



Burwood
Inc.1874

Agency Information Guide

**Your guide to accessing Council information under the
Government Information (Public Access) Act 2009**



Public document

Adopted by Council: 22 July 2025 (Minute No. 76/25)

Next review: June 2026

Reference: 25/28975

Version: 13

About this Guide

This guide explains how to access information held by Burwood Council and helps you understand:

- How Council is structured and what we do
- How Council decisions affect the community
- Ways you can participate in local government
- What information Council holds and how to access it
- Your rights if we refuse an information

The guide is available on our website at www.burwood.nsw.gov.au, at our office at 2 Conder Street Burwood, and in alternative formats (large print, accessible PDF) upon request





Table of Contents

About this Guide	2
About Burwood Council	4
How Council is organised	4
What Council does	5
How you can participate	7
Information held by Burwood Council	8
How to access Council information	8
Your rights of review	11
Open data	11
Contact information	12
Related Information	12
Appendix: Open access information prescribed under Schedule 1 of the GIPA Regulation 2018 and how to access it.....	13

About Burwood Council

Burwood Council was established in 1874 and now serves over 42,200 residents across six suburbs: Burwood, Burwood Heights, Enfield, Strathfield, Croydon and Croydon Park. At 7.13 square kilometres, we're NSW's second smallest local government area.

The area stretches from Parramatta Road in the north (the original journey way for First Nations Peoples) to the Cooks River in the south, which connects to the Parramatta River.

We acknowledge the Wangal Peoples as the traditional custodians of the area and pay our respects to their elders past and present.

Our elected Council

The elected body of Council comprises seven councillors including a popularly elected mayor, all serving four-year terms.

Councillors are collectively responsible for providing effective civic leadership, focused on agreed strategic directions. Individually, each councillor is obliged to make considered and well-informed decisions and represent the collective interests of residents, ratepayers and the local community. Councillors also facilitate communication between the local community and the governing body and are accountable to the local community for the performance of the Council.

The Mayor is an elected Councillor with the same responsibilities as any other Councillor. The Mayor also presides at the meetings of the Council, exercises urgent policy-making decisions during Council Meetings and carries out the civic and ceremonial functions of the Mayoral office.

Current Burwood Councillors



Cr John Faker
Mayor



Cr George Mannah
Deputy Mayor



Cr Pascale Esber



Cr Sukirti Bhatta



Cr Alex Yang



Cr Deyi Wu-Coshott



Cr David Hull

How Council is organised

The General Manager

The General Manager is responsible for executing decisions of the elected Council and is the only Council officer appointed by the Council. The General Manager is responsible for the effective and efficient day-to-day operations of Council.

Organisational Chart

Burwood Council's operations are lead by five Directors as outlined in the chart below.

What Council does

The elected members decide on significant policy, planning and strategic issues at meetings of the Council. The General Manger is delegated authority to make less significant decisions or decisions of an operational nature.

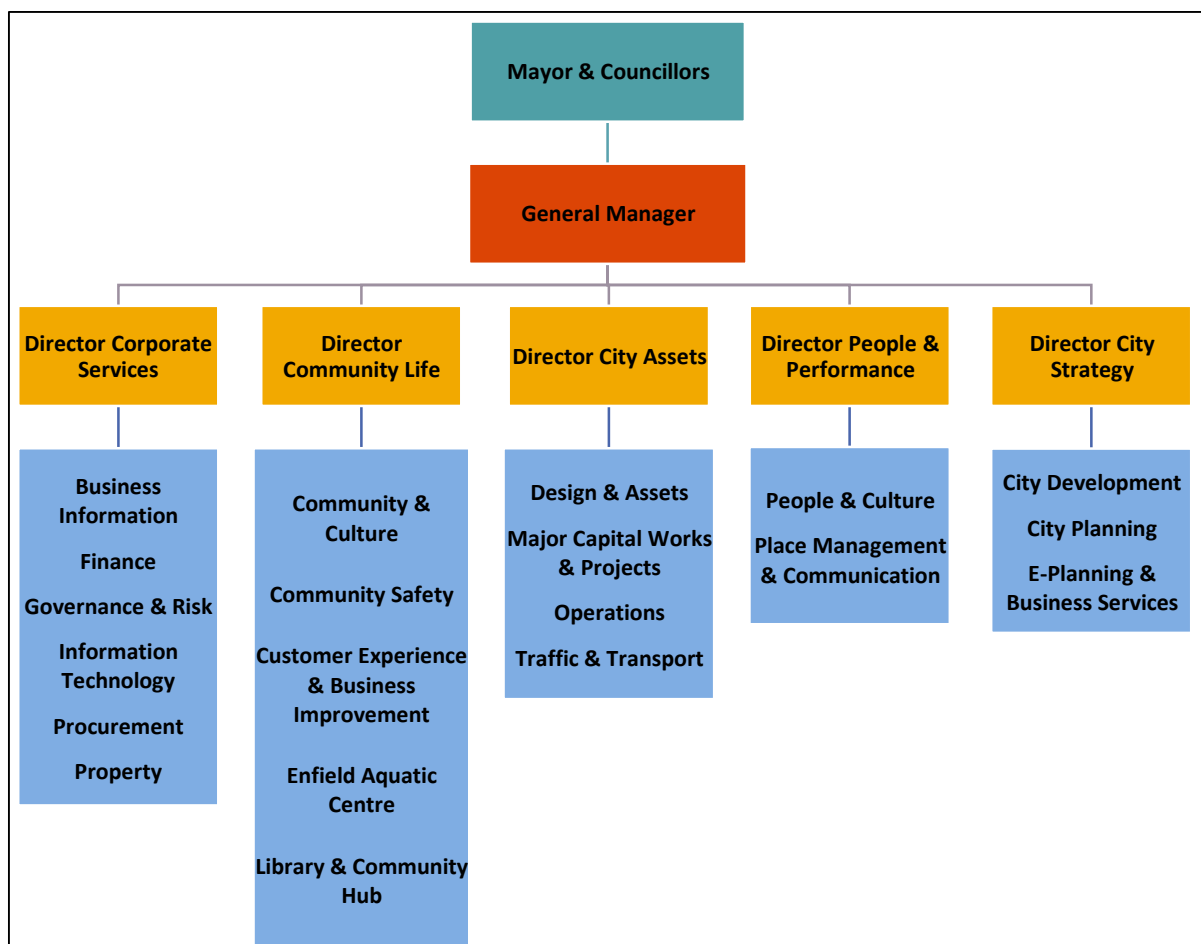
Council provides an important focus and rallying point for the community. It can be the vehicle for harnessing local concerns about specific issues, and for pursuing the community ideas and aspirations.

Functions under *Local Government Act 1993* and other legislation

The *Local Government Act 1993* is the enabling Act that creates local councils and sets out

their functions. Under that Act, Council has broad responsibilities including:

- **Service functions** – providing services and facilities like roads, waste collection, parks, libraries, and community centres
- **Regulatory functions** – development approvals, building certifications, health inspections, parking enforcement
- **Revenue functions** – setting and collecting rates and charges to fund services
- **Community planning functions** - strategic planning, community development, advocacy
- **Administrative functions** – managing Council operations efficiently
- **Enforcement functions** – ensuring compliance with laws and regulations



Other legislation we must follow

We also have responsibilities under more than 50 other NSW and Commonwealth Acts, including those outlined in the table below.

A-E	F-Q	R-Z
Biodiversity Conservation Act 2016	Food Act 2003	Recreation Vehicles Act 1983
Biosecurity Act 2015	Government Information (Public Access) Act 2009	Road Transport Act 2013
Boarding Houses Act 2012	Graffiti Control Act 2008	Roads Act 1993
Building Professionals Act 2005	Heritage Act 1977	Rural Fires Act 1997
Children's Guardian Act 2019	Library Act 1939	State Emergency and Rescue Management Act 1989
Civil Liability Act 2002	Local Land Services Act 2013	State Emergency Services Act 1989
Community Land Development Act 1989	Major Events Act 2009	State Records Act 1998
Companion Animals Act 1998	Privacy and Personal Information Protection Act 1998	Swimming Pools Act 1992
Contaminated Land Management Act 1997	Protection of the Environment Operations Act 1997	Unclaimed Money Act 1995
Conveyancing Act 1919	Public Health Act 2010	Valuation of Land Act 1916
Crown Land Management Act 2016	Public Spaces (Unattended Property) Act 2022	Waste Avoidance and Resource Recovery Act 2001
Crown Lands Act 1989	Public Interest Disclosure Act 2022	Work Health and Safety Act 2011
Environmental Planning and Assessment Act 1979		Workplace Injury Management and Workers Compensation Act 1998

How Council functions affect you

The table below outlines how the broad functions of Council affect the public.

Service Functions	Direct provision of transport infrastructure, waste services, parks, libraries, community centres, and recreation facilities
Regulatory Functions	Restrictions on developments and buildings for safety and amenity; requirements you must comply with
Community Planning Functions	Cultural development, social planning, Community Strategic Plan implementation, grants and support for community organisations
Revenue Functions	Rates and charges you pay fund the services and facilities provided to the community
Enforcement Functions	Only affects those who breach requirements (unpaid rates, unregistered dogs, parking offences)
Administrative Functions	Indirect impact through efficiency and effectiveness of service delivery
Ancillary Functions	Only affects some members of the public (e.g. the resumption of land or the power for Council to enter onto a person's land)



Integrated Planning and Reporting Framework

Like all NSW councils, we follow the Integrated Planning and Reporting Framework summarised in the diagram above. Our current **Burwood2036** Community Strategic Plan reflects community priorities identified through extensive consultation and guides all our planning and service delivery.

How you can participate

Council meetings

Council welcomes anyone who wishes to observe a Council Meeting.

- **When** – Generally 4th Tuesday each month from February to December
- **Time** – 6:00pm (or immediately following the Public Forum commencing at 6:00pm)
- **Where** – 2 Conder Street, Burwood (also available online)
- **Agenda** – Published on our website at least 3 business days before each meeting

Public forums

You can address councillors about agenda items for that evening's meeting. Register by

2pm on the day of the meeting via our website using the form on the [Public Participation at Council Meetings](#) page.

Advisory committees

Residents can join committees that provide advice on Council services. The following committees currently operate:

- Burwood Anzac Commemorative Service Committee
- Burwood Local Traffic Committee
- Multicultural Advisory Committee
- National Servicemen's Association Committee
- Sandakan Community Educational Committee
- Sustainability & Environment Advisory Committee

Community engagement

Burwood Council listens to, learns from, and partners with its community in many ways. Common ways for participating include:

- **Participate Burwood** – our online platform for community input on projects, policies, and planning matters

- **Community satisfaction survey** – conducted every two years to inform Council about community priorities and service delivery
- **Policy exhibitions** – you can view and comment on draft strategies and policies

Burwood Local Planning Panel (BLPP)

The BLPP is an independent panel of experts and community members that determines certain development applications. Directions from the NSW Minister for Planning and Public Spaces determine which applications must be referred to the BLPP. Council also seeks advice from the BLPP on other planning matters, including planning proposals.

If you wish to address the BLPP about an application they are considering, you can register to speak by 2pm on the day of the meeting at which the matter is being decided. After having heard from all registered speakers, the Panel moves into a closed session to deliberate on and decide each matter.

Complaints and feedback

We welcome feedback about our services. Contact us by phone, email, or in person using the details at the end of this guide.

Information held by Burwood Council

Format of information held by Council

Electronic documents

Extensive electronic records include:

- Core business systems for service requests and property information
- Financial and payroll systems
- Development and building records
- Digital content management systems

Physical files

Legacy records (mainly pre-digital) are stored securely off-site. This includes historical development, building and construction information.

State Records

Records over 20 years old are subject to NSW State Records Access Directions. Visit the [Museums of History NSW](#) for more information.

Record classification

Major classifications for organising our records include:

- **Development and Building Controls** – applications, approvals, and related construction works
- **Parks and Reserves** – management, design and construction of public open spaces
- **Traffic and Transport** – planning and managing transport infrastructure and traffic flow

How to access Council information

Under the *Government Information (Public Access) Act 2009* (GIPA), you have the right to access to certain information held by Council, unless there is an overriding public interest against its disclosure.

Information already available online (free)

Open Access Information

- This Agency Information Guide
- Council meeting agendas and minutes
- Council policies and strategic plans
- Disclosure log of formal access applications
- Register of contracts
- Councillor interest returns
- Delegations and authorisations
- Land register and other statutory registers
- Record of any open access information withheld due to overriding public interest against disclosure

Proactively Released Information:

- Development application tracking (via the DA Tracker)

- Community consultation outcomes
- Frequently requested information

Council reviews its proactive release program annually to identify additional information suitable for public release.

Informal requests (free)

Most information requests can be handled informally at no cost. Check our website first. If you can't find what you need, lodge an informal request through our website [here](#).

Formal Access Applications (\$30 application fee applies)

A formal application is required when informal processes are not suitable, such as when information:

- is of a sensitive nature
- contains personal, confidential or commercially sensitive information about a third party
- requires consultation with other agencies or individuals
- would take considerable time and resources to assemble
- is complex or relates to development applications made or decided before 1 July 2010.

How to apply

A formal application:

- must be in writing
- must specify it's made under the GIPA Act
- must provide sufficient detail to identify the information
- must include payment of \$30 application fee.

You can lodge your application using the form on Council's website [here](#).

Processing fees for Formal Applications

Processing fees apply under section 64(4) of the GIPA Act for time spent searching, assessing and copying records. Your \$30 Application Fee will cover the first hour of

processing. For each hour after that, a processing fee of \$30 will apply.

The total processing costs will be confirmed after the request has been determined and must be paid before the information will be released to the applicant.

A 50% discount for processing fees is available if you:

- hold a concession card, or
- are a full-time student, or
- represent a not-for-profit organization, or
- can show the information is of special benefit to the public.

Note this discount does not apply to the Application Fee, which is set according to legislation and will not be waived.

Processing times

Processing an access application can consume considerable time and effort. This includes time to search recordkeeping systems, retrieve archived files from off-site storage, conduct any necessary consultation, assess the identified information in accordance with the "public interest test", consider any privacy or copyright requirements, and collate the material for a response to the applicant.

Council aims to meet the following processing times:

- **Formal applications:** 20 working days (may be extended up to 15 days for consultation or archive retrieval)
- **Informal requests:** We aim for 20 working days but often respond much faster

Deemed refusal

If we don't respond to your formal request within the required timeframes, your request is deemed 'refused'. Council will refund the application fee and you may seek an internal or external review of this refusal (see Your rights of review). This will not apply if an extension of time has been arranged, or payment of an advance deposit is pending.

Information that is already available

Council is not required to provide access to information under the GIPA Act where it has determined that the information is:

- already publicly available by Council or some other agency in accordance with a legislative instrument other than the GIPA Act, whether or not availability of the information is by inspection only and whether or not availability is subject to a charge, or
- available to you from, or for inspection at, Council or through Council's website free of charge in accordance with the GIPA Act or under Council's policies and practices, or
- contained in a document that is usually available for purchase.

Refusal to deal with a request

Council can decide not to process all or part of an access application only where:

- processing the request would place an unreasonable and heavy demand on Council staff or systems.
- you have asked for this information before, Council has given its decision, and there's no new reason to expect a different outcome.
- an advance deposit was requested and hasn't been paid.
- the information has already been produced under a subpoena or other court order and can already be obtained that way.

How we decide what's an "unreasonable and substantial diversion"

In making this decision, Council doesn't have to count any extra time you and we may have agreed upon for deciding the application.

If you (or people working with you) lodge two or more related applications, Council may treat them as a single request when judging the overall workload.

Before refusing to deal with an access application that would require an unreasonable and substantial diversion of Council's resources, Council will "stop the processing clock" and give you a reasonable opportunity to amend or narrow your application.

What happens if Council refuses deal with an access application

You will receive a written notice explaining the reasons for refusal.

In these circumstances, the original application fee is not refunded.

Copyright

Copyright is the exclusive right to make copies, license and otherwise exploit a literary, musical, or artistic work, whether printed, audio, video, or some other format. Works automatically granted such right by law are protected for the lifetime of the author or creator and for a period of 70 years after his or her death.

Under the *Copyright Act 1968*, we cannot provide a copy of third-party documents without the consent of the owner of the document. The GIPA Act does not override copyright compliance requirements.

Copyright frequently applies to third-party content held by us, such as building plans, technical documents and third-party reports. As a result, Council is frequently unable make copies of these documents. In those cases, copyright owner details will be provided, if these can be reasonably ascertained, so that you can seek written permission for a copy to be made. Council can make these documents available for viewing at Council's offices in instances where copyright consent cannot be secured.



A decision to defer access

Council may defer an application for a short period if the information or document must first meet other publication requirements under law – this may be under the GIPA Act or another statutory instrument. If access is deferred, then Council will notify the applicant and include the reason for deferral and the date on which the applicant will be given access.

A decision to defer access is reviewable (see Your rights of review).

Your rights of review

Reasons for any refusal will be given. There is no right of review for an Informal Application. However, if we refuse your Formal Access Application, you have three review options.

1. Internal Review (\$40 fee)

- Apply within 20 working days of our decision
- The review is conducted by a more senior officer who wasn't involved in the original decision
- To apply for a review use the Internal Review Application form on Council's website [here](#).

2. Information and Privacy Commission (IPC) review (free)

If you are not satisfied with the internal review, you can ask for a review by the Information and Privacy Commissioner (IPC).

- Apply within 40 working days of our internal review decision
- Contact: 1800 472 679 or email ipcinfo@ipc.nsw.gov.au

3. NSW Civil and Administrative Tribunal (NCAT) review

If you are not satisfied with the decision of the IPC or the internal reviewer, you can apply to the NCAT for a review of the decision.

Open data

'Open data' is digital information that could be made freely available to anyone to use, rearrange and publish without copyright restrictions. The concept of open data is promoted within the objectives of the GIPA Act.

Open data approaches are another means of information access that promotes open, accountable, fair and transparent government

decisions. Advocating for accessing government data may:

- improve relations between government and citizens
- empower citizens
- create opportunities through better engagements
- assist in solving problems.

Contact us with any suggestions for information suitable for open data release.

For further information on Open Data, visit www.data.nsw.gov.au

Contact information

General enquiries

Address: 2 Conder Street, Burwood NSW 2134

Phone: (02) 9911 9911

Email: council@burwood.nsw.gov.au

Website: www.burwood.nsw.gov.au

Access to information enquiries

Email: governance@burwood.nsw.gov.au

Governance team

- Handle access to information applications and enquiries

Public Officer – Manager Governance & Risk

- Assists with access to public documents
- Determines internal reviews of formal applications
- Handles record amendment requests

Information and Privacy Commission

Address: Level 15, McKell Building, 2-4 Rawson Place, Haymarket NSW 2000

Phone: 1800 472 679

Email: ipcinfo@ipc.nsw.gov.au

The types / classes of information listed as available in this document is not exhaustive. Many officers of Council routinely deal with advice on access to information as a normal part of their day-to-day service provision.

FAQs and feedback

A series of FAQs have been provided on Council's website to help you access our information. These address common queries around the process for accessing information, common request types, and more information on the limitations around the release of certain information.

Send suggestions to improve this guide's accessibility, clarity or usefulness to governance@burwood.nsw.gov.au.

Related Information

- Burwood Council Proactive Release Program
- *Government Information (Public Access) Act 2009*
- *Government Information (Public Access) Regulation 2018*
- *Privacy and Personal Information Protection Act 1998*
- *Health Records and Information Privacy Act 2002*
- *Local Government Act 1993*
- *Environmental Planning & Assessment Act 1979*

Appendix: Open access information prescribed under Schedule 1 of the GIPA Regulation 2018 and how to access it

	Type of Open Access Information	How to access
Information About Council	<i>The current version and most recent previous version of the following records:</i>	
	o The model code of Conduct prescribed under Section 440(1) of the Act and Council's adopted Codes of Conduct under section 440(3) of the Act	Website
	o Code of Meeting Practice	Website
	o Annual Financial Report	Website
	o Annual Report	Website
	o Annual Reports of bodies exercising functions delegated by Council	Website
	o Auditors Report	Website
	o Agendas and Business Papers for any meeting of Council or any Committee of Council	Website
	o Community Strategic Plan, Resourcing Strategy, Delivery Program and Operational Plan	Website
	o Department representative reports presented at a meeting of Council	Website
	o EEO Management Plan	Website
	o Minutes of any meeting of Council or any Committee of Council	Website
	o Policy concerning the payment of expenses incurred by, and the provision of facilities to, Councillors	Website
	<i>Information contained in the following records (historical and current):</i>	
	o Register of current Declarations of Disclosures of Political donations	Website
	o Register of Delegations by the General Manager	Website
	o Register of Delegations from Council to General Manager	Website
	o Register of Graffiti removal works	Informal Request
	o Register of Investments	Included in Council Meeting Agenda each month: Website
	o Register of Voting on Planning Matters	Website
	o Returns of the interests of Councillors, designated persons and delegates	Website

	Type of Open Access Information	How to access
	<i>Information contained in the current version of the following records:</i>	
	o Land register	Website
	o Register of investments	Included in Council Meeting Agenda each month: Website
	o Register of Delegations by the General Manager	Website
	o Register of Delegations from Council to General Manager	Website
	o Register of graffiti removal work kept in accordance with section 13 of the Graffiti Control Act 2008	Open Access request
	o Register of current declarations of disclosures of political donations kept in accordance with section 328A of the LGA	Website
	o the register of voting on planning matters kept in accordance with section 375A of the LGA	Website
Plans and Policies	<i>Information contained in the current version and the most recent previous version of the following:</i>	
	o Local Policies adopted by Council concerning approvals and orders	Website
	o Plans of Management of Community Land	Website
	o Environmental Planning Instruments, Development Control Plans and Contribution Plans	Website
Information about DA's	<i>Information contained in the following records (historical and current)</i> Development Applications and any associated documents received in relation to a proposed development including:	
	o Acoustic Consultant Reports	DA Tracker or Informal Request
	o Construction Certificates	DA Tracker or Informal Request
	o Heritage Consultant Reports	DA Tracker or Informal Request
	o Home Warranty Insurance documents	DA Tracker or Informal Request
	o Land Contamination Consultant Reports	DA Tracker or Informal Request
	o Occupation Certificates	DA Tracker or Informal Request
	o Records of decisions on Development Applications including decisions on appeals	DA Tracker or Informal Request
	o Records describing general nature of documents that Council decides to exclude from public view including internal specifications and configurations, and commercially sensitive information	DA Tracker or Informal Request
	o Structural certification documents	DA Tracker or Informal Request
	o Submissions received on Development Applications	DA Tracker or Informal Request
	o Town Planner Reports	DA Tracker or Informal Request
	o Tree Inspections Consultant Reports	DA Tracker or Informal Request

	Type of Open Access Information	How to access
	The above <u>does not apply</u> to so much of the information referred to above as consists of:	
	o The plans and specifications for any residential part of a proposed building, other than plans that merely show its height and its external configuration in relation to the site on which it is proposed to be erected	<u>Formal Access request</u>
	o Commercial information, if the information would likely to prejudice the commercial position of the person who supplied it or to reveal a trade secret.	<u>Formal Access request</u>
	o Development applications made before 1 July 2010 and any associated documents received (whether before, on or after that date) in relation to the application.	<u>Formal Access request</u>
Approvals, Orders and Other Documents	<i>Information contained in the following records <u>(historical and current)</u></i>	
	o Applications for approvals under Part 1 Chapter 7 of the Local Government Act 1993	<u>Informal Request</u>
	o Applications for approvals under any other Act and any associated documents received	<u>Informal Request</u>
	o Compulsory Acquisition Notices	<u>Informal Request</u>
	o Leases and Licenses for use of Public Land classified as Community Land. Performance improvement orders issued to Council under Part 6 of Chapter 13 of the Local Government Act 1993	<u>Informal Request</u>
	o Orders given under Part 2 of Chapter 7 of the Local Government Act 1993 and any reasons given under section 136 of the Local Government Act 1993	<u>Informal Request</u>
	o Orders given under the Authority of any other Act	<u>Informal Request</u>
	o Plans of land proposed to be compulsorily acquired by Council	<u>Informal Request</u>
	o Records of approvals granted or refused, any variation from Council Policies with reasons for the variation, and decision made on appeals concerning approvals	<u>Informal Request</u>
	o Records of Building Certificates under the Environmental Planning and Assessment Act 1979	<u>Informal Request</u>

