

# COUNCIL AGENDA

## ORDINARY COUNCIL MEETING

20 November 2019

You are hereby notified that an **Ordinary Council Meeting** of Liverpool City Council will be held at the **FRANCIS GREENWAY CENTRE, 170 GEORGE STREET, LIVERPOOL** on **Wednesday, 20 November 2019** commencing at 6.00pm. Doors to the Francis Greenway Centre will open at 5.50pm.

Liverpool City Council Meetings are taped for the purposes of minute taking and record keeping. If you have any enquiries please contact Council and Executive Services on 8711 7584.



**Kiersten Fishburn**

CHIEF EXECUTIVE OFFICER



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## ORDER OF BUSINESS

### Council in Closed Session

The following items are listed for consideration by Council in Closed Session with the public excluded, in accordance with the provisions of the Local Government Act 1993 as listed below:

**CONF 01** Fire and Rescue NSW Referrals

*Reason: Item CONF 01 is confidential pursuant to the provisions of s10A(2)(g) of the Local Government Act because it contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.*

**CONF 02** Proposed Granting of an Easement to Drain Water over Council's Public Reserve known as Discovery Park, 40 Atkinson Street, Liverpool - Lot 77 DP 27242

*Reason: Item CONF 02 is confidential pursuant to the provisions of s10A(2)(c) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*

**CONF 03** 2020 Australia Day Awards

*Reason: Item CONF 03 is confidential pursuant to the provisions of s10A(2)(a) of the Local Government Act because it contains personal matters concerning particular individuals (other than councillors).*

**CONF 04** Code of Conduct Final Investigation Report

*Reason: Item CONF 04 is confidential pursuant to the provisions of s10A(2)(i) of the Local Government Act because it contains alleged contraventions of any code of conduct requirements applicable under section 440.*

**Close**



## MINUTES OF THE ORDINARY MEETING HELD ON 28 OCTOBER 2019

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### **PRESENT:**

Mayor Wendy Waller  
 Councillor Ayyad  
 Councillor Balloot  
 Councillor Hadchiti  
 Councillor Hagarty  
 Councillor Harle  
 Councillor Kaliyanda  
 Councillor Karnib  
 Councillor Rhodes  
 Councillor Shelton  
 Ms Kiersten Fishburn, Chief Executive Officer  
 Mr Tim Moore, Director City Economy and Growth / Deputy CEO  
 Mr Chris White, Director City Corporate  
 Dr Eddie Jackson, Director City Community and Culture  
 Mr Peter Patterson, Director City Presentation  
 Mr Raj Autar, Director City Infrastructure and Environment  
 Mr Andrew Stevenson, Chief Strategy and Engagement Officer  
 Mr Adrian Nesbitt, Manager Communications  
 Ms Tina Sangiuliano, Special Projects Officer  
 Mr Michael Knight, Acting General Counsel Manager Governance Legal  
 Mr David Smith, Manager Planning & Transport Strategy  
 Mr Vishwa Nadan, Chief Financial Officer  
 Mr David Maguire, Internal Ombudsman  
 Mr George Georgakis, Manager Council and Executive Services  
 Ms Susan Ranieri, Coordinator Council and Executive Services (minutes)

The meeting commenced at 6.00pm.

### **STATEMENT REGARDING WEBCASTING OF MEETING**

The Mayor reminded everyone that in accordance with Council's Code of Meeting Practice (other than the Public Forum Section), the meeting is being livestreamed.

**ACKNOWLEDGMENT OF COUNTRY,  
PRAYER OF COUNCIL AND  
AFFIRMATION TO BE READ BY**

The prayer of the Council was read by Pastor Samantha Bulmer from Lifegate Church.

## NATIONAL ANTHEM

The National Anthem performed by Rebekah Ferro was played at the meeting.

## APOLOGIES

**Motion:** **Moved Clr Hadchiti** **Seconded Clr Ayyad**

That leave of absence be granted for Cllr Hadid for his absence from the meeting.

On being put to the meeting the motion was declared CARRIED.

## CONDOLENCES

Nil.

## CONFIRMATION OF MINUTES

**Motion:**                      **Moved: Clr Hadchiti**                      **Seconded: Clr Kaliyanda**

That the minutes of the Ordinary Meeting held on 25 September 2019 be confirmed as a true record of that meeting subject to the following changes:

- Cllr Hagarty, Cllr Kaliyanda and Cllr Karnib were not in the Chambers when COM 01 – Grants, Donations and Corporate Sponsorship was discussed and voted on.
- Cllr Harle declared a non-pecuniary, less than significant interest in “EGROW 02 – Phase 1 of LEP Review to establish the Liverpool Local Environmental Plan 2020” rather than “EGROW 04 – Middleton Grange Town Centre”.

On being put to the meeting the motion was declared CARRIED.

## DECLARATIONS OF INTEREST

Nil.

## PUBLIC FORUM

## Presentation – items not on agenda

Nil.



## MAYORAL MINUTE

**ITEM NO:** MAYOR 01

**FILE NO:** 274297.2019

**SUBJECT:** Liverpool Innovation Precinct Land Use and Precinct Strategy Launch

The *Liverpool Innovation Precinct Land Use and Precinct Strategy* sets out a vision for Liverpool's Innovation Precinct – a significant part of our city centre – and is the result of great ambition and collaboration.

The strategy was enthusiastically launched today at the Ingham Institute for Applied Medical Research with the Minister for Planning and Public Spaces The Honourable Rob Stokes MP delivering a keynote speech at the event.

The Minister strongly supported Liverpool's case as a true innovation precinct, highlighting the combination of State Government investment, collaboration from key partners and leadership from Council.

He told an audience of senior health and planning professionals that Liverpool had put together a compelling case to be the city centre of the Western Parklands City.

Over the past two years, members of the Liverpool Innovation Committee have worked tirelessly to put together a vision for the precinct. In that space of time, milestones have also been achieved – one of them being the \$740 million commitment from the NSW Government to transform Liverpool Hospital into a world-leading health and academic precinct.

The Precinct partners are committed to leveraging this large public commitment to create an environment that will attract even more private sector investment to the precinct.

The nine founding partners of the Liverpool Innovation Precinct have embraced the opportunity to collaborate and build Liverpool into a dynamic city that will attract and retain the best and brightest talent both locally and abroad.

It was an honour to speak at the event on behalf of Liverpool City Council and the community.

## RECOMMENDATION:

That Council receive and note this minute.

## COUNCIL DECISION

**Motion:** **Moved: Mayor Waller**

That the recommendation be adopted.

On being put to the meeting the motion was declared CARRIED.

**ITEM NO:** MAYOR 02  
**FILE NO:** 274313.2019  
**SUBJECT:** Liverpool Youth Council 20 Year Anniversary

In May 1999, Council endorsed a Youth Strategy that included the aim of establishing the Liverpool Youth Council. The purpose of the Liverpool Youth Council is to provide a link between young people and Council, act as a consultative mechanism, plan and organise cultural, environmental, recreational and social activities citywide for young people and to promote the interests of young people in Liverpool.

Over the past 20 years the Liverpool Youth Council played an invaluable role in the development of local youth interested in improving their local community and allowing their voice to be heard in decisions made by Council.

The Youth Council has strived to achieve its purpose through the hosting of annual Youth Week activities, initiating the CBD Exposed music festival and members volunteering and participating at various Council events and consultative forums. Youth Council members attend monthly Committee Meetings and have been active in community consultation with many local students to make improvements where possible to support the community and Council's activities.

As 2019 is the anniversary of the first Liverpool Youth Council, the current members of the committee are planning a 20<sup>th</sup> anniversary function to invite all previous members to celebrate this great achievement.

#### **RECOMMENDATION:**

That Council:

- Acknowledges the success of the Liverpool Youth Council and the commitment of its members between 1999 – 2019; and
- Contribute an amount of \$2,500 to support the Liverpool Youth Council's 20th anniversary event on Thursday, 21 November 2019.

#### **COUNCIL DECISION**

**Motion:** **Moved: Mayor Waller**

That the recommendation be adopted.

On being put to the meeting the motion was declared CARRIED.



## MOTION OF URGENCY

**ITEM NO:** MOU 01

**SUBJECT:** Hoxton Park Road, Banks Road to Cowpasture Road Upgrade – Additional Submission

*In accordance with Clause 8.3 of Council's Code of Meeting Practice, the chairperson, Mayor Waller ruled the following matter (from Clrs Shelton and Hadchiti) as urgent, and as such it was dealt with at this meeting.*

Council has made a submission on the Community Update released by the Roads and Maritime Services (on behalf of the State Government) for the proposed Hoxton Park Road Upgrade, between Banks Road and Cowpasture Road.

Council supports the proposed upgrade as part of the City Deal commitment to provide a rapid transit connection between Liverpool CBD and the Western Sydney International (Nancy-Bird Walton) Airport in time for the airport's opening.

Council also recognises that the design investigation carried out to date, is part of the NSW Government approach to deliver the City Deal commitment to connect Liverpool to the Airport by high quality transport.

However, the design layout shown in the Community updated for road upgrade with kerb side bus lanes, which is inconsistent with the centre-running of transit lanes in the section of Hoxton Park Road west of Banks Road.

International best-practice for rapid transit corridors recommends centre-running as the preferred configuration. Centre-running is generally found to have improved service frequency and reliability compared to side-running. Centre-running, by being physically separated from general traffic lanes, also can have improved legibility and capacity to be upgraded to other mass transit systems.

Council is concerned about the potential for major intersection layout requirement, and reduced traffic efficiency, if the rapid transit service needs to transition multiple times from centre-running to side-running.

Such arrangement will also affect the design investigation for the section of transit corridor west of Cowpasture Road, along Fifteenth Avenue, which Council is currently investigating. The Fifteenth Avenue strategic design investigation is expected to be completed by mid-2020.

Transport for NSW is also undertaking design investigation and corridor preservation of the section of Fifteenth Avenue, west of Devonshire Avenue.

As such, Council calls on the RMS to revisit the option for centre-running and that the State Government not to make a final decision on centre-running verses side-running, until after

further design investigation is completed by Council and Transport for NSW on Fifteenth Avenue.

**Motion:**

**Moved: Clr Shelton**

## Seconded: Clr Hadchiti

That Council:

1. Makes supplementary submission on the Community Update on the proposed Hoxton Park Road;
2. Calls on the RMS to revisit the option for centre-running and that the State Government not make a final decision on centre-running verses side-running, until after further design investigation is completed by Council and Transport for NSW on Fifteenth Avenue;
3. Further, that this resolution be forwarded to the RMS forthwith;
4. Undertake a communications campaign and to delegate to the CEO that our concerns and dissatisfaction are immediately conveyed to the RMS and the Minister for Transport and all political representatives in the area. The example of the Dorrigo Avenue entrance and exit be included as an example of Council's dissatisfaction and that we oppose any suggestion that it be closed; and
5. Advocate to Transport for NSW that Hoxton Park Road to be treated in its entirety rather than separate sections.

On being put to the meeting the motion was declared CARRIED.

Councillors voted unanimously for this motion.

Note: Clr Hadid was not at the meeting.

**MOTION OF URGENCY****ITEM NO:** MOU 02**SUBJECT:** M12 on-ramp and off-ramp at Elizabeth Drive

*In accordance with Clause 8.3 of Council's Code of Meeting Practice, the chairperson, Mayor Waller ruled the following motion (from Cllr Rhodes) as urgent, and as such it was dealt with at this meeting.*

**Motion:****Moved: Cllr Rhodes****Seconded Cllr Hagarty**

That Council convey our dissatisfaction regarding the M12 at Elizabeth Drive and the lack of an on-ramp and exit off-ramp onto Elizabeth Drive. The issue to be addressed in the same manner as the previous urgency motion (on the previous page) including:

- i) A submission to the RMS in relation to the M12 consultation;
- ii) Undertake a communications campaign to express Council's concerns; and
- iii) To delegate to the CEO that our concerns and dissatisfaction are immediately conveyed to the RMS, Minister for Transport and all political representatives in the area.

On being put to the meeting the motion was declared CARRIED.

Councillors voted unanimously for this motion.

Note: Cllr Hadid was not at the meeting.

**RECESS OF COUNCIL**

Mayor Waller called a recess of Council at 6.41pm to deal with technical issues.

Mayor Waller reopened the meeting at 6.56pm.



That Council:

- ## COUNCIL DECISION

**Motion:**                      **Moved: Clr Kaliyanda**                      **Seconded: Clr Karnib**

That Council:

1. Receive and note the information contained in the report on long-term governance arrangements for the Western Parkland Councils;
2. Formally enter into an alliance with the Western Parkland Councils in accordance with the draft Deed of Agreement and Section 355 of the Local Government Act 1993;
3. Contribute \$40,000 annually towards resourcing the Western Parkland Councils as outlined in the report; and
4. Nominate Cllr Hagarty to be appointed as an alternate representative on the Western Parkland Councils' Mayoral Forum should the Mayor be unavailable.

On being put to the meeting the motion was declared CARRIED.

Clr Rhodes and Clr Balloot asked that their names be recorded as having voted against the motion.

That Council receive and note this report.

That Council direct the CEO to expand the Council policy allowing for incoming calls to the Customer Call Centre to be recorded to include the whole organisation, subject to the exclusion of those Council staff noted in this report for reasons of protecting confidentiality, legal privilege and disclosures made to them in accordance with the *Public Interest Disclosures Act 1994*.

**Motion:**                      **Moved: Clr Hadchiti**                      **Seconded: Clr Kaliyanda**

1. Council defer this item until further discussions are held with the relevant stakeholders;
2. A policy be presented to Council at the second February 2020 meeting for Council's consideration; and
3. Council notes that it is believed that Campbelltown City Council has a policy similar to what Liverpool City Council is trying to achieve.

On being put to the meeting the motion was declared CARRIED.

Mayor Waller and Clr Shelton asked that their names be recorded as having voted against the motion.

That Council call for a nomination for the National Growth Areas Alliance (NGAA) Strategic Advisory Committee.

**Motion:**                      **Moved: Clr Balloot**                      **Seconded: Clr Rhodes**

On being put to the meeting the motion was declared CARRIED.

**Motion:**                      **Moved: Clr Hagarty**                      **Seconded: Clr Karnib**

That Councillor Kaliyanda be nominated for the National Growth Areas Alliance (NGAA) Strategic Advisory Committee.

That Councillor Hadid be nominated for the National Growth Areas Alliance (NGAA) Strategic Advisory Committee.

On being put to the meeting the motion (moved by Cllr Hagarty) was declared CARRIED on the Mayor's casting vote.

## CITY ECONOMY AND GROWTH REPORT

**ITEM NO:** EGROW 01

**FILE NO:** 090480.2019

**SUBJECT:** Proposed amendments to Part 1 and 4 of Liverpool Development Control Plan 2008 (Amendment 25) following gazettal of Liverpool Local Environmental Plan 2008 (Amendment 52)

### RECOMMENDATION

That Council:

1. Re-exhibits Amendment 25 to the Liverpool Development Control Plan 2008 (Part 1 and 4) for a period of 28 days; and
2. Receives a further report on the outcomes of the public exhibition and community consultation if submissions are received. If no submissions are received, Council delegates to the CEO the finalisation of Amendment 25.

### COUNCIL DECISION

**Motion:**

**Moved: Cllr Hadchiti**

**Seconded: Cllr Ayyad**

That Council:

1. Re-exhibits Amendment 25 to the Liverpool Development Control Plan 2008 (Part 1 and 4) for a period of 28 days and that a Briefing be arranged for Councillors during the exhibition period; and
2. Receives a further report on the outcomes of the public exhibition and community consultation.

On being put to the meeting the motion was declared CARRIED.

Councillors voted unanimously for this motion.

Note: Cllr Hadid was not at the meeting.



That Council:

- ## COUNCIL DECISION

**Motion:** **Moved: Cllr Hadchiti** **Seconded: Cllr Rhodes**

That the recommendation be adopted.

On being put to the meeting the motion was declared CARRIED.

**ITEM NO:** EGROW 03  
**FILE NO:** 251505.2019  
**SUBJECT:** Planning Proposal - Holsworthy Town Centre

## RECOMMENDATION

That Council:

1. Notes the advice of the *Liverpool Local Planning Panel*;
2. Endorses in principle the planning proposal, subject to a detailed site contamination investigation being prepared;
3. Delegates to the CEO to make any typographical or other editing amendments to the planning proposal if required;
4. Delegate to the CEO authority to negotiate a planning agreement with the proponent, agree the terms of the offer with the proponent and report back to Council the details of the planning agreement prior to exhibition of the planning proposal, consistent with Council's Planning Agreements Policy;
5. Endorses in principle the proposed public benefit contributions of the planning agreement, to be negotiated further, including:
  - Upgrade of the existing roundabout (Macarthur Drive / The Boulevard / Morningside Parade) to a signalised crossing to facilitate vehicular entry to the site, a safer pedestrian environment and improved traffic conditions;
  - Removal of redundant roadway connecting the existing roundabout and existing rail bridge, including associated earthworks;
  - Embellishment of the Macarthur Drive road reserve including provision of a shared path and landscaping;
  - Landscaping of the road reserve along Heathcote Road adjacent to the site (with RMS concurrence);
  - Provision of publicly accessible open space on the site with a minimum area of 1,000m<sup>2</sup>.
6. Forwards the planning proposal to the Department of Planning, Industry and Environment, pursuant to Section 3.34 of the *Environmental Planning and Assessment Act 1979*, seeking a Gateway determination with a recommendation that a site specific DCP be included as a Gateway condition to be satisfied prior to public exhibition; and
7. Receive a further report on the outcomes of public exhibition and community consultation.

**COUNCIL DECISION****Motion:****Moved: Cllr Hadchiti****Seconded: Cllr Ayyad**

That Council:

1. Notes the advice of the *Liverpool Local Planning Panel*;
2. Endorses in principle the planning proposal, subject to a detailed site contamination investigation being prepared;
3. Delegates to the CEO to make any typographical or other editing amendments to the planning proposal if required;
4. Delegate to the CEO authority to negotiate a planning agreement with the proponent, agree the terms of the offer with the proponent and report back to Council the details of the planning agreement prior to exhibition of the planning proposal, consistent with Council's Planning Agreements Policy;
5. Endorses in principle the proposed public benefit contributions of the planning agreement, to be negotiated further, including but not limited to:
  - Upgrade of the existing roundabout (Macarthur Drive / The Boulevard / Morningside Parade) to a signalised crossing to facilitate vehicular entry to the site, a safer pedestrian environment and improved traffic conditions;
  - Removal of redundant roadway connecting the existing roundabout and existing rail bridge, including associated earthworks;
  - Embellishment of the Macarthur Drive road reserve including provision of a shared path and landscaping;
  - Landscaping of the road reserve along Heathcote Road adjacent to the site (with RMS concurrence);
  - Provision of publicly accessible open space on the site with a minimum area of 1,000m<sup>2</sup>.
6. Forwards the planning proposal to the Department of Planning, Industry and Environment, pursuant to Section 3.34 of the *Environmental Planning and Assessment Act 1979*, seeking a Gateway determination with a recommendation that a site specific DCP be included as a Gateway condition to be satisfied prior to public exhibition; and
7. Receive a further report on the outcomes of public exhibition and community consultation.

**Vote for:** Mayor Waller  
Clr Ayyad  
Clr Balloot  
Clr Hadchiti  
Clr Hagarty  
Clr Harle  
Clr Kaliyanda  
Clr Karnib  
Clr Rhodes

**Vote against:** Clr Shelton

Note: Clr Hadid was not at the meeting.

## CITY COMMUNITY AND CULTURE REPORT

**ITEM NO:** COM 01

**FILE NO:** 246471.2019

**SUBJECT:** Grants, Donations and Corporate Sponsorship

### RECOMMENDATION

That Council endorses the recommendation of **\$10,000** (GST exclusive) under the **Corporate Sponsorship Program** for the following project:

<b>Applicant</b>	<b>Project</b>	<b>Recommended</b>
Liverpool Domestic Violence Liaison Committee	Stop DV Day	\$10,000

### COUNCIL DECISION

**Motion**

**Moved: Cllr Shelton**

**Seconded: Cllr Hadchiti**

That the recommendation be adopted.

On being put to the meeting the motion was declared CARRIED.

That Council endorse the revised Liverpool District Forums' Terms of Reference.

**Motion:** Moved: Clr Hagarty      **Seconded:** Clr Karnib

“The quorum for a Forum will be one Councillor and five other attendees, excluding Council Staff.”

Clr Hadchiti asked that his name be recorded as having voted against the motion.

That Council:

1. Receives and notes the information about external funding opportunities published on the Council website; and
2. Receives and notes the draft Managing Development Applications for Grant-funded Infrastructure Projects Standard and delegates authority to the CEO to endorse the draft Standard.

**Motion:** **Moved: Clr Ayyad** **Seconded: Clr Shelton**

That the recommendation be adopted.

On being put to the meeting the motion was declared CARRIED.

## CITY CORPORATE REPORT

**ITEM NO:** CORP 01

**FILE NO:** 227203.2019

**SUBJECT:** Reducing Red Tape - Development of Policies, Standards, Charters, Procedures and Strategies

## RECOMMENDATION

That Council:

1. Endorse the *Development of Policies, Standards, Charters, Procedures and Strategies* included as Attachment 1 to this report;
2. Confirm the policies listed in Attachment 2 to this report as Council Policies; and
3. Rescind and remove from the policy register any previously-adopted policies of Council as listed in Attachment 3 to this report.

## COUNCIL DECISION

**Motion:**

**Moved: Cllr Hagarty**

**Seconded: Cllr Hadchiti**

That Council:

1. Endorse the *Development of Policies, Standards, Charters, Procedures and Strategies* included as Attachment 1 to this report ("the Framework");
2. Retain all existing policies; and
3. Direct the CEO to commence a process of workshopping existing policies with councillors, with a view to assessing each existing policy's status under the Framework by December 2020.

On being put to the meeting the motion was declared CARRIED.



**ITEM NO:** CORP 02  
**FILE NO:** 250654.2019  
**SUBJECT:** Investment Report September 2019

## RECOMMENDATION

That Council receives and notes this report.

## COUNCIL DECISION

**Motion:**                      **Moved: Clr Hagarty**                      **Seconded: Clr Kaliyanda**

That the recommendation be adopted.

On being put to the meeting the motion was declared CARRIED.

That Council:

- ## COUNCIL DECISION

**Motion:**                      **Moved: Clr Rhodes**                      **Seconded: Clr Kaliyanda**

That the recommendation be adopted.

On being put to the meeting the motion was declared CARRIED.



That Council:

1. Receives and notes the minutes of the Liverpool Heritage Advisory Committee meeting held on 17 September 2019;
2. Notes that recommendation 1 and 2 of the Committee is consistent with actions outlined in the Liverpool Heritage Strategy and any works or funding will be considered during the 2020/2021 and future year's budgets; and
3. Notes the Forest Homestead is heritage listed and no further action is required.

**Motion:** **Moved:** Clr Kaliyanda **Seconded:** Clr Rhodes

That the recommendation be adopted.

On being put to the meeting the motion was declared CARRIED.

**ITEM NO:** CTTE 03  
**FILE NO:** 243146.2019  
**SUBJECT:** Minutes of the Liverpool Community Safety and Crime Prevention Advisory Committee Meeting held on 5 September 2019

## RECOMMENDATION

That Council receives and notes the Minutes of the Liverpool Community Safety and Crime Prevention Advisory Committee Meeting held on 5 September 2019.

## COUNCIL DECISION

**Motion:**                      **Moved: Clr Kaliyanda**                      **Seconded: Clr Rhodes**

That the recommendation be adopted.

On being put to the meeting the motion was declared CARRIED.

That Council receives and notes the Minutes of the Liverpool Youth Council Meeting held on 4 September 2019.

**Motion:** **Moved:** Clr Kaliyanda **Seconded:** Clr Rhodes

That the recommendation be adopted.

On being put to the meeting the motion was declared CARRIED.

That Council adopts the minutes of the Budget Review Panel meeting held on 19 September 2019.

**Motion:**                      **Moved: Clr Kaliyanda**                      **Seconded: Clr Rhodes**

That the recommendation be adopted.

On being put to the meeting the motion was declared CARRIED.

## QUESTIONS WITH NOTICE

**ITEM NO:** QWN 01  
**FILE NO:** 256648.2019  
**SUBJECT:** Question with Notice - Cllr Harle - Excessive Noise and Use of Public Address Systems in Recreational Areas

### Background

For over a decade Council has been experiencing consistent negative feedback due to objectionable and excessive noise generated by unauthorised use of Public Address systems at Council owned recreational facilities. Considering the high number of complaints, particularly around the Chipping Norton Lakes area and Black Muscat Park, Council needs to take positive action as it detrimentally affects all users of the park and nearby residential homes.

It is obvious current action by Councils is not having the desired effect both from a park user and nearby residents point of view.

Please address the following:

- 1. Can Council issue substantial fines for using PA systems contrary to signage and if so, what are the maximum penalties that can be applied and how can these be enforced and by whom?**

Fines can be issued for failure to comply with a notice erected by Council. The fine is \$110. However, for a fine to be issued a Council officer must identify the person who is committing the offence. This is difficult to obtain as Council officers have no authority to demand identification be provided. Only the Police have that authority including issuing fines.

- 2. Can Council legally confiscate the offending equipment?**

Under the Local Government Act, Council officers do not have the power to confiscate offending equipment.

- 3. If so, can Council ensure signage includes applicable penalty notices?**

New signs in that area were recently erected following a review by Council's legal team. The signs indicate fines do apply. However, the amount is not stated as this will change with time.



**4. Does Council have practical enforceable suggestions to prevent this continuing problem?**

Council has recently met with the Local Police Superintendent to request commitment from the Police to attend the site when security personnel are unable to achieve cooperation from the offending person/s. Police are responsible and have the authority to deal with noise issues and matters of public disorder.

**ITEM NO:** QWN 02  
**FILE NO:** 256653.2019  
**SUBJECT:** Question with Notice - Cllr Hagarty - Edmondson Park Commuter Car Park

### **Background**

Despite allocating just \$212,000 in this year's budget, the New South Wales Government continues to commit to a 'mid 2020' time frame for the completion of a multi-storey car park at Edmondson Park station.

Potential risks to the project's completion date have been given as "weather, Liverpool Council and other land holders".

Please address the following:

**1. Does Council own land within the vicinity of Edmondson Park train station suitable for a multi-storey car park?**

Council does not own any land suitable for the construction of a multi-storey car park close to Edmondson Park railway station.

**2. Has Council been approached by the State Government about the use of Council owned land for a multi-storey car park at Edmondson Park? If so when?**

As indicated above, Council does not own any land in the immediate vicinity of Edmondson Park station and hence Council has not been approached for a carpark to be constructed on Council's land.

However, Transport for NSW (TfNSW) have approached Council to discuss the agencies' environmental planning, preliminary design investigation and arrangement to lease or acquire land for construction of the additional commuter parking spaces close to Edmondson Park station.

Council is advised that negotiations to lease land from adjoining land owners is underway and Council will be notified of the timing once suitable site/s have been identified and design investigations have commenced.

In addition, TfNSW also enquired whether Council would be able to project manage the construction of at-grade car parking once suitable construction site/s been secured. Requested indicative costs have been provided to TfNSW.

**3. What approvals would Liverpool Council need to give for a multi-storey car park at Edmondson Park?**

Construction of a multi-storey car close to the Edmondson Park station can be approved under the following two assessment regimes:

- a) TfNSW can lodge a Development Application with Council for assessment under Part 4 of the *Environmental Planning and Assessment Act*; or
- b) TfNSW can lodge an application for environment assessment under Part 5 of the *Environmental Planning and Assessment Act* to the Minister for Planning, which provides for Infrastructure Development by Public Authorities.

If TfNSW lodges a Development Assessment with Council, depending on the development site, the application would be assessed under State Environmental Planning Policy (State significant Precincts) 2005.

The land parcels directly north and south of the station are zoned B4-Mixed use under State Environmental Planning Policy (State significant Precincts) 2005.

A commuter car park close to the station, would be defined as a “passenger transport facility”. A commuter car park is permitted with consent, within the B4 zone.

The DA would likely need to be determined by the Sydney Western City Planning Panel as it will involve crown development over \$5 million and would be deemed regionally significant.

If the cost exceeds \$30 million, the DA would be deemed State significant and would be assessed by the Department of Planning Industry and Environment.

**4. Are there any other delays or impediments Council could potentially cause to the timely completion of this project?**

No. However if a Development Application is lodged with Council, the application will be assessed and likely reported to the Sydney Western City Planning Panel for determination.

**ITEM NO:** QWN 03  
**FILE NO:** 256673.2019  
**SUBJECT:** Question with Notice - Cllr Hadchiti - Basketball

Please address the following:

**1. Has Council undertaken any studies which identify a need for more basketball facilities in the LGA?**

Council's Recreation, Open Space and Sports (ROSS) Strategy (2018), draft Aquatic and Leisure Centres Strategy (2019) and the Liverpool Population and Social Infrastructure Study (2019) have identified the undersupply of indoor and outdoor basketball within the Liverpool Local Government Area (LGA). The ROSS Strategy identifies a gap of 24 basketball courts by 2031. The current population of the Liverpool LGA is 227,312 persons, which warrants for the provision of additional 16 basketball courts.

These figures are based on the benchmark of 1 basketball court:10,000 persons for a projected population of 300,000 people. The benchmarks assist in identifying current and future gaps in provision of basketball courts, and, over time, offers a rationale for the upgrade of existing facilities and planning for new parks, open space and sporting facilities. In comparison with similar LGAs across the metropolitan Sydney, these benchmarks are found to be generous. However, there is a substantial shortfall of basketball courts across the LGA by any existing benchmark, which necessitates the future provision of additional indoor and outdoor basketball courts.

The development of basketball courts will need to align with ROSS Strategy key guidelines, emerging priorities and strategic projects. Council will continue to engage with key stakeholders in the planned provision of such facilities.

**ITEM NO:** QWN 04  
**FILE NO:** 256676.2019  
**SUBJECT:** Question with Notice - Clr Hadchiti - Parking Meters

Please address the following:

- 1. Have there been any issues brought to Councils attention in relation to the roll out of the new parking meters?**

### **Response**

Council has received one formal complaint and 23 customer requests in relation to the new meters. The feedback from customers and actions taken are as detailed below:

- 1) Confusion with Motorist directed to "Enter licence number" - This led to confusion with users entering a driver's licence number. The wording has been changed to "Enter vehicle number plate".
- 2) Request for instructions in other languages - Stickers with instructions in Arabic, Vietnamese and Serbian have been added to the parking meters.
- 3) Users who are slow in entering a registration number were experiencing timeout - The time to enter a vehicle plate number has been increased from 5 to 30 seconds.
- 4) Customers requesting receipt - A process is in place for customers to contact Council's Customer Service to request a receipt. However, with the introduction of the App for payment, customers will receive an automated electronic receipt via their nominated email.

Parking officers and Rangers are continuing to assist customers with the use of the meters.

**ITEM NO:** QWN 05  
**FILE NO:** 264579.2019  
**SUBJECT:** Question with Notice - Clr Hadchiti - Civic Place

Please address the following:

1. It was my understanding that Council has an agreement in place with UOW, was this the case given they have called for expressions of interest for accommodation?
2. Prior to Council approving the expenditure for Civic Place it is my understanding that it was reviewed by the Audit Committee. Have they been advised that we are risk of losing the rental?
3. Did Council receive any sign off from any other Government Department and if so were they advised that UOW was only a maybe?

**A response to these questions will be provided in the 20 November 2019 Council meeting business papers.**

**ITEM NO:** QWN 06  
**FILE NO:** 264613.2019  
**SUBJECT:** Question with Notice - Clr Balloot - Local Government Conference

Please address the following:

1. Can I please be advised why my vote at the Local Government Conference was taken away from?
2. Who authorised this?
3. What procedure was followed?

### **Response from the Chief Executive Officer**

Council at its meeting on 31/7/19 considered a report on the Local Government NSW Conference and resolved:

*That Council:*

1. *Endorse its voting delegates for voting on motions (being the Mayor and all Councillors (except Clr Hadid, noting that Clr Hadid already has a vote as he is a Director of the Association) and determine its voting delegates for voting in the Board election (noting that Council is entitled to 9 voting delegates and Clr Hadid is entitled to a vote as he is a Director of the Association); and*
2. *Endorse the key issues to be submitted for consideration at the Local Government NSW Annual Conference.*

Point 1 of the above resolution meant that the Mayor and every Councillor would be a voting delegate for voting on Conference Motions.

As Liverpool City Council was only entitled to 9 voting delegates for voting in the Board election (10 if you include Clr Hadid who has a vote as a Director of the Association), it also meant that one Councillor would miss out.

This information was also presented to Councillors in the report.

*"As Council is entitled to 9 voting delegates in the Board election, Council will need to resolve who those delegates will be. Clr Hadid will be entitled to a vote as a Board member, which means one Councillor will not have a vote in the Board elections."*

I assumed Councillors, having read the report and considered the resolution, had left any decision about voting delegates, should one need to be made, with me.

On 16/9/19, Clr Kaliyanda advised staff that she would be travelling interstate on the day that voting for the Board would take place.

As such, staff advised the Conference organisers that Clr Kaliyanda would not be a voting delegate for the voting on the Board election.

Prior to travelling on Monday 14 October, Clr Kaliyanda sought to allocate her voting right for the Board election to Clr Hagarty.

As Clr Kaliyanda was not a voting delegate for voting on the Board election, this was not possible.

The only option available to enable Clr Kaliyanda to obtain voting rights, was to authorise a substitute Delegate Form for the Board Election – to change the voting delegate from Clr Balloot to Clr Kaliyanda. I authorised the substitute Delegate Form as CEO.

The decision to change Clr Balloot's voting rights for the Board election was based on advice that he was overseas and not able to attend the Conference until after midday. Council staff secured Clr Kaliyanda's voting rights only minutes before the deadline and made the change under the misapprehension voting on the Board election would close on the morning of Tuesday 15 October. It was later discovered that voting on the Board was occurring throughout the day on 15 October, which meant that Clr Balloot was not able to vote.

I would like to apologise for any unintended outcomes in managing this situation. In future, Council will seek definitive guidance from Councillors to ensure all voting delegates are clearly identified. If Councillors choose not to make a decision in a matter such as this we would propose drawing names from a hat as is the practice in other councils.



That Council:

- ## COUNCIL DECISION

**Motion:** **Moved:** Clr Hadchiti **Seconded:** Clr Rhodes

That Council:

1. Receive and note the report; and
2. Does not endorse the roundabout being built on the Marshall Avenue/Nuwarra Road, Moorebank intersection.

On being put to the meeting the motion was declared CARRIED.

Councillors voted unanimously for this motion.

Note: Clr Hadid was not at the meeting.

**ITEM NO:** CTTE 06  
**FILE NO:** 251071.2019  
**SUBJECT:** Minutes of the Liverpool Pedestrian, Active Transport and Traffic Committee Meeting

## RECOMMENDATION

That Council adopts the following recommendations of the Committee:

- i) Item 1: Northumberland Serviceway, Liverpool – Special Community Event and Proposed Temporary Road Closure – Love Livo.
  - Council classifies the event as a Class 3 Special Event with all associated conditions including submission of a Special Event Traffic Management Plan to the RMS and Police for information.
- ii) Item 2: Liverpool City Centre – Special Community Event and Proposed Temporary Road Closure – Turban 4 Australia.
  - Council classifies the event as a Class 2 Special Event with all associated conditions including:
  - Submission of a Traffic Management Plan to the Roads and Maritime Services for endorsement.
  - Police approval and management of the required rolling road closures.
  - Advertisement of the event in local newspapers.
  - Seeking Road Occupancy Licence from the Transport Management Centre.
  - Council organises a meeting with the event organisers, Police and local bus companies to discuss and agree on arrangements to minimise impact on bus movements along the affected routes.
- iii) Item 3: Nuwarra Road and Marshall Avenue Intersection, Moorebank – Proposed Roundabout.
  - Approves the installation of a roundabout at the Nuwarra Road and Marshall Avenue intersection, Moorebank, as shown in Attachment 3.1 in the minutes.
- iv) Item 4: Progress Circuit, Prestons – Proposed Linemarking Scheme.
  - Approves installation of edgelines, double barrier lines ('BB') and C3 yellow 'No Stopping' edgelines marking along sections of Progress Circuit and a section along Lyn Parade, Prestons, as shown in Attachment 4.1 in the minutes.

- v) Item 5: 4-8 Lyn Parade, Prestons – Proposed Intersection Treatment at the Driveway.
  - Deferred for detailed design to be revised and resubmitted to a future meeting.
- vi) Item 6: Southern Cross Avenue, Middleton Grange – Signs and Linemarking Scheme for a new Subdivision.
  - Approves the proposed raised threshold along with the signs and linemarking scheme in a new subdivision at 75 Southern Cross Avenue as shown in Attachment 6.1a and 6.2a in the minutes.
- vii) Item 7: Edinburgh Circuit, Cecil Hills – Request for Traffic Calming Devices.
  - Approves the installation of ‘S1’ and ‘BB’ separation lines in Edinburgh Circuit, Cecil Hills, as shown in Attachment 7.1 of the minutes.
- viii) Item 8: Sixteenth Avenue and Hall Circuit Intersection, Middleton Grange – Signs and Linemarking Scheme for a new Intersection.
  - Approves the intersection improvement works at the Flynn Avenue/Qantas Boulevard/Hall Circuit intersection, Middleton Grange, along with associated signs and line marking scheme, as shown in Attachment 8.1 in the minutes.
- ix) Item 9: 6 Wilson Road, Hinchinbrook – Signs and Linemarking Scheme at the Access Driveway.
  - Approves central median including associated signs and linemarking scheme in front of 6 Wilson Road, Hinchinbrook, as shown in Attachment 9.1 in the minutes.
- x) Item 10: Wilson Road, Green Valley – Signs and Linemarking Scheme for a new pedestrian refuge and upgrade of existing pedestrian crossing.
  - Approves upgrade of the existing marked pedestrian crossing and installation of a pedestrian refuge with associated signs and linemarking scheme in Wilson Road, Green Valley, at the frontage of Green Valley Plaza, as shown in Attachment 10.1 in the minutes.
- xi) Item 11: Memorial Avenue, Liverpool - Signs and Linemarking Scheme for Whitlam Centre Commuter Carpark.
  - Approves signs and linemarking within the proposed off-street carpark in the Whitlam Centre along Memorial Avenue, Liverpool.

xii) Item 12: Sarah Hollands Drive, Carnes Hill – Request for a Pedestrian Crossing Facility.

- Council notes that the current Pedestrian and Traffic volumes do not meet the warrant for a marked Pedestrian crossing.
- Council constructs foot paving on the eastern side south of Strzlecki Drive in Sarah Hollands Drive, Carnes Hill.
- Council to notify the local community about staged provision of footpath paving and pedestrian crossing facility across Sarah Hollands Drive, Carnes Hill.

xiii) Item 13: Items Approved Under Delegated Authority.

- Notes the traffic facilities approved under Delegated Authority between 13 July 2019 and 6 September 2019.

xiv) Funding allocation for Item 3.

- Council allocates \$154,308.50 towards the construction of the roundabout at Nuwarra Road and Marshall Avenue Intersection in the 2020/21 budget.

## **COUNCIL DECISION**

### **Motion**

**Moved: Cllr Hadchiti**

**Seconded: Cllr Rhodes**

That the recommendation be adopted with the exception of Item 3 as Council does not endorse the roundabout on the intersection of Marshall Avenue/Nuwarra Road, Moorebank.

On being put to the meeting the motion was declared CARRIED.

**QUESTIONS WITH NOTICE****ITEM NO:** QWN 07**FILE NO:** 266618.2019**SUBJECT:** Question with Notice - Cllr Hadchiti - Parking Meters

Please address the following:

Since the introduction of parking meters:

1. How much revenue has been collected (just a number)?
2. How many new car parking spaces have been created in that time (just a number)?
3. How much has been issued in fines (just a number)?

In relation to the new parking meters:

1. What was the cost of the introduction?
2. Did the expenditure require a tender process?
3. Who authorised the expenditure?

**A response to these questions will be published in the 20 November 2019 Council meeting Business Papers.**

## PRESENTATIONS BY COUNCILLORS

- Cllr Balloot made a presentation on his recent visit to Council's Sister City, Rocella Calabria, in Italy. He thanked the Mayor of Rocella, the CEO and all the Councillors for making the delegation feel at home and for the great hospitality received. He was grateful for the Sister City relationship and understood that a delegation from Calabria will be visiting Liverpool in November 2020 and looked forward to welcoming them in the same manner.
- Cllr Hagarty made a presentation on the NSW Local Government Conference hosted at Liverpool in October and commented on its success, professionalism and execution of the event and congratulated Councillor Hadid for securing Liverpool as the host venue and to the staff of Liverpool for the work done.

## NOTICE OF MOTION

**ITEM NO:** NOM 01  
**FILE NO:** 263997.2019  
**SUBJECT:** Fast Charging Station

### Background

Liverpool has long been a traditional resting spot for people travelling from, or through Sydney before a long distance journey south, down the Hume Highway.

Electric vehicles currently have a range of approximately 250km. Fast charging stations allow an 80% charge in about an hour, while a standard charge can take as long as 12 hours. At present, the nearest fast charging station is located at Homebush.

For drivers of electric vehicles a drive south involves a stop at Homebush for a fast charge before driving on to somewhere like Melbourne, Canberra, the south coast or the snow fields.

With electric vehicles growing in popularity Liverpool should seek out a suitable location within the LGA for a fast charging station. This would not only help Liverpool retain its place as that traditional stop off, but also benefit the local tourism and hospitality sectors.

### NOTICE OF MOTION (submitted by Cllr Hagarty)

That Council:

- Research suitable spots in the LGA for a fast charging station; and
- Lobby for a fast charging station in Liverpool.

### COUNCIL DECISION

**Motion:** **Moved by Cllr Hagarty** **Seconded: Cllr Kaliyanda**

That Council:

- Research suitable spots in the LGA for a fast charging station; and
- Lobby for a fast charging station in Liverpool at no significant capital cost to Council.

On being put to the meeting the motion was declared CARRIED.

**ITEM NO:** NOM 02  
**FILE NO:** 264015.2019  
**SUBJECT:** Wood Encouragement Policy

## **Background**

Wood Encouragement Policies require responsibly sourced wood to be considered, where feasible, as the primary construction material in Government building and fit out projects.

Canada, Japan, France, Finland, Netherlands and the UK, over a dozen Councils across Australia and Tasmania have all adopted a Wood Encouragement Policy.

The use of wood as a building material has many benefits over other building materials, amongst them:

- faster to build, saving time and money
- uses much less energy to produce
- tackles climate change through carbon sequestration
- is naturally renewable and abundant

Recent examples of wooden public buildings include Melbourne City Council's 'Library at the Dock', Bunjil Place in the City of Casey and Bold Park Aquatic Centre in WA.

With a large capital works program, including a number of notable public buildings, planned for Liverpool over the coming years, Council should have a Wood Encouragement Policy in place. This will ensure a cost effective, aesthetically pleasing and environmentally friendly building product is considered for these projects.

## **NOTICE OF MOTION (submitted by Cllr Hagarty)**

That Council:

1. Provide Councillors a briefing on:
  - the benefits of a Wood Encouragement Policy; and
  - examples of wooden public buildings that have been developed as a result of a Wood Encouragement Policy.
2. Following the briefing, commence work on a draft Wood Encouragement Policy.



## **COUNCIL DECISION**

### **Motion**

**Moved: Cllr Hagarty**

**Seconded: Cllr Karnib**

That Council provide Councillors a briefing on:

- the benefits of a Wood Encouragement Policy; and
- examples of wooden public buildings that have been developed as a result of a Wood Encouragement Policy.

On being put to the meeting the motion was declared LOST.

**CONFIDENTIAL ITEMS**

**ITEM NO:** CONF 01  
**FILE NO:** 254112.2019  
**SUBJECT:** 2020 Local Government Elections

## COUNCIL DECISION

**Motion**                      **Moved: Clr Hadchiti**                      **Seconded: Clr Rhodes**

That Council:

1. Pursuant to s.296(2), (3) and (5A) of the Local Government Act 1993 (NSW) (“the Act”) that an election arrangement be entered into by contract for the Electoral Commissioner to administer all elections of the Council;
2. Pursuant to s.296(2), (3) and (5A) of the Act, as applied and modified by s.18, that a council poll arrangement be entered into by contract for the Electoral Commissioner to administer all council polls of the Council that may be required;
3. Pursuant to s.296(2), (3) and (5A) of the Act, as applied and modified by s.18, that a constitutional referenda arrangement be entered into by contract for the Electoral Commissioner to administer all constitutional referenda of the Council that may be required; and
4. Notify the Office of Local Government, the NSW Electoral Commissioner and the Australian Election Company of Council’s resolution.

On being put to the meeting the motion was declared CARRIED.

**ITEM NO:** CONF 02  
**FILE NO:** 256320.2019  
**SUBJECT:** Legal Affairs Report

## COUNCIL DECISION

**Motion**                      **Moved: Clr Rhodes**                      **Seconded: Clr Harle**

That Council receives and notes the report concerning the legal affairs of Liverpool City Council.

On being put to the meeting the motion was declared CARRIED.

**THE MEETING CLOSED AT 8.13pm.**

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 20 November 2019

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 28 October 2019. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.

**CEO 01**

**Council Meeting Dates - January to December  
2020**

<b>Strategic Direction</b>	Leading through Collaboration Increase community engagement
<b>File Ref</b>	273000.2019
<b>Report By</b>	George Georgakis - Manager Council and Executive Services
<b>Approved By</b>	Andrew Stevenson - Chief Strategy and Engagement Officer

## **EXECUTIVE SUMMARY**

The purpose of this report is to confirm the Council meeting schedule for 2020. It is proposed that Council meetings for the 2020 calendar year continue to be held monthly commencing at 6.00pm and be held on the last Monday of each month (rather than the last Wednesday which is the current practice), with exceptions where required.

It is recommended that Council adopt the proposed meeting dates for 2020 as contained in this report.

## **RECOMMENDATION**

That Council:

1. Confirms the Council meeting time as 6.00pm and Council meeting dates for the 2020 calendar year as follows:
  - 3 February 2020
  - 24 February 2020
  - 30 March 2020
  - 27 April 2020
  - 25 May 2020
  - 29 June 2020
  - 27 July 2020
  - 31 August 2020
  - 19 October 2020
  - 16 November 2020
  - 14 December 2020
2. Place appropriate notices in the local newspapers advising the community of the dates and commencing times of Council meetings for the 2020 calendar year.

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**REPORT**

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Section 365 of the *Local Government Act 1993* stipulates that councils must meet at least 10 times per year, each time in a different month. Section 366 of the Act makes provision for additional meetings to be called if necessary.

To assist in meeting statutory requirements and provide reporting consistency, it is proposed that the Council meetings for the 2020 calendar year remain on a monthly cycle, commencing at 6.00pm. It is proposed that the meeting dates be changed from the current practice of holding meetings on the last Wednesday of each month (where possible), to be changed to the last Monday of the month (where possible). The exception will be January (no meeting), September (no meeting) October (first meeting of the new Council) and November (meeting proposed for the third Monday of the month) and December (meeting proposed for the second Monday of the month).

The proposal to change the meeting date to Mondays will provide the following benefits:

- Council Agenda reports will be provided to Councillors and posted on Council's website two Fridays before the Council meeting, allowing for two weekends to read over the material for the meeting; and
- Four consecutive business days after a Council meeting will allow for the actioning of urgent items coming out of Council resolutions prior to the weekend.

A meeting in early February 2020 is recommended to be held to deal with business accumulated during the January break.

It is proposed that no meeting be held in September due to the Local Government Election which will be held on 12 September 2020. The first meeting of the new Council is proposed for 19 October 2020.

In 2016, the year of the previous Council elections, the last meeting of the outgoing Council was held on 31 August 2016, and the first meeting of the current Council was held on 12 October 2016.

The November meeting is recommended to be held on the third Monday of November to allow for more even spacing of meetings at the end of the year. The December meeting is recommended to be held on the second Monday, to allow time for resolutions to be actioned (where possible) before the Christmas break.

Additional meetings can be called at any time if necessary, subject to appropriate notice provisions. These could cater for extraordinary matters that arise from time to time or to prevent agenda items becoming too voluminous.

It is recommended that Council adopts the meeting dates for the 2020 calendar year as outlined in Table 1.

**Table 1 – Proposed Council meeting dates 2020**

<b>Meeting date</b>	<b>Comments</b>
3 February 2020	First meeting after January break to deal with accumulated business.
24 February 2020	Last Monday of the month.
30 March 2020	Last Monday of the month.
27 April 2020	Last Monday of the month.
25 May 2020	Last Monday of the month.
29 June 2020	Last Monday of the month.
27 July 2020	Last Monday of the month.
31 August 2020	Last Monday of the month.
No meeting in September due to Local Government Elections.	
19 October 2020	First meeting of the new Council.
16 November 2020	Third Monday of the month.
14 December 2020	Second Monday of the month.

## **CONSIDERATIONS**

<b>Economic</b>	There are no economic and financial considerations.
<b>Environment</b>	There are no environmental and sustainability considerations.
<b>Social</b>	Raise awareness in the community about the available services and facilities.

<b>Civic Leadership</b>	<p>Encourage the community to engage in Council initiatives and actions.</p> <p>Provide information about Council's services, roles and decision making processes.</p> <p>Deliver services that are customer focused.</p> <p>Operate a well-developed governance system that demonstrates accountability, transparency and ethical conduct.</p>
<b>Legislative</b>	<p>Section 365 and 366 of the <i>Local Government Act 1993</i>.</p>

**ATTACHMENTS**

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Nil



**CEO 02**

**Annual Code of Conduct Complaints Statistics Report**

<b>Strategic Direction</b>	Leading through Collaboration Strive for best practice in all Council processes
<b>File Ref</b>	277507.2019
<b>Report By</b>	David Maguire - Internal Ombudsman
<b>Approved By</b>	Kiersten Fishburn - Chief Executive Officer

**EXECUTIVE SUMMARY**

Council adopted its current Code of Conduct and Code of Conduct Procedures (the Procedures) on 6 February 2019. Under Part 11 of the Procedures, the Complaints Coordinator (the Internal Ombudsman) must report on a range of Code of Conduct complaints statistics to Council and the Office of Local Government (the Office) within the three months of the end of September each year.

The Office intends to publish details of complaints statistics provided by all NSW councils for the current reporting period on its website in early January 2020.

Three Code of Conduct complaints relating to Councillors were received by the CEO and two complaints were finalised during the current reporting period (1 September 2018 to 31 August 2019).

It is recommended that Council receive and note this report and the attached Code of Conduct Complaints Statistics Report, recently submitted to the Office.

**RECOMMENDATION**

That Council receive and note this report and the attached Complaints Statistics Report, which has been submitted by the Internal Ombudsman to the Office of Local Government.

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**REPORT**

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Council adopted its current Code and Procedures, based on the Model Code and the Model Procedures, on 6 February 2019. Part 11 of the Procedures states:

*11.1 The complaints coordinator must arrange for the following statistics to be reported to the council within 3 months of the end of September of each year:*

- a) the total number of code of conduct complaints made about councillors and the CEO under the code of conduct in the year to September (the reporting period)*
- b) the number of code of conduct complaints referred to a conduct reviewer during the reporting period*
- c) the number of code of conduct complaints finalised by a conduct reviewer at the preliminary assessment stage during the reporting period and the outcome of those complaints*
- d) the number of code of conduct complaints investigated by a conduct reviewer during the reporting period*
- e) without identifying particular matters, the outcome of investigations completed under these procedures during the reporting period*
- f) the number of matters reviewed by the Office during the reporting period and, without identifying particular matters, the outcome of the reviews, and*
- g) the total cost of dealing with code of conduct complaints made about councillors and the CEO during the reporting period, including staff costs.*

*11.2 The council is to provide the Office with a report containing the statistics referred to in clause 11.1 within 3 months of the end of September of each year.*

The CEO received three Code of Conduct complaints against Councillors during the current reporting period.

One complaint was referred by the CEO to the Office under clause 5.16 of the previous Procedures. This complaint was finalised by the Office without any adverse findings being made about the Councillor who had been complained against.

The total cost to Council, including staff time, in dealing with Code of Conduct complaints against Councillors during the current reporting period was \$43,407 (an increase of \$41,407 compared to the previous reporting period).

The attached Code of Conduct Complaints Statistics Report, which has been submitted to the Office, provides a summary of these complaints. It should be noted that, apart from this report to Council and the attached Complaints Statistics Report submitted to the Office, clause 12.1 of the Procedures states that information about Code of Conduct complaints and the management and investigation of Code of Conduct complaints is to be treated as confidential

and is not to be publicly disclosed, except as may be otherwise specifically required or permitted under the Procedures.

**CONSIDERATIONS**

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<b>Economic</b>	The cost of handling Code of Conduct complaints made against Councillors is set out in this report.
<b>Environment</b>	There are no environmental and sustainability considerations.
<b>Social</b>	There are no social and cultural considerations.
<b>Civic Leadership</b>	Provide information about Council's services, roles and decision making processes.  Operate a well developed governance system that demonstrates accountability, transparency and ethical conduct.
<b>Legislative</b>	<i>Local Government Act 1993, section 440AA</i>

**ATTACHMENTS**

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1. Annual Code of Conduct Statistics Report submitted to the OLG

## Office of Local Government

### Model Code of Conduct Complaints Statistics

Reporting Period: 1 September 2018 - 31 August 2019

**Date Due:** 31 December 2019

*To assist with the compilation of the Time Series Data Publication it would be appreciated if councils could return this survey by 30 November 2019.*

**Survey return email address:** [codeofconduct@olg.nsw.gov.au](mailto:codeofconduct@olg.nsw.gov.au)

<b>Council Name:</b>	Liverpool City Council
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<b>Contact Name:</b>	David Maguire
<b>Contact Phone:</b>	8821 7423
<b>Contact Position:</b>	Internal Ombudsman
<b>Contact Email:</b>	<a href="mailto:maguired@liverpool.nsw.gov.au">maguired@liverpool.nsw.gov.au</a>

All responses to be numeric.

**Where there is a zero value, please enter 0.**

**Enquiries:** Performance Team  
Office of Local Government  
Phone: (02) 4428 4100  
Enquiry email: [olg@olg.nsw.gov.au](mailto:olg@olg.nsw.gov.au)

Model Code of Conduct Complaints Statistics Liverpool City Council	
Number of Complaints	
1 a	The total number of complaints <b>received</b> in the period about councillors and the General Manager (GM) under the code of conduct
	3
b	The total number of complaints <b>finalised</b> in the period about councillors and the GM under the code of conduct
	2
Overview of Complaints and Cost	
2 a	The number of complaints <b>finalised at the outset</b> by alternative means by the GM or Mayor
	0
b	The number of complaints <b>referred to the Office of Local Government</b> under a special complaints management arrangement
	0
c	The number of code of conduct complaints <b>referred to a conduct reviewer</b>
	2
d	The number of code of conduct complaints <b>finalised at preliminary assessment</b> by conduct reviewer
	0
e	The number of code of conduct complaints <b>referred back to GM or Mayor</b> for resolution after preliminary assessment by conduct reviewer
	1
f	The number of finalised code of conduct complaints <b>investigated by a conduct reviewer</b>
	0
g	The number of finalised code of conduct complaints <b>investigated by a conduct review committee</b>
	0
h	The number of finalised complaints investigated where there was found to be <b>no breach</b>
	0

i	The number of finalised complaints investigated where there was found to be a <b>breach</b>	0
j	The number of complaints referred by the GM or Mayor to <b>another agency</b> or body such as the ICAC, the NSW Ombudsman, the Office or the Police	1
k	The number of complaints being investigated that are <b>not yet finalised</b>	1
l	The <b>total cost</b> of dealing with code of conduct complaints within the period made about councillors and the GM including staff costs	43,407

Preliminary Assessment Statistics	
3 The number of complaints determined by the conduct reviewer at the preliminary assessment stage by each of the following actions:	
a To take no action	0
b To resolve the complaint by alternative and appropriate strategies	0
c To refer the matter back to the GM or the Mayor, for resolution by alternative and appropriate strategies	1
d To refer the matter to another agency or body such as the ICAC, the NSW Ombudsman, the Office or the Police	0
e To investigate the matter	1
f To recommend that the complaints coordinator convene a conduct review committee to investigate the matter	0
Investigation Statistics	
4 The number of investigated complaints resulting in a determination that there was <b>no breach</b> , in which the following recommendations were made:	
a That the council revise its policies or procedures	0
b That a person or persons undertake training or other education	0
5 The number of investigated complaints resulting in a determination that there <b>was a breach</b> in which the following recommendations were made:	
a That the council revise any of its policies or procedures	0

b	That the subject person undertake any training or other education relevant to the conduct giving rise to the breach	0
c	That the subject person be counselled for their conduct	0
d	That the subject person apologise to any person or organisation affected by the breach	0
e	That findings of inappropriate conduct be made public	0
f	In the case of a breach by the GM, that action be taken under the GM's contract for the breach	0
g	In the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the Local Government Act 1993	0
h	In the case of a breach by a councillor, that the matter be referred to the Office for further action	0
6	Matter referred or resolved after commencement of an investigation under clause 8.20 of the Procedures and clause 7.20 of the new Procedures	0



Categories of misconduct	
7 The number of investigated complaints resulting in a determination that there was a breach with respect to each of the following categories of conduct:	
a General conduct (Part 3)	0
b Conflict of interest (FMCC Part 4) and Non-pecuniary conflict of interest (NMCC Part 5)	0
c Personal benefit (FMCC Part 5 / NMCC Part 6)	0
d Relationship between council officials (FMCC Part 6 / NMCC Part 7)	0
e Access to information and resources (FMCC Part 7 / NMCC Part 8)	0
Outcome of determinations	
8 The number of investigated complaints resulting in a determination that there was a breach in which the council failed to adopt the conduct reviewers recommendation	0
9 The number of investigated complaints resulting in a determination that there was a breach in which the council's decision was overturned following a review by the Office	0

**CEO 03****Review of Council's Privacy Policy**

<b>Strategic Direction</b>	Leading through Collaboration Strive for best practice in all Council processes
<b>File Ref</b>	277795.2019
<b>Report By</b>	David Maguire - Internal Ombudsman
<b>Approved By</b>	Kiersten Fishburn - Chief Executive Officer

**EXECUTIVE SUMMARY**

Council's Privacy Contact Officer (the Internal Ombudsman) seeks endorsement by Council of proposed additional clauses in the current Privacy Policy relating to the use of metadata, data sharing and privacy impact assessments.

**RECOMMENDATION**

That Council adopt the draft Privacy Policy attached to this report.

**REPORT**

Council is required to implement a privacy management plan under section 33 of the *Privacy and Personal Information Protection Act 1998* (the PPIP Act). Council must also comply with the Privacy Code of Practice for Local Government, issued under section 32 of the PPIP Act.

Council's current policy is a privacy management plan for the purposes of the PPIP Act. It is based on the Model Privacy Management Plan for Local Councils, issued jointly by the Office of Local Government and the NSW Privacy Commissioner.

Council's policy was reviewed by the NSW Privacy Commissioner in 2016. The Privacy Commissioner's recommendations for further changes to the policy were then endorsed by a Council Resolution on 25 March 2016. Minor amendments to the policy were approved by the CEO under delegation on 19 April 2017.

The Internal Ombudsman has recently reviewed the Privacy Policy, a process which included consultation with relevant internal stakeholders. As a result of this review, Council's Privacy Policy needs to ensure that any proposed acquisition and use of new technology by Council staff, where that technology has the potential to interact with the personal information of any person, takes into account:

- relevant legislation and NSW privacy guidelines relating to the protection of the personal information of members of the public, Councillors and Council staff;
- is assessed by means of privacy impact statements prior to the purchase and use of new technology so as to reduce any risks of unauthorised misuse and disclosure of any personal information held by Council; and
- where new technology is employed by Council, which has an impact on members of the public, information and guidance concerning the rollout and the use of such technology is made available to the public prior to and during the rollout of such technology.

Privacy impact assessments should be undertaken in accordance with the attached Guide to Privacy Impact Assessments, issued by the Information and Privacy Commission.

The Privacy Policy must also clearly state that data containing personal information held by Council is not disclosed to other persons or agencies without proper review and authorisation in accordance with relevant legislation. A new clause to this effect has been inserted in the Privacy Policy.

The Internal Ombudsman has investigated a recent media claim that Council staff had accessed metadata from the Department of Home Affairs for enforcement purposes. Following an information request by the Internal Ombudsman, the Department of Home Affairs was unable to provide any departmental record to substantiate this media claim. However, the Internal Ombudsman has considered it expedient to ensure that any future request by Council staff for the use of Commonwealth metadata is properly scrutinised and authorised, as per a specific provision in the Privacy Policy.

With the above issues in mind, this report seeks endorsement by Council of the proposed additional clauses 8.6-8.8 in the Privacy Policy relating to the use of metadata, data sharing and privacy impact assessments, (as well as other minor amendments). The proposed changes to the policy are shown in red type font.

It should be noted that, because Council's Privacy Policy is based on the Model Privacy Policy, which has been approved by the NSW Privacy Commissioner, its current provisions cannot be softened or revoked by Council. However, it is permissible to endorse additions to the policy. In any case, section 33(5) of the PPIP Act requires that any amendments to Council's current policy, after endorsement by Council, must be submitted to the NSW Privacy Commissioner, who can exercise oversight over agencies in relation to privacy matters in accordance with section 36 of the PPIP Act.

## **CONSIDERATIONS**

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<b>Economic</b>	There are no economic and financial considerations.
<b>Environment</b>	There are no environmental and sustainability considerations.

<b>Social</b>	There are no social and cultural considerations.
<b>Civic Leadership</b>	Operate a well developed governance system that demonstrates accountability, transparency and ethical conduct.
<b>Legislative</b>	<i>Health Records and Information Protection Act 2002, sections 20-22</i> <i>Privacy and Personal Information Protection Act 1998, section 33</i>

**ATTACHMENTS**

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1. Draft Privacy Policy 2019 (Under separate cover)
2. IPC Guide to Privacy Impact Assessments (Under separate cover)

**EGROW 01**

**Overview of Specific Planning Agreements**

<b>Strategic Direction</b>	Strengthening and Protecting our Environment Exercise planning controls to create high-quality, inclusive urban environments
<b>File Ref</b>	273724.2019
<b>Report By</b>	Shaun Beckley - Manager, Infrastructure Planning
<b>Approved By</b>	Tim Moore - Director, City Economy and Growth / Deputy CEO

**EXECUTIVE SUMMARY**

This report is in response to a resolution of Council on 26 June 2019 seeking clarification if there “are current issues or issues looming with any PA’s the Council has entered into”. This resolution followed from a question with notice at the Council meeting of 29 May 2019.

Council currently has 11 executed PAs with outstanding work items. Council has previously been updated on three specific PAs which present a level of risk based on public interest, complexity of works and the value:

- Shepherd Street PA – Coronation and others
- Brickmakers Drive PA – Mirvac and New Brighton Golf Club
- Coopers Paddock PA – Australian Turf Club

These same PAs were subject of a briefing at Council’s Strategic Panel on 30 September 2019.

Planning Agreements (PA) are important legal instruments that provide additional public benefit in relation to various planning applications.

Council is actively working with each proponent to deliver the work items as agreed in the relevant PA. The outstanding components of these PAs generally relate to the provision of footpaths directly adjacent to the Georges River. The respective locations along the Georges River presents additional challenges and approval requirements not present in many other PAs.

Council staff are using a variety of measures, including provisions of the PA and a more customer focused approach, to move these and other PAs forward and ensure that the community receive the infrastructure and benefits that developers have committed to.

## **RECOMMENDATION**

That Council:

1. Receive and note this report; and
2. Note that future updates will be provided at the Strategic Panel every 6 months, commencing May 2020.

## **REPORT**

The purpose of this report is to provide an overview of specific, potentially contentious planning agreements (PA), in response to a question with notice from the Council meeting 29 May 2019 and subsequent Council resolution on 26 June 2019.

A PA is an agreement entered into by a Council and other party(ies) linked to either an LEP amendment or development application. The management of PAs is governed by legislation and Council's PA Policy.

Under a PA a developer agrees to provide or fund:

- public amenities and public services
- affordable housing
- transport or other infrastructure.

Contributions can be made through:

- dedication of land
- monetary contributions
- construction of infrastructure
- provision of materials for public benefit and/or use.

Council has an online PA register, which identifies PAs that have outstanding work items. The table below lists these PAs and identifies whether they relate to monetary contribution or work.

Number	Location	Cash	Work
PA-2	Sirius Road, Voyager Point		√
PA-4	Hoxton Park Airport		√
PA-5	Lot 29 Cowpasture Road, Len Waters Estate	√	√
PA-8	Inglis, Coopers Paddock, Warwick Farm		√
PA-9	New Brighton Golf Course, Moorebank		√
PA-10	90 Flynn Avenue, Middleton Grange	√	
PA-11	146 Newbridge Road, Moorebank		√
PA-12	124 Newbridge Road, Moorebank		√
PA-15	75 Flynn Avenue, Middleton Grange	√	
PA-19	Shepherd Street, Liverpool	√	√
PA-34	85 Flynn Avenue, Middleton Grange	√	

A question with notice was raised on 26 June 2019 Council meeting seeking clarification if there “are current issues or issues looming with any PA’s the Council has entered into”. The subsequent response provided comment on the following PAs:

- Shepherd Street PA – Coronation and others
- Brickmakers Drive PA – Mirvac and New Brighton Golf Club
- Coopers Paddock PA – Australian Turf Club

These same PAs were subject of a briefing at Council’s Strategic Panel on 30 September 2019. These PAs remain the most critical for Council in terms of profile, value and/or scale of works. An update on these PAs is provided below.

### **1. Shepherd Street PA**

The PA was executed between Council, Coronation, Shepherd Street Developments and Shepherd Property Nominee in November 2017. This PA was in support of an amendment to the LEP that provided greater density in the precinct. Coronation have since commenced redevelopment in the area, with a number of sites yet to be developed.

An overview of the items included in the PA, and their current status, is provided in the table below.

Item	Status
Bike share pods	Complete
Car share spaces	Complete
3 x Monetary contributions	Complete
Riparian zone rehabilitation	Complete
	Entered dispute resolution process (as provided for by the PA) as Council has a specific vision for this access point, including vehicular access. The completion of this item as originally envisioned would likely impact Council’s ability to deliver this vision.
	In addition, the PA did not provide the ability of Council to have the developer complete these works to our desired standard.
Woodbrook Road underpass	Council have negotiated a monetary contribution in lieu of the remaining works, based on quantity surveyors report. Upon payment of this contribution, this item will be complete.
Pedestrian and cycle path	The portion of path from Atkinson Street to Lighthorse Park has been completed.

	<p>Entered dispute resolution process on the remaining portion of the path within Lighthorse Park. This approach is being taken as the completion of the shared path as originally proposed would likely impact Council's ability to deliver the Lighthorse Park Masterplan.</p> <p>Negotiating a monetary contribution in lieu of the remaining works, based on quantity surveyors report. Upon payment of contribution in lieu of works for pathway through Lighthorse Park, item will be complete.</p>
Bank stabilisation and path	<p>Incomplete</p> <p>Council have been working closely with Coronation and their engineers on the design of the bank stabilisation and the shared pathway. Design now agreed, subject to review by Council of final plans and Review of Environmental Factors (REF) documentation. Council will then be in a position to approve the REF.</p> <p>NSW Fisheries approval issued for the works. A condition of this approval is that Fisheries must approve the construction environmental management plan prior to the commencement of works.</p> <p>Currently in discussions with Coronation regarding the permit requirements and location of a works compound.</p>
Shuttle bus service	<p>Incomplete</p> <p>Coronation advised that agreement is in place with bus company though service not currently operating.</p>

## **2. Brickmakers Drive PA**

The PA was executed between Council, Mirvac Homes and New Brighton Golf Club on 21 September 2012. This PA was in support of an amendment to the LEP that enabled residential development on portions of the original golf course. Mirvac subsequently developed the residential portion of the site and the golf course was redesigned.



An overview of the items included in the PA, and their current status, is provided in the table below.

Item	Comment
Public access under M5	Complete
Local drainage facilities	Complete
Landscaping and improvements to open space	Complete
Shared pathway (adjacent residential area)	Complete
Shared pathway from Brickmakers Drive to Georges River	Final pathway design and REF documentation submitted to Council 29 October 2019. It is anticipated that by the time of reporting, the REF process will be complete and the Golf Club/Mirvac can program the works.
Riparian planting adjacent to Georges River	Specifications for the works forms part of the REF documentation. Upon approval of the REF, these works can be undertaken.
Transfer of land	Council are currently progressing the transfer of the land. Issues related to historic contamination of the land and risk associated with proximity to the golf course are currently being investigated.

### **3. Coopers Paddock PA**

The PA was executed between Council and Australian Turf Club on 14 May 2012. This PA was in support of an amendment to the LEP that permitted sales and stock yards as permissible in the RE2 zone. ATC and Inglis subsequently developed portion of the land for this purpose.

An overview of the items included in the PA, and their current status, is provided in the table below.

Item	Comment
Widening of GMD	Complete
New intersections on GMD	Complete
Shared pathway along majority of GMD	Complete
Transfer of land (Coopers Paddock)	Incomplete  The transfer of land is dependent on the completion of the items below.

Shared pathway (inside coopers paddock)	DA previously submitted for the pathway. The DA was withdrawn due to issue with contamination. Council are currently exploring this issue further with ATC and how it may impact the construction and usage of the path.  Once more information is available regarding contamination, the appropriate approval process will be determined and progressed as a matter of urgency.
Shared pathway (GMD)	A section of the shared path along GMD (over horse tunnel) remains to be completed. Advice from ATC is that the works will be commenced December 2019.
Removal of contamination from portion of Coopers Paddock	Council have been advised that these works have been completed. No documentation in support of these works has been submitted to Council. Upon satisfactory verification of these works, this item will be completed.
Environmental works (including management)	The works will be undertaken in conjunction with the construction of the shared pathway within Coopers Paddock.

Council has a team dedicated to the management of PAs and direct engagement with relevant developers. This renewed focus on behalf of Council will ensure that we continue to focus on the important task of supporting the delivery of infrastructure as agreed to by Council through the PA process.

To ensure that Council are aware of any current or potential issues associated with PAs, an update will be provided to the Strategic Panel every 6 months. This forum provides the best opportunity for Council to discuss specific PAs and raise questions about other PAs.

## **CONSIDERATIONS**

<b>Economic</b>	Deliver and maintain a range of transport related infrastructure such as footpaths, bus shelters and bikeways.
<b>Environment</b>	Manage the environmental health of waterways. Promote an integrated and user friendly public transport service. Support the delivery of a range of transport options.
<b>Social</b>	Raise awareness in the community about the available services and facilities. Promote community harmony and address discrimination. Support access and services for people with a disability.

<b>Civic Leadership</b>	Foster neighbourhood pride and a sense of responsibility. Deliver services that are customer focused. Operate a well developed governance system that demonstrates accountability, transparency and ethical conduct.
<b>Legislative</b>	Environmental Planning and Assessment Act, 1979 – Section 7.4

**ATTACHMENTS**

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Nil

<b>EGROW 02</b>	<b>Post Exhibition Report - Draft Liverpool Local Environmental Plan 2008 (Amendment 74) - Schedule 1 Amendment to permit multi-dwelling housing at 123 Epsom Road, Chipping Norton</b>
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<b>Strategic Direction</b>	Strengthening and Protecting our Environment Exercise planning controls to create high-quality, inclusive urban environments
<b>File Ref</b>	249694.2019
<b>Report By</b>	Luke Oste - Strategic Planner
<b>Approved By</b>	Tim Moore - Director, City Economy and Growth / Deputy CEO

## **EXECUTIVE SUMMARY**

At its meeting on 27 March 2019, Council resolved to support in principle a planning proposal to amend Schedule 1 of the Liverpool Local Environmental Plan 2008 (LLEP 2008) for an additional permitted use for 'multi dwelling housing' at 123 Epsom Road, Chipping Norton and to forward the planning proposal to the Department of Planning, Industry and Environment for a Gateway determination. Council also resolved to undertake a heritage impact assessment to assess the heritage values of the palm trees adjacent to the site.

This report updates Council on the Gateway determination which was issued for the planning proposal (Draft Amendment 74) and the results of the public exhibition and community consultation undertaken. The heritage impact assessment relating to the heritage listed palm trees adjacent to and within the site is provided at **Attachment 1**.

It is recommended that Council support the making of Amendment 74 and delegates to the CEO the authority to liaise with the Parliamentary Counsel's Office to finalise the LEP amendment

## **RECOMMENDATION**

That Council:

1. Notes the Gateway determination for draft Liverpool Local Environmental Plan 2008 (Amendment 74), the results of public exhibition and community consultation and the heritage impact assessment; and
2. Approves Amendment 74 and delegate's authority to the CEO to liaise with the NSW Parliamentary Counsel's Office and the Department of Planning, Industry and Environment to finalise the amendment.

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**REPORT**

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At its meeting on 12 December 2018, Council resolved to:

1. *Support in principle a proposal to amend Schedule 1 of the Liverpool Local Environmental Plan 2008 to allow multi dwelling housing as a land use permitted with consent on 123 Epsom Road, Chipping Norton (Lot 3 DP 602936), subject to the necessary planning investigations required by Section 3.33 of the Environmental Planning and Assessment Act;*
2. *Direct the CEO to prepare a planning proposal for Council's consideration and report back to Council for the second February 2019 meeting; and*
3. *Investigate the value of any heritage listed trees that may be listed in or in close proximity to the site.*

As required by the above resolution, a planning proposal was prepared that proposed an amendment to Schedule 1 of the LEP to permit multi dwelling housing as a land use permitted with development consent on the subject site.

The planning proposal was considered by the Liverpool Local Planning Panel in February 2019 and Council at its meeting on 27 March 2019. At that meeting, Council resolved:

*That Council:*

1. *Notes the advice of the Liverpool Local Planning Panel;*
2. *Supports in principle the planning proposal to amend Schedule 1 of the Liverpool Local Environmental Plan 2008 to permit multi dwelling housing as a land use permitted with consent at 123 Epsom Road, Chipping Norton (Lot 3 DP 602936);*
3. *Delegates to the CEO to make any typographical or other editing amendments to the planning proposal if required;*
4. *Forwards the planning proposal to the Department of Planning and Environment, pursuant to Section 3.34 of the Environmental Planning and Assessment Act 1979, seeking a Gateway determination;*
5. *Subject to Gateway determination, undertake a heritage impact assessment to assess the heritage values of the palm trees adjacent to the site and undertake public exhibition and community consultation in accordance with the conditions of the Gateway determination; and*
6. *Receive a further report on the outcomes of public exhibition and community consultation.*



## The Site

The site is identified as Lot 3 in Deposited Plan 602936 otherwise known as 123 Epsom Road, Chipping Norton. The site is located at the south western corner of the intersection of Epsom Road and Governor Macquarie Drive. The site is located in an area of predominantly low to medium density residential development.



Figure 1: Aerial view of the site

## Objective of the Planning Proposal

The objective of this planning proposal is to amend the LLEP 2008 to permit the development of multi dwelling housing at 123 Epsom Road, Chipping Norton subject to development consent. This objective applies to the subject site only.

## Gateway Determination

Gateway determination (**Attachment 2**) was received on 14 May 2019 and was subject to a number of conditions, including:

- Requirement to undertake the following studies:
  - Heritage Impact Assessment study;
  - Traffic Impact Assessment study; and
  - Acid Sulfate Soils study.

- Undertake community consultation for a minimum of 14 days.
- Undertake public authority consultation with the following:
  - NSW Office of Environment and Heritage – Heritage Division;
  - Road and Maritime Services;
  - Sydney Water;
  - Endeavour Energy; and
  - Telstra.
- The timeframe for completing the LEP is to be 12 months from the date of the Gateway determination.

The Gateway determination authorised Council as the planning proposal authority to make Amendment 74.

Following discussions with the Department of Planning, Industry and Environment (DPIE), a revised Gateway determination (**Attachment 3**) was issued that removed the conditions requiring the preparation of the three studies described above.

### **Heritage Report**

As required by Council's resolution of 27 March 2019, a heritage report was prepared by Edwards Heritage Consultants. The report concluded that the group of thirteen (13) Canary Island Palms (*Phoenix canariensis*) have been assessed as having historical, aesthetic and representative significance at the local level and should continue to be identified and managed as an item of local heritage significance in the LEP.

The report provides a number of recommendations for ongoing and future management of the trees. Specifically, for any future development proposals, the report recommends that development should:

- Be appropriately positioned so that it does not result in material impacts to the trees;
- Ensure the ongoing health and vigour of the trees and not involve any excavation works or landfill that would otherwise undermine the structural integrity or vitality of the trees; and
- Ensure the visual legibility of the trees, that is, no development should occur in the spaces between the plantings.

## **CONSULTATION**

### **Public Authority Consultation**

In accordance with the Gateway determination, a copy of the relevant documentation was forwarded to the public authorities for comment from 2 September 2019 to 23 September 2019. Summaries of each submission and the officer response is listed in Table 1 and original copies are included in **Attachment 4**. No changes are required to the planning proposal as a result of public authority consultation.

Officers consulted Roads and Maritime Services (RMS) on two separate occasions. Two separate acknowledgements were received on 2 September and 1 October 2019. The letter stated on both occasions that if a response had not been received within 21 days, it would be assumed that the RMS had no comments. No formal response was provided by the RMS during this period therefore officers consider that RMS have no concerns with the proposal.

Table 1: Public authority submissions and officer response

<b>Public Authority</b>	<b>Summary of Submission</b>	<b>Officer Comments</b>
NSW Office of Environment and Heritage – Heritage Division	No objection to the proposal.  Noted that Council is consent authority for the locally significant heritage trees and the preservation and mitigation of any impacts to this item rests with Council.	No changes required
Road and Maritime Services	No response.	No changes required
Sydney Water	No objection to the proposal.  Development proposals to 123 Epsom Road in the future will be assessed by Sydney Water separately.	No changes required
Endeavour Energy	No objection to the proposal, however a number of comments were provided in relation to the following: <ul style="list-style-type: none"> <li>• Network Capacity / Connection</li> <li>• Vegetation Management</li> </ul>	No changes required.  The comments by Endeavour Energy will be considered and addressed at the Development Application stage.



Public Authority	Summary of Submission	Officer Comments
	<ul style="list-style-type: none"> <li>• Dial Before You Dig</li> <li>• Demolition</li> <li>• Removal of Electricity Supply</li> <li>• Asbestos</li> <li>• Public Safety</li> <li>• Emergency Contact</li> </ul>	
Telstra	No objection to the proposal.	No changes required

### **Community Consultation**

In accordance with the Gateway determination, the planning proposal was placed on public exhibition from 28 August 2019 to 13 September 2019. Notices were placed on Council's website and the Liverpool Leader, an information poster and background information was available at Council's Customer Service Centre and letters were sent to adjoining landowners. No submissions were received during the public exhibition period.

During the preparation of the planning proposal, two public comments were submitted to Council through the Planning Alerts website ([planningalerts.org.au](http://planningalerts.org.au)). Council responded directly to both comments to clearly answer their questions and invited the submitters to attend the Liverpool Local Planning Panel meeting. A document containing all submissions and correspondence is included as a confidential attachment (**Attachment 5**).

### **Conclusion**

The Gateway requirements, including consultation have been satisfied and the submissions received have been addressed. The heritage report has been prepared as required by Council's resolution, and no changes to the LLEP 2008 are required in this regard. This report recommends that Council note the heritage report, approve Draft Amendment 74 and delegate's authority to the CEO to liaise with the Parliamentary Counsel's Office and the Department of Planning, Industry and Environment to finalise Amendment 74.

### **CONSIDERATIONS**

<b>Economic</b>	There are no economic and financial considerations.
<b>Environment</b>	There are no environmental and sustainability considerations.
<b>Social</b>	<p>Preserve and maintain heritage, both landscape and cultural as urban development takes place.</p> <p>Regulate for a mix of housing types that responds to different population groups such as young families and older people.</p>

<b>Civic Leadership</b>	<p>Encourage the community to engage in Council initiatives and actions.</p> <p>Provide information about Council's services, roles and decision making processes.</p> <p>Operate a well developed governance system that demonstrates accountability, transparency and ethical conduct.</p>
<b>Legislative</b>	Environmental Planning and Assessment Act 1979

## **ATTACHMENTS**

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1. Heritage Impact Statement (Under separate cover)
2. Gateway determination (Under separate cover)
3. Alteration to Gateway determination (Under separate cover)
4. Public Authority Consultation – Submissions and Correspondence (Under separate cover)
5. Community Consultation – Submissions and Correspondence (Under separate cover) - **Confidential**

**EGROW 03**

**Endorsement of Liverpool Pioneers Memorial  
Park Conservation Management Plan**

<b>Strategic Direction</b>	Creating Connection Celebrate diversity, promote inclusion and recognise heritage
<b>File Ref</b>	266991.2019
<b>Report By</b>	Thomas Wheeler - Heritage Officer
<b>Approved By</b>	Tim Moore - Director, City Economy and Growth / Deputy CEO

**EXECUTIVE SUMMARY**

This report has been prepared seeking endorsement of the Liverpool Pioneers Memorial Park Conservation Management Plan (CMP). On 31 July 2019, Council resolved to publically exhibit the conservation management plan, with the requirement for a report to be provided to Council if any submissions were received. This report has been prepared in response to this resolution.

The draft conservation management plan was publically exhibited from 28 August 2019 to 27 September 2019. Two submissions were received. This report provides an overview of the submissions received, the response by Council and resultant changes to the CMP.

**RECOMMENDATION**

That Council note this report and endorse the Liverpool Pioneers' Memorial Park Conservation Management Plan.

**REPORT**

The Liverpool Pioneers Memorial Park Conservation Management Plan has been prepared to improve the conservation and maintenance of Liverpool Pioneers Memorial Park, which dates from the 1820 and plays a significant role in the past and present of Liverpool.

On 31 July 2019, Council resolved to publically exhibit the conservation management plan, with the requirement for a report to be provided to Council if any submissions were received. This report has been prepared in response to this resolution.

The draft conservation management plan was publically exhibited from 28 August 2019 to 27 September 2019. Two submissions were received and the comments were summarised and provided to the consultant for consideration in the completion of the conservation management plan.

**Submissions Overview**

Page	Comment	Response
<b>Heritage Advisory Committee</b>		
	Update section 2.3 to reflect the recent changes to the Heritage Division name and department.  Revise OEH identifications to reflect current agency.	This section has been updated.
64	The assessment of archaeological potential should relate back to the research themes. As it stands there appears to be no assessment of the potential of the site to address the themes.	Combined sections 6.2.3 and 6.2.2 into summary in section 6.6.4. Updated to address concerns.
68 - 78	The comparative analysis would be improved through the inclusion of a comparison to other known asylum cemeteries. Further, a more in depth comparative analysis should be undertaken.	Comparable sites were included - Randwick Asylum and the Prince of Wales hospital cemetery is the Randwick Destitute Children's Asylum Cemetery. Moved the summaries from page 68 to page 76 and added more information.
79	How will the burial data from the site provide better information to better supplement the incomplete pauper burial records?	This section has been made clearer and the information expanded to address the concerns.
	The policy section should be updated to incorporate sections of the statement of significance which are best served in the policy section. This includes section 9.1.2.  The policies should also include one about the public accessibility of the document.	Policy 3 and 6 has been updated and are now 4 and 7 respectfully. A new policy has been added (policy 3) in relation to accessibility.
87	Interpretation should be development in conjunction with LCC, the City of Liverpool and District Historical Society and the community.	This section has been updated.
88	Recommendations in relation to management of unanticipated aboriginal cultural material should reflect established procedures.	This section has been updated.

99	The CMP has not identified any significant views or settings and should do this if they are present.	This section has been updated.
109	Change the date the Martha Doyle inform was review as it identifies 5 Oct 2019.	This section has been updated.
<b>Community Feedback</b>		
-	The document should include any existing mapping, such as historical maps, currently held by Liverpool City Council.	Appendix 3 has been updated to include the new mapping.
-	<p>Not enough attention was given to the war graves at St Luke's Pioneer Park.</p> <p>The document should identify the four remaining concrete covers Harris, Laing, Byrne and Mallise are not noted.</p> <p>A further recommendation should have been included stating that the WW1 and WW2 War graves have an official commemoration installed on each one as a matter of respect as per the Office of Australian War Graves guidelines.</p>	<p>The St Luke's burial register has been included as a part of appendix 4.</p> <p>The history of the cemetery has been updated to include additional information in relation to the military burials.</p> <p>The individual war headstones are not identified within the report, but information has been provided in Appendix 1.</p> <p>A policy has been included to restrict removal and to retain and repair.</p> <p>Policy 15 has also been updated to address the matter relating to Office of Australian War Graves.</p>
-	The consultants failed to thoroughly research the records of St Luke's burial register for a complete burial record. All the consultants have done is identify the headstones still existing and the names on the headstones are not identified in their report.	<p>The burial register records are incomplete. It is not possible to conform the position of graves.</p> <p>The requirement for further research has been identified in the report and the burial register has been included as a part of appendix 5 to facilitate this.</p> <p>This approach is standard for conservation management plans.</p>

**Financial Implications**

There are no direct financial implications for Council as a result of the endorsement of the conservation management plan. While maintenance and conservation has been identified in the report, these works are existing and ongoing. The report provides guidance to improve the approach to maintenance and to provide a more cost effective conservation outcome.

**Summary**

The conservation management plan has been amended to reflect the submissions received.

The purpose of a conservation management plan is not to provide a detailed history of the site, but an overview sufficient to inform the assessment of significance.

This has been completed in-line with heritage conservation principles and the report is considered to be suitable for endorsement.

**CONSIDERATIONS**

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<b>Economic</b>	There are no economic and financial considerations.
<b>Environment</b>	There are no environmental and sustainability considerations.
<b>Social</b>	Preserve and maintain heritage, both landscape and cultural as urban development takes place.
<b>Civic Leadership</b>	There are no civic leadership and governance considerations.
<b>Legislative</b>	There are no legislative considerations relating to this report.

**ATTACHMENTS**

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1. Final Liverpool Pioneers Memorial Park Conservation Management Plan (Attachment Booklet 2).

**EGROW 04**

**Investigation of Heritage Incentives of City of  
Perth and Adelaide**

<b>Strategic Direction</b>	Creating Connection Celebrate diversity, promote inclusion and recognise heritage
<b>File Ref</b>	279285.2019
<b>Report By</b>	Thomas Wheeler - Heritage Officer
<b>Approved By</b>	Tim Moore - Director, City Economy and Growth / Deputy CEO

**EXECUTIVE SUMMARY**

Council resolved at the 29 May 2019 meeting that Council:

1. *Undertake further research and report back to Council on the viability (including the budget implications) of the following:*
  - a. *Conservation grants (to fund minor and major conservation works);*
  - b. *Conservation management grants (for technical advice and management documentation);*
  - c. *Development of local heritage policies and procedures for heritage exemptions; and*
  - d. *Development of guidelines for the use of conservation incentives including permissible development, FSR bonuses and height bonuses.*
2. *That Council undertake an expression of interest to determine market interest in operating Councils heritage buildings such as Collingwood House.*

This report outlines each of the heritage incentive schemes including the expected budget implications for Council, with recommendations for further consideration (resolution 1 above); and provides an update on Collingwood House expression of interest (resolution 2 above).

**RECOMMENDATION**

That Council:

1. Implement a trial conservation grants scheme of \$25,000 per annum from 2020/2021 with full program review at end of 2022/2023; and
2. Engage a heritage architect and prepare a Heritage Minor Works Policy in 2020/2021.

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**REPORT**

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**Heritage Incentive Schemes**

The following are the potential heritage schemes that are applicable to Liverpool as outlined in the May 2019 Council report. A brief summary of each scheme, comments on the viability for Liverpool City Council and an outline of the potential budget implications are provided below.

**Conservation grants (to fund minor and major conservation works)**

Conservation grants were implemented by Perth and Adelaide Councils as a means of providing support to assist owners in maintaining and conserving heritage significant buildings.

Adelaide City Council budgets between \$700,000 and \$1.3 million per annum and Perth City Council budgets \$400,000 per annum for heritage grants. Both councils provide a maximum of between \$75,000 and \$90,000 per grant.

For Liverpool City Council, a trial scheme of \$25,000 per annum is appropriate. It is proposed that small grants of up to \$5,000 per applicant be made available with a requirement for matched funding, for a 3 year trial to allow for an evaluation of the level of interest and the effectiveness of such grants to meet heritage conservation objectives. Each grant would be subject to Council approval.

**Total Annual Budget Implication**

- \$25,000 per year, for three years, totalling \$75,000

**Conservation management grants (for technical advice and management documentation)**

Conservation management grants are aimed at providing property owners with heritage advice to ensure proper conservation of heritage assets. The scheme would typically support the conservation grants scheme. However, as the proposed conservation grant scheme is only a trial, this technical advice and management documentation can be provided by Council's Heritage Officer.

Over the duration of the trial conservation grant scheme, data would be collected to understand the cost to property owners on getting conservation advice and documentation, to inform budgetary decisions for a potential expansion of this service.

**Total Annual Budget Cost**

- Nil.



**Development of local heritage policies and procedures for heritage exemptions**

A cause of significant confusion and frustration among heritage property owners arises from uncertainty of what works to a heritage item require development consent. Liverpool Local Environmental Plan (LEP) 2008 allows for works considered to be minor or maintenance to be undertaken with a minor works approval. Instead of a development application this approval can be issued via exchange of correspondence including drawings outlining the nature of the works, saving time and costs.

It is proposed to provide greater clarity and guidance on the type of minor and maintenance works that can be supported under this clause, through the development of a minor works policy with the assistance of an external heritage architect.

The preparation of the policy is likely to incur a cost of up to \$25,000 for the engagement of a heritage architect to assist.

**Total Annual Budget Cost**

- A one-off cost of \$25,000

**Development of guidelines for the use of conservation incentives including permissible development, FSR bonuses and height bonuses**

Clause 5.10 of the Liverpool LEP 2008 provides significant conservation incentives by allowing development consent to be granted for land uses that would otherwise be prohibited in the zone.

The site area of a heritage listed property can also be relied on to provide a floor space benefit /incentive for development sites. This incentive is best illustrated with a recent example for the development of the Commercial Hotel and adjacent site on Bigge Street, Liverpool. The heritage significant portion of the site is occupied by a hotel building which could not on its own accommodate any significant development. However, as part of a larger development site, the site area of the hotel was included in the FSR calculations, resulting in additional floor space achievable for the larger development site.

In addition to the above and where appropriate, based on a thorough assessment of the merits of a proposal that facilitates good heritage outcomes, the provisions of CI 4.6 of the LEP also provide for building height and FSR that exceeds the numeric controls.

The combination of these provisions represent adequate incentives applicable to the redevelopment of heritage items and no additional guidelines or controls are required to be introduced.

**Collinwood House Update**

The results of an expression of interest to determine market interest in taking up potential commercial opportunities at Collingwood House is the subject of a separate report included in the business papers for this Council meeting.

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**CONSIDERATIONS**

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<b>Economic</b>	If adopted, a heritage incentives scheme would incur a \$25,000 cost on the annual budget for 3 years. An additional cost of \$25,000 in 2020/2021 would be incurred for the preparation of the minor works guidelines.
<b>Environment</b>	There are no environmental and sustainability considerations.
<b>Social</b>	Preserve and maintain heritage, both landscape and cultural as urban development takes place.
<b>Civic Leadership</b>	There are no civic leadership and governance considerations.
<b>Legislative</b>	There are no legislative considerations relating to this report.

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**ATTACHMENTS**

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Nil

<b>EGROW 05</b>	<b>Report back following NOM 04 - Affordable Housing and Planning for Infrastructure from 25 September 2019 Council meeting</b>
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<b>Strategic Direction</b>	Leading through Collaboration Strive for best practice in all Council processes
<b>File Ref</b>	270940.2019
<b>Report By</b>	Murray Wilson - Executive Planner
<b>Approved By</b>	Tim Moore - Director, City Economy and Growth / Deputy CEO

## **EXECUTIVE SUMMARY**

Council at its meeting of 25 September 2019 resolved:

*That Council*

1. *Write to WSROC and all neighbouring Councils calling for collaborative support for a revision of the State Environment Planning Policies because a one size fits all State Planning Legislation does not consider the local needs in LGA's.*
2. *Issues of concern include:*
  - i. *Affordable housing*
  - ii. *Social housing*
  - iii. *Block size*
  - iv. *Road widths*
  - v. *Setback controls*
  - vi. *Parking provision*
3. *Publicly collaboratively advocate for overall strategic decision making to be returned to Local Government through the LEPP and local planning controls.*
4. *Advocate for the SEPP's to only deal with broad infrastructure planning issues that does not constrain Local Government from delivering "Liveable cities" for their constituents.*
5. *Council prepare a comprehensive report that outlines Councillor concerns with the SEPP's for the October meeting for Council approval to be sent to the NSW Minister for Planning, WSROC, and neighbouring Councils.*

6. *Publicly advocate for the decision making concerning all development regulation to be returned to Local Government in order to meet the specific and individual needs of each LGA that are currently not being met by the one size fits all State Environment Planning Policies.*
7. *Investigate the opportunity of proposing a motion at the NSW Local Government Annual Meeting to be held in Liverpool this year, proposing for the return of planning decisions to Local Government under Local Government Environment Planning Controls that might sit inside a revised broader State Environment Planning Policies concerning infrastructure planning only, and enables the local individual needs of each LGA to be met at the Local Government.*

This report addresses point 5 of the above resolution. Resolution points 1, 2, 3, 4 and 6 will be actioned following Councillors consideration of this report. Resolution point 7 was actioned at the LGNSW conference.

## **RECOMMENDATION**

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That Council authorise the CEO to prepare correspondence highlighting the key issues outlined in this report, for distribution to the Minister for Planning and Public Spaces, WSROC and neighbouring councils.

## **REPORT**

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### Background

At the Council meeting of 25 September 2019, Council resolved to receive a report outlining Council's concerns with State Environmental Planning Policies (SEPPs) and in particular, that a 'one size does not fit all' approach to planning does not consider the local needs of a local government area

Council resolved that the main concerns were:

- Affordable Housing;
- Social Housing;
- Block size;
- Road widths;
- Setback controls; and
- Parking provision.

This report advises Council on what SEPPs are and what they do, why they were introduced and how they differ from the Liverpool Local Environmental Plan (LLEP) 2008.

### What is a SEPP?

A SEPP is an environmental planning instrument (EPI) prepared under the Environmental Planning and Assessment Act 1979. SEPPs are therefore legal planning instruments and are usually developed to deal with matters of State or Regional environmental planning significance.

A SEPP sits above an LEP in the hierarchy of EPIs and also sits above development control plans (DCP). A SEPP takes precedence over local planning controls and can prohibit or permit certain types of development.

### What SEPPs override Council's LEP?

All SEPPs override Council's LEP and DCP, unless there are specific provision in a SEPP to the contrary. In relation to the above Council resolution, the following SEPPs contain provisions that override Council's LEP and DCP with development standards for dwellings and subdivision (i.e. block size, road width, setback controls and parking provision), child care facilities, schools and waste or resource management facilities.

- *State Environmental Planning Policy (Affordable Rental Housing) 2009* (ARHSEPP);
- *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* (Growth Centres SEPP);
- *State Environmental Planning Policy (State Significant Precincts) 2005* (known as the *State Significant Precincts SEPP*);
- *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* (Exempt and Complying SEPP);
- *State Environmental Planning Policy (Infrastructure) 2007* (ISEPP); and
- *State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017* (Education SEPP).

Specific details on the ARHSEPP, Exempt and Complying Development Codes SEPP and the Growth Centres SEPP are discussed below. These SEPPs are considered due to the fact that their requirements differ from Councils LEP provisions and DCP controls.

### **State Environmental Planning Policy (Affordable Rental Housing) 2009**

The ARHSEPP was introduced in July 2009 by the Department of Planning, Industry and Environment (DPIE). The intent of the SEPP is to increase supply and diversity of affordable rental and social housing in NSW.

The ARHSEPP covers a number of different housing types including in-fill affordable housing, secondary dwellings (granny flats), boarding houses, group homes, social housing and supportive accommodation.

Secondary dwellings (granny flats)

The ARHSEPP makes development for the purposes of a secondary dwelling permissible on all residential zoned land throughout NSW. A secondary dwelling must be located within, or attached to, the principal dwelling, unless the site area is at least 450m<sup>2</sup>, in which case a detached secondary dwelling is permitted.

ARHSEPP does not offer any floor space ratio (FSR) bonuses to the development of secondary dwellings. It acts only to make the development of secondary dwellings permissible in all residential zones in NSW. Its impact in Liverpool is limited to allowing secondary dwellings as development permissible with consent in the R5 Large Lot Residential zone. Under the LEP, secondary dwellings are not permissible in the R5 zone, but dual occupancies are.

Council's LEP and DCP provide more generous development controls for secondary dwellings than the ARHSEPP, as illustrated in Table 1 below:

	<b>ARH SEPP</b>	<b>LLEP/LDCP 2008</b>
Size of dwelling permitted	60 m <sup>2</sup>	60 m <sup>2</sup> or 25% of the total floor area of the principal dwelling, whichever is greater
Minimum lot size for detached secondary dwelling	450 m <sup>2</sup>	400 m <sup>2</sup> (merit assessed)
Additional parking requirements	nil	nil

Table 1 – SEPP and LEP Requirements

Setbacks and other controls for secondary dwellings are not specified in the ARHSEPP. These controls are outlined in the Exempt and Complying Development SEPP or Council's LEP and DCP.

Number of Secondary Dwelling Approvals

Secondary dwelling approvals in the Liverpool LGA have increased significantly since 2009, as shown in Figure 1 below. This is likely due to the introduction of the ARHSEPP allowing secondary dwellings to be approved as complying development.

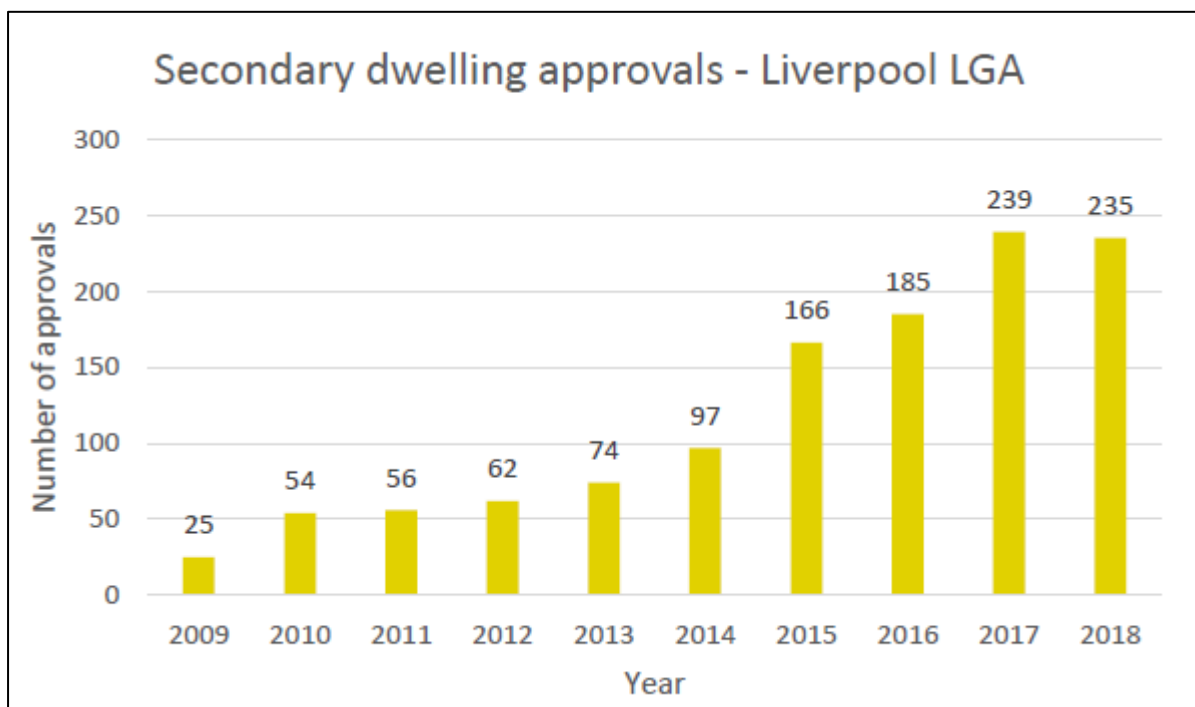


Figure 1 – Secondary dwelling approvals in Liverpool LGA

Between 2014-2019, approximately 66% of secondary dwellings were approved as complying development under the Exempt and Complying Development SEPP with the remainder approved via a development application, assessed in accordance with Council's LEP and DCP.

The ARHSEPP does not impede Council's ability to levy development contributions for secondary dwellings. The *Liverpool Contributions Plan 2018 — Established Areas*, adopted by Council in December 2018, levies development contributions for secondary dwellings in the established areas (outside of Liverpool city centre). The *Liverpool Contributions Plan 2014 – Austral and Leppington North* also levies contributions for secondary dwellings.

These development contributions assist Council in funding necessary infrastructure to support growth, including drainage, roads, transport facilities and parks.

### Boarding Houses

All LEPs in NSW are required by the Standard Instrument (Local Environmental Plans) Order 2006 to include boarding houses as a permissible use in the following zones:

- Zone R1 General Residential;
- Zone R2 Low Density Residential;
- Zone R3 Medium Density Residential;
- Zone R4 High Density Residential;
- Zone B1 Neighbourhood Centre;
- Zone B2 Local Centre; and
- Zone B4 Mixed Use.

Boarding houses are therefore a permissible use in all seven nominated zones in the Liverpool LEP 2008.

The ARHSEPP provides a floor space ratio bonus for the development of boarding houses in zones where residential flat buildings are permitted (excluding land containing a heritage item). The FSR bonus for boarding houses is an additional 0.5:1 if the existing maximum FSR is 2.5:1 or less, or an additional 20% of the existing maximum FSR, if the maximum FSR is greater than 2.5:1.

The ARHSEPP provides for minimum development standards (including building height, landscaped area, solar access, private open space, parking and accommodation (room) size), which if met, may not be used by Council as a basis to refuse development consent. However, the standards are only applied to proposed developments on land within an accessible area (i.e. 800m walking distance from the entrance to a railway station or 400m walking distance of a bus stop that has at least one bus service per hour between 6am and 9pm Monday to Friday and 8am to 6pm Saturday and Sunday).

A recent amendment to the ARHSEPP restricts the size of boarding houses on land zoned R2 Low Density Residential to no more than 12 boarding rooms.

Part 3.9 of LDCP 2008 prescribes additional development standards for boarding houses, including a requirement that a character statement is lodged with the development application. This requirement was introduced recently by Council as a way of ensuring that proposed boarding houses are compatible with the prevailing streetscape and that external and internal design requirements, communal open space and solar access are properly considered.

Council has issued a total of just five (5) approvals for boarding houses in the last five years, all under the ARHSEPP.

#### In-fill affordable housing

The ARHSEPP provides floor space ratio bonuses for infill development for the purpose of social and affordable housing, but only where the proposed development is located in an accessible area (as defined above).

The FSR bonus applied to developments including a portion of affordable housing is 0.5:1, where at least 50% of the gross floor area of the development is used for the purposes of affordable housing (and proportionately less as the percentage of GFA used for affordable housing is reduced, to a minimum of 20%), on land where the existing maximum FSR is 2.5:1 or less. On land with a FSR greater than 2.5:1, the maximum FSR bonus is 20% of the existing FSR (and proportionately less as the percentage of GFA used for affordable housing is reduced).



Minimum development standards prescribed by the ARHSEPP for infill multi dwelling housing are less stringent than those required by Part 3.6 of LDCP 2008 in some cases, but more stringent in other cases, as illustrated in Table 2 below:

	<b>LDCP 2008</b>	<b>ARHSEPP</b>
Minimum lot size	650 m <sup>2</sup>	450 m <sup>2</sup>
Minimum frontage	18 m	Not specified
Landscaped area	20% of site area	35m <sup>2</sup> per dwelling (social housing provider) or otherwise, at least 30% of the site.
Deep soil zones	20m <sup>2</sup> in rear setback	15% of the site area
Private open space	30-50m <sup>2</sup> per dwelling	Not specified
Solar access	3 hours sunlight between 9am-5pm on 21 June for 50% of the POS only.	3 hours sunlight between 9am-3pm on 21 June for 70% of living rooms and/private open spaces
Parking	1 space per small dwelling (< 65sqm) or 1 bedroom 1.5 spaces per medium dwelling (65 - 110sqm) or 2 bedrooms 2 spaces per large dwelling (> 110sqm) or 3 or more bedrooms 1 visitor car space for every 4 dwellings or part thereof	<b>Social housing provider on accessible land</b> 0.4 spaces for 1 bedroom; 0.5 spaces for 2 bedroom; and 1 space for 3 or more bedrooms. <b>All other development</b> 0.5 spaces for 1 bedroom; 1 space for 2 bedroom; and 1.5 spaces for 3 or more bedrooms
Minimum dwelling size	No minimum specified	35m <sup>2</sup> studio; 50m <sup>2</sup> 1 bedroom; 70m <sup>2</sup> two-bedroom; or 95m <sup>2</sup> 3 more bedrooms

Table 2: Comparison of controls for multi dwelling housing under ARHSEPP and LLEP and DCP 2008

Setback requirements (front, rear and side) are not specified in the ARHSEPP and are controlled in all cases by Council's DCP.

#### Residential flat buildings developed by social housing providers

Division 5 of the ARHSEPP permits social housing providers, and the Land and Housing Corporation (LAHC) to develop residential flat buildings on land where it would not otherwise be permissible, as long as the land is in an accessible location (as defined above).

The developer must seek a site compatibility certificate from the Secretary of the DPIE in order for the development to proceed. The Secretary must take account of the existing and approved uses of the land in the vicinity of the development, the impact of the development (including its bulk and scale) and the services and infrastructure that are or will be available to meet the demands arising from the development.

Over the last 5 years, Council has received one notification of an approved site compatibility certificate.

Land and Housing Corporation: Development Consent not required

Division 6 of the ARHSEPP permits the Land and Housing Corporation to undertake limited development without consent under Part 5 of the Act. In order for the development to be carried out without consent, it must be permissible on the land as well as having a building height of 8.5m or less and not more than 20 dwellings on a single site. LAHC prepares a Review of Environmental Factors (REF) which assesses the likely impacts of the proposal. In most cases, LAHC consults with Council prior to approving their development.

**State Environmental Planning Policy (Sydney Region Growth Centres) 2006**

The Growth Centres SEPP was introduced in 2006 by DPIE to manage the planning, release and development of land within the North West and South West Growth Centres.

Land that is planned and zoned under the Growth Centres SEPP does not need to consider the LEPs in the specific Council area, rather the planning controls are within the SEPP and the relevant Development Control Plan. Within the Growth Centres, DPIE prepared and approved the final Growth Centres DCP.

Once land is zoned under the Growth Centres SEPP, the Liverpool LEP is 'turned off' and no longer applies. The Liverpool DCP also no longer applies unless specifically referred to within the Growth Centres DCP.

**State Environmental Planning Policy (State Significant Precincts) 2005**

The State Significant Precincts SEPP was introduced in 2005 by the DPIE to manage the planning, release and development of land that is typically owned by the State government. State Significant Precincts are areas with state or regional planning significance because of their social, economic or environmental characteristics.

Within the Liverpool LGA, the Edmondson Park South precinct was owned by the State government, who purchased the site from the Department of Defence in 2011.

Considering the development potential and significant size of the land, the Edmondson Park South development site was included in the State Significant Precincts SEPP. All planning controls, including building heights, zoning and floor space ratio are managed under this SEPP. A DCP also prepared and approved by DPIE for Edmondson Park South applies to this site.

The Liverpool LEP does not apply to the land covered by the State Significant Precincts SEPP.

**State Environmental Planning Policy (Exempt and Complying Development Codes)  
2008**

The Exempt and Complying Development Codes SEPP was introduced in 2008 by DPIE. The purpose of the SEPP is to streamline and standardise minor / low risk development across NSW.

What is Exempt Development?

Exempt development includes many types of minor home renovations and small building projects such as carports, balconies, decks or garden sheds. As long as the building project meets specific development standards and land requirements, no planning or building approval is needed.

What is Complying Development?

Complying development is a combined planning and construction approval for straightforward development that can be determined through a fast-track assessment by Council or an accredited certifier. Complying development applies to homes, businesses and industry and allows for the construction of a new dwelling, alterations and additions to a dwelling, new industrial buildings, demolition of a building and changes to a business use to be approved as complying development.

The Exempt and Complying Development Codes SEPP allow an alternative pathway to be used to gain approvals for the identified development categories. The Liverpool LEP does not apply to development proposals that are characterised as exempt or complying.

There are sound planning reasons to have standardised controls for minor / low risk developments across NSW, However this standardisation does not always allow for local conditions to be included or addressed.

In addition to the above standards, the State government recently introduced the *Low Rise Medium Density Housing Code* to “fast track” approvals for low rise medium density development such as dual occupancies, manor homes and terraces.

The *Low Rise Medium Density Housing Code* allows for the approval of dual occupancies, manor homes and terraces through “complying development”, bypassing council’s LEP and DCP.

In mid-2019, the Minister for Planning and Public Spaces requested an independent review of the *Low Rise Medium Density Housing Code*. As part of this review, it was recommended that the Code be temporarily deferred until 1 July 2020. This will allow Councils to complete their strategic planning, including Local Strategic Planning Statements and Local Housing Strategies.

Importantly, the *Low Rise Medium Density Housing Code* does not permit development where it is currently prohibited under Council's EPI or a SEPP. The *Low Rise Medium Density Housing Code* can only be used where the use proposed is a permitted use.

### **Resource recovery facilities and the State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)**

Resource recovery facilities are a type of 'waste or resource management facility' and they are only permitted within the IN3 Heavy Industrial zone (with development consent) in the LEP. They are otherwise prohibited in all other zones.

However, the ISEPP overrides the LEP and permits '*Waste or resource management facilities*' (including '*resource recovery facilities*') in the following prescribed zones with development consent:

- *RU1 Primary Production;*
- *RU2 Rural Landscape;*
- *IN1 General Industrial;*
- *IN3 Heavy Industrial;*
- *SP1 Special Activities; and*
- *SP2 Infrastructure*

In most cases, a resource recovery facility would not meet the specific objectives of the RU1 and RU2 zone which aim to minimise the fragmentation and alienation of resource lands and maintain the rural landscape character of the land respectively. Additionally, development of 'resource recovery facilities' on rural land undermines opportunities to maintain such land for agricultural purposes. However, as the SEPP overrides the LEP, these are not relevant considerations when assessing a development application, which has caused concern with communities.

The remaining prescribed zones (IN1, IN3, SP1 & SP2) include objectives which could be used to support the development of resource recovery facilities. The industrial zones encourage employment opportunities, while the special activity zones provide opportunities for development which would otherwise be prohibited in other locations.

Therefore, it is considered that the provisions of the ISEPP are largely consistent with the objectives of the prescribed zones, with the exception being the development of such facilities in the rural zones.

Council is collaborating with the DPIE and the GSC through the LSPS and LEP review to address these issues, particularly the establishment of resource recovery facilities in the rural zones of Liverpool.

**State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017**

In September 2017, the NSW Government established this SEPP that relates to child care facilities and education establishments (i.e. schools, universities and TAFEs). This SEPP overrides Council's LEP if there is an inconsistency.

However in relation to child care facilities specifically, the SEPP and the Child Care Planning Guideline (CCPG) overrides Council's controls, except for building heights and side and rear setbacks. Controls within the DCP do not apply (other than stated above). The SEPP does not allow Council to stipulate locational requirements (number of child care centres in a block, on cul-de-sacs) or prescribe a ratio of ages i.e. 0-2 year olds and 3-5 year olds.

The SEPP does allow council to refuse development applications should they not meet certain development standards, other than the non-discretionary standards in the SEPP. The SEPP also allows Council to approve a development application should they not meet the non-discretionary standards.

In relation to the requirements for a school, the SEPP removes all standards and controls from a DCP. This effectively exempts schools from all locally specific controls.

**SEPP Review Programme**

A review program for SEPPs is underway by the NSW Government. The review aims to simplify the NSW planning system and reduce complexity without reducing the rigour necessary in considering matters of State and regional significance.

This review process is aimed at modernising, simplifying and improving the effectiveness and usability of SEPPs.

The SEPP review program will examine existing policies to consider:

- whether they are still relevant; and
- the need to update and integrate into a new SEPP or elsewhere in the planning framework, including LEPs.

The review intends to remove policy and controls that are duplicated in strategies, regional plans and LEPs.

Delivery of policies through standard instrument LEPs is a priority, where possible and appropriate. The role and importance of SEPPs to deal with matters of State or regional environmental planning significance will not be diminished.

The review is being undertaken in several phases.

Stage 1 is complete with amendments commenced on 5 August 2016. Stage 1 repealed the following SEPPs:

- Hunter Regional Environmental Plan 1989 (Heritage)
- Illawarra Regional Environmental Plan No 1
- Illawarra Regional Environmental Plan No 2 – Jamberoo Valley
- Jervis Bay Regional Environmental Plan 1996
- Lower South Coast Regional Environmental Plan (No 2)
- North Coast Regional Environmental Plan
- Orana Regional Environmental Plan No 1 – Siding Spring
- Riverina Regional Environmental Plan No 1
- State Environmental Planning Policy (SEPP 53 Transitional Provisions) 2011
- State Environmental Planning Policy No 15 – Rural Landsharing Communities
- State Environmental Planning Policy No 29 – Western Sydney Recreation Area
- State Environmental Planning Policy No 32 – Urban Consolidation (Redevelopment of Urban Land)
- State Environmental Planning Policy No 39 – Spit Island Bird Habitat
- State Environmental Planning Policy No 59 – Central Western Sydney Regional Open Space and Residential
- Sydney Regional Environmental Plan No 18 – Public Transport Corridors
- Sydney Regional Environmental Plan No 19 – Rouse Hill Development Area.

Stage 2 of the review is now underway. To date, DPIE has sought public comment on proposed amendments including a Draft Coastal Management SEPP, Draft Environment SEPP and Updates to SEPP 44 – Koala Habitat Protection.

DPIE has also gazetted the following new SEPPs:

- State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017
- State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017
- State Environmental Planning Policy (Aboriginal Land) 2019

DPIE is still considering feedback on some of these proposals, and is continuing to progress its review of other SEPPs.

The Department has advised that they will continue to seek public comments on further proposed amendments to other SEPPs coming from the review.

### **Council's issues of concern**

At the 25 September 2019 Council meeting, 'issues of concern' were raised by Council. This included:

- *Affordable housing*
- *Social housing*
- *Block size*
- *Road widths*
- *Setback controls*
- *Parking provision*

### **Affordable Housing**

For clarification, affordable housing means:

*very low income households, low income households and moderate income households are those whose gross incomes fall within the following ranges of percentages of the median household income for the time being for the Greater Sydney (Greater Capital City Statistical Area) or the Rest of NSW (Greater Capital City Statistical Area) according to the Australian Bureau of Statistics:*

<i>Very low income household</i>	<i>less than 50%</i>
<i>Low income household</i>	<i>50 or more but less than 80%</i>
<i>Moderate income household</i>	<i>80–120%</i>

*Source: State Environmental Planning Policy No 70—Affordable Housing (Revised Schemes)*

The main concern raised by Council with ARHSEPP seems to be that some developments may be circumventing local controls to gain approvals rather than providing genuine affordable housing.

It is noted that for developments to be approved as "affordable housing", a condition of consent requires that the portion of affordable housing must be used for a minimum of 10 years from the date of the issue of the occupation certificate and must be managed by a registered community housing provider. This clause (within the ARHSEPP) does not apply for housing developed on land owned by the Land and Housing Corporation or secondary dwellings.

It was raised in the NOM, that there were no mechanisms in place (within the ARHSEPP) to monitor whether or not this SEPP is addressing the real issue of housing affordability. Council is collaborating with the DPIE and GSC through the preparation of the LSPS and LEP on this issue.



### Social Housing

Social housing is secure and affordable rental housing for people on low incomes with housing needs. It includes public, community and Aboriginal housing. The categories of social housing are further defined below:

- Public housing is managed by Family and Community Services (FACS);
- Community housing is managed by non-government organisations; and
- Aboriginal housing is specifically for Aboriginal people and these properties are managed by FACS or community housing providers, including Aboriginal community housing providers.

(Source: Family and Community Services)

Historically, Liverpool has had large areas of social housing, including Green Valley, which includes the suburbs of Sadlier, Miller, Ashcroft, Cartwright, Heckenberg and Busby. There are also other areas outside of the former Green Valley estate that also includes large areas of social housing, including Warwick Farm.

Green Valley was built by the NSW Housing Commission (now NSW Land and Housing Corporation (LAHC)) between 1961 and 1964 to provide subsidised housing for 6,000 families.

LAHC is currently running a program known as Communities Plus. The program is delivering up to 23,000 social housing dwellings, 500 affordable housing dwellings and 40,000 private dwellings.

While suburbs such as Miller and Warwick Farm, still contain large amounts of government owned housing, this also provides an opportunity for redevelopment. A successful strategy has been used under the Communities Plus programme. This involves state owned lands being redeveloped with new private dwellings, social and affordable housing at the ratio of 70% private and 30% social and affordable housing. It is noted that this ratio (70/30) may vary from development to development.

### Block size

Minimum lot sizes are provided for in different ways between the Growth Centres SEPP and the Liverpool LEP 2008. Both planning instruments recognise that in areas of high amenity (e.g. overlooking a park), or closer to town centres, there are advantages in allowing smaller lot sizes. The mechanisms in which the Growth Centre SEPP and the Liverpool LEP provide for smaller lot sizes are different, but the outcomes are generally suitable for the context of their respective areas. Generally speaking, the Growth Centres SEPP provides for a greater variety of minimum lot sizes, in an effort to increase housing diversity, whereas the LEP is more consistent, which responds largely to existing character.

The Growth Centres SEPP controls provide incentives to supply attached and semi-detached housing forms in areas close to town centres and open spaces, which provides for greater housing diversity, aimed at improving affordability. These dwelling typologies are important in



ensuring that Liverpool's housing supply caters for a variety of households and will become increasingly important to address housing affordability and a general trend towards smaller household sizes.

The primary concern with block sizes usually relates to a lack of green and open space. The problem isn't necessarily that lots are too small, but more so that the buildings constructed on these lots are too large.

Narrow setbacks at the perimeter of buildings are unusable space, larger consolidated areas would be more useful. The minimum requirement for landscaped and open space often isn't high enough (Exempt and Complying Development Codes SEPP allows as low as 10% for detached dwellings), and the incentives to build to two or even three storeys are not high enough for home owners/developers to provide for more open space.

This results in large, single storey homes which take up almost all of the allotment. The Exempt and Complying Development Codes SEPP also plays a role as it typically doesn't provide for a minimum landscaped area, or if it does, it is lower than what would provide for good planning outcomes.

### Road Widths

The ARHSEPP and the Exempt and Complying Development Codes SEPP do not specify road widths. The LEP and the Growth Centres SEPP also do not specify road widths (with the exception of road corridor protection zoning for high order movement corridors). Road widths are controlled through the respective DCPs i.e. the Liverpool DCP and the Growth Centres DCP.

Both the Liverpool DCP and the Growth Centres DCP have a set of generic local street types for local streets in the precinct for which the plan applies. In the Liverpool LGA, this results in several different standard street cross-sections as different aspects of street design were often prioritised at a time when a DCP was prepared and adopted.

For example, local streets being delivered in Austral were designed some 5-10 years ago, whilst those still being delivered in areas such as Prestons were designed almost 30 years ago. It is not generally advisable to change cross-sections after an area is significantly established, unless it is necessary to do so, as this can erode neighbourhood character and disturb wayfinding based on the road hierarchy.

The Western Sydney Planning Partnership is currently designing a suite of uniform standard road cross-sections for Council's in Western Sydney to adopt. This street design manual and related engineering standards will be based on international best practise and suitability for the local area and are aimed at achieving consistent, functional and attractive streets. Council staff have significant input into this large body of work which is forecast for completion in mid-2020.

### Setback controls

Controls for setbacks can vary considerably between the Exempt and Complying Development Codes SEPP and DCPs. Without detailing all of the different setback provisions in each SEPP or DCP (including locality specific DCPs), it appears the primary concern is with the Exempt and Complying Development Codes SEPP adopting a 3m rear setback. Most precincts in the Liverpool DCP adopt a rear setback of 4m or more.

The rear setback provides for private open space while also allowing for trees and vegetation. If dwellings are all uniformly setback 3m from the rear boundary, which is a common occurrence in the growth areas (due to the use of the Exempt and Complying Development Code), there is little space for large trees to mature within the rear setback of new dwellings. This results in suburbs devoid of tree canopy and enhances the urban heat island effect.

### Parking provision

Council's DCP stipulates that two car parking spaces are required for detached dwellings, with at least one space required behind the building line. The Codes SEPP typically requires at least one off-street car parking space to be required per dwelling.

Neither the Liverpool DCP, nor the SEPP, require additional parking to be provided for secondary dwellings (granny flats).

There is a need to ensure that adequate parking is provided for each dwelling, while ensuring that excessive parking is not provided. Requiring higher parking rates will result in garage door dominance (with related negative streetscape impacts), and excessive driveways result in higher amounts of paved areas (retention of heat, increased stormwater run-off). Driveways also reduce the availability of on-street parking, disrupt pedestrian footpaths and limit space for street trees. It is noted that many residents use garages as areas for storage or additional living areas rather than for their intended use as car parking.

While the Liverpool LEP (for the Liverpool City Centre only) and DCP (for other areas) provide car parking controls, there are circumstances where they can be overridden by SEPPs. For example, *State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development (SEPP 65)* allows a reduced amount of car parking for development within 800 metres of a railway station. It is noted in SEPP 65, that where less car parking is provided, Council should not provide on street resident parking permits.

Parking requirements should be determined in relation to the availability, frequency and convenience of public transport. Reduced car parking requirements promote a reduction in car dependency and encourage walking, cycling and use of public transport.

**Conclusion**

SEPPs play a key role in addressing issues of State or regional significance and to ensure consistent planning controls for certain development across NSW.

Council is collaborating through the LSPS and LEP review with DPIE and the GSC on the issues raised in this report. DPIE has commenced a phased review of many SEPPs and Council will continue to ensure that local character and amenity and infrastructure provision is considered and that good planning outcomes are achieved.

**CONSIDERATIONS**

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<b>Economic</b>	There are no economic and financial considerations.
<b>Environment</b>	There are no environmental and sustainability considerations.
<b>Social</b>	There are no social and cultural considerations.
<b>Civic Leadership</b>	There are no civic leadership and governance considerations.
<b>Legislative</b>	There are no legislative considerations relating to this report.

**ATTACHMENTS**

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Nil

**COM 01**

**Draft Homelessness Strategy and Action Plan**

<b>Strategic Direction</b>	Creating Connection Implement access and equity for all members of the community
<b>File Ref</b>	271103.2019
<b>Report By</b>	Galavizh Ahmadi Nia - Manager Community Development and Planning
<b>Approved By</b>	Dr Eddie Jackson - Director City Community and Culture

**EXECUTIVE SUMMARY**

The draft Homelessness Strategy and Action Plan seeks to give practical impetus to Council's commitment to address the adverse impacts of homelessness in Liverpool. Driven by the principles of social justice and human rights, the draft strategy outlines the key priorities Council will aim to address, and where possible, to mitigate the impact of homelessness. The Draft Action Plan is comprised of initiatives that build on existing services and best practice models. The implementation of these actions will require a collaborative and coordinated approach internally and externally, to ensure achieving sustainable and positive outcomes for people experiencing homelessness.

The Draft Homelessness Strategy and Action Plan is attached to this report for the consideration of Council.

**RECOMMENDATION**

That Council:

1. Endorses the Draft Homelessness Strategy and Action Plan for public exhibition for a period of six weeks; and
2. Receives a report at the completion of the public exhibition period noting feedback received and any changes made to the draft policy in line with community feedback, or if no submissions are received, delegate authority to the CEO to endorse the draft Homelessness Strategy and Action Plan.

**REPORT**

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Homelessness is a complex issue that has adverse social, economic and health impacts on individuals, their families and the broader community.

Internationally, there is a growing body of literature and evidence suggesting that Local Governments have an important role in working towards long term solutions to the issue of homelessness; and in providing leadership and support to their local community services sector. This approach is in line also with decisions made by the Council of Australian Governments (COAG) which have committed all tiers of government to work towards a reduction in homelessness.

Liverpool City Council (Council) seeks to build upon its commitments to principles of social justice, social sustainability and social inclusion during a time of unprecedented growth and development experienced by our city. Council recognises that homelessness is a complex issue influenced by multiple structural and personal drivers. The lack of affordable housing, poverty, mental health and drug health, domestic violence and family breakdowns are among the key drivers of homelessness. In comparison with the NSW average, Liverpool has a higher portion of the population who experience these drivers, which could lead into homelessness.

The Draft Homelessness Strategy and Action Plan is the foundation of Council's commitment to evidence-based initiatives that strive to support some of the most vulnerable members of our community. The draft Strategy aims to strengthen pathways out of homelessness and associated costs to health, safety and well-being, while responding to the immediate and pressing needs of those members of our community experiencing homelessness. It provides a framework for Council to respond to the impacts of homelessness in Liverpool more effectively, work towards prevention initiatives, and collaborate with the government agencies and community services sector on practical, local solutions.

**Developing the Strategy**

Building on the learnings from the previous Liverpool Homelessness Strategy 2015-2017, this Strategy has been developed through extensive literature review of emerging paradigms in the field and analysis of best practice examples within the national and international context. The local partnerships and initiatives such as the Liverpool-Fairfield Homelessness Interagency and the Liverpool Community Kitchen and Hub were examined to understand challenges, gaps in service delivery, opportunities for improvement and collaborative approaches. Further, key internal and external stakeholders were consulted on developing a plan of action relevant to homelessness experience in Liverpool and the Sydney South West areas. Should Council endorse to place the Draft Homelessness Strategy and Action Plan on public exhibition, further consultation, including focus groups and workshops will be held with internal and external partners. The proposed public exhibition period is from mid-January to the end of February 2020.

This report recommends that Council endorses placing the Draft Homelessness Strategy and Action Plan on public exhibition for a period of 6 weeks, with a report to be brought back to Council in March 2020 should any submissions be received.

**CONSIDERATIONS**

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<b>Economic</b>	There are no economic and financial considerations.
<b>Environment</b>	There are no environmental and sustainability considerations.
<b>Social</b>	Support community organisations, groups and volunteers to deliver coordinated services to the community. Promote community harmony and address discrimination.
<b>Civic Leadership</b>	Deliver services that are customer focused. Actively advocate for federal and state government support, funding and services.
<b>Legislative</b>	There are no legislative considerations relating to this report.

**ATTACHMENTS**

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1. Draft Homelessness Strategy and Action Plan November 2019 (Under separate cover)

**COM 02**

**COM 04 - Green Valley Hotel Liquor Licence  
Application**

<b>Strategic Direction</b>	Creating Connection Implement access and equity for all members of the community
<b>File Ref</b>	273804.2019
<b>Report By</b>	Galavizh Ahmadi Nia - Manager Community Development and Planning
<b>Approved By</b>	Dr Eddie Jackson - Director City Community and Culture

**EXECUTIVE SUMMARY**

Council at its meeting on 6 February 2018 considered a Notice of Motion in relation to an extended trading hours application by the Green Valley Hotel to Liquor and Gaming NSW (L&G NSW). A follow up report on the resolution was brought to the Council meeting on 29 May 2019.

Council, in collaboration with community and interest groups collectively advised against the application and advocated to Liquor & Gaming NSW on the potential adverse impacts of the Green Valley Hotel's application for extended trading hours. Despite these collective efforts the application was approved by the authority on 26 June 2019 with new conditions being imposed on the subject licence.

This report is provided to inform Council on the outcomes of actions undertaken in relation to the resolution made at the Council meeting on 29 May.

**RECOMMENDATION**

That Council:

1. Continues to make submissions and lobby L&GNSW in regards to adverse impacts of the industry for Liverpool LGA;
2. Advocates to NSW Government for increased Local Government decision making in gaming machine provisions, including the changed Local Impact Assessment Band that allows moving of or increase of poker machines within the Liverpool LGA; and
3. Considers a policy position, where public interest is in the forefront of all such decisions, including investigating measures of non-association with alcohol and gambling industries.

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**REPORT**

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*At its meeting held on 29 May 2019, Council resolved to:*

- 1. Strengthen control mechanisms and sub-categories in the revised Social Impact Assessment Policy and Development Control Plan to ensure the protection of communities against the adverse impacts of gaming and liquor related developments, especially at vulnerable localities;*
- 2. Subject every development application relating to a premises that provides both liquor and gaming to a comprehensive SIA process, regardless of the nature of the proposed development;*
- 3. Continues to lobby L&G NSW on the adverse impacts related to the subject liquor licence;*
- 4. Undertake research into social and economic costs and impacts of alcohol consumption and gambling in Liverpool and introduce measures, including controls applied by other councils, to manage and mitigate the impacts on communities; and*
- 5. Receives a further report in November 2019 on the outcome and proposed directions of the research.*

Council staff have been liaising with external and internal stakeholders to investigate responses and actions relating to this resolution. Responses to the resolution are provided in three parts, as outlined below.

**Resolution item 1**

Council's Social Impact Assessment (SIA) Policy, coupled with the SIA Guidelines readily provide mechanisms to Council by way of review and assessment of development applications and planning proposals.

The SIA Policy and Guidelines have been updated and are submitted to the Council meeting of 20 November for consideration, with the aim to strengthen and expand all aspects of the Policy. They provide Council with a comprehensive approach in protecting communities against the adverse impacts of an increased supply in liquor and gaming-related developments. In this regard, the SIA Policy and Guidelines revision includes some key measures including:

- Fine-tuning the internal referral process, including the introduction of a requirement for proponents to answer a SEIFA score question for the locality of the development;
- Amending social impact assessment triggering thresholds in line with emerging trends and local growth;
- Strengthening mechanisms to make sure all applications with a potential to cause adverse impacts, regardless of the scope and scale of the development;



- Outlining expected level of community consultation by the proponents and developers in relation to liquor and gaming applications to ensure local communities have a say in the decision-making process;
- Providing comprehensive guidance to the developers of Council's expectations in relation to community education and awareness; and
- Strengthening inter-departmental mechanisms to increase efficiency.

**Resolution items 2 and 3**

Council's SIA Policy requires every development application to submit a Comprehensive Social Impact Assessment (CSIA) regardless of their size, location or other variable, should the development result in an increased supply of liquor and/or gaming machines within Liverpool Local Government Area (LGA). In addition, as a part of the revised SIA Policy, Community Planning is working to establish more effective partnerships with South West Sydney Local Health Districts, community and interest groups to provide collective input for submissions relating to significant and complex developments, where necessary.

The current SIA referral processes for liquor and gaming applications include:

1. Liquor & Gaming NSW (L&GNSW) receives applications which will have implications on liquor and gaming provisions within Liverpool LGA. L&GNSW sends a request to Council to review and make a submission, for consideration during the decision-making process alongside other major stakeholders.
2. Community Planning team analyses the subject application and relevant submissions made by the proponent and will make a submission to the L&GNSW authority; including recommendations on the application.
3. L&GNSW makes determination on all liquor and gaming applications, having considered all the submissions.

While Council's SIA Policy and Guidelines provide necessary mechanisms for Council to assess liquor and gaming applications, the NSW Government sets overarching guidance and regulations for the liquor and gaming industry. Therefore, it is crucial that Council continues to advocate for greater authority locally, to prevent and/or mitigate any adverse impacts related to Liverpool.

**Resolution item 4**

A variety of legislations, including the EPA Act 1979 and the Liquor Act 2007<sup>1</sup>, requires Council to consider social impacts of planning decisions, development applications and other policy instruments that may affect the lived experience of the community. This is particularly pertinent in the case of applications that will increase the supply of alcohol and/or gambling outlets,

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<sup>1</sup> Objects of the Act (1) a. To regulate and control the sale, supply and consumption of liquor in a way that is consistent with the expectations, needs and aspirations of the community, (2) a. The need to minimise harm associated with misuse and abuse of liquor (including harm arising from violence and other anti-social behaviour), c. The need to ensure that the sale, supply and consumption of liquor contributes to, and does not detract from, the amenity of community life.

including consideration to cumulative effects on the community of several such applications over time. One of the primary concerns is the increasing numbers and frequency of such establishments in Liverpool LGA, in particular, in areas of higher socio-economic disadvantage.

Socio-Economic Indexes for Areas (SEIFA) data suggests the Liverpool LGA has one of the lowest scores in NSW, i.e, higher levels of disadvantage. This means Liverpool LGA is more vulnerable to detrimental social and economic effects arising from an increased consumption and supply of alcohol and gambling provisions. The following demographic and public health related data demonstrate how the SEIFA data for socio-economic disadvantage in Liverpool exacerbate the negative impacts generated by alcohol and gambling provisions:

- Liverpool LGA has higher than state average rates of unemployment (both youth and adult), single parent families, culturally diverse communities, and high rental stress.
- Liverpool has an overall lower median income.
- Harmful drinking is highest for people aged 16-24 years and lowest for people over 65 years. Liverpool has a large young population with 37% of our residents under the age of 24.
- High aggregate and per capita gaming expenditure which is also observed in other low SEIFA score neighbouring suburbs such as Fairfield and Bankstown.

Health data indicates that residents of Liverpool have poorer health compared to the rest of the state including:

- Higher rates of diabetes – 6.9 % compared to 5.5% in NSW;
- High or very high levels of psychological distress – 15.4% compared to 13.2% in SWS and 11.1% in NSW);
- Higher rates of death that is from all causes – 107.3 per 100,000 persons compared to 100 per 100,000 persons;
- Higher proportion of people aged 16 years and over that are overweight – 34.8% compared to 33.4%;
- Higher proportion of people aged 16 years and over that are obese – 21.8% compared to 19.6%;
- Higher proportion of people aged 16 years and over that do not participate in adequate physical activity – 48.1% compared to 55.2%; and
- Higher proportion of people who smoke – 22.3% compared to 17.1%.

In addition to the demographic characteristics of Liverpool LGA which deem the community to be more vulnerable to negative impacts resulting from alcohol consumption and gambling, there is a wealth of research that demonstrates the direct correlation between an increase in density of alcohol and/or gambling outlets and increase in issues such as the rates of assault and domestic and non-domestic violence.

The gambling industry generates economic activity, tax revenue and recreational benefits which is often used by the industry to promote their business operations. Nevertheless, it is well recognised that gambling also results in diverse negative consequences to the gamblers themselves, as well as those around them, 'affected others', and the broader community.

Supporting studies found that overall costs of gambling on the community, does not only come from problem gamblers, and that low and moderate risk gamblers also substantially contribute to the broader costs associated with the gambling industry. The following framework developed by the Productivity Commission (PC), have categorised the costs associated with gambling into five parts:

- a) Financial costs;
- b) Productivity and employment costs;
- c) Crime and legal costs;
- d) Personal and family costs; and
- e) Treatment costs.

Australia has 76 per cent of the world's pub and club poker machines, and half of those are in NSW. According to Alliance for Gambling Reform, a national advocacy organisation which works to prevent and minimise the harm from gambling, the NSW Government's gambling tax revenue in 2018-2019 was \$2.631 billion, a jump of \$266 million from the previous year. This equals to a record \$6.815 billion lost on poker machines per annum or \$18.7 million per day. Approximately 85% of the harm caused by gambling is experienced by those considered at low or medium risk. Further, 5–10 other people are impacted for each individual gambler. The annual cost of alcohol is estimated to be \$14.9 billion, making it the second highest addiction in Australia, after gambling.

According to Department of Liquor and Gaming data, provided by the Alliance for Gambling Reform, the 2019 net profit from gaming machines in Campbelltown, Canterbury/Bankstown, Blacktown, Fairfield and Liverpool amounted to \$1,693,788,978; or \$32,572,865 loss to those with gambling addiction per week. The overall number of machines has fallen in NSW, however, the numbers across the Councils above have increased by 104 machines from 2018.

In Liverpool, there are 1438 gaming machines available in pubs and clubs, with a profit of \$161,345,545 annually. This equals to a weekly loss of \$3,103,549 by those with gambling addiction. More specifically, Liverpool LGA ranks number 10 in NSW with regards to personal losses generated per gaming machine, with a staggering \$87.305 lost per gaming machine. According to the L&GNSW, there are 341 poker machines across 12 hotels in Liverpool, generating \$40,085,619 per annum. For the period July to December 2018, five hotels in Liverpool were among the top fifty hotels in NSW recording highest gaming machine net profit in NSW. They included the Cross Roads Hotel (ranked at #1), Collingwood Hotel (ranked #18), El Toro Motor Inn (ranked #36), Macquarie Hotel (ranked #42) and Green Valley Hotel (ranked #45).

Local agencies including those working with victims of domestic violence, Housing NSW, Liverpool Community Kitchen and Hub and Mission Australia all report that alcohol and

gambling-related harm have been major contributors to homelessness when seeking assistance with temporary accommodation. The data and research indicate that alcohol and or gambling-related harm are major public health and financial issues and the regulation of licences in this sense is an important control mechanism on the availability and supply of such venues.

In conclusion, it is of paramount importance for the wellbeing of Liverpool community that Council continue to strengthen control mechanisms to limit and/or mitigate adverse impacts emerging from alcohol consumption and gambling harm, and to be vigilant in its advocacy work on behalf of the people to higher tiers of government. Council can be most effective by working with local government and non-government agencies in regards to management and mitigation of these negative, long lasting impacts by way of advocacy, funding and service coordination.

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**CONSIDERATIONS**

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<b>Economic</b>	There are no economic and financial considerations.
<b>Environment</b>	There are no environmental and sustainability considerations.
<b>Social</b>	Raise awareness in the community about the available services and facilities. Support policies and plans that prevent crime. Support community organisations, groups and volunteers to deliver coordinated services to the community.
<b>Civic Leadership</b>	Foster neighbourhood pride and a sense of responsibility. Actively advocate for federal and state government support, funding and services.
<b>Legislative</b>	<ul style="list-style-type: none"><li>• Local Government Act, 1993; and</li><li>• Council of Australian Governments (COAG) Report National Partnership Agreement on Homelessness.</li></ul>

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**ATTACHMENTS**

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Nil

**COM 03****Draft Social Impact Assessment Policy and Guidelines**

<b>Strategic Direction</b>	Strengthening and Protecting our Environment Exercise planning controls to create high-quality, inclusive urban environments
<b>File Ref</b>	274151.2019
<b>Report By</b>	Galavizh Ahmadi Nia - Manager Community Development and Planning
<b>Approved By</b>	Dr Eddie Jackson - Director City Community and Culture

**EXECUTIVE SUMMARY**

The draft Social Impact Assessment (SIA) Policy and Guidelines are the primary mechanisms for Council to identify and manage the likely social impacts of proposed developments, policies, projects and planning instruments to maximise social outcomes, community wellbeing and social sustainability in the Liverpool LGA.

The draft SIA Policy and Guidelines are grounded in the social justice principles of sustainability, access, equity, participation and human rights and is supported by Council's Social Justice Policy. The draft SIA Policy determines when a SIA is required, how it is to be undertaken and how the outcomes arising from the assessment are to be implemented and managed. The draft Policy is accompanied by Guidelines which provide specific triggering thresholds for various types and/or sizes of developments, provides guidance on the minimum requirements of community participation in the decision-making process and provide data sources for the applicants, to assist with assessments.

The draft SIA Policy and Guidelines are attached to this report for the consideration of Council.

**RECOMMENDATION**

That Council:

1. Endorses the draft Social Impact Assessment Policy and Guidelines for public exhibition for a period of six weeks; and
2. Receives a report at the completion of the public exhibition period noting feedback received and any changes made to the draft policy in line with community feedback, or if no submissions are received, delegate authority to the CEO to endorse the draft Social Impact Assessment Policy and Guidelines.

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**REPORT**

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Social Impact Assessment (SIA) is the process of assessing, monitoring and managing the intended and unintended social consequences, both positive and negative, of planned interventions including policies, programs and projects; and any social change processes invoked by those interventions. When undertaken as part of a Development Approval process, an SIA is prepared to assist the relevant consent authority in its informed decision-making. Its primary purpose is to bring about a more socio-culturally, ecologically and economically sustainable and equitable environment. Although the SIA is used as an impact prediction mechanism and decision-making tool in regulatory processes, the role of SIA in contributing to the ongoing management of social issues throughout the whole project development cycle, from conception to post-closure, is equally important.

The rationale for Council to have a stronger and more comprehensive SIA Policy and related mechanisms in place include, but are not limited to, the exponential growth within the Liverpool LGA and the positioning of Liverpool as the third CBD of Sydney; and emerging international trends on incorporating impact analysis and community participation in decision making processes. It allows Council to have a strong position to ensure:

- a) Positive impacts emerging from policies, programs and projects are maximised;
- b) Community opinions and or needs are prioritised in an equitable and inclusive way through a genuine engagement process;
- c) Social, environmental and economic qualities of the local area are enhanced as a result of permitted development; and
- d) Increased trust in Council by the Liverpool community through an enhanced consistency and transparency in Council's decision making processes.

**Highlights of Key Changes**

The Draft SIA Policy and Guidelines incorporates a number of changes, which aim to increase the rigor of the process and decision making. The key changes can be summarised as following:

- Expanding on the definitions and assessment scope, including introduction of concepts such as: a) Cumulative Impacts, b) Distributional impacts, and c) Value Capture.
- Expanding on monitoring and management of social impacts through the introduction of a Social Impact Management Plan (SIMP) for projects with significant impact (i.e. a shopping centre). SIMP will be requested where avoidance is not possible or negative residual impacts remain after minimising.
- Reduction of SIA trigger thresholds for certain types of developments such as boarding houses, function centres, places of worship and childcare centres:
  - Every boarding house development regardless of its size is now subject to carrying out a SIA.

- Function centres and/or amusement centres are now subject to carrying out a SIA should the proposed capacity be greater than 50 persons, decreased from the previous threshold of 100 persons.
- Places of worship are now subject to carrying out a SIA if the proposed capacity is greater than 100 persons, decreased from the previous threshold of 200 persons.
- Childcare centre applications are subject to carrying out a SIA regardless of their size. Previously only applications for 20 places or above would trigger SIA.
- Residential flat buildings greater than 20 units and those that seek variation greater than 10% from the DCP / LEP density (height and/or FSR) controls are subject to carrying out a SIA, decreasing from the previous threshold of 250 units.
- Introduction of a requirement for a SIA submission by other government agencies and/or non-government organisations if a proposed plan, policy, project or proposal may have an impact on Liverpool community. These include but not limited to infrastructure developments, relevant state environmental planning policies and or local health plans.

### **Developing the SIA Policy and Guidelines**

Building on the current SIA Policy and Guidelines, the draft policy and guidelines have been developed following a comprehensive review of international best practice guidance, emerging trends in the field of social impact assessment and an analysis of Liverpool's local context in regard to specific pressures, gaps and requirements. In addition, an internal and external consultation process was undertaken, seeking feedback on the content and directions.

This report recommends that Council endorses placing the draft Social Impact Assessment Policy and Guidelines on public exhibition for a period of 6 weeks, from mid-January to the end of February 2020.

A final Social Impact Assessment Policy and Guidelines will then be submitted to a future Council meeting in early 2020 for adoption should submissions be received.



## **CONSIDERATIONS**

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<b>Economic</b>	There are no economic considerations.
<b>Environment</b>	There are no environmental and sustainability considerations.
<b>Social</b>	<p>Preserve and maintain heritage, both landscape and cultural as urban development takes place.</p> <p>Regulate for a mix of housing types that responds to different population groups such as young families and older people.</p>
<b>Civic Leadership</b>	<p>Encourage the community to engage in Council initiatives and actions.</p> <p>Provide information about Council's services, roles and decision making processes.</p>
<b>Legislative</b>	<p>Local Government Act, 1993</p> <p>Gaming Machines Act, 2001 / Liquor Act, 2007</p> <p>Liverpool Development Control Plan (DCP), 2008</p> <p>State Environmental Planning Policy (Affordable Rental Housing) 2009</p> <p>Liverpool City Council Social Justice Policy, 2018</p> <p>Draft Local Strategic Planning Statement (LSPS), Connected Liverpool 2050</p>

## **ATTACHMENTS**

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1. Draft Social Impact Assessment Policy and Guidelines - November 2019  
(Under separate cover)



<b>CORP 01</b>	<b>EOI2906 Collingwood House Commercial Opportunities</b>
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<b>Strategic Direction</b>	Generating Opportunity Attract businesses for economic growth and employment opportunities
<b>File Ref</b>	265770.2019
<b>Endorsed By</b>	Macario Biala - Procurement Business Partner
<b>Approved By</b>	Chris White - Director City Corporate

<b>Recommended By</b>	Name: Michal Szczepanski Chairperson	Name: Christopher Guthrie Committee Member
	Name: Thomas Wheeler Committee Member	Name: Macario Biala Convenor

## **EXECUTIVE SUMMARY**

On 29 May 2019, Council resolved relevantly to “...undertake an expression of interest to determine market interest in operating Council’s heritage buildings such as Collingwood House...”.

Council subsequently tested the market, seeking to enter into a contract with a suitably experienced and competent contractor for the provision of Collingwood House Commercial Opportunities for a period of 5 years, with an option for a further 5 years.

The subject area would encompass the main building, the ancillary building, car park and all land contained within the fenced area.

Interested parties were made aware of the constraints and unique opportunities associated with Collingwood House as outlined earlier, and invited to submit an Expression Of Interest proposal that presented a case for a sustainable business concept. Such concepts were required to take into account the significant building upgrades that may be required to be undertaken prior to commencing, as well as ongoing maintenance and upkeep of the buildings and the grounds.

Council sought either a market rent that would otherwise be achieved for comparable premises, or alternatively, lease incentives in lieu of the Offeror undertaking, or financially contributing to any required building works or upgrades.

Subject to finalising the commercial agreement, the Offeror was expected to obtain any relevant statutory approvals required for the proposed use or building upgrades, including but not limited to Development Approval and Construction Certificate.

There has been no contract in place previously for this service.

No offers were received. As such, it is recommended that the future of Collingwood House be addressed in a manner consistent with the Heritage Properties Assets Strategy.

### **RECOMMENDATION**

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That Council:

1. Pursuant to clause 178 of the Local Government (General) Regulation 2005, does not award the Expression Of Interest EOI2906, as no submissions were received;
2. Makes public its decision regarding EOI2906 Collingwood House Commercial Opportunities; and
3. Directs the CEO to progress the adaption of Collingwood House as a boutique venue for functions and cultural events in accordance with the endorsed Heritage Properties Assets Strategy.

### **TENDER RECEIVED/INVITED**

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Tenders were invited publicly via the Sydney Morning Herald on 10<sup>th</sup> September 2019, the Liverpool Leader on 11<sup>th</sup> September 2019 and was made available on the Council eTendering portal <https://www.tenderlink.com/liverpoolcity> from 10<sup>th</sup> September 2019.

Tenders closed at 3:00 pm on 1 October 2019 with no submissions received.

### **EVALUATION PROCESS**

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The following Tender Evaluation Committee (TEC) was formed to determine the tender evaluation criteria, weightings and assess the tenders received for the proposed contract:

<b><u>Role</u></b>	<b><u>Description</u></b>	<b><u>Appointee</u></b>
Convenor	Manage and facilitate the evaluation process and ensure the process is carried out in accordance with the relevant procedures. The Convenor is to remain separate from the actual evaluation process and does not assess tenders.	Name: Macario Biala Title: Procurement Business Partner Procurement, Governance and Legal Services
Chairperson	The Chairperson is to coordinate the panel members and liaise directly with the Convenor on behalf of the Committee Members. The Chairperson also carries out the assessment as detailed below.	Name: Michal Szczepanski Title: Senior Property Officer Corporate Services, Property Services
Committee Members	Perform a detailed assessment of the tender submissions, deliberate and agree on the tender that offers the best 'value for money' to Council. Assessments will consider cost, non-price criteria, financial viability and risk of a tender.	Name: Thomas Wheeler Title: Heritage Officer City Economy and Growth, City Design and Public Domain
		Name: Christopher Guthrie Title: Coordinator Business Development City Economy and Growth, City Economy

The Tender Evaluation Committee met prior to the close of tenders and agreed on the following weightings of the published evaluation criteria:

<b>Criterion</b>	<b>Weighting (%)</b>
Applicant's Business Experience	15
Details of Proposed Commercial Activity	40
Commercial (financial) terms	45
<b>Total</b>	<b>100%</b>
Conformance to Conditions	Pass / Fail

## **SUMMARY OF THE EVALUTION**

No tenders were reviewed to assess their conformance to the Conditions of Tender and Conditions of Contract.

## **CONCLUSION**

As no EOIs were received, the panel recommends that the EOI be withdrawn, and that staff be directed to progress the adaption of Collingwood House as a boutique venue for functions and cultural events in accordance with the endorsed Heritage Properties Assets Strategy.

## **CONSIDERATIONS**

<b>Economic</b>	<p>Facilitate economic development.</p> <p>Facilitate the development of new tourism based on local attractions.</p> <p>Culture and creative industries.</p>
<b>Environment</b>	<p>Enhance the environmental performance of buildings and homes.</p>
<b>Social</b>	<p>Raise awareness in the community about the available services and facilities.</p> <p>Provide cultural centres and activities for the enjoyment of the arts.</p> <p>Preserve and maintain heritage, both landscape and cultural as urban development takes place.</p> <p>Support community organisations, groups and volunteers to deliver coordinated services to the community.</p> <p>Deliver high quality services for children and their families.</p>
<b>Civic Leadership</b>	<p>Undertake communication practices with the community and stakeholders across a range of media.</p> <p>Foster neighbourhood pride and a sense of responsibility.</p> <p>Encourage the community to engage in Council initiatives and actions.</p> <p>Provide information about Council's services, roles and decision making processes.</p> <p>Deliver services that are customer focused.</p> <p>Operate a well developed governance system that demonstrates accountability, transparency and ethical conduct.</p>
<b>Legislative</b>	<p>Local Government (General) Regulation 2005, cl.178</p>

**ATTACHMENTS**

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Nil

**CORP 02**

**Bigge Park Cafes - Lot 702 DP 1056246, Bigge Street, Liverpool**

<b>Strategic Direction</b>	Generating Opportunity Attract businesses for economic growth and employment opportunities
<b>File Ref</b>	275245.2019
<b>Report By</b>	Michal Szczepanski - Senior Property Officer
<b>Approved By</b>	Chris White - Director City Corporate

## **EXECUTIVE SUMMARY**

Bigge Park, Liverpool, is Crown Land which is managed by Liverpool City Council, previously as Reserve Trustee (under the Crown Lands Act), and now (with the adoption of the Crown Land Management Act 2016) as Crown Land Manager.

Previously as Reserve Trustee and with the approval of the Crown, Council leased/licensed two of the buildings within Bigge Park for Café purposes to private operators. The two café businesses located within Bigge Park ceased trading in October 2018 and January 2019 respectively. As construction of the amenities buildings in the park has now been completed, Council intends to again offer the vacant buildings for café/restaurant use.

Council has now completed the public notification process of the proposal and received one objection from an individual, on the following grounds:

- 1) Bigge Park should be free of commercial activity, and
- 2) The public notice process was not conducted properly and should be restarted.

Given the community classification of the park, legislation requires that Council consider the objection, and that the objector be advised of the outcome.

The objection, and Council Officer's recommended response to the objection, are dealt with in the body of this Council report.

On the basis of the Council Officer's proposed response to the objection, it is recommended that Council resolve to proceed with the tender process to offer the two buildings within Bigge Park for café/restaurant use, based on the public notification process that was recently completed.

In accordance with the provisions of the Local Government Act concerning the objector's request, it is also recommended that Council refers the request to the NSW Office of Local

Government to notify the state government and seek Ministerial consent to proceed with the tender process to award the proposed occupancies.

### **RECOMMENDATION**

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That Council:

1. Resolve the objection to EOI WT2904 and WT2905 by confirming the veracity of the public notification process that was recently conducted by staff, and adopting the Council staff's recommendation to proceed with the tender process to offer the Bigge Park premises known as Courtside Cafe (WT2905) and Pump House Café (WT2904) for café/restaurant use, on five year tenures, with options for a further five years in each case;
2. Direct the CEO or her delegate to write to the relevant authorities and seek consent from the Minister to finalise the tender processes accordingly;
3. Direct the CEO to report the outcomes of the process to Council upon completion; and
4. Direct the CEO to notify the objector of this resolution, and the actions of Council in both progressing the tender, and seeking Ministerial approval.

### **REPORT**

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Liverpool City Council has in the past granted tenures to Café operators over the Bigge Park buildings known as Courtside Café and Pump House Café. The most recent businesses operating from the Courtside Café (located on the southern end of the Park) ceased trading and vacated the premises in January 2019, whilst the business operating from the Pumphouse Café located in the North-Eastern corner of the Park vacated in October 2018.

Council has now completed the construction of new public amenity buildings in the park, and intend to re-offer both the structures to café & restaurant operators, on five year terms (with options for further five year terms) subject to the outcome of a tender process.

Bigge Park is located on Crown Land and the Crown Land Management Act 2016 requires that Council manage Crown Land in the same manner as if it were Community Land. The *Local Government Act 1993* requires that any tenures over Community Land which exceed five years be subject to a public notification process, and further mandates that such tenures may only be granted by a tender (s.46A-47).

Council recently notified the public of its intention to offer these properties under tender. The notification was the subject of a mailout to nearby properties in accordance with Council's notifications processes, and was also published on Council's website, and in the Liverpool Leader in the following form:

*Liverpool City Council is the appointed Crown Land Manager of Bigge Park, located at 124 Bigge Street, Liverpool.*

*Notice is hereby given that it is proposed to grant new leases of the buildings located in the North-East corner of the Park (the former storage shed), and along the Southern boundary of the Park (the former 'Courtside Café' building).*

*Council will conduct an 'Expression Of Interest' campaign seeking café and restaurant operators to lease the subject buildings for a term of five (5) years with an option to renew for a further five (5) years.*

*Any person is entitled to make a submission to Council in respect of this proposal by **Monday, 2 September 2019**. Submissions must be made in writing, addressed to the Chief Executive Officer, Liverpool City Council, Locked Bag 7064 Liverpool BC NSW 1871, quoting file reference number 2019/0536. Enquiries may be referred to Council's Senior Property Officer on 8711 7514.*

Public notice was also physically displayed at Bigge Park in locations adjoining the proposed facilities.

One objection has been received in relation to the proposed use. Broadly, the terms of this objection are as follows:

- 1) Bigge Park should be free of commercial activity, and
- 2) The public notice process was not conducted properly and should be restarted.

The full text of the objection is extracted below, with name and contact details withheld. It is noted that the submission also included full text of both the tender notification, and an accompanying notification of Council's recent proposed changes to ward boundaries (hence the reference below):

*Att: CEO*

*It has been brought to my attention that Council is proposing to lease out premises in Bigge Park.*

*I strongly object to this as this is community/crown land and should be free of commercial activity.*

*There are plenty of empty shops in Liverpool and this presents opportunities for people to open up shops or cafes - not in beautiful public places.*

*Also, can you please provide an email address of where to send these objections to? I note that after some investigation that the item relating to ward boundaries contains an email address (see below). I believe that this exhibition process has not been conducted properly and fairly and ask that it be restarted.*

*Sincerely,*

*...*



**Objection (1) - Bigge Park should be free of commercial activity:**

Staff note that, if approved, the proposed access and use arrangements for the cafés would be a continuation of the use of premises previously provided for café activity within Bigge Park, and which had been previously approved by Council and the Crown.

The cafes represent an adaptive re-use of previously dormant or under-utilised assets, and would provide patrons the opportunity to enjoy the beautiful surroundings of the park, whilst also providing employment opportunities. It is noted that there are many parks within the Sydney metropolitan area which include cafes, which themselves add to the drawcard of the attraction provided by these facilities.

The proposed café uses would also provide passive surveillance, additional activation, and further amenity to the park, complementing the existing park amenities such as the playgrounds, waterpark, and tennis courts.

As the cafes would service the Health precinct, CBD employees, visitors and apartment residents, a tender process would test and gauge interest for the ongoing café/restaurant use. In respect to the operation of cafés within the park, it should be noted that Council has received queries wanting to know when the cafes would be reopened. It is considered that the use of cafes is considered complementary to the use of the park, particularly workers taking coffee and lunch breaks, as well as providing dinning opportunities for functions held in Bigge Park.

The commercial nature of the cafes has not resulted in public objections or concerns in the past. In fact, the recent closure of the café businesses did result in a number of complaints received by Council about their closure. In addition, the rental income collected from the cafes will partially offset the cost of operating and maintaining the Park and the associated facilities.

The Department of Planning, Industry and Environment (Crown Lands) have expressly approved café businesses in Bigge Park in the past, and have expressed no past objection to the use of these facilities for this purpose.

It is also noted that there are parks situated within Liverpool that do not (and will not) include café facilities, which could provide an alternative for residents with an objection to such facilities.

Based on the potential beneficial outcomes of progressing with a tender for the use of the existing buildings for café/restaurant activity at Bigge Park, it would be recommended that Council proceed with the proposal to offer these facilities, subject to referring the proposal to the NSW Office of Local Government in order that the state government/Minister is informed of the objection as requested by the objector.

**Objection (2) - The public notice process was not conducted properly and should be restarted:**

The notice identified relevantly that:

*Any person is entitled to make a submission to Council in respect of this proposal by Monday, 2 September 2019. Submissions must be made in writing, addressed to the Chief Executive Officer, Liverpool City Council, Locked Bag 7064 Liverpool BC NSW 1871, quoting file reference number 2019/0536. Enquiries may be referred to Council's Senior Property Officer 8711 7514.*

It is worth noting that the objection in question was, in fact, received via email through Council's "LCC Mail" email portal, and was receipted and managed accordingly.

Based on this being the sole objection, which was sent via e-mail and considered by Council, it is considered that the process undertaken by Council has not precluded submissions in respect to the Public Notice of the proposal.

Council officers advise that the public notice was exhibited in accordance with requirements of Section 47(1) of the *Local Government Act 1993* (Act), and contained all the required information as required under Section 47(2) of the Act, specifically:

- 1) Council gave public notice of the proposal (including on Council's website). The public notice was included on Council's website from 30 July 2019.
- 2) Council gave notice of the proposal to such persons as appear to it to own or occupy the land adjoining community land. The public notice was mailed to all surrounding premises on 2 August 2019.
- 3) Council exhibited notice of the proposal on the land to which the proposal relates. Signage was placed in the park.
- 4) In addition to the requirements of the Act the public notice also appeared in the Liverpool leader on August 7, 14 and 21, 2019.

As identified above, Council staff believe that the public notice process was conducted in line with the requirements of the Act, and that the proposed café uses will be of benefit to the users of the park and to Council.

Council staff offered to discuss the objection with the applicant. The applicant declined and stated that his objection should be determined by the Minister. Discussions with the Department of Planning, Industry and Environment confirmed that due to the introduction of the Crown Land Management Act 2016 which came into effect on 1 July 2018, objections for Crown land are now to be determined by Council, and not the Minister.

However, given that:

- a. the objector has specifically requested that the State Government should know of the objection, and;
- b. the provisions of the Act identify that Ministerial consent is required to enter into a lease or license for community land if there is an objection, it is recommended that Council apply for Ministerial consent to finalise the proposed tender process.

It is further recommended that Council resolve the objection by directing the CEO to proceed to tender for café/restaurant operators to access and occupy the premises known as Courtside Cafe and Pump House Café in Bigge Park on five year terms, with options for a further five years in each case. It is noted that the recommendation also anticipates notifying the objector of this outcome.

It is noted that, if Ministerial consent is not forthcoming, the process will need to be reviewed. To this end, staff recommend a direction to report the outcomes of the process back to Council in due course.

<b>Economic</b>	Further develop a commercial centre that accommodates a variety of employment opportunities.
<b>Environment</b>	There are no environmental and sustainability considerations.
<b>Social</b>	There are no social and cultural considerations.
<b>Civic Leadership</b>	There are no civic leadership and governance considerations.
<b>Legislative</b>	Crown Land Management Act 2016, Crown Land Management Regulation 2018 and Local Government Act 1993.

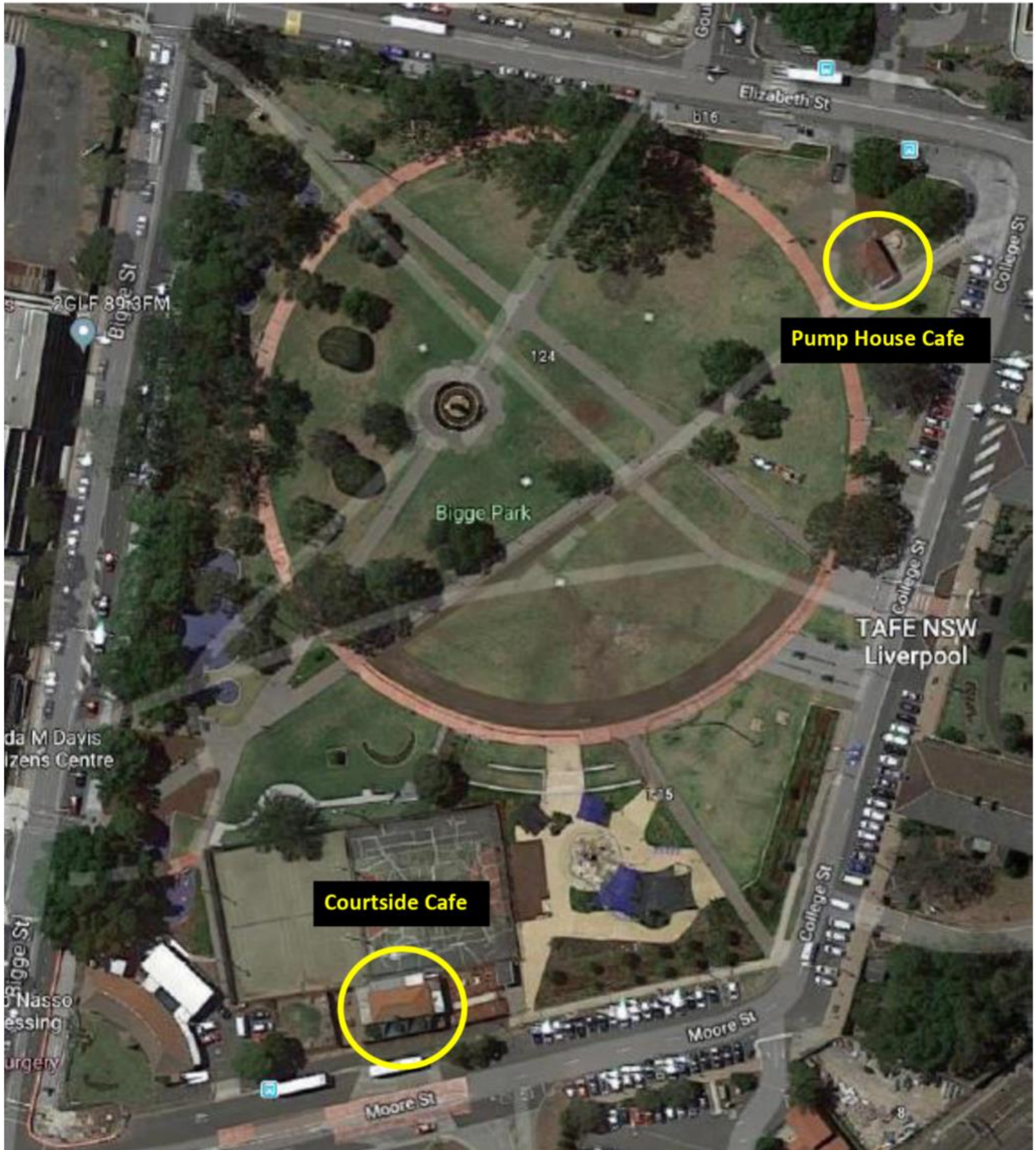
## **ATTACHMENTS**

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1. Appendix 1 - Aerial Map



## Appendix A



**CORP 03**

**Investment Report October 2019**

<b>Strategic Direction</b>	Leading through Collaboration Seek efficient and innovative methods to manage our resources
<b>File Ref</b>	276779.2019
<b>Report By</b>	John Singh - Accountant - Investments & Treasury Management
<b>Approved By</b>	Vishwa Nadan - Chief Financial Officer

**EXECUTIVE SUMMARY**

This report details Council's investment portfolio.

As at 31 October 2019, Council held investments with a market value of \$292 million.

The portfolio yield to the end of October 2019 is 107 basis points above the AusBond Bank Bill index.

	AusBond Bank Bill Index (BBI)
Benchmark	1.65%
Portfolio yield	2.72%
Performance above benchmarks	1.07%

Return on investment for October 2019 was \$307k lower than the budget.

Council's investments and reporting obligations fully comply with the requirements of section 625 of the *Local Government Act 1993* and clause 212 of the *Local Government (General) Regulation 2005*.

Council's portfolio also fully complies with limits set out in its Investment Policy. NSW TCorp however has recommended that Council progressively reduce its exposure to lower-rated financial institutions to below 25% of its investment portfolio by 2021.

**RECOMMENDATION**

That Council receives and notes this report.

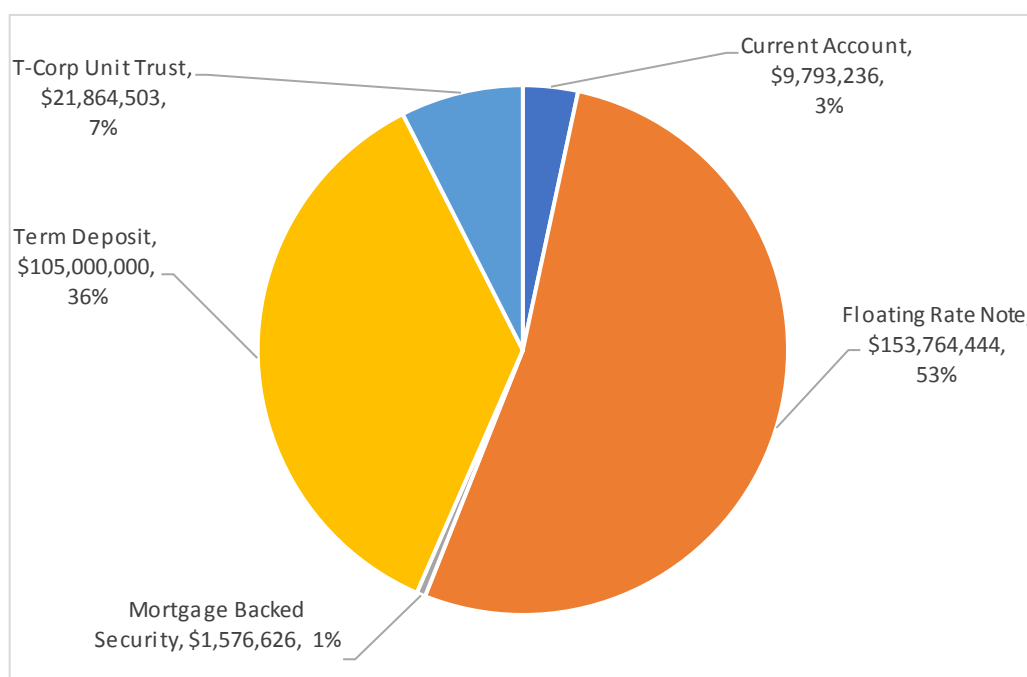


## **REPORT**

Clause 212 of the *Local Government (General) Regulation 2005* requires that the Responsible Accounting Officer must provide Council with a written report setting out details of all money that Council has invested under section 625 of the *Local Government Act 1993*.

### **Council's Portfolio**

At 31 October 2019, Council held investments with a market value of \$292 million. Council's investment register detailing all its investments is provided as an attachment to this report. In summary, Council's portfolio consisted of investments in:



The ratio of market value compared to face value of various debt securities is shown in the table below.

Asset Class	Oct-19	Jun-19
Senior Debts (FRN's ,TCD's & FRB)*	100.70%	100.76%
MBS (Reverse Mortgage Backed Securities)	59.48%	59.48%
T-Corp Unit Trusts	104.12%	103.65%

#### **\*Definition of terms**

- *Transferrable Certificate of Deposit (TCD)* - security issued with the same characteristics as a Term Deposit however it can be sold back (transferred) in to the market prior to maturity. A floating TCD pays a coupon linked to a variable benchmark (90 days BBSW).
- *Fixed Rate Bond (FRB)* – returns Fixed Coupon (interest) Rate and is tradeable before maturity.

Council is fully compliant with the requirements of the Ministerial Investment Order including the grandfathering provisions. The grandfathering provisions state that Council may continue to hold to maturity, redeem or sell investments that comply with previous Ministerial Investment Orders. Any new investments must comply with the most recent Order. Council continues to closely monitor the investments in its portfolio to ensure continued compliance and minimal exposure to risk.

NSW TCorp has recommended that Council progressively reduce its exposure to lower rated financial institutions to below 25% by 2021. Downgrading of AMP Bank's credit rating on 27 August 2019 from "A" to "BBB" has increased Council exposure to 26.2% this month compared to 24.9% at 31 July 2019. Council staff will monitor and work with investment advisors to meet this requirement.

### **Portfolio Maturity Profile**

The table below shows the percentage of funds invested at different durations to maturity.

<b>Term to Maturity</b>	<b>Total</b>	<b>% Holdings</b>	<b>Term to Maturity Policy Limit Minimum</b>	<b>Term to Maturity Policy Limit Maximum</b>	<b>Complies to Investment Policy' "Yes/No"</b>
Current Account	9,793,236	3.35%			
Term Deposits < 1 Yr	80,000,000	27.40%			
T-Corp Unit Trust	21,864,503	7.49%			
Tradeable securities	153,764,444	52.66%			
<b>Portfolio % &lt; 1 Yr - ( Short term liquidity)</b>	<b>\$265,422,183</b>	<b>90.90%</b>	<b>40%</b>	<b>100%</b>	<b>Yes</b>
Term Deposit > 1 Yr < 3Yrs	25,000,000	8.56%	0%	60%	Yes
Grand Fathered Securities	1,576,626	0.54%	N/A	N/A	Yes
<b>Portfolio % Medium term liquidity)</b>	<b>\$26,576,626</b>	<b>9.10%</b>			<b>Yes</b>
<b>Total Portfolio</b>	<b>\$291,998,809</b>	<b>100.00%</b>			

**Market Value by Issuer and Institution Policy limit as per Investment Policy**

Issuer	Security Rating	Market Value	% Total Value	Maximum Institutional Policy Limit % holdings	Complies to Investment Policy' "Yes/No"
AMP Bank Ltd	BBB	13,672,926	4.68%	25%	Yes
ANZ Banking Group Ltd	AA-	15,111,370	5.18%	25%	Yes
Auswide Bank Ltd	BBB	12,006,720	4.11%	15%	Yes
Bank Australia Ltd	BBB	1,507,860	0.52%	15%	Yes
Bank of China/Sydney	A	2,009,540	0.69%	25%	Yes
Bank of Communications Co. Ltd/Sydney	A-	2,999,700	1.03%	25%	Yes
Bank of Nova Scotia	A+	5,540,115	1.90%	25%	Yes
Bank of Queensland Ltd	BBB+	12,520,665	4.29%	15%	Yes
Bendigo & Adelaide Bank Ltd	BBB+	503,090	0.17%	15%	Yes
Commonwealth Bank of Australia Ltd	AA-	32,425,605	11.10%	35%	Yes
Credit Union Australia Ltd	BBB	4,516,655	1.55%	15%	Yes
Emerald Reverse Mortgage Trust ( Class A)	AA	851,626	0.29%	35%	Yes
Emerald Reverse Mortgage Trust ( Class C)	Fitch A	725,000	0.25%	2%	Yes
G&C Mutual Bank Limited	BBB	1,000,000	0.34%	15%	Yes
Heritage Bank Ltd	BBB+	3,523,065	1.21%	15%	Yes
HSBC Sydney Branch	A+	8,006,280	2.74%	25%	Yes
Macquarie Bank	A	15,990,960	5.48%	25%	Yes
Members Banking Group Ltd t/a RACQ Bank	BBB+	2,503,550	0.86%	15%	Yes
Members Equity Bank Ltd	BBB	5,609,200	1.92%	15%	Yes
National Australia Bank Ltd	AA-	43,210,290	14.80%	35%	Yes
Newcastle Permanent Building Society Ltd	BBB	7,560,580	2.59%	15%	Yes
NSW Treasury Corporation	AA	21,864,503	7.49%	35%	Yes
P&N Bank Ltd	BBB	5,000,000	1.71%	15%	Yes
Police Credit Union	Not Rated	2,000,000	0.68%	2%	Yes
Qbank	BBB	2,524,645	0.86%	15%	Yes
Rabobank Australia Ltd	A+	2,000,000	0.68%	25%	Yes
Rabobank Nederland Australia Branch	A+	2,023,960	0.69%	25%	Yes
Suncorp Bank	A+	13,007,230	4.45%	25%	Yes
Teachers Mutual Bank Ltd	BBB	2,120,874	0.73%	15%	Yes
Westpac Banking Corporation Ltd	AA-	49,662,800	17.01%	35%	Yes
<b>Portfolio Total</b>		<b>\$291,998,809</b>	<b>100.00%</b>		

**Overall Portfolio Credit Framework compliance to Investment Policy**

Credit Rating	Market Value	% Portfolio	Maximum Policy Limit	Complies to Investment Policy' "Yes/No"
AA Category - T Corp	21,864,503	7.49%	100%	Yes
AA Category	141,261,691	48.38%	100%	Yes
A Category or Below	52,302,785	17.91%	60%	Yes
BBB Category	74,569,830	25.54%	40% - 45%	Yes
Unrated	2,000,000	0.68%	5% - 10%	Yes
<b>Total Portfolio</b>	<b>\$291,998,809</b>	<b>100.00%</b>		

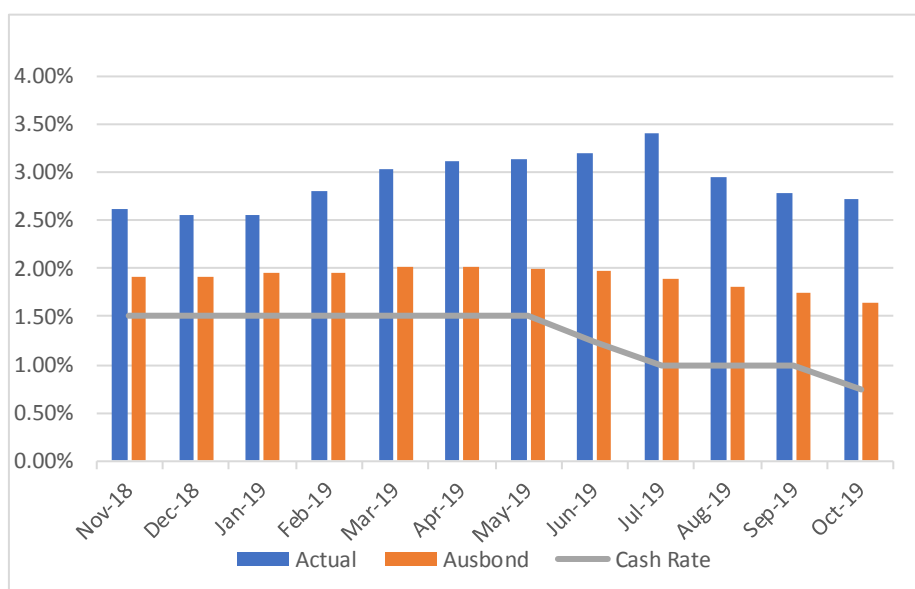


**Portfolio performance against relevant market benchmark.**

Council's Investment Policy prescribes the AusBond Bank Bill Index (ABBI) as a benchmark to measure return on cash and fixed interest securities. The ABBI represents the average daily yield of a parcel of bank bills. Historically there has been a positive correlation between changes in the cash rate and the resulting impact on the ABBI benchmark.

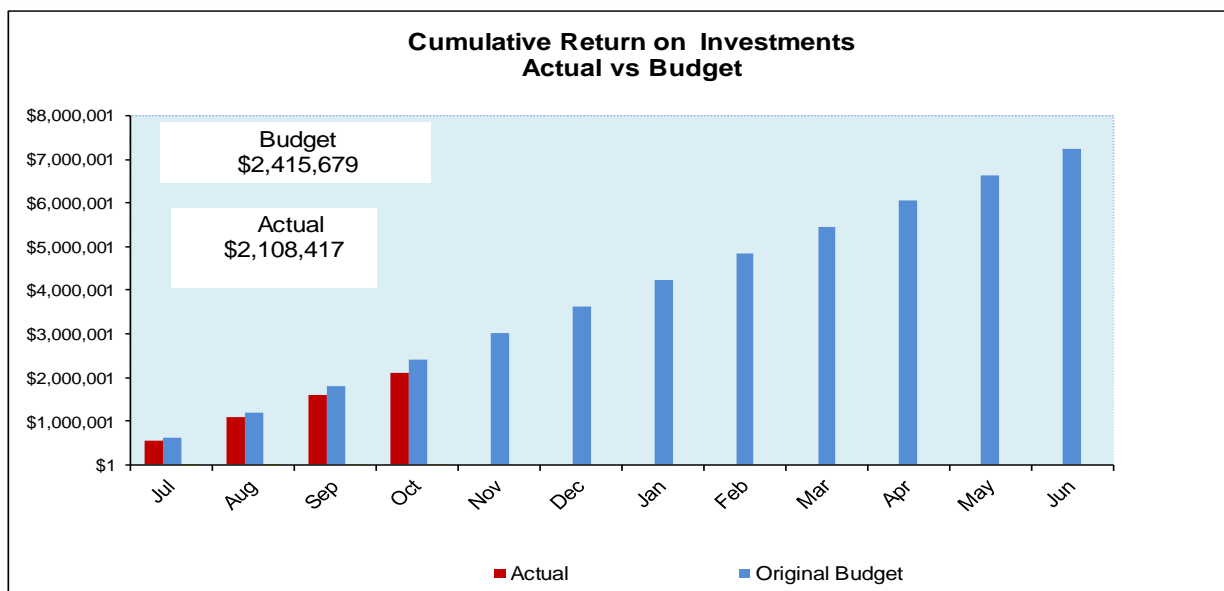
The portfolio yield to 31 October 2019 exceeded the AusBond Bank Bill index by 107 basis points (2.72% against 1.65 %).

Council portfolio continues to performance at above benchmark rates despite ongoing margin contraction and significantly lower market term deposit yields. Comparative yields for the previous months are charted below:



### Performance of Portfolio Returns against Budget

Council's investment income for October 2019 is lower than the budget by \$307k and will be closely monitored.



### Investment Portfolio at a Glance

Portfolio Performance	✓	The portfolio yield to 31 October 2019 exceeded the AusBond Bank Bill index by 107 basis points (2.72% against 1.65%).
Annual Income vs. Budget	✓	Council's investment interest income is lower than the budget by \$307k as at 31 October 2019 and will be closely monitored.

### Investment Policy Compliance

Legislative Requirements	✓	Fully Compliant
Portfolio Credit Rating Limit	✓	Fully Compliant
Institutional Exposure Limits	✓	Fully Compliant
Overall Portfolio Credit Limits	✓	Fully Compliant
Term to Maturity Limits	✓	Fully Compliant

## **Economic Outlook – Reserve Bank of Australia**

The current 0.75 per cent cash rate is at a historically low level and impacts returns on investment.

## **Certificate of Responsible Accounting Officer**

The Chief Financial Officer, as Responsible Accounting Officer, certifies that the investments listed in the attached report have been made in accordance with section 625 of the *Local Government Act 1993*, clause 212 of the *Local Government (General) Regulation 2005* and Council's Investment Policy at the time of their placement. The previous investments are covered by the grandfathering clauses of the current investment guidelines issued by the Minister for Local Government.

## **Independent verification by Head of Audit, Risk and Improvement (HARI)**

Council has requested an on-going independent review of its investment portfolio by the Audit Risk and Improvement Committee (ARIC) or its representative under delegated authority. The ARIC has agreed for its Chairperson to provide a certificate on a quarterly basis – the confirmation on investment to August 2019 is provided as an attachment to this report.

## **CONSIDERATIONS**

<b>Economic</b>	Council's investment interest income is lower than the budget by \$307k as at 31 October 2019 and will be closely monitored.
<b>Environment</b>	There are no environmental and sustainability considerations.
<b>Social</b>	There are no social and cultural considerations.
<b>Civic Leadership</b>	There are no civic leadership and governance considerations.
<b>Legislative</b>	Council is fully compliant with the requirements of the <i>Local Government Act 1993</i> – Investment Order (authorized investments) and with reporting requirements under clause 212 of the <i>Local Government (General) Regulation 2005</i> .

## **ATTACHMENTS**

1. Investment Portfolio - October 2019
2. ARIC Certification of Investment Portfolio



**Portfolio Valuation As At 31 October 2019**

Fixed Interest Security	Security Rating	Face Value Current	Market Value	% Total Value	Running Yield
AMP Notice Account	S&P ST A2	273,910.94	273,910.94	0.09%	1.55%
AMP Business Saver	S&P ST A2	321,264.71	321,264.71	0.11%	1.05%
CBA Business Saver	S&P ST A1+	7,673,407.21	7,673,407.21	2.63%	1.00%
CBA General Account	S&P ST A1+	1,524,652.61	1,524,652.61	0.52%	0.75%
		9,793,235.47	9,793,235.47	3.35%	
<b>Fixed Rate Bond</b>					
AMP 2.99 07 Dec 2020 Fixed	S&P BBB+	5,000,000.00	5,089,100.00	1.74%	2.99%
		5,000,000.00	5,089,100.00	1.74%	
<b>Floating Rate Deposit</b>					
Westpac 1.05 18 Aug 2022 1826DAY FRD	S&P AA-	6,000,000.00	6,000,000.00	2.05%	2.02%
		6,000,000.00	6,000,000.00	2.05%	
<b>Floating Rate Note</b>					
AMP 1.08 10 Sep 2021 FRN	S&P BBB+	5,000,000.00	4,988,650.00	1.71%	2.09%
ANZ 0.9 09 May 2023 FRN	S&P AA-	3,000,000.00	3,022,680.00	1.04%	1.87%
ANZ 1.03 06 Dec 2023 FRN	S&P AA-	7,000,000.00	7,086,240.00	2.43%	2.03%
ANZ 0.77 29 Aug 2024 FRN	S&P AA-	5,000,000.00	5,002,450.00	1.71%	1.74%
Auswide 1.15 13 Jul 2020 FRN	Moodys Baa2	2,000,000.00	2,003,560.00	0.69%	2.01%
Auswide 1.1 06 Nov 2020 FRN	Moodys Baa2	2,000,000.00	2,003,160.00	0.69%	2.09%
BAL 1.3 30 Aug 2021 FRN	S&P BBB	1,500,000.00	1,507,860.00	0.52%	2.27%
BOC 1.03 17 Apr 2021 FRN	S&P A	2,000,000.00	2,009,540.00	0.69%	1.89%
BNS 0.92 08 Sep 2022 FRN	S&P A+	3,000,000.00	3,020,340.00	1.03%	1.93%
BONA 0.98 07 Sep 2023 FRN	S&P A+	2,500,000.00	2,519,775.00	0.86%	1.99%
BOQ 1.17 26 Oct 2020 FRN	Fitch A-	1,500,000.00	1,508,715.00	0.52%	2.06%
BOQ 1.48 18 May 2021 FRN	Fitch A-	1,000,000.00	1,011,950.00	0.35%	2.45%
BENAU 1.05 25 Jan 2023 FRN	Moodys A3	500,000.00	503,090.00	0.17%	1.93%
CBA 0.8 25 Apr 2023 FRN	S&P AA-	3,000,000.00	3,011,850.00	1.03%	1.68%
CBA 0.93 16 Aug 2023 FRN	S&P AA-	7,500,000.00	7,563,600.00	2.59%	1.90%
CBA 1.13 11 Jan 2024 FRN	S&P AA-	9,500,000.00	9,652,095.00	3.31%	1.97%
CUA 1.25 06 Sep 2021 FRN	S&P BBB	2,000,000.00	2,016,880.00	0.69%	2.25%
CUA 1.12 24 Oct 2024 FRN	Moodys Baa1	2,500,000.00	2,499,775.00	0.86%	2.00%
HBS 1.23 29 Mar 2021 FRN	Moodys Baa1	3,500,000.00	3,523,065.00	1.21%	2.18%
HSBCSyd 0.8 07 Dec 2022 FRN	S&P AA-	3,000,000.00	3,008,430.00	1.03%	1.81%
HSBCSyd 0.83 27 Sep 2024 FRN	S&P AA-	5,000,000.00	4,997,850.00	1.71%	1.78%
MACQ 0.75 21 Jun 2022 FRN	S&P A	2,000,000.00	2,003,600.00	0.69%	1.67%
MACQ 0.8 07 Aug 2024 FRN	S&P A	4,000,000.00	3,987,360.00	1.37%	1.80%
RACB 1.1 11 May 2020 FRN	Moodys Baa1	1,000,000.00	1,001,600.00	0.34%	2.07%
RACB 1.05 23 May 2022 FRN	Moodys Baa1	1,500,000.00	1,501,950.00	0.51%	2.04%
ME Bank 1.27 16 Apr 2021 FRN	S&P BBB	1,600,000.00	1,609,200.00	0.55%	2.12%
NAB 0.9 16 May 2023 FRN	S&P AA-	2,000,000.00	2,015,220.00	0.69%	1.87%
NAB 0.93 26 Sep 2023 FRN	S&P AA-	12,000,000.00	12,100,080.00	4.14%	1.88%
NAB 1.04 26 Feb 2024 FRN	S&P AA-	5,000,000.00	5,064,550.00	1.73%	2.00%
NAB 0.92 19 Jun 2024 FRN	S&P AA-	4,000,000.00	4,030,440.00	1.38%	1.89%
NPBS 1.35 07 Apr 2020 FRN	S&P BBB	4,000,000.00	4,013,800.00	1.37%	2.19%
NPBS 1.65 24 Jan 2022 FRN	S&P BBB	2,000,000.00	2,032,560.00	0.70%	2.53%
NPBS 1.4 06 Feb 2023 FRN	S&P BBB	1,500,000.00	1,514,220.00	0.52%	2.39%
Qld Police 1.5 14 Dec 2021 FRN	S&P BBB-	1,000,000.00	1,010,530.00	0.35%	2.54%

Fixed Interest Security	Security Rating	Face Value Current	Market Value	% Total Value	Running Yield
Qld Police 1.4 25 Mar 2022 FRN	S&P BBB-	1,500,000.00	1,514,115.00	0.52%	2.34%
RABOBK 1.08 03 Mar 2022 FRN	S&P A+	2,000,000.00	2,023,960.00	0.69%	2.04%
SunBank 1.38 12 Apr 2021 FRN	S&P A+	2,000,000.00	2,024,420.00	0.69%	2.24%
SunBank 0.97 16 Aug 2022 FRN	S&P A+	1,000,000.00	1,007,960.00	0.35%	1.94%
SunBank 0.78 30 Jul 2024 FRN	S&P A+	5,000,000.00	4,974,850.00	1.70%	1.69%
TMB 1.37 02 Jul 2021 FRN	S&P BBB	2,100,000.00	2,120,874.00	0.73%	2.23%
Westpac 0.83 06 Mar 2023 FRN	S&P AA-	5,000,000.00	5,026,450.00	1.72%	1.83%
Westpac 0.95 16 Nov 2023 FRN	S&P AA-	6,000,000.00	6,054,060.00	2.07%	1.92%
Westpac 1.14 24 Apr 2024 FRN	S&P AA-	4,000,000.00	4,068,440.00	1.39%	2.02%
Westpac 0.88 16 Aug 2024 FRN	S&P AA-	2,500,000.00	2,513,850.00	0.86%	1.85%
		144,700,000.00	145,675,644.00	49.89%	
<b>Floating TCD</b>					
BCOM 0.89 28 Oct 2022 FloatTCD	S&P A-	3,000,000.00	2,999,700.00	1.03%	1.78%
		3,000,000.00	2,999,700.00	1.03%	
<b>Mortgage Backed Security</b>					
ERM 0.45 21 Aug 2051 2006-1 A MBS	S&P AAA	1,150,845.57	851,625.72	0.29%	1.43%
ERM 1.2 21 Aug 2056 2006-1 C MBS	S&P A	1,000,000.00	455,000.00	0.16%	2.18%
ERM 0.95 21 Jul 2057 2007-1 C MBS	Fitch A	500,000.00	270,000.00	0.09%	1.85%
		2,650,845.57	1,576,625.72	0.54%	
<b>Term Deposit</b>					
AMP 1.75 26 Apr 2020 180DAY TD	S&P ST A2	3,000,000.00	3,000,000.00	1.03%	1.75%
Auswide 1.95 24 Feb 2020 187DAY TD	Moodys ST P-2	5,000,000.00	5,000,000.00	1.71%	1.95%
Auswide 1.8 06 Sep 2021 732DAY TD	Moodys Baa2	3,000,000.00	3,000,000.00	1.03%	1.80%
BOQ 4 25 Nov 2019 1826DAY TD	Moodys ST P-2	3,000,000.00	3,000,000.00	1.03%	4.00%
BOQ 3.05 19 Aug 2020 1461DAY TD	Moodys ST P-2	1,000,000.00	1,000,000.00	0.34%	3.05%
BOQ 3 07 Sep 2020 1462DAY TD	Moodys ST P-2	1,000,000.00	1,000,000.00	0.34%	3.00%
BOQ 3 07 Sep 2020 1463DAY TD	Moodys ST P-2	1,000,000.00	1,000,000.00	0.34%	3.00%
BOQ 3.6 08 Feb 2021 1462DAY TD	Moodys A3	2,000,000.00	2,000,000.00	0.68%	3.60%
BOQ 3.75 07 Feb 2022 1826DAY TD	Moodys A3	2,000,000.00	2,000,000.00	0.68%	3.75%
CBA 1.42 04 Nov 2019 33DAY TD	S&P ST A1+	3,000,000.00	3,000,000.00	1.03%	1.42%
G&C MB 3.6 30 Mar 2020 1827DAY TD	S&P ST A3	1,000,000.00	1,000,000.00	0.34%	3.60%
MACQ 1.8 02 Mar 2020 182DAY TD	S&P ST A1	5,000,000.00	5,000,000.00	1.71%	1.80%
MACQ 1.8 03 Mar 2020 195DAY TD	S&P ST A1	5,000,000.00	5,000,000.00	1.71%	1.80%
ME Bank 1.76 17 Feb 2020 182DAY TD	S&P ST A2	4,000,000.00	4,000,000.00	1.37%	1.76%
NAB 1.7 26 Nov 2019 91DAY TD	S&P ST A1+	5,000,000.00	5,000,000.00	1.71%	1.70%
NAB 1.7 02 Dec 2019 90DAY TD	S&P ST A1+	5,000,000.00	5,000,000.00	1.71%	1.70%
NAB 1.8 18 Feb 2020 188DAY TD	S&P ST A1+	2,000,000.00	2,000,000.00	0.68%	1.80%
NAB 1.58 01 Jul 2020 273DAY TD	S&P ST A1+	5,000,000.00	5,000,000.00	1.71%	1.58%
NAB 1.6 30 Sep 2020 365DAY TD	S&P ST A1+	3,000,000.00	3,000,000.00	1.03%	1.60%
P&NB 3.7 12 Feb 2020 1827DAY TD	S&P ST A2	3,000,000.00	3,000,000.00	1.03%	3.70%
P&NB 3 14 Aug 2020 1460DAY TD	S&P ST A2	2,000,000.00	2,000,000.00	0.68%	3.00%
PCUSA 3.2 16 Aug 2021 1463DAY TD	Unrated UR	2,000,000.00	2,000,000.00	0.68%	3.20%
RABO 3.38 29 Aug 2022 1826DAY TD	Moodys Aa3	2,000,000.00	2,000,000.00	0.68%	3.38%
SunBank 1.6 02 Apr 2020 183DAY TD	S&P ST A1	5,000,000.00	5,000,000.00	1.71%	1.60%
Westpac 1.59 02 Sep 2020 369DAY TD	S&P ST A1+	5,000,000.00	5,000,000.00	1.71%	1.59%
Westpac 1.62 08 Sep 2020 369DAY TD	S&P ST A1+	5,000,000.00	5,000,000.00	1.71%	1.62%
Westpac 3.05 28 Sep 2020 1095DAY TD	S&P ST A1+	4,000,000.00	4,000,000.00	1.37%	3.05%
Westpac 3.05 28 Sep 2020 1096DAY TD	S&P ST A1+	4,000,000.00	4,000,000.00	1.37%	3.05%
Westpac 2.88 14 Dec 2020 1096DAY TD	S&P AA-	3,000,000.00	3,000,000.00	1.03%	2.88%
Westpac 3 21 Dec 2020 1097DAY TD	S&P AA-	3,000,000.00	3,000,000.00	1.03%	3.00%
Westpac 3.32 31 Aug 2022 1826DAY TD	S&P AA-	2,000,000.00	2,000,000.00	0.68%	3.32%
		99,000,000.00	99,000,000.00	33.90%	
F1 Total		270,144,081.04	270,134,305.19	92.51%	

Fixed Interest Security	Security Rating	Face Value Current	Market Value	% Total Value	Running Yield
Security Type		Face Value Current	Market Value		
<b>Unit Trust</b>					
NSWTC IM Cash Fund UT		20,000,000.00	20,780,733.09	7.12%	
NSWTC IM Short Term Income Fund UT		1,000,000.00	1,083,770.40	0.37%	
Security Type Total		21,000,000.00	21,864,503.49	7.49%	
F1 Total		270,144,081.04	270,134,305.19	92.51%	
<b>Portfolio Total</b>		<b>291,144,081.04</b>	<b>291,998,808.68</b>	<b>100.00%</b>	



## CERTIFICATE OF INVESTMENT CONFIRMATION

Investment Month	June 2019- August 2019
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This is to certify that the face value of all investments purchased between the period 1 June 2019 to 31 August 2019 which is included in the "Portfolio Valuation report 31 August 2019" which was tabled to the Liverpool City Council, Ordinary Council meeting on the 25 September 2019 have been validated against external third party documents by the Head of Audit, Risk and Improvement to confirm their existence.

All Floating Rate Note sales from the period 1 June to 31 August have been agreed to bank certificates and corresponding deposits in Liverpool City Council's General Fund bank account statement.

The Head of Audit, Risk and Improvement has therefore recommended that I, Chair of the Audit, Risk and Improvement Committee, issue the Certificate of Investment Confirmation for the month end August 2019.

**Chair Audit, Risk and Improvement Committee**

A handwritten signature in black ink, appearing to read "Andrew McLeod".

Andrew McLeod  
Date: 18/10/2019

**CORP 04**

**Budget Review - September 2019**

<b>Strategic Direction</b>	Generating Opportunity Meet the challenges of Liverpool's growing population
<b>File Ref</b>	277183.2019
<b>Report By</b>	Earl Paradeza - Senior Management Accountant
<b>Approved By</b>	Vishwa Nadan - Chief Financial Officer

**EXECUTIVE SUMMARY**

In June 2019 Council adopted its 2019/20 operating budget with projected revenue of \$305.8m and expenditure of \$205.0m. In terms of the net operating result before grants and contributions provided for capital purposes, the Council budgeted for an operating deficit of \$2.178m. The proposed budget changes will reduce the budgeted operating deficit before grants and contributions for capital purposes to \$0.506m (*Ref attachment 1 – Note D*).

The first quarter budget review for 2019/20 has resulted in \$1.982m overall increase in Council's capital expenditure program (*Ref attachment 1 – Note E*).

**RECOMMENDATION**

That Council approves the identified budget variations in accordance with this report.

**REPORT**

**Legislative Requirements**

Clause 203(1) of the Local Government (General) Regulation 2005 requires the Responsible Accounting Officer to provide a quarterly budget review not later than two months after each quarter's end. This report provides an overview of the results on the financial review for the quarter ended 30 September 2019.



## **Commentary**

### **Operating Budget**

In June 2019 Council adopted its 2019/20 operating budget with projected revenue of \$305.8m and expenditure of \$205.0m. In terms of the net operating result before grants and contributions provided for capital purposes, the Council budgeted for an operating deficit of \$2.178m.

A comprehensive budget review conducted at 30 September 2019 has resulted in further budget adjustments, as detailed in **Attachment 2**. As part of the Budget Review, managers have conducted a review of their programs with a view to providing a revised forecast for the financial year ended 30 June 2020. Managers take into consideration events that have occurred to date and/or information that has become available since the adoption of the original budget and the impact of which provides the basis for the budget adjustments.

The review has resulted in \$2.262m (*Ref attachment 1 – Note A*) increase in total revenue mainly attributable to \$2.2m unbudgeted ex-gratia payment from Moorebank Intermodal Company. Total expenditure is also projected to increase by net \$0.815m (*Ref attachment 1 – Note B*), mainly comprising:

- \$276k borrowing costs for Bernera Road project not capitalised this financial year
- \$200k funding for Manager Liverpool Innovation Precinct (partially offset by contributions from Liverpool Innovation Precinct partners)
- \$193k new bush regeneration team

The proposed budget changes will reduce the budgeted operating deficit before grants and contributions for capital purposes to \$0.506m (*Ref attachment 1 – Note D*).

### **Capital Budget**

In June 2019, Council approved its \$156.3m capital works program for 2019/20. Council subsequently approved carry over of projects valued \$16.2m that were planned but not completed in 2018/19.

The first quarter review for 2019/20 has resulted in \$1.982m overall increase in Council's capital expenditure program mainly comprising:

- + \$809k High priority CBD open space project deferred in 2018/19 program year due to crown land approval process. Works to now proceed under MoU agreement.
- + \$600k Fit-out costs relating to level 6, 35 Scott St (partially offset by lease incentives received from property owner).
- + \$200k Consultancy costs for Carnes Hill Recreation Precinct Stage2 Master Plan.

At 30 September 2019, Council has a capital expenditure program of \$175.4m as detailed in **Attachment 3**.

The YTD capital expenditure to 30 September 2019 was \$11.8m which include \$3.1m land acquisition for Sixteenth Avenue trunk drainage.

The Table 1 below provides summary of the budget results:

	2020 Original Budget \$	2020 Resolution \$	2020 Q1 Request \$		2020 Proposed Budget \$	
Operating income	305,758,493	0	2,262,434	A	308,020,927	
Operating expenditure	(204,997,748)	0	(815,470)	B	(205,813,218)	
Net Operating Result	100,760,745	0	1,446,964		102,207,709	
Less: Grants & Contributions for Capital Purposes	(102,938,486)	0	224,884		(102,713,602)	
<b>Net Operating Result Before Grants &amp; Contributions for capital purposes</b>	<b><u>(2,177,741)</u></b>	<b><u>0</u></b>	<b><u>1,671,848</u></b>	<b>C</b>	<b><u>(505,893)</u></b>	<b>D</b>
Add: Depreciation	40,672,239	0	0		40,672,239	
Add: Non-cash Borrowing Costs	115,081	0	0		115,081	
Add: Net Accrual of revenue & expenses	(681,000)	0	0		(681,000)	
Add : Asset Write-off / Revaluation decrement	3,750,000	0	0		3,750,000	
Add: Grants & Contributions for Capital Purpose	102,938,486	0	(224,884)		102,713,602	
Net Changes in Reserves	(25,052,238)	8,585,809	901,955		(15,564,474)	
<b>Funds Available for Capital Expenditure</b>	<b><u>119,564,827</u></b>	<b><u>8,585,809</u></b>	<b><u>2,348,919</u></b>		<b><u>130,499,555</u></b>	
Capital Expenditure Program	(156,287,859)	(17,171,282)	(1,981,787)	E	(175,440,928)	
Principal Loan Repayment	(6,657,028)	0	(878,758)		(7,535,786)	
Borrowings	0	0	0		0	
Book Value of Assets Sold	8,478,500	0	0		8,478,500	
<b>Total Capital Expenditure</b>	<b><u>(154,466,387)</u></b>	<b><u>(17,171,282)</u></b>	<b><u>(2,860,545)</u></b>		<b><u>(174,498,214)</u></b>	
<b>Net Changes in General Fund</b>	<b><u>(34,901,560)</u></b>	<b><u>(8,585,473)</u></b>	<b><u>(511,626)</u></b>		<b><u>(43,998,659)</u></b>	

Details of the proposed budget changes are provided in the attachments.

**Attachments 1 - Quarter 1 Budget Review Summary (QBRs):** This report presents a summary of Council's budgeted financial position at end of the quarter. The key indicators include:

1. The revised budgeted income and expenditure for the year against the original estimate of annual income and expenditure as shown in Council's Operational Plan
2. Changes following Quarter 1 budget review
3. The proposed budget for 2019/20 financial year

**Attachments 2 –** This report provides details of operating budget adjustments

**Attachments 3 –** This report provides details of capital budget adjustments

**Attachment 4 & 5 – Grants Status Report:** Has two components, first listing all annual grant submissions and second, listing all grants that have been applied for during the quarter detailing the project title, amount sought, funding body and status of the application. Council officers are continually seeking alternate sources of funding as opportunities arise.

**Attachment 6 - Cash and Investments Statement:** Providing a reconciliation of restricted and unrestricted funds to the level of Cash and Investments held as at 30 September 2019

**Attachment 8 - Consultancy and Legal Expenses**

**Attachment 9 - Contracts and Other Expenses**

**Attachment 10 - City Development Fund and Environment Levy**

This Report recommends that Council receives and notes the report and votes the budget variations in accordance with this report.

## **CONSIDERATIONS**

<b>Economic</b>	The revised budget net operating result before Grants and Contributions following Quarter 1 Budget Review and Council resolutions to 30 September 2019 will be a deficit of \$0.506m.
<b>Environment</b>	There are no environmental and sustainability considerations.
<b>Social</b>	There are no social and cultural considerations.
<b>Civic Leadership</b>	Deliver services that are customer focused. Operate a well developed governance system that demonstrates accountability, transparency and ethical conduct.

<b>Legislative</b>	Clause 203(1) of the Local Government (General) Regulation 2005
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**ATTACHMENTS**

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1. QBRS - Consolidated Financial Results
2. Operating Budget Adjustments
3. Capital Budget Adjustments
4. Grant Status Report - Applications
5. Grant Status Report - Received
6. Cash & Investment Report
7. Key Performance Indicators
8. Consultancy & Legal Expenses Budget Review Statement
9. Contracts & Other Expenses Statements
10. City Development Fund & Environment Levy Reserves

**Liverpool City Council**  
**Summary Financial Results - Consolidated**  
**For the period 1 July 2019 to 30 September 2019**

Attachment 1

	2019 Annual Actual	2020 Original Budget	2020 Resolutions	2020 Revised Budget	2020 Quarter 1 Request	2020 Proposed Budget
<b>Net Operating Results Before Grants &amp; Contributions for Capital Purposes</b>	<b>1,808,635</b>	<b>(2,177,741)</b>	<b>0</b>	<b>(2,177,741)</b>	<b>1,671,848</b>	<b>(505,893)</b>
<b>Revenue</b>						
Rates & Annual Charges	131,134,335	136,452,962	0	136,452,962	0	136,452,962
User Charges & Fees	18,880,040	19,921,315	0	19,921,315	0	19,921,315
Interest & Investment Revenue	8,978,051	7,748,038	0	7,748,038	0	7,748,038
Grants & Contributions - Operating	19,802,791	16,885,426	0	16,885,426	280,122	17,165,548
Grants & Contributions - Capital (Others) *	53,584,615	38,227,411	0	38,227,411	(224,884)	38,002,527
Grants & Contributions - Capital (s94) *	41,078,768	64,711,075	0	64,711,075	0	64,711,075
Other Revenues	21,726,149	12,459,266	0	12,459,266	2,207,196	14,666,462
Net Gain from the Disposal of Assets	0	8,753,000	0	8,753,000	0	8,753,000
Share of interests in Joint Ventures	708,444	600,000	0	600,000	0	600,000
<b>Total Revenue</b>	<b>295,893,192</b>	<b>305,758,493</b>	<b>0</b>	<b>305,758,493</b>	<b>2,262,434</b> <b>A</b>	<b>308,020,927</b>
<b>Expenses</b>						
Employee Costs	73,180,552	78,519,724	0	78,519,724	(0)	78,519,724
Borrowing Costs	1,624,477	1,424,494	0	1,424,494	275,848	1,700,342
Materials & Contracts - Tipping & Waste Services	27,804,902	31,219,967	0	31,219,967	0	31,219,967
Materials & Contracts - Other	25,539,014	26,203,925	0	26,203,925	405,731	26,609,656
Legal Costs	603,673	921,919	0	921,919	0	921,919
Consultants	1,816,284	3,039,938	0	3,039,938	126,640	3,166,578
Depreciation	39,244,848	40,672,239	0	40,672,239	0	40,672,239
Other Expenses	17,080,894	19,245,542	0	19,245,542	7,251	19,252,793
Net Loss from the Disposal of Assets	10,478,906	0	0	0	0	0
Revaluation decrement / impairment of IPP&E	2,047,625	3,750,000	0	3,750,000	0	3,750,000
Internal Charges	0	0	0	0	0	0
<b>Total Expenses</b>	<b>199,421,175</b>	<b>204,997,748</b>	<b>0</b>	<b>204,997,748</b>	<b>815,470</b> <b>B</b>	<b>205,813,218</b>
<b>Net Operating Result</b>	<b>96,472,018</b>	<b>100,760,745</b>	<b>0</b>	<b>100,760,745</b>	<b>1,446,964</b>	<b>102,207,709</b>
<b>Less: Grants &amp; Contributions for Capital Purposes *</b>	<b>94,663,383</b>	<b>102,938,486</b>	<b>0</b>	<b>102,938,486</b>	<b>(224,884)</b>	<b>102,713,602</b>
<b>Net Operating Results Before Grants &amp; Contributions for Capital Purposes</b>	<b>1,808,635</b>	<b>(2,177,741)</b>	<b>0</b>	<b>(2,177,741)</b>	<b>1,671,848</b> <b>C</b>	<b>(505,893)</b> <b>D</b>

**Liverpool City Council**  
**Summary Financial Results - Consolidated**  
**For the period 1 July 2019 to 30 September 2019**

Attachment 1

	2019 Annual Actual	2020 Original Budget	2020 Resolutions	2020 Revised Budget	2020 Quarter 1 Request	2020 Proposed Budget
Add back: Depreciation	39,244,848	40,672,239	0	40,672,239	0	40,672,239
Add back: Non-cash Borrowing Costs	214,693	115,081	0	115,081	0	115,081
Add back: Net Accrual of revenue & expenses	6,138,940	(681,000)	0	(681,000)	0	(681,000)
Add back: Asset Write-off / Revaluation decrement	2,209,594	3,750,000	0	3,750,000	0	3,750,000
Add back: Grants & Contributions for Capital Purpose	94,663,383	102,938,486	0	102,938,486	(224,884)	102,713,602
Net changes in Reserves	(17,677,444)	(25,052,238)	8,585,809	(16,466,429)	901,955	(15,564,474)
<b>Funds Available for Capital Expenditure</b>	<b>126,602,648</b>	<b>119,564,827</b>	<b>8,585,809</b>	<b>128,150,636</b>	<b>2,348,919</b>	<b>130,499,555</b>
<b>Capital Expenditure</b>						
City Infrastructure & Environment	75,903,107	86,242,670	6,631,070	92,873,740	909,763	93,783,503
City Economy & Growth	11,913,593	45,279,189	1,975,556	47,254,745	150,000	47,404,745
City Community & Culture	1,357,460	1,719,500	235,656	1,955,156	185,824	2,140,980
City Corporate	50,755,005	15,420,000	8,270,700	23,690,700	736,200	24,426,900
City Presentation	2,498,913	7,051,500	0	7,051,500	0	7,051,500
Strategy & Engagement	64,156	575,000	58,300	633,300	0	633,300
Office of the CEO	1,227	0	0	0	0	0
<b>Capital Works Program</b>	<b>142,493,460</b>	<b>156,287,859</b>	<b>17,171,282</b>	<b>173,459,141</b>	<b>1,981,787</b>	<b>175,440,928</b>
Principal Loan Repayment	6,507,903	6,657,028	0	6,657,028	878,758	7,535,786
Borrowings	(19,500,000)	0	0	0	0	0
Book Value of Assets Disposed	(621,263)	(8,478,500)	0	(8,478,500)	0	(8,478,500)
<b>Total Capital Expenditure</b>	<b>128,880,100</b>	<b>154,466,387</b>	<b>17,171,282</b>	<b>171,637,669</b>	<b>2,860,545</b>	<b>174,498,214</b>
<b>Net Change in General Fund</b>	<b>(2,277,453)</b>	<b>(34,901,560)</b>	<b>(8,585,473)</b>	<b>(43,487,033)</b>	<b>(511,626)</b>	<b>(43,998,659)</b>



**Liverpool City Council**  
**Operating Budget Adjustments**  
**For the period 1 July 2019 to 30 September 2019**

**Attachment 2**

<b>Summary</b>	<b>Original Budget</b>	<b>Revised Budget</b>	<b>Post Budget Resolutions</b>	<b>New Grants Expense</b>	<b>New Grants Revenue</b>	<b>Transfers</b>	<b>New Requests</b>	<b>Total Request</b>	<b>Proposed Budget</b>
City Community & Culture	(25,678,922)	(25,678,922)	0	16,330	36,670	19,000	(58,000)	14,000	(25,664,922)
City Corporate	92,363,950	92,363,950	0	0	(67,598)	545,604	2,238,702	2,716,708	95,080,658
City Economy & Growth	77,878,402	77,878,402	0	(261,050)	261,050	(320,479)	(411,090)	(731,569)	77,146,833
City Infrastructure & Environment	(6,014,686)	(6,014,686)	0	0	0	0	(165,000)	(165,000)	(6,179,686)
City Presentation	(31,149,897)	(31,149,897)	0	0	0	0	(193,050)	(193,050)	(31,342,947)
Strategy & Engagement	(4,306,921)	(4,306,921)	0	0	0	0	0	0	(4,306,921)
Office of the CEO	(2,331,181)	(2,331,181)	0	0	50,000	(244,125)	0	(194,125)	(2,525,306)
<b>Net Operating Results</b>	<b>100,760,745</b>	<b>100,760,745</b>	<b>0</b>	<b>(244,720)</b>	<b>280,122</b>	<b>0</b>	<b>1,411,562</b>	<b>1,446,964</b>	<b>102,207,709</b>
Less: Grants & Contributions for Capital Purposes	102,938,486	102,938,486	0	0	0	0	(224,884)	(224,884)	102,713,602
<b>Net Operating Results before Grants &amp; Contribution for Capital Purposes</b>	<b>(2,177,741)</b>	<b>(2,177,741)</b>	<b>0</b>	<b>(244,720)</b>	<b>280,122</b>	<b>0</b>	<b>1,636,446</b>	<b>1,671,848</b>	<b>(505,893)</b>

## Operating Budget Adjustments For the period 1 July 2019 to 30 September 2019

## Attachment 2

Directorate	Project	Project Description	Comment	Requests	FUNDING				
					Grants & Contribution	External Reserves	Internal Reserves	General Fund	Total Funding
City Corporate	301001	Accounting Administration	Ex-gratia payment from Moorebank Intermodal Company	2,200,000				2,200,000	2,200,000
	201535	Liverpool Innovation Precinct	Funding from Western Sydney Business Chamber towards employee and other costs	200,000	200,000				200,000
City Economy & Growth	201256	City Activation	Activate Sydney@Night grant program from NSW Dept of Industry	58,500	58,500				58,500
City Economy & Growth	301018	City Library	Contribution from UOW for library usage by the Uni students	53,000	53,000				53,000
City Community & Culture	201467	Western Sydney Planning Partnership	Contribution from Sydney Water	50,000	50,000				50,000
Office of the CEO	201574	Giant Leap Program	Grant funding from US embassy, Canberra	20,170	20,170				20,170
City Community & Culture	301197	Casula Powerhouse - Technical	Creating budget against unpredicted income	8,196				8,196	8,196
City Community & Culture	201562	Bike Week	RMS grant towards Bike Week	2,550	2,550				2,550
City Economy & Growth	200941	Talks & Spoken Word	Revision of expected income	(1,000)				(1,000)	(1,000)
City Community & Culture	201519	Community Hubs	Community Hub grant received in advance last financial year	(36,500)	(36,500)				(36,500)
City Corporate	301064	Financial Reporting and Internal Control	Lower than expected Financial Assistance Grant	(67,598)	(67,598)				(67,598)
City Economy & Growth	101494	RMN7-Main Neighbourhood-Edmondson Park	Construction of the remaining part of the road not yet started	(224,884)		(224,884)			(224,884)
<b>Total Revenue</b>				<b>A</b> 2,262,434	280,122	(224,884)	0	2,207,196	2,262,434
City Corporate	301114	Revenue and Treasury Operations	Borrowing costs for Bernera Road project not capitalised this financial year	275,848				275,848	275,848
City Economy & Growth	201535	Liverpool Innovation Precinct	Funding for Manager Liverpool Innovation Precinct	200,000	200,000				200,000
City Presentation	201273	Bush Regeneration	New bush regeneration team	193,050		193,050			193,050
City Infrastructure & Environment	201571	Preparation of LCC Signs and Line Marking Asset Register	Preparation of a line marking and signs assets register to undertake appropriate maintenance and assist in enforcement matters.	90,000		90,000			90,000
City Corporate	301309	Corporate Services Office	Extension of contracts for Temp Manager Corporate Projects	89,136				89,136	89,136
City Economy & Growth	201235	Christmas Tree Lighting	Lighting up Moore Street to Terminus Street and at Macquarie Mall	70,000				70,000	70,000
City Economy & Growth	201256	City Activation	Placement of a roller skating rink at Macquarie Mall for 3 weeks in December	65,000				65,000	65,000
City Infrastructure & Environment	201572	Road Network Data Verification and PMS Calibration	Consultant's budget for road network data verification	60,000				60,000	60,000
City Economy & Growth	201256	City Activation	Activate Sydney@Night grant program from NSW Dept of Industry	58,500	58,500				58,500
City Economy & Growth	201487	Flags and Banners	Additional budget towards signs and banners	41,206				41,206	41,206
City Corporate	301073	Human Resources	Additional funding required for employment pre-screening checks	25,000				25,000	25,000
City Community & Culture	201519	Community Hubs	Additional costs due to delay in recruiting the Community Hub Program Leader	21,500	(36,500)	58,000			21,500
City Community & Culture	201574	Giant Leap Program	Grant funding from US embassy, Canberra	20,170	20,170				20,170
City Infrastructure & Environment	301092	Noxious Weeds and Waterways	Delivery of Integrated Pest Management Strategy	15,000				15,000	15,000
City Corporate	301006	Applications (IT)	Cloud service for pedestrian data	10,000				10,000	10,000
City Economy & Growth	201401	Urban Screen Residencies	Artists' fees for screen content	10,000		10,000			10,000
City Corporate	301043	Corporate Governance- Admin	E-procure tendering solution	8,200				8,200	8,200
City Community & Culture	301197	Casula Powerhouse - Technical	Expenses related to venue hire activity	8,196				8,196	8,196
City Corporate	201420	Corporate Training - Governance and Legal Services	Probity training for governance and legal	5,300				5,300	5,300
City Corporate	301122	Safety Programme	Lung screening service - Abestos testing	5,000				5,000	5,000
City Economy & Growth	201562	Bike Week	Advertising for Bike Week funded from grant	2,550	2,550				2,550
City Economy & Growth	301051	Developer Contributions Planning and Policy	Consultants undertaking review is funded from general funds	0		(400,000)		400,000	0
Office of the CEO	201467	Western Sydney Planning Partnership	Contribution from Sydney Water	0	50,000	(50,000)			0
City Community & Culture	200941	Talks & Spoken Word	Revision of expected expenditure to offset revision of income	(1,000)				(1,000)	(1,000)
City Corporate	301228	Records and Archive Services	Operational savings to fund capital project (Concierge Desk)	(15,000)				(15,000)	(15,000)
City Corporate	301001	Accounting Administration	Additional employee costs to be absorbed from salary savings	(442,186)				(442,186)	(442,186)
<b>Total Expenses</b>				<b>B</b> 815,470	294,720	(98,950)	0	619,700	815,470
<b>Net Operating Results</b>				1,446,964	(14,598)	(125,934)	0	1,587,496	1,446,964
<b>Less: Grants &amp; Contributions for Capital Purposes</b>				(224,884)	0	(224,884)	0	0	(224,884)
<b>Net Operating Results Before Grants &amp; Contributions for Capital Purposes</b>				<b>C</b> 1,671,848	(14,598)	98,950	0	1,587,496	1,671,848



**Liverpool City Council**  
**Capital Budget Adjustments**  
**For the period 1 July 2019 to 30 September 2019**

**Attachment 3**

<i>Summary</i>	<i>Original Budget</i>	<i>Revised Budget</i>	<i>Post Budget Resolutions</i>	<i>Deferred to 2020/21</i>	<i>Project Brought Forward</i>	<i>Budget Variations</i>	<i>Transfers</i>	<i>New Requests</i>	<i>Total Request</i>	<i>Proposed Budget</i>
City Community & Culture	1,719,500	1,955,156	235,656	0	0	0	(52,200)	238,024	185,824	2,140,980
City Corporate	15,420,000	23,690,700	8,270,700	0	0	0	67,200	669,000	736,200	24,426,900
City Economy & Growth	45,279,189	47,254,745	1,975,556	0	0	0	0	150,000	150,000	47,404,745
City Infrastructure & Environment	86,242,670	92,873,740	6,631,070	(168,000)	(146,000)	414,000	0	809,763	909,763	93,783,503
City Presentation	7,051,500	7,051,500	0	0	0	0	0	0	0	7,051,500
Strategy & Engagement	575,000	633,300	58,300	0	0	0	0	0	0	633,300
Office of the CEO	0	0	0	0	0	0	0	0	0	0
<b>Capital Expenditure before Loans &amp; Disposal of Assets</b>	<b>156,287,859</b>	<b>173,459,141</b>	<b>17,171,282</b>	<b>(168,000)</b>	<b>(146,000)</b>	<b>414,000</b>	<b>15,000</b>	<b>1,866,787</b>	<b>1,981,787</b>	<b>E 175,440,928</b>
Loan Principal	6,657,028	6,657,028	0			878,758			878,758	7,535,786
Borrowings	0	0	0			0			0	0
Book Value of Assets Disposed	(8,478,500)	(8,478,500)	0	0					0	(8,478,500)
<b>Total Capital Expenditure</b>	<b>154,466,387</b>	<b>171,637,669</b>	<b>17,171,282</b>	<b>(168,000)</b>	<b>(146,000)</b>	<b>1,292,758</b>	<b>15,000</b>	<b>1,866,787</b>	<b>2,860,545</b>	<b>174,498,214</b>

# Capital Budget Adjustments For the period 1 July 2019 to 30 September 2019

## Attachment 3

Summary	Project	Project Description	Comment	Requests	FUNDING					
					Grants & Contribution	S7.11	External Reserves	Internal Reserves	General Fund	Total Funding
Budget variation	102461	Twentieth Ave, Hoxton Park –Footpath Construction and Nimbin	High priority footpath and road widening project in close proximity to school is being initiated due to safety concerns. Budget transfer from CP.102418	146,000					146,000	146,000
Budget variation	102339	Mersey Rd, Bringelly - Northern to East End-Reseal	Budget shortfall due to increased scope of works. Additional patching works required and surface correction course applied. Budget transfer from CP.102338	135,000					135,000	135,000
Budget variation	102212	Design of Stormwater Basins 5, 14 and 29 at Austral and	Funds required for undertaking detailed contamination assessment to assess suitability of reuse of excavated soil and disposal requirements.	100,000		100,000				100,000
Budget variation	102325	Hume Highway, Casula - De Meyrick Ave to M5	Budget shortfall due to increased scope of works. Additional works such as bus shelter relocation and land acquisition required. Budget transferred from 101879 Cycleway Casula Stage 2	100,000		100,000				100,000
Budget variation	102341	Zouch Rd, Denham Court - End Kerb to Culverston- Reseal	Budget shortfall due to increased scope of works. Additional patching works required and surface correction course applied. Budget transfer from CP.102337	81,000					81,000	81,000
Budget variation	102375	Cubit Dr, Denham Court - Culvert Extension and Safety Rail	Budget shortfall due to increased scope of works. Additional works such as safety guard rail installation and pavement construction required. Budget transfer from CP.102337	40,000					40,000	40,000
Budget variation	102342	Fifth Ave, Austral - Edmondson to Fourth-Reseal	Budget shortfall due to increased scope of works. Additional patching works required and surface correction course applied. Budget transfer from CP.102338	33,000					33,000	33,000
Budget variation	102337	Thirteenth Ave, Austral - Fourth to West End (to complete PS	Budget savings due to reduced scope of works, part section has been completed under other program. Transfer \$40,000 to CP.102375	(40,000)					(40,000)	(40,000)
Budget variation	102337	Thirteenth Ave, Austral - Fourth to West End (to complete PS	Budget savings due to reduced scope of works, part section has been completed under other program. Transfer \$81,000 to CP.102341	(81,000)					(81,000)	(81,000)
Budget variation	101879	Cycleway - Casula Stage 2 (from Kurrajong Road to Old Kurraj	Budget savings from land acquisition. Transfer \$100,000 to CP.102325	(100,000)		(100,000)				(100,000)
Deferred Projects	102338	Twenty Eighth Ave, Austral - 15th to 18th-Reseal	Project deferred to 2020/21 program year due to the ongoing development in the area. Transfer \$33,000 to CP.102342	(33,000)					(33,000)	(33,000)
Deferred Projects	102338	Twenty Eighth Ave, Austral - 15th to 18th-Reseal	Project deferred to 2020/21 program year due to the ongoing development in the area. Transfer \$135,000 to CP.102339	(135,000)					(135,000)	(135,000)
New requests	101795	Apex Park Upgrade - Key Suburb Park Program	High priority CBD open space project deferred in 2018/19 program year due to crown land approval process. Works to now proceed under MoU agreement.	809,763		809,763				809,763
New requests	101967	35 Scott St Fit-out	Fit-out costs to occupy additional 300m2 on level 6	600,000				(321,766)	921,766	600,000
New requests	102468	Carnes Hill Recreation Precinct Stage2 Master Plan	Consultancy costs for Carnes Hill Recreation Precinct Stage2 Master Plan	200,000					200,000	200,000
New requests	102467	Bigge Street Pocket Park Landscape Design	Consultants to undertake landscape design	150,000			150,000			150,000
New requests	101471	Woodward Park Masterplan	Funds required due to additional consultancy costs	50,000					50,000	50,000
New requests	102443	Assistive Technology Space	Hardware for the Assistive Technology Space	35,524			35,524			35,524
New requests	101776	Corporate Systems Upgrade - Aurion	Licence cost for additional headcount of 100 FTE	19,000					19,000	19,000
New requests	102423	Communication Board at Collimore Park	Installation of signs and poles for the communication board at Collimore Park	2,500			2,500			2,500
Project brought forward	102418	Lumea Shopping Centre Carpark	Pavement repair works in the car park was completed in 2018-19 program year under maintenance program. Funds allocated to high priority project due to safety concerns. Budget transfer to CP.102461	(146,000)					(146,000)	(146,000)
Transfers	101471	Woodward Park Masterplan	Transfer from Miller Masterplan (+\$80k) and Hammondville Masterplan (+\$50k) to fund additional consultancy costs.	130,000					130,000	130,000

## Capital Budget Adjustments

### For the period 1 July 2019 to 30 September 2019

## Attachment 3

Summary	Project	Project Description	Comment	Requests	FUNDING					
					Grants & Contribution	S7.11	External Reserves	Internal Reserves	General Fund	Total Funding
Transfers	102425	Customer Service Concierge Desk	Concierge desk to be funded from operational savings (301228)	15,000					15,000	15,000
Transfers	101494	RMN7-Main Neighbourhood-Edmondson Park	Reimbursement to the developer for road works as per the Works In Kind agreement	0		224,884	(224,884)			0
Transfers	102170	Miller Master Plan	Transfer to Woodward Park Masterplan (-\$80k) and transfer from Chipping Norton Lakes Masterplan (+\$52.2k) to fund additional consultancy costs	(27,800)					(27,800)	(27,800)
Transfers	102167	Hammondville Park Master Plan	Transfer to Woodward Park Masterplan to fund additional consultancy costs	(50,000)					(50,000)	(50,000)
Transfers	102391	Chipping Norton Lakes Masterplan	Tansfer to Miller Master Plan to fund additional consultancy costs	(52,200)					(52,200)	(52,200)
<b>Capital Expenditure before Loans &amp; Disposal of Assets</b>				<b>E 1,981,787</b>	<b>0</b>	<b>1,134,647</b>	<b>(36,860)</b>	<b>(321,766)</b>	<b>1,205,766</b>	<b>1,981,787</b>
										0
										0
<b>Total Book Value of Assets Disposed</b>				<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
New requests	301114	Revenue and Treasury Operations	Loan repayment Bernera Road project	878,758					878,758	878,758
										0
<b>Total Loan Borrowings &amp; Repayments</b>				<b>878,758</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>878,758</b>	<b>878,758</b>
<b>Total Capital Expenditure</b>				<b>2,860,545</b>	<b>0</b>	<b>1,134,647</b>	<b>(36,860)</b>	<b>(321,766)</b>	<b>2,084,524</b>	<b>2,860,545</b>
<b>Summary:</b>										
Budget variation				414,000						
Deferred Projects				(168,000)						
New Grants / Contributions				0						
New requests				2,745,545						
Project brought forward				(146,000)						
Transfers				15,000						
Works in kind				0						
<b>Total Requests</b>				<b>2,860,545</b>						

## Attachment 4

LIVERPOOL CITY COUNCIL GRANT / FUNDING APPLICATIONS  
July 2019 - June 2020

Group	Service Delivery Unit	Project	Funding Source	Funding Agency	Grant Sought (\$)	September Status
City Community and Culture	Casula Powerhouse Arts Centre	Pulse of the Dragon	Other	Dobell Foundation	\$40,000	Pending
City Community and Culture	Community and Development Planning	Chipping Norton Lakes Masterplan	State	Department of Planning, Industry and Environment	\$200,000	Pending
City Community and Culture	Community and Development Planning	City Deal Liveability Program	Federal	Department of Infrastructure, Transport, Cities and Regional Development	\$2,500,000	Pending
City Community and Culture	Libraries and Museum	The Perks of growing old - Seniors Festival 2020	State	NSW Department of Communities & Justice	\$1,740	Successful
City Community and Culture	Libraries and Museum	Tech Savvy Seniors - technology training for seniors in CALD languages	State	State Library NSW	In kind - workshop facilitators for 15 sessions	Successful
City Economy and Growth	City Economy	Love Live Nights	State	Office of Responsible Gambling	\$65,000	Successful
City Economy and Growth	City Economy	Christmas in the Mall	State	Multicultural NSW	\$5,000	Successful
City Economy and Growth	City Economy	Railway Street	State	Stronger Communities	\$20,000	Unsuccessful
City Economy and Growth	City Economy	Western Sydney Sensor Project (joint application with 7 other councils for grant funding under Smart Cities and Suburbs Round 2)	Federal	Department of Infrastructure, Transport, Cities and Regional Development	\$700,000	Successful
City Economy and Growth	City Economy	Understanding our city - deriving insights from pedestrian movement and environmental data	State	Local Government NSW	\$50,000	Pending
City Economy and Growth	City Economy	Creating a sustainable culture	State	NSW Environmental Trust	\$120,000	Unsuccessful
City Economy and Growth	City Economy	Liverpool Innovation Precinct	Other	Western Sydney Business Chamber	\$200,000	Successful
City Infrastructure and Environment	City Environment	Kei Apple Surveillance and Control	Other	Hawkesbury River County Council	\$40,000	Successful
City Infrastructure and Environment	Infrastructure Delivery	Phillips Park Redevelopment and Lurnea Community Hub	Federal	Department of Infrastructure, Transport, Cities and Regional Development	\$12,000,000	Successful
City Infrastructure and Environment	Infrastructure Delivery	Lighthouse Park redevelopment	Federal	Department of Infrastructure, Transport, Cities and Regional Development	\$2,040,000	Pending
City Infrastructure and Environment	Infrastructure Delivery	Critts Reserve - Design and Construction of Sports Field (under the Let's Light Up Football program)	State	Football NSW	\$20,000	Successful
City Infrastructure and Environment	Infrastructure Delivery	Heritage Conservation Program Collingwood House Upgrade	State	Heritage Council of NSW	\$150,000	Unsuccessful
City Infrastructure and Environment	Infrastructure Delivery	Apex Park Upgrade	State	Department of Planning, Industry and Environment	\$120,000	Successful
City Infrastructure and Environment	Infrastructure Delivery	Casula Parklands	State	Department of Planning, Industry and Environment	\$74,720	Successful

## Attachment 4

LIVERPOOL CITY COUNCIL GRANT / FUNDING APPLICATIONS  
July 2019 - June 2020

Group	Service Delivery Unit	Project	Funding Source	Funding Agency	Grant Sought (\$)	September Status
City Infrastructure and Environment	Infrastructure Delivery	Hume Highway and Governor Macquarie Drive, Liverpool intersection upgrade	State	Roads and Maritime Services	\$8,000,000	Successful
City Infrastructure and Environment	Infrastructure Delivery	Governor Macquarie Drive upgrade Newbridge Road to Alfred Road, Chipping Norton	State	Roads and Maritime Services	\$1,400,000	Successful
City Infrastructure and Environment	Infrastructure Delivery	Heathcote Road / Walder Road / Bardia Parade, Hammondsville intersection upgrade	State	Roads and Maritime Services	\$2,200,000	Successful
City Infrastructure and Environment	Technical Support	Moorebank Voluntary Acquisition Scheme	State	Office of Environment and Heritage	\$3,000,000	Pending
City Infrastructure and Environment	Technical Support	Cabramatta Creek Flood Study	State	Office of Environment and Heritage	\$133,333	Pending
City Infrastructure and Environment	Technical Support	Bank Erosion Protection Work, Cabramatta Creek at Powell Park Carthright	State	Department of Planning, Industry and Environment	\$50,000	Pending
Office of the CEO	Western Sydney Planning Partnership	Western Sydney Planning Partnership	Other	Sydney Water	\$50,000	Successful
					<b>\$33,179,793</b>	

LIVERPOOL CITY COUNCIL GRANTS RECEIVED  
July 2019 - June 2020

Group	Service Delivery Unit	Project	Programme	Funding Source	Funding Agency	Received as at 30/09/2019 (\$)	Comments
City Community & Culture	Children's Services	Inclusion Support - Hindinbrook CCC		Federal	Department of Education, Employment and Workplace Relations	\$7,958	
City Community & Culture	Children's Services	Inclusion Support - Warwick Farm CCC		Federal	Department of Education, Employment and Workplace Relations	\$4,232	
City Community & Culture	Children's Services	Inclusion Support - Wattle Grove CCC		Federal	Department of Education, Employment and Workplace Relations	\$1,725	
City Community & Culture	Children's Services	Children's Services Program (CSP) - Cecil Hills Children's Centre	Childcare Benefit	Federal	Department of Education, Employment and Workplace Relations	\$116,593	
City Community & Culture	Children's Services	Children's Services Program (CSP) - Cecil Hills Children's Centre	Early Childhood Educational and Care Grants Program	State	NSW Department of Education and Training	\$19,547	
City Community & Culture	Children's Services	Family and Children's Services Planning - salary subsidy		State	NSW Department of Education and Training	\$15,342	
City Community & Culture	Children's Services	Children's Services Program (CSP) - Hindinbrook Multipurpose Children's Centre	Childcare Benefit	Federal	Department of Education, Employment and Workplace Relations	\$154,265	
City Community & Culture	Children's Services	Children's Services Program (CSP) - Hindinbrook Multipurpose Children's Centre	Early Childhood Educational and Care Grants Program	State	NSW Department of Education and Training	\$30,969	
City Community & Culture	Children's Services	Children's Services Program (CSP) - Holsworthy Children's Centre	Childcare Benefit	Federal	Department of Education, Employment and Workplace Relations	\$130,782	
City Community & Culture	Children's Services	Children's Services Program (CSP) - Holsworthy Children's Centre	Early Childhood Educational and Care Grants Program	State	NSW Department of Education and Training	\$21,959	
City Community & Culture	Children's Services	Children's Services Program (CSP) - Prestons Children's Centre	Childcare Benefit	Federal	Department of Education, Employment and Workplace Relations	\$117,882	
City Community & Culture	Children's Services	Children's Services Program (CSP) - Prestons Children's Centre	Early Childhood Educational and Care Grants Program	State	NSW Department of Education and Training	\$17,779	
City Community & Culture	Children's Services	Children's Services Program (CSP) - Warwick Farm Children's Centre	Childcare Benefit	Federal	Department of Education, Employment and Workplace Relations	\$118,314	
City Community & Culture	Children's Services	Children's Services Program (CSP) - Warwick Farm Children's Centre	Early Childhood Educational and Care Grants Program	State	NSW Department of Education and Training	\$19,697	
City Community & Culture	Children's Services	Children's Services Program (CSP) - Wattle Grove Children's Centre	Childcare Benefit	Federal	Department of Education, Employment and Workplace Relations	\$161,922	
City Community & Culture	Children's Services	Children's Services Program (CSP) - Wattle Grove Children's Centre	Early Childhood Educational and Care Grants Program	State	NSW Department of Education and Training	\$25,412	
City Community & Culture	Children's Services	Children's Services Program (CSP) - Casula Preschool	Early Childhood Educational and Care Grants Program	State	NSW Department of Education and Training	\$78,264	
City Community & Culture	Community & Development Planning	Community Services Admin	Salary funding	State	Department of Family and Community Services, Ageing, Disability and Home Care	\$10,051	

Attachment 5

LIVERPOOL CITY COUNCIL GRANTS RECEIVED  
July 2019 - June 2020

Group	Service Delivery Unit	Project	Programme	Funding Source	Funding Agency	Received as at 30/09/2019 (\$)	Comments
City Corporate	Financial Services	Accounting Administration	Local Government Infrastructure Scheme Interest Subsidy	Federal	Department of Premier and Cabinet, Division of Local Government	\$196,270	
City Corporate	Financial Services	Financial Assistance Grants	General purpose (80%)	Federal	Department of Premier and Cabinet, Division of Local Government	\$796,287	
City Corporate	Financial Services	Financial Assistance Grants	Road component (20%)	Federal	Department of Premier and Cabinet, Division of Local Government	\$285,405	
City Economy & Growth	City Economy	Business Events	Program funding	Other	Western Sydney University	\$909	Partnership Industry Workshop
City Economy & Growth	City Economy	City Activation		State	Department of Industry	\$58,500	Liverpool Laneways Project
City Economy & Growth	City Economy	Liverpool Innovation Precinct	Program funding	Other	Western Sydney Business Chamber	\$50,000	
City Economy & Growth	Planning and Transport Strategy	Comprehensive Review of Liverpool LEP		State	Department of Planning and Environment	\$625,000	
City Economy & Growth	Planning and Transport Strategy	Blue Week		State	Roads and Maritime Services	\$2,550	
City Economy & Growth	Planning and Transport Strategy	Roundabout at 50 Craik Avenue, Austral DA-80/2016		Other	JM Land Pty Ltd	\$27,255	One-off developer contribution towards road works
Office of the CEO	Western Sydney Planning Partnership	Western Sydney Planning Partnership		Other	Sydney Water	\$50,000	
						<b>\$3,144,869</b>	

Grants and Contributions 30 September 2019	\$3,394,941
Less:	
Adjustment outstanding grants invoices and reversals	\$250,073
Reversal prior year accrual	\$0
Works in Kind	\$0
Actual grants received	<b>\$3,144,869</b>



Attachment 6

Liverpool City Council  
Quarter 1 Review 2019/20  
For the period 1 July 2019 to 30 June 2020  
Forecast Cash and Investments

	1 July 2019 Opening Balance	Original Budget	Budgeted Movements Resolution	Annual Revised Budget	Q1 Review Recommend Changes	30 June 2020 Projected Closing Balance
<b>Externally Restricted</b>						
S7.11 Contributions	159,603,771	23,257,923	(1,842,400)	21,415,523	(734,647)	180,284,647
City Development Fund	2,719,359	(492,052)	0	(492,052)	0	2,227,307
Domestic Waste Reserve	17,795,087	(1,131,975)	0	(1,131,975)	0	16,663,112
Environment Levy	5,016,509	2,194	(146,350)	(144,156)	(193,050)	4,679,303
Stormwater Reserve	307,036	(64,875)	0	(64,875)	0	242,161
Edmondson Park Reserve	2,671,614	89,766	0	89,766	0	2,761,380
Contribution Reserve	3,956,549	0	0	0	(150,000)	3,806,549
Grants Reserve	18,058,903	50,000	(1,496,159)	(1,446,159)	(38,024)	16,574,720
Better Waste & Recycling Reserve	390,631	8,984	0	8,984	0	399,615
Grants Reserve - Operating	4,058,655	(171,058)	0	(171,058)	(108,000)	3,779,597
Collingwood House Restoration Works Reserves	230,000	0	(90,000)	(90,000)	0	140,000
<b>Total Externally Restricted</b>	<b>214,808,114</b>	<b>21,548,907</b>	<b>(3,574,909)</b>	<b>17,973,998</b>	<b>(1,223,721)</b>	<b>231,558,391</b>
<b>Internally Restricted</b>						
Employee Leave Entitlement Reserve	3,621,200	0	0	0	0	3,621,200
Insurance Reserve	1,796,043	0	0	0	0	1,796,043
Parking Strategy Reserve	1,500,000	(1,500,000)	0	(1,500,000)	0	0
Moorebank Voluntary Acquisition Reserve	487,392	(404,250)	0	(404,250)	0	83,142
General Property Reserve	676,852	4,807,581	(1,057,100)	3,750,481	(4,427,333)	0
Loan Reserve	4,133,803	0	(3,953,800)	(3,953,800)	0	180,003
Staff Accommodation / Relocation Savings	0	600,000	0	600,000	0	600,000
Carnes Hill Stage 2 Precinct Development Reserve	0	0	0	0	4,749,099	4,749,099
<b>Total Internally Restricted</b>	<b>12,215,290</b>	<b>3,503,331</b>	<b>(5,010,900)</b>	<b>(1,507,569)</b>	<b>321,766</b>	<b>11,029,487</b>
<b>Total Restricted</b>	<b>227,023,404</b>	<b>25,052,238</b>	<b>(8,585,809)</b>	<b>16,466,429</b>	<b>(901,955)</b>	<b>242,587,878</b>
<b>Unrestricted Cash</b>	44,134,985	37,669,067	(8,585,473)	29,083,594	(511,626)	28,571,968
<b>Total Cash and Investments</b>	<b>271,158,389</b>	<b>254,809,127</b>				<b>271,159,847</b>



## Attachment 7

## Key Performance Indicators Budget Review Statement

Council is committed to maintaining critical financial performance indicators within acceptable benchmarks.

Current and targeted benchmarks are:

	Performance Indicator	2018/19 Actual	2019/20 Original Budget	2019/20 Budget Review Sept	Benchmark	Description
1	Operating Performance Ratio Benchmark: Greater than or equal to 0% - average over 3 years	4.7%	2.6%	2.90%	≥0%	The Operating Performance Ratio measures Council's achievement of containing operating expenditure within operating revenue.
2	Own Source Operating Ratio Benchmark: Greater than 60% - average over 3 years	61.2%	58.5%	58.6%	>60%	This ratio measures fiscal flexibility. It is the degree of reliance on external funding sources such as operating grants and contributions.
3	Building and Infrastructure Renewals Ratio Benchmark: Greater than 100% - average over 3 years	103.0%	106.9%	106.9%	>100%	This indicator is used to assess the rate at which these assets are being renewed relative to the rate at which they are depreciating.

	Performance Indicator	2018/19 Actual	2019/20 Original Budget	2019/20 Budget Review Sept	Benchmark	Description
4	Infrastructure Backlog Ratio Benchmark: Less than 2%	2.3%	2.0%	2.0%	<2%	This ratio shows what proportion the backlog is against the total value of a Council's infrastructure.
5	Asset Maintenance Ratio Benchmark: Greater than 100% - average over 3 years	105%	113%	113%	>100%	This ratio compares actual against required annual asset maintenance. A ratio above 1.0 indicates Council is investing enough funds to stop the Infrastructure backlog growing.
6	Debt Service Ratio Benchmark: Greater than 0% and less than or equal to 20% - average over 3 years	4.3%	4.1%	4.3%	>0% & ≤20%	This ratio measures the availability of operating cash to service debt including interest, principal and lease payments.
7	Real Operating Expenditure Benchmark: A decrease in Real Operating Expenditure per capita over time	683.00	727.00	730.00	Decrease per capita over time	This indicator measures productivity changes over time based on the movement in real per capita expenditure.

**Liverpool City Council**  
**Quarterly Budget Review Statement**  
**For the period 01/07/19 to 30/09/19**  
**Consultancy & Legal Expenses**

**Attachment 8**

Expense	YTD Expenditure (Actual Dollars)	Budgeted (Y/N)
Consultancies	270,894	Y
Legal Fees	89,249	Y

**Definition of a consultant:**

A consultant is a person or organisation engaged under contract on a temporary basis to provide recommendations or high level specialist or professional advice to assist decision making by management. Generally it is the advisory nature of the work that differentiates a consultant from other contractors.

**Comments**

Expenditure included in the above YTD actual but not budgeted includes:

**Details**

Traffic and urban study on Railway Street	23,687
Aquatic and Leisure Centres strategy study	10,153
Review of library management services	10,000
Title searches of abandoned and derelict vehicles	950
<b>Total</b>	<b>44,790</b>

## Attachment 9

## Liverpool City Council

## Contracts Budget Review Statement

For the period 01/07/19 to 30/09/19

Contracts Listing - contracts entered into during the quarter

Contractor Awarded To	Contract detail & purpose Summary	Contract Value	Start Date Award Date	Duration of Contract	Budgeted (Y/N) Budget	Notes Comments
Astrolabe Group	PQ2866 Developer Contribution - Design of a new way	\$54,450.00	8/06/2019	One off	Y	
Extent Heritage Pty Limited	PQ2826 Conservation Management Plan for the Old Courthouse	\$59,785.00	3/07/2019	12 months	Y	
Cardno (NSW/ACT) Pty Ltd	ST2810 Concept and Detailed Design of Edmondson Avenue Upgrade	\$1,195,814.25	9/07/2019	10 months	Y	
Mandarin Creative Solutions Pty Ltd	ST2743 Design Services Casula Powerhouse Art Centre	\$269,940.00	10/07/2019	3 years with 2 x 12 month extension options	Y	
Part A & C withdrawn, Part B awarded to Imperium Markets	PQ2817 Investment and Reporting Services	\$2,200.00	23/07/2019	2 years	Y	
SGS Economics and Planning	PQ2867 Liverpool Rural Lands Study	\$102,472.00	6/08/2019	6 months	Y	
Aspect Studios Pty Ltd	ST2857 RFT Closed - Woodward Place Masterplan	\$668,024.50	7/08/2019	12 months	Y	
ACOR Consultants Pty Ltd	ST2877 Engineering Design Manual for Western Sydney	\$297,000.00	16/08/2019	12 months with 2 x 6 month extension options	Y	
Rhelm Pty Ltd	PQ2880 Flood Detention Basin 14 at Edmondson Park	\$29,040.00	16/08/2019	6 weeks	Y	
Glascott Landscape & Civil Pty Ltd	WT2827 Community Sports Fields and Community Building, Cirillo Reserve	\$7,258,830.42	27/08/2019	18 months	Y	
Catchment Simulation Solutions Pty Ltd	ST2852 Liverpool Overland Flow Path Study for Rural Catchment Areas - Stage 2	\$144,419.00	27/08/2019	12 months	Y	
D.J. Grech Fabrications Pty Limited T/a Camden Machinery & Tractors	PQ2882 Outfront Mower Replacement	\$446,550.00	12/09/2019	4 years	Y	
LEVEL 88 PROJECTS	PQ2931 Casula Early Education & Care Renovation - Flooding & Joinery Works	\$67,000.00	23/09/2019	one off	Y	
M Collins & Sons	PQ2926 Topsoil Dressing - Ovals x 21 19/20 Works program	\$337,481.10	26/09/2019	4 weeks	Y	
GroupGSA Pty Ltd	PQ2886 Liverpool City Centre Urban Forest Strategy	\$44,550.00	27/09/2019	4 months	Y	

1. Contracts listed are those entered into during the quarter being reported.

2. Contracts for employment are not required to be included.

Attachment 10

Liverpool City Council  
 Quarter 1 Review 2019/20  
 For the period 1 July 2019 to 30 June 2020  
 Detail Reserve Movement

	2019-20 Forecast	2019-20 Original Budget	2019-20 Revised Budget	2019-20 Current Review	2019-20 Proposed Budget
<b>City Development Fund</b>					
<b>Opening Balance</b>					
<i>Operating</i>	2,719,360	2,719,360	2,719,360		2,719,360
<b>Revenue</b>	1,618,537	1,618,537	1,618,537	0	1,618,537
City Development Fund Receipts/Interest	1,618,537	1,618,537	1,618,537	-	1,618,537
<b>Expenditure</b>	2,110,589	2,110,589	2,110,589	0	2,110,589
Facade Upgrade	80,000	80,000	80,000	-	80,000
CBD Wi-Fi Data Fees	31,903	31,903	31,903	-	31,903
CBD CCTV Operation & Maintenance	137,505	137,505	137,505	-	137,505
City Activation	118,163	118,163	118,163	-	118,163
Urban Screen Content Management	137,500	137,500	137,500	-	137,500
Eat Your Heart Out	151,556	151,556	151,556	-	151,556
Loan Repayment Funding	1,453,962	1,453,962	1,453,962	-	1,453,962
<b>Projected Closing Balance</b>	2,227,308	2,227,308	2,227,308	0	2,227,308

Attachment 10

Liverpool City Council  
 Quarter 1 Review 2019/20  
 For the period 1 July 2019 to 30 June 2020  
 Detail Reserve Movement

	2019-20 Forecast	2019-20 Original Budget	2019-20 Revised Budget	2019-20 Current Review	2019-20 Proposed Budget
<b>Environment Levy</b>					
<b>Opening Balance</b>					
<i>Operating</i>	5,016,510	5,016,510	5,016,510		5,016,510
<b>Revenue</b>	1,907,286	1,907,286	1,907,286	0	1,907,286
Environment Levy Receipts/Interest	1,907,286	1,907,286	1,907,286	-	1,907,286
<b>Expenditure</b>	1,309,092	1,116,592	1,116,592	193,050	1,309,642
Bush Regeneration	654,714	462,214	462,214	193,050	655,264
Vegetation Condition Assessment	60,000	60,000	60,000	-	60,000
Natural Environment Implementation	472,353	472,353	472,353	-	472,353
Floodplain & Water Management	99,445	99,445	99,445	-	99,445
Environment Restoration Plan Delivery	22,580	22,580	22,580	-	22,580
<b>Capital Expenditure</b>	934,850	788,500	934,850	0	934,850
Bush Regeneration Program	788,500	788,500	788,500	-	788,500
Environmental Education Centre Design	146,350	-	146,350	-	146,350
<b>Projected Closing Balance</b>	4,679,854	5,018,704	4,872,354	(193,050)	4,679,304

**CORP 05**

**Community Wealth Building**

<b>Strategic Direction</b>	Generating Opportunity Attract businesses for economic growth and employment opportunities
<b>File Ref</b>	280208.2019
<b>Report By</b>	Charlotte Cottam - Procurement Coordinator
<b>Approved By</b>	Chris White - Director City Corporate

**EXECUTIVE SUMMARY**

This report recommends the incorporation of local preferencing provisions into Council's Procurement Policy in response to a Council resolution on 28 August 2019. The provisions are designed to support local businesses through Council's procurement framework. The report also recommends the inclusion of provisions regarding sustainable and social procurement to strengthen Council's overall procurement practices.

**RECOMMENDATION**

That Council endorse the proposed amendments to Council's Procurement Policy, included as Attachment 1 to the report of staff, and authorise the CEO to adopt the policy.

**REPORT**

At its Ordinary Meeting on 28 August 2019, Council resolved to (QWN 02):

- *Develop a Local Preferencing Policy and incorporate the principles of local preferencing into Council's Procurement Standards; and*
- *Report back on the potential to include other key anchor institutions and organisations in Liverpool, such as the universities, TAFE and Local Area Health in the Strategy.*

**Local Preferencing Policy**

It is recommended that the following provisions be inserted into Council's Procurement Policy to support local businesses through the supply of goods and services to Council under its procurement framework:

**3.5 LOCAL PREFERENCE****3.5.1 Commitment to local content**

*Council is committed to promoting high-value local business content within its supply chain.*

*To this end, and in cases where evaluation demonstrates the capacity for local business to deliver a competitive supply, Council will take proactive steps to provide opportunities for local businesses and suppliers to overcome a narrow deficit over a non-local supplier.*

**3.6.2 Achieving increased local content**

*Council aims to secure increased local content in its supply chain by:*

- (a) Defining local suppliers within the Standards;*
- (b) Setting out a weighted allowance for local content within the Standards;*
- (c) Establishing a process for applying this weighted allowance within the procurement evaluation process; and*
- (d) Establishing circumstances when this weighted allowance will change an outcome in favour of a local supplier.*

The above provisions are designed to provide an advantage to local suppliers in the form of a weighted allowance when they compete against non-local suppliers in Council procurement processes.

Local preferencing will benefit local businesses, which in turn will benefit the local communities that rely on those businesses for jobs, and goods and services. By using local businesses, Council will be in a better position to source specialised products and satisfy local preferences. In addition, by dealing with local businesses Council will benefit from shorter supply chains with reduced delivery times and lower costs. It will also make it easier for Council to travel to, work with, and manage local suppliers.

It should be noted that the local preference allowance will only make up a small component in the overall scoring and assessment of quotations and tenders by Council. To ensure that Council achieves value for money, local suppliers must continue to compete for Council business based on factors set out in the Procurement Policy including, but not limited to, quality, fit for purpose, price, capability, experience, risk profile and service support. All existing requirements relating to probity, accountability and transparency under the Policy and relevant legislation will also continue to apply.



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**Key Anchor Institutions**

Council's Manager City Economy has consulted with senior staff responsible for procurement at the South West Sydney Local Health District (LHD). The LHD has advised as follows:

1. The LHD (incorporating Liverpool Hospital) follows NSW Government procurement guidelines when sourcing suppliers;
2. Consequentially, if the proposed purchase exceeds a value of \$250,000, the LHD submits the purchase to either RFQ or Tender, and will generally be required to use existing pre-qualified suppliers on NSW government preferred list;
3. For purchasing between \$10,000 and \$250,000, similar requirements exist, though such purchasing is generally conducted by formal quotation processes;
4. If the request is less than \$10,000, only 1-2 quotes are required, and each unit has the flexibility to source locally with a weighting given to local SMEs and indigenous companies; and
5. There are no set quotas for Western Sydney companies. Under state government policy, this only occurs in regional and rural NSW where there is a high weighting given to local suppliers.

The information available to staff suggests that this approach is consistent across the state government sector.

The City Economy team are in regular contact with other key anchor institutions and are continually promoting local business as part of these discussions. Where probity and compliance requirements permit, any opportunities to collaborate on procurement activities with such institutions will be considered.

**Sustainable and Social Procurement**

It is recommended that the below provisions regarding sustainable and social procurement also be inserted into the Procurement Policy. While not directly related to local preferencing, the provisions will strengthen Council's overall procurement practices by ensuring that they are beyond reproach. In particular, it is important that Council implement measures to identify and prevent unacceptable practices in the supply chain such as fraud, corruption, modern-day slavery, human trafficking and child labour. The provisions will enable Council to comply with requirements under the Commonwealth Modern Slavery Act 2018 which came into effect in January 2019, and the consistent NSW Act which is currently under Parliamentary review.

### **3.6 SUSTAINABLE AND SOCIAL PROCUREMENT**

#### **3.6.1 Commitment to sustainable and social Procurement**

*Council is committed to taking positive action to minimise the negative impact of the products and services procured and maximising the benefits. This includes minimising unnecessary purchasing, and purchasing goods and services that contribute to a more sustainable future that is ethical and supportive of fair trade.*

*Council is also committed to embedding processes within its procurement framework that encourage suppliers to be proactive in engaging members of disadvantaged communities and demographics in the supply chain. Council is particularly committed to promoting the involvement in the supply chain of persons of Aboriginal or Torres Strait Islander descent, as well as promoting broader racial, gender, sexual orientation and religious diversity outcomes.*

#### **3.6.2 Achieving Sustainable and Social Procurement**

*Sustainable and social Procurement is conducted through (where reasonably practicable and appropriate in the circumstances):*

- (a) applying sustainability and social responsibility evaluation criteria in formal quotations and tender processes;*
- (b) minimising unnecessary purchasing by only purchasing when a product or service is necessary;*
- (c) considering the environmental performance of all suppliers and contractors and encouraging them to conduct their operations in an environmentally sensitive manner;*
- (d) selecting products/services where possible, that have minimal effect on the depletion of natural resources and biodiversity e.g. purchasing products that save energy and/or water;*
- (e) avoiding purchasing products that pollute soils, air or waterways, or hazardous chemicals;*
- (f) choosing environmental preferred “green” or recycled products and services and purchasing products that reduce greenhouse emissions;*
- (g) purchasing ethically sourced and fair trade goods and services where appropriate;*
- (h) exploring opportunities to engage with social enterprises for the Procurement of goods or services which support reinvigorating*

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**CONSIDERATIONS**

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<b>Economic</b>	Further develop a commercial centre that accommodates a variety of employment opportunities. Facilitate economic development.
<b>Environment</b>	There are no environmental and sustainability considerations.
<b>Social</b>	There are no social and cultural considerations.
<b>Civic Leadership</b>	Operate a well-developed governance system that demonstrates accountability, transparency and ethical conduct.
<b>Legislative</b>	Commonwealth Modern Slavery Act 2018

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**ATTACHMENTS**

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1. Draft Procurement Policy October 2019



**PROCUREMENT PROCUREMENT**  
**POLICY**

Adopted: ~~6 January 2017~~

TRIM: ~~333462.2016~~

## PROCUREMENT POLICY



## PROCUREMENT POLICY

### **1. 1. PURPOSE/ OBJECTIVES**

1.1—Liverpool City Council (**Council**) is publicly accountable for the use of its funds and takes seriously the responsibility to ensure that its processes for ~~procurement~~ **Procurement** and purchasing operate effectively and efficiently in the pursuit of value for money whilst ensuring due regard for transparency, probity and accountability.

1.2—This ~~procurement~~ **Procurement** policy (**Policy**) details the structure guiding Council's ~~procurement~~ **Procurement** ~~processes and~~ activities and provides frameworks in which Council ~~is~~ **are** to consider and conduct ~~procurement~~ **Procurement** decisions that are appropriately documented. In addition, the ~~P~~ **policy** seeks to mitigate risk and enhance Council's reputation and to provide protection from complaints, legal action and liabilities by supporting the fair and equitable treatment of all potential suppliers to ~~the~~ Council.

1.3—~~This Ppolicy encourages Council to monitor and evaluate performance in this area to maximise the use of resources and that its provisions are consistent with relevant legislative obligations. This Ppolicy framework consists of two components: this Ppolicy document and the accompanying associated Procurement~~ **Procurement** Standards document (**Standards**).

To be compliant with the ~~P~~ **policy** framework, compliance with both ~~thise Ppolicy document and the Procurement~~ **Procurement** Standards ~~are~~ **is** required.

Nothing in this Policy document or the associated ~~Procurement~~ **Procurement** Standards is intended to conflict with the legislative requirements applicable to Council.

### **2. LEGISLATIVE REQUIREMENTS**

*Local Government Act 1993 (~~NSW~~) (**Act**)*

*Local Government (General) Regulation 2005 (~~NSW~~) (**Regulation**)*

*Government Information (Public Access) Act 2009 (~~NSW~~) (**GIPA**)*

The Act and Regulation is supported by the *Tendering Guidelines for NSW Local Government* published ~~October 2009~~ by the ~~now~~ Office of Local Government, NSW Department of Premier and Cabinet, Division of Local Government.

### **3. 3. POLICY STATEMENT**

#### **3.1 3.1 OVERVIEW**

3.1.1—Council is committed to providing guidance to ~~members of Council staff~~ **officers** for the ~~procurement~~ **Procurement** of goods and services, ensuring:

## PROCUREMENT POLICY

- a. legislative compliance;
- b. best value for money;
- c. transparency in the tendering process;
- d. fair and ethical dealings with tenderers;
- e. ~~appropriate and maintaining~~ probity.

3.1.2—In addition to this Ppolicy, ~~the Council's Procurement~~ Standards (Standards) provide clear procedures on how to undertake ~~procurement~~ Procurement processes and activities within ~~the~~ Council, in accordance with best practice standards.

3.1.3—To comply with this Ppolicy framework, ~~procurement~~ Procurement activities within the Council must comply with this Ppolicy and the ~~Procurement~~ Procurement Standards.

## 3.2 SCOPE

### 3.2.1 Application of Policy

This Ppolicy applies to all members of Council staff, including Councillors and all consultants, contractors, or temporary or casual employees of Council, who are involved in any of Council's ~~procurement~~ Procurement processes and activities, ~~not only those staff members with financial delegation limits.~~

### 3.2.2 Methods of ~~Procurement~~ Procurement

This Ppolicy applies to all ~~procurement~~ Procurement and contracting activities ~~and processes~~ undertaken by Council, including, but not limited to, the following methods:

- (a) Authority to Ppay;
- (a) Council purchasing cards;
- (b) Expressions of Iinterest;
- (d) Invitations to Quote;
- (e) Formal Qquotations;
- (d) Informal Qquotations;
- (e) Petty Ccash;
- (f)

## PROCUREMENT POLICY

- (g) (h) Purchasing from an accredited source;
- (h) (i) Single sourcing; and
- (i)(j) Tendering.

**3.3 RESPONSIBLE PERSON**

~~3.3.1 The Strategic Procurement and Contracts Coordinator~~ delegated officer responsible for overseeing the Procurement unit ~~Chief Financial Officer~~ will oversee the implementation of this Policy, in consultation with the Strategic Procurement and Contracts Coordinator ~~Manager of Procurement~~ their immediate manager/supervisor.

**3.4 COUNCIL'S PROCUREMENT OBJECTIVES**

Council's procurement Procurement objectives include:

**3.4.1 Achieving value for money**

Value for Money (VFM) is defined as the best possible outcome for the total cost of ownership over whole of life. VFM does not necessarily mean selecting the lowest value or price, but; rather, the right combination of quality, quantity and price at the right place and time, and where possible, having considered sustainability, local content, and social/ethical considerations.

Council shall aim to achieve VFM using a combination of factors when assessing quotations and tenders as follows: The value for money assessment includes the:

- (a) Mandatory criteria which includes insurances, accreditations, qualifications and licenses;
- (b) Cost-related factors including whole-of-life costs and transaction costs (amongst others) associated with the acquisition, maintenance and disposal;
- (c) Non-cost factors such as capability, experience, specifications, service, support, fitness for purpose, innovation, quality, risk profile, service, support, work health and safety (WHS), community, environment, and sustainability and physical requirements; and
- (d) Contribution to the advancement of Council priorities, especially those set out in Council's current Community Strategic Plan and Delivery Program, and including local content, social, and ethical considerations.

**3.4.2 Ensuring probity and accountability for procurement outcomes**



## PROCUREMENT POLICY

Council seeks to conduct its ~~procurement~~Procurement ~~processes and~~ activities in a transparent manner which demonstrates probity and accountability. ~~Procurement~~Procurement ~~processes and~~ activities involving members of Council staff must be:

- (a) ~~p~~Performed ethically, transparently and with fairness to all participants;
- (a) ~~(a)~~
- (b) ~~c~~Carried out in accordance with the applicable legislation, guidelines, codes, policies and procedures;
- (b) ~~(b)~~
- (c) ~~u~~Undertaken by members of Council staff who have the appropriate authority and delegations and are trained to perform their assigned ~~procurement~~Procurement role; ~~and~~
- (e) ~~(e)~~
- (d) ~~b~~Be conducted on a "commercial-in-confidence" basis.

## PROCUREMENT POLICY

**3.4.3 Ensuring fair and ethical dealings**

All ~~procurement~~ Procurement-related ~~processes and~~ activities must be conducted honestly, transparently and in a manner that is fair and equitable to all parties. Therefore, ~~procurement~~ Procurement ~~processes and~~ activities must:

- (a) ~~b~~ Be undertaken with consistent and appropriate documentation and processes to ensure equitable treatment throughout the process;
- (a) ~~b~~ Be free from any conflict of interest that may result in any unfavourable, favourable or preferential treatment;
- (b) (c) ~~e~~ Ensure impartiality throughout the process; and
- (e) (d) ~~not seek, or result in the receipt of, receive~~ personal gain. -

**3.5 SUSTAINABLE AND SOCIAL PROCUREMENT****3.5.1 Commitment to sustainable and social procurement**

Council is committed to taking positive action to minimise the negative impact of the products and services procured and maximising the benefits. This includes minimising unnecessary purchasing, and purchasing goods and services that contribute to a more sustainable future that is ethical and supportive of fair trade.

Council is also committed to embedding processes within its procurement framework that encourage suppliers to be proactive in engaging members of disadvantaged communities and demographics in the supply chain. Council is particularly committed to promoting the involvement in the supply chain of persons of Aboriginal or Torres Strait Islander descent, as well as promoting broader racial, gender, sexual orientation and religious diversity outcomes.

**3.5.2 Achieving Sustainable and Social Procurement**

Sustainable and social procurement is conducted through (where reasonably practicable and appropriate in the circumstances):

- (a) applying ~~a~~ sustainability and social responsibility evaluation criteria in ~~certain procurement~~ Procurement processes (i.e. formal quotations and tender ~~processes~~);
- (b) minimising unnecessary purchasing by only purchasing when a product or service is necessary;
- (c) considering the environmental performance of all suppliers and contractors and encouraging them to conduct their operations in an environmentally sensitive manner;

## PROCUREMENT POLICY

- (d) selecting products/services where possible, that have minimal effect on the depletion of natural resources and biodiversity e.g. purchasing products that save energy and/or water;
- (e) avoiding purchasing products that pollute soils, air or waterways, or hazardous chemicals;
- (f) choosing environmental preferred "green" or recycled products and services and purchasing products that reduce greenhouse emissions;
- (g) purchasing ethically sourced and fair trade goods and services where appropriate;
- (h) exploring opportunities to engage with social enterprises for the ~~procurement~~Procurement of goods or services which support reinvigorating

### **3.6 LOCAL PREFERENCE**

#### **3.6.1 DefinitionCommitment to local content**

Council is committed to promoting high-value local business content within its supply chain.

To this end, and in cases where evaluation demonstrates the capacity for local business to deliver a competitive supply, Council will take proactive steps to provide opportunities for local businesses and suppliers to overcome a narrow deficit over a non-local supplier.

#### **3.6.2 Achieving increased local content**

Council aims to secure increased local content in its supply chain by:

- (a) Defining local suppliers within the Standards;
- (b) Setting out a weighted allowance for local content within the Standards;
- (c) Establishing a process for applying this weighted allowance within the procurement evaluation process; and
- (d) Establishing circumstances when this weighted allowance will change an outcome in favour of a local supplier.

For the operation of section 3.6 of this Policy:

"LGA" means the local government area of Liverpool.

"Local Supplier" means:

an organisation or business that operates from permanently staffed premises within the boundaries of Council's LGA, has its principal place of business in Council's LGA and has

## PROCUREMENT POLICY

operated from those premises for a minimum period of six (6) months prior to the date of Council first advertising or calling for Offers; or

an organisation or business that has less than 150 employees and is at least 50% owned by an individual (or individuals) that live within the boundaries of Council's LGA and has done so for a minimum period of six (6) months prior to the date of Council first advertising or calling for Offers. It is assumed that owners are residents or rate payers of Council's LGA;

an organisation that otherwise has a place of business within Council's LGA which solely or primarily employs at least (five) full time employees who are residents or rate payers of Council's LGA;

"Local Supplier Factor" means giving a 5 point benefit to the combined Local Supplier's overall scoring (expressed as a percentage);

"Local Supplier Threshold" means the value of goods and services being procured by Council that is greater than or equal to the value in which Council would be required to commence a formal quotation process, with a maximum cap of \$500,000.00 (including GST);

"Non-Local Supplier" means an organisation or business that does not meet the criteria of a Local Supplier pursuant to section 3.6.1(b);

"Offer" means quotations, tenders, expressions of interests and submissions made under competitive basis for the provision of goods and services to Council;

### Local Preference Objectives

Council acknowledges that it has an important role to play in the local economy and is committed to assisting Local Suppliers engage in business with Council. To assist local industry and local economic development, Council staff shall (where reasonably practicable and appropriate in the circumstances);

encourage a 'buy local' culture within Council;

encourage Local Suppliers to participate in Council business by advertising in local newspapers and other means considered appropriate;

ensure that procurementProcurement policies and procedures do not disadvantage Local Suppliers;

ensure transparency in Council's procurementProcurement practices;

encourage use of Local Suppliers by contractors, whenever goods, materials and services have to be sourced from outside Council's LGA;

encourage Local Suppliers to promote their goods and services to Council;



## PROCUREMENT POLICY

where practicable, when assessing Offers, consider the Local Supplier's contribution to Council's LGA; and

apply the Local Preference Factor (if applicable) under section 3.6.4.

#### **Offer Documentation — Local Supplier Declaration**

Offers from suppliers must be sufficiently detailed to enable members of Council staff to assess whether or not a supplier meets the criteria of a Local Supplier within the meaning of section 3.6.4.

It is the responsibility of the proposed supplier to provide relevant documentary evidence to establish the veracity of its claim as a Local Supplier. Council shall retain the right within its sole discretion to accept the veracity as to whether the supplier meets the criteria of a Local Supplier.

Council staff may provide pro-forma templates to proposed suppliers for completion and/or require proposed suppliers to provide necessary detail in another form(s) (e.g. a declaration).

If subsequent investigations by Council staff prove that false declarations were made and the supplier should not be considered a Local Supplier, then the Local Supplier Factor will not apply and the supplier will not be eligible to supply goods and/or services to Council for a period of twelve (12) months.

#### **Application of Local Supplier Factor**

The Local Supplier Factor will NOT apply in the following circumstances:

where the value of goods or services to be procured falls outside the Local Supplier Threshold; or

where, having regards to the circumstances (including but not limited to the nature of the goods or service to be procured and the market), prior to advertising, members of Council staff (i.e the evaluation committee) reasonably determine that applying the Local Supplier Factor would prevent Council from selecting a supplier that may be preferential for their needs and the local community and otherwise achieving VFM for Council.

(a) —

Where it is determined in accordance with this section 3.6.4 that the Local Supplier Factor will not apply to a procurement process, Council staff shall ensure that the Offer documentation states whether the Local Supplier Factor will apply or not.

#### **Local Supplier Factor**

In the process of determining the successful supplier of goods and services:

following the final evaluation process and rankings of all conforming Offers based on the pre-determined criteria and weightings; and

## PROCUREMENT POLICY

~~prior to the award of contract(s);~~

~~if the Local Supplier (in direct correlation in ranking to a Non-Local Supplier);~~

~~is ranked number two (2); or~~

~~falls one (1) rank below the last eligible supplier in a proposed supplier panel arrangement, such that the Local Supplier would be excluded from membership to the proposed panel arrangement;~~

~~provided the proposed supplier satisfies the criteria of a Local Supplier pursuant to section 3.6.3, then members of Council staff (i.e. the evaluation committee) must apply the Local Supplier Factor to the Local Supplier's overall scoring;~~

~~*NOTE: for the avoidance of doubt, for the purposes of section 3.6.5(a)(A), the Non-Local Supplier is ranked one (1), and for the purposes of section 3.6.5(a)(B), the Non-Local Supplier is the last ranked eligible supplier in a proposed panel arrangement.*~~

### 3.53.7 FINANCIAL MANAGEMENT

#### 3.7.1 Responsible Financial Management

~~3.5.1—~~

The principles of responsible financial management ~~is~~are to be applied to all ~~procurement~~Procurement activities. Council funds must be used efficiently and effectively to procure goods, services and works and every attempt must be made to contain the costs of the ~~procurement~~Procurement process without compromising any of the ~~procurement~~Procurement principles set out in this ~~P~~policy.

#### 3.7.2 Confirmation of Budget

~~3.5.2—~~

Prior to the commencement of a ~~procurement~~Procurement process ~~or activity~~, budget and available funds must be confirmed ~~by the Chief Financial Officer, and the responsible budget manager.~~

### 3.63.8 DELEGATIONS

#### 3.8.1 Appropriate Financial Delegation

~~3.6.1—~~

All ~~procurement~~Procurement ~~processes and~~ activities must be approved by a member of Council staff with the appropriate financial delegation and be in accordance with their instrument of delegation.

#### 3.8.2 ~~3.6.2—~~Obligations in relation to Delegations

All members of Council staff engaged in ~~procurement~~Procurement activities must:

## PROCUREMENT POLICY

- (a) ~~h~~Have a copy of their current delegation;
- (a) ~~e~~Ensure that they understand the scope of their delegation including the financial limitations set out in their delegation instrument; and
- (b) ~~n~~Not take action outside the scope of the delegated authority to their position.

### 3.9 **CORPORATE PURCHASING CARDS**

#### ~~3.7~~

- (a) ~~3.7.1~~—The Financial Services business unit is responsible for implementation, control and procedures for purchasing cards through the Council's Corporate Purchase Card Procedure.
- (b) ~~3.7.2~~—Corporate purchasing cards will be issued, administered and managed in accordance with the Council's Corporate Purchase Card Procedure.

## PROCUREMENT POLICY

**3.83.10 – RECORD KEEPING**

- (a) ~~3.8.1~~ It is important to keep accurate records to demonstrate a transparent and equitable process demonstrating probity considerations have been applied.
- (b) ~~3.8.2~~ ~~Procurement~~~~Procurement~~ records can be requested by external authorities or be the subject of a request for information under ~~the Government Information (Public Access) Act 2009 (NSW)~~ GIPA legislation.
- (c) ~~3.8.3~~ Accurate record keeping can assist Council to provide feedback to offerors and can assist to effectively manage disputes and/ or breaches.
- (d) ~~3.8.4~~ Records for ~~procurement~~~~Procurement~~ activities must be kept and recorded in ~~TRIM~~, Council's record management system ~~(currently TRIM)~~ in accordance with Council's Records Management Policy.

**3.83.11 – PROHIBITION OF GIFTS AND BENEFITS**

- ~~3.8.1~~ Under no circumstances, must any member of Council staff dealing with ~~procurement~~~~Procurement~~ accept any gift or benefit from a supplier, contractor, their agents or employees. All offers of gifts and benefits must be declared in accordance with Council's Ethical Governance: Gifts and Benefits Policy.

**3.93.12 – CONFLICTS OF INTEREST**

- (a) ~~3.9.1~~ A conflict of interests exists where a reasonable and informed person would perceive that a member of Council staff could be influenced by a private interest when carrying out their public duty. Members of Council staff involved in the ~~procurement~~~~Procurement~~ process must do all things reasonable to avoid any conflict of interest.
- (b) ~~3.9.2~~ Any conflict of interest (arising out of a ~~procurement~~~~Procurement~~ process), whether pecuniary or non-pecuniary, involving a member of Council staff, their spouse, relative, partner, friend or business associate must be disclosed to the Procurement convenor as soon as the officer becomes aware of the conflict, and must further be declared in writing and must be dealt managed with in accordance with the prevailing Procurement~~Procurement Standards, or otherwise in accordance with~~ Council's Code of Conduct and Council's Ethical Governance: Conflicts of Interest Policy.

**3.103.13 – CONFIDENTIALITY**

- ~~3.10.1~~ When undertaking a ~~procurement~~~~Procurement~~ process, ~~m~~Members of Council staff will have access to confidential information in order to fulfil their roles and responsibilities. Members of Council staff must take all reasonable steps to ensure that all information in relation to the ~~procurement~~~~Procurement~~ process



## PROCUREMENT POLICY

remains confidential, except that which is in the public domain or otherwise required by law. This includes the content of offers, any supporting information provided by Council or third parties and the outcomes of the evaluation.

**3.11.14 BREACHES OF THIS POLICY**

(a) 3.11.1 A breach of this Ppolicy by any member of Council staff will be dealt with in accordance with any relevant staff agreements, awards, industrial agreements, contracts and Council policies, including the Code of Conduct and Code of Conduct Procedures.

(b) 3.11.2 If the matter tends to show or shows maladministration, corrupt conduct, serious and substantial waste, government information contravention or criminal activity, it will be referred by the Chief Executive Officer to the appropriate investigative agency.

## PROCUREMENT POLICY

**AUTHORISED BY**

Council (Chief Executive Officer)

**EFFECTIVE FROM**

6 January 2017 [insert date of approval]

**DIRECTORATE RESPONSIBLE**

Corporate Services (Governance, and Legal Services and Procurement Procurement)

**REVIEW DATE**

6 January 2019

**VERSIONS**

Version	Amended by	Changes made	Date	TRIM Number
1	Council (Chief Executive Officer)	Original adoption	2 October 2013	229935.2013
2	Council (Chief Executive Officer)	Minor changes	3 March 2015	053017.2015
3	Council (Chief Executive Officer)	Minor changes	6 January 2017	333462.2016
4	Council (Chief Executive Officer)	Minor changes	[insert date of approval]	333462.2016-008

**REFERENCES**

Liverpool City Council: Code of Conduct

Liverpool City Council: Code of Conduct Procedures

Liverpool City Council: Corporate Purchase Card Procedure

Liverpool City Council: Ethical Governance: Conflicts of Interest Policy

Liverpool City Council: Ethical Governance: Gifts and Benefits Policy

Liverpool City Council: Procurement Procurement Standards

Liverpool City Council: Records Management Policy

**CORP 06**

**Annual Financial Statements 2018/19**

<b>Strategic Direction</b>	Leading Proactive Council Provide business excellence and financial sustainability to deliver services that meet community expectations
<b>Key Policy</b>	Long-Term Financial Plan
<b>File Ref</b>	285434.2019
<b>Report By</b>	Earl Paradeza - Senior Management Accountant
<b>Approved By</b>	Vishwa Nandan - Chief Financial Officer

**EXECUTIVE SUMMARY**

The Council at its meeting on 28<sup>th</sup> October 2019 authorised the issue of 2018/19 audited financial statements.

The financial statements together with the audit certificate was lodged with the Office of Local Government (in accordance with Section 417 of the Local Government Act 1993), and placed on public exhibition inviting public submissions.

Submissions close on 27<sup>th</sup> November 2019. Copies of all submissions received will be forwarded to the NSW Audit Office.

Should any submission include matters of significant omissions and/or misstatements in the financial statements, appropriate steps prescribed by the Office of local government will be taken to amend the financial statements.

**RECOMMENDATION**

That Council receives and adopts this report.

**REPORT**

The Council at its meeting on 28<sup>th</sup> October 2019 authorised the issue of 2018/19 audited financial statements.

The financial statements together with the audit certificate were lodged with the Office of Local Government in accordance with Section 417 of the Local Government Act 1993.

The audited financial statements were placed on public exhibition. Section 420 of the Act permits members of the public to make submissions. Submissions close on 27<sup>th</sup> November 2019.

The Act further requires Council to refer all submissions to its Auditor. Should any submission include matters of significant omissions and/or misstatements in the financial statements, appropriate steps prescribed by the Office of local government will be taken to amend the financial statements.

## **CONSIDERATIONS**

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<b>Economic</b>	The audited financial results for the year ended 30 June 2019 are contained and presented within the report.
<b>Environment</b>	There are no environmental and sustainability considerations.
<b>Social</b>	There are no social and cultural considerations.
<b>Civic Leadership</b>	There are no civic leadership and governance considerations.
<b>Legislative</b>	Section 417 and Section 420 of the Local Government Act 1993.

## **ATTACHMENTS**

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1. Audited Annual Financial Statements 2018/19 (Under separate cover)

**CTTE 01**

**Minutes of the Tourism and CBD Committee  
meeting held on 1 October 2019**

<b>Strategic Direction</b>	Generating Opportunity Create an attractive environment for investment
<b>File Ref</b>	265583.2019
<b>Report By</b>	Vi Girgis - Senior Officer City Precinct
<b>Approved By</b>	Tim Moore - Director, City Economy and Growth / Deputy CEO

**EXECUTIVE SUMMARY**

This report is tabled in order to present the Minutes of the Tourism and CBD Committee meeting held on 1 October 2019.

**RECOMMENDATION**

That Council:

1. Receive and note the Minutes of the Tourism and CBD Committee meeting held on 1 October 2019.
2. Endorse the recommendations and actions in the Minutes.

**REPORT**

The Minutes of the Tourism and CBD Committee held on 1 October are attached for the information of Council.

The Minutes identify a number of actions that require Council staff to undertake, none of which will have any financial impact on Council.

**CONSIDERATIONS**

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<b>Economic</b>	<p>Further develop a commercial centre that accommodates a variety of employment opportunities.</p> <p>Encourage and promote businesses to develop in the hospital health and medical precinct (of the City Centre).</p> <p>Facilitate economic development.</p> <p>Facilitate the development of new tourism based on local attractions.</p>
<b>Environment</b>	<p>There are no environmental and sustainability considerations.</p>
<b>Social</b>	<p>Raise awareness in the community about the available services and facilities.</p> <p>Provide cultural centres and activities for the enjoyment of the arts.</p> <p>Preserve and maintain heritage, both landscape and cultural as urban development takes place.</p> <p>Deliver high quality services for children and their families.</p>
<b>Civic Leadership</b>	<p>Foster neighbourhood pride and a sense of responsibility.</p> <p>Deliver services that are customer focused.</p>
<b>Legislative</b>	<p>There are no legislative considerations relating to this report.</p>

**ATTACHMENTS**

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1. Tourism & CBD Committee Meeting Minutes - 1 October 2019



This meeting was recorded for minute taking purposes

## MINUTES FROM TOURISM & CBD COMMITTEE MEETING 1 OCTOBER 2019

### COUNCILLORS:

Mazhar Hadid  
Geoff Shelton  
Karress Rhodes

Councillor, **Acting Chairperson**  
Councillor, Committee Member  
Councillor, Observer

### COMMITTEE REPRESENTATION:

Jason Aquilina  
Michelle Caruso  
Carol Christine North-Samardzic  
Chris Donovan  
Marc Edwards  
Tom Wang  
June Young

University of Wollongong  
IAP2  
Radio 2GLF  
Liverpool Catholic Club  
Club Liverpool  
Quest Liverpool  
Community Representative

### INVITEES

Michael Campbell

Lucid Economics

### COUNCIL STAFF:

Julie Scott  
Susana Freitas  
Craig Donarski  
Clara McGuirk  
Daniel Lavorato  
Brei Montgomery  
Nicole Voorhout

Manager City Economy  
Tourism Development Officer  
Director Casula Powerhouse Arts Centre  
Acting Strategic Events Lead  
Digital Services and Design Officer  
International Engagement and Trade Advisor  
Project Officer (**minutes**)

### APOLOGIES:

Wendy Waller  
Gus Balloot  
Tony Hadchiti  
Nathan Hagarty  
Vi Girgis  
Rose Koch  
Ian Bailey

Mayor  
Councillor  
Councillor  
Councillor  
Senior Officer City Precinct  
Committees Officer  
Winedge



## OPEN

Meeting opened at 10:05 am

### 1. WELCOME, ATTENDANCE AND APOLOGIES

Councillor Hadid welcomed the meeting and noted all apologies.

### 2. DECLARATIONS OF INTEREST

Nil

### 3. ACKNOWLEDGEMENT OF PREVIOUS MINUTES

**MOTION:** That the previous minutes of the meeting held on 6 August 2019 be adopted by the Committee.

**Moved:** June Young

**Seconded:** Cllr Shelton

On being put to the meeting, the motion was declared carried

### 4. BUSINESS ARISING FROM PREVIOUS MINUTES

#### 4.1 South West Sydney Tourism Taskforce

Cllr Rhodes requested, through the Chair, that the South West Sydney Tourism Taskforce be invited to present at a future Committee meeting.

**Action:** Tourism Development Officer to invite the South West Sydney Tourism Taskforce to present at a future Committee Meeting.

### 5. PRESENTATION – Digital Services and Design Coordinator

The Digital Services and Design Coordinator presented to the Committee an update on social media marketing statistics.

#### **Highlights:**

- Current platforms identified, Facebook, Instagram, Twitter and LinkedIn
- Affiliate marketing can be difficult to measure
- Facebook appears free but to get engagement on posts it is necessary to boost it, which costs money. Communications includes this in forecast budgeting now
- Use of Snapchat filters and specific geographic locations has been successful, especially New Year's Eve which was in a location that was not able to be googled





### Questions and Discussions

- i. Cllr Shelton queried the effectiveness of Twitter usage due to a suggested decline in effectiveness.

Digital Services and Design Coordinator advised that due to its decline, Twitter is considered more niche market, mostly utilised by journalists and Communications only utilises it in that manner and does not utilise it for general marketing.

- ii. Jason Aquilina queried whether there was capacity to track individuals passing on information and invites for events.

Digital Services and Design Coordinator advised that individual tracking was not possible however, Communications keep a list of community groups that they have been developing relationships with to help deliver this information to the community.

## 6. PRESENTATION – Summer Series of Events

The Acting Strategic Events Lead provided an overview on the Summer Series of Events

### Highlights:

- Liverpool on a Roll initial event in March engaged over 10,000 people. The event will return in November and will provide more local businesses with pop-up opportunities. The event has capacity to continue to showcase local musical talent. The current intention is to run the event on a bi-annual basis in different locations throughout the LGA
- Sculptures by the River in association with Sculptures by the Sea, will run for several months to activate the river walk area between Casula Parklands and Casula Powerhouse Arts Centre, with capacity for it to be ongoing and annually changing art pieces
- Last New Year's Eve held midnight fireworks for the first time which will be continued this year, the 9pm fireworks will be themed around the moon landing anniversary
- WaterWorld activation at Woodward Park, a mobile water park which will run from 27 December 2019 – 26 January 2020
- Australia Day – Sunday 26 January 2020
- Casula Powerhouse Arts Centre will be celebrating its 25 year anniversary

### Questions and Discussions

- iii. The Committee discussed several items in relation to Sculptures by the River including sourcing local artists and the re-use of Liverpool landmarks such as the pop art fountain, which was previously located in Macquarie Mall. The committee questioned how the sculptures would be protected and insured, the economics of renting a suite of sculptures versus buying sculptures and the potential for water sculptures. Director Casula Powerhouse Arts Centre advised that Council would always look to seek local artists, however the costs of purchasing single items is quite expensive compared to renting a suite of sculptures.



He also advised that items would be insured, but noted that there had not been any examples of vandalism or damage in the three years he has worked at the Casula Powerhouse Arts Centre.

He further advised that the area is locked up at night and a potential option for usage of space at the back of the Powerhouse as a commuter carpark means that Transport NSW would fund additional lighting and cameras for the area. The area will continue to be locked by a security guard in the evening with signage advising commuters of a close time.

Director Casula Powerhouse Arts Centre also advised that many factors are considered when sourcing the pieces including robustness before aesthetics and that the risk team in Council is also involved in the selection process. In addition, the idea of water sculptures is being explored with the hope of longer-term activation in potential water play area and activities.

- iv. Cllr Rhodes asked for clarification on the Waterpark option that Council agreed to.

Clara McGuirk advised that the option Council agreed to was the option that included ticketed entry rather than Council incurring the costs for users to have free entry.

## 7. PRESENTATION – Update by Tourism Development Officer

The Tourism Development Officer provided an update on activations and tourism.

### Highlights:

- Data as an action from previous minutes in relation to smoking warnings and fines in Macquarie Mall was presented
- Data as an action from previous minutes in relation to international visitors at local hotels was presented. Committee members were reminded that data provided directly from the hotels and motels were self-reported and not verified. Michael Campbell from Lucid Economics provided an update on the difference in the figures, which was attributed to his original data source not having access to one of the major hotels in the area, he identified that this is why it is important to gather data from multiple sources
- A visitor guide is being developed
- An outcome of the Destination Management Plan relates to a project which will include talking to guided tour companies to identify why they stay in Liverpool, activities taken in Liverpool or why the tour companies do not visit Liverpool
- Update on the current outcomes of the student discount program
- NSW Visitor Economy Industry Sentiment Survey can only be commented on by business owners or managers

**ACTION:** Tourism Development Officer to share the link with the Committee

- Officers from 9 councils met with the Tourism Policy Team in the Department of Treasury to inform the nature based tourism strategy
- Eat Your Heart Out was held in August with multiple positive outcomes, including the event having an 87% excellent or good rating from attendees, attendees citing they discovered new businesses, businesses receiving an increase in trade following the event and the



owners of the building with the new mural installing lights in the car park after 25 years to make it a safer and more vibrant part of the city centre

- Love Livo Nights first event was also very successful with over 200 attendees
- Christmas in the Mall will be held on 30 November 2019 continuing with the same theme as last year where different community groups will be approached to perform Christmas Carols in their own language
- A Roller Rink has also been commissioned to activate Macquarie Mall prior to Christmas, it will run from 3pm to 8pm to help further activate the evening economy and is in addition to the Council resolution to install lights along Macquarie Street for Christmas
- Council commissioned a retail study to better understand the city's retail and commercial opportunities, night-time and entertainment needs. The retail study will be incorporated into large mixed use development applications

#### **Queries and Discussions**

- i. The Committee discussed the hotel figures provided. The figures provided were the international visitors that the hotels and one motel in Liverpool provided after being contacted directly. The Committee discussed Council's role in helping to advertise Liverpool to an international market. The Committee discussed how Council would contribute to helping keep visitors in the local LGA, how to encourage them to spend the "Day in Liverpool".

- ii. Cllr Rhodes suggested that the South West Sydney Tourism Taskforce be invited to present to the Committee.

This has been added as an action under point 4.

- iii. Jason Aquilina asked if there was data on where people were coming from in relation to the Love Livo Nights event.

Tourism Development Officer advised that it is a yearlong plan and surveys are being developed for future Love Livo Night events to collect that information.

- iv. Cllr Rhodes asked if an ice rink was ever investigated as it was considered several years ago.

Manager City Economy advised that an ice rink had been investigated but it was deemed costly with high-risk management not deemed suitable by the Council's Risk team.

- v. Cllr Shelton queried the retail study and how it worked with a previous retail hierarchy study.

Manager City Economy advised that this study factored the previous study in and they, in effect, worked side by side.

## **8. GENERAL BUSINESS**

### **8.1 Improving the look of Liverpool CBD**

The Committee discussed Council's continued capacity to enhance the look and feel of Liverpool for visitors and residents alike. Further discussion by the Committee was had around what Council was doing to lift the face of Liverpool, and the Acting Chair reminded the Committee about such



successes as Eat Your Heart Out activating a dead zone into a bright, cheery, usable area and that Council Officers should continue to do the work they are doing.

June Young asked if Council's Façade Upgrade Program was still running and was advised it continued to be presented to businesses to access.

Carol Christine North-Samardzic noted that she continued to see many shopping carts around Liverpool. The Acting Chair advised Carol that Council was addressing this by collecting the carts and detaining them from shop holders to encourage them to be more vigilant about this problem.

#### [8.2 Introducing the International Engagement and Trade Advisor](#)

Manager City Economy introduced Brei Montgomery; Brei is Council's new International Engagement and Trade Advisor, she sits in the City Economy Team.

## **CLOSE**

**Meeting closed at 11:55 am**

## **NEXT MEETING**

5th December  
10am – 12pm  
Gold Room, Liverpool City Library

**CTTE 02**

**Minutes of the Liverpool Youth Council Meeting  
held on 2 October 2019**

<b>Strategic Direction</b>	Leading through Collaboration Encourage community participation in decision-making
<b>File Ref</b>	268760.2019
<b>Report By</b>	Galavizh Ahmadi Nia - Manager Community Development and Planning
<b>Approved By</b>	Dr Eddie Jackson - Director City Community and Culture

**EXECUTIVE SUMMARY**

This report is tabled in order to present the Minutes of the Liverpool Youth Council Meeting held on 2 October 2019.

**RECOMMENDATION**

That Council receives and notes the Minutes of the Liverpool Youth Council Meeting held on 2 October 2019.

**REPORT**

The Minutes of the Liverpool Youth Council held on 2 October 2019 are attached for the information of Council.

The Minutes identify a number of actions for Council staff to undertake, none of which will have any financial impact on Council.

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**CONSIDERATIONS**

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<b>Economic</b>	There are no economic and financial considerations.
<b>Environment</b>	There are no environmental and sustainability considerations.
<b>Social</b>	Raise awareness in the community about the available services and facilities. Support community organisations, groups and volunteers to deliver coordinated services to the community.
<b>Civic Leadership</b>	Facilitate the development of community leaders. Encourage the community to engage in Council initiatives and actions.
<b>Legislative</b>	There are no legislative considerations relating to this report.

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**ATTACHMENTS**

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1. Minutes of the Liverpool Youth Council Meeting held on 2 October 2019.





## Minutes

### MINUTES OF LIVERPOOL YOUTH COUNCIL MEETING

**2 October 2019**

#### COUNCILLORS:

Councillor Nathan Hagarty

Liverpool City Council

Councillor Charishma Kaliyanda

Liverpool City Council

#### COMMITTEE MEMBERS:

Madison Young

Chairperson

Simbarashe Zimbudzana

Deputy Chairperson

Vishal Senthilkumar

Secretary

Saurabh Sibal

Treasurer

Jayesh Joshi

Youth Councillor

Lily Bolin

Youth Councillor

#### COUNCIL ATTENDEES:

Derek Tweed

Community Development Worker (Youth)

#### APOLOGIES:

Mayor Wendy Waller

Liverpool City Council

Cheryl Anthony

Media Representative

Tjarani Barton-Vaofanua

Youth Councillor

Michael Azzi

Youth Councillor

Shonali Kumar

Media Representative

Manar Al-Ogaidi

Youth Councillor

Alyssia Dower

Youth Councillor



## Minutes

### 1. WELCOME, ATTENDANCE, APOLOGIES AND OPENING

Chairperson Madison Young welcomed everyone and opened the meeting at 6.15pm.

### 2. DECLARATIONS OF INTEREST

Nil.

### 3. CONFIRMATION OF PREVIOUS MINUTES

The minutes from the meeting held on 4 September 2019 were confirmed as a true record of that meeting.

**Moved:** Simbarashe Zimbudzana **Seconded:** Jayesh Joshi

### 4. BUSINESS ARISING FROM PREVIOUS MINUTES

#### 4.1 PAWS Therapy Program

The Community Development Worker (Youth) liaised with the PAWS Therapy organisation and made an application for the therapy dog program to be held in Liverpool, to support HSC students. Library staff have identified Carnes Hill and Liverpool City Libraries as the most appropriate libraries for this program. Council is currently awaiting a response from PAWS Therapy.

**Moved:** Simbarashe Zimbudzana **Seconded:** Jayesh Joshi

**MOTION:** That the information be received and noted.

On being put to the meeting, the motion was declared carried.

### 5. CORRESPONDENCE

There was no correspondence tabled at this meeting.

### 6. COUNCILLOR UPDATE

Councillors Hagarty and Kaliyanda provided the following updates from the recent Council meeting held on 25 September:

- Council voted Councillor Ali Karnib as Deputy Mayor for the period September 2019 – September 2020;
- Proposed changes to Council ward boundaries were placed on public exhibition for comment between 1 August 2019 and 12 September 2019. Option 1, which included moving all of Rossmore and Austral from the South Ward into the North Ward was adopted and will be submitted to the NSW Electoral Commissioner for consideration;
- Councillor Hagarty submitted a Notice of Motion (NOM) with regard to the Ferrington Park project. This NOM recommends Council work with all stakeholders who were





## Minutes

part of this project to document the lessons learned and develop a policy to encourage similar projects across the LGA;

- Councillor Kaliyanda submitted a NOM regarding Affordable Housing. The NOM recommends Council consider a regional strategy with the Western Sydney Regional Organisation of Councils (WSROC) to inform policies across Western Sydney and take a strategic approach to planning for affordable housing;
- Councillor Kaliyanda submitted a NOM opposing the removal of Liverpool Railway Station's Safety and Information Booth (Garrison). This booth provides information and safety to community members utilising Liverpool Railway Station. Council will write to the CEO of Sydney Trains and the NSW Transport Minister to intervene and prevent the closure of the Garrison;
- The Liverpool Charity Ball was held at the Inglis Hotel, Warwick Farm on 21 September. The event raised approximately \$50,000 for the Ingham Institute for Applied Medical Research;
- Councillor Hagarty attended the "sod" turning ceremony at Edmondson Park on 1 October which marked the official start of the construction of the town centre; and
- The Living Libraries Mental Health Month symposium is being held on 3 October at Liverpool City Library.

**Moved:** Simbarashe Zimbudzana

**Seconded:** Lily Bolin

**MOTION:** That the information be received and noted.

On being put to the meeting, the motion was declared carried.

## 7. YOUTH WORKER'S REPORT

**7.1 Movies in the Mall** - Free family movies are screened at Macquarie Mall on the first Friday of each month. The next movie is on 4 October at 6:30pm - Bride and Prejudice.

**7.2 School Holidays** – A learn to skate clinic along with basketball clinics will be held on Thursday 3 October at Carnes Hill from 12pm. In partnership with Headspace Liverpool, a skate clinic will be held on Thursday 10 October at Kelso Park, Moorebank to mark National Mental Health Month.

**7.3 Liverpool on a Roll** - This event will be held at Greenway Park on Saturday 9 November from 4:00 – 10:00pm. The event includes food trucks, garden games and entertainment. This event was a sell out in March and is being held again by popular demand.

**Moved:** Simbarashe Zimbudzana **Seconded:** Vishal Senthilkumar

**MOTION:** That the information be received and noted.



## Minutes

On being put to the meeting, the motion was declared carried.

### 8. TREASURER'S REPORT

The Youth Council budget expenditure for the 2019/2020 financial year is \$721, with a remaining balance of \$10,003.

**Moved:** Simbarashe Zimbudzana **Seconded:** Vishal Senthilkumar

**MOTION:** That the information be received and noted.

On being put to the meeting, the motion was declared carried.

### 9. RADAR REPORT

There was no RADAR report tabled at this meeting.

### 10. MEDIA REPRESENTATIVE'S REPORT

The following updates were provided on the Youth Council Facebook page:

- The number of Likes for the Youth Council Facebook page has reached 1000. This represents a great effort by all Youth Council members in encouraging friends to support the page; and
- The new Youth Council Instagram page has been linked to Council's Instagram page. This page is intended to increase engagement with the youth demographic in Liverpool.

**Moved:** Simbarashe Zimbudzana **Seconded:** Lily Bolin

**MOTION:** That the information be received and noted.

On being put to the meeting, the motion was declared carried.

### 11. GENERAL BUSINESS

#### 11.1 Youth groups in Liverpool

Deputy Chairperson Simbarashe Zimbudzana discussed the number of separate youth committees operating in Liverpool. This includes the Liverpool Youth Council, Headspace – Youth Reference Group, Casula Powerhouse Arts Centre – CPAC Youth and the Street University – Street Union.

Youth Councillors suggested working collaboratively with other youth-specific groups in Liverpool to reach a wider audience and achieve a common goal. Increased collaboration amongst these groups will provide greater opportunities for connections with schools, young people and youth services. Deputy Chairperson Simbarashe will further investigate other youth groups and report back at the next meeting.



## Minutes

**ACTION:** Deputy Chairperson Simbarashe Zimbudzana to investigate youth groups and committees in Liverpool and report back to the next meeting.

### 11.2 Street art in Liverpool

Youth Councillor Jayesh Joshi raised the issue of incorporating more street art into Liverpool. Street art could revitalise older buildings in the CBD, and improve the overall character of Liverpool. Liverpool could work towards having an iconic piece of street art that increases tourism and cultivates culture within Liverpool. It was suggested that the Youth Council could lead a project for young people to identify locations for street art. Youth Councillors to consider available funding opportunities and to partner with experienced artists as part of the process.

### 11.3 Sustainable Enterprises

As part of the Youth Council's commitment to reducing single use plastics, Deputy Chairperson Simbarashe Zimbudzana provided a box of wheat straws that are environmentally sustainable to consider using at events. The Community Development Worker (Youth) will seek advice from Council's Risk Management team to ensure the straws are safe to use.

**ACTION:** The Community Development Worker (Youth) to seek advice from Council's Risk Management team on the use of wheat straws.

### 11.4 School Students Environment Rallies

Youth Council members discussed their support of students who have been participating in protest rallies in the Sydney CBD as part of the 'Climate Strike'. Youth Council members support the calls to the Federal Government for:

- No new coal, oil or gas projects;
- 100 per cent renewable energy generation and exports by 2030; and
- Funding for "a just transition and job creation for all fossil-fuel industry workers and communities".

**Moved:** Simbarashe Zimbudzana    **Seconded:** Lily Bolin

**MOTION:** That the information be received and noted.

On being put to the meeting, the motion was declared carried.

## 12. CLOSE

The meeting was closed at 7:45pm.

The next Liverpool Youth Council meeting will be held on Wednesday 6 November 2019 from 6:00pm – 8:00pm.

**CTTE 03****Notes of the Meeting held on 8 August 2019 and  
Minutes of the Liverpool Access Committee  
Meeting held on 10 October 2019.**

<b>Strategic Direction</b>	Creating Connection Implement access and equity for all members of the community
<b>File Ref</b>	270710.2019
<b>Report By</b>	Galavizh Ahmadi Nia - Manager Community Development and Planning
<b>Approved By</b>	Dr Eddie Jackson - Director City Community and Culture

**EXECUTIVE SUMMARY**

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This report is tabled in order to present the Notes of the meeting held on 8 August 2019 and the Minutes of the Liverpool Access Committee meeting held on 10 October 2019.

**RECOMMENDATION**

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That Council receives and notes the Notes of the meeting held on 8 August 2019 and the Minutes of the Liverpool Access Committee meeting held on 10 October 2019.

**REPORT**

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The Notes of the meeting held on 8 August 2019 and the Minutes of the Liverpool Access Committee meeting held on 10 October 2019 are attached for the information of Council.

The Notes and Minutes identify a number of actions for Council staff to undertake, none of which will have any financial impact on Council.

**CONSIDERATIONS**

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<b>Economic</b>	There are no economic and financial considerations.
<b>Environment</b>	There are no environmental and sustainability considerations.
<b>Social</b>	Support access and services for people with a disability.
<b>Civic Leadership</b>	Encourage the community to engage in Council initiatives and actions.
<b>Legislative</b>	There are no legislative considerations relating to this report.

**ATTACHMENTS**

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1. Notes of the Liverpool Access Committee Meeting held on 8 August 2019.
2. Minutes of the Liverpool Access Committee Meeting held on 10 October 2019.



## NOTES OF THE LIVERPOOL ACCESS COMMITTEE MEETING 8 August 2019

### COUNCILLORS:

Mayor Wendy Waller

Liverpool City Council (Chairperson)

### COMMITTEE MEMBERS:

Ellie Robertson  
Jim Simpson  
Jess Cameron  
Christine O'Neill

Community Representative  
Community Representative  
Community Representative  
Community Representative

### COUNCIL ATTENDEES:

Paola Jamett-Caru  
Anna Breen

Group Projects Officer  
Community Engagement Officer

### GUESTS:

Craig Simpson  
Pauline David  
Carol Hamilton

Community Representative  
Settlement Services International  
Settlement Services International

### APOLOGIES:

Councillor Peter Harle  
Councillor Karress Rhodes  
Councillor Geoff Shelton  
Harley Davidson  
Kathryn Hammond

Liverpool City Council  
Liverpool City Council  
Liverpool City Council  
Community Representative  
Community Development Worker (Aged & Disability)





## 1. WELCOME, ATTENDANCE AND APOLOGIES

Mayor Wendy Waller opened the meeting and conducted an Acknowledgement of Country.

## 2. DECLARATIONS OF INTEREST

Nil

## 3. CONFIRMATION OF PREVIOUS MINUTES

As the quorum was not achieved, confirmation of the previous minutes will be held over until the next meeting.

## 4. BUSINESS ARISING FROM PREVIOUS MINUTES

### 4.1 Boarding Assistance passes

Committee members were advised that the Boarding Assistance passes are no longer available through Service NSW.

### 4.2 Bus access from Liverpool to Casula Powerhouse Arts Centre (CPAC)

This matter has been carried forward to the next meeting as Councillors were not present to provide feedback from the Pedestrian, Active Transport and Access Committee.

**ACTION:** The issue of bus access to Casula Powerhouse Arts Centre to be raised at the next Pedestrian, Active Transport & Access Committee meeting.

### 4.3 Removal of items for household clean up services from private property

Volunteer groups are unable to enter private property to remove items from homes due to Work Health and Safety risks and legal requirements.

Mayor Wendy Waller noted that it is a policy issue and proposed the Committee seek advice from the Director City Presentation.

**ACTION:** Community Development Worker (Aged and Disability) to seek advice on this issue from Director City Presentation.

### 4.4 Accessible toilets

The Committee were advised that a change room and toilets will be built near the water play facility at Bigge Park. The Committee enquired if the amenities will be accessible. Committee members were informed that the amenities will be built to current specifications.

The Committee enquired as to whether the new amenities could also serve as the accessible toilets requested for the Liverpool Train Station bus terminal as it is within close proximity. Committee members were advised that these facilities will be available for public use.



#### 4.5 Upgrades to the Liverpool Westfield building

Mayor Wendy Waller offered to write a letter to Westfield Liverpool to inform them that residents are having issues with the elevators. This letter would enquire as to how quickly Westfield responds to reported breakdowns.

**ACTION:** A letter to be sent to Liverpool Westfield informing them of the issue with the elevators, and enquiring as to how quickly they are repaired.

#### 4.6 Liverpool City Library ramp

Customer Service requests have been lodged for the two ramps, including the entrance to the library and the ramp exiting onto George Street.

#### 4.7 Elizabeth Drive footpath

Committee members were advised that this repair work is the responsibility of Roads and Maritime Services, not Council. A temporary fix has been implemented on the footpath. Council will monitor this to ensure the final works occur within a reasonable timeframe.

#### 4.8 Construction fences and damage to footpaths

Committee members were advised that developers must repair any damage to footpaths caused by construction vehicles within a reasonable timeframe. Construction fencing must comply with access requirements.

Community members are urged to contact Council and lodge a customer request to report any concerns so that Council can respond.

#### 4.9 Bigge Street car parking

Council rangers have been notified of the issue of cars parking across the footpath on Bigge Street, near the Hume Highway. Council will continue to monitor and issue infringement notices as required.

#### 4.10 Kerb ramp on Lachlan Street, Liverpool

Committee members were advised that relevant Council officers have been notified and are investigating an appropriate solution. Instructions have been issued to Council's City Presentation team to construct the path and ramp on the northern side of Lachlan Street to connect to the existing footpath.

#### 4.11 Macquarie and George Street footpaths

Committee members were advised that relevant Council officers have been notified and are investigating an appropriate solution.

### 5. Access Notifications

Committee members raised concerns regarding the lack of footpath access from Casula Train Station to Casula Powerhouse Arts Centre.





The trains come into the Casula Train Station platform at a tilt, and there are gaps between the train and platform. Committee members were advised that Craig Simpson spoke to Sydney Trains and this issue will be raised at the Liverpool Transport Taskforce October meeting. The vertical gap on platform three at Liverpool Train Station will also be raised at this meeting.

Liverpool Growers and Foodies Markets, held in Childs Park, corner of Ascot Drive and Central Avenue is difficult for people in wheelchairs to access. Committee members queried whether laybacks could be arranged to improve mobility.

**ACTION:** Council to investigate installing laybacks at the Liverpool Growers and Foodies Market location.

Committee members raised concerns that there are no accessible public toilets with ceiling hoist facilities in Liverpool.

Committee members were advised that Marveloo is a mobile accessible restroom that can be used for large cultural and civic events. These facilities can be hired for \$1,700 a day or purchased for \$63,000.

Committee members were advised that Liverpool Hospital received \$740m for refurbishment purposes. Mayor Wendy Waller offered to write to the Hospital to consider upgrading the accessible toilet to include a ceiling hoist.

**ACTION:** Community Development Worker (Aged and Disability) to draft a letter to Liverpool Hospital regarding the inclusion of a ceiling hoist in the upgrade works.

## 6. GENERAL BUSINESS

### 6.1 Guest Speaker – Pauline David and Carol Hamilton, ourVoice Project, Settlement Services International (SSI)

Pauline David is a lived experience educator who educates mainstream disability services to make them more culturally responsive. The Committee were informed of the inspirational and personal insight into Pauline's own lived experiences. Pauline champions and advocates for CALD women to be independent.

### 6.2 Guest Speaker – Anna Breen, Community Engagement Officer, Liverpool City Council Draft Local Strategic Planning Statement (LSPS)

Committee members were informed that the Draft Local Strategic Planning Statement (LSPS) is currently on public exhibition until 9 August. Members were advised to review the document and provide a submission if they wished. All submissions will be considered.

Committee members raised the issue of car parks, parks and high rise apartments, in particular safety issues regarding lifts and emergency exits.

Some committee members advised they have already made submissions through Liverpool Listens.

### 6.3 Sydney Seniors and Disability Expo

The Sydney Seniors & Disability Expo will be held 13-14 September at Sydney Olympic Park.



#### **6.4 Liverpool Transport Taskforce Forum**

Committee members were informed that the Liverpool Transport Task Force Forum will be held on 19 October from 10am to 1pm at the Purple Room, Liverpool Library. The forum will include a panel discussion and Q&A.

#### **7. CORRESPONDENCE**

No correspondence was presented at this meeting.

#### **CLOSE**

Meeting closed at 2.55pm.

Next meeting will be held on 10 October 2019, 1:00pm – 3:00pm at Liverpool City Library, Orange Room.



## MINUTES FROM THE LIVERPOOL ACCESS COMMITTEE

### 10 October 2019

#### COUNCILLORS:

Councillor Peter Harle  
Councillor Karress Rhodes  
Councillor Geoff Shelton

Liverpool City Council (Acting Chairperson)  
Liverpool City Council  
Liverpool City Council

#### COMMITTEE MEMBERS:

Ellie Robertson  
Jim Simpson  
Ollie Lassen  
Peter Fraser  
Christine O'Neill  
Jessica Cameron

Community Representative  
Community Representative  
Community Representative  
Community Representative  
Northcott  
Disability South West

#### COUNCIL ATTENDEES:

Jacqueline Newsome

Coordinator Community Development

#### GUESTS:

Craig Simpson  
Brett Leonard

Community Representative  
Westfield Liverpool

#### APOLOGIES:

Mayor Wendy Waller

Liverpool City Council



## 1. WELCOME, ATTENDANCE AND APOLOGIES

Councillor Harle opened the meeting and conducted the Acknowledgement of Country.

## 2. DECLARATIONS OF INTEREST

Nil

## 3. CONFIRMATION OF PREVIOUS MINUTES

Quorum was not achieved at the 8 August meeting of the Access Committee. The Minutes of the 13 June meeting and the notes from the 8 August meeting were confirmed as a true records of those meetings.

**Moved:** Ellie Robertson

**Seconded:** Jim Simpson

## 4. GUEST SPEAKER – Brett Leonard, Centre Manager Westfield Liverpool

Committee members were advised of the proposed upgrades to Westfield Liverpool, including:

- A rooftop dining precinct in the area near Macquarie Mall;
- Additional elevators and travelators will be installed to improve access;
- The Development Application (DA) for these works is currently with Council for review and approval; and
- Following approval, upgrades are expected to commence at the end of next year.

Committee members were advised that the Mayor's letter regarding the elevator has been received. The elevator in question – located near Rebel Sport – is a different model than the other lifts in the centre, and therefore requires parts for repairs to be ordered from overseas, which impacts the length of time the elevator is out of service. There are plans for this elevator to be replaced in the future, however that is likely two-three years away.

Committee members queried whether one of the accessible bathrooms in the centre could be equipped with a ceiling hoist. Members were advised that the installation of a ceiling hoist is being considered for the accessible bathroom near Target. This is not likely to occur until the end of 2020. A portable hoist option was discussed.

Committee members requested additional hand rails be installed in accessible bathrooms around the perimeter of the room to allow people with disability greater accessibility in the bathroom. There are currently only rails alongside the toilet and hand basin, which does not allow for adequate movement throughout the space without holding onto walls and other fixtures. Committee members were advised that Westfield will investigate installing additional hand rails.

Committee members requested to view the approved plans for the centre upgrades once finalised. Westfield representatives will return to a future meeting to present the final plans.

The Committee discussed concerns regarding the new automated parking system at Westfield Liverpool. People with disability may access the centre with various Support Workers, who often utilise their own vehicles. The new parking system will not allow for multiple vehicles to be registered to the one accessible parking permit, meaning people with disability will have to pay for parking from their NDIS plan funds.



**ACTION:** Committee member Ellie Robertson to send photographs of a suitable portable hoist to Coordinator Community Development to forward to Westfield Liverpool for consideration.

## 5. BUSINESS ARISING FROM PREVIOUS MINUTES

### 5.1 Upgrades to Westfield Liverpool

The letter informing Liverpool Westfield of the ongoing issue with the elevators has been sent.

### 5.2 Removal of household items from private property

Council's Legal and Governance teams have confirmed that Council staff are unable to lawfully enter private properties to assist with moving hard rubbish to the kerb for collection due to workplace safety and liability limitations. Committee members were advised that residents will need to make their own arrangements for rubbish to be brought to the kerb.

### 5.3 Access to Liverpool Growers and Foodies Markets

Committee members were asked for clarification of the location where access is an issue. A photograph of the area was circulated to confirm the location. This information will be provided to the relevant Council departments for investigation and rectification.

**ACTION:** Council to investigate improving accessibility at the Liverpool Growers and Foodies Market location.

### 5.4 Letter to Liverpool Hospital

Committee members were advised that this letter has been drafted and will be sent to the hospital shortly.

## 6. ACCESS NOTIFICATIONS

### 6.1 Bus stop at Sutton Road, Ashcroft

Committee members discussed the bus stop near the shops at Sutton Road, Ashcroft. The shelter at this bus stop is not large enough to accommodate prams, wheelchairs and other mobility vehicles.

**ACTION:** Relevant Council department to investigate and advise of a modification plan where possible.

### 6.2 Overhanging tree branches on footpaths

Committee members discussed overhanging tree branches and plants on footpaths in a number of locations throughout the LGA.

Committee members were informed of the City Presentation restructure, with dedicated teams now tasked to particular areas of the LGA. It is anticipated that this model will improve the management of such issues.





### 6.3 Footpath at 76 Flowerdale Road, Liverpool

Committee members raised the issue of tree roots lifting the footpath in front of this property. Council officers to investigate and repair as necessary.

**ACTION:** Council to investigate and advise of possible actions.

### 6.4 Footpath repairs at Moore Street, in front of cemetery

Committee members advised that footpath repairs occurring in front of the cemetery in Moore Street have been ongoing for several weeks. These repair works mean that community members using the footpath must leave the footpath and go onto uneven ground or the road to pass by.

**ACTION:** Council to investigate these repairs and provide an update on their completion.

### 6.5 Accessible parking space at Hearing Centre in Moore Street

Committee members raised concerns regarding the accessible parking space in front of the Hearing Centre in Moore Street. This space has a layback for access to the footpath within the parking space, which means that once a vehicle is parked in the space people with disability must travel on the road to access the ramp at the end of the street.

**ACTION:** Council to investigate a potential change of the location of this ramp.

## 7. GENERAL BUSINESS

### 7.1 Committee member name badges

Committee members requested new name badges be created to wear at meetings. As there are some new members on the Committee, badges would assist to identify members and learn names.

**ACTION:** Coordinator Community Development to create new name badges for Committee members, to be provided at the next meeting.

### 7.2 Accessible parking in Liverpool CBD

Committee members discussed the issue of accessible parking spaces in Liverpool CBD. Councillor Rhodes advised she had received an email from a community member who was concerned about the use of accessible parking spaces by people who do not require them.

Committee members were advised that parking in the Liverpool CBD is now monitored using number plate recognition technology. Council Rangers patrol to ensure vehicles are parked appropriately. Committee members were advised that Council has cancelled over 360 fraudulent accessible parking permits in Liverpool this year.

### 7.3 Parking at Liverpool Hospital

Committee members discussed the cost of parking at Liverpool Hospital. Members were advised the parking area at the back of the hospital (Warwick Farm end) was only \$6.80 per day, compared with \$20.00 in the other areas. Members were advised that the parking facilities are managed by a private contractor and Council has no influence on parking rates. Committee members were further advised that weekly parking rates are available at the hospital, however these rates are not publicly advertised and only available on request.



#### 7.4 Mobility Map

Committee members requested an update on Liverpool's Mobility Map. It was advised that this document is currently under review and an update will be provided at the next meeting.

**ACTION:** Coordinator Community Development to provide an update on the Mobility Map review at the next meeting.

#### 7.5 Committee update

Committee members were advised that Afet Ozyigit has resigned from the Access Committee, due to moving away from the Liverpool area.

Further they were advised that Kathryn Hammond, Community Development Worker (Aged and Disability) has left Council. In the interim, committee members can contact Jacqueline Newsome, Coordinator Community Development at [newsomej@liverpool.nsw.gov.au](mailto:newsomej@liverpool.nsw.gov.au) or 8711 7781 with any queries.

### 8. CORRESPONDENCE

Committee members were provided with a flyer for the upcoming Liverpool Traffic Taskforce meeting on 19 October at Liverpool City Library. Community members are welcome to attend.

### CLOSE

Meeting closed at 3:00pm.

Next meeting: Thursday 12 December 2019, 1:00pm – 3:00pm at Liverpool City Library, Orange Room.

**CTTE 04**

**Minutes of the Environment Advisory Committee  
held on 9 October 2019**

<b>Strategic Direction</b>	Strengthening and Protecting our Environment Develop, and advocate for, plans that support safe and friendly communities
<b>File Ref</b>	275506.2019
<b>Report By</b>	Michael Zengovski - Manager City Environment
<b>Approved By</b>	Raj Autar - Director City Infrastructure and Environment

**EXECUTIVE SUMMARY**

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This report is tabled in order to present the Minutes of the Environment Advisory Committee Meeting held on 9 October 2019.

**RECOMMENDATION**

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That Council:

1. Receives and notes the Minutes of the Environment Advisory Committee meeting held on 9 October 2019.
2. Endorses the recommendations in the Minutes.

**REPORT**

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The Minutes of the Environment Advisory Committee Meeting held on 9 October 2019 are attached for the information of Council.

The Minutes identify a number of actions that require Council staff to undertake, none of which will have any financial impact on Council.



## **CONSIDERATIONS**

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<b>Economic</b>	There are no economic considerations.
<b>Environment</b>	<p>Manage the environmental health of waterways.</p> <p>Manage air, water, noise and chemical pollution.</p> <p>Enhance the environmental performance of buildings and homes.</p> <p>Protect, enhance and maintain areas of endangered ecological communities and high quality bushland as part of an attractive mix of land uses.</p> <p>Raise community awareness and support action in relation to environmental issues.</p>
<b>Social</b>	<p>Raise awareness in the community about the available services and facilities.</p> <p>Preserve and maintain heritage, both landscape and cultural as urban development takes place.</p> <p>Support community organisations, groups and volunteers to deliver coordinated services to the community.</p>
<b>Civic Leadership</b>	<p>Act as an environmental leader in the community.</p> <p>Foster neighbourhood pride and a sense of responsibility.</p> <p>Encourage the community to engage in Council initiatives and actions.</p> <p>Provide information about Council's services, roles and decision making processes.</p>
<b>Legislative</b>	There are no legislative considerations relating to this report.

## **ATTACHMENTS**

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1. Environment Advisory Committee Meeting Minutes - 9 October 2019



This meeting was recorded for minute taking purposes

## MINUTES FROM ENVIRONMENTAL ADVISORY COMMITTEE MEETING 9 October 2019

### COUNCILLORS:

Geoff Shelton  
Peter Harle

### Chairperson

### COMMITTEE REPRESENTATION:

Francis Cooray  
Stephen Dobell-Brown  
Rosalyn Faddy  
Peter Fraser  
Ellie Robertson  
Robert Storey  
Signe Westerberg

Community Representative  
Community Representative  
Community Representative  
Community Representative  
Community Representative  
Community Representative  
Community Representative

### COUNCIL ATTENDEES:

Raj Autar  
Michael Zengovski  
Nada Mardini  
Kevin Smith  
Alexi Gilchrist  
Maruf Hossain  
Rose Koch

Director City Infrastructure & Environment  
Manager City Environment  
Manager Community Standards  
A/Manager City Works  
A/Coordinator Environment Restoration Plan  
A/Manager Technical Support  
Committees Officer (**Minutes**)

### APOLOGIES:

Karress Rhodes  
Dr Beiman Banoub  
Sarah Stimson  
Ian Bailey  
Patricia Glossop  
Floret Meredith

Councillor  
Memorial Avenue Vet Clinic  
Animal Welfare League  
Community Representative  
Community Representative  
Community Representative

### OPEN

Meeting opened at 5:40 pm

### 1. WELCOME, ATTENDANCE AND APOLOGIES

Cllr Shelton opened the meeting and acknowledged the traditional custodians of the land. Apologies were noted.



## 2. DECLARATIONS OF INTEREST

Nil

## 3. REVIEW OF PREVIOUS MINUTES

The Committee endorsed the minutes from the previous meeting.

**Motion:** That the minutes from the previous EAC meeting on 6 August 2019, be endorsed by the Committee.

**Moved:** Stephen Dobell-Brown

**Seconded:** Cllr Harle

On being put to the meeting, the motion was declared carried.

## 4. BUSINESS ARISING FROM PREVIOUS MINUTES

### 4.1 Update on Glyphosate use

In response to Council exploring alternative chemicals to glyphosate based on international publicity, Mr Storey read excerpts on Glyphosate from the Australian Pesticides and Veterinary Medicines Authority (APVMA) website, advising that glyphosate is one of the safest herbicides on the market.

A/Manager City Works added that Council's position on the use of glyphosate is that it is deemed safe by the authorities when guidelines for its use are followed. Additionally, risk assessments are conducted for all chemicals used in parks maintenance and that activities are conducted in accordance with Safe Work Method Statements. However, with the recent publicity, it is sensible to investigate alternatives. It was advised that Council will continue to use glyphosate until the APVMA advises otherwise.

Signe Westerberg praised Council's efforts in considering alternative options.

**Action:** Robert Storey to circulate the article on the use of glyphosate, prepared by the Australian Pesticides and Veterinary Medicines Authority, to the Committee.

Further information can be found via this link from the website: <https://apvma.gov.au/node/13891>

### 4.2 Use of Microphones during Committee meetings

To improve communication the committee considered the use of a microphone system for future meetings, as is used at the Civic Advisory Committee.

**Action:** Council staff make appropriate arrangements for the use of a microphone system at future EAC meetings.

## 5. PRESENTATION

### 5.1 Stray Cats Management

Ellie Robertson delivered a presentation on behalf of Dr Beiman Banoub from the Memorial Avenue Vet Clinic, demonstrating the issues arising from free roaming stray and feral cats, also known as community cats.

Additionally, the issue of public health was noted as community cats can transmit infectious diseases to humans and other pets.

The following recommendations were suggested as ways to address the issue with the involvement of residents, Council, RSPCA and rescue organisations:



- Implement education programs to raise awareness;
- Enforce compulsory microchipping with fines issued otherwise; and
- Provide additional facilities to accommodate stray cats.

#### **Queries and Discussion**

- i. Manager Community Standards advised that management of companion animals occurs under state legislation, not Council policy, which restricts Council's power to act in this regard. It was added that cats are allowed under the legislation to roam, unlike dogs where this would be an offence.

It was advised that Council had written to the Hon. Shelley Hancock, Minister for Office of Local Government, to request that the *Companion Animal Act* be changed to allow Councils greater capacity to address the issue.

- ii. A/Coordinator Environment Restoration Plan noted that RSPCA and the other noted rescue agencies are not-for-profit and reliant on charitable donations and volunteer labour. They lack the capacity to deliver any of the recommended initiatives prescribed to them. Long term fostering of shelter animals is also costly.
- iii. Manager Community Standards noted that Council does provide education on responsible pet ownership and periodically sponsors free microchipping. It was also noted that there are desexing subsidies for pensioners. Council is working with animal welfare and the RSPCA to explore further programs.

**Action:** Manager Community Standards to circulate the correspondence sent to the Hon. Shelley Hancock, Minister for Office of Local Government.

## **6. GENERAL UPDATES**

### **6.1 Environment Levy Expenditure Breakdown**

A/Coordinator Environment Restoration Plan provided an overview of the allocation of Environment Levy funds for the 2019-20 financial year.

**Action:** A/Coordinator Environment Restoration Plan to provide a copy of the financial snapshot as an attachment to these minutes.

#### **Queries & Discussion**

- i. Cllr Shelton queried as to how long the ERP Levy will continue in its current form. A/Coordinator Environment Restoration Plan advised in perpetuity.

### **6.2 Environment Restoration Plan Program Update**

A/Manager City Works advised that Council is in the process of recruiting a second Bush Regeneration Team, to meet the maintenance requirements of existing ERP sites. The positions will be advertised within a month of this meeting.

A/Manager City Works advised that detailed review of the contract documentation is now complete and Council is in a position to call tenders for the works. Procurement for these projects is planned to be completed by the end of the year.

#### **Queries & Discussion**

- i. Mr Storey noted past concerns of bushland sites that are in a questionable condition. He queried as to the selection of sites for this round of projects.



A/Coordinator Environment Restoration Plan advised that site condition will be addressed by doubling the maintenance staff resources. The nominated project sites had previously been presented to and endorsed by the Committee.

Director City Infrastructure & Environment advised that before and after photos can be provided, additionally he thanked the EAC for providing feedback in this regard.

**Action:** ERP staff to provide a report listing of project sites including 'before photos'.

- ii. Ms Westerberg queried whether there are sites exposed to wilful damage.

A/Manager City Works advised that illegal dumping is a significant concern on bushland in the LGA.

Clr Harle expressed concerns of illegal dumping and trashing at parks in Miller and Cartwright, where two years prior, Council had invested significant funds in restoring bushland. Clr Harle advised that access to the park is an issue and should not be provided after hours.

Manager City Environment advised that Council's rangers are on call afterhours and on weekends, however attending a site on their own is a significant risk.

### 6.3 Overland Flow Path Study of South Creek Catchment

Maruf Hossain, Coordinator Floodplain & Water Management advised that a consultant has been engaged to undertake stage 2 of the overland flow path study of South Creek Catchment. Maruf also advised that the overland flow path mapping for the catchment of Austral and Leppington North have been completed under stage 1 of the overland flow path mapping program for rural catchment areas. The current study is being undertaken under stage 2 of the program and expected to be completed by June 2020. The study is being undertaken under the NSW Government's Floodplain Management Program and is jointly funded by council and the Office of Environment and Heritage (OEH).

#### **Queries & Discussion**

- i. Stephen Dobell-Brown sought to ascertain whether the changes to the development of the Western Sydney Airport (WSA) would impact on this flood study in the area and added that an additional repeated study may be necessary once further details in relation to the construction of the site is known.

Coordinator Floodplain & Water Management advised that increased flows that would result from the WSA development would be controlled to pre-development flows through provision of on-site flood mitigation works, which involves provision of on-site detentions (OSD), to ensure there is no adverse impacts on flood behaviours on adjoining creeks or adjoining private properties.

Clr Shelton sought to ascertain if any adverse funding impacts are anticipated on surrounding land. Coordinator Floodplain & Water Management confirmed that based on the modelling provided from WSA, that it is unlikely to be of any adverse funding impacts.

- ii. Rosalyn Faddy queried how WSA can guarantee that stormwater runoff will not cause negative impacts, considering significant earth works are being undertaken.

Director City Infrastructure & Environment advised that that the stormwater runoff following completion of the development should not increase beyond what was in existence prior to the development. It was added that post development flow resulting from increased runoff will be controlled through provision of on-site drainage and detention basin system. The Commonwealth will make its own assessment to ensure the situation remains under control.

- iii. Ms Faddy raised concerns of water being backed up and not controlled by water levees.





#### 6.4 Riparian Condition Assessment

Coordinator Floodplain & Water Management advised that the vegetation condition assessment across the LGA is substantially completed. Originally, it was planned to assess 200 sites, however, a total of 320 sites have been assessed. The primary objective of vegetation condition assessment is to develop a LGA wide plan of management (PoM) for riparian areas to establish a strategic framework for the effective management of riparian areas across the LGA. Additionally, with any future developments in the LGA, the natural values of the riparian areas need to be protected so that the future developments meet the objectives of the PoM. It is expected that the PoM will be finalised by end of December 2019.

**Action:** Consultant for the Riparian Condition Assessment be invited to a future EAC meeting for a presentation.

#### **Queries & Discussion**

- i. Cllr Harle queried whether the government would permit in constructing deeper basins and use the stored water for irrigation purposes in local parks and recreation areas, as opposed to being passed through to rivers and oceans.

Director City Infrastructure & Environment advised that this is possible, however it is a balancing exercise with multi use basins (eg. in order to address the challenges with functionality). It was agreed that this was worth considering for future designs.

- ii. Ms Westerberg queried the mechanisms in place, following the completion of the DA process on industrial lands for stormwater runoff and industrial waste ending up in creeks and waterways.

**Action:** This query was taken on notice.

#### 6.5 *Acacia Pubescens* on Road Reserves

A/Manager City Works advised that three sites had been identified containing *Acacia Pubescens*, and raised a previous question put forward regarding how this species can be protected. It was agreed that fencing and signage may bring unwanted attention and that it is best practice that the trees are monitored.

Mr Dobell-Brown enquired whether the existence of the species needs to be for registered as an endangered species. A/Coordinator Environment Restoration Plan noted that Council's Natural Resource Planner uploads data on threatened species to the NSW BioNet register.

**Action:** A/Coordinator Environment Restoration Plan to investigate whether all populations of *Acacia Pubescens* are registered.

### **7. GENERAL BUSINESS**

#### 7.1 Silverleaf Nightshade

Ms Faddy raised the issue of Sticky Nightshade (*Solanum sisymbriifolium*) posing an environmental problem.

**Action:** This concern was taken on notice.

#### 7.2 Cumberland Plain Conservation Plan

Mr Dobell-Brown queried whether a presentation could be made to a future EAC in relation to the Cumberland Plain Conservation Plan.



**Action:** Council staff to liaise with the Department of Planning Industry and Environment in order to obtain a briefing on the Cumberland Plain Conservation Plan at a future EAC meeting.

#### 7.2 Mosquito Management Plan

Mr Storey advised that the pond adjoining Coopers Paddock foreshore Reserve and detention basins at Riverside Park are potential hot spots for mosquito infestation.

**Action:** A/Manager City Works to investigate the above.

#### 7.3 Pine Trees

Ms Faddy expressed concerns of deceased pine trees, particularly at Greendale on private and Council lands, and queried as to the cause. The committee was advised that this is likely caused by borer attack, targeting trees in poor health.

## **CLOSE**

**Meeting closed at 8:20 pm.**

**CTTE 05**

**Minutes of the Strategic Panel Meeting 8  
October 2019**

<b>Strategic Direction</b>	Leading through Collaboration Strive for best practice in all Council processes
<b>File Ref</b>	277990.2019
<b>Report By</b>	George Georgakis - Manager Council and Executive Services
<b>Approved By</b>	Andrew Stevenson - Chief Strategy and Engagement Officer

**EXECUTIVE SUMMARY**

This report is tabled in order to present the Minutes of the Strategic Panel Meeting held on 8 October 2019.

**RECOMMENDATION**

That Council receives and notes the Minutes of the Strategic Panel Meeting held on 8 October 2019.

**REPORT**

The Minutes of the Strategic Panel meeting held on 8 October 2019 are attached for the information of Council.

The Minutes identify a number of actions that require Council staff to undertake, none of which will have any financial impact on Council.

**CONSIDERATIONS**

<b>Economic</b>	There are no economic and financial considerations.
<b>Environment</b>	Raise community awareness and support action in relation to environmental issues. Support the delivery of a range of transport options.



<b>Social</b>	<p>Raise awareness in the community about the available services and facilities.</p> <p>Regulate for a mix of housing types that responds to different population groups such as young families and older people.</p> <p>Support community organisations, groups and volunteers to deliver coordinated services to the community.</p>
<b>Civic Leadership</b>	<p>Encourage the community to engage in Council initiatives and actions.</p> <p>Provide information about Council's services, roles and decision making processes.</p> <p>Operate a well developed governance system that demonstrates accountability, transparency and ethical conduct.</p> <p>Actively advocate for federal and state government support, funding and services.</p>
<b>Legislative</b>	<p>There are no legislative considerations relating to this report.</p>

## **ATTACHMENTS**

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1. Strategic Panel Minutes 8 October 2019



This meeting was recorded for minute taking purposes

## MINUTES FROM STRATEGIC PANEL 8 OCTOBER 2019

### COUNCILLORS:

Ali Karnib  
Geoff Shelton  
Nathan Hagarty  
Peter Harle  
Karress Rhodes

Deputy Mayor (**Acting Chairperson**)

### EXECUTIVE & COUNCIL STAFF:

Kiersten Fishburn  
Raj Autar  
Eddie Jackson  
Chris White  
Tina Sangiuliano  
Andrew Stevenson  
George Georgakis  
George Nehme  
Shaun Beckley  
Liz Young  
Emily Tinson  
Rose Koch

Chief Executive Officer  
Director City Infrastructure & Environment  
Director City Community & Culture  
Director City Corporate  
Special Projects Officer  
Chief Strategy & Engagement Officer  
Manager Council & Executive Services  
Manager Development Assessment  
Manager Infrastructure Planning  
Project Officer  
Senior Officer City Innovation  
Committees Officer (**Minutes**)

### INVITEES:

Billy Sankovic  
Tom Nance  
Stephen McIntyre  
Josh Brydges  
Malcolm Eadie

CEO, Western Sydney Community Forum  
Manager, Western Sydney Community Forum  
CEO, Wentworth Community Housing  
Lead Locations & Transport Planner, Go Get  
Commercial Manager, CRC Water Sensitive Cities

### APOLOGIES:

Wendy Waller  
Tony Hadchiti  
Gus Balloot

Mayor  
Councillor  
Councillor



## OPEN

Meeting opened at 10:03 am.

### 1. WELCOME, ATTENDANCE AND APOLOGIES

Clr Karnib opened the meeting. Apologies were acknowledged via the Strategic Panel agenda and is also listed on the first page of these minutes.

### 2. DECLARATIONS OF INTEREST

Nil

### 3. AGENDA ITEMS

#### 3.1 Wentworth Community Housing Project

Stephen McIntyre and Bille Sankovic presented to the Panel in relation to a report recently launched by Wentworth Community Housing and Western Sydney Community Forum, "Home in Western Sydney – Housing Affordability and Homelessness Insights". The highlights were as follows:

- More than 110,000 households are in housing stress, meaning residents in the bottom 40% of the income profile are paying more than 30% of their income on mortgage or rent payments;
- More than 10,500 households in Liverpool are experiencing housing stress;
- Rental costs increased at a higher rate than income in Western Sydney, showing a higher price to income gap particularly for Liverpool at 7%, thus indicating that comparatively to inner Sydney in terms of rental affordability, it is harder to live in Liverpool;
- Homelessness increased significantly in Western Sydney since 2011, at a far greater rate than the state and national increases;
- Over 800 additional social and affordable housing dwellings are needed per year to meet the forecast demand in 2036; and
- The view of Western Sydney with affordable housing is proving to be otherwise based on the findings of the data.

Link to the presentation slides can be found here: [Wentworth Community Housing](#)

#### Queries & Discussion

- i. Clr Hagarty noted that the report findings do not cover recommendations to increase targets for affordable housing.

Ms Sankovic advised the report acts to trigger conversation and debate while influencing policy, and is not an advocacy piece. Mr McIntyre added that building a coherent policy framework is the first step.

Clr Hagarty advised that at a Local Government level, it would be appropriate for all Councils in Western Sydney to formulate a coherent message as part of efforts in lobbying the State Government.



- ii. Cllr Rhodes advised that Western Sydney is a growth area, therefore there is expectation of house and rent price increases, and that the issue could be equally addressed by focusing on strategies to increase income earned in Western Sydney to reduce the need for affordable housing.

Additionally, Cllr Rhodes also discussed the affordable housing system in Sweden that is well designed and valued.

- iii. Cllr Shelton queried to what extent are the 2036 forecasts on the demand for affordable housing accurate.

Mr McIntyre assured that the data is sourced from SGS Economics and Planning and detailed the mechanism used in how the information was collated.

### 3.2 Voluntary Planning Agreements (VPA) Update

Manager Infrastructure Planning provided an overview on the progress of various existing VPA's. The highlights were as follows:

- Bike share is currently operational between Atkinson Street and Lighthorse Park, with geo-fenced virtual docking station at Liverpool Railway Station;
- Works outstanding for the Shepherd Street VPA include bank stabilisation, shared path south of Atkinson Street and a shuttle bus;
- Coopers Paddock VPA with the Australian Turf Club (ATC), has seen the widening of Governor Macquarie Drive with added intersections and a shared pathway;
- Works outstanding for Coopers Paddock include a footpath adjacent to Munday Street, and the Australian Turf Club has recently initiated the tender process. Therefore, it is expected that the works will commence in 2019 and be completed in March 2020; and
- The New Brighton Golf Club VPA focuses on the redesign of a golf course in Moorebank, with works completed for a shared pathway, drainage facilities, landscaping and improvements to open space.

Link to the presentation slides can be found here: [Voluntary Planning Agreement](#)

### **Queries & Discussion**

- i. Cllr Harle raised concerns of a corrugated wall at Governor Macquarie Drive situated toward Hume Highway, that is unappealing and subject to graffiti. He had recommended a mural to be placed on the wall in order to reflect the equine precinct of Warwick Farm in a welcoming manner.

The CEO advised that she had contacted the ATC to make changes to the corrugated wall and assured that she will contact again.

**Action:** Council's CEO to contact the ATC in order to make changes to the corrugated wall and the general area along Governor Macquarie Drive towards Hume Highway.

- ii. Cllr Harle sought to ascertain the intention of Coopers Paddock and queried the idea of placing shared footpaths, provided that public access is restricted due to the Powerful Owl population.

The CEO assured that once Coopers Paddock is within the care and control of Council, a Masterplan can be formulated in order to have open space to the river, inclusive with a passive



recreational space, seating and a picnic area. It was added that there is currently an existing underpass that provides access to the William Inglis Hotel and that the hotel is also seeking to expand their site.

The CEO concluded that once the initial stages are addressed, a workshop may be held for Councillors to share their vision for the area.

**Action:** Manager Infrastructure Planning to liaise with representatives at the William Inglis Hotel to align LCC's vision for developing the Coopers Paddock area.

- iii. Cllr Harle expressed concern of the funding that would be required to implement the vision for Coopers Paddock, as the VPA would not cover this, therefore requiring Council to utilise ratepayer funding, and advised that the ATC should be covering the costs.

The CEO was in agreement and advised this VPA was signed nine years prior. The Manager Infrastructure Planning advised that it is now in the interest of Council in bringing closure to this VPA, with the most beneficial outcome possible.

- iv. Cllr Shelton requested an update on the Shepherd Street VPA status of the litigation whereby the developer had sought to reduce the required value of the banker's undertaking rather than simply us 'cashing it in' outright.

The Manager Infrastructure Planning advised that Coronation has requested a reduction in the bank guarantee amount. In accordance with the VPA, Council has commenced the dispute resolution process. An initial meeting to discuss the matter is being arranged.

- v. Cllr Hagarty queried the lessons learned by Council, and whether any changes or improvements have been identified to the VPA process.

The Manager Infrastructure Planning advised that the creation of his position to the structure was key, where historically VPAs were handled by the Strategic and DA Planning team. Council has now taken a stronger management role. Learnings, including matters beyond the scope of Council, involving private certification will be applied to the VPA process in future.

- vi. Cllr Rhodes queried how the intellectual knowledge of each VPA is stored, to cover the process in the event of staff leaving who have this knowledge.

The CEO advised that Council has established solid governance structures internally to manage this, and additionally a Strategic Projects Committee is in place to manage information, in the event of staff leaving the organisation.

### 3.3 CRC Water Sensitive Cities

Malcolm Eadie presented on the opportunities to better exploit the presence and abundance of natural and man-made water assets in the revitalisation and future prosperity of Liverpool City. The highlights were as follows:

- A workshop was held in February 2019 with Council, Sydney Water, State departments and local developers, to generate ideas and share knowledge to consider throughout the revitalisation process of cities;
- The four main ideas proposed from the workshop included the following:
  - Reconnecting the city centre to the Georges River by adopting the principles of a riparian zone, and reconfiguring the street landscapes in the city;
  - Harness urban renewal of social housing in Hargrave Park to create a functional green and blue grid;





- Reimagining the treatment process and the surrounding land use to align the waste, energy and water needs of the Sydney Water Liverpool Recycled Water Plant, Warwick Farm Turf precinct and Liverpool Hospital; and
- Embed the Georges River into the cultural and built identity of Liverpool.

Link to the presentation slides can be found here: [CRC Water Sensitive Cities](#)

#### **Queries and Discussion**

- i. Cllr Shelton queried whether the funding agreement that CRC has expires in 18 months.  
Mr Eadie confirmed this to be the case.

#### **3.4 Go Get**

Josh Brydges presented to the Panel in relation to a 12 month trial car share in the Liverpool CBD. The highlights were as follows:

- Car sharing refers to a local network of cars available in convenient locations that are bookable by the hour, for a fee, with costs of fuel, insurance, maintenance and registration inclusive;
- Benefits to car sharing include freeing up space on-street, more transport choice and saving money; and
- Data will be provided to Council following the trial as to whether it has assisted to improve traffic congestion in the CBD.

Link to the presentation slides can be found here: [Go Get](#)

#### **Queries and Discussion**

- i. Cllr Hagarty queried how the company is switching its messaging for the target market in Liverpool, consisting of refugees and migrants.

Mr Brydges advised that the company has expanded its messaging. The market for refugees and migrants has not yet been tapped into and that the company is in the process of building networks in Liverpool, as this trial was initiated by the Western Sydney Migrant Resource Centre.

- ii. The CEO queried whether the trialled locations in the Liverpool CBD will have allocated parking spaces for the trial.

Mr Brydges confirmed this to be the case provided that Council is in a position to work with the organisation. The CEO advised that Council will be required to work with Go Get as parking is an issue in the CBD. Senior Officer City Innovation advised that this will be presented to the Pedestrian Active Transport and Traffic Committee.

## **CLOSE**

Meeting closed at 12:16 pm.

<b>CTTE 06</b>	<b>Minutes of the Civic Advisory Committee meetings held on 2 September 2019 and 25 October 2019</b>
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<b>Strategic Direction</b>	Leading through Collaboration Strive for best practice in all Council processes
<b>File Ref</b>	279735.2019
<b>Report By</b>	George Georgakis - Manager Council and Executive Services
<b>Approved By</b>	Andrew Stevenson - Chief Strategy and Engagement Officer

## **EXECUTIVE SUMMARY**

This report is tabled in order to present the Minutes of the Civic Advisory Committee Meetings held on 2 September 2019 and 25 October 2019.

## **RECOMMENDATION**

That Council:

1. Receives and notes the Minutes of the Civic Advisory Committee Meetings held on 2 September 2019 and 25 October 2019; and
2. Endorse the recommendations in the Minutes.

## **REPORT**

The Minutes of the Civic Advisory Committee meetings held on 2 September 2019 and 25 October 2019 are attached for the information of Council.

The Minutes identify a number of actions that require Council staff to undertake, none of which will have any financial impact on Council.

The Minutes of the Committee's meeting from 2 September 2019 were submitted to the Council meeting on 25 September 2019 for consideration. At that meeting, Council resolved to defer consideration of the Committee's minutes so that the minutes can be investigated.

The issue to be investigated was whether a recommendation was to be included with regard to a change to the Civic Awards Policy with respect to the Order of Liverpool Awards to include guidelines for expected quality and length of voluntary service to have served in order to be nominated for an award.

Upon review of the recording of the Committee's September meeting, it was found that there was general support on the issue and various years' of service was mentioned by Committee members, however a recommendation was not put to the meeting.

The matter was therefore brought back to Committee meeting on 25 October 2019 for further discussion and a recommendation was made and is included in the Committee's October minutes attached to this report. The minutes of the 2 September 2019 are resubmitted to Council for consideration and adoption.

## **CONSIDERATIONS**

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<b>Economic</b>	There are no economic and financial considerations.
<b>Environment</b>	There are no environmental and sustainability considerations.
<b>Social</b>	There are no social and cultural considerations.
<b>Civic Leadership</b>	Encourage the community to engage in Council initiatives and actions. Provide information about Council's services, roles and decision making processes. Deliver services that are customer focused. Operate a well developed governance system that demonstrates accountability, transparency and ethical conduct.
<b>Legislative</b>	There are no legislative considerations relating to this report.

## **ATTACHMENTS**

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1. Civic Advisory Committee Minutes from 2 September 2019
2. Civic Advisory Committee Minutes from 25 October 2019 - Excluding Item 4





This meeting was recorded for minute taking purposes

## MINUTES FROM CIVIC ADVISORY COMMITTEE MEETING 2 SEPTEMBER 2019

### COUNCILLORS:

Ali Karnib  
Tony Hadchiti  
Peter Harle  
Karress Rhodes

Deputy Mayor (**Chairperson**)

### COMMITTEE REPRESENTATION:

Colin Harrington  
Noel Short  
Stephen-Dobell-Brown  
Alf Vella

Geoff Neville  
Antonio Pascale  
Bob Brassell  
Ellie Robertson  
June Young  
Jacquie Burne

Former Mayor  
Former Mayor  
Former Councillor  
Former Councillor and also representing City of  
Liverpool & District Historical Society  
Former Councillor  
Former Councillor  
Former Council Civic Officer  
Community Member  
Community Member  
Holsworthy Army Barracks (Defence)

### COUNCIL ATTENDEES:

Dr Eddie Jackson  
Dr Clare Cochrane  
Mark Brookfield  
George Georgakis  
Rose Koch

Director City Community & Culture  
Public Arts Officer  
Operational Risk and Insurance Coordinator  
Manager Council & Executive Services  
Committees Officer (**Minutes**)

### APOLOGIES:

Geoff Shelton  
Alyson Infanti  
Thomas Wheeler  
Jeanette Jackson  
Margaret Favelle

Councillor  
Civic/Citizenship Coordinator  
Heritage Officer  
Quota International  
Rotary International



## OPEN

Meeting opened at 10:01 am

### 1. WELCOME, ATTENDANCE AND APOLOGIES

Deputy Mayor Karnib opened the meeting and noted all apologies, as shown on page 1 of the minutes.

### 2. DECLARATIONS OF INTEREST

Bob Brassell declared a non-pecuniary (less than significant) interest in Item 5 - Order of Liverpool Awards as he nominated one of the nominees, which he advised he did not score.

Alf Vella declared a non-pecuniary (less than significant) interest in Item 5 - Order of Liverpool Awards as he knows one the nominees. He also did not vote on this item.

### 3. PREVIOUS MINUTES

It was advised that the minutes of the previous meeting held on 3 June, 2019 as previously distributed, had been received and noted at the 26 June 2019 Council meeting.

### 4. BUSINESS ARISING FROM PREVIOUS MINUTES

#### 4.1 Queries relating to Holsworthy Army Barracks

Manager Council & Executive Services highlighted the action items below from the minutes of the previous meeting and reported the emailed responses from Mr Dan Hunnisett (of the Holsworthy Army Barracks) to the Committee.

**Action Item:** Dan Hunnisett to investigate whether claims had been made by landowners for negative property valuations due to PFAS infestation.

It was advised that there are no PFAS related non-litigated claims against Defence in the Liverpool/Holsworthy area.

**Action Item:** Dan Hunnisett to investigate whether the Holsworthy Army Barracks will host further meetings in relation to PFAS.

Jacque Burne advised that a community newsletter was produced by the PFAS team in Defence, and that the next steps will involve the drafting of the Human Health and Ecological Risk Assessment, which will be submitted to the Project Control Group for review. It was advised that a further community meeting will also be held.

#### 4.2 Centenary of ANZAC Project Update

Dr Clare Cochrane provided an update on the below action item from the previous meeting.

**Action Item:** The Public Arts Officer to provide an update on the location site options for the placement of the Centenary of ANZAC sculpture, to the next Civic Advisory Committee meeting.

It was reported that Council is seeking additional sites for the ANZAC memorial, and that the Holsworthy Army Barracks have been prompted to accept or reject Council's proposal to install the



art work on their land. Dr Cochrane added that once a response has been received, Council's Director City Community & Culture will be liaising with the office of Craig Kelly MP.

Site locations considered included the following:

- The John Edmondson VC Memorial Park has been flagged, however issues with the park include the small size, close proximity of residential homes, drainage infrastructure and park access; and
- Mill Park in the vicinity of Casula Parklands and just outside the Hughes electorate was also flagged.

Dr Cochrane noted that the grant funding was originally to be spent on a location in the Hughes electorate, however apart from the John Edmondson VC Memorial Park, there are very limited options. It was highlighted that the Artist had suggested that the art work be placed in the original location, therefore all options will be exhausted.

#### 4.2 Cenotaph at Berryman Reserve

Dr Cochrane advised that she had liaised with the Artist and they had come to an agreement on new plantings around the Cenotaph, and that the location of the stepping stones to enter the work is still yet to be determined in order to commence plantation works.

Council's Operational Risk and Insurance Coordinator advised that there are no statistics indicating vehicles running off the road and into Berryman Reserve. It was added that to place bollards to the site would cost Council approximately \$20,000 - \$30,000 and given the low visitation rates, it would not be recommended.

#### 4.3 Feasibility of the installation of flag poles in the Liverpool LGA & Kirkpatrick Boyland Park

The Manager Council & Executive Services had provided a handout of the Heritage Officer's emailed response to the following motions from the previous meeting.

**MOTION:** A report to consider the feasibility of the installation of flag poles in the Liverpool LGA and appropriate sites to place flagpoles for flags to be flown 24/7.

The Heritage Officer's emailed response was as follows:

*"Council installed three flag poles at the site as a part of the Cenotaph. Lighting was not installed as the park is not serviced and the cost of providing electricity to the site was estimated at over \$40,000.*

*An option could be solar up lighting as this would negate the need for servicing the site, however this was not investigated at the time due to budget limitations.*

*The flying of the Australian flag, Aboriginal flag and either Liverpool's flag or the state flag would be possible on the site, however it would require Council's City presentation team to regularly attend to the flags. It is national protocol that the flags be lowered and removed when raining and only fly at night if there is up lighting. Further, the flags need to be replaced whenever torn or damaged. This is currently not occurring and would require direction to be provided."*

**MOTION:** Council's Heritage Officer to provide an update on the memorial stones at Kirkpatrick Boyland Park and investigate the actions to be taken during the proposed road widening works at Fifteenth Avenue.

The Heritage Officer's emailed response was as follows:



*"Back in 2014, it was proposed to restore the memorial stones and plaques currently located on the site. Grant funding was received, however due to the proposed road works the restoration works were not commenced.*

*I am currently seeking advice from City Presentation who were responsible for carrying out the works.*

*Council is currently developing an urban design framework and is reviewing tenders to engage a consultant to develop a strategic concept design for Fifteenth Avenue. A revised approach to the road has been instigated due to the announcement of the Western Sydney Airport with the previous design developed prior to the airport being confirmed.*

*We will not know the full impact to the park until this strategic concept design has been finalised.*

*Initial indications are that the proposal will not take the entirety of the park, as such, there may still be space for the monuments to be retained within the park.*

*Therefore it is proposed to retain the monuments within Kirkpatrick Boyland Park, however this will be subject to further detail in relation to the road.*

*Unlike the Brown Memorial which was not located within a dedicated park, the Kirkpatrick and Boyland memorials are, therefore it is preferred that the memorials stay within the park that was dedicated as a memorial to the two identities."*

## **5. 2019 ORDER OF LIVERPOOL AWARDS**

### **Note:**

As this part of the minutes contains personal information regarding recommended recipients to receive an Order of Liverpool Award, it has been excluded from these minutes. A separate report is on the Agenda for the 25 September 2019 Council meeting under confidential cover regarding the Order of Liverpool Awards, which contains this section of the minutes.

## **6. AUSTRALIA DAY AWARDS**

The Manager Council & Executive Services reminded the Committee that the nominations for the 2020 Australia Day Awards close on 10 September 2019.

## **7. GENERAL BUSINESS**

### **6.1 Gift of Time Awards**

June Young thanked Council on their efforts in organising the Gift of Time Awards in conjunction with the Heroes Awards, and added that the event should continue to be held in this manner.

Ms Young expressed concerns of attendees who had RSVP'd, however their names were not listed on the night of the event and requested that this be addressed for future events.

### **6.2 List of Memberships and External Groups**

Colin Harrington added that it may be worthwhile for all Committee members to list all of the external groups they are members of, to assist those who may struggle to determine whether they have a pecuniary or non-pecuniary interest for an agenda item.



### 6.3 Casula Parklands

Bob Brassell congratulated Council on their efforts in developing Casula Parklands.

Mr Brassell did however express concern on the lack of BBQ facilities and insufficient parking, leading people to cook by using open fires with leaves, as well as vehicles driving on garden beds and near the children's playground.

Clr Harle advised that these issues had been raised at the Environmental Advisory meeting and are being attended to.

### 6.4 Road Ownership – Anzac Road

Stephen Dobell-Brown made reference to the following from the previous minutes:

*"Department of Defence owns the section of Anzac Road between the Liverpool Fire Station towards Heathcote Road, however it does not have ownership of the two roundabouts on this road."*

Mr Dobell-Brown requested that the Traffic or Property team to re-determine the jurisdiction of Anzac Road, due to a historical anomaly.

**Moved:** Stephen Dobell-Brown

**Seconded:** Bob Brassell

**MOTION:** That Council's Traffic and Property teams reconsider the jurisdiction of the Department of Defence for Anzac Road, and determine whether ownership should be reverted to Liverpool City Council or the Moorebank Intermodal Company.

On being put to the meeting, the motion was declared carried.

## **CLOSE**

Meeting closed at 11:27 am.





This meeting was recorded for minute taking purposes

## MINUTES FROM CIVIC ADVISORY COMMITTEE MEETING 25 October 2019

### COUNCILLORS:

Ali Karnib  
Geoff Shelton  
Peter Harle  
Karress Rhodes

Deputy Mayor (**Chairperson**)

### COMMITTEE REPRESENTATION:

Noel Short  
Stephen Dobell-Brown  
Geoff Neville  
Alf Vella  
Peter Fraser  
Bob Brassell  
Ellie Robertson  
June Young  
Dan Hunnisett  
Jeanette Jackson  
Margaret Favelle  
Di Hallinan

Former Mayor  
Former Councillor  
Former Councillor  
Former Councillor  
Former Councillor  
Former Council Civic Officer  
Community Member  
Community Member  
Holsworthy Army Barracks (Defence)  
Quota International  
Rotary International  
Representing the City of Liverpool & District  
Historical Society

### COUNCIL ATTENDEES:

Dr Eddie Jackson  
George Georgakis  
Rose Koch

Director City Community & Culture  
Manager Council & Executive Services  
Committees Officer (**Minutes**)

### APOLOGIES:

Colin Harrington  
Antonio Pascale  
Dr Clare Cochrane  
Glen Op Den Brouw  
Alyson Infanti

Former Mayor  
Former Councillor  
Public Arts Officer  
City of Liverpool & District Historical Society  
Civic/Citizenship Officer



## OPEN

Meeting opened at 10:01 am

### 1. WELCOME, ATTENDANCE AND APOLOGIES

Deputy Mayor Karnib opened the meeting and noted all apologies, which were acknowledged by the Committee as reflected in page 1 of these minutes.

### 2. DECLARATIONS OF INTEREST

Bob Brassell declared a non-pecuniary interest in relation to Item 4, "Australia Day Awards" as he was a nominee for the Senior Citizen of the Year. He left the meeting when that item was to be discussed and returned after it was considered. He did not score, vote on or take any part in the discussion for that item.

### 3. UPDATE ON STATUS OF RESOLUTIONS

#### 3.1 Item 6.4 – Road Ownership – ANZAC Road

At the previous Committee meeting, Stephen Dobell-Brown made reference to the following information from the minutes:

*"Department of Defence owns the section of Anzac Road between the Liverpool Fire Station towards Heathcote Road, however it does not have ownership of the two roundabouts on this road".*

The following motion was then moved at the Committee meeting held on 2 September 2019:

*"That Council's Traffic and Property teams reconsider the jurisdiction of Anzac Road with the Department of Defence, and determine whether ownership should be reverted to Liverpool City Council or the Moorebank Intermodal Company."*

Manager Council & Executive Services tabled the response that Council's Traffic and Property teams provided in response to the above motion:

*"The section of Anzac Road east of the fire service station up to Anzac Creek belongs to The Department of Defence.*

*When the subdivision of Wattle Grove was carried out, roads within the subdivision were dedicated as public roads. However, the Department of Defence maintained ownership of this section of Anzac Road as part of the Holsworthy Military reserve.*

*As part of the Moorebank Intermodal Terminal (MIT) development, Council has been advised that a lease agreement has been entered into between QUBE (owner of MIT), to lease and manage a portion of the Holsworthy Military reserve. Council has not been advised whether this lease agreement includes the abovementioned section of Anzac Road.*

*Council has been receiving complaints about the poor road condition on this section of Anzac Road and it would be appropriate for Council to discuss with the Department of Defence, regarding the*



*need for rehabilitation and maintenance responsibility of the road. This could include dedication of the road to Council after appropriate rehabilitation has been carried out.*

*As indicated in the resolution, Council's Property and Traffic and Transport sections would contact the Department of Defence to discuss the issue of rehabilitation and ownership of the road and Council would be further advised".*

**Moved:** Stephen Dobell-Brown

**Seconded:** Cllr Shelton

**MOTION:** The Committee notes and acknowledges the above report from Council's Traffic and Property Teams.

On being put to the meeting, the motion was declared carried.

### 3.2 Years of Service – Civic Awards Policy

The Manager Council & Executive Services advised that at the Committee's September meeting, prior to making a recommendation in relation to the recipients of the Order of Liverpool Awards, Committee members discussed making an alteration to the Civic Awards Policy with regard to the expected length of voluntary service for potential nominees to have served in order to be nominated for an Award.

There was general support on the matter and various years' of service mentioned, however a recommendation on the matter was not made at that Committee meeting.

At the 25 September 2019 Council meeting, when the Minutes of the Committee meeting were presented to Council for adoption, Cllr Rhodes moved a correction to the minutes to include a change to the Civic Awards Policy with respect to the Order of Liverpool Awards to include guidelines for expected quality and length of voluntary service to have served in order to be nominated for an award, being:

- Companion of the Order of Liverpool, 20 years' service;
- Officer of the Order of Liverpool, 10 years' service; and
- Member of the Order of Liverpool, 5 years' service.

At the 25 September 2019 Council meeting, Council resolved to defer consideration of the Committee's minutes so that the minutes can be investigated.

Upon review of the recording of the Committee's September meeting, it was found that there was general support on the issue and various years' of service was mentioned by Committee members, however a recommendation was not put to the meeting.

The matter was therefore brought back to this Committee meeting for further discussion and a recommendation to be made.





Following discussion on the matter, the following motions were moved:

**Motion:**                      **Moved:** Bob Brassell                      **Seconder:** June Young

That Council change the Civic Awards Policy with respect to the Order of Liverpool Awards to include guidelines for expected quality and length of voluntary service to have served in order to be nominated for an award:

"The nominator is expected to have the following years of voluntary service before they are considered eligible for consideration, while noting that a nominee may be given consideration for an award should they not meet the timing criteria on account of exceptional circumstances:

- i.        5 years' service for consideration for a Member of the Order of Liverpool Award;
- ii.      10 years' service for consideration for an Officer of the Order of Liverpool Award; and
- iii.     15 years' service for consideration for a Companion of the Order of Liverpool Award".

**Foreshadowed Motion:**                      **Moved:** Cllr Harle                      **Seconder:** Alf Vella

That Council change the Civic Awards Policy with respect to the Order of Liverpool Awards to include guidelines for expected quality and length of voluntary service to have served in order to be nominated for an award:

"The nominator is expected to have the following years of voluntary service before they are considered eligible for consideration, while noting that a nominee may be given consideration for an award should they not meet the timing criteria on account of exceptional circumstances:

- i.        10 years' service for consideration for a Member of the Order of Liverpool Award;
- ii.      15 years' service for consideration for an Officer of the Order of Liverpool Award; and
- iii.     20 years' service for consideration for a Companion of the Order of Liverpool Award."

**When the motions were put to the meeting, the motion from Bob Brassell and June Young received the highest number of votes and was carried.**

#### **4. AUSTRALIA DAY AWARDS**

*As this part of the minutes contains personal information regarding recommended recipients to receive an Australian Day Award, it has been excluded from these Open Council minutes. A separate report is on the Agenda for the 20 November 2019 Council meeting regarding the Australia Day Awards, in the Confidential Section of the Council Agenda, which contains this section of the minutes.*



## 5. GENERAL BUSINESS

### 5.1 Demolition of 13-15 Bigge Street, Liverpool

Di Hallinan tabled the following information regarding the demolition of the heritage listed Californian Bungalow that was demolished at 13-15 Bigge Street, Liverpool.

She had asked Council if it would consider re-construction of the Bungalow. A report to Council from the Heritage Officer indicated that since the original fabric of the building had been destroyed, any re-construction would not be authentic and that the bungalow "lost its heritage on being demolished". As a result, Council rejected the Historical Society's request deciding instead, "to adaptively reuse the site as an urban park".

On behalf of the Historical Society, Di Hallinan asked the Committee to consider lodging a further request for reconstruction of the bungalow, as opposed to Council's decision to reuse the site as an urban park, on account of the bungalow losing its heritage significance when demolished.

Manager Council & Executive Services advised that this matter would need to be raised with the Heritage Advisory Committee, and that the relevant Director would need to be contacted in the first instance for advice.

**Action:** Council staff to liaise with the relevant Director in relation to the item raised.

**Moved:** Stephen Dobell-Brown

**Seconded:** Cllr Shelton

**MOTION:** Council staff to obtain further information as to how the decision came about for the demolition of the heritage listed bungalow at 13-15 Bigge Street, Liverpool.

On being put to the meeting, the motion was declared carried.

## CLOSE

**Meeting closed at 11:00 am.**

**CTTE 07**

**Minutes of the Audit, Risk and Improvement  
Committee Meeting held on 18 October 2019**

<b>Strategic Direction</b>	Leading through Collaboration Strive for best practice in all Council processes
<b>File Ref</b>	284868.2019
<b>Report By</b>	Chris Van Zyl - Audit and Risk Coordinator
<b>Approved By</b>	George Hampouris - Head of Audit Risk and Improvement

**EXECUTIVE SUMMARY**

This report is tabled in order to present the Minutes of the Audit, Risk and Improvement Committee Meeting held on 18 October 2019.

**RECOMMENDATION**

That Council:

1. Receives and notes the Minutes of the Audit, Risk and Improvement Committee Meeting held on 18 October 2019; and
2. Notes the Audit Risk and Improvement Committee's opinion in relation to Private Certifiers (item 5.4 of minutes) in response to NOM 02 from the 31 July 2019 Council meeting.

**REPORT**

The Minutes of the Audit, Risk and Improvement Committee held on 19 October 2019 are attached for the information of Council. The Minutes identify a number of actions that require Council staff to undertake, none of which will have any financial impact on Council.

On 31 July 2019, Council resolved relevantly (at NOM 02) as follows:

*That Council... [a]sk the Audit Risk and Improvement Committee (ARIC) on their opinion of the risks associated and report back to the October 2019 Council meeting.*

Please note that this item was included on the agenda (item 5.4) for the October meeting of the ARIC committee, and the issue is addressed as part of the attached minutes.

**CONSIDERATIONS**

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<b>Economic</b>	There are no economic and financial considerations.
<b>Environment</b>	There are no environmental and sustainability considerations.
<b>Social</b>	There are no social and cultural considerations.
<b>Civic Leadership</b>	Provide information about Council's services, roles and decision making processes. Operate a well developed governance system that demonstrates accountability, transparency and ethical conduct.
<b>Legislative</b>	<i>Local Government Act 1993, sections 8B and 23A</i>

**ATTACHMENTS**

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1. Audit, Risk and Improvement Committee Minutes - 18 October 2019



## MINUTES

### Audit, Risk and Improvement Committee Meeting

18 October 2019 - Liverpool City Library, 170 George Street, Liverpool - 9.00am

#### Committee Members Present:

Andrew McLeod	Chairperson, Independent Member
Stephen Horne	Independent Member
John Gordon	Independent Member
Ali Karnib	Deputy Mayor
Geoff Shelton	Councillor

#### Observers:

Peter Harle	Councillor	(entered at 9:05)
Karress Rhodes	Councillor	
Kiersten Fishburn	Chief Executive Officer (CEO)	
George Hampouris	Head of Audit, Risk and Improvement (Head of ARI)	
Chris Van Zyl	Audit & Risk Coordinator	
Chris White	Director City Corporate	
Vishwa Nadan	Chief Financial Officer	(exited 10:42)
Chi Nguyen	Financial Accountant	(item 6.1 only)
Mamata Hegde	Accountant Financial Operation	(item 6.1 only)
Claudia Novek	Acting Coordinator Corporate Planning	(item 5.7 only)
Lawrissa Chan	NSW Audit Office, Director, Financial Audit Services	(exited 9:27)
Furqan Yousuf	NSW Audit Office, Audit Leader	(exited 9:27)
Rose Koch	Committees Officer (Minutes)	

#### 1. WELCOME / OPENING

The Chairperson welcomed all attendees and opened the meeting at 9:04am.

It was noted that an in-camera meeting was held with the external auditors prior to this meeting to discuss the draft financial statements.

#### 2. APOLOGIES

Nil

#### 3. DECLARATIONS OF INTEREST

Independent Gordon declared an interest as a member of the ARIC at Waverly Council.

Clr Shelton advised that in relation to **item 5.4 – Risk of Proactive Monitoring of Private Certified Development**, of the agenda, the Councillors had voted on this matter in a different forum, with discussions having already occurred at a previous Council meeting. He advised that despite this, he will not leave the meeting while discussions on this item are taking place at this meeting.

Clr Rhodes declared a non-pecuniary interest later in the meeting as the Treasurer of Western Sydney Regional Organisation of Councils (WSROC), once WSROC was mentioned amongst discussions in **item 5.3 – Proposed Westpool Restructure – One Mutual Project**.

#### 4. CONFIRMATION OF PREVIOUS MINUTES

That the minutes of the Audit, Risk & Improvement Committee Meeting held on 26 July 2019 be confirmed as a true record of that meeting.

**Motion**

**Moved:** Clr Shelton

**Seconded:** Independent Gordon

#### 5. BUSINESS ARISING FROM PREVIOUS MINUTES

##### 5.1 Audit, Risk and Improvement Committee - Resolution Tracking

Head of ARI advised that the action item listed in the ARIC Resolution Progress Tracking Document – October 2019, of "Review of Council Policies", will be presented to the 28 October, 2019 Council meeting for review, and will therefore be resolved for the upcoming quarter. It was elaborated that a strategy component was added to the policy, with mechanisms in place to ensure accountability in implementing all action items identified through these documents.

The Chairperson advised that the interim audit had identified outstanding items and requested that these be closed off and highlighted as a visibility exercise.

#### RECOMMENDATION

That the Audit, Risk & Improvement Committee receive and note the ARIC Resolution Tracking document.

**Motion**

**Moved:** Independent Gordon

**Seconded:** Independent Horne

##### 6.1 Annual Financial Statements (Late Paper)

This agenda item was brought forward for earlier discussion.

The Chief Financial Officer highlighted the major financial transactions over the 2019 financial year.

- Council successfully negotiated an ex gratia payment from the Moorebank Intermodal Company, totalling \$5.4 million of revenue and is visible within the financial statements;
- Council invested in significant road infrastructure totalling approximately \$13 to 14 million;
- In terms of assets, Council has migrated from the Assetic Register to a Cloud platform, and has addressed many issues experienced over the years;
- For the road infrastructure and renewal space, a write off exists of \$7.3 million;
- Asbestos remediation continues to be an ongoing issue, resulting in a spend of \$20 million, therefore creating additional provisions;

- In terms of financial sustainability, Council has posted its results for the past three consecutive years; and
- In terms of liquidity, Council is in a strong position to pay debt obligations.

Director Financial Audit Services provided an overview of the Engagement Closing Report for year ended 30 June, 2019. The highlights were as follows:

- Overall the audit went well for the 2019 financial year, with improvements made in the assets area;
- Responses to key issues and audit risks were as follows:
  - Management performed a comprehensive revaluation of roads, footpaths, bridges, stormwater drainage, open space and other structures;
  - Council applied indexation for building assets;
  - Council has been well prepared this year in relation to quality and timeliness of financial reporting, such as producing proforma financial statements in preparation for the final audit;
  - For IT general controls, one high and two moderate risks were identified, relating to review of privileged user access (high), provisioning of new users and transfers (moderate) and cyber security (moderate);
  - Council has adopted the new accounting standard of AASB 9 "Financial Instruments" and did not result in a significant impact to Council's financial statements;
  - For the revised Project Development Agreement for Civic Place with Built Holdings Pty Ltd, review of the financial impacts identified that Council did not disclose its future capital commitments of \$195.5 million in the 2018-19 financial statements;
- The Rural Fire Services (RFS) assets is considered a contentious issue within the local government sector, and that further changes cannot be made until changes in legislation occur;
- For corrected monetary misstatements and disclosure deficiencies:
  - Duplication was found in the recognition of Work-In-Kind assets and capital revenue; and
  - Management corrected disclosure deficiencies relating to party disclosures and financial instruments.
- It is noted that Council confirmed the queries and recommended changes supplied under separate cover by Independent Gordon have been addressed as appropriate

#### **Queries and Discussion**

The Director Financial Audit Services advised that based on the findings of the Engagement Closing Report, it was a positive result for Council. The Committee congratulated the Finance team for their fabulous efforts.

The Committee congratulated the Audit Office for the work over the last financial year.

#### **RECOMMENDATION**

That the Audit, Risk & Improvement Committee:

1. Review and endorse the 2018/19 annual financial statements.



**Motion****Moved:** Independent Gordon**Seconded:** Independent Horne**5.2 Voluntary Planning Agreement Financial Exposure**

The Director City Corporate raised the issue of shortfalls involving Section 7.11 (formerly known as S94). It was advised that Council is in the process of reviewing all of its contributions plans and ensuring that the figures reflect the current cost of delivering assets, from a land purchasing and construction perspective. As time proceeds, Council will ensure to index the value of land and construction more appropriately to keep pace with cost increases.

It was added that legislative issues exist, resulting in certain assets that cannot be levied for. Therefore due to the fundamental failures in the system, Council will need to budget for this.

**Queries and Discussion**

- i. The Chairperson agreed that this is a regulatory compulsion and that Council ensures the provision of financial resources to the best of its ability, given the circumstances.
- ii. The CEO flagged that with rezoning of land captured in the aerotropolis area, the land value had increased significantly and that the issue for Council is that there is insufficient time to do a 7.11 scheme, therefore a 7.12 scheme is necessary as it is a highly unknown space. This was flagged as a potential for risk to the Committee, in the event of material impact on Council's revenue stream and capacity to deliver infrastructure over the following decade.

**RECOMMENDATION**

That the Audit, Risk & Improvement Committee receive and note the report, with the understanding that these items are in train.

**Motion****Moved:** Clr Shelton**Seconded:** Independent Horne**5.3 Proposed Westpool Restructure - One Mutual Project (Commercial in Confidence)**

The Chairperson made reference to the below four questions put forward by Clr Rhodes at the 26 July ARIC meeting, which can also be found in the previous minutes. Director City Corporate provided responses to these questions at the meeting as follows:

1. *Following the initiative to change the Westpool structure, will there be any risk to Liverpool City Council losing investment or equity, once it is transitioned into a company;*

It was advised that there will not be risk in such an event.

Clr Rhodes sought to ascertain whether the percentage of shareholding received by Council is equivalent to the amount of money invested, bearing in mind that new members appointed to the company have not made investments.

Director City Corporate clarified that they would become a client of the company and that in order to buy into the shareholding, this would require investing into equity themselves. Therefore, the company will be delivering equity back to the monetary shareholders.



It was elaborated that new members place premiums into the pool, provided that these premiums deliver surplus and build equity for the Councils involved, therefore acting as a performance based incentive to individually reduce their risk level. Under the new structure, there is similar expectation that this will occur.

2. *With a company structure of Westpool, will this mean that Council loses its ability to pull out and retain the funds invested where necessary;*

It was suggested that it could potentially be easier for Council to pull out as a shareholder rather than as an equity partner in a joint venture, with prospect of selling this to another potential member.

CI Rhodes queried whether these potential shares are dollar for dollar value for the amount of investment. Director City Corporate confirmed this to be the case.

3. *Will the transition from a cooperative to a company present any advantages; and*

This question was not discussed.

4. *What are the associated effects on Liverpool City Council, having to comply with company regulations?*

It was advised that there will not be any effects on Council, as it would become a client and shareholder of the new company structure.

#### **Queries and Discussion**

- i. Cllr Shelton queried how much of a market and liquidity there would be for Councils shares, in the event Council were to pull out of the fund.

Director City Corporate advised the obvious market would be the pool itself, particularly for members seeking to expand their value or other members. It is believed the reasoning as to why these proposed changes are happening to the structure is due to the market demand for services that Civic Risk are delivering.

Director City Corporate added that he believes the future of Civic Mutual is positive, despite concerns relating to the insurance market. It was added that there is higher risk in not allowing the mutual to grow to access a broader insurance market, as opposed to Council not participating in the fund.

- ii. Independent Gordon advised that the other competitor in the market in state wide and have approximately 130 Councils across Australia, where the bargaining power differs significantly. It was agreed that if the fund does not grow, it will not be competitive, therefore this structure acts as a mechanism for bringing in other members.

#### **RECOMMENDATION**

That the Audit, Risk & Improvement Committee:

1. Receive and note the One Mutual Project update.

**Motion**

**Moved:** Independent Gordon

**Seconded:** Independent Horne

#### **5.4 Risks of Proactive Monitoring of Private Certified Developments**

The Chairperson advised the Councillors that this item will be discussed, however the ARIC has a strategic advisory capacity and that it does not have a role to determine outcomes. It was noted that the insurance risks and non-jurisdictional necessity to take on what may potentially be a significant liability, does not seem to have a correlation to the interests of people in Liverpool.

Clr Shelton advised that in fairness to the Council decision, it was moved that the ARIC were to provide an opinion of the risks associated with this matter.

The Chairperson expressed concerns that if Council took responsibilities which are currently being regulated by other bodies, it may expose Council to additional risks that fall outside Council's current functions under the Act.

Independent Gordon added that perhaps this may have been an altruistic view of Council, to protect their residents and rate payers buying property. Concerns were expressed of whether Council had covered its responsibility in terms of ascertaining what the State Government expects of Local Government in this area, and agreed with the Chairperson that it would be concerning for Council to explore this matter further without guidance provided from the regulatory authority.

The Chairperson advised that Council should play an advocacy role by giving more rights for residents, by looking at multiple facets of government agencies involved such as the ACCC, to apply pressure where the regulatory process has failed, as opposed to Council performing the role of other government tiers, to avoid incurring liability.

The CEO advised that conversations have begun with the Building Commissioner, where it was stressed that Council was concerned in this area and that it is seeking for industry reform. It was noted that having led the way with cladding issues, Council is well positioned to advocate this need to the State Government to ensure they understand the complexities of these matters from the perspective of Councils.

The CEO added that the Councillors will be able to reflect the sentiments of the Independent members of this Committee, once this item is presented to Council. Clr Rhodes agreed that a new motion will be put forward once these ARIC minutes are presented to Council to incorporate advocacy.

## RECOMMENDATION

That the Audit, Risk & Improvement Committee:

- 1) Note the report and recommend caution proceeding toward acting as a regulator within such an environment; and
- 2) Recommend that Council acts to work with the industry and the Building Commissioner to advance progress in this area.

**Motion**

**Moved:** Independent Gordon

**Seconded:** Independent Horne

## 5.5 Legislative Compliance

The Chairperson clarified his position made at the previous ARIC meeting regarding the utilisation of the risk based approach to highly intensive governance approaches. The meaning intended was for Council to use a risk management approach for significant tasks, while providing less attention to tasks not deemed as highly significant. It was noted that there appears to be orientation toward legislative compliance.

Director City Corporate advised that the team is seeking to resource Governance due to a shortage, where Council is seeking to increase the structure and improve visibility as a team. This is expected to be carried out in early 2020 with the 2021 budget in mind.

The Chairperson highlighted that if staff are struggling to deliver on papers which are scheduled for tabling by due date, then these should be deferred.

#### RECOMMENDATION

That the Audit, Risk & Improvement Committee;

1. Receive and Note the legislative compliance report.
2. Receive a detailed report on the selected legislative compliance risks at a future ARIC meeting.

**Motion**

**Moved:** Independent Gordon

**Seconded:** Independent Horne

#### 5.6 PwC Local Government Performance Excellence Program

Head of ARI reported that his team have identified the lowlights of the PwC Performance Excellence Program, as requested by the ARIC previously. The team is working with relevant businesses to unpack information and understanding the root causes of these points with aim to improve these areas.

#### RECOMMENDATION

That the Audit, Risk & Improvement Committee:

1. Receive and note the PwC Local Government Performance Excellence Program report.

**Motion**

**Moved:** Independent Horne

**Seconded:** Clr Karnib

#### 5.7 Overdue Customer Requests and Records Action Items

Acting Coordinator Corporate Planning advised that this report was endorsed by the executive management team (EMT), and that the Corporate Strategy Team are moving forward with the implementation plan.

The CEO flagged that the EMT have committed to establishing a customer service group and a team across the organisation that provides oversight from a Customer Service perspective, in order to make improvements.

#### RECOMMENDATION

That the Audit, Risk & Improvement Committee:

1. Note the Customer Request project update and receive a further update at the February 2020 meeting.

**Motion**

**Moved:** Independent Horne

**Seconded:** Clr Karnib

#### 6.2 A New Risk Management and Internal Audit Framework for Local Councils in NSW

Head of ARI advised that there has been a major reform in the Audit & Risk sector within Local Government. It was added that the maturity of risk is far greater at the State Government level, therefore this should assist the Local Government sector to catch up to the State Government's level of maturity. The requirements put forward have been anticipated by Council and therefore has already structured its Committee in a manner where the transition is highly minimal. Feedback from Council on these changes are due by 31 December 2019, to the Office of Local Government NSW.

The CEO advised that Councils had distributed this information to the Councillors and had confirmed by Head of ARI that feedback from the Councillors had not been received in relation to this proposal.

Independent Horne added that Council is already compliant with the new requirements compared to other Councils. The most contentious proposal is that Councillors are excluded as voting members from the ARIC with observing rights, with Independents given voting privileges, which is based on the State Government model. It was proposed that Council comment on this during the feedback process.

Independent Horne added that provided all Councils express their concern, then it may lead to the Office of Local Government NSW changing their proposed policy. It was added that if the changes of establishing a robust Governance framework, while excluding the "board", then it would be necessary deem highly difficult to determine how the ARIC can communicate with Council in a meaningful way.

The Chairperson was in agreement and shared his experience at other Councils where Councillors were not part of the ARIC. It was stated that there is a critical role to be played regarding interpretation and the views expressed in relation to the items of discussion. The Chairperson advised that he would strongly advocate against Councillors being removed from the process. The Chair noted that in any instance of political gamesmanship, the Chair has the discretion to control the meeting and in addition Councillors are required to comply with the Code of Conduct.

Clr Shelton added that in relation to improvement, it is necessary to look for the input of Council who often is the first to be aware if there is an issue from a ratepayers perspective. As the ARIC exists ultimately for the purpose of its end users, this perspective would otherwise be taken away, leading to a lower level of assurance being provided. It was added that some Councillors however may not help the process, although it is necessary to review this from an overall perspective and noting the net benefit of Councillor's involvement.

## RECOMMENDATION

1. That the Audit, Risk & Improvement Committee receive a report from the Head of Audit, Risk and Improvement at the next meeting outlining the impact of proposed changes and roadmap to address the new requirements;
2. That the Chairperson advocates on behalf of Council, the inclusion of Councillor participation as an essential requirement for a robust internal governance framework, as part of a formal submission on the new framework to the Office of Local Government.

### Motion

**Moved:** Independent Gordon

**Seconded:** Independent Horne

## 6.3 Internal Audit Projects and Activities - 1 July to 30 September 2019

Head of ARI advised that Council has decided to bring forward an audit on procurement due to weaknesses in procurement were noted in the contracts review project of the former CEO (Carl Wulff) in addition the conduct of a fraud risk assessment on procurement is a risk treatment item which is yet to be resolved and as it stands is overdue. This treatment will be addressed via this Audit. Given these factors, it was determined appropriate to bring this audit forward as a Control Self-Assessment project.

Three outstanding audit action which were overdue by 180 days were all from the Section 7.11 audit as many of these action items are highly complex to resolve. It was added that some of these findings will take time to address and require numerous consultants in addressing the issues. It is noted that Liverpool City Council has been one of the selected Councils undertaken by the NSW Audit Office for an audit on Section 7.11 developer contributions.

Head of ARI is confident that the right level of resources are being directed to resolve these items.

The CEO praised Head of ARI on his work involving the 7.11 contributions and leading the Council into the right direction in this space.

### RECOMMENDATION

That the Audit, Risk & Improvement Committee;

1. Receives and notes The Internal Audit Projects and Activities Report.
2. Receives and notes the Overdue Audit Action Items greater than 90 days report.
3. Notes the Certificate of Investment Confirmation and authorise the ARIC Chair to sign the Certificate of Investment Confirmation for the period 1 June 2019 to 31 August 2019.

**Motion**

**Moved:** Independent Gordon

**Seconded:** Cllr Shelton

### 6.4 Enterprise Risk Management Report - September 2019

The Chairperson commented that he is unsure that the ARIC can establish a risk culture and queried the Committees role in culture. Head of ARI clarified that risk culture referred to in the reports is one of risk reporting and not the culture / tone that a CEO has to set in the organisation. A number of activities have been introduced to improve the risk culture and assist the CEO in fulfilling her responsibilities such as quarterly risk reporting to Councillors as part of the CEO update and that reporting will in future consider poor risk culture where risk owners have not signed off on their risk through appropriate risk escalation protocols.

Head of ARI mentioned that in the past it was unseen for a Council report to focus / consider the environmental and financial impacts being itemised in all Council report. As risk culture evolves, risks associated with the report at question will be embedded into future Council reports.

The Chairperson advised that the ARIC does not have much of a role to play other than ensuring that the systems processes support the intended approach.

Independent Horne added that the Committee can assist by querying what Council has in place to embed a risk culture. Head of ARI confirmed that this is what is planning to be reported.

Cllr Rhodes added that by improving the significance of questioning about risk is positive, and stated that this proposal was raised at a previous Council meeting, to be referred back to the Committee for expert advice. The Chairperson agreed with this.

Cllr Shelton advised that the recommendation should be reworded to allow for task allocation.



**RECOMMENDATION**

That the Audit, Risk & Improvement Committee:

1. Receive and note the Enterprise Risk Management report and attachments.
2. That the Head of ARI provide a future update to the committee on the outcome of embedding risk management into the Council reports.

**Motion**

**Moved:** Cllr Shelton

**Seconded:** Independent Gordon

**6.5 Quality Management Program**

The Chairperson encouraged Council to consider whether the time and labor invested in the Quality Management Program will provide value in service outcomes, while bearing in mind of business resources.

The CEO advised that this would vary in different units of the organisation and that there is a criticality to process mapping, such as the Compliance area, whereas this may be deemed irrelevant for the Casula Powerhouse Arts Centre processes. Therefore this is an area for Head of ARI to advise on.

Director City Corporate added that there are certain processes that require mapping, maintained, followed and visible as they are critical processes, in any event that a staff member may not be present and therefore the knowledge process exists in the system for guidance.

Cllr Shelton advised that he believes there have been conflicting views with the usage of Promapp in the organisation. The CEO noted that there is a shift and that it is an ideal tool to capture processes and that it is necessary to have a cultural shift in the organisation.

**RECOMMENDATION**

That the Audit, Risk & Improvement Committee:

1. Note the Quality Management Framework and continuous improvement program.
2. That the Head of ARI review the current processes mapped in the quality management system to ensure they are critical to the business with a view of reducing the need for minor or less impacting processes to be removed.

**Motion**

**Moved:** Cllr Shelton

**Seconded:** Independent Gordon

**6.7 Developer Contributions Investment and Funding model**

The Chairperson praised the report on this item.

The CEO noted that she and the Director City Corporate have a meeting with Property NSW to present this report to determine any concerns that may be raised. Additionally, the proposal has been on public exhibition for 28 days, which has now closed. The CEO added that following on

with the meeting with Property NSW, the UDIA and the Business Chamber, provided it all goes well, the advice will be taken to the Minister for ministerial approval, as per the direction of Council.

### RECOMMENDATION

That the Audit, Risk & Improvement Committee:

1. Notes the proposal, benefits, and risk mitigation strategies.

**Motion**

**Moved:** Cllr Shelton

**Seconded:** Independent Gordon

### 6.8 Legal and Governance Report - September 2019

This item has been deferred for the next ARIC meeting.

### RECOMMENDATION

That the Audit, Risk & Improvement Committee:

1. Receive a legal and governance report at the next ARIC meeting.

### 6.9 IT Disaster Recovery Plan

This report was praised by Independent Gordon and the Chairperson.

Head of ARI advised that Council will be establishing an overarching framework to connect the BCP and DRP, as currently there is no existing alignment. Therefore once put forward to Council, and given a potential lack of technical expertise, a uniform framework can be endorsed to ensure that all components essential to managing any key risk events are covered.

Independent Gordon reflected on another Council which had a consultant come and review their DRP. As a result a large amount of anomalies were identified which resulted in a number of changes to the document. Independent Gordon suggested given the importance of the DRP and as it is technical in nature that an independent review of it may be valuable.

### RECOMMENDATION

That the Audit, Risk & Improvement Committee:

1. Endorse the 2019 Disaster Recovery Plan.
2. Receive the Draft Framework before Council adopts the framework. The Frameworks should include the responsibilities for maintaining, invoking and approving the plans / sub-plans.
3. Management should consider conducting an independent review of its DRP

**Motion**

**Moved:** Independent Gordon

**Seconded:** Independent Horne

### 6.10 Procurement Statistical & Trend Analysis

The Chairperson highly praised this report.

The Chairperson commented that the inference of the report as a saving, appears to be misdirected as it is not a saving and is simply uncommitted expenditure. POs do not have to align to invoicing.

Director City Corporate advised that the report does not suggest that these two variables are the same and this is to do with transactional efficiency. It was noted that the report suggests that if the average PO size is larger and fewer are being processed, this is transactional efficiency.

The Chairperson made reference to the following in the report, on page 61 of the agenda *"The savings however, far outweigh the losses so far this financial year..."*, and clarified that they are not actual losses. However despite this, the report was very highly regarded.

The CEO advised that this feedback will be forwarded to staff within Council's Procurement area.

### RECOMMENDATION

That the Audit, Risk & Improvement Committee

1. Receive and note the Procurement Statistical and trend analysis report.
2. Revise the current ARIC Work Plan requirement for quarterly procurement updates to receiving updates bi-annually only.

**Motion**

**Moved:** Independent Horne

**Seconded:** Independent Gordon

### 6.11 Integrated Planning & Reporting

The report was received and noted.

### RECOMMENDATION

That the Audit, Risk & Improvement Committee:

1. Notes and receives this report.

**Motion**

**Moved:** Cllr Shelton

**Seconded:** Independent Horne

### 6.12 Employee Performance Management Framework

The CEO advised that the Depot staff are on a 4 day working week, as part of the Enterprise Agreement that is currently being negotiated. It was agreed that provided there are significantly improved KPIs on work performance, that this 4 day working week will take effect. Additionally the Director City Presentation had been liaising extensively with the United Service Union in determining these KPIs, which as part of this process will be to establish people achievement plans for the Depot staff.

### RECOMMENDATION

That the Audit, Risk & Improvement Committee receive and note the Employee Performance Management report.

**Motion**

**Moved:** Independent Gordon

**Seconded:** Cllr Shelton



## 6.6 Audit, Risk and Improvement Committee Performance

The Chairperson sought to ascertain from the Committee on the direction of the ARIC moving forward and how it can assist Head of ARI's team at Council. It was advised the level of depth provided is limited with a detailed agenda and insufficient timing.

Independent Gordon was in agreement and added that the level of volume and creating additional work demands such as report requests is an area to consider in terms of timing, where Council staff are proactive in having reports ready, as opposed to responding to requests. Doubts were expressed as to whether the ARIC has a sufficient amount of time to review and discuss charter requirements. It was suggested that Committee meetings are held more frequently to cover the increasing volume required.

The Chairperson proposed that the agenda be structured with a section for information only reports that require no specific resolutions from the committee with a separate section for management / councillors questions and requests.

Independent Gordon added that further briefings should be given for major projects such as the aerotropolis, the City Deal and the health and education precinct, particularly with projects with high risk. The CEO was in agreement and advised Head of ARI to organise a briefing for February 2020.

## RECOMMENDATION

That the Audit, Risk & Improvement Committee:

1. Receive and note the overall effectiveness as outlined in the 2018/19 ARIC Self-Assessment Questionnaire.
2. That the Head of ARI consider the agenda layout for future meetings.
3. That the Head of ARI organise briefings on major high risk projects with a presentation on the Aerotropolis to be arranged for the February 2020 ARIC meeting.

**Motion**

**Moved:** Independent Horne

**Seconded:** Independent Gordon

## 7 CLOSE

The Chairperson closed the meeting at 11:52 am.

## 8 NEXT MEETING

Friday, 7 February 2020, Gold Room, Liverpool City Library, 170 George Street, Liverpool,  
9:30 am – 12:30 pm

**QWN 01**

**Question with Notice - Cllr Hadchiti - Civic Place**

<b>Strategic Direction</b>	Generating Opportunity Create an attractive environment for investment
<b>File Ref</b>	271202.2019

## **QUESTION WITH NOTICE**

Please address the following:

- 1. It was my understanding that Council has an agreement in place with UoW, was this the case given they have called for expressions of interest for accommodation?**

The Memorandum of Understanding (MoU), signed in April 2016 with the University of Wollongong (UoW), anticipated UoW space in the order of 5,000 sqm contained within Liverpool Civic Place (LCP). This MoU was non-binding.

Subsequently, the UoW brief expanded to the order of 40,000 sqm and LCP was then only ever expected to accommodate part thereof. The balance of the UoW space was expected to be in Liverpool, but not necessarily wholly contained within LCP.

Under the revised agreement with the developer, LCP now includes the opportunity for additional space, through the Built component, that could meet the entire need within the one site. LCC and Built have now submitted a joint EOI, offering to accommodate the entirety of UoW space requirements within LCP.

- 2. Prior to Council approving the expenditure for Civic Place it is my understanding that it was reviewed by the Audit Committee. Have they been advised that we are risk of losing the rental?**

LCP was reviewed at the ARIC meeting, but discussions were around the procurement process and Built's involvement and subsequent appointment. ARIC was satisfied with the processes Council undertook in this regard.

With respect to the financial risks associated with LCP, these will form part of Council's risk register and risk reporting to Council's Audit, Risk and Improvement Committee (ARIC). These risks include rental and tenancy risks, as well as risks related to possible capital unavailability, possible budget/cost blowouts, and numerous other foreseeable risks.

Staff are scheduled to update ARIC regularly during the delivery phase of LCP. Staff note that the financial risk concerning UoW relates to the issue of tenancy broadly, and that in the event UoW elect to progress their space needs through other means, Council will take all possible steps to secure alternative tenancies.

**3. Did Council receive any sign off from any other Government Department and if so were they advised that UOW was only a maybe?**

Council has never represented that any potential tenancy within LCP was a certainty. Future long term financial planning anticipates an income stream from a tenancy within LCP, and staff see no need to discount this at present. If future circumstances develop in an unfavourable manner, then adjustments may become necessary. However, staff can only conduct forward planning with the benefit of the information currently available.

**ATTACHMENTS**

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Nil

**QWN 02**

**Question with Notice - Cllr Hadchiti - Parking Meters**

<b>Strategic Direction</b>	Leading through Collaboration Strive for best practice in all Council processes
<b>File Ref</b>	271209.2019

**QUESTION WITH NOTICE**

Please address the following:

Since the introduction of parking meters:

**1. How much revenue has been collected (just a number)?**

<b>Year</b>	<b>Northumberland Street Carpark</b>	<b>Bathurst Street Carpark</b>	<b>On-Street Meter Revenue</b>	<b>TOTAL</b>
2012	\$0	\$544,243	\$0	\$544,243
2013	\$295,055	\$292,323	\$1,216,661	\$1,804,039
2014	\$353,704	\$288,594	\$1,037,252	\$1,679,550
2015	\$364,925	\$297,155	\$958,172	\$1,620,252
2016	\$407,486	\$269,288	\$971,561	\$1,648,335
2017	\$462,469	\$307,263	\$951,785	\$1,721,517
2018	\$556,945	\$362,485	\$1,055,873	\$1,975,302
2019	\$539,378	\$336,911	\$1,005,574	\$1,881,863
<b>Total</b>	<b>\$2,979,962</b>	<b>\$2,698,261</b>	<b>\$7,196,877</b>	<b>\$12,875,100</b>

**NOTE:**

The above figures represent gross revenue only and do not include any allowances for maintenance or operating costs on meters or parking facilities.

**2. How many new car parking spaces have been created in that time (just a number)?**

These figures are the quantum of spaces delivered by Council. This does not reflect those included in developments.

CITY CENTRE	- Car parks	- 87 spaces
	- On street	- 10 spaces
OUTSIDE CITY CENTRE		- 130 spaces
PARKING SPACES REHABILITATED		- 79 spaces

**CAR PARK EXPANSION**

Woodward Park (Estimated completion – December 2019)	-	208 spaces
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NEW CAR PARK CONSTRUCTION – Speed Street	-	77 spaces
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NEW CAR PARK CONSTRUCTION - Civic Centre (Due for completion late 2022 – early 2023)	-	300 spaces
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**3. How much has been issued in fines (just a number)?**

Total number of fines issued:-	13,752
Total Value of fines issued:-	\$1,391,712.00
Total Value of fines paid:-	\$ 968,424.39

NB: the above figures relate only to fines issued for over stay or no ticket display in a metered parking space.

**In relation to the new parking meters:**

**1. What was the cost of the introduction?**

<b>Parking Meter Upgrades</b>	<b>Amount</b>
Upgrade to Pay by Plate (Paid)	\$406,000
On road automated process	\$ 69,000
<b>Total Budget</b>	<b>\$475,000</b>

**2. Did the expenditure require a tender process?**

No, as Council had a contract with the existing provider, and this item was managed as a variation to that contract.

**3. Who authorised the expenditure?**

The CEO, in order to avert a significant and ongoing WHS safety risk.

**ATTACHMENTS**

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Nil

**QWN 03**

**Question with Notice - Cllr Hadchiti - Warwick  
Farm Precinct**

<b>Strategic Direction</b>	Leading through Collaboration Strive for best practice in all Council processes
<b>File Ref</b>	288469.2019

**QUESTION WITH NOTICE**

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Please address the following:

1. Given that I am yet to receive a response, is the CEO aware of any correspondence in relation to the Warwick Farm precinct that went against the wishes of the elected body?

If so what has been done about it?

**A response to this question will be provided separately to Councillors prior to the November Council meeting.**

**ATTACHMENTS**

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Nil

**QWN 04****Question with Notice - Cllr Hagarty - Granny Flats**

<b>Strategic Direction</b>	Strengthening and Protecting our Environment Exercise planning controls to create high-quality, inclusive urban environments
<b>File Ref</b>	283265.2019

**QUESTION WITH NOTICE**

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**Background**

Granny flats, as the name suggests, are often used as housing for our older residents. Many older residents have limited financial means and downsize to a granny flat in order to live within those means.

Council recently introduced a contributions plan for the construction of granny flats. At present, there is no mechanism to enable payment of these contributions via instalments.

**Please address the following:**

1. What legal or other impediments are there to allowing the payment of contributions in instalments for those who can exhibit limited financial means?

A response to this question will be provided in the 11 December Council meeting business papers.

**ATTACHMENTS**

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Nil



**QWN 05**

**Question with Notice - Cllr Hagarty - Edmondson  
Park Commuter Car Park**

<b>Strategic Direction</b>	Leading through Collaboration Strive for best practice in all Council processes
<b>File Ref</b>	283283.2019

**QUESTION WITH NOTICE**

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Please address the following:

1. Has a Development Application for the construction of a multi-storey car park at Edmondson Park been lodged with Council by the State Government?
2. Are there any other delays or impediments Council could cause to the timely completion of this project?

**A response to these questions will be provided in the 11 December 2019 Council meeting business papers.**

**ATTACHMENTS**

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Nil

**QWN 06**

**Question with Notice - Cllr Hagarty - Feral Cats**

<b>Strategic Direction</b>	Leading through Collaboration Seek efficient and innovative methods to manage our resources
<b>File Ref</b>	287041.2019

## **QUESTION WITH NOTICE**

### **Background**

A vast majority of cat owners are responsible, caring and compassionate. They ensure their pets are easily identified through a collar or micro-chipping, are desexed and do not impose a danger to other animals. Council also does its part by offering free micro-chipping days and discounts for desexing.

Feral cats on the other hand kill native wildlife, damage property, rummage through residents bins and infect and attack domestic animals. They are a major problem no level of government appears willing or able to solve.

According to Council staff, feral cats fall under the responsibility of the Federal Department of the Environment and Energy. According to correspondence from the Federal Department of the Environment and Energy, the Australian Government is not responsible for the management of feral animals. The State Government advises Local Council enforces the relevant legislation, the Companion Animals Act 1998.

The Companion Animals Act 1998 states "any person may lawfully seize a cat if that action is reasonable and necessary for the protection of any person or animal (other than vermin) from injury or death". The Act is not entirely clear what can then be done with the caged feral cat once it is captured.

**Please address the following:**

- 1. Who is responsible for feral cats?**
- 2. What is Council's current policy for dealing with feral cats?**
- 3. What legislative impediments currently exist that restrict residents and Council in dealing with feral cats?**
- 4. What penalties exist for residents who feed and otherwise allow feral cats to prosper?**
- 5. What potential changes to the law could be made to allow residents and Council to better deal with feral cats?**
- 6. Dogs can be declared "declared" or "menacing", would treating feral cats in a similar manner be useful?**

A response to these questions will be provided in the 11 December 2019 Council meeting business papers.

**ATTACHMENTS**

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Nil

**QWN 07****Question with Notice - Cllr Kaliyanda - CBD  
Shopfront Activation Project**

<b>Strategic Direction</b>	Generating Opportunity Create an attractive environment for investment
<b>File Ref</b>	288449.2019

**QUESTION WITH NOTICE**

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Please address the following:

1. What is the current timeline of the project?
2. Which impacts has the project had – both quantitative and qualitative?
3. Is there capacity to continue the project following the commencement of the Civic Place Project?
4. If not, what options are available to ensure that community benefits are not lost?

**A response to these questions will be provided in the 11 December 2019 Council meeting business papers.**

**ATTACHMENTS**

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Nil

**NOM 01****Speed Camera Warning Signs**

<b>Strategic Direction</b>	Strengthening and Protecting our Environment Develop, and advocate for, plans that support safe and friendly communities
<b>File Ref</b>	284773.2019
<b>Author</b>	Nathan Hagarty - Councillor

**BACKGROUND**

Earlier this month, the State government confirmed it is considering removing signs that warn drivers as they approach fixed and mobile speed cameras. The rationale for speed cameras, since their introduction, has been one of safety, not revenue raising. Removing these signs will stop drivers slowing down and therefore decrease safety.

Peter Khoury, a spokesman for NRMA, said of the changes "We want people to change their behaviour behind the wheel, not three weeks later when they get a fine in the mail." Former Deputy NSW Police Commissioner Nick Kaldas has labelled the move "one of the worst decisions I've seen in traffic law enforcement for some time."

Liverpool City Council has a long standing principle of first warning people and businesses, before further punitive action in many areas of compliance, so too should the State Government.

**NOTICE OF MOTION**

That Council:

1. Direct the CEO to write to the Minister of Transport expressing Council's opposition to the move; and
2. In the event the State Government does remove warning signs, erect similar warning signs at all locations in the Liverpool LGA where fixed speed cameras are present.

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**CHIEF EXECUTIVE OFFICER'S COMMENT**

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The consideration of this motion is a matter for Council.

As the relevant roads authority for public roads (excluding freeways), Council can erect fixed warning signs advising of speed cameras under section 4 of the *Roads Act 1993*.

Clause 97 of State Environmental Planning Policy (Infrastructure) allows a 'public authority', including Council, to erect "directional, safety or other advisory signs" relating to the use of roads as exempt development.

Council usually refers proposed signs, including local road safety message signs that are located on classified roads, to RMS for their comment prior to installation.

In the Liverpool LGA, most fixed and mobile speed cameras are installed along classified State roads which are under the care and control of the Roads and Maritime Services (RMS).

Under the *Roads Act 1993*, RMS concurrence or advisory comments would be required prior to signs being installed on the approaches to fixed speed cameras.

In keeping with their function and features, mobile speed cameras are used without prior notice to Council and hence would be difficult to install signs on their approaches.

There does not appear to be a clear statutory basis on which the Roads and Maritime Services could direct Council to remove a fixed warning sign.

**CONSIDERATIONS**

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<b>Economic</b>	There are no economic and financial considerations.
<b>Environment</b>	Raise community awareness and support action in relation to environmental issues.
<b>Social</b>	Support policies and plans that prevent crime.

<b>Civic Leadership</b>	<p>Act as an environmental leader in the community.</p> <p>Undertake communication practices with the community and stakeholders across a range of media.</p> <p>Encourage the community to engage in Council initiatives and actions.</p> <p>Provide information about Council's services, roles and decision making processes.</p> <p>Deliver services that are customer focused.</p> <p>Operate a well developed governance system that demonstrates accountability, transparency and ethical conduct.</p> <p>Actively advocate for federal and state government support, funding and services.</p>
<b>Legislative</b>	<p>There are no legislative considerations relating to this report.</p>

## **ATTACHMENTS**

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Nil

**NOM 02**

**WSROC Genx 100% Renewable Solar Power  
Purchase Agreement Opportunity**

<b>Strategic Direction</b>	Strengthening and Protecting our Environment Encourage sustainability, energy efficiency and the use of renewable energy
<b>File Ref</b>	286820.2019
<b>Author</b>	Karress Rhodes - Councillor

**BACKGROUND**

WSROC has negotiated a Power Purchase Agreement with the Jemalong Solar 100% renewable energy project.

The project that is shovel ready and is scheduled to be operational in 2020, represents a low risk for Councils interested in reducing electricity costs to Council through a 100% renewable energy solution.

The minister for Local Government has indicated strong support for this initiative.

The current cost to purchase power is approximately \$65 per MWh. The Genx Power Purchase Agreement would offer a 2021 purchase price of approximately \$48 and \$50 MWh for participating Councils who commit to the project.

Council's commitment to the Jemalong Solar Project would be subject to:

- \* The agreed 2021 price of between \$48 - \$50 per MWh
- ^ The offering not being affected by existing Council arrangements with energy retailers or other PPA's;
- \* WSROC financial and legal management on behalf of participating Council's through appropriate agreed structures and arrangements; and
- \* There being no legislative or regulatory obstacles to the execution of the PPA and mutually agreeable contractual arrangements.

Inviting WSROC to present this opportunity to Councillors for their consideration for Council's participation in a 100% renewable solar energy power provision in time to meet the 16 December 2019 contractual deadline, for the agreed 2021 price of between \$48 and \$50 per MWh, would present considerable savings for Council and support Council's sustainable liveable cities programs.



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**NOTICE OF MOTION**

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That Council invite WSROC to present the Power Purchase agreement currently being negotiated with Genx Power at a special briefing meeting for Councillor consideration in time for the matter to be considered at the December Council Meeting 2019.

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**CHIEF EXECUTIVE OFFICER'S COMMENT**

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Council is free to seek a briefing on the WSROC power purchase agreement. However, staff advise that entering into the WSROC power purchase agreement will be legally impossible before 2022, and will present significant practical risks if entered into between 2022 and 2030.

WSROC have been made aware of the constraints facing Liverpool in this regard.

At its core, the issue is based on the fact that the entire Liverpool City Council electricity supply demand is legally committed. In particular, Council has committed to source 25% of its energy from the Moree Solar Energy Farm through a contract with the Southern Sydney Regional Organisation of Councils (SSROC), with an option to increase this over time if desired. This contract remains in place until 2030. Council has also committed its remaining 75% baseload needs through a Retail Energy Agreement, again through SSROC. This retail agreement expires in July 2022.

In 2017, Council raised concerns with WSROC concerning ongoing sourcing of energy which, to that point, had been provided under a WSROC tender. At that time, there was no clear commitment from WSROC to pursue further tenders in the energy space. The cost of Council reverting to retail costs for energy were expected to be very significant, and as such, Council sought options to both cap energy costs, and to provide further sustainability in the sourcing of energy.

Council was made aware of the SSROC energy tender in late 2017, and was invited to participate. At the time, this was attractive to Council as a means of achieving Council's goals of capping energy costs, and increasing Council's commitment to renewable energy.

Council committed to the SSROC tender in 2018, following a comprehensive market testing process.

As such, Council cannot legally contract with WSROC as suggested. Whilst it may be possible to commit further Council energy usage to renewables from July 2022 (when Council's existing retail energy agreement expires), this would present some risk to Council in reducing baseload energy capacity and would require careful planning and consideration, and potentially, complicated practical measures such as separate metering for Council sites so impacted.

It is strongly recommended that an internal briefing be requested to address any further questions councillors may have before any directions are made in this regard.

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**CONSIDERATIONS**

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<b>Economic</b>	There are no economic and financial considerations.
<b>Environment</b>	Enhance the environmental performance of buildings and homes. Raise community awareness and support action in relation to environmental issues.
<b>Social</b>	There are no social and cultural considerations.
<b>Civic Leadership</b>	Act as an environmental leader in the community. Undertake communication practices with the community and stakeholders across a range of media. Encourage the community to engage in Council initiatives and actions. Provide information about Council's services, roles and decision making processes. Deliver services that are customer focused. Operate a well developed governance system that demonstrates accountability, transparency and ethical conduct.
<b>Legislative</b>	There are no legislative considerations relating to this report.

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**ATTACHMENTS**

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Nil