2050.  
P.31 Provide the support, education and services people need to live sustainably.

### **Background**

Since 2020, Council has engaged Recycle Smart (rebranded as ReSmart in November 2025) to provide an additional subsidised waste collection service to residents within the Burwood LGA. The service collects, transfers and facilitates the recycling of items not typically accepted through Council's standard kerbside collection, including soft plastics, textiles (used clothing), e-waste, batteries, coffee pods, books and cosmetics.

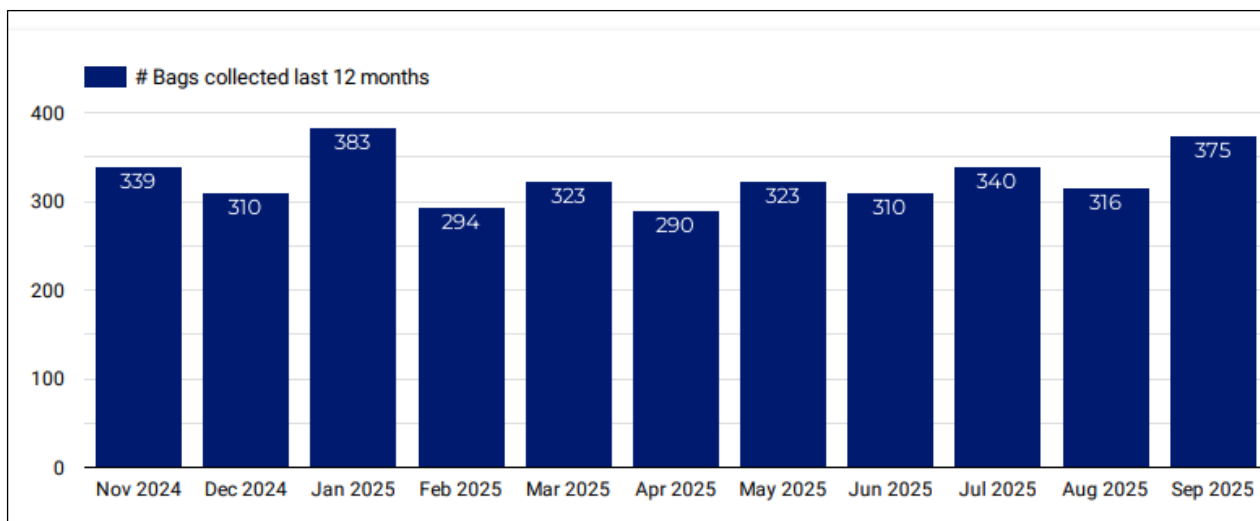
The service is delivered directly to residents' properties, offering a convenient solution that is regularly utilised monthly. According to ReSmart (<https://resmart.co/>), approximately 98 per cent of collected items are diverted from landfill. Materials commonly collected include batteries and medical waste, such as pill blister packs, which reflects usage by residents who may have limited mobility or difficulty accessing alternative drop-off locations.

Burwood residents access the ReSmart service as follows:

- Residents select a preferred collection day each month and book the service via the ReSmart app.
- Accepted items are placed in reusable bags and left at the doorstep for collection.
- A ReSmart driver collects the items directly from the property and returns the empty bag.
- Collected materials are sorted and delivered to appropriate recycling and reuse partners, depending on the item category.
- ReSmart provides Council with a monthly report and invoice.
- Council-subsidised collections are automatically rebooked following each service.

The current arrangement provides residents within the Burwood LGA with a subsidised service covering two (2) bags per household per collection. Any additional bags are charged directly to the resident (approximately \$5 per bag), with a minimum of two additional bags per collection.

ReSmart also provides Council with monthly reports detailing the types and volumes of waste collected, as well as insights into household behaviours in relation to waste generation.

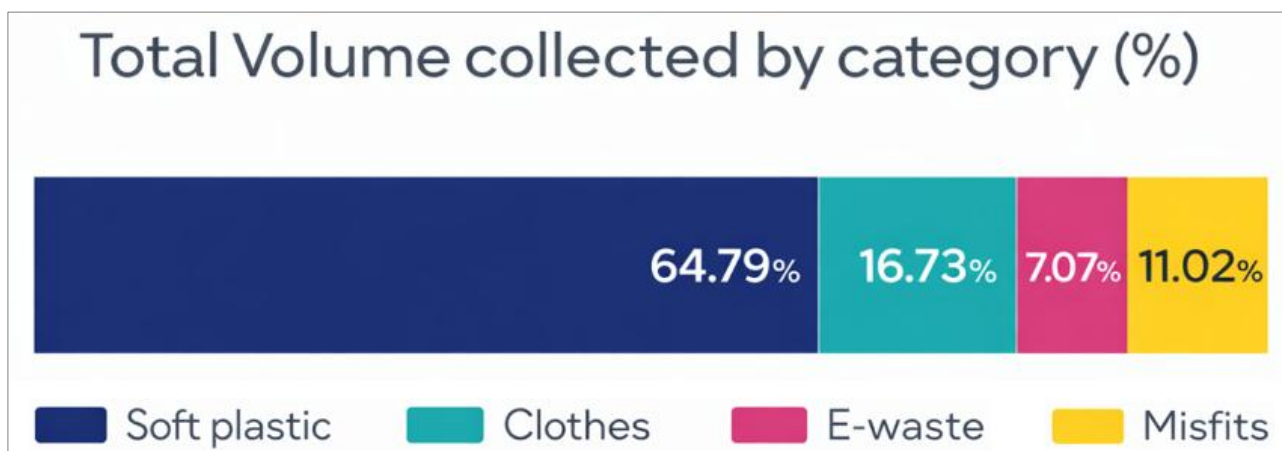


**Figure 1: Bags collected per month in Burwood LGA from Nov 2024 – Sep 2025**

(Reference: RecycleSmart report to Council in October 2025)

During this period, a total of 19,852 kilograms of waste was collected by ReSmart, with an average of 300 bags collected per month. The statistics presented in Figure 1 indicate that demand for, and consistent use of, the service by Burwood residents has gradually increased, contributing to the circular economy, reducing landfill, and likely decreasing instances of illegal dumping.

The waste item most collected in the Burwood LGA as part of the ReSmart service is soft plastics, followed by clothes, e-waste and misfits, as detailed in Figure 2.



**Figure 2: Percentage of each waste item collected in Burwood LGA from Nov 2024 – Sep 2025** (Reference: RecycleSmart report to Council, October 2025)

**Soft Plastics**

In the period from November 2024 to September 2025, 64.79 per cent of the waste collected by ReSmart were soft plastics, which can be recycled for future reuse, to support the circular economy. Soft plastics, however, cannot be recycled through standard kerbside services, and there is currently no drop-off option for Burwood residents to recycle this type of waste. As a result, all soft plastics not collected by ReSmart in the Burwood LGA end up in landfill.

The Community Recycling Centre shared with Canada Bay Council, located at 15-17 Regatta Road, Five Dock does not accept soft plastics. Accordingly, the only waste collection service provided to Burwood residents which collects and recycles soft plastics is ReSmart. ReSmart is also the only home collection service that collects second hand clothes, kitchenware and small appliances from residents’ homes, negating the need to travel to charity drop-off locations. It is therefore considered that the convenience provided and the contribution ReSmart makes towards

the circular economy makes it a high value service for Burwood residents as well as a sustainable option.

### **Proposal**

The need for this service among Burwood residents remains ongoing, as evidenced by the monthly data reports provided to Council by ReSmart. Demand for the service has increased over the past four years. Council therefore proposes to continue the service type to maintain the benefits it offers to members of the community who may not otherwise have safe or convenient options to dispose of such materials.

Given the length of time the program has been in place, it is appropriate to review and determine whether to continue this type of service. Should Council elect to proceed, a formal procurement process will be undertaken to identify and appoint a service provider that delivers the most efficient and best value-for-money waste collection arrangement available in the market, supported by a formal contract.

Council will continue the current service in the interim until the procurement process is finalised and a formal contract is in place.

### **Consultation**

Consultation in relation to the existing engagement of ReSmart has been undertaken.

The current arrangement involves the continuation of the service provided by ReSmart under the existing engagement until a formal procurement process is completed. This process will be undertaken in accordance with Council's Procurement Corporate Practice to identify and appoint a service provider that delivers the most efficient and best value-for-money waste collection arrangement available in the market, supported by a formal contract.

### **Planning or Policy Implications**

The Draft NSW Waste and Circular Infrastructure Plan identified a projected shortfall in landfill capacity by 2030. As landfill capacity diminishes, waste generated by households and businesses in Greater Sydney will need to be transported to alternative facilities, many of which are located in regional NSW or interstate. This is expected to place upward pressure on household fees for red-lid bin services.

Diversion initiatives such as yellow-bin recycling, green-bin garden waste, FOGO and services of this nature play an important role in reducing landfill, supporting the circular economy through increased recycling, and helping to minimise illegal dumping.

Furthermore, rather than transporting recyclable materials to distant locations, services provided by operators such as ReSmart enable items to be collected and processed at recycling facilities within NSW, thereby reducing pressure on landfill capacity.

This initiative also aligns with the Sustainable Burwood Plan, which aims to reduce the volume of waste sent to landfill. The continuation of this form of service would support the achievement of this target.

### **Financial Implications**

The service is currently funded through existing operational budgets, with provision made for its continuation. A formal procurement process will enable Council to secure the most efficient and best value-for-money service available in the market.

Specific financial details are provided in Confidential Attachment 1. This information is designated as confidential in accordance with section 10A(2)(c) and (d) of the *Local Government Act 1993*, as it contains commercial-in-confidence information.

### **Conclusion**

The doorstep waste collection service provided by ReSmart continues to benefit residents, particularly those residents who are less mobile, and provides a positive contribution to the circular

economy. It is therefore recommended that Council approves the continuation of the ReSmart waste collection service until a formal procurement process is undertaken and a formal contract is in place to ensure value for money and a continued level of service. The new agreement will be based on negotiations with the preferred service provider, including agreed service volumes (such as the number of bags collected each month) and pricing per bag per monthly service.

### ***Recommendation(s)***

1. That Council approves the continuation of the ReSmart waste collection service on an interim basis until a formal procurement process is completed.
2. That Council endorse the commencement of a formal procurement process for a supplementary waste collection service to formalise a service agreement that ensures value for money and continued delivery of the service.

### **Attachments**

- 1 Confidential Attachment - ReSmart (**CONFIDENTIAL**)

## **(Item 29/26) Change of Council Meeting Date for June 2026**

File No: 26/16756

Report by Director Corporate Services

### **Summary**

The purpose of this report is to propose a change to the scheduled date for the June 2026 meeting of Council to enable councillors to attend the National General Assembly of the Australian Local Government Association (ALGA), which is scheduled for the same day.

### **Operational Plan Objective**

A.105 Deliver a progressive and accountable framework to support the elected body of Council and individual councillors.

### **Background**

Section 365 of the *Local Government Act 1993* requires all councils to meet at least ten times each year, each time in a different month. On 18 November 2025, Council resolved to endorse the schedule for ordinary meetings of Council in 2026, including a meeting to be held on 23 June 2026.

At that time, the dates for the 2026 National General Assembly had not been announced. The Assembly dates have subsequently been confirmed to be 23 to 25 June 2026, resulting in a clash with the planned 23 June 2026 Council meeting.

The ALGA National General Assembly is the largest annual gathering of local government representatives in Australia and provides an opportunity for mayors and councillors to come together, network and consider the big issues for communities. It is beneficial for the community of Burwood Council to be represented at that event. The Assembly also provides a valuable professional development and networking opportunity for councillors.

### **Proposal**

It is proposed the June meeting and the Public Forum that would be held prior to that meeting be rescheduled from Tuesday 23 June 2026 to Tuesday 30 June 2026.

Moving the meeting back by one week will avoid the clash of events while still ensuring Council can deal with matters that must be addressed by the end of financial year.

### **Financial Implications**

No financial implications.

### **Conclusion**

The proposed change of meeting date would allow councillors to participate in a major local government event, ensure Council can meet its legislative obligations for the timely dealing of Council business, and ensure implementation of any decisions with end of financial year deadlines.

### **Recommendation(s)**

That the Council Meeting and related Public Forum currently scheduled for Tuesday 23 June 2026 be rescheduled to Tuesday 30 June 2026.

### **Attachments**

There are no attachments for this report.

## **(Item 30/26) Tabling of First Time and Updated Disclosures of Interest**

File No: 26/17192

Report by Director Corporate Services

### **Summary**

The General Manager is required under the *Local Government Act 1993* to table written returns of interests for councillors and designated persons at a meeting of Council. The purpose of this report is to table first-time and updated returns that have been received since the last annual reporting period.

### **Operational Plan Objective**

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

### **Background**

Sections 440AAA and 440AAB of the *Local Government Act 1993* establish the framework for disclosure of interests that must be completed by Councillors and designated persons. The returns are fundamental transparency and accountability documents and as such must be retained as part of a publicly accessible register.

Section 6(2) of the *Government Information (Public Access) Act 2009* stipulates that certain open access information must be made publicly accessible on the Council website. Returns of interests of Councillors, designated persons and delegates are classed under Schedule 1 of the *Government Information (Public Access) Regulation 2018* as open access information for the purposes of website publication. These requirements are mirrored in clause 4.2 of the three *Codes of Conduct* adopted by Burwood Council.

### **Discussion**

Specific requirements for preparation and lodgement of returns are contained in the Model Code of Conduct prescribed under the *Local Government Act 1993*. This forms the basis for the three *Codes of Conduct* in place at Burwood Council. All Councillors and designated persons must lodge disclosure of interest returns within 3 months of:

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

The returns tabled with this report satisfy are first time returns and updated returns, as described by points a) and c) above.

A 'designated person' is described in clause 4.8 of the *Codes of Conduct* as:

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

- d) a person who is a member of a committee of the council identified by the council as a committee whose members are designated persons because the functions of the committee involve the exercise of the council's functions (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the member's duty as a member of the committee and the member's private interest.

Preparation and proactive release of disclosure of interest returns are important elements in promoting public accountability of Council. They help to protect the integrity of Council's decision-making processes by allowing scrutiny of potential conflicts of interest that could arise where Councillors or other key Council officials participate in decision making from which they or their close associates may derive (or be perceived to derive) personal or financial benefit. The returns have been published on Council's website in line with the 'open access' and 'public interest test' provisions of the *Government Information (Public Access) Act 2009*.

## **Conclusion**

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

### **Councillors**

- Deputy Mayor George Mannah

### **Council officers**

- Helen Budd (Executive Strategic Planner)
- Tati Guedes (Environmental Sustainability & Engagement Officer)
- Zoe Kazic (Cultural Projects & Public Art Producer)
- Zac Moore (Development Advisory Planner)

## ***Recommendation(s)***

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 *Codes of Conduct* and the *Government Information (Public Access) Act 2009*.

## **Attachments**

There are no attachments for this report.