

MINUTES OF THE COUNCIL OF BURWOOD held in the Conference Room, Level 1, 2 Conder Street, Burwood on Tuesday 23 September 2025 commencing at 6:01 PM.

Attendance

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

Opening of Meeting by the Mayor

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

Apologies

There were no apologies.

Declarations of Interest

There were no declarations of interests by Councillors.

Declarations of Political Donations

There were no declarations of political interests by Councillors.

Confirmation of Minutes

103/25 RESOLVED

That the minutes of the ordinary meeting of the Council Meeting held on Tuesday 26 August 2025, as circulated, be confirmed and signed as a true record of the proceedings of the meeting.

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

Against: Nil

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

Mayoral Minutes

(Item MM13/25) Recognition of Southern Cross Catholic College - Australian Education Awards 2025

File No: 25/46409

Summary

This report recognises the outstanding achievement of Southern Cross Catholic College, Burwood at the 2025 Australian Education Awards.

Operational Plan Objective

C.1.1 Support and deliver initiatives that encourage social inclusion and community connections

104/25 RESOLVED

That Council writes to Southern Cross Catholic College to formally congratulate them on their recognition as Secondary School of the Year (Non-Government) at the 2025 Australian Education Awards and acknowledge the achievements of Principal Ms Tammy Prestage and Mr Peter Tsambalas as national finalists.

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

Against: Nil

(Moved Mayor John Faker)

Reports to Council

(Item 60/25) Election of Deputy Mayor

File No: 25/44034

Summary

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

Operational Plan Objective

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

105/25 RESOLVED

That Council:

1. immediately proceed with the election of a Deputy Mayor
2. agree the length of term for the position of Deputy Mayor be 12 months
3. confirm the nomination status of potential candidates immediately before any voting proceeds to the election of a councillor to the position of Deputy Mayor
4. pursue any agreement to proceed with the election of a Deputy Mayor by:

- a. means of open ballot, if more than a single nomination is received for the position, or
- b. in the event that only a single nomination for the position is received, declare the single nominee elected as Deputy Mayor for the agreed period of service.

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

Against: Nil

(Moved Councillor Sukirti Bhatta/Seconded Councillor Alex Yang)

The Returning Officer (General Manager) called for any nominations in addition to one received before the commencement of the meeting. There being no further nominations, the nomination process was formally closed by the Returning Officer. The Returning Officer confirmed that the single nomination of Councillor George Mannah was in order and accepted by the nominee. As there were no additional candidates for the position of Deputy Mayor, the Returning Officer declared Councillor George Mannah as the Deputy Mayor.

(Item 61/25) Council's Authority for Emergency Traffic Control

File No: 25/33469

Summary

This report summarises the legal advice received regarding Burwood Council's powers to address traffic conditions and manage heightened congestion within the Burwood Town Centre, particularly in emergency situations. The advice outlines Council's powers under the Roads Act 1993, the Road Transport Act 2013, and the Local Government Act 1993 to regulate traffic, remove obstructions, and implement emergency traffic controls. The report also provides a summary of traffic studies currently being undertaken within the Burwood Town Centre.

Operational Plan Objective

C.4.1 - Plan and manage transport infrastructure to meet current and future community needs.

A.40 - Investigate traffic hot spots and implement solutions such as pedestrian refuges, roundabouts or traffic calming devices.

106/25 RESOLVED

That Council receive and note the report.

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

Against: Nil

(Moved Councillor Sukirti Bhatta/Seconded Councillor Alex Yang)

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

File No: 25/38828

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

107/25 RESOLVED

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.

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

Against: Nil

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

(Item 63/25) Referral Of The Annual Financial Reports for 2024-25 to Council's Auditors

File No: 25/40253

Summary

Council's Financial Reports must be in accordance with the *Local Government Act 1993* (the Act) and *Local Government (General) Regulation 2021* (the Regulation), the Australian Accounting Standards, the Local Government Code of Accounting Practice and Financial Reporting and the Local Government Asset Accounting Manual. This is to ensure that the Financial Reports for each year fairly present the Council's operating result and financial position for the year.

In accordance with Section 413 of the Act, Council's Annual Financial Reports must be authorised for referral to the Auditor for audit.

Operational Plan Objective

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

108/25 RESOLVED

That in accordance with Section 413(2)(c) of the *Local Government Act 1993* and Clause 215 of the *Local Government (General) Regulation 2021*, Council resolve the following:

1. That authority is granted to the Mayor, the Deputy Mayor, the General Manager and the Responsible Accounting Officer to sign the Statements by Councillors and Management for the General Purpose Financial Reports for the Year Ended 30 June 2025.
2. That the signed statement be attached to the 2024-2025 Unaudited Annual Financial Reports and presented to Council's Auditor (NSW Audit Office) for the completion of the audit.
3. That the Auditor be invited to attend the Audit, Risk and Improvement Committee Meeting in September 2025 that will review the Annual Financial Reports.

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

Against: Nil

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

(Item 64/25) Investment Report as at 31 August 2025

File No: 25/45716

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.

109/25 RESOLVED

1. That the investment report for 31 August 2025 be received and endorsed.
2. That the Certificate of the Responsible Accounting Officer be received and noted.

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

Against: Nil

(Moved Councillor Alex Yang/Seconded Councillor Pascale Esber)

(Item 65/25) Half Yearly Report – January to June 2025

File No: 25/41205

Summary

A report on the progress of Council's Delivery Program is to be presented to Council on a half-yearly basis in accordance with legislative requirements of the State Government's Integrated Planning and Reporting (IP&R) Framework.

Operational Plan Objective

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

P.43 – Plan, monitor and report on the delivery of services and initiatives in accordance with the Integrated Planning and Reporting Framework under the Local Government Act.

A.94 – Undertake corporate planning and reporting.

110/25 RESOLVED

That Council endorse the Half-Yearly Report 1 January 2025 to 30 June 2025.

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

Against: Nil

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

(Item 66/25) Review of structure under section 333 of the Local Government Act 1993

File No: 25/16508

Summary

Section 333 of the *Local Government Act 1993* (the Act) provides that Council must review the organisation structure within 12 months of any ordinary election of the council.

Operational Plan Objective

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

111/25 RESOLVED

That Council determines, in accordance with section 333 of the *Local Government Act 1993*, that the current organisation structure and employment resources remain in place, without any changes.

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

Against: Nil

(Moved Councillor Alex Yang/Seconded Deputy Mayor George Mannah)

**(Item 67/25) Sustainability & Environment Advisory Committee (SEAC)
Membership Review**

File No: 25/43864

Summary

Established in 2022, the Burwood Sustainability and Environment Advisory Committee (SEAC) was created to support the delivery of environmental initiatives under the Sustainable Burwood Strategy, represent community views, and promote two-way communication on sustainability matters.

Now in its third year, SEAC's continuation was confirmed by Council in November 2024. Although the Committee remains in place, no meetings have occurred in the past 12 months. It is therefore timely to initiate a new Expression of Interest (EOI) process to refresh community membership and recommence regular meetings.

This will allow for either the reappointment of existing members or the inclusion of new voices, helping the Committee regain momentum and broaden representation. As Burwood continues to grow as a strategic centre, a refreshed SEAC will strengthen Council's environmental leadership and reinforce its commitment to a resilient and sustainable future.

Operational Plan Objective

- A.59. Implement the four priority areas identified in the Sustainable Burwood Strategy (1. reduce, reuse and recycle, 2. reduce carbon footprint, 3. green infrastructure, 4. community participation).
- C.7.3 Improve waste reduction, recycling and re-using practices in homes, workplaces, development sites, public places and Council assets.
- P.26 Implement initiatives which work towards a net zero emissions community by 2050.
- P.30 Provide the support, education and services people need to live sustainably.
- 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.
- A.98 Undertake comprehensive community engagement programs to seek community input on Council projects, operations, initiatives and major decisions.

112/25 RESOLVED

That Council:

1. Endorse the continuation of the Sustainability and Environment Advisory Committee (SEAC) until September 2028.
2. Approve the Sustainability and Environment Advisory Committee Terms of Reference, as detailed in Attachment 1.
3. That the terms of the previously appointed members be concluded, Council notify them of this decision and thank them for their contribution to the Burwood Community
4. Authorise the General Manager to undertake an Expression of Interest (EOI) process for new memberships to the Sustainability and Environment Advisory Committee.
5. Request that the General Manager provide a report to Council prior to December 2025 outlining the outcomes of the EOI process and recommending appointments to the refreshed rotation of Sustainability and Environment Advisory Committee members.

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

Against: Nil

(Moved Councillor Sukirti Bhatta/Seconded Councillor Pascale Esber)

(Item 68/25) Draft Codes of Conduct and Procedures for the Administration of the Codes of Conduct - For Adoption

File No: 25/44051

Summary

The *Model Code of Conduct for Local Councils in NSW* (Model Code) and the *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW* (Model Procedures) are prescribed under the *Local Government Act 1993* and the *Local Government (General) Regulation 2021*.

Councils are required to formally adopt a Code of Conduct that incorporates the provisions of the Model Code within 12 months of an ordinary Council election. Councils should adopt Procedures incorporating the provisions of the Model Procedures as soon as practicable.

Operational Plan Objective

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

113/25 RESOLVED

That Council:

1. Adopt the *Codes of Conduct* appearing as Attachments 1, 2 and 3 to this report and the *Procedures for the Administration of the Codes of Conduct* appearing as Attachment 4 to this report, and
2. Endorse the General Manager to make minor modifications to any numerical, typographical, interpretation and formatting errors, and legislative updates to the *Codes of Conduct* and *Procedures for the Administration of the Codes of Conduct*, and
3. Revoke the existing *Codes of Conduct* and *Procedures for the Administration of the Codes of Conduct*.

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

Against: Nil

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

(Item 69/25) Draft Code of Meeting Practice - for Adoption

File No: 25/44057

Summary

Section 360 of the *Local Government Act 1993* (the Act) requires Council, within 12 months of an ordinary election of councillors, to adopt a Code of Meeting Practice that incorporates the mandatory provisions of the Model Meeting Code prescribed by the regulations.

Operational Plan Objective

C11.1 Conduct Council business with transparency, accountability, compliance and probity that ensures community confidence in decision making

114/25 RESOLVED

That Council:

1. Adopts the *Code of Meeting Practice*, contained in Attachment 1 to this report, and
2. Endorse the General Manager to make minor modifications to any numerical, typographical, interpretation and formatting errors, and legislative updates to the *Code of Meeting Practice*, and
3. Revoke the existing Code of Meeting Practice.

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

Against: Nil

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

(Item 70/25) Draft Gifts and Benefits Policy - For Adoption

File No: 25/44055

Summary

The Gifts and Benefits Policy previously adopted by Council requires the policy to be reviewed within 12 months of a council election. The policy provides guidance to council officials on what to do if they are offered a gift or benefit to protect themselves from being compromised, or giving rise to the perception of being compromised, in the course of their duties.

Operational Plan Objective

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

115/25 RESOLVED

That Council:

1. Adopt the *Gifts and Benefits Policy* appearing as Attachment 1 to this report, and
2. Endorse the General Manager to make minor modifications to any numerical, typographical, interpretation and formatting errors, and legislative updates to the *Gifts and Benefits Policy*, and
3. Revoke the existing *Gifts and Benefits Policy*.

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

Against: Nil

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

(Item 71/25) Draft Interaction Between Council Officials Policy - For Adoption

File No: 25/44060

Summary

The current *Interaction Between Council Officials Policy* adopted by Council on 22 November 2022 requires the policy to be reviewed within 12 months of an ordinary council election. The proposed revised policy makes minor changes to the current policy.

Operational Plan Objective

C11.1 Conduct Council business with transparency, accountability, compliance and probity that ensures community confidence in decision making

116/25 RESOLVED

That Council:

1. Adopt the *Interaction Between Council Officials Policy* appearing as Attachment 1 to this report, and
2. Endorse the General Manager to make minor modifications to any numerical, typographical, interpretation and formatting errors, and legislative updates to the *Interaction Between Council Officials Policy*, and
3. Revoke the existing *Interaction Between Council Officials Policy*.

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

Against: Nil

(Moved Councillor Sukirti Bhatta/Seconded Councillor Pascale Esber)

Confidential Items - Closed Session**117/25 RESOLVED**

That the meeting move into closed session at 6:15pm in order to consider Item 59/25 Enfield Aquatic Centre Redevelopment Project Update - Concept Design and Delivery Program

That above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 10A(2) (a), (c) of the Local Government Act, 1993, as the matter involves personnel matters concerning particular individuals; AND information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

and the public and press be excluded from the meeting.

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

Against: Nil

(Moved Councillor Alex Yang/Seconded Councillor Sukirti Bhatta)

There were no representatives from the public to address the council before the resolution to move into closed session was carried.

(Item 59/25) Enfield Aquatic Centre Redevelopment Project Update - Concept Design and Delivery Program

File No: 25/44813

118/25 RESOLVED

That Council:

1. Endorse the revised Concept Design for the Enfield Aquatic Centre Redevelopment Project included in Attachment 1.
2. Receive and note the outcomes of the community engagement program undertaken to inform the development of the revised Concept Design.
3. Endorse the proposed delivery program for the project, inclusive of the operational implications as outlined in this report.
4. Authorise the General Manager to progress the project to the detailed design phase to enable lodgement of the Development Application for the project.
5. Authorise the General Manager to undertake a value engineering process, with a further report to be presented to Council should the project cost plan exceed the available budget once the design, cost plan and risk mitigation strategies have been further advanced.

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

Against: Nil

(Moved Councillor Alex Yang/Seconded Deputy Mayor George Mannah)

119/25 RESOLVED

That the meeting resume in open session at 6:30pm.

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

Against: Nil

(Moved Councillor Pascale Esber/Seconded Councillor Sukirti Bhatta)

The General Manager read the resolution of the closed session item 59/25 listed above, minute number 118/25.

This concluded the business of the meeting and Council rose at 6:32 pm.

The Minutes of the Ordinary Meeting held on 23 September 2025 will be submitted for confirmation by Council at its next meeting on 28 October 2025.