

COUNCIL AGENDA

ORDINARY COUNCIL MEETING

26 August 2020



You are hereby notified that an **Ordinary Council Meeting** of Liverpool City Council will be held on **Wednesday, 26 August 2020** commencing at 6.00pm.

Liverpool City Council Meetings are livestreamed onto Council's website and remain on Council's website for a period of 12 months. If you have any enquiries, please contact Council and Executive Services on 8711 7584.

A handwritten signature in blue ink that reads "E Jackson".

Dr Eddie Jackson

ACTING CHIEF EXECUTIVE OFFICER

ORDER OF BUSINESS

	PAGE	TAB
Opening		
Acknowledgment of Country and Prayer		
Apologies		
Condolences		
MAYOR 01 Condolence - Victims of the Beirut Explosion	5	1
Confirmation of Minutes		
Ordinary Council Meeting held on 29 July 2020	6	
Declarations of Interest		
Public Forum		
Mayoral Report		
MAYOR 02 Local Government Representation on the National Cabinet	55	2
Chief Executive Officer Report		
CEO 01 Local Government NSW Conference 2020.....	57	3
CEO 02 Biannual Progress Report	74	4
CEO 03 Nomination for Open Space Legacy Program (to be provided in Addendum Booklet)		
City Economy and Growth Report		
EGROW 01 Draft Warwick Farm Racing Precinct Structure Plan, Planning Proposal and Local Contributions Plan.....	76	5
EGROW 02 Report back - Consideration of implementing a Development Assessment Compliance Policy	98	6
EGROW 03 Post Exhibition Report - Liverpool Local Environmental Plan 2008 Amendment 71 - Rezoning of certain lands in Prestons for Environmental Conservation	102	7
EGROW 04 Status update on planning proposal requests in Moorebank	111	8
EGROW 05 Street Naming Request - Austral.....	136	9
EGROW 06 LEP Review: Public Exhibition outcomes - Phase 1 Planning Proposal and draft planning strategies (to be provided in Addendum Booklet)		
City Community and Culture Report		
COM 01 Report back to Council - Alcohol-Free Zones Public Exhibition	140	10
COM 02 Report Back to Council - Mimosa Park, 22 Box Rd, Casula.....	144	11
COM 03 COVID-19 Impact on Sporting Field Hire Revenue.....	154	12
COM 04 Collingwood Visitation Precinct Masterplan	161	13
City Corporate Report		
CORP 01 Investment Report July 2020.....	173	14
City Presentation Report		
NIL		

ORDER OF BUSINESS

PAGE TAB

City Infrastructure and Environment Report

NIL

Committee Reports

CTTE 01	Minutes of the Environment Advisory Committee held on 22 June 2020 ...	182	15
CTTE 02	Minutes of the Liverpool Pedestrian, Active Transport and Traffic Committee meeting held on 22 July 2020.....	191	16

Questions with Notice

QWN 01	Question with Notice - Clr Hagarty - Appeal Powers Against Land and Environment Court Decisions	216	17
QWN 02	Question with Notice - Clr Kaliyanda - Processing of Organic Waste in the Liverpool LGA	218	18
QWN 03	Question with Notice - Clr Hagarty - Western Sydney Parklands Trust.....	221	19
QWN 04	Question with Notice - Clr Rhodes - Georges River Bank Stabilisation.....	223	20
QWN 05	Question with Notice - Clr Kaliyanda - Wattle Grove Lake	225	21

Presentations by Councillors

Notices of Motion

NOM 01	Parking on Verges and Nature Strips	226	22
NOM 02	Register of Legal Proceedings	229	23
NOM 03	Use of Data to Improve Energy Efficiency and Reduce Pollution.....	230	24

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 Endorsement of the Liverpool Access Committee membership 2020 - 2022

Reason: Item CONF 01 is confidential pursuant to the provisions of s10(A)(2)(a) of the Local Government Act because it contains personal matters concerning particular individuals (other than councillors).

CONF 02 ST2954 - Waste, recyclables and Garden Organics Collection Services (2020/2321)

Reason: Item CONF 02 is confidential pursuant to the provisions of s10(A)(2)(d i) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

CONF 03 Funding for RAID Moorebank Class 1 Merits Appeal

Reason: Item CONF 03 is confidential pursuant to the provisions of s10(A)(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.

Close

MAYOR 01
Condolence - Victims of the Beirut Explosion

Strategic Direction	Creating Connection Celebrate diversity, promote inclusion and recognise heritage
File Ref	218625.2020

CONDOLENCE (to be read by Mayor Waller)

On 4 August 2020, a massive explosion tore through the port area in Beirut, in Lebanon, killing at least 163 people, including one Australian, and injuring more than 5000. The death toll is expected to rise as emergency workers continue to search through devastated areas of the city. About 300,000 people have been left homeless.

The force of the explosion destroyed the port and resulted in the near total destruction of downtown Beirut within at least a 5km radius. The explosion was felt in parts of Europe and heard in Cyprus, an estimated 240km away.

Liverpool is home to a large number of people of Lebanese ancestry, and Council values the contribution Lebanese Australians have made to the rich fabric of Liverpool. Many people in the Liverpool Local Government Area remain deeply distressed about the explosion and its impact on Beirut. Others continue to have concerns for the safety and welfare of their family members and friends who remain in Lebanon.

On behalf of Liverpool City Council, I express my deepest condolences to the families and friends of the victims, and my thoughts and prayers are with the people who were injured in the explosion. To the people of Lebanon and all Lebanese Australians, I offer my solidarity and support on behalf of all Councillors during this devastating time.

RECOMMENDATION

That Council write to the Lebanese Consulate expressing our condolences and solidarity.

ATTACHMENTS

Nil.



MINUTES OF THE ORDINARY MEETING HELD ON 29 JULY 2020

PRESENT:

Mayor Wendy Waller
 Councillor Ayyad
 Councillor Balloot (arrived at the meeting at 6.18pm)
 Councillor Hadchiti
 Councillor Hadid
 Councillor Hagarty
 Councillor Harle
 Councillor Kaliyanda
 Councillor Karnib (arrived at the meeting at 6.18pm)
 Councillor Rhodes
 Councillor Shelton
 Dr Eddie Jackson, Acting Chief Executive Officer
 Mr Tim Moore, Director City Economy and Growth / Deputy Chief Executive Officer
 Mr George Hampouris, Acting Director City Corporate
 Ms Tina Sangiuliano, Acting 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 David Smith, Manager Planning & Transport Strategy
 Mr James Ng, Acting General Counsel Manager Governance Legal and Procurement
 Mr Vishwa Nadan, Chief Financial Officer
 Mr John Milicic, Manager Property
 Mr George Georgakis, Manager Council and Executive Services

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 Dr Eddie Jackson, Acting Chief Executive Officer.

Clr Ayyad remained in the virtual room for the duration of the item.

Clr Ayyad declared a non-pecuniary, less than significant interest in the following item:

Item EGROW 06: Business Resilience Grants

Reason: Clr Ayyad knows and has associations with many local business owners.

Clr Ayyad remained in the virtual room for the duration of the item.

Clr Rhodes declared a non-pecuniary, less than significant interest in the following item:

Item EGROW 06: Business Resilience Grants

Reason: Clr Rhodes knows and has associations with many local business owners.

Clr Rhodes remained in the virtual room for the duration of the item.

Clr Hagarty declared a non-pecuniary, less than significant interest in the following item:

Item EGROW 06: Business Resilience Grants

Reason: Clr Hagarty knows and has associations with many local business owners.

Clr Hagarty remained in the virtual room for the duration of the item.

Clr Kaliyanda declared a non-pecuniary, less than significant interest in the following item:

Item EGROW 06: Business Resilience Grants

Reason: Clr Kaliyanda knows and has associations with many local business owners.

Clr Kaliyanda remained in the virtual room for the duration of the item.

Clr Hadid declared a non-pecuniary, less than significant interest in the following item:

Item EGROW 06: Business Resilience Grants

Reason: Clr Hadid knows and has associations with many local business owners.

Clr Hadid remained in the virtual room for the duration of the item.

PUBLIC FORUM

Presentation – items not on agenda

1. Mrs Vicki Andrews made a written submission to Council on the following matter:

Promotion of Liverpool Regional Museum

Representation – items on agenda

Nil

Clr Balloot and Clr Karnib joined the meeting at 6.18pm.

ITEM NO: CEO 02
FILE NO: 179105.2020
SUBJECT: Review of Media Policy

COUNCIL DECISION

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

That Council adopt the Media Policy for a two-year period.

On being put to the meeting the motion was declared CARRIED and the Foreshadowed motion (which Clr Rhodes was proposing to move) lapsed.

Vote for: Mayor Waller, Clr Ayyad, Clr Balloot, Clr Hadchiti, Clr Hadid, Clr Hagarty, Clr Kaliyanda, Deputy Mayor Karnib and Clr Shelton.

Vote against: Clr Harle and Clr Rhodes.

Motion: **Moved: Clr Hadchiti** **Seconded: Clr Hadid**

- That the Mayor or delegate be the Chairperson of this committee;
- The Purpose and Objective section be amended to state that the Companion Animal Advisory Committee is a Council community advisory committee and reports to Council;
- Section 4.1 Community Participation be amended so that the Committee will consist of five community members, and the Mayor or delegate, and one Councillor, with either the Mayor, delegate or Councillor to attend the meeting;
- The first point of Section 4.2 Council Staff be removed so that Council staff cannot chair the meeting;
- The last point of Section 4.2 Council Staff be replaced with “advisory committee reporting to Council”;
- Section 4.5 Chairperson be amended by removing the word “staff” in the second paragraph;
- Section 4.5 Chairperson be amended by deleting the third point which reads “Councillors will not be eligible to be Chairperson unless specifically appointed by Council”; and
- Section 5 Timetable for Meeting, remove the words “At Council’s Administration building”.

Chairperson

ITEM NO: EGROW 03
FILE NO: 167832.2020
SUBJECT: Planning proposal request to rezone land from RE2 (Private Recreation) to R3 (Medium Density Residential) at 146 Newbridge Road, Moorebank

COUNCIL DECISION

Motion: **Moved: Cllr Ayyad** **Seconded: Cllr Balloot**

That Council:

1. Notes the advice of the Liverpool Local Planning Panel;
2. Endorses in principle the planning proposal request;
3. Delegates to the CEO to prepare the formal planning proposal including any typographical or other editing amendments if required;
4. 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;
5. Subject to Gateway determination, undertake public exhibition and community consultation on the planning proposal in accordance with the conditions of the Gateway determination and Council's Community Participation Plan;
6. Receive a further report on the outcomes of public exhibition and community consultation;
7. Receive a further report with a status update on all the outstanding planning proposals from Moorebank at the August 2020 Council meeting; and
8. Publicly exhibit all of the outstanding planning proposals in Moorebank now.

Foreshadowed motion: **Moved: Cllr Hagarty** **Seconded: Cllr Kaliyanda**

That Council:

1. Notes the advice of the Liverpool Local Planning Panel;
2. Endorses in principle the planning proposal request;
3. Delegates to the CEO to prepare the formal planning proposal including any typographical or other editing amendments if required;
4. 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;

5. Subject to Gateway determination, undertake public exhibition and community consultation on the planning proposal in accordance with the conditions of the Gateway determination and Council's Community Participation Plan;
6. Receive a further report on the outcomes of public exhibition and community consultation; and
7. Receive a further report with a status update on all the outstanding planning proposals from Moorebank at the August 2020 Council meeting.

On being put to the meeting the motion (moved by Clr Ayyad) was declared CARRIED and the Foreshadowed motion (moved by Clr Hagarty) lapsed.

Vote for (the motion moved by Clr Ayyad): Clr Ayyad, Clr Balloot, Clr Hadchiti, Clr Hadid, Clr Harle, Clr Rhodes

Vote against (the motion moved by Clr Ayyad): Mayor Waller, Clr Hagarty, Clr Kaliyanda, Clr Karnib, Clr Shelton

Motion: **Moved:** Clr Ayyad **Seconded:** Clr Harle

1. Notes the advice of the Liverpool Local Planning Panel;
2. Endorses the planning proposal to increase the permitted number of lots on certain sites along Pleasure Point Road, Pleasure Point from four lots to five lots;
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, Industry 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 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.

Councillors voted unanimously for this motion.

Motion: **Moved: Cllr Harle** **Seconded: Cllr Rhodes**

1. Acknowledges Council for the report; and
2. Further acknowledges Council's commitment to improve Air Quality in Liverpool and will provide a further report back to Council in December 2020 that includes:
 - a) close arrangements with the EPA necessary to address Industries that do not comply with DA conditions;
 - b) increasing tree canopies;
 - c) addressing hotspot mitigation;
 - d) possible further conditions placed on identified Development Applications to mitigate possible non compliance and pollution; and
 - e) a long term plan to measure and monitor air pollution in various specific areas in the Liverpool LGA with portable devices that were used similarly to measure Air Quality in the Liverpool CBD.
3. Trees, ideally Plane Trees to be planted on Kurrajong Road.
4. Every roundabout in Liverpool where possible, with the construction of the roundabout and safety considerations in mind, be green and colourful.

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

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

1. Council defer the report to the September 2020 Council meeting;
2. If the situation regarding COVID-19 deteriorates, that the matter be brought back to an earlier meeting or an extraordinary meeting;
3. Council write to the state government to thank them and show appreciation for the support provided to Local Government and small business in New South Wales; and
4. The Mayor write to Council Staff and thank them and acknowledge Council received accolades on the backbone of the work undertaken.

Minutes of the Ordinary Council Meeting held on Wednesday, 29 July 2020 and confirmed on Wednesday, 26 August 2020

Chairperson

Mayor Waller called a recess of Council at 7.32pm.

Mayor Waller reopened the meeting at 7.47pm.

CITY COMMUNITY AND CULTURE REPORT

ITEM NO: COM 01

FILE NO: 157523.2020

SUBJECT: Grants, Donations and Corporate Sponsorship

COUNCIL DECISION

Motion: Moved: Cllr Shelton Seconded: Cllr Kaliyanda

That Council:

1. Endorses the recommendation of **\$10,000** (GST exclusive) under the **Corporate Sponsorship Program** for the following project:

Applicant	Project	Recommended
Open Support	Outreach Crisis Service	\$10,000

That Council endorses the recommendation of **\$5,000** (GST exclusive) under the **Community Grants Program** for the following project:

Applicant	Project	Recommended
Junction Works	Youth Clicks	\$5,000

That Council endorses the recommendation of **\$15,000** (GST exclusive) under the **Matching Grants Program** for the following project:

Applicant	Project	Recommended
The Salvation Army	Food 4 Life	\$15,000

2. An annual report regarding the acquittal of grants be provided to Council.

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

Motion: **Moved: Clr Hadchiti** **Seconded: Clr Hadid**

1. Receives and notes the report;
2. Adopts the Draft Masterplan for public exhibition for community information and feedback for a period of 28 days;
3. Delegates to the A/CEO the finalisation of the draft Masterplan if no submissions are received; or receive a further report outlining details of the submissions received at the conclusion of the exhibition period;
4. Subject to Council adoption of the Masterplan, commission a detail design process to include a feasibility study and a funding strategy for the delivery of the project through a staging process; and
5. Council prepare a lobbying brochure for this project.

Chairperson

Motion: **Moved:** Clr Rhodes **Seconded:** Clr Hagarty

1. Receive and note the 2020 Annual Report and Determination – LGRT; and
2. Note there has been no changes to the Civic Expenses and Facilities Policy.

Minutes of the Ordinary Council Meeting held on Wednesday, 29 July 2020 and confirmed on Wednesday, 26 August 2020

Chairperson

Clr Hadchiti left the virtual room at 8.01pm.

CITY INFRASTRUCTURE AND ENVIRONMENT REPORT

ITEM NO: INF 01
FILE NO: 158038.2020
SUBJECT: Wianamatta South Creek Flood Study Update

COUNCIL DECISION

Motion: **Moved: Cllr Rhodes** **Seconded: Cllr Harle**

That Council:

1. Endorses the public exhibition of the draft Wianamatta South Creek Flood Study and associated flood maps for 28 days; and
2. Receives a further report following conclusion of the exhibition period to adopt the Flood Study and associated flood maps for the Wianamatta South Creek catchment

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

COUNCIL DECISION

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

That Council:

1. Thanks Council for the report and Acknowledges Council's advice on:
 - a) the limitations of Virtual fences in urban areas;
 - b) Councils proposed report and Business Case for a Koala Hospital and Sanctuary in the Liverpool LGA;
 - c) Councils support for a Georges River National Park and opportunity to plant Koala Feeder trees;
 - d) The recent delivery of Koala Crossing Sign at a recognised Liverpool kill hotspot;
 - e) The inclusion of wildlife crossings incorporated into the upgrade of Heathcoate Road;
 - f) The ongoing discussions with Department of Defence on Koala preservation on Army Land in the Liverpool LGA; and
 - g) The ongoing co-operation with Sutherland and Campbelltown Councils in the interest of Koala preservation.
2. Also note the findings and report of the NSW Parliamentary Inquiry into Koala Populations and Habitats in NSW and
 - a) The creation of a Georges River National Park; and
 - b) The need for a wildlife hospital in Southwest Sydney.
3. Write to the NSW Premier, Gladys Berejiklian, and NSW Minister for the Environment, Matt Kean, to express support for the creation of a Georges River National Park, and establishment of a well-resourced wildlife hospital in South West Sydney.

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

ITEM NO: CTTE 04
FILE NO: 161447.2020
SUBJECT: Notes of the Liverpool Access Committee meeting held on 11 June 2020

COUNCIL DECISION

Motion: **Moved: Clr Hadid** **Seconded: Clr Harle**

That Council receives and notes the Notes of the Liverpool Access Committee meeting held on 11 June 2020.

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

ITEM NO: CTTE 05
FILE NO: 168333.2020
SUBJECT: Minutes of the Aboriginal Consultative Committee meeting held on 7 May 2020

COUNCIL DECISION

Motion: **Moved: Clr Hadid** **Seconded: Clr Harle**

That Council receives and notes the Minutes of the Aboriginal Consultative Committee Meeting held on 7 May 2020.

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

ITEM NO: CTTE 07
FILE NO: 176856.2020
SUBJECT: Minutes of the Tourism and CBD Committee meeting held on 23 June 2020

COUNCIL DECISION

Motion: **Moved: Clr Hadid** **Seconded: Clr Harle**

That Council:

1. Receives and notes the Minutes of the Tourism and CBD Meeting held on 23 June 2020; and
2. Endorse the recommendations in the Minutes.

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

QUESTIONS WITH NOTICE

ITEM NO: QWN 01

FILE NO: 190020.2020

SUBJECT: Question with Notice - Clr Hagarty - Appeal Powers Against Land and Environment Court Decisions

Please address the following:

1. What appeal powers do Council (or the public) have when an applicant's appeal of previously refused DA is upheld by the Land and Environment Court?

A response to this question will be provided in the 26 August 2020 Council meeting business papers.

ITEM NO: QWN 02
FILE NO: 190083.2020
SUBJECT: Question with Notice - Cllr Kaliyanda - Processing of Organic Waste in the Liverpool LGA

Please address the following:

1. How much of waste collected in the Liverpool LGA is organic waste? How much of this is organic food waste?
2. How much organic waste in the Liverpool LGA actually ends up in landfill?
3. Do we currently have any policies or strategies in place to divert organic food waste from landfill?
4. Are there collective procurement contracts or similar arrangements for organic waste in NSW?

A response to these questions will be provided in the 26 August 2020 Council meeting business papers.

PRESENTATIONS BY COUNCILLORS

Mayor Waller made a presentation regarding Council's Internal Ombudsman, Mr David Maguire. The Mayor's statement is below:

"Council's first appointed Internal Ombudsman Mr David Maguire is retiring tomorrow after nine years of working tirelessly at this organisation.

David started working at Council in January 2011 as a Governance Officer, a position he held for four years. Since then, David has worked as Council's Coordinator Governance, Acting Deputy General Counsel, Acting General Counsel and Acting Head of Audit and Risk, before moving to his current role three years ago.

As the Internal Ombudsman, David skilfully balanced protecting Council's reputation with looking after the customer and their needs. David's rational approach to difficult matters has been invaluable.

A trusted advisor with high moral standards, David's enthusiasm has had a ripple effect on the culture of the organisation. David always found a way to achieve a reason-based solution to a difficult problem.

On behalf of Council, thank you David for your passion and the contribution you have made to this organisation. We wish you all the best for a long and happy retirement."

NOTICES OF MOTION

ITEM NO: NOM 01
FILE NO: 190120.2020
SUBJECT: Georges River Koala Park

BACKGROUND

On 30 June 2020, a year-long NSW Parliamentary Inquiry released their report.

They found that koalas are on track to become extinct in the wild in NSW well before 2050 without urgent intervention to stop the destruction of their habitat.

This is shocking and appalling.

The 2019-20 bushfires destroyed almost a quarter of the koala habitat on public land, with some areas reporting "a devastating loss of up to 81 per cent". Furthermore, the Inquiry found that climate change is already "having a severe impact on koala populations", in part by affecting the nutritional quality of the eucalyptus leaves they feed on.

One of the recommendations of the Inquiry's report was creating a Georges River National Park to protect the south-west Sydney koala population. This is known to be the last disease-free koala population in NSW, and as such, should be protected from over-development in south-west Sydney.

Another recommendation was the establishment of a well-resourced network of wildlife hospitals in key areas of the state, including south-west Sydney, staffed by suitably qualified personnel and veterinarians, including funding where appropriate.

NOTICE OF MOTION (moved by Cllr Kaliyanda)

That Council:

1. Note the findings and report of the NSW Parliamentary Inquiry into Koala Populations and Habitats in NSW; and
2. Write to the NSW Premier, Gladys Berejiklian, and NSW Minister for the Environment, Matt Kean, to express support for the creation of a Georges River National Park, and establishment of a well-resourced wildlife hospital in south-west Sydney.

COUNCIL DECISION

This item was withdrawn as the matter was dealt with earlier in the meeting in item INF 02 Conservation of Koala Habitat Corridors on page 18 of these minutes.

ITEM NO: NOM 02
FILE NO: 190105.2020
SUBJECT: Women's Football World Cup in the Liverpool LGA

BACKGROUND

Recently, Australia and New Zealand were announced as the joint hosts of the 2023 FIFA Women's World Cup.

Football is the most popular sport in the world, with over half of the world's population (4 billion people) considering themselves fans. Liverpool residents are no different, with both casual and formal participation in the sport on the rise.

A combined 1.12 billion people viewers tuned into the coverage of the 2019 FIFA Women's World Cup across all platforms, a record audience for the competition. This is expected to rise for the 2023 tournament, and Australia and New Zealand will have the eyes of almost half the world's population on us.

Liverpool is uniquely positioned to capitalise on the 2023 Women's World Cup, as:

- Cirillo Reserve at Middleton Grange could serve as a regional headquarters for women's football
- There are an increasing number of quality hotels and accommodation coming online
- Ideally located close to the M5, M7 and Hume Highway

Liverpool could be home base for a number a teams, could host training games and promote itself as a destination on an international stage.

NOTICE OF MOTION (moved by Cllr Kaliyanda)

That Council:

1. Lobby the FFA, FIFA, State and Federal Governments to host teams, training games and other promotional opportunities for the 2023 FIFA Women's World Cup; and
2. Investigate the feasibility of including World Cup opportunities in the Destination Management Plan.

COUNCIL DECISION

Motion: **Moved: Cllr Kaliyanda** **Seconded: Cllr Rhodes**

That Council:

1. Lobby the FFA, FIFA, State and Federal Governments to host teams, training games and other promotional opportunities for the 2023 FIFA Women's World Cup; and

2. Investigate the feasibility of including World Cup opportunities in the Destination Management Plan.

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

ITEM NO: NOM 03
FILE NO: 190048.2020
SUBJECT: Better Funding of Health Services in Liverpool

BACKGROUND

The New South Wales Parliament is currently holding an inquiry into "Current and future provision of health services in the South-West Sydney Growth Region". The revelations at this inquiry have been shocking. Comparisons of the South West Area Health District with other Health Districts in Sydney have found:

- public health spending is up to \$800 per person less
- the least number of specialist mental health staff
- junior doctors committing suicide at higher rates

While additional investment in health infrastructure is welcome, this must be matched with funding for additional front-line services including more health professionals.

While it is still early days, the long-term effects for those who recover from COVID-19 include:

- scarred lungs and lung disease
- blood clots leading to stroke
- delirium and brain damage
- inflammatory illness similar to Kawasaki disease
- inflammation of the heart and arrhythmia
- chronic deep fatigue

The recent COVID-19 cluster in South West Sydney coupled with the revelations coming out this inquiry, have drawn urgent attention to the need for better funded health services in Liverpool.

NOTICE OF MOTION (moved by Cllr Hagarty)

That Council:

1. Acknowledges and commends the work of all health professionals in Liverpool during the COVID-19 pandemic;
2. Acknowledges and welcomes the \$740m investment from the NSW Government into the Liverpool Health and Academic Precinct; and
3. Recommits its support for the Liverpool Health and Academic Precinct;

Motion: **Moved:** Clr Hagarty **Seconded:** Clr Hadchiti

1. Acknowledges and commends the work of all health professionals in Liverpool during the COVID-19 pandemic;
2. Acknowledges and welcomes the \$740m investment from the NSW Government into the Liverpool Health and Academic Precinct; and
3. Recommits its support for the Liverpool Health and Academic Precinct;
4. Notes its concern with the revelations coming out of the inquiry into "Current and future provision of health services in the South-West Sydney Growth Region";
5. Notes the recent COVID-19 cluster in South West Sydney;
6. Notes recovery from COVID-19 is associated with serious long-term health effects;
7. Calls on the NSW State Government to increase funding for front line health services in line with other Sydney Area Health Districts;
8. Calls on the Federal Government to increase funding for primary health services and aged care in South West Sydney facilities;

8. Coordinates with WSROC and other LGAs in South West Sydney to collectively advocate for better health services funding in the South West Sydney Local Health District; and
9. Seek reassurance for the ongoing commitment for the development of a medical precinct in Badgerys Creek.

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

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ITEM NO: NOM 04
FILE NO: 190076.2020
SUBJECT: Toll Mania

BACKGROUND

Approximately 70% of Liverpool residents leave the LGA for work. With many traveling by car.

Given our location at the intersection of the M5 and M7, with easy access to major hubs, Liverpool is an area of choice for many transport and logistics companies.

Earlier this month the State Government imposed a new toll on the previously untolled old M5 East. Free since it opened in 2001, drivers will now be slugged \$6.95 for cars and \$20.86 for trucks.

These tolls do not just impact residents who travel for work, but also impact small business, many who are not just tolled once, but multiple times per day.

There was no grace period and the M5 Cashback scheme will not apply.

Previous toll roads have had grace periods to allow drivers to adjust to the roads. Not this time.

Currently, motorists in Sydney are charged a toll when they drive on the:

- M2
- M4
- M4 WestConnex
- M5
- M5 East
- M7
- M8
- Eastern Distributor
- Cross-City Tunnel
- Lane Cove Tunnel
- Sydney Harbour Bridge
- Sydney Harbour Tunnel

There will be at least three more tolls by 2023 when the following roads are completed:

- M4 tunnels
- M4-M5 link

- NorthConnex

Unsurprisingly, research from the Institute of Transport Logistics Studies at the University of Sydney has found Sydney has the greatest amount of tolled road in the world.

Dr Michelle Zeibots from the UTS Transport Research Centre has stated,

"Tollways aren't successful at reducing road congestion,"

The reason why governments continue to build them is that they are put under enormous pressure by the tollway industry and individuals sometimes within their own party, who I would suggest are there to see tollway businesses make a lot of money.

But that is at the expense of the general community and the local businesses of Sydney."

With the economy in recession for the first time in three decades, slugging families in Liverpool with additional tolls is unfair and must be reversed.

NOTICE OF MOTION (moved by Cllr Hagarty)

That Council:

1. Endorses the Premier's comments that the new toll on the old M5 East is "toll mania", noting that Sydney has the greatest amount of tolled road in the world;
2. Writes to the State Government requesting:
 - a toll-free period on the M8; and
 - the scrapping of the new toll on the old M5 East.
3. Writes to local State and Federal MPs seeking their endorsement of the above; and
4. Seeks support for this campaign from WSROC and other LGAs in south west Sydney.

COUNCIL DECISION

Motion:

Moved: Cllr Hagarty

Seconded: Cllr Hadchiti

That Council:

1. Note that Sydney has the greatest amount of tolled road in the world.
2. Write to the State Government requesting:
 - a toll-free period on the M8; and

- Suggest the removal of the toll, or a cash back scheme, or other measures to alleviate the financial burden on residents on the old M5 East.
3. Writes to local State and Federal MPs seeking their endorsement of the above; and
 4. Seeks support for this campaign from WSROC and other LGAs in south west Sydney.

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

ITEM NO: NOM 05
FILE NO: 189999.2020
SUBJECT: Animal Welfare Advisory Committee

BACKGROUND

The closure of the Liverpool Animal Welfare Shelter in the interim of finding a permanent home has highlighted the opportunity for the community to become more involved in the delivery of better outcomes for the welfare, and rehoming of domestic animals in the Liverpool LGA.

It was envisioned that such a committee would be established when the Liverpool Animal Shelter re-opened.

It would serve Liverpool if the Committee was established prior to the new animal shelter opening to assist Council in Animal management now and when it is needed perhaps more than ever.

The network of concerned Animal lovers in Liverpool could greatly assist Liverpool Council through a Committee in assisting Council in educating and promoting responsible pet ownership by encouraging, registration, microchipping and rehoming.

A Community Committee would best serve Council in assisting in microchipped animals being returned to homes, or by providing foster homes for rehabilitation and or assistance, that would avoid animals being impounded.

NOTICE OF MOTION (moved by Cllr Rhodes)

That Council:

1. Provide a report on the establishment of an Animal Welfare Advisory Committee back to Council Meeting August 2020.
 The Committee would meet four times per year for the term of the committee and provide:
 - Advice to Council on domestic animal management matters including ways in which animal welfare can be continuously improved in the Liverpool LGA; and
 - Assist in promoting a positive view on options of responsible pet ownership and investigate, provide advice and recommendations relevant to programs that achieve this.
2. The Advisory Committee include two Councillors (one of whom will act as Chair), up to four representatives from the community who may be appointed as individuals or as representatives of local community organisations.

COUNCIL DECISION

This item was withdrawn as it was dealt with earlier in the meeting in item EGROW 02 Report back - Reference Group Charter Companion Animal Advisory Committee on page 7 of these minutes.

ITEM NO: CEO 03
FILE NO: 179017.2020
SUBJECT: Endorsement of Delivery Program 2017-2022 and Operational Plan 2020-21, including Budget and Revenue Pricing Policy (fees and charges)

COUNCIL DECISION

Motion: **Moved: Cllr Hagarty** **Seconded: Cllr Hadchiti**

That Council:

1. Adopts the draft Delivery Program 2017-2022 and 2020-2021 Operational Plan, including Budget and Revenue Pricing Policy (fees and charges) with the following additions:
 - Notes the COVID-19 pandemic has had a significant budgetary impact on Council's cultural institutions;
 - Notes that a third of NSW's population lives in Western Sydney, yet the region only receives 5% of State arts, heritage and events funding;
 - Notes the proposed \$940m relocation of the Powerhouse Museum in Parramatta and the \$100m redevelopment of the Riverside Theatre will have minimal impact on the imbalance of social and cultural infrastructure in the Western Parkland City;
 - Writes to the State and Federal Government requesting an increase in arts funding for the Western Parkland City;
 - Writes to local State and Federal MPs seeking their endorsement of the above;
 - Seeks support for this campaign from other LGAs in the Western Parkland City;
 - Council commit to zero based budgeting for the next financial year where practicable; and
 - Direct the Acting Chief Executive Officer to undertake an organisational review to identify cost saving measures.
2. Makes the fees and charges for the period commencing on 1 August 2020 as outlined in the draft Revenue Pricing Policy with the exception of changes to childcare fees which will commence on 28 September 2020;
3. Extend the period of the Disability Inclusion Action Plan 2017-2021 (DIAP) and Reconciliation Action Plan (RAP) 2017-2020 until 2022 in line with the extended Delivery Program; and
4. Receives a further report following public exhibition of the proposed amendments to the fees and charges as outlined in Attachment F.

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

CONFIDENTIAL ITEMS

ITEM NO: CONF 01
FILE NO: 110466.2020
SUBJECT: Fire and Rescue NSW Referrals

COUNCIL DECISION

Motion: Moved: Cllr Hadchiti **Seconded: Cllr Harle**

That Council:

1. In relation to 49 Lachlan Street Warwick Farm:
 - a) note the inspection report by Fire and Rescue NSW, as shown in Attachment 1; and
 - b) exercise its power to issue a Fire Safety Order as recommended by Council's Fire Safety Officer to address the identified fire safety deficiencies.

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

Motion: **Moved: Clr Shelton** **Seconded: Clr Harle**

1. Approves the acquisition of Lot 2 DP1263707, being part of 285 Fifteenth Avenue Austral, on the terms outlined in this confidential report;
2. Authorises the A/CEO or his delegated officer to execute any document, under Power of Attorney, necessary to give effect to this decision;
3. Resolves to classify Lot 2 DP1263707 as “operational” land in accordance with the Local Government Act, 1993; and
4. Keeps confidential this report pursuant to the provisions of Section 10A(2)(c) of the Local Government Act 1993 as this information would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.

Chairperson

ITEM NO: CONF 03
FILE NO: 171017.2020
SUBJECT: COVID-19 Variation of Leisure Centre Management Contract ST2492

COUNCIL DECISION

Motion: **Moved: Cllr Rhodes** **Seconded: Cllr Kaliyanda**

That Council:

1. Due to extenuating circumstances and in accordance with s55(3)(i) of the *Local Government Act 1993* (NSW), Council not invite tenders for the grant of the additional one (1) year term of the contract known as ST2492 – Management of Leisure and Aquatic Centres (**Contract**).

The reasons for the above Resolution are:

- 1.1 the additional term of the Contract is being granted to the existing contractor as part of arrangements to address the impact of the COVID-19 pandemic, and as such the existing contractor is the only party to which that extension could be granted;
 - 1.2 the need for the extension has arisen as a consequence of the COVID-19 pandemic, and in particular the impact on the operation of the leisure centres to which the Contract relates; and
 - 1.3 the current economic climate, and in particular the ongoing restrictions on the operation of the leisure centres to which the Contract relates and the uncertainty as to when that impact will cease, mean that a satisfactory result would not be achieved by inviting tenders for any alternative arrangements for the operation of the leisure centres.
2. Receive and note the negotiated variation of the Contract for the current contract period till 31 July 2022.
 3. Resolve to extend the term of the Contract to the existing contractor by one (1) year to conclude 31 July 2023 under the financial terms identified in this report.

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

Councillors voted unanimously for this item.

Motion: **Moved: Clr Hadchiti** **Seconded: Clr Hagarty**

- 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;
- It contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it; and
- It contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

Chairperson

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

1. Approves the land transfer to Council from Department of Planning, Industry and Environment and the Planning Ministerial Corporation of the relevant parts of Lot 101 DP 1176542, Lot 2 DP 501499 and Lot 17 DP 1201906 having an area of approximately 7.6Ha, situated along Camden Valley Way, Leppington for a nominal \$1 consideration on the terms outlined in this report;
2. Approves the Strategic Open Spaces program Project Delivery Agreement with the Department of Planning, Industry and Environment and the Planning Ministerial Corporation on the terms outlined in this report;
3. Delegates authority to the A/CEO and his delegates to negotiate the terms of the Project Delivery Agreement and Land transfer Agreement as outlined in this report;
4. Approves the classification of the land as “community” classified land and that a Plan of Management be prepared for the site at no cost to Council;
5. Authorises the A/CEO or his delegated officer to execute any document, under Power of Attorney, necessary to give effect to this decision; and
6. Keeps confidential this report pursuant to the provisions of Section 10A(2)(c) of the Local Government Act 1993 as this information would, if disclosed confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business

Chairperson

Mayor Waller moved the meeting into closed session at 8.52pm.

CONFIDENTIAL ITEMS IN CLOSED SESSION

ITEM NO: CONF 04
FILE NO: 177689.2020
SUBJECT: Animal Shelter Update

COUNCIL DECISION

Motion: **Moved: Clr Rhodes** **Seconded: Clr Hagarty**

That Council:

1. Notes that offers as outlined in this report have been made for the purchase of the properties previously identified in the Council report of 27 May 2020;
2. Also notes the temporary arrangements for the housing of impounded animals from the Liverpool Animal Shelter under an agreement with the Rossmore Vets for the provision of animal care and veterinary services;
3. Further notes that a report will be provided on or prior to the October 2020 meeting to provide an update in respect to a permanent future site for the Animal shelter facility; and
4. Hold a Councillor briefing session for an update on the matter and to discuss options.

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

Motion: **Moved: Clr Harle** **Seconded: Clr Kaliyanda**

1. Receive and note the Liverpool Civic Place independent audit report; and
2. Direct the CEO and management team to implement the agreed management actions outlined in the attached report.

Clr Ayyad asked that she be recorded as voting against the motion.

Council moved back into Open Session at 9.54pm.

Mayor Waller read out the resolutions in relation to items CONF 04, CONF 06 and CONF 07 which were passed in Closed Session.

THE MEETING CLOSED AT 9.57pm.

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 26 August 2020

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 29 July 2020. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.

MAYOR 02	Local Government Representation on the National Cabinet
Strategic Direction	Leading through Collaboration Strive for best practice in all Council processes
File Ref	218668.2020

MAYORAL REPORT

The Prime Minister, Premiers and Chief Ministers met in Sydney on 13 March this year and agreed to establish a National Cabinet to coordinate Australia's response to the coronavirus pandemic.

The National Cabinet has proven effective in taking decisions in Australia's interest and the Prime Minister announced on 29 May that it would continue beyond the pandemic. Local Government is not represented in the National Cabinet. The Australian Local Government Association (ALGA) has been given a seat on the National Federation Reform Council, but this body will only meet once a year.

All three tiers of government should be represented on the National Cabinet. Councils have an important role to play because we are the level of government closest to the people. We are also responsible for the delivery of a range of vital community services, programs and infrastructure.

Over coming months, the National Cabinet is likely to face enormous challenges unlike those seen by governments in recent times. This will require the three levels of government to collaborate and support each other to encourage economic growth, implement reforms, create jobs, assist businesses and residents and rebuild consumer confidence.

A seat at the table will ensure Local Government can contribute to the discussion, highlight the impact of federal policies and help shape a stronger future for everyone in Australia. Getting it right on the ground is local government's area of expertise.

The ALGA Board and LGNSW are advocating for the inclusion of councils in the National Cabinet, a position I am sure is supported by all Councils.

RECOMMENDATION

That Council:

1. Writes to NSW Premier Gladys Berejiklian and local Federal and State Members of Parliament to highlight the critical necessity for Local Government representation on the National Cabinet and seeks their assistance in requesting that the First Ministers review the decision to exclude Local Government.

2. Seeks a meeting with local Federal and State MPs to discuss in more detail the importance of having Local Government representation on the National Cabinet and the value of partnerships with Councils in achieving the objectives of the National Cabinet and the national reform agenda.
3. Notes that the Australian Local Government Association, LGNSW and other state/territory local government associations will continue to advocate for Local Government representation on the National Cabinet and for local government's interests in all relevant forums.

ATTACHMENTS

Nil

CEO 01

Local Government NSW Conference 2020

Strategic Direction	Leading through Collaboration Strive for best practice in all Council processes
File Ref	205990.2020
Report By	George Georgakis - Manager Council and Executive Services
Approved By	Andrew Stevenson - Chief Strategy and Engagement Officer

EXECUTIVE SUMMARY

The 2020 Local Government NSW Annual Conference is scheduled to be held in the Hunter Valley from Sunday 22 to Tuesday 24 November 2020.

The report addresses proposed motions to be submitted to the Conference and provides information in relation to voting delegates which Liverpool City Council will be entitled to for voting on motions. The deadline for motions to be submitted for the conference is 28 September 2020.

RECOMMENDATION

That:

1. Any Councillors who wish to attend the 2020 Local Government NSW Annual Conference notify the Councillor Support Officer by 4 September 2020;
2. Council determine its voting delegates for the Conference, noting that Liverpool City Council is entitled to 10 voting delegates for voting on motions and also noting that Councillor Hadid is entitled to one vote as he is a Director of the Association; and
3. Endorse the motions as outlined in the report to be submitted to the Conference.

REPORT

The 2020 Local Government NSW Annual Conference is scheduled to be held at the Hunter Valley from Sunday 22 to Tuesday 24 November 2020.

CHIEF EXECUTIVE OFFICER REPORT

The Conference is the main policy making event for the local government sector where issues are debated and motions put forward for consideration by delegates.

This report addresses the determination of voting delegates and the key issues to be submitted for consideration at the Local Government (LGNSW) Annual Conference.

LGNSW have advised that Liverpool City Council is entitled to the following:

- 10 voting delegates for voting on motions.

Note, Councillor Hadid is entitled to one vote as he is a Director of the Association.

Council will need to determine its voting delegates and the deadline for nominating voting delegates is 3 November.

Correspondence from LGNSW is attached to this report. The draft Conference Program is also attached.

LGNSW Board have resolved that motions will be included in the Business Paper for the Conference only where they:

1. Are consistent with the objects of the Association (See Rule 4 of the Association's rules);
2. Relate to Local Government in NSW and/or across Australia;
3. Concern or are likely to concern Local Government as a sector;
4. Seek to advance the Local Government policy agenda of the Association and/or improve governance of the Association;
5. Have a lawful purpose (a motion does not have a lawful purpose if its implementation would require or encourage non-compliance with prevailing laws);
6. Are clearly worded and unambiguous in nature; and
7. Do not express preference for one or several members over one or several other members.

Motions are to be submitted by 28 September 2020.

It is recommended that Council submit the following motions on issues drawn from recent Council resolutions and feedback from Councillors to be considered for inclusion in the Conference Business Paper:

1. Sustainable Housing Development

That the NSW Conference advocate to the NSW Government to amend the State Environmental Planning Policy (Exempt and Complying Development Codes) to limit housing developments to cover no more than 40% of block size in urban Developments excluding secondary developments.

2. Stray Cats in urban areas

That the NSW Conference advocate for:

- tighter restrictions on cat owners (including that all cats to be microchipped and desexed) to be included in the NSW Companion Animals Act 1998;
- Councils be funded to provide services that identify stray cats that are not microchipped, nor desexed and found on the streets, to be microchipped, desexed and housed until rehomed; and
- Changes be made to section 11 of the Prevention of Cruelty to Animals Act 1979 (NSW) to permit the release of cats under a Trap Neuter Return Program.

3. Fast track Western City Rail transportation network

That the NSW Conference call on the State Government to provide funding to fast track the Leppington to Western Sydney Airport rail link extension and the Sydney Metro City and South West project from Bankstown to Liverpool as well as funding for the Fifteenth Avenue Rapid Transit Corridor project from Liverpool to Western Sydney Airport.

4. Koala Sanctuary and Wildlife hospital

That the NSW Conference advocate for the creation of a Georges River National Park and establishment of a well-resourced wildlife hospital in South West Sydney.

5. Renew Our Libraries Phase Two

That the NSW Conference advocate for:

- a sustainable state funding model for the ongoing provision of public library services; and
- Call for bi-partisan support for Consumer Price Index (CPI) indexation of state funding for NSW public libraries, as well as legislation of all elements of the 2019-20 to 2022-23 NSW state funding model.

6. Hotel Liquor Licence Applications

That the NSW Conference:

- 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 respective local government areas;

- Advocates to NSW Government for local government's Social Impact Assessments to be prioritised in considerations relating to gaming machine provisions and determination of the band assessment's allocations; and
- 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.

7. Covid-19 related

- That the NSW Conference note the collapse in revenues and seek a rates guarantee to ensure financial liquidity, financial assistance to maintain existing employment levels and explicit inclusion of local government in any future stimulus packages;
- Support LGNSW's campaign to suspend Fit for the Future (FFF) guidelines given current circumstances, including writing to Minister for Local Government as appropriate; and
- Councils believe FFF targets and benchmarks are now outdated and should be abandoned as councils will be increasingly unable to meet targets and benchmarks during the pandemic.

8. Tolls in Sydney

That the NSW Conference request:

- a toll-free period on the M8; and
- suggest the removal of the toll, or a cash back scheme, or other measures to alleviate the financial burden on residents on the old M5 East.

9. Standardisation of speed limits for Schools, towns and CBDs throughout NSW

In feedback from Councillors prior to finalising this report, Councillor Rhodes has proposed that the following motion be submitted to the Conference:

That the NSW Conference:

Lobby for universal standardisation of speed limits in school areas, and shopping areas in CBDs in towns and suburbs throughout NSW.

Current speed limits are different from suburb to suburb in cities and towns throughout NSW, this is not only confusing but dangerous to drivers and pedestrians alike.

Consistent speed zones throughout the state in these situations will provide a safer and more consistent understanding of what the road rules are, thereby minimising accidents and saving lives.

CONSIDERATIONS

Economic	Costs in the order of \$2,500 per delegate for registration, travel, accommodation and meals which has been budgeted for in the 2020/21 budget.
Environment	Raise community awareness and support action in relation to environmental issues.
Social	Raise awareness in the community about the available services and facilities.
Civic Leadership	Act as an environmental leader in the community. Provide information about Council's services, roles and decision making processes. Operate a well-developed governance system that demonstrates accountability, transparency and ethical conduct. Actively advocate for federal and state government support, funding and services.
Legislative	There are no legislative considerations relating to this report.
Risk	The risk is deemed to be low and is within Council's risk appetite.

ATTACHMENTS

1. Letter from LGNSW - invitation to attend LGNSW Conference 22 - 24 November 2020
2. Draft Program - LGNSW Annual Conference 2020



Our ref: R18/0009 Out-30937

15 July 2020

Ms Kiersten Fishburn
Chief Executive Officer
Liverpool City Council
Locked Bag 7064
LIVERPOOL BC NSW 1871

Dear Ms Fishburn

Local Government NSW Annual Conference: 22-24 November 2020

I am delighted to invite you to attend this year's Local Government NSW (LGNSW) Annual Conference from **Sunday 22 to Tuesday 24 November at the Crowne Plaza Hunter Valley, 430 Wine Country Drive, Lovedale, NSW.**

This letter contains important information to help you participate fully in the Conference.

The Annual Conference is the main policy making event for the local government sector. It is your council's opportunity to submit motions for consideration and debate by delegates. Motions passed at Conference become Resolutions, which LGNSW takes forward on your behalf, as part of our sector's advocacy agenda.

Information on the Conference is attached, including submitting motions and voting entitlements, to help you plan ahead. We will send regular updates and reminders.

Key Dates:

17 July 2020	Event registration opens <i>(note: voting delegates must be registered to attend the Conference and be registered as a nominated voting delegate)</i>
17 July 2020	Conference motions open
28 September 2020 12 midnight (AEST)	Deadline for submitting motions <i>(note: the latest date motions can be accepted for inclusion in the Business Paper is 12 midnight (AEDT) on 25 October 2020)</i>
3 November 2020 12 noon (AEDT)	Deadline for nominating voting delegates
22-24 November 2020	LGNSW Annual Conference
23 November 2020	Conference Dinner

Covid-19 precautions: The Conference will be following the government guidelines on safe events and social distancing, noting that this can change in the future. We will be following hygiene practices by cleaning surfaces, arranging seating, overseeing food preparation and transport, as well as medical assistance as required.

I look forward to seeing you at Conference.

Yours sincerely

Cr Linda Scott
President

LOCAL GOVERNMENT NSW
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ABN 49 853 913 982



Local Government NSW Annual Conference: 22-24 November 2020

REGISTRATION

All Conference attendees are required to register online to attend the Conference. Registration to attend the Conference opens **17 July 2020** via the LGNSW website: lgnsw.org.au

Members will be able to take advantage of special 'early bird' rates.

Note: *Voting delegates must be registered to attend the Conference and be registered as a nominated voting delegate.*

VOTING DELEGATES – MOTIONS

To vote on motions at the Conference, delegates must be an elected member of a council, county council, the Norfolk Island Regional Council (NIRC), a Related Local Government Body (RLGB) or an Administrator appointed in accordance with the *Local Government Act 1993*.

Ordinary members and Associate members need to advise LGNSW of the name(s) of their nominated voting delegate(s) for voting on motions.

An **online form** for advising LGNSW of the names of members nominated voting delegates is available on the LGNSW website: lgnsw.org.au.

Members are required to advise LGNSW of the names of their nominated voting delegates by **12 noon (AEDT) on Tuesday 3 November 2020**. Nominations received after this time/date cannot be accepted, however, a member may, subject to the LGNSW rules, notify LGNSW of a change to the name of an already nominated voting delegate (a substitute delegate) after this time/date (visit LGNSW website for information on substituting voting delegates).

VOTING ENTITLEMENTS

The formula for calculating members' voting entitlements is prescribed at rule 23 of the LGNSW rules. LGNSW (Federal) rules: fvc.gov.au/registered-organisations/find-registered-organisations/local-government-nsw-lgnsw

The **number of voting delegates** that each member is entitled to send to the Conference for voting on motions is set out in the attached table at **Annexure A**.

In accordance with the LGNSW rules, only members that were financial on 1 March 2020 (the 'calculation date') have been allocated voting entitlements. To exercise voting rights, members also need to be financial on 12 midnight (AEST) on Sunday 27 September 2020 (the date on which the roll of voters closes).

MOTIONS

All members can put forward motions to be considered at the Conference. Members are invited to submit motions from **17 July 2020** via an online portal: <https://lgnsw-grants.fluidreview.com/>

Proposed motions should be strategic, affect members state-wide and introduce new or emerging policy issues and actions. When submitting motions, members are encouraged to familiarise themselves with the existing principles and positions of LGNSW on issues of importance to the sector, as members will be asked to identify if their motion is seeking a change to LGNSW's existing Policy Position.

For further information on submitting motions, download the *LGNSW 2020 Conference Motions Submission Guide* from the LGNSW website: lgnsw.org.au.



DEADLINE FOR SUBMITTING MOTIONS

Members are asked to submit motions online by **12 midnight (AEST) on Monday 28 September 2020** to allow assessment of the motions and distribution of the Business Paper before the Conference. However, in line with the LGNSW rules, the latest date motions will be accepted for inclusion in the Conference Business Paper is 12 midnight (AEDT) on Sunday 25 October 2020.

BUSINESS PAPERS

The full Conference Business Paper will be available on the LGNSW website two weeks prior to the Conference as a digital document which you may download to your device or print a hard copy at your discretion.

ACCOMMODATION AND TRAVEL

The Hunter Valley is perfectly positioned two-and-a-half hours drive from Sydney, and 50 minutes from Newcastle Airport along the M1 Pacific Motorway. The venue is also accessible via public transport. The most convenient train stations are at Maitland, Newcastle or Morisset and connecting buses are available from each station.

We encourage attendees to book accommodation as early as possible. A shuttle service to the Conference venue will be available to delegates booked at hotels listed on our website.

If you are attending the ALGA 2020 Special Recovery Conference in Wagga Wagga (16-18 November), you may wish to travel directly to the Hunter Valley to enjoy the regions many cultural and historical attractions before our Welcome Reception on Sunday 22 November.

Visit the LGNSW website for Conference travel and accommodation options: lgnsw.org.au.

PRIVACY STATEMENT

When you register for the conference, LGNSW collects your personal information from you to process your registration.

If you do not provide or we cannot otherwise collect all the information we request or need, we may not be able to register you for the conference.

LGNSW may disclose your personal information to third party conference organisers and third party service providers, who may be located overseas and may store your information overseas.

We may with your consent where required, use your contact details to send you (by telephone, post, email or SMS) marketing communications about our programs, products, services, promotions and events. You can opt out of marketing communications at any time, by particular means or at all, by following the unsubscribe function in the message we send, or by emailing or calling us.

Our privacy policy, which is available at lgnsw.org.au/privacy or by emailing or calling us on the details below, explains more about the types of personal information we usually collect and how we handle your personal information, as well as how you can request access to and correction of personal information we hold about you, how you can complain about our handling of your personal information and how we deal with complaints.

For privacy related enquiries please contact us on 02 9242 4000, at lgnsw@lgnsw.org.au or at GPO Box 7003, Sydney NSW 2001.



Annexure A

Members' voting entitlement at the 2020 Local Government NSW Annual Conference

Member	Number of voters for voting on motions
Albury City Council (R/R)	4
Armidale Regional Council (R/R)	3
Ballina Shire Council (R/R)	3
Balranald Shire Council (R/R)	1
Bathurst Regional Council (R/R)	3
Bayside Council (M/U)	9
Bega Valley Shire Council (R/R)	3
Bellingen Shire Council (R/R)	2
Berrigan Shire Council (R/R)	1
Blacktown City Council (M/U)	11
Bland Shire Council (R/R)	1
Blayney Shire Council (R/R)	1
Blue Mountains City Council (R/R)	4
Bogan Shire Council (R/R)	1
Bourke Shire Council (R/R)	1
Brewarrina Shire Council (R/R)	1
Broken Hill City Council (R/R)	2
Burwood Council (M/U)	3
Byron Shire Council (R/R)	3
Cabonne Council (R/R)	2
Camden Council (M/U)	5
Campbelltown City Council (M/U)	9
Canada Bay, City of (M/U)	5
Canterbury-Bankstown Council (M/U)	11
Carrathool Shire Council (R/R)	1
Castlereagh-Macquarie County Council (R/R)	1
Central Coast Council (R/R)	7
Central Darling Shire Council (R/R)	1
Central Tablelands County Council (R/R)	1
Cessnock City Council (R/R)	4
Clarence Valley Council (R/R)	4
Cobar Shire Council (R/R)	1
Coffs Harbour City Council (R/R)	4
Coolamon Shire Council (R/R)	1
Coonamble Shire Council (R/R)	1
Cootamundra-Gundagai Regional Council (R/R)	2
Cowra Council (R/R)	2
Cumberland City Council (M/U)	10
Dubbo Regional Council (R/R)	4
Dungog Shire Council (R/R)	1

Member	Number of voters for voting on motions
Edward River Council (R/R)	1
Fairfield City Council (M/U)	9
Federation Council (R/R)	2
Forbes Shire Council (R/R)	1
Georges River Council (M/U)	9
Gilgandra Shire Council (R/R)	1
Glen Innes Severn Council (R/R)	1
Goldenfields Water County Council (R/R)	1
Greater Hume Shire Council (R/R)	2
Griffith City Council (R/R)	3
Gunnedah Shire Council (R/R)	2
Gwydir Shire Council (R/R)	1
Hawkesbury City Council (M/U)	5
Hawkesbury River County Council (M/U)	2
Hay Shire Council (R/R)	1
Hilltops Council (R/R)	2
Hornsby Shire Council (M/U)	9
Hunters Hill Council (M/U)	2
Inner West Council (M/U)	9
Inverell Shire Council (R/R)	2
Junee Shire Council (R/R)	1
Kempsey Shire Council (R/R)	3
Kiama Municipal Council (R/R)	3
Kimbriki Environmental Enterprises Pty Ltd (M/U)	1
Ku-ring-gai Council (M/U)	6
Kyogle Council (R/R)	1
Lachlan Shire Council (R/R)	1
Lake Macquarie City Council (R/R)	7
Lane Cove Council (M/U)	3
Leeton Shire Council (R/R)	2
Lismore City Council (R/R)	3
Lithgow City Council (R/R)	3
Liverpool City Council (M/U)	10
Liverpool Plains Shire Council (R/R)	1
Lockhart Shire Council (R/R)	1
Maitland City Council (R/R)	4
Mid-Coast Council (R/R)	4
Mid-Western Regional Council (R/R)	3
Moree Plains Shire Council (R/R)	2
Mosman Municipal Council (M/U)	3
Murray River Council (R/R)	2
Murrumbidgee Council (R/R)	1
Muswellbrook Shire Council (R/R)	2
Nambucca Shire Council (R/R)	2

Member	Number of voters for voting on motions
Narrabri Shire Council (R/R)	2
Narrandera Shire Council (R/R)	1
Narromine Shire Council (R/R)	1
Newcastle City Council (R/R)	7
New England Tablelands County Council (R/R)	1
Norfolk Island Regional Council (R/R)	1
North Sydney Council (M/U)	5
Northern Beaches Council (M/U)	10
Oberon Council (R/R)	1
Orange City Council (R/R)	3
Parkes Shire Council (R/R)	2
Parramatta, City of (M/U)	10
Penrith City Council (M/U)	9
Port Macquarie-Hastings Council (R/R)	4
Port Stephens Council (R/R)	4
Queanbeyan-Palerang Regional Council (R/R)	4
Randwick City Council (M/U)	9
Richmond Valley Council (R/R)	3
Riverina Water County Council (R/R)	1
Rous County Council (R/R)	1
Ryde Council, City of (M/U)	7
Shellharbour City Council (R/R)	4
Shoalhaven City Council (R/R)	5
Singleton Council (R/R)	3
Snowy Monaro Regional Council (R/R)	3
Snowy Valleys Council (R/R)	2
Strathfield Council (M/U)	4
Sutherland Shire Council (M/U)	10
Sydney, City of (M/U)	10
Tamworth Regional Council (R/R)	4
Temora Shire Council (R/R)	1
Tenterfield Shire Council (R/R)	1
The Hills Shire Council (M/U)	9
Tweed Shire Council (R/R)	4
Upper Hunter Shire Council (R/R)	2
Upper Lachlan Shire Council (R/R)	1
Upper Macquarie County Council (R/R)	1
Uralla Shire Council (R/R)	1
Wagga Wagga City Council (R/R)	4
Walcha Council (R/R)	1
Walgett Shire Council (R/R)	1
Warren Shire Council (R/R)	1
Warrumbungle Shire Council (R/R)	1
Waverley Council (M/U)	5

Member	Number of voters for voting on motions
Weddin Shire Council (R/R)	1
Wentworth Shire Council (R/R)	1
Western Sydney Regional Organisation of Councils (M/U)	1
Willoughby City Council (M/U)	5
Wingecaribee Shire Council (R/R)	4
Wollondilly Shire Council (R/R)	4
Wollongong City Council (R/R)	7
Woollahra Municipal Council (M/U)	5
Yass Valley Council (R/R)	2
LGNSW Board (M/U)	10
LGNSW Board (R/R)	8
TOTAL:	480



Local Government NSW Annual Conference 2020

Sunday 22 November – Tuesday 24 November 2020

Main conference venue: Crowne Plaza Hunter Valley, 430 Wine Country Drive, Lovedale NSW 2325

Theme: Growing Community Resilience

DRAFT PROGRAM (as of 29 July 2020)

PRE – OPENING OF CONFERENCE, OPTIONAL WORKSHOPS AND SPECIAL EVENTS	
SUNDAY 22 NOVEMBER 2020, CROWNE PLAZA HUNTER VALLEY	
1.00pm – 7.00pm	Registration opens at the Galleria, Conference and Events Centre
1.30pm – 3.00pm	<p>1. Presentation Panel: Semillon 1 (180 pax)</p> <p>Cooling Our Cities</p> <ul style="list-style-type: none"> • Dr Sebastian Pfautsch, Senior Research Fellow – Western Sydney University, Climate and environmental changes • Ms Stephanie Barker, Executive Director City Strategy, Greater Sydney Commission • Dr Rebecca Huntley, Principal Consultant, Vox Populi Research
1.30pm – 3.00pm	<p>2. Workshop: Semillon 2 (180 pax)</p> <p>Leading a Safe Organisation: The roles and responsibilities of councils to lead in child protection & domestic violence prevention presented by the Office of the Children's Guardian and Domestic Violence (DVNSW)</p> <p>and</p> <p>Collaborating for Informed Decision Making presented by Maire Sheehan, Facilitator, Educator and former mayor and councillor</p>
1.30pm – 3.00pm	<p>3. Workshop: Semillon 3 (180 pax)</p> <p>Population migration panel session facilitated by Cr Dai Le, LGNSW Board Member. A facilitated panel session on population shifts, migration and successful refugee resettlement. Panel presentations will be followed by a 30 minute question and answer session.</p> <p>Panel members:</p> <ul style="list-style-type: none"> • Multicultural NSW (MNSW) • Settlement Services International (SSI)
1.30pm – 2.30pm	<p>4. Presentation: The Verdelho Room (80pax)</p> <p>"It's a jungle out there. Biosecurity can bite. Are you ready for it?"</p> <p>Nicola Dixon, State Priority Weeds Coordinator, and Ian Turnbull, Invasive Species Officer, Department of Primary Industries.</p>

2.00pm – 3.00pm	Bus transfers begin departing from select hotels going to Crowne Plaza Hunter Valley for the Ministers sessions and the welcome reception
3.00pm – 5.00pm	<p>The Galleria, Conference and Events Centre, Cabernet Merlot Room</p> <p>Meet the Politicians Forum with Masters of Ceremony: Cr Linda Scott, President and Scott Phillips, CE, LGNSW</p> <p>Addresses from:</p> <ul style="list-style-type: none"> • The Hon. Shelley Hancock MP, Minister for Local Government • Ms Jodi McKay, Leader of the Opposition <p>Followed by the Politicians' panel: What is the best way for State Government to partner with councils to assist in a locally led recovery?</p> <ul style="list-style-type: none"> • The Hon. Shelley Hancock MP, Minister for Local Government • The Hon. Melinda Pavey MP, Minister for Water, Property and Housing • Mr David Shoebridge, MLC • Mr Greg Warren MP, Shadow Minister for Local Government • The Hon. John Barilaro MP, Deputy Premier and Minister for Regional NSW Trade and Industry (invited) • The Hon. Adam Marshall MP, Minister for Agriculture and Western NSW <p>Presentation of the AR Bluett Awards by the Trustees</p> <p>This session is optional. Attendance is free to members registered to attend the conference. RSVPs are required as part of the conference registration.</p>

CONFERENCE OPENS – WELCOME RECEPTION	
SUNDAY 22 NOVEMBER 2020, POOLSIDE AT CROWNE PLAZA HUNTER VALLEY	
5.00pm – 8.00pm	<p>President's Welcome Reception:</p> <ul style="list-style-type: none"> • Welcome by Master of Ceremonies Cr Bob Pynsent, Mayor, Cessnock City Council • Address by Cr Linda Scott, President, LGNSW • Sponsor address by Chair, Statewide Mutual <p>Registration will be available at this event.</p>
From 7.30pm	Bus transfers back to conference hotels to commence

MONDAY 23 NOVEMBER 2020 – Business Session Day 1, Crowne Plaza Hunter Valley	
7.30am – 5.00pm	Registration opens at the Galleria, Conference and Events Centre
8.00am – 4.00pm	<p>Trade exhibition opens at the Exhibition Centre and Sauvignon Room</p> <p>Delegate Lounge opens for networking</p>
8.45am	<p>Doors open for official conference proceedings</p> <p>Distribution of voting materials and electronic handsets</p>
9.05am – 9.10am	Conference introduction by Scott Phillips , Chief Executive, LGNSW

9.10am – 9.15am	Welcome to Country
9.15am – 11.00am	<p>Address by Cr Linda Scott, President, LGNSW</p> <p>Opening of the Federal Conference including demonstration of voting units, adoption of standing orders, presentation of the auditor's report, general financial report and operating report to members, business session and consideration of motions.</p> <p>Opening of the State Conference including adoption of standing orders, presentation of the auditor's report, general financial report and operating report to members, business sessions, and consideration of motions.</p> <p>Chaired by Cr Linda Scott</p>
11.00am – 11.30am	Morning tea in trade exhibition, sponsored by Local Government Super
11.30am – 1.00pm	Consideration of conference business continued, chaired by LGNSW President
1.00pm – 2.00pm	Lunch in trade exhibition, sponsored by Local Government Super
1.00pm – 2.00pm	StateCover General Manager's Lunch - Semillon 1 and 2, Level 2 (exclusive to GMs)
2.00pm – 2.05pm	Distinguished sponsor topic by Local Government Super
2.00pm – 3.30pm	Consideration of conference business continued, chaired by LGNSW President
3.30pm – 4.00pm	Afternoon tea in trade exhibition sponsored by Transport for NSW
4.00pm – 5.00pm	<p>Consideration of conference business continued, chaired by LGNSW President</p> <p>Collection of all electronic handsets and motions voting cards</p>
5.00pm	Conference business session closes
5.30pm – 6.00pm	Transfer buses begin departing for the conference hotels
7.00 pm – 7.30pm	Transfer buses to pick up from designated hotels, going to Hope Estate
Conference Dinner at Hope Estate, 2213 Broke Road, Pokolbin NSW 2320	
7.30pm	StateCover sponsor address
8.00pm	LGNSW President and Elite Sponsor present Outstanding Service Awards to elected members
8.30pm	Dinner and entertainment begins
10.00pm	Transfer buses to begin departing back to conference hotels
11.00pm	Dinner ends
TUESDAY 24 November 2020 – Business Session Day 2, Crowne Plaza Hunter Valley	

7.30am – 5.00pm	Registration opens at the Galleria, Conference and Events Centre
7.30am – 8.45am	<p>Semillon 1 and 2</p> <p>Australian Local Government Women's Association (ALGWA NSW) Breakfast</p> <p>"Big Expectations: how to make a difference and why community is important"</p> <p>Panel guest speakers: The Shahrouk Sisters, facilitated by Ellen Fanning</p>
8.00am – 4.00pm	<p>Trade exhibition opens, The Exhibition Centre and Sauvignon Room</p> <p>Delegate Lounge opens for networking</p>
8.45am	<p>Doors open for conference official proceedings</p> <p>Distribution of voting materials and electronic handsets if required</p>
9.00am	Introduction by Ellen Fanning , Master of Ceremonies
9.05am – 9.30am	Keynote address: Building resilience through partnership. Presented by Commissioner of Resilience NSW, Shane Fitzsimmons
9.30am – 9.35am	Planning sponsor address by Resilience NSW
9.35am – 10.30am	<p>Opening Keynote Panel: Recovery and Resilience: local strategies and actions to prepare for, recover from and build resilience to disasters and crisis.</p> <ul style="list-style-type: none"> • Leanne Barnes OAM, GM, Bega Shire Council • Mick Willing, NSW Assistant Police Commissioner, Bushfire Recovery (invited) • Dr Adrian Zammit, CEO, Landcare NSW Inc, regarding strategies to manage bushfires moving forward • James McTavish, NSW Cross Border Commissioner, Department of Planning, Industry and Environment
10.30am – 11.00am	Morning tea in trade exhibition, sponsored by Landcom
11.00am – 11.05am	Distinguished sponsor address by Landcom
11.05 – 11.20am	Address from Cr Linda Scott , President, LGNSW, on Association Initiatives
11.20am – 11.30am	<p>Treasurer's report, Cr Jerome Laxale, Treasurer, LGNSW</p> <p>Locally Led campaign launch, Cr Linda Scott, President, LGNSW</p>
11.30am – 12.30pm (one hour)	<p>Presentation: Panel Regional Services: 'Regional renaissance: how to help regional communities bounce back and thrive in a post pandemic world'</p> <ul style="list-style-type: none"> ▪ The Hon. Mark Coulton MP, Minister Regional Health, Regional Communications and Local Government ▪ The Hon. Jason Clare MP, Shadow Minister for Regional Services, Territories and Local Government ▪ Brendan Nelson, CEO Regional Growth, Department of Regional NSW (invited)

12.30pm – 1.00pm (30 mins)	Presentation: Craig Foster , Former Soccerroo, Broadcaster, Adjunct Professor of Sport & Social Responsibility and Humanist presents 'Tapping into the Here and Now: Social and Community Strength'
1.00pm – 1.05pm	Distinguished sponsor topic by Transport for NSW
1.05pm – 2.00pm	Lunch in trade exhibition, sponsored by Landcom
2.05pm – 3.05pm	Closing Address: Dr Norman Swan , Medical & Health Broadcaster, Host, Health Report ABC RN, Commentator & Journalist ABC TV, cofounder Tonic Health Media, presents Control is the Source of Community Resilience. How can systems and organisations acknowledge and allow for individual and community control?
3.05pm – 3.15pm	Close of conference, Cr Linda Scott , LGNSW President
3.15pm – 3.45pm	Afternoon tea in trade exhibition sponsored by Transport for NSW

This program is correct at the time of publication; speakers and program details may have changed due to unforeseen circumstances.

CEO 02

Biannual Progress Report

Strategic Direction	Leading through Collaboration Strive for best practice in all Council processes
File Ref	209245.2020
Report By	Hiba Soueid - Manager Corporate Strategy and Performance
Approved By	Andrew Stevenson - Chief Strategy and Engagement Officer

EXECUTIVE SUMMARY

The Biannual Progress Report provides an overview of Council's progress on the Principal Activities that were scheduled for the January to June 2020 period. This is reported against the Delivery Program 2017-2022 and Operational Plan 2019-2020.

This is the second and final Biannual Progress Report for 2019-20 and has been prepared in line with the Office of Local Government Integrated Planning and Reporting Guidelines

RECOMMENDATION

That Council notes and receives the Biannual Progress Report which outlines the progress of Principal Activities detailed in the Delivery Program 2017-2022 and Operational Plan 2019-2020.

REPORT

On 26 April 2017, Council adopted the Community Strategic Plan, *Our Home, Liverpool 2027*. *Our Home, Liverpool 2027* outlines the community's vision and priorities for Liverpool. The Plan was developed after extensive engagement with the community and contains four key directions for the future of Liverpool. These directions guide Council's operations and service delivery for the next ten years.

Council's Delivery Program 2017-2022 and Operational Plan and Budget 2019-2020 outline Council's commitment to the community. The combined document details 107 Principal Activities that Council has committed to delivering.

Section 404 (5) of the *Local Government Act (1993)* requires the Chief Executive Officer (CEO) to ensure that a progress report is provided to Council at least every six months. It should include information and updates on the Principal Activities that have been detailed in the four-year Delivery Program. This allows Council and the public to monitor progress.

CHIEF EXECUTIVE OFFICER REPORT

During the January to June 2020 reporting period, Council experienced several natural disasters, including bushfires, floods and the current COVID-19 pandemic. These uncertain times brought about continuous and rapid change in Council's daily operations including the cancellation of major events, the closure of many of Council's facilities and mobilisation of staff to work from home. This has impacted the local community, economy and Council's operations and financial performance.

Council's priority during this period was the safety of residents and staff. Council followed federal and state government advice and developed local initiatives tailored to meet the needs of the community. This included a comprehensive package to support local businesses affected by the COVID-19 pandemic and hardship provisions for ratepayers.

By the end of June 2020, 69% of actions in the Delivery Program and 2019-20 Operational Plan were on track or completed. Of the remaining actions, 31% were affected by the COVID-19 pandemic. The attached report provides detailed information on each of the 107 Principal Activities detailed in the Delivery Program 2017-2022.

CONSIDERATIONS

Governance	The Delivery Program and Operational Plan sets the direction for Council's strategic agenda, including all economic, environmental, social and civic leadership requirements.
Legislation	The Delivery Program and Operational Plan have been developed in line with the <i>Local Government Act 1993</i> In particular Section 404 (5) of the <i>Local Government Act</i> states: <i>"The general manager must ensure that regular progress reports are provided to the council reporting as to its progress with respect to the principal activities detailed in its delivery program. Progress reports must be provided at least every 6 months."</i>
Risk	The risk is deemed to be High. Failure to provide regular progress reports to the council with respect to the principal activities detailed in its delivery program at least every 6 months may result in non-compliance with the above legislation and may result in enforceable action by the Office of Local Government, Planning Policy.

ATTACHMENTS

1. Biannual Progress Report January-June 2020 (Under separate cover)

EGROW 01	Draft Warwick Farm Racing Precinct Structure Plan, Planning Proposal and Local Contributions Plan
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Strategic Direction	Strengthening and Protecting our Environment Exercise planning controls to create high-quality, inclusive urban environments
File Ref	144667.2020
Report By	Graham Matthews - Senior Strategic Planner
Approved By	David Smith - Acting Director City Economy and Growth

EXECUTIVE SUMMARY

At its meeting of 11 December 2019, Council resolved (EGROW 02) to direct the CEO to engage consultants to prepare a structure plan, planning proposal and developer contributions plan for the Warwick Farm racing precinct to support a rezoning of the precinct.

This report presents the draft structure plan, planning proposal and local contributions plan, pursuant to the above Council resolution for Council's consideration.

A Councillor briefing on the draft plans was held on 1 July 2020. Responses to questions from Councillors taken on notice at the briefing is provided in this report.

It is recommended that Council place the draft structure plan, planning proposal, and local contributions plan and supporting documents on public exhibition for 28 days, pursuant to the Liverpool Community Participation Plan 2019.

Following public exhibition, a further report will be prepared for Council's consideration responding to submissions received, any amendments proposed, and to endorse the planning proposal for submission to the Department of Planning, Industry and Environment for a Gateway determination.

RECOMMENDATION

That Council:

1. Notes the advice of the Liverpool Local Planning Panel;

2. Notes that a feasibility study will be completed as recommended by the Liverpool Local Planning Panel;
3. Places the draft structure plan, planning proposal and local contributions plan on public exhibition, pursuant to the Liverpool Community Participation Plan 2019 for 28 days; and
4. Receives a further report, following public exhibition, detailing any submissions received and any amendments proposed to the structure plan, planning proposal and/or local contributions plan.

REPORT

Background

At its 11 December 2019 meeting, Council resolved (EGROW 02) to direct the CEO to engage consultants to prepare a structure plan for the Warwick Farm racing precinct.

Council resolved that the structure plan was to address the following:

- *the appropriate density of development in the precinct, including built form; and*
- *building typologies including height and floor space ratio development standards for:*
 - i. *open space, community and recreation facilities to support urban renewal;*
 - ii. *likely traffic and transport upgrades;*
 - iii. *amenity issues;*
 - iv. *flooding considerations; and*
 - v. *development contributions.*

The resolution went on to establish the following considerations for the preparation of the structure plan:

Directs the CEO to allocate funding from general funds and to prepare a structure plan for the Warwick Farm Racing precinct and a planning proposal to support a rezoning of the Warwick Farm racing precinct from Scrivener Street to Hume Highway to Governor Macquarie Drive relevant to B4 with mixed business noting that zoning is consistent with the State Governments planning advice to maximise densities close to rail stations and this precinct is immediate to the Warwick Farm Railway station; and

- a) *notes the AEC Report June 2017 specifically 27.3*
“27.3 should the horse training stabling functions of Munday Street Precinct be viably relocated to the racecourse, opportunities arise for Munday Street Precinct and Lot 1 to collectively deliver a masterplanned outcome that incorporates a range of housing types, required urban and retail amenity as well as meet social/community infrastructure need”, and

- b) noting that there is a local Warwick Farm School and 5 other Schools already within the Liverpool CBD that are all within walking distance of this precinct and*
- c) that the precinct has the most expensive recreational park in the LGA that could be made open to the public and that this precinct is also within walking distance to the open space surrounding The Georges River, and*
- d) that existing jobs in this precinct will be supported by B4 zoning as training facilities will be relocated on track, and work force will still live in the area close to their employment through the B4 zoning, and*
- e) that the area below Scrivener Street to Georges River is already zoned industrial and is best situated to be renewed as a hi-tec education hospital and technology park, which will also provide job opportunities to support the increase in density in the B4 zoning and*
- f) that there is already employment opportunities in the hospital universities race track and The Inglis Hotel and function precinct and in the industrial site, and also at a shopping centre less than 100 metres from the Warwick Farm racing precinct*
- g) that Moore Point and Hargrave Park will be also be identified on the structure plan as the River Precinct separate from the Warwick Farm Racing Precinct, and*
- h) as the River Precinct plans for Moore Point and Hargrave Park already exist there is no need to allocate funding for new plans.*

The Council resolution also required that:

9. The report to be submitted to the May 2020 Council meeting.

A report to the 27 May 2020 Council meeting provided an update on the progress in drafting the structure plan. Council resolved (EGROW 01 of 27 May 2020):

That Council:

- 1. Receives and notes this report; and*
- 2. Receives a further report on the draft structure plan, draft planning proposal and draft contributions plan for the Warwick Farm racing precinct at the 26 August 2020 Council meeting.*

Draft Warwick Farm Racing Precinct Structure Plan

As noted in the report to Council of 27 May 2020, Conybeare Morrison International were engaged by Council as the lead consultant to prepare the structure plan, planning proposal and amendment to the Liverpool Contributions Plan 2009. The structure plan has been prepared in line with the requirements of Council resolution EGROW 02 and EGROW 09 of 11 December 2019.

The precinct has an area of approximately 28.4 hectares and is bounded by the Hume Highway to the northwest, the railway corridor to the west, Priddle Street to the south, Horseshoe Pond to the east and Governor Macquarie Drive to the northeast. It is comprised of land zoned R2 Low Density Residential, R3 Medium Density Residential, RE1 Public Recreation (Rosedale Park) and RE2 Private Recreation.

A recent aerial photograph of the Warwick Farm racing precinct (see **Figure 1**), illustrates the characteristic low-scale residential development existing within the precinct. It also shows the widespread use of the precinct for thoroughbred horse training/stabling facilities.



*Figure 1: Aerial view of the Warwick Farm precinct
NB: 240 Governor Macquarie Drive, depicted at the top of the picture, is not included among the lots subject to the planning proposal.
Source: Nearmap 15 April 2020*

The northernmost lot, 240 Governor Macquarie Drive, is currently zoned B5 Business Development. Council separately provided in principle support to the rezoning of that lot to part B4 Mixed Use and part R4 High Density Residential at its 11 December 2019 meeting (EGROW 09). This planning proposal was lodged with the Department of Planning, Industry and Environment in February 2020 for a Gateway review. **Figure 2** below, illustrates the existing zoning applying to the Warwick Farm racing precinct.



Figure 2: Warwick Farm existing zoning
Source: Conybeare Morrison International

The draft structure plan (depicted in **Figure 3** below) provides a conceptual framework for the redevelopment of the Warwick Farm racing precinct for a mix of uses, including B4 zone in accordance with Action 10.2 of the Liverpool Local Strategic Planning Statement (LSPS), *Connected Liverpool 2040*.

The draft structure plan envisages the rezoning of the Warwick Farm racing precinct for the following uses:

- B4 Mixed Use in the west of the precinct, in the immediate vicinity of Warwick Farm train station;
- R4 High Density Residential in the east and south; and
- RE1 Public Recreation in the lowest-lying land in the precinct in the east and south, generally within the Warwick Farm Sewage Treatment Plant odour buffer area and adjacent to Rosedale Park and Horseshoe Lagoon.

The structure plan envisages that the redevelopment of the Warwick Farm racing precinct (including 240 Governor Macquarie Drive) will deliver in excess of 200,000 m² of residential floor space, equating to over 2,200 dwellings and 25,000 m² of commercial floor space.

The structure plan also envisages the development of a pedestrian footbridge, to increase the connectivity of the precinct with Liverpool city centre. The footbridge would link the precinct with Hart Park and provide easy access to the employment and amenities of Liverpool city centre. It is depicted on **Figure 3** below.

The structure plan also depicts the proposed route for the Manning Street bypass, which would divert heavy vehicles from the industrial land to the south, to the south and east of Rosedale Park and via Shore Street to and from Governor Macquarie Drive. An alternative bypass route, utilising existing roads including Stroud Avenue, National Street and Shore Street is discussed in response to questions raised at the Councillor briefing, below.

The proposed bypass has been the subject of previous Council's resolutions over the years and is a top priority for Council as resolved by Council in December 2019. The local contributions plan will provide an additional funding source for the construction of the bypass.



Figure 3: Draft Warwick Farm structure plan NB: 240 Governor Macquarie Drive, located the top of the picture, is not included in land subject to the planning proposal. Source: Conybeare Morrison International

Constraints

The structure plan seeks to provide a framework for the urban redevelopment of the Warwick Farm racing precinct, while responding to the environmental constraints impacting the precinct, including the potential for flooding and land use conflict (primarily with industrial heavy vehicles, in addition to the impacts of odour from the adjacent Warwick Farm sewage treatment plant).

In consideration of the NSW Flood Prone Land Policy, the height of the ground floor of all new development must be at the 1 in 100-year flood level (1% AEP), in addition to 0.5m freeboard (the flood planning level). The 1% AEP applying to the Warwick Farm racing precinct is 8.5m AHD, meaning that the ground floor of all new development must be no lower than 9m AHD. Additionally, to ensure safe evacuation in case of flood, the height of all internal roads must be increased to the 1% AEP (i.e. 8.5m AHD), with a gradual increase in the height of internal roads approaching Manning/Warwick Streets, providing a safe route for evacuation from the precinct west along the Hume Highway, towards Liverpool city centre.

All filling of flood-prone land must be balanced by compensatory excavation, to ensure there are no adverse flooding impacts off-site due to a loss of flood storage. Hence, the land filled on development sites must be balanced with the same volume of excavation elsewhere in the precinct.

In order to fill land close to the Warwick Farm station for redevelopment, the structure plan proposes that land furthest from the station must be excavated and preserved as public open space, so as not to reduce the overall flood storage capacity of the precinct as a whole. As a result, the structure plan seeks to rezone some land currently zoned RE2 Private Recreation and R2 Low Density Residential to RE1 Public Recreation, to enable acquisition of this land by Council to provide requisite land for flood storage.

Figure 3 above depicts the draft structure plan (also included in **Attachment 6**). Most of the R2 Low Density Residential land to be rezoned RE1 Public Recreation is also within the Warwick Farm Sewage Treatment Plant Odour Buffer Area. According to the Liverpool Local Strategic Planning Statement (LSPS), odour sensitive development (including residential development) should be avoided in this area.

Manning Street bypass road

The urban redevelopment of the Warwick Farm racing precinct is also constrained by traffic impacts. Heavy vehicles servicing the Scrivener Street industrial precinct to the south, currently travel through the precinct via Munday, Manning and Priddle Streets. The passage of heavy vehicles through the Warwick Farm racing precinct creates considerable land use conflict, which would only be exacerbated once the precinct is developed for high density residential uses.

The planning proposal does not seek to rezone land for the planned Manning Street bypass (providing a direct route for heavy vehicles to and from the Scrivener Street precinct and Governor Macquarie Drive) to SP2 (Local Road), pursuant to Council resolution EGROW 11 of 25 March 2020. The rezoning of the Manning Street bypass road is unnecessary, as all existing/proposed zones over which the bypass road is planned to traverse, already permit the development of "Roads".

In addition, owing to additional environmental constraints associated with the Horseshoe Lagoon coastal wetland (which is intersected by the proposed route of the bypass), seeking to rezone the Manning Street bypass road SP2 (Local Road) may significantly delay the finalisation of the planning proposal as a whole. As noted in the planning proposal:

The proposed route of the road currently traverses through land zoned RE1 Public Recreation, RE2 Private Recreation and SP2 Sewerage System. As noted above, all these zones permit "roads" as a land use which is permissible with the consent of Council. The bypass road does therefore not require rezoning and can be delivered if further ecological investigations confirm it could be approved under the Coastal Management SEPP.

The rezoning of the bypass route into the Planning Proposal requires justification for the change from the existing zoning. It is recommended that ecological advice be sought to confirm the road could be approved meeting the specific requirements of the Coastal Management SEPP and that discussions occur with Crown Lands and if required Sydney Water to ensure owners consent will be forthcoming and any additional acquisition requirements. This will avoid delays with adopting an SP2 Local Road in this report that requires further investigations. The draft Local Contributions Plan has included an amount for this land to be acquired subject to the above occurring. Provision of the Manning Street bypass road, as an infrastructure improvement, in addition to proposed widening of Governor Macquarie Drive and the development of additional shared paths, will effectively mitigate traffic impacts.

(Planning proposal, **Attachment 1**, page 17)

Opportunities

While the structure plan applies to the Warwick Farm racing precinct as a whole, Council resolved to rezone the 'Masters' site (240 Governor Macquarie Drive, Warwick Farm) separately, pursuant to EGROW 09 of 11 December 2019. As noted in the report to Council EGROW 01 of 27 May 2020, Council forwarded the planning proposal to rezone 240 Governor Macquarie Drive to DPIE in February 2020. DPIE is yet to issue a Gateway determination at the date of writing this report.

For the purposes of the structure plan, the final built form for 240 Governor Macquarie Drive is assumed to be identical to that put forward in the proponent's Urban Design Plan. Final development outcomes for 240 Governor Macquarie Drive are assumed to be as follows:

- Floor space ratio (FSR) 3:1;
- Approximately 830 dwellings; and
- 5000 m² of commercial floor space.

Taking account of development outcomes at 240 Governor Macquarie Drive and considering the Warwick Farm racing precinct as a whole, the structure plan projects the development of 2,252 dwellings and over 24,400 m² of commercial floor space. In addition (and noting flooding/odour constraints described above), the structure plan also projects the zoning of 46,829 m² of land RE1 Public Recreation for local open space (16.5% of the site area), in addition to Rosedale Oval, which is 49,927 m² and reserved for district open space purposes.

Flood, Traffic and Social Impact Assessments

Conybeare Morrison International has engaged a team of consultants to make assessments of the potential impacts of the proposed redevelopment and to make recommendations to mitigate those impacts. These sub-consultants include:

- WMA Water, stormwater and flooding engineers;
- SCT Consulting, traffic and transport engineers; and

- CRED Consulting, social infrastructure planning consultants.

Flood mitigation

As noted above, the Warwick Farm racing precinct is situated on a floodplain. Much of the land is situated below the 1% AEP level and would be inundated in a one in 100-year flood. Urban redevelopment of the precinct will require the raising of the land of development sites to the flood planning level (1% AEP level +500 mm freeboard). This will require compensatory excavation, to ensure no loss in flood storage throughout the precinct.

WMA Water has prepared a Flood Impact Assessment (**Attachment 2**) which recommends appropriate cut and fill to facilitate the proposed redevelopment. Mitigating measures proposed include the following:

- the rezoning of land for recreational purposes, its acquisition by Council and excavation for compensatory flood storage purposes;
- increasing the height of internal roads to the 1% AEP level; and
- developing a flood evacuation path via Manning/Warwick Streets to the Hume Highway and west to the Liverpool city centre.

Much of the additional land to be rezoned RE1 Public Recreation is also located within the Warwick Farm Sewage Treatment Plant Odour Buffer Area, which according to the Liverpool Local Strategic Planning Statement (LSPS), odour sensitive development (including residential development) should be avoided.

Traffic mitigation

SCT Consulting has prepared a Traffic Impact Assessment (TIA) (**Attachment 3**) in support of the proposed rezoning of the Warwick Farm racing precinct. The TIA estimates the impact of redevelopment on the surrounding road network and recommends road upgrade works to mitigate the impacts, including intersection improvements, the widening of Governor Macquarie Drive and the development of additional shared paths to improve access to the Georges River foreshore. The TIA also models the proposed Manning Street bypass, which will divert heavy vehicles around the precinct, to and from Governor Macquarie Drive.

While the SCT TIA has estimated the cumulative impacts of development elsewhere in the vicinity (such as Moore Point and Moorebank East), Transport for NSW (TfNSW) have stated that they will require the integration of the Warwick Farm TIA into a broader transport impact assessment underway for the Liverpool Collaboration Area, considering the impacts of all planned future development on the district road network.

It is expected that TfNSW will require the integration of the SCT TIA with the broader transport study, after the issue of a Gateway determination.

Social impacts

Social planning consultancy CRED Consulting were contracted by Conybeare Morrison International to draft the Community Needs Assessment (**Attachment 4**). The Community Needs Assessment recommends that the following social infrastructure be provided to support the urban redevelopment of the Warwick Farm racing precinct:

- A 1000 square metre multipurpose community facility in the vicinity of Warwick Farm railway station;
- 9.5 ha of open space;
- Provision of between 5-10% affordable housing in new development;
- Improved pedestrian/cycling connections; and
- A range of other, more minor, social infrastructure improvements.

The recommendations of the Community Needs Assessment have been addressed in detail in Section 3.9 of the planning proposal.

Planning Proposal and Liverpool Contributions Plan 2009 Amendment

GLN Planning were subcontracted by Conybeare Morrison to draft the planning proposal (**Attachment 1**) pursuant to the uses depicted in the structure plan. Studies undertaken in support of the planning proposal also assess the impact of increased development on the surrounding road network, flooding impacts and social infrastructure requirements, including provision of open space.

The planning proposal seeks to rezone land in the Warwick Farm racing precinct (excluding 240 Governor Macquarie Drive, for which a planning proposal has already been lodged) from R2 Low Density Residential, R3 Medium Density Residential and RE2 Private Recreation; to B4 Mixed Use, R4 High Density Residential and RE1 Public Recreation.

The planning proposal also seeks to amend development standards applying to land in the Warwick Farm racing precinct. It seeks to increase the maximum height of buildings for lots to be redeveloped, from 8.5 m to between 14m and 49 m. It also seeks to increase floor space ratio (FSR) across lots to be redeveloped from 0.5:1 to between 1.3 and 3.6:1.

The structure plan projects the development of 2,252 dwellings and 24,400 m² of commercial floor space across the Warwick Farm racing precinct. 500 to a maximum of 830 dwellings could be developed at 240 Governor Macquarie Drive, with a further 1,422 developed elsewhere in the precinct.

In order to facilitate the development of the projected 2,252 dwellings and 24,400 m² of commercial floorspace, the planning proposal foreshadows the development of supporting infrastructure for the purposes of flood mitigation, to provide social infrastructure for a much larger population and to alleviate traffic impacts (including the development of the Manning Street bypass, diverting heavy vehicles around the precinct to be developed), in particular.

In order to fund required infrastructure, an amendment to the Liverpool Contributions Plan 2009 has been drafted by GLN planning. The proposed Contributions Plan amendment (**Attachment 5**) has been drafted to fairly apportion the cost of infrastructure and to permit the rollout of infrastructure to proceed as development takes place.

A detailed merit assessment of the planning proposal for the proposed rezoning of the Warwick Farm racing precinct, was made in the officer's report to the Liverpool Local Planning Panel. The officer's report determined that the proposal has both strategic and site merit. The report is attached as **Attachment 7**.

Liverpool Local Planning Panel (LPP) advice

According to the requirements of the Ministerial Direction, a merit assessment of the planning proposal was presented to the LPP at its 27 July 2020 meeting. The advice of the LPP (**Attachment 8**) is as follows:

The Panel members have familiarised themselves with the site and have been provided with the Council officer's report and the documents supporting the planning proposal. The Panel had the benefit of a briefing from Council's staff and Council's consultant team for the project.

The Panel accepts that the planning proposal may meet the strategic merit test given the Greater Sydney Commission's assurance of Council's Local Strategic Planning Statement.

However, the Panel is not satisfied that the proposal meets the site-specific merit test.

The Panel does not support the planning proposal proceeding to a gateway determination at this stage. The Panel recommends that the planning proposal not proceed because the following matters have not been satisfactorily addressed:

- 1) Updating of the Flooding Assessment to have regard to the 2020 Georges River Flood Study (BMT, January 2020) and its implications for this site;*
- 2) Preparation of a development feasibility study having regard to the need for consolidation of fragmented sites, flood mitigation works, open space acquisition, the truck bypass route, pedestrian links across the railway and the proposed development yield;*
- 3) A report addressing whether, given the cap of 18,800 additional dwellings for Liverpool Collaboration Area Place Strategy, this site is the optimum location for the provision of additional housing given the constraints of the site including flooding and difficulty of evacuation; and*

- 4) Further analysis of the potential environmental impacts of the proposed truck bypass route and the changes to ground levels for flood mitigation having regard to vegetation, acid sulfate soils and water table level.*

Response to LPP advice

The proposal to rezone the Warwick Farm racing precinct clearly has strategic merit as it flows from a direction of the Liverpool LSPS, which was granted assurance by the Greater Sydney Commission (GSC) in March 2020 and is in force. The strategic merit of the proposal is demonstrated in the officer's report to the LPP.

With regard to site-specific merit, Council officers' response to the concerns of the LPP are as follows:

- 1) It is not necessary to update the Flooding Assessment to have regard to the 2020 Georges River Flood Study, as advised by the LPP.

The currently adopted Georges River Floodplain Risk Management Study and Plan 2004 (FRMP) was developed by eight participating councils sharing the catchment of the river including Liverpool, Bankstown, Fairfield, Campbelltown and Sutherland Councils. The adopted flood levels in the FRMP are being widely used by all participating councils for planning and development of flood prone lands in the catchment of the river.

Recently, the Georges River Floodplain Risk Management Committee (which includes the eight councils, the DPIE, SES and the Georges Riverkeeper) initiated a review of the FRMP 2004, which is being led by Fairfield City Council.

The first stage of the works has commenced, and a consultant has been engaged and involves a review of existing data and data collection in accordance with the guidelines of the NSW Floodplain Development Manual. Following completion of the current works, a detailed flood study will be undertaken and subsequently the FRMP will be reviewed and updated. It is expected that the review of the Georges River FRMP will be completed by the 2022-23 financial year subject to grant funding approval.

Regarding the recent Georges River Flood Study (BMT, January 2020), the Study was undertaken jointly by Liverpool City Council (LCC) and Canterbury Bankstown City Council (CBCC). The primary objective of the flood study was to develop a flood model with new flood modelling techniques (2D TUFLOW model) to assess the impacts on flood behaviour due to recent developments that have occurred within Liverpool and Bankstown catchment areas since 2004.

The 1% AEP (or 1 in 100 year) flood levels in the new model are generally consistent with the currently adopted flood levels across the river. It should be noted that 1% AEP flood level is the basis of development controls for residential and commercial developments across the LGA, as explained in Clause 7.8 of LLEP 2008.

Variation was observed in the probable maximum flood levels (PMF) in the 2020 model. However, as PMF is not the development control criteria for residential and commercial developments and is predominantly used for flood evacuation consideration, it was agreed that the model will be used for flood impact assessment for new developments but that both councils will continue to use the adopted flood levels in the Georges River FRMP 2004, until the current review of the FRMP is completed and adopted by councils.

Accordingly, flood impact assessment of the proposed Warwick Farm structure plan was undertaken based on the adopted flood levels of the Georges River FRMP 2004.

- 2) With respect to the recommendation of the LPP to prepare a feasibility study, Conybeare Morrison International, the consultants who prepared the Warwick Farm racing precinct structure plan and other documents, have provided Council with a fee proposal for the preparation of a feasibility study. The feasibility study would make recommendations as to any required amendments to proposed development standards that would be required to ensure the feasibility of the proposed rezoning.

Council will complete the feasibility study at the same time that the draft structure plan and supporting documentation is on public exhibition. A subsequent report to Council would both respond to submissions received in addition to outlining any proposed amendments to the structure plan, planning proposal and local contributions plan required to ensure the feasibility of the proposal.

- 3) With respect to the LPP's comment about whether this precinct is the optimum location for additional housing, it is the professional opinion of Council planning staff, that an additional report, demonstrating the merits of the proposed rezoning of the Warwick Farm racing precinct, is not required. The planning proposal and supporting documents and the officer's report to the LPP clearly demonstrate that the proposal has both strategic and site-specific merit and addresses site constraints including flooding and evacuation and includes appropriate mitigation measures that ensure that the flood-prone land may be developed safely and in accordance with the NSW Floodplain Development Manual.
- 4) The proposed Manning Street bypass is not a matter under consideration regarding the planning proposal. As noted above, all existing/proposed zones along the route of the proposed bypass permit the development of "Roads" with consent. The environmental impacts of the proposed Manning Street bypass would be considered as part of a Review of Environmental Factors (REF) or Environmental Impact Statement (EIS), separately prepared by Council at such time as it resolves to proceed with the construction of the bypass road.

With respect to "*changes to ground levels for flood mitigation having regard to vegetation, acid sulfate soils and water table level*", it is be noted that:

- i. None of the lots identified for flood mitigation purposes (i.e. excavation for compensatory storage purposes) are currently vegetated. All are currently developed for horse training/stabling purposes to varying degrees.

- ii. With respect to planning proposals, Ministerial Direction 4.1 Acid Sulphate Soils states:

*A relevant planning authority must not prepare a planning proposal that proposes an intensification of land uses on land identified as having a probability of containing acid sulfate soils on the Acid Sulfate Soils Planning Maps unless the relevant planning authority has considered an acid sulfate soils study assessing the appropriateness of the change of land use given the presence of acid sulfate soils. **The relevant planning authority must provide a copy of any such study to the Director General prior to undertaking community consultation in satisfaction of section 57 of the Act** (emphasis added).*

While an acid sulfate soil study, assessing the appropriateness of the proposed compensatory excavation may be required by DPIE, this need not be undertaken until after the issuing of a Gateway determination, before commencing community consultation. Nothing in the Ministerial Direction prevents Council forwarding the proposal to DPIE for a Gateway determination, prior to commissioning an acid sulfate soils study, which would be both costly and intrusive to undertake.

Meanwhile, should any excavation be undertaken on acid sulfate liable soils in the precinct, any works would be required to comply with Clause 7.7 of LLEP 2008.

- iii. There are no specific LEP requirements which deal primarily with water table levels. It is noted that Clause 7.7 (2) of LLEP 2008 requires development consent for works with respect to Class 5 Acid Sulphate Soils, where:

Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.

Any potential for excavation to impact the water table could therefore be considered as part of an acid sulfate soil study, should that be required as a Gateway condition by DPIE pursuant to Ministerial Direction 4.1, as discussed above.

According to the requirements of State Environmental Planning Policies and Ministerial Directions, as noted in the planning proposal, no additional analysis/studies need be undertaken, prior to submitting the planning proposal to DPIE for a Gateway determination.

LEP Review Funding

As advised in a memo to Councillors dated 24 June 2020, the DPIE has agreed to allow Council to use LEP review funding, to offset the costs of preparing the Warwick Farm racing precinct structure plan and related documents. The agreement requires that Council consult with public authorities including the Greater Sydney Commission, DPIE and TfNSW.

Should Council resolve to publicly exhibit the structure plan, planning proposal and contributions plan according to the requirements of the Community Participation Plan 2019, it is proposed that Council staff will consult with public authorities during that period and respond to any submissions received in the foreshadowed report to Council.

Councillor briefing and response to questions

On 1 July 2020, a briefing for Councillors was held. Questions taken on notice and the response from staff and consultants, are detailed below:

1. A question was raised regarding whether reducing the amount of open space provided to land within the odour buffer would halve acquisition costs. It was also queried if an opportunity exists to provide compensatory flood storage around the site rather than on the site.

Response:

Open Space and Compensatory Storage

- The quantum of open space in the Structure Plan is that required for the future population envisaged by the Structure Plan presented to Council. Any substitution of open space by residential development is likely to increase the need for additional open space or an acceptance that Council will reduce the standard provision of open space as a means to reduce contributions.
- The odour buffer to the sewerage works means that for the most part the required open space can sit within the buffer area, where it is recommended that residential development does not occur.
- **Figure 4**, below, shows the odour buffer superimposed over the Structure Plan and in turn those areas of open space not affected by this constraint. These areas are bordered in red and discussed below.
- There are a small number of areas nominated for open space outside the odour buffer. These include:
 - Open space areas to the north of the buffer zone bordered by the proposed bypass road as it aligns back to Shore Street and Governor Macquarie Drive. The conversion of this land to residential would be in conflict with the reason for the proposed bypass road to take industrial traffic out of and from travelling in front of residential zones.
 - Open space areas to the west on the corner of Stroud Avenue and National Street which abuts the proposed alternative bypass route. There may be some scope to consider zoning this land for High Density Residential purposes, but only if Council

is agreeable to reduced open space provision. If the proposed alternative bypass route is realised, then the orientation of development of this land must be carefully considered to avoid conflicts with truck traffic and noise attenuation measures would also be required.

- Land adjacent to Manning Street near the corner of Priddle Street. This is a small irregular area outside the buffer. It would provide a marginal increase of two lots to add to the Structure Plan for residential use.



Figure 4: Lots currently designated for open space, which may be developed for residential purposes
Source: Conybeare Morrison International

- The Structure Plan has included the filling of land including roads to provide a flood evacuation route. At least some of this material can be taken from the proposed open space land as part of its embellishment.

- The quantum of land proposed for open space is sufficient to provide a source of fill and in turn excavation to ensure compensatory storage required prevent flood impacts elsewhere in the flood catchment. There is some economy in being able to undertake the earthworks for the embellishment of the open space including also reducing cartage costs to that material suitable for filling the land.
- A reduction in the quantum of open space could lead to either further (deeper) excavations of these areas or compensatory storage off site and outside the Precinct. Deeper excavation will ultimately create further issues in draining these areas, encountering acid sulfate soils and delivering appropriate landform for future recreation activities.

Providing land for flood mitigation "off-site"

2. A question was also asked whether it was possible to consider providing land for flood mitigation "off-site".

Response:

In line with its requirements under the Liverpool Collaboration Area Place Strategy, Council commissioned the drafting of the Liverpool Collaboration Area Place Strategy Flood Constraints Study, which was finalised in May 2020. With respect to the "Munday Street precinct", which largely coincides with the Warwick Farm racing precinct, the report acknowledges that the land is below the 1:100-year flood level and will require filling, in order for it to be developed. With respect to provision of compensatory flood storage, the report notes the following:

New development is generally required to be located on land above the 100-year flood level, and with minimum floor levels at the flood planning level (100-year flood plus 0.5m freeboard). This will require filling of new development sites to raise the area above the 100-year flood. This filling will result in a loss in flood storage and will need to be accompanied by compensatory excavation to ensure that flood levels in [the river and on adjoining properties including] the area behind Governor Macquarie Drive does not increase.

Previous investigations for Council (FloodMit, 2007) showed that filling the full Collaboration Area would lead to a loss in flood storage of up to 107,000m³ in a 100-year flood. It is unlikely that compensatory excavation of this amount could be undertaken from a site external to the Munday Street Place Area, and a combination of cut and fill earthworks within new development sites may need to be adopted. This lends itself mostly to larger sites that can be judiciously raised (where development is to be located) and lowered (e.g. depressions or water features). Smaller sites may need to be consolidated prior to developing proposals in these areas.(FloodMit p33)

Should Council support the principle of providing compensatory flood storage “off-site”, any proposed off-site flood mitigation works would need to be hydraulically modelled and tested to ascertain the suitability of the site for flood mitigation before proceeding.

3. A question was raised querying whether there could be cost savings by relocating the Manning Street bypass to the west of Rosedale Oval as opposed to the east. Savings figures were requested.

Response:

Council has investigated a proposed alternative route for the Manning Street bypass, utilising existing streets including Stroud Avenue, National Street and Shore Street. The proposed alternative route would need to be a low-speed bypass route for large trucks travelling to and from Governor Macquarie Drive and the Scrivener Street industrial area. The proposed alternative route is depicted in **Figure 5** below.

Approximate costings are preliminary, but there is the potential for significant cost saving due to significantly reduced land acquisition and reduced costs associated with the construction of a retaining wall for the road.

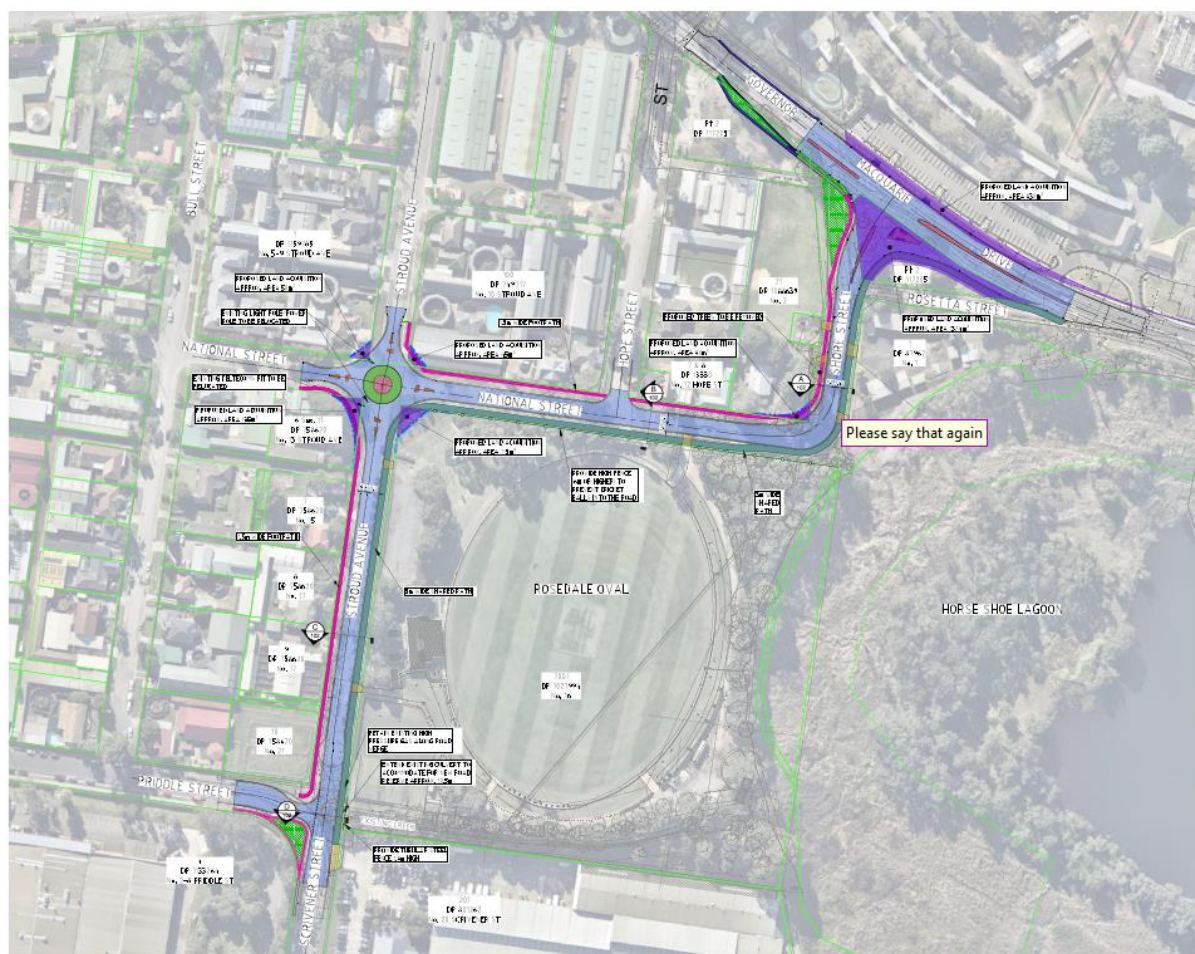


Figure 5: Alternative route for Manning Street bypass via existing roads: Stroud Avenue, National Street and Shore Street.

Source: Liverpool City Council

Details of the proposed alternate route, road and intersection treatments and land acquisition requirements for the proposed alternative Manning Street bypass route are provided in **Attachment 9**.

It is recommended that details of the proposed alternative route of the Manning Street bypass be exhibited with the structure plan for 28 days for public consideration.

While the route of the proposed Manning Street bypass is not part of the planning proposal to rezone the Warwick Farm racing precinct, it is nevertheless a significant infrastructure investment, which will facilitate the redevelopment of the precinct.

4. A question was raised querying whether flood mitigation works could be provided off-site at Coopers Paddock on Governor Macquarie Drive.

Response:

To mitigate the adverse cumulative impacts of filling of flood prone lands (increased flood levels, flow velocities), compensatory excavation is provided at each development site. Council has adopted this principle and it has been found to be effective in mitigating adverse impacts of filling of flood prone lands.

Coopers Paddock is situated on very low lying (between 2-4 m AHD) land downstream of the Warwick Farm racing precinct. It is affected by Class 2 Acid Sulphate Soils, zoned as E2 Environmental Conservation and largely vegetated by an endangered ecological community.

It has been Council practice to provide necessary compensatory flood storage within the vicinity of the development. A complex hydraulic assessment would need to be undertaken to confirm the hydraulic performance of the offsite detention to effectively mitigate the flood risk associated with the filling of the flood affected land.

Coopers Paddock may not be an appropriate location for compensatory excavation to balance required fill for flood mitigation required for the redevelopment of the Warwick Farm racing precinct. However, Council would need to undertake extensive investigation, including environmental impact assessment and hydraulic modelling, to assess the suitability of the location for flood mitigation works.

5. A question was raised querying whether any Aboriginal significance is present on the land around the proposed bypass road, in addition to claims of Crown Land.

Response:

The Aboriginal Claim Assessment Team, from DPIE, confirm that Lot 7001 DP 1027994 (Rosedale Park) is subject to an undetermined Aboriginal Land Claim 42491 lodged with the Aboriginal Land Rights Registrar by New South Wales Aboriginal Land Council on the 19 December 2016.

Council is seeking to establish a protocol with Gandangara Local Aboriginal land Council in dealing with these claims in the future.

A Native Title request has been lodged over some land in Liverpool City Council (around Pleasure Point/Voyager Point), but not including Rosedale Park.

CONSULTATION

Section 10 of the Liverpool Community Participation Plan (CPP) 2019 states the following:

For large scale planning proposals, Council will also exhibit the planning proposal for 28 days prior to a Council decision on whether to endorse the planning proposal for a Gateway determination. Feedback from the community will be incorporated into a report to Council.

It is recommended that Council places the draft structure plan, planning proposal, local contributions plan and supporting documents on public exhibition for 28 days.

Conclusion

Pursuant to Council resolution EGROW 02 of 11 December 2019, Council engaged consultants to draft a structure plan to support the rezoning of the Warwick Farm racing precinct for a mix of uses, including B4. The Warwick Farm structure plan and associated planning proposal and draft amendment to the Liverpool Contributions Plan 2009, will facilitate the urban redevelopment of the Warwick Farm racing precinct and the development of more than 2,250 dwellings, 24,000 m² of commercial floor space and necessary supporting infrastructure.

The proposal has both strategic and site merit. Concerns raised by the LPP in its advice to Council, have been thoroughly addressed in the body of this report.

It is recommended that Council place the draft structure plan, planning proposal, local contributions plan and supporting studies on public exhibition for 28 days, in line with the requirements of Council's Community Participation Plan 2019.

CITY ECONOMY AND GROWTH REPORT

It is proposed that as part of the public exhibition, the two potential routes for the Manning Street bypass (i.e. the route to the east of Rosedale Oval, intersecting Horseshoe Lagoon and that to the west, using the existing Stroud Avenue, National Street and Shore Street) both be exhibited.

It is also recommended that Council undertake a feasibility study to support the proposed rezoning of the Warwick Farm racing precinct.

At the conclusion of the public exhibition, Council will receive a further report detailing any submissions received and any amendments proposed to the structure plan, planning proposal and/or local contributions plan. Council would then be at liberty to amend the planning proposal (if required) and to resolve to forward the planning proposal to DPIE for a Gateway determination.

CONSIDERATIONS

Economic	Facilitate economic development.
Environment	Promote an integrated and user friendly public transport service.
Social	Regulate for a mix of housing types that responds to different population groups such as young families and older people.
Civic Leadership	There are no civic leadership and governance considerations.
Legislative	Environmental Planning and Assessment Act 1979.
Risk	The risk is deemed to be Low. The risk is considered within Council's risk appetite.

ATTACHMENTS

1. Draft Planning proposal (Under separate cover)
2. Flood Impact Assessment (Under separate cover)
3. Traffic Impact Assessment (Under separate cover)
4. Community Needs Assessment (Under separate cover)
5. Draft Liverpool Contributions Plan 2009 Amendment (Under separate cover)
6. Draft Structure Plan (Under separate cover)
7. Planning Assessment Report to Local Planning Panel (Under separate cover)
8. Local Planning Panel Advice (Under separate cover)
9. Proposed Bypass Alternative Route (Under separate cover)

EGROW 02**Report back - Consideration of implementing a Development Assessment Compliance Policy**

Strategic Direction	Leading through Collaboration Strive for best practice in all Council processes
File Ref	184343.2020
Report By	Nada Mardini - Manager Community Standards
Approved By	David Smith - Acting Director City Economy and Growth

EXECUTIVE SUMMARY

Council resolved on 24 June 2020 to investigate implementing a compliance policy dealing with issues raised by residents relating to matters privately certified or relating to the Environment Protection Authority (EPA).

Council in 2019 flagged the possibility of initiating proactive building inspections where Council is not the appointed certifier. This was referred to the Audit, Risk and Improvement Committee (ARIC) who expressed concerns if Council took responsibilities which are currently being regulated by other bodies. Advice was also received from Council's Operational Risk and Insurance Coordinator that indicates that Council's insurance policy would not cover Council staff carrying out such work.

In addition, recent changes to the certification legislation has placed responsibility for registration and disciplining of certifiers with the Commissioner of Fair Trading. Under this legislation, the certifier must by law deal with non-compliance with a development site.

The Protection of the Environment Operations Act 1997 states that the EPA is the appropriate regulatory authority for the purposes of the Act except in limited circumstances.

Council has an adopted Enforcement Policy which details how Council undertakes its enforcement activities. Given recent legislative changes, and Council's current policy, a separate development assessment compliance policy is not considered necessary or appropriate.

RECOMMENDATION

That Council receive and note the report.

REPORT

Council resolved on 24 June 2020 to:-

1. *Investigate implementing a development assessment compliance policy dealing with compliance issues raised by residents irrespective of whether it is a Private Certifier, Private Certifying Authority or Environmental Protection Authority issue; and*
2. *A report to be brought to the August 2020 Council meeting addressing issues related to implementing such a policy including budgetary implications.*

Council in 2019 flagged the possibility of initiating proactive building inspections where Council is not the appointed certifier. At the Council meeting on 31 July 2019, Council resolved that proactive building inspections be referred to the Audit, Risk and Improvement Committee (ARIC) for advice.

On 18 October 2019, ARIC received a report on the risks associated with proactive monitoring of private certified developments. In relation to this report the ARIC minutes state that:

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 function under the Act.

The ARIC recommended:

1. *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.*

Council's Manager Community Standards is representing Liverpool City Council on workshops conducted by David Chandler, NSW Building Commissioner considering reforms to the Building Industry.

In addition, recent changes to the certification legislation through the commencement of the Building and Development Certifiers Act 2018 and regulations clarifies the obligation of registered certifiers and increases penalties for offences under the Act. This new legislation commenced on 1 July 2020. Under this legislation, the Commissioner for Fair Trading is now responsible for the new regime including registration and disciplining of certifiers.

Following the new legislation, Fair Trading recently released information about registered certifiers which states the following:

*If the principal certifier becomes aware of a non-compliance with the development approval, the **certifier must, by law, issue a direction** to you and/or the builder, requiring the non-*

compliance to be addressed. If it is not, the certifier must notify the Council which may take further action.

The certifier is also required to respond appropriately if a complaint is made about the development.

Given the above recommendation by ARIC and NSW Fair Trading recent releases, it is not for Council to investigate or inspect development where Council is not the Principal Certifier. However, Council under legislation has a role if notified by the Certifier that non-compliance is not addressed by the builder/applicant. Council then takes over the process, investigates the issue and if established that a non-compliance exists, a notice under the Environmental Planning and Assessment Act is issued. The notice is then followed by an order and if the order is not complied with legal action will be taken. Council's current Enforcement Policy applies in this instance (**Attachment 1**).

In addition, Council's Operational Risks and Insurance Coordinator, has advised Council's insurance policy would not cover Council staff monitoring private certifiers and inspecting buildings for which Council has no specific legislative statutory obligation to inspect.

Section 6 of the Protection of the Environment Operations Act 1997 (POEO Act) sets out the appropriate regulatory authority for enforcement under the POEO Act. Subsection (1) states that *"The EPA is the appropriate regulatory authority for the purposes of the Act"* except in limited circumstances. Given the limitation set under the POEO Act, Council cannot investigate matters where the appropriate regulatory authority is the EPA.

Given recent legislative changes, and Council's current Enforcement Policy, a separate development assessment compliance policy is not considered necessary or appropriate.

CONSIDERATIONS

Economic	There are no economic and financial considerations.
Environment	Manage the environmental health of waterways. Manage air, water, noise and chemical pollution. Enhance the environmental performance of buildings and homes.
Social	There are no social and cultural considerations.
Civic Leadership	Provide information about Council's services, roles and decision-making processes. Operate a well-developed governance system that demonstrates accountability, transparency and ethical conduct.
Legislative	Environmental Planning & Assessment Act 1979

CITY ECONOMY AND GROWTH REPORT

	<p>Environmental Planning & Assessment Regulation 2000</p> <p>Protection of the Environment Operations Act 1997</p> <p>Development Certifiers Act 2018</p> <p>Development Certifiers Regulation 2020</p>
Risk	<p>The risk is deemed to be Low.</p> <p>The risk is considered within Council's risk appetite.</p>

ATTACHMENTS

1. Enforcement Policy (Under separate cover)

EGROW 03	Post Exhibition Report - Liverpool Local Environmental Plan 2008 Amendment 71 - Rezoning of certain lands in Prestons for Environmental Conservation
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Strategic Direction	Strengthening and Protecting our Environment Exercise planning controls to create high-quality, inclusive urban environments
File Ref	203447.2020
Report By	Luke Oste - Executive Planner
Approved By	David Smith - Acting Director City Economy and Growth

EXECUTIVE SUMMARY

On 7 February 2018, Council resolved to provide in-principle support to rezone Lot 10 DP 1003837 and Part Lot 11 DP 1228445 from IN3 Heavy Industry to E2 Environmental Conservation.

A planning proposal (Liverpool Local Environmental Plan 2008 Draft Amendment 71) was prepared and submitted to the Department of Planning, Industry and Environment (DPIE) for a Gateway determination in accordance with Council's resolution. A Gateway determination was issued by DPIE on 7 May 2018. The planning proposal was publicly exhibited from 23 May 2018 to 20 June 2018. Four submissions, two in support and two in opposition were received.

On 12 December 2018, a post exhibition report was considered by Council. Council resolved to defer finalisation of the planning proposal until the NSW Land and Environment Court (LEC) had finalised proceedings in relation to appeals on development applications (DA) for the sites that are to be rezoned. The Court has now issued judgments on both applications, dismissing the appeals and refusing the development applications.

This report details the post-Gateway actions that have been undertaken, including consultation, and recommends that Council finalises the planning proposal and delegates to the A/CEO (or his delegate) authority to liaise with the Department of Planning, Industry and Environment and the Parliamentary Counsel's Office to finalise the Amendment.

RECOMMENDATION

That Council:

1. Notes the judgements of the Land & Environment Court relating to development applications on the subject sites;
2. Notes the Gateway determination (and Gateway alterations) for Liverpool Local Environmental Plan 2008 Amendment 71 and the submissions received;
3. Proceeds with Amendment 71 and delegates authority to the A/CEO (or his delegate) to liaise with the NSW Parliamentary Counsel's Office and the Department of Planning, Industry and Environment to finalise the amendment; and
4. Notify the submitters of Council's decision.

REPORT

Background

At its meeting on 7 February 2018, Council resolved to:

- 1. Provide in-principle support for the rezoning of Lot 10 DP 1003837 and Lot 11 DP 1228445 from IN3 Heavy Industry to E2 Environmental Conservation; and*
- 2. Delegate to the CEO to prepare a planning proposal and forward it to the Department of Planning and Environment seeking gateway determination.*

A planning proposal (Liverpool Local Environmental Plan 2008 Amendment 71) was prepared and submitted to DPIE for a Gateway determination. A Gateway determination was issued by the Department on 7 May 2018. The planning proposal was publicly exhibited from 23 May 2018 to 20 June 2018. Four submissions, two in support and two in opposition were received.

On 12 December 2018, a post-exhibition report was considered by Council (**Attachment 1**). Council resolved to defer finalisation of the planning proposal until the NSW Land and Environment Court (LEC) had finalised proceedings in relation to appeals on development applications (DA) for the sites that are to be rezoned (**Attachment 2**). The Court has now issued judgments on both applications, dismissing the appeals and refusing the development applications.

Site Description

The sites subject to the planning proposal are located within the Prestons industrial estate, and known as 36 Lyn Parade, Prestons (Lot 10 DP 1003837) and Part Lot 11 Progress Circuit, Prestons (Part Lot 11 DP 1228445), depicted in Figure 1. The western section of Lot 11, not

included in this proposal, is zoned SP2 (Drainage), indicating its primary purpose as a riparian buffer and drainage basin for Maxwell's Creek.



Figure 1 – Aerial Map of Subject Sites (Near Map)

These two vegetated sites have high ecological significance and have been encumbered by an existing Section 88B instrument under the Conveyancing Act 1919 that does not permit development on the land.

Planning Proposal

The planning proposal (also known as Liverpool Local Environmental Plan Draft Amendment 71) proposes changes to the planning controls as listed in Table 1.

Table 1 – Current and proposed controls for the subject sites.

Control	Current	Proposed
Zoning (LZN)	IN3 Heavy Industrial	E2 Environmental Conservation
Maximum height of building (HOB)	30m	N/A
Minimum lot size (LSZ)	2000m ²	N/A

The rationale behind Amendment 71 is to provide protection for sites that contain endangered ecological communities and threatened species, in particular *Acacia pubescens*. Furthermore,

the two sites are both burdened by Section 88B instruments under the *Conveyancing Act 1919* that require:

- For Lot 10 DP 1003837, the permanent protection and management of the site through a conservation management plan and that any development of the site is prohibited; and
- For Lot 11 DP 1228445, no alteration of native vegetation and the land to be retained as bushland and managed through a management plan.

The rezoning of this land will ensure consistency between the restriction on title, and the land use planning controls. There is no actual loss of employment land as development on the subject sites is not permitted due to the respective restrictions on title through the s88B Instruments.

Despite the s88B Instruments applying to the site, development applications (DAs) have been lodged with the intention of removing the vegetation on 36 Lyn Parade (DA-1250/2016) and Lot 11 Progress Circuit (DA- 734/2018). The refusal, or deemed refusal of the respective DAs by Council, resulted in Land and Environment Court proceedings which are detailed within this report. The Court has issued judgments for both application by refusing the applications.

The rezoning will not only provide greater legislative protection for the high ecological value of the two sites, but also reduces uncertainty that may result from the misalignment of the s88B instruments and zoning.

Gateway determination

DPIE issued a Gateway Determination on 7 May 2018 (**Attachment 4**). The Gateway conditions required Council to undertake a number of actions, including:

- Publically exhibit the proposal and relevant documentation for a minimum of 28 days; and
- Provide a minimum of 21 days to the following public authorities to comment on the proposal:
 - NSW Office of Environment and Heritage;
 - NSW Office of Environment and Heritage – Heritage Division;
 - NSW Rural Fire Service;
 - NSW Department of Industry; and
 - Australian Department of the Environment and Energy.

The Gateway determination also authorised Council as the local plan-making authority to make LLEP Amendment 71.

On 1 November 2018, DPIE altered the Gateway Determination to require the inclusion of “a savings provision to ensure that the proposed amendments do not affect any development applications or appeal processes”. The planning proposal was amended to reflect this change (**Attachment 5**). The purpose of this amendment is to ‘save’ any development approvals that may be granted by the Land and Environment Court stemming from the legal proceedings in

relation to the DA at Lot 11 Progress Circuit. As Council deferred consideration of this planning proposal, until after the Court issued judgments on these appeals, and the fact the Court has refused both DAs, this Clause may no longer be required. This will be confirmed by DPIE during finalisation of the amendment.

Public authority consultation

In accordance with the Gateway determination, a copy of the relevant documentation was forwarded to the specified public authorities for comment from 10 May 2018 to 8 June 2018. Summaries of each submission and the officer response are listed in Table 2 and original copies are included in **Attachment 6**. No changes are required as a result of public authority consultation.

Table 2 – Public authority submissions and officer response.

Public authority	Summary of submission	Officer comments
NSW Office of Environment and Heritage	Support for the planning proposal and the additional environmental protection for the endangered ecological communities and threatened species on the site.	No response required.
NSW Office of Environment and Heritage – Heritage Division	Noted. No objections raised.	No response required.
NSW Rural Fire Service (RFS)	Noted. No objections raised.	The planning proposal seeks to rezone bushfire prone land. In accordance with <i>Section 9.1 Ministerial Direction 4.4 Planning for Bushfire Protection</i> , Council must obtain written advice from the RFS that notwithstanding any non-compliance with the direction, the RFS does not object to the progression of the planning proposal. The letter indicating the RFS has no objection provides this written advice.
NSW Department of Industry	No comments received.	No response required.

Community consultation

In accordance with the Gateway determination, the planning proposal and relevant documents were placed on public exhibition from 23 May 2018 to 20 June 2018. Notices were placed on Council's website and the Liverpool Leader and letters were sent to the two affected landowners and neighbouring landowners and occupiers. Four submissions were received, two in support and two in objection. The two objections were from the landowners of the respective sites. Summaries of each submission and the officer response are listed in Table 3 and original copies are included in **Attachment 7**. An independent peer review of one of the objections was also undertaken (**Attachment 8**). No changes are proposed as a result of community consultation.

Table 3 – Community submissions and officer response (O: Objection, S: Support)

No.	Summary of submission	Officer comments
O1	Financial burden of owning the property and unable to sell land despite no benefit to landowner	The subject site was an ecological offset site as part of the previous industrial subdivision of the parent lot. The original development consent required the concurrence of the National Parks and Wildlife Service in order for the subdivision application to be approved. As a result, 4.4ha of native vegetation was protected and its ongoing protection was secured by an s88B Instrument.
	Requests Council to purchase property	Council is under no obligation to purchase the site and the landowner is required under the s88B Instrument to maintain the site.
S1	Support for the preservation of the endangered <i>Acacia Pubescens</i>	Support noted.
	Potential for the sites to be educational demonstration areas and viable seedbank for future regeneration work throughout the LGA	
S2	Support for the protection of the last piece of native bushland between Brickmakers and Cabramatta Creeks providing corridor of habitat for fauna and flora including endangered <i>Acacia Pubescens</i> .	Support noted.
O2	Site purchased for the express purpose of developing site for industrial purposes.	The subject site was offset as part of the industrial subdivision. The s88B Instrument was signed by the current landowner and they have

No.	Summary of submission	Officer comments
	Outline of a hypothetical industrial development scenario which would achieve commercial viability	already commercially benefited from the clearing of native vegetation for industrial development.
	A Species Impact Statement (SIS) has been submitted to support the proposed development scenario.	<p>The submitted SIS was independently peer reviewed by a SIS consultant engaged by Council. The review found that the submitted SIS fails to comply with several Office of Environment and Heritage (OEH) Chief Executive's Requirements (CER). It was also found that the SIS makes no reference to the site history or any details of the existing s88B covenant.</p> <p>Based on the result of the peer review, the SIS provides insufficient information to substantiate the argument that the proposed rezoning of the subject land to E2 — Environmental Conservation should not go ahead.</p>
	If no development occurs, the vegetation will degrade.	The s88B instrument, to which the landowner is a signatory, requires the landowner to manage and retain the vegetation in accordance with the Vegetation Management Plan. Should vegetation degradation occur, this is a violation of the underlying development consent and s88B instrument and enforcement action can be taken.

Court Proceedings

Since the deferral of this matter by Council in December 2018, the NSW Land and Environment Court (LEC) proceedings have now been finalised. The following provides a summary of the court proceedings on both sites.

- **Timpag Investments Pty Limited v Liverpool City Council [2018] NSWLEC 1296** – This court case applied to 36 Lyn Parade and was a Class 1 appeal against Council's refusal of DA-1250/2016. This DA sought consent for the clearing of vegetation, site levelling and earth works for a warehouse. The judgement of the LEC dismissed the appeal and upheld the refusal on 20 June 2018. This judgement is provided at **Attachment 9**.
- **Denoci Pty Limited v Liverpool City Council [2019] NSWLEC 1643** – This Court case was active when Council deferred its consideration of the post-exhibition Council report in December 2018 in relation to 11 Progress Circuit. The Court issued its judgement on 24

December 2019. This was a Class 1 appeal against Council's deemed refusal of DA-734/2018. This DA sought consent for site earthworks and the removal of vegetation to accommodate a future footprint for two warehouse buildings. The Commissioner of the Court dismissed the appeal and determined by refusal the DA on 24 December 2019. This judgement is provided at **Attachment 10**.

- **Denoci Pty Ltd v Liverpool City Council [2020] NSWLEC 102** – Following the judgement that refused DA-734/2018, the applicant appealed this decision from the Commissioner of the Court and sought a final decision from a Judge at the LEC. Justice Brian J Preston dismissed this appeal from the applicant in his decision on 30 July 2020. This judgement is provided at **Attachment 11**.

Alterations to Gateway determination

Given the numerous court cases and subsequent delays in finalising the planning proposal, the Department of Planning, Industry and Environment (DPIE) issued a number of Gateway alterations to extend the timeframe for finalising Amendment 71. Below is summary of these Gateway alterations since the post-exhibition report was considered by Council in December 2018:

- Extension until 6 December 2019 – Granted on 5 June 2019;
- Extension until 6 May 2020 – Granted on 15 December 2019 ; and
- Extension until 6 November 2020 – Granted on 7 July 2020.

These Gateway alterations are compiled with the original Gateway determination (**Attachment 4**).

Conclusion

The Gateway requirements, including consultation for Draft Amendment 71 have been satisfied, submissions received have been addressed and the planning proposal has been updated as required by the gateway determination. Council deferred the post-exhibition report due to the court proceedings underway at the 12 December 2018 Council meeting. Since this Council decision, the Court has finalised all appeals relating to the subject sites and confirmed the refusal of each DA. Therefore, Council can now proceed to finalise this planning proposal.

This report recommends that Council proceeds with Amendment 71 and liaises with the Parliamentary Counsel's Office and DPIE for the amendment to be gazetted.

CONSIDERATIONS

Economic	There are no economic and financial considerations.
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CITY ECONOMY AND GROWTH REPORT

Environment	Protect, enhance and maintain areas of endangered ecological communities and high-quality bushland as part of an attractive mix of land uses.
Social	There are no social and cultural considerations.
Civic Leadership	Act as an environmental leader in the community. Undertake communication practices with the community and stakeholders across a range of media. Operate a well-developed governance system that demonstrates accountability, transparency and ethical conduct.
Legislative	Environmental Planning and Assessment Act 1979 Conveyancing Act 1919
Risk	The risk is considered to be Low. The risk is considered within Council's risk appetite.

ATTACHMENTS

1. Post-exhibition Council report - 12 December 2018 (Under separate cover)
2. Council Resolution - 12 December 2018 (Under separate cover)
3. Council Resolution - 7 February 2018 (Under separate cover)
4. Gateway determination and alterations (Under separate cover)
5. Planning Proposal LLEP 2008 Amendment 71 (Under separate cover)
6. Public Authority Submissions (Under separate cover)
7. Community Submissions (Under separate cover) - **Confidential**
8. Independent Peer Review of Species Impact Assessment (Under separate cover)
9. Judgement of Land & Environment Court – Refusal of DA-1250/2016 at 36 Lyn Parade, Prestons (Under separate cover)
10. Judgement of Land & Environment Court – Refusal of DA-734/2018 at 11 Progress Circuit, Prestons (Under separate cover)
11. Judgement of Land & Environment Court – Upheld Refusal of DA-734/2018 at 11 Progress Circuit, Prestons (Under separate cover)

EGROW 04**Status update on planning proposal requests in Moorebank**

Strategic Direction	Strengthening and Protecting our Environment Exercise planning controls to create high-quality, inclusive urban environments
File Ref	204535.2020
Report By	Luke Oste - Executive Planner
Approved By	David Smith - Acting Director City Economy and Growth

EXECUTIVE SUMMARY

At Council's ordinary meeting on 29 July 2020, Council considered item EGROW 03 concerning a planning proposal request to rezone land from RE2 (Private Recreation) to R3 (Medium Density Residential) at 146 Newbridge Road, Moorebank (**Attachment 1**).

In addition to adopting the recommendations relating to the planning proposal request, it was resolved that Council:

Receive a further report with a status update on all the outstanding planning proposals from Moorebank at the August 2020 Council meeting.

This report has been prepared to provide a status update on all outstanding planning proposals within Moorebank in accordance with this resolution. A description of and status update for the following planning proposal requests is provided:

- LEP Review Phase 1 (RZ-14/2015) relating to the Moorebank Town Centre R4 zoning;
- Moore Point (RZ-6/2015) – Joint Owners Group Proposal (JOP) – Coronation Property and Lemac Property Group;
- Moore Point (RZ-4/2018) – Rose Group / Fortis;
- Site A Moorebank East (RZ-9/2017) – 'Georges Cove Village';
- Site B Moorebank East (RZ-4/2017) – 'Flower Power';
- Site C Moorebank East (RZ-1/2019) – 'Georges Cove';
- Site D Moorebank East (RZ-5/2018) – 'Georges Cove Marina'; and

- Site E Moorebank East (RZ-2/2020) – Lot 6 Newbridge Road.

A status update of all planning proposal requests, and other strategic planning projects is also provided to Councillors quarterly at the Strategic Panel meeting.

RECOMMENDATION

That Council receives and notes this report.

REPORT

Background

At Council's ordinary meeting on 29 July 2020, Council considered a planning proposal request to rezone land from RE2 (Private Recreation) to R3 (Medium Density Residential) at 146 Newbridge Road, Moorebank. Council supported this planning proposal request (RZ-1/2019) proceeded to a Gateway determination. In addition to adopting the recommendations relating to the planning proposal request, Council also resolved that Council:

Receive a further report with a status update on all the outstanding planning proposals from Moorebank at the August 2020 Council meeting.

This report has been prepared to provide a status update on all outstanding planning proposals within Moorebank in accordance with this resolution.

LEP Review Phase 1 – Moorebank Town Centre Component

A planning proposal for the LEP Review Phase 1 involves numerous changes to the LEP applying across the Liverpool Local Government Area (LGA). Of relevance to this report are changes proposed to the LEP in Moorebank to rezone portions of the existing R4 (High Density Residential) zone to R3 (Medium Density Residential) along with associated amendments to development standards. Public consultation on this planning proposal occurred from 10 June to 21 July 2020.

The LEP Review Phase 1 Post Exhibition report is on the Agenda for this Council meeting. The funding agreement for the LEP review requires Council to finalise this planning proposal and to submit it to the Department of Planning, Industry & Environment (DPIE) for gazettal by 31 August 2020.

Moore Point

The Moore Point precinct (otherwise known as Georges River North) refers to a number of sites totaling 38.5 hectares direct to the east of the Liverpool City Centre bounded by the

Georges River, Newbridge Road, Haigh Park, Lake Moore and McMillan Park. The precinct is currently zoned IN2 (Light Industrial).

This precinct is identified in Council's Local Strategic Planning Statement (LSPS) as a future urban renewal area and states that Council will 'investigate residential/mixed use at Moore Point to support the CBD and Innovation Precinct'. The timeframe provided in the LSPS to progress planning is in the short-medium term (2020-2025).



LEGEND

-  Investigate grade separated pedestrian crossing
-  Investigate linking open space & green corridor
-  Retain Industrial Zonings
-  Bulky Goods and Retail
-  Liverpool Innovation Precinct
-  Work with State Government to investigate residential development at Hargrave Park precinct
-  Investigate residential/mixed use at Moore Point to support CBD and Innovation precinct (River Precinct)

Figure 1 –Precinct location (LSPS, Connected Liverpool 2040)

The precinct has been subject to numerous planning proposals over the past five years. To appropriately manage future planning for this area, Council advised the major landholders in the area that a precinct wide approach to planning was necessary, supported by a comprehensive urban design study and structure plan to guide development.

Joint Landowner Group Proposal – RZ-6/2015

The applicants planning proposal justification report is provided at **Attachment 2**. A joint landowner group, comprising Leamac Property Group and Coronation Property, which collectively owns the majority (32 hectares;~83%) of the Moore Point precinct, submitted a revised planning proposal request for their landholdings on 15 April 2020, which was accompanied by an Urban Design Study, including illustrative master plan, for the entire precinct to guide future planning and development.

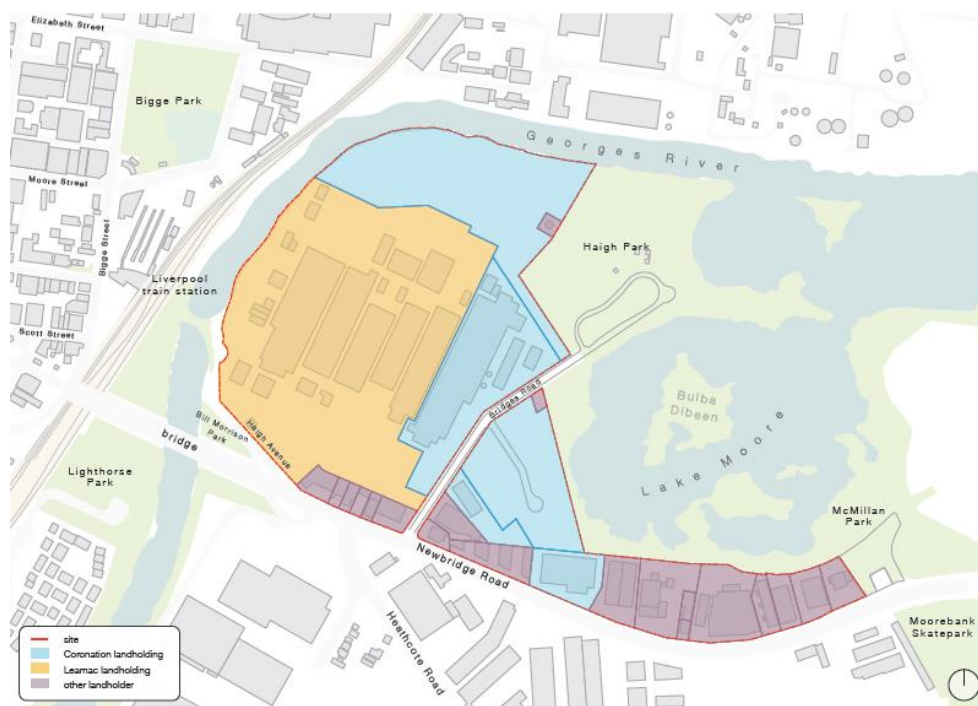


Figure 2 – Precinct boundary and land ownership. The land indicated in yellow and blue is subject to RZ-5/2016 Planning Proposal (SJB Urban).



Figure 3 – Moore Point illustrative master plan

The revised planning proposal request submitted by the JLG replaces previous planning proposal RZ-6/2015 and the JLG also withdrew all other previous site-specific proposals lodged by the proponents.

The revised planning proposal request seeks the following amendments to the Liverpool Local Environmental Plan 2008:

- Rezone the site from IN2 (Light Industrial) to B4 (Mixed Use) and B6 (Enterprise Corridor);
- Increase the maximum floor space ratio to 4.2:1 and 3.5:1;
- Increase the maximum height of buildings from 18m and 15m to RL 136 and RL 108; and
- Introduce Division 1A into the LEP to provide site specific development controls for the site including design excellence, sun access controls, and requirements for preparation of a site-specific development control plan.

In its entirety, the illustrative master plan for the precinct would allow for 1,256,559m² of residential GFA, equating to around 14,783 dwellings, and 344,499m² of mixed-use employment floor space. Owing to the large scale of the planning proposal request it is expected that development would be staged over a 30-40-year period.

Council has established three collaborative working groups with the Joint Landowner Group, State Government stakeholders (including Greater Sydney Commission, Transport for NSW and DPIE) and relevant consultants to resolve planning and transport issues. The working groups, which meet monthly, include:

- A transport infrastructure working group, to oversee strategic transport modelling being conducted for the entire Liverpool Collaboration Area. The group involves representatives from Council, the JLG, Transport for NSW, DPIE, the Greater Sydney Commission, and consultants;
- A placemaking working group, to collaboratively assess place-led opportunities to ensure the precinct vision is delivered based on world's best practice. The group involves representatives from Council, the JLG and independent advisors to Council and the JLG; and
- A statutory planning working group, to resolve planning issues associated with the planning proposal prior to sending the proposal to the Local Planning Panel, Council for consideration and DPIE for a Gateway review. The group includes representatives from Council, the JLG, and independent advisors to the JLG.

As well as working through issues as part of the working groups, from April-July 2020 Council staff conducted extensive internal consultation on the planning proposal request. This informed a 'Request for Information' letter that was provided to the proponents on 3 August 2020. The proponents are currently responding to the issues raised during Council's assessment.

The planning proposal request timeline since lodgment is summarised in Table 1 below:

Table 1 – Moore Point (RZ-6/2015) timeline

Timeline	
Date	Milestone/Event
05/06/2015	Original planning proposal request lodged with Council.
14/12/2016	Council resolved to defer consideration of the planning proposal request in order to enter into a collaborative working relationship with the proponent to determine the appropriate controls, including height and FSR, to apply to the precinct.
14/04/2020	Proponents present their vision for the site to Councillors at the Strategic Panel meeting.
15/04/2020	Council receives an amended planning proposal request covering 32 ha of the Moore Point area, with other planning proposals on the subject land withdrawn.
24/04/2020	Internal referrals commenced
03/08/2020	Assessment of proposal completed and request for additional information letter sent to proponent

In accordance with Council's resolution of 29 July 2020 and the requirements of the Liverpool Community Participation Plan (CPP), the planning proposal request is currently on public exhibition for 28 days.

Council is awaiting additional information that was requested to complete the assessment of the planning proposal request. Following completion of the assessment, advice will be sought from the LPP and then a report will be prepared for Council's consideration.

Rose Group/Fortis (RZ-4/2018) – 335-349 Newbridge Road

Council has received a second planning proposal request in the Moore Point precinct, covering two lots at 335-349 Newbridge Road. The proposal was received on 19 June 2019 and replaces an earlier proposal received on 13 June 2018, following acquisition of an additional lot. The applicants planning proposal justification report is provided at **Attachment 3**.



Figure 4 – Subject site in red

The planning proposal request seeks the following amendments to the Liverpool Local Environmental Plan 2008:

- Rezone the site from IN2 (Light Industrial) to B4 (Mixed Use);
- Adopt a non-residential floor space ratio of 0.4:1;
- Increase the maximum floor space ratio to 3.2:1; and
- Increase the maximum height of buildings to 60m.

The proposal seeks to provide approximately 45,650m² of GFA that would account for a total of 536 dwellings, and 6,300m of commercial floorspace on a total site area of 16,207m².

This planning proposal request is currently under assessment and Council has engaged with the proponent on the structure planning work undertaken by the JLG and is currently undertaking internal consultation on the proposal.

The planning proposal timeline since lodgment is summarised in Table 2 below:

Table 2 – Rose Group/Fortis (RZ-4/2018) timeline

Timeline	
Date	Milestone/Event
13/06/2018	Initial planning proposal request lodged for 337-349 Newbridge Road received by Council.

19/06/2019	Updated planning proposal request received following acquisition of adjoining property 335 Newbridge Road.
14/07/2020	Council meets with proponents to discuss planning proposal request and Urban Design Study developed for the precinct by JLG proponents
07/08/2020	Council receives formal feedback on Urban Design Study from the proponents
10/08/2020	Internal referrals

In accordance with Council's resolution of 29 July 2020 and the requirements of the Liverpool Community Participation Plan (CPP), the planning proposal request is currently on public exhibition for 28 days and is under assessment.

Following completion of the assessment, advice will be sought from the LPP and then a report will be prepared for Councils consideration.

Moorebank East Precinct – Site and Locality Description

The Moorebank East Precinct is a collection of sites that are largely undeveloped located along the western bank of the Georges River on the eastern border of the Liverpool LGA. The precinct is bounded by the following:

- **North** – Newbridge Road initially, and then the Chipping Norton industrial estate. To the north-west is the Chipping Norton residential area. To the north-east is a significant expanse of green space including Riverside Park.
- **South** – Brighton Lakes Golf Club initially, and then the M5 South-West motorway. To the south-west is the Brighton Lakes residential development.
- **East** – The site is bound by the Georges River, with the Canterbury Bankstown LGA on the east side of the river. To the north-east is the Davy Robinson Park and Boat Ramp, as well as some residential development that is covered by the Moorebank Voluntary Acquisition Scheme. Milperra is located on the east side of the river, with significant open and green space located in proximity to the precinct.
- **West** – Wurrungwuri Reserve initially and then Brickmakers Drive. To the west of Brickmakers Drive is the Georges Fair residential area and Moorebank Town Centre approximately 1km west from the subject precinct.



Figure 5 – Context Map of the Subject Precinct (Source: Near Map)

The precinct has been divided into five distinct sites in accordance with the varying developments being proposed as part of both planning proposal requests and development applications (DA's). For simplicity, each distinct site within the precinct is identified this way within this report and planning documentation. These are visually represented in Figure 6 below.

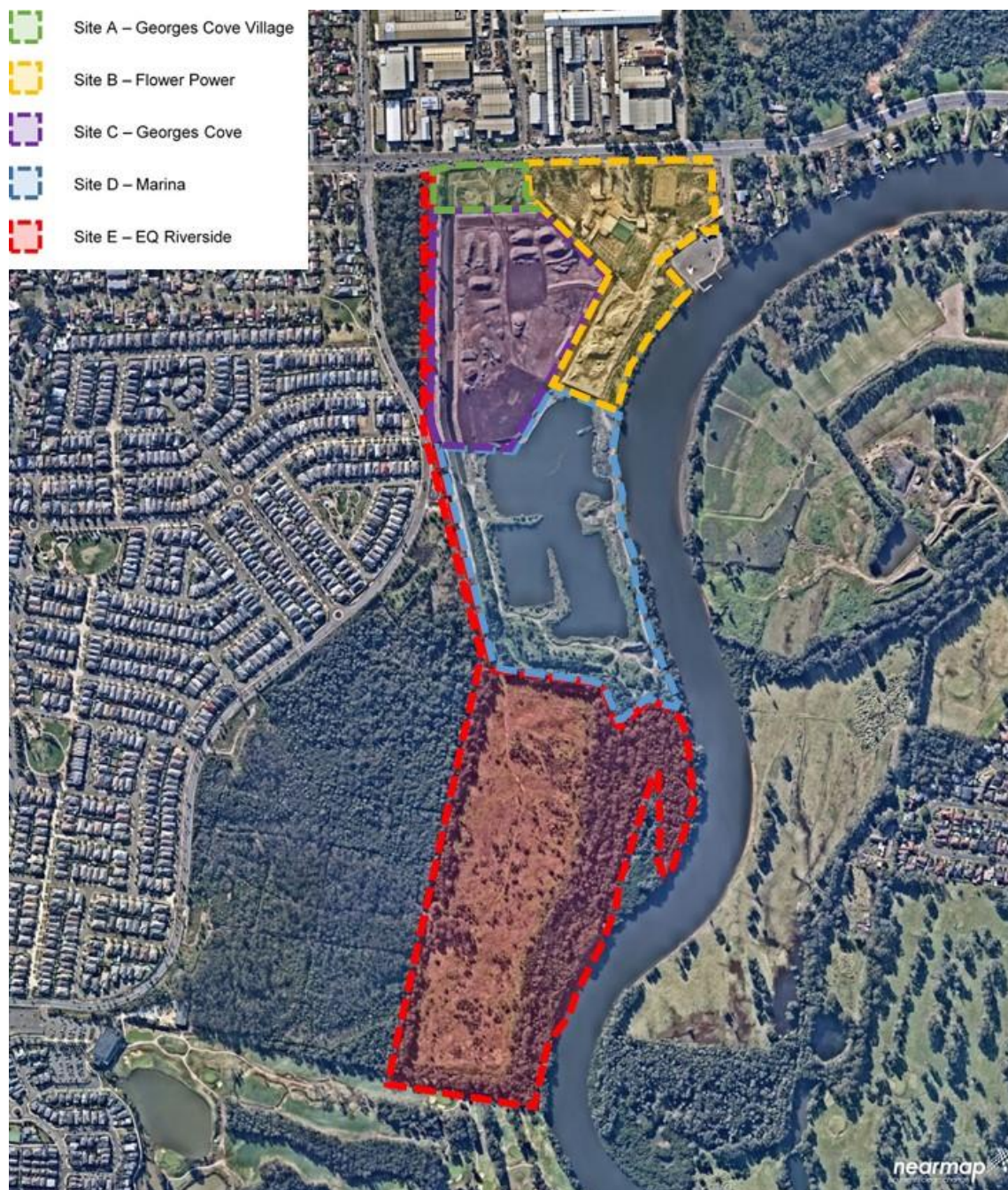


Figure 6 – Aerial Map of the Subject Precinct and Sites A – E (Source: Near Map)

Moorebank East Precinct – Structure Plan

Given the number of planning proposal requests in this area and the resulting complexity of the scale of development proposed, Tract Consultants were engaged by Council to prepare a high-level strategic plan to guide planning within the precinct.

Following collaboration between Tract Consultants and the proponents for each site, a structure plan was prepared as is illustrated in Figure 7 below. It should be noted that Site E was not included in the structure plan as no planning proposal had been lodged at the time this plan was prepared.

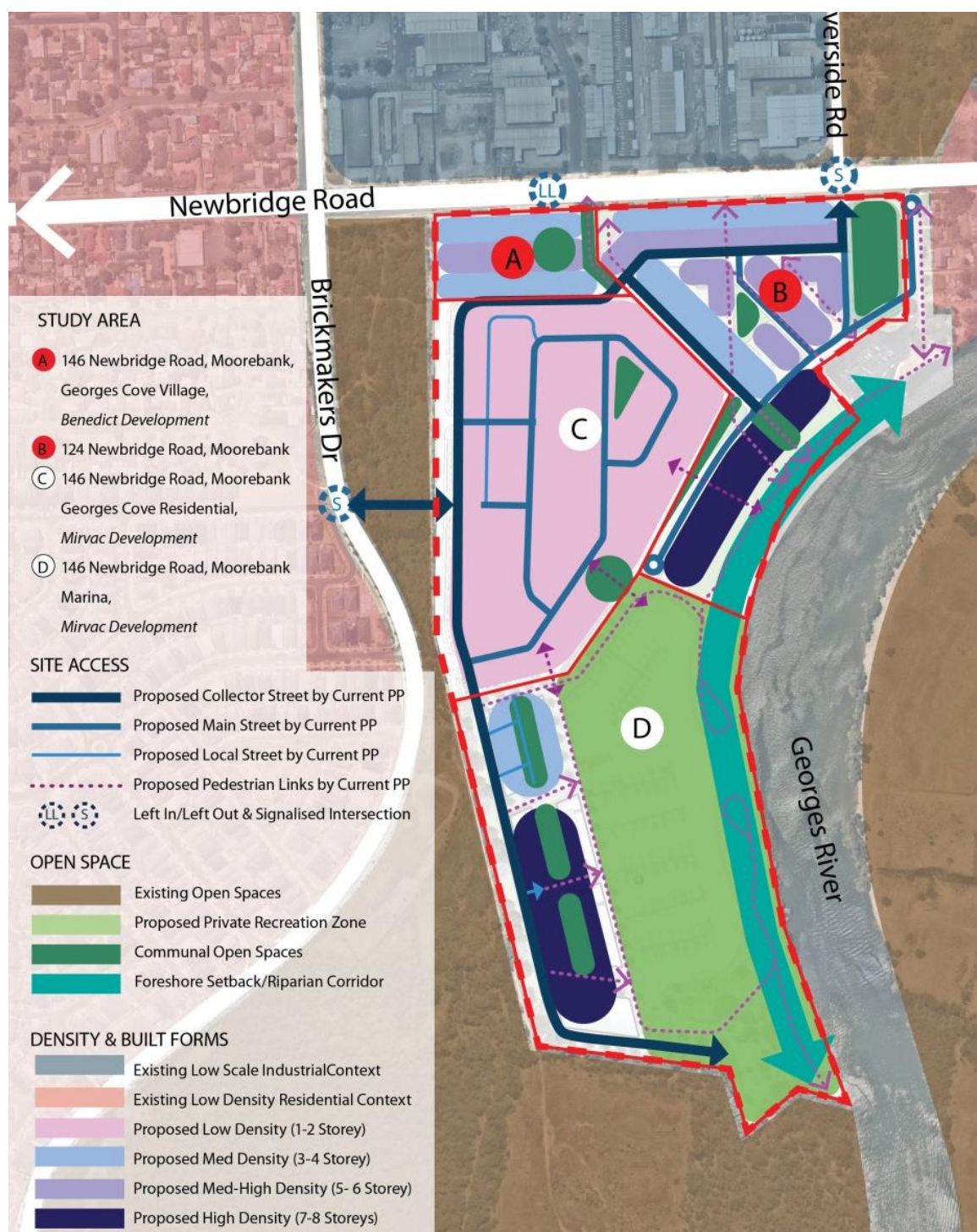


Figure 7 – Draft Structure Plan Moorebank East (Source: Tract Consultants)

A site description, proposal summary, and timeline is provided for each planning proposal request within the subject precinct below.

Site A (RZ-9/2017) – Georges Cove Village

The applicants planning proposal justification report is provided at **Attachment 4**.

Site A is located within the broader 146 Newbridge Road lot which is legally described as Lot 7 DP 1065574. This site is an irregular shaped allotment that is approximately 10,700m² in size. The site adjoins Newbridge Road to the north and has been used for extractive and recycling operations since a development consent was issued in 1992. The site currently contains some stockpiled soils and construction materials.

The planning proposal request originally submitted sought to enable:

- 97 seniors housing apartments;
- 65 dwellings;
- 9 serviced apartments; and
- Neighbourhood retail and commercial facilities including a childcare centre, medical centre, grocery shops and a gym.

Following the preparation of the Moorebank East Structure Plan, a revised planning proposal request was submitted which now seeks to enable:

- 126 dwellings;
- Medical centre; and
- 4,200m² retail floorspace.



Figure 8 – Site A (Georges Cove Village) Concept Design Extract (Source: Rothelowman)

The proposed amendments to the LEP include:

- Increasing the height of buildings development standard (HOB) from a maximum of 15m to 25m;
- Increasing the floor space ratio (FSR) development standard from a maximum of 0.75:1 to 1.2:1; and
- Including a Schedule 1 amendment to permit 'health care facility' (medical centre) and 4,200m² of retail.

The timeline of the planning proposal request since lodgment is summarised in Table 3:

Table 3 – Site A (RZ-9/2017) timeline

Timeline	
Date	Milestone/Event
18/10/17	Planning proposal request lodged and received by Council.
02/11/17	Letter received from NSW State Emergency Services (SES) with concerns surrounding flooding and evacuation for Site D (Marina proposal) within the site.
18/01/18	Internal referrals
11/01/18	Tract Consultants engaged to provide a merit assessment of the Site A and Site B planning proposals and to prepare a precinct wide structure plan
19/04/18	First iteration of Tract Consultants' assessment report for Site A received.
26/06/18	Second iteration of Tract Consultants' assessment report for Site A and draft structure plan received.
16/07/18	Meeting with proponent, Tract Consultants and Council staff to discuss issues with the proposal and to discuss the draft structure plan.
06/08/18	Proponent response letter sent to Tract Consultants and Council staff.
Aug – Dec 2018	Waiting for other landowners within the precinct to respond with comments on the draft Structure Plan and its impact on their sites.
07/12/18	Tract Consultants response to proponents regarding the planning proposal requests and draft Structure Plan.
19/12/18	Meeting with proponents regarding progression of structure plan and their planning proposal request.
Jan – Apr 2019	Ongoing discussion between the applicant and Council staff regarding a revised proposal.
24/05/19	Meeting between Council staff, Office of Environment and Heritage (OEH) and SES regarding flooding concerns
27/05/19	Revised planning proposal request submitted by the applicant with supporting documentation.
04/06/2019	Email sent to the applicant outlining the outcomes of the meeting with OEH and SES, including the need for a comprehensive flood emergency risk assessment for the precinct.
13/08/19	Inception meeting held with the flood consultant (Molino Stewart), Council staff, and the applicants.
12/11/19	Molino Stewart comprehensive flood emergency risk assessment finalised.

27/02/20	Response provided by the applicant to Council staff offering solutions to the issues identified in the comprehensive flood emergency risk assessment.
09/03/20	Internal referrals for the revised planning proposal request and documentation submitted by the applicant.
27/03/20	Clarification provided by Molino Stewart regarding the flood evacuation of Sites A, C and D.
21/05/20	Tract Consultants provide a report for the Local Planning Panel's advice for Site A.
29/06/20	LPP considers the Site A planning proposal request and provided their advice.

In accordance with Council's resolution and the Community Participation Plan (CPP), the planning proposal request is currently on public exhibition for 28 days. A report will be prepared for Council that includes an assessment of the proposal, responses to the LPP advice, and an outline of the community feedback received during the exhibition period.

Site B (RZ-4/2017) – 'Flower Power'

The applicants planning proposal justification report is provided at **Attachment 5**.

Site B is located at 124 Newbridge Road and is legally described as Lot 2 DP 602988. The site is an irregular shaped allotment that is approximately 70,430m². The site adjoins Newbridge Road to the north and Davy Robinson Reserve to the east. In October 2012, Liverpool City Council approved DA-309/2011 for earthworks and filling of the site in two stages, to raise the subject site to mitigate flooding impacts. Stage 1 is currently being implemented, while Stage 2 applies to the Flower Power occupied portion of the site and has not yet begun.

The planning proposal request originally submitted sought to enable:

- 757 apartments;
- 188 serviced apartments; and
- 25,255m² of commercial gross floor area (including serviced apartments);

Following the preparation of the Moorebank East Structure Plan, an addendum to the Urban Design Report was submitted with a slightly revised proposal to enable:

- 602 apartments;
- 167 serviced apartments; and
- 22,434m² of commercial gross floor area (including serviced apartments).



Figure 9 – Concept Design for Site B (Original on the left and revised on the right) (Source: AE Design Partnership)

The proposed amendments to the LEP include:

- Rezoning the current RE1 Public Recreation, RE2 Private Recreation and B6 Enterprise Corridor to:
 - B6 Enterprise Corridor in the northern portion of the site;
 - R3 Medium Density Residential for the central portion of the site; and
 - RE1 Public Recreation along the river and Davy Robinson Reserve.



Figure 10 – Proposed rezoning of Site A (RZ-4/2017) – ‘Flower Power’ (Source: SG Haddad Advisory and FGCS)

In addition to the proposed rezoning, the following amendments are proposed to the LEP:

- Increase the maximum HOB in the B6 Enterprise Corridor from 15m to 24m;
- Increase the maximum HOB from 15m to 30m for the remainder of the site;
- Increase the maximum FSR in the B6 Enterprise Corridor from 0.75:1 to 1.5:1;

- Increase the maximum FSR for the remainder of the site from 0.25:1 to 1.5:1; and
- Amend Schedule 1 to permit residential flat buildings on the site.

It is noted that the revised concept design was submitted by the applicant as an addendum to the Urban Design Report originally submitted. This revised design offered a redistribution of density (FSR) and height across the site. However, no specific changes were made to the planning proposal request.

The timeline of the planning proposal request since lodgment is summarised in Table 4:

Table 4 – Site B (RZ-4/2017) timeline

Timeline	
Date	Milestone/Event
07/06/17	Planning proposal request was lodged and received by Council.
26/07/17	Internal referrals
08/08/17	Internal stakeholder meeting
02/11/17	Email sent to the applicant outlining the various issues and inconsistencies with the proposal.
11/01/18	Tract Consultants engaged to provide a merit assessment of the Site A and Site B planning proposals and to prepare a precinct wide structure plan
15/02/18	Updated stormwater plans requested from the proponent.
01/03/18	Stormwater plans provided to Council staff and Tract Consultants.
21/03/18	Workshop between Council staff and Tract Consultants
19/04/18	Draft planning proposal assessment and draft structure plan provided by Tract Consultants to Council staff.
26/06/18	Revised draft planning proposal assessment and draft structure plan provided by Tract Consultants to Council staff.
18/07/18	Meeting held with the applicant regarding the draft structure plan prepared by Tract Consultants.
28/08/18	Written response to the draft structure plan provided by the applicant including an addendum to the Urban Design Report. The revised design included the redistribution of density and height across the site and additional open space provision. This resulted in a reduction in the number of proposed serviced apartments from 188 to 154 and apartments 757 to 589.
15/01/19	Meeting between the applicant, Council Staff and Tract Consultants to discuss the Site B revised design and the progress of the structure plan.
11/02/19	The following was received from Tract Consultants: <ul style="list-style-type: none"> • Updated draft planning proposal assessment received for Site A and Site B.

	<ul style="list-style-type: none"> Updated structure plan received incorporating the changes negotiated with the applicants for Site A and Site B. Draft DCP Amendment (Part 2.10 Development in Moorebank East).
22/03/19	Holistic Traffic Assessment received from the applicants for Site A-D.
24/05/19	Meeting between Council staff, Office of Environment and Heritage (OEH) and SES regarding flooding concerns
12/06/2019	Email sent to the applicant outlining the outcomes of the meeting with OEH and SES, including the need for a comprehensive flood emergency risk assessment for the precinct.
13/08/19	Inception meeting held with the flood consultant (Molino Stewart), Council staff, and the applicants.
12/11/19	Molino Stewart comprehensive flood emergency risk assessment finalised.
12/11/19	Email sent to the applicant providing the Molino Stewart comprehensive flood emergency risk assessment and outlining the issues needing to be resolved in order for the planning proposal to progress.

In accordance with Council's resolution and the Community Participation Plan (CPP), the planning proposal request is currently on public exhibition for 28 days.

Council is awaiting a response from the applicant and a revised planning proposal request that addresses the Moorebank East Structure Plan and Molino Stewart comprehensive flood emergency risk assessment. Once this is received, Tract Consultants can complete their assessment and advice can be sought from the LPP and a report prepared for Council's consideration.

Site C (RZ-1/2019)

This planning proposal request was considered by Council at the 29 July 2020 Council meeting. At this meeting Council resolved:

That Council

- 1. Notes the advice of the Liverpool Local Planning Panel;*
- 2. Endorses in principle the planning proposal request;*
- 3. Delegates to the CEO to prepare the formal planning proposal including any typographical or other editing amendments if required;*
- 4. 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;*
- 5. Subject to Gateway determination, undertake public exhibition and community consultation on the planning proposal in accordance with the conditions of the Gateway determination and Council's Community Participation Plan;*
- 6. Receive a further report on the outcomes of public exhibition and community consultation;*
- 7. Receive a further report with a status update on all the outstanding planning proposals from Moorebank at the August 2020 Council meeting; and*

8. *Publicly exhibit all of the outstanding planning proposals in Moorebank now.*

Council has forwarded the planning proposal to the Department of Planning, Industry, and Environment (DPIE) and is awaiting a Gateway determination.

Site D (RZ-5/2018) – ‘Georges Cove Marina’

The applicants planning proposal justification report is provided at **Attachment 6**. Site D is located in the southern portion of 146 Newbridge Road, Moorebank, legally described as Lot 7 in DP 1065574. The specific area of application for this planning proposal request is illustrated in Figure 11 below.



Figure 11 – Area of application for Site D (RZ-5/2018) planning proposal (Source: Square Link Pty Ltd)

Following the Land and Environment Court granted consent for the extraction of sand in 1993, the site has had extractive industries activity occur via dredging and dry extraction methods. The site's former extractive industries use has reached the end of its economic life and various proposals has been proposed for a marina development.

This specific marina portion of the 146 Newbridge Road site has had a long and complicated history that has involved numerous court cases involving both DA's and a planning proposal (RZ-2/2015). This previous planning proposal was supported by Council at its meeting on 31 August 2016 and subsequently received a Gateway determination. However, this Gateway determination was declared invalid by the Court of Appeal – NSW Supreme Court in December 2018. It is noted that the DA for the marina proposal (DA-611/2018) is currently under assessment that includes:

- A maritime building which will house a dry berth facility (250 berths), a function centre, tourist, entertainment, recreation and club facilities, a petrol storage tank (60,000 litres) and a diesel storage tank (60,000 litres).
- A wet berth facility for 186 craft (including casual berths) which will consist of a marina basin, rock protection of the basin and foreshore, including embellishment and revegetation of the river foreshore, construction of a navigation channel, construction of public recreational facilities on the foreshore, floating berths and walkways, fuel pumping facilities, sewage pump out facilities and emergency berth access.
- Construction of three external car parking areas and basement car park providing a total of 637 car spaces.
- A private marina clubhouse.
- Associated works and support infrastructure including power, water and sewerage.

The current planning proposal (RZ-5/2018) for Site D seeks to facilitate a residential development consisting of 353 apartments and 21 terrace dwellings. It is noted that the previously supported planning proposal (RZ-2/2015) proposed to facilitate 125 apartments.

The following amendments are proposed to the LEP:

- Schedule 1 amendment to permit residential accommodation;
- Increase HOB from current 21m to RL 38.9m ; and
- Increase FSR from current 0.25:1 to 0.4:1.



Figure 12 – Site D (Georges Cove Marina) extract from Concept Design (Source: Mirvac)

The timeline of the planning proposal since lodgment is summarised in Table 5:

Table 5 – Site D (RZ-5/2018) timeline

Timeline	
Date	Milestone/Event
06/07/18	Planning proposal was lodged and received by Council.
14/08/18	Planning proposal was presented by the applicant to Council's Strategic Panel.
14/12/18	Court case determined for the previous planning proposal (RZ-2/2015), resulting in the Gateway determination being declared invalid.
18/01/19	Internal referrals
22/03/19	Holistic Traffic Assessment received from the applicants for Site A-D.
16/04/19	Email sent to applicant outlining flooding concerns raised from internal referrals and informing of a meeting with OEH and SES.
01/05/19	Response provided by the applicant to Council's concerns regarding flooding.
09/05/19	OEH comments received for the planning proposal and broader structure plan.
24/05/19	Meeting between Council staff, OEH and SES regarding flooding concerns in the Precinct.
04/06/2019	Email sent to the applicant outlining the meeting had with OEH and SES. The email also outlined the need for a comprehensive flood emergency risk assessment for the precinct.
13/08/19	Inception meeting held with the flood consultant (Molino Stewart), Council staff, and the applicants.
12/11/19	Molino Stewart comprehensive flood emergency risk assessment finalised.
12/11/19	Email sent to the applicant providing the Molino Stewart comprehensive flood emergency risk assessment and outlining the issues needing to be resolved in order for the planning proposal to progress.
27/02/20	Response provided by the applicant to Council staff offering solutions to the issues identified in the comprehensive flood emergency risk assessment.

In accordance with Council's resolution and the Community Participation Plan (CPP), the planning proposal request is currently on public exhibition for 28 days. Council is currently finalising its assessment of the proposal and will be considered by the LPP prior to report being prepared for Council's consideration.

Site E (RZ-2/2020)

In 2018, the previous owner sold Lot 6 Newbridge Road.

At Council's meeting on 30 May 2018, Council resolved the following in relation to NOM 02:

That Council:

1. *In principle, support a proposal for a residential (and auxiliary) land use on the site known as the Moorebank Recyclers in lieu of a recycling facility;*
2. *Note that any proposal needs to undergo the standard assessment process;*
3. *Work closely with the proponent to ensure the best possible outcome for the site in a timely manner, should a proposal be received; and*
4. *Organise a community BBQ once and if the development approval for the recycling plant is surrendered.*

Site E is located at Lot 6 Newbridge Road and is legally described as Lot 6 in DP 1065574. The site is currently accessed via Newbridge Road to the north and is bound by the Georges River to the east, Wurrungwuri Reserve to the west, Site D (proposed Marina site) to the north and Brighton Lakes Golf Course to the south. The site is currently zoned E2 (Environmental Conservation). Within the site is a disused non-putrescible landfill which operated across the site between 1972 and 1979. Along the sites borders and to the west within the Wurrungwuri Reserve is good condition vegetation that includes threatened ecological communities and some coastal wetlands along the banks of the river.

The Planning Assessment Commission (as it was then known) issued a development consent on 11 September 2015 for a materials recycling facility on the subject site. The Land and Environment Court subsequently confirmed this approval on 14 July 2017 after Council appealed the consent.

A planning proposal request (**Attachment 7**). was lodged on 5 March 2020 that sought to achieve the applicant's vision, *'to provide a diverse, vibrant, active and accessible residential neighbourhood, bound by the banks of the Georges River and surrounding river woodland, to create an attractive place to live and play'*. The proposal seeks to facilitate the following development:

- 2,000 apartments;
- 800m² of community facilities;
- 1,700m² of retail, restaurant and associated uses;
- 730m of foreshore walkway/activation waterfront, facilitating open space linkage to adjoining residential and recreational sites; and
- A series of ecological and recreational parks



Figure 13 – Site E (RZ-2/2020) extract from Urban Design Report (Source: DEM)

To achieve this proposed development, the planning proposal seeks to rezone:

- The existing E2 (Environmental Conservation) land within Lot 6 Newbridge Rd to a combination of R1 (General Residential) and RE1 (Public Recreation); and
- The existing E2 (Environmental Conservation) land on land adjoining to the west to SP2 (Infrastructure) to enable access to the site.



Figure 14 – Proposed rezoning of Site E (RZ-2/2020) – ‘Moorebank recyclers’ (Source: SG Haddad Advisory and FGCS)

In addition to the proposed rezoning, the following amendments to development standards within the LEP are proposed:

- Include a maximum HOB control of 50m; and
- Increase the maximum FSR control from 0.01:1 to 1:1.

The timeline of the planning proposal request since this Council resolution is summarised in Table 6:

Table 6 – Site E (RZ-2/2020) timeline

Timeline	
Date	Milestone/Event
13/07/18	Meeting with proponent to discuss development of a structure plan for the Moorebank East precinct
10/08/18	Meeting with proponent to discuss density and height
20/02/19	Meeting to discuss planning positioning paper prepared by the proponent. This document explained what the proponents were considering for the site
25/02/19	Traffic Assessment provided by the applicant to Council staff that assesses the cumulative impact of Sites A – E.
01/04/19	Email sent to the proponent outlining Council concerns regarding: <ul style="list-style-type: none"> • Site access; • Flooding and flood evacuation; • Bushfire risk and evacuation; and • Maximum height of buildings and the Obstacle Limitation Surface (OLS) to Bankstown Airport.
11/04/19	Meeting with proponents to discuss their concerns re timeframes with Director and Manager. Noting that no planning proposal has been lodged.
22/07/19	Meeting held between the applicant and Council staff to discuss the progression of lodgement of a planning proposal.
13/08/19	Inception meeting held with the flood consultant (Molino Stewart), Council staff, and the applicants.
10/09/19	Flood evacuation report provided for Site E by the applicant to Council staff and Molino Stewart.
20/09/19	Formal pre-planning proposal meeting with the applicant and Council staff.
09/10/19	Detailed pre-planning proposal advice provided to the applicant.
12/11/19	Molino Stewart comprehensive flood emergency risk assessment finalised.
05/03/20	Planning Proposal request lodged and received by Council.
03/06/20	Internal referrals
30/06/20	Letter detailing the outcomes of the initial assessment and required additional information sent to the applicant.
28/07/20	Meeting between the applicant and Council staff regarding the issues identified in the initial assessment.

CITY ECONOMY AND GROWTH REPORT

In accordance with Council's resolution and the Community Participation Plan (CPP), the planning proposal request is currently on public exhibition for 28 days. Council is awaiting additional information that was requested to enable the complete assessment of the proposal. Once this is received, Council staff will complete their assessment and advice will be sought from the LPP. Once this advice is provided, a report will be prepared for Council's consideration that includes an assessment of the proposal, responses to the LPP advice provided, and an outline of the community feedback received during the exhibition period.

Conclusion

This report provides a status update on the planning proposals within Moorebank.

It is recommended that Council receives and notes this report. Further reports will be received by Council as each planning proposal progresses.

CONSIDERATIONS

Economic	Facilitate economic development.
Environment	Manage the environmental health of waterways. Manage air, water, noise and chemical pollution. Protect, enhance and maintain areas of endangered ecological communities and high quality bushland as part of an attractive mix of land uses.
Social	Regulate for a mix of housing types that responds to different population groups such as young families and older people.
Civic Leadership	Encourage the community to engage in Council initiatives and actions. Provide information about Council's services, roles and decision making processes. Operate a well-developed governance system that demonstrates accountability, transparency and ethical conduct.
Legislative	Environmental Planning and Assessment Act 1979
Risk	There is no risk associated with this report.

ATTACHMENTS

1. Council Resolution - 29 July 2020 (EGROW 03) (Under separate cover)
2. RZ-6/2015 - Planning Proposal Justification Report (Under separate cover)
3. RZ-4/2018 - Planning Proposal Justification Report (Under separate cover)

4. Site A (RZ-9/2017) - Planning Proposal Justification Report (Under separate cover)
5. Site B (RZ-4/2017) - Planning Proposal Justification Report (Under separate cover)
6. Site D (RZ-5/2018) - Planning Proposal Justification Report (Under separate cover)
7. Site E (RZ-2/2020) - Planning Proposal Justification Report (Under separate cover)

EGROW 05**Street Naming Request - Austral**

Strategic Direction	Generating Opportunity Advocate for, and develop, transport networks to create an accessible city
File Ref	207685.2020
Report By	Christopher Jattan - Administration Officer - Planning & Transport Strategy
Approved By	David Smith - Acting Director City Economy and Growth

EXECUTIVE SUMMARY

This report seeks a Council resolution on a street re-naming request in Austral.

- Catanzariti Drive, currently known as Kalbian Street, located between Thirteenth Avenue and Twenty Eighth Avenue, Austral.

The proposed name has been assessed using Council's Naming Convention Policy and has been granted pre-approval by the Geographical Names Board (GNB) of NSW.

RECOMMENDATION

That Council:

1. Supports the re-naming of Kalbian Street to Catanzariti Drive, Austral.
2. Forwards the name to the Geographical Names Board (GNB), seeking formal approval;
3. Publicly exhibit the name in accordance with Council's Naming Convention Policy, for a period of 28 days, following formal approval from the GNB; and
4. Authorises the Chief Executive Officer (CEO) to undertake the process of gazettal, if there are no submissions received during public exhibition.

REPORT

This street naming proposal was received in July 2020. The proposed street name has been assessed using Council's Naming Convention Policy and has been granted pre-approval from the Geographical Names Board of NSW (GNB). The name has been checked for duplication using the GNB's Online Road Naming System.

Council had assigned the name Kalbian Street for the proposed street which has now been constructed. It is located between Thirteenth Avenue and Twenty Eighth Avenue, Austral as shown in Figure 1 below. Council approved this name, and names for all other proposed streets in Austral in 2018 and they have subsequently been gazetted by the Geographical Names Board of NSW.



Figure 1 – Current assigned name for proposed street in Austral

The applicant has requested the street be renamed to reflect their family who owned the property.

The applicant has provided information about her late grandparent, to support the application (Attachment 1). Catanzariti Drive is consistent with the Austral street naming theme and has been granted pre-approval from the Geographical Names Board.

Next Steps

If supported by Council, the name will be forwarded to the GNB for formal approval and if approved, placed on public exhibition for 28 days on Council's website and notified to relevant stakeholders, seeking endorsement.

Relevant stakeholders include Australia Post, NSW Ambulance, Fire and Rescue NSW, NSW Rural Fire Service, NSW State Emergency Service, NSW Volunteer Rescue Association, Transport for NSW and NSW Police Force.

CITY ECONOMY AND GROWTH REPORT

Council officers will consider all submissions during the public notification period. The three potential scenarios following exhibition are as follows:

- If there are objections from the relevant agencies, Council will not proceed with the naming request. The applicant will be notified of the outcome. A report to Council will be prepared for the next available meeting outlining the reason for rejection.
- If there are no objections, the naming request will proceed to the NSW Parliamentary Counsel's Office (PCO) for gazettal under the delegation of the Chief Executive Officer (or delegate).
- Any submissions from the community during the public notification period will be considered. If there is strong community opposition, or reason to reconsider the proposed names, a report will be prepared for the next available Council meeting recommending withdrawal of the naming proposal. If Council decides to support the proposal, the naming request will proceed to the PCO for gazettal under the delegation of the Chief Executive Officer (or delegate). If Council decides not to adopt the naming proposal, the applicant will be notified in writing outlining the reason for rejection.

CONSIDERATIONS

Economic	There are no economic and financial considerations.
Environment	There are no environmental and sustainability considerations.
Social	Preserve and maintain heritage, both landscape and cultural as urban development takes place.
Civic Leadership	Foster neighbourhood pride and a sense of responsibility.
Legislative	Roads Act 1993.
Risk	There is no risk associated with this report.

ATTACHMENTS

1. Additional information in support of street renaming to Catanzariti Drive

**Additional information in support of street renaming to Catanzariti Drive
(instead of Kalbian Street)**

My late grandparents, Guiseppe and Maria Catanzariti, migrated to Australia from Italy in the late 1940's with their primary occupation as farming. In addition, my grandfather also worked for Fairfield City Council's maintenance team (as a concreter) for approximately ten years. Long standing, honest and hard working residents (immigrants from Europe, post world war) raising a family (with their children then also settling in the area), who greatly contributed to the community with cultural and culinary activities.

They farmed the land, growing vegetables which they often gave free produce (as well as home made bread and other meals) to local residents whom themselves were struggling in raising their family.

In subdividing my late grandparents property, I acknowledge that Liverpool Council has already named the streets for this development (after goats) - however, it is requested and would greatly mean a lot to my family - if the streets were renamed to commemorate my grandparents.

Renaming these streets would honour and acknowledge the contributions made by my late grandparents to the local community, as well as their long-standing connection to Austral and would serve to embrace and acknowledge the multi-cultural nature of the Liverpool local government area of which early European settlers played a large and important part.

Keeping positive for a favourable outcome please

Kindest regards

Josephine Amalfi

[Redacted Signature]

COM 01

**Report back to Council - Alcohol-Free Zones
Public Exhibition**

Strategic Direction	Creating Connection Create a dynamic, inclusive environment, including programs to support healthy living
File Ref	194252.2020
Report By	Galavizh Ahmadi Nia - Manager Community Development and Planning
Approved By	Tina Sangiuliano - Acting Director City Community and Culture

EXECUTIVE SUMMARY

At its meeting on 29 April 2020, Council resolved to:

- 1. Endorse the recommended sites for re-establishment of Liverpool Alcohol-Free Zones (AFZs);*
- 2. Place the recommended AFZs on public exhibition for a period of 30 days as required by the Ministerial Guidelines on Alcohol-Free Zones; and*
- 3. Delegate to the CEO the finalisation of the recommended AFZs if no submissions are received; or receive a further report outlining details of the submissions received at the conclusion of the exhibition period.*

The endorsed Alcohol-Free Zones (AFZs) sites were placed on public exhibition for a period of 30 days, commencing 13 May 2020. One submission from a member of the public was received during the public exhibition period. This submission recommended that Council consider including Collimore Park as an AFZ site and installing an AFZ sign.

In consultation with relevant stakeholders, including the Liverpool City Police Area Command, Council staff have determined installing an AFZ sign in Collimore Park would be beneficial to ensuring the safety and wellbeing of community members. Subsequently, the additional site was submitted to the Anti-Discrimination NSW for endorsement. The Anti-Discrimination NSW has confirmed that Council has complied with the required 30-day public exhibition period for AFZs and the new AFZ in Collimore Park does not require a further period of public exhibition.

RECOMMENDATION

That Council endorse the re-establishment of Liverpool's Alcohol-Free Zones for a period of four years to 1 September 2024.

REPORT

1. BACKGROUND

AFZs are implemented as an early intervention method to prevent the escalation of irresponsible street drinking. The AFZs aim to:

- Create easily identifiable locations where street drinking is prohibited;
- Intervene and prevent the escalation of irresponsible street drinking;
- Reduce and prevent alcohol related crime and behaviour;
- Inform and educate community members about the importance of eradicating alcohol consumption within these areas;
- Create a safe environment for all community members;
- Provide opportunities for collaboration with the Liverpool City Police Area Command and relevant community organisations to promote healthier behaviours; and
- Monitor alcohol consumption in known hotspot locations.

Liverpool's AFZs identify small areas of public space, typically in locations adjacent to outlets supplying alcohol such as pubs, clubs and liquor stores, where the consumption of alcohol is prohibited. Liverpool City's AFZs were implemented and enforced for a four-year period from 2015 to 2019. The AFZs have been implemented in known hotspots for inappropriate street drinking, aiming to create a safer environment for community members. These locations were identified in consultation with local Police, service providers, and internal stakeholders including the Community Standards team.

2. RENEWAL PROCESS

The Ministerial Guidelines for AFZs, overseen by Anti-Discrimination NSW, requires that requests for AFZs must be made to Council by a member of the NSW Police Force, community organisation or a member of the general public. The proposed zones are then submitted to Anti-Discrimination NSW, the approving authority, for their review and approval. This process also requires a public exhibition period of 30 days to allow comment and feedback from the community.

36 zones were submitted to the Anti-Discrimination NSW on 24 January 2020 for renewal. Correspondence received from the Anti-Discrimination NSW on 2 March 2020 has authorised Council to reestablish Liverpool's AFZs.

3. PUBLIC EXHIBITION

Liverpool's proposed AFZs were placed on public exhibition on 13 May 2020 for a period of 30 days. One response was received from a member of the public recommending Collimore Park as an AFZ site. Collimore Park is a high traffic area due to its proximity to residential buildings, popular public amenities such as basketball courts and play equipment, and copious access to free commuter parking.

4. OUTCOME

Council officers have consulted Liverpool City Police Area Command on the recommendations to include Collimore Park in the AFZs. Police have agreed the site would benefit from being included as an AFZ in Liverpool. Subsequently, Council submitted an application to the Anti-Discrimination NSW to include Collimore Park as an AFZ in Liverpool. Advice received from the Anti-Discrimination NSW confirms that Council has complied with the required 30-day public exhibition period for AFZs and the new AFZ in Collimore Park does not require a further period of public exhibition.

The AFZs signs will be in place and enforced from 1 September 2020. Existing signage in Liverpool's AFZs is out-of-date and reflects the previous AFZ term. As part of the renewal process, up-to-date signage stipulating the new enforcement dates will be installed in all identified locations. The new signs will be treated with a UV-resistant coating to ensure the signs' longevity and prevent fading.

5. ENFORCEMENT

Once implemented, the AFZs may be enforced by any officer of the NSW Police Force.

The power to seize and tip out or otherwise dispose of alcohol without the need to issue a warning applies within an alcohol-free zone. A Police Officer may use their discretion to issue a warning to a person who is drinking in an alcohol-free zone. An individual who does not comply with an AFZ, at the direction of a Police Officer can be charged with obstruction under Section 660 of the Local Government Act 1993. This offence carries a maximum penalty of \$2,200.

6. IMPLEMENTATION

It is recommended that Council endorse the re-establishment of Liverpool's Alcohol-Free Zones for a period of four years to 1 September 2024. Up-to-date signage will be installed in all locations by 30 September 2020.

CONSIDERATIONS

Economic	There are no economic and financial considerations.
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CITY COMMUNITY AND CULTURE REPORT

Environment	There are no environmental and sustainability considerations.
Social	Support policies and plans that prevent crime.
Civic Leadership	There are no civic leadership and governance considerations.
Legislative	There are no legislative considerations relating to this report.
Risk	There is no risk associated with this report.

ATTACHMENTS

Nil

COM 02	Report Back to Council - Mimosa Park, 22 Box Rd, Casula
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Strategic Direction	Creating Connection Implement access and equity for all members of the community
File Ref	201003.2020
Report By	Galavizh Ahmadi Nia - Manager Community Development and Planning
Approved By	Tina Sangiuliano - Acting Director City Community and Culture

EXECUTIVE SUMMARY

In response to a Council resolution from 31 July 2019, a report was presented to Council's meeting on 11 December 2019, exploring opportunities for the repurposing of Council owned or controlled land in the Local Government Area (LGA) for the purpose of affordable housing. At this meeting, Council resolved to:

1. Keep the vacant block of land on 22 Box Road Casula, for it to be turned into a park;
2. Prepare a report outlining options for community use of the land including consultation of the local residents and also consider only unused and underutilised land;
3. Be provided with funding options to implement above or alternate options;
4. Note that 22 Box Road, Casula (this block is approximately 550 sqm) is currently zoned RE1 public recreation and is surrounded by R2 low density residential;
5. Receives and notes the report and has a further briefing in March 2020 and makes available all reports regarding land usage that is underutilised. Councillors be provided with any other relevant reports given to the previous term of Council.

This report responds to resolutions 1 – 4 above, including a review of key planning and recreation strategic documents, site feasibility and analysis, and a review of existing recreation infrastructure around the subject site, being 22 Box Rd, Casula. The report presents the key findings of the above review and recommends options to develop the site for community's recreational use; and options for funding and delivery of Mimosa Park.

CITY COMMUNITY AND CULTURE REPORT

In reference to the response to resolution point 5. Councillors be provided with all reports regarding land usage that is underutilised and any other relevant reports given to the previous term of Council, this has been referred to Property, who will provide a report to the November 2020 Council meeting.

RECOMMENDATION

That Council:

1. Receives and notes the report; and
2. Subject to Council's decision to develop Mimosa Park into a local park for community use, allocate funds to planning delivery stages;
3. Commission a site feasibility study and environmental testing; and
4. Commission a detail design stage including concept designs for community consultation and construction.

REPORT

1. Background

At the Ordinary meeting held on 31 July 2019, Council resolved to:

- Direct the CEO to provide a report back to Council by December 2019 detailing opportunities for the repurposing of Council owned or controlled land in the LGA for the purpose of affordable housing, noting any action on any report will be subject to community consultation

In response to Council's resolution of 31 July 2019, a report was presented to Council at its meeting held on 11 December 2019, exploring the opportunities for the repurposing of the Council owned or controlled land in the LGA for the purpose of affordable housing. Based on the broad outcomes of the Community Facilities Strategy and the State Environmental Planning Policy (SEPP) 2019 (Affordable Rental Housing), the report produced a detailed investigation of the identified land parcels as suitable land/s to be repurposed for affordable housing. At its meeting held on 11 December 2019, Council resolved to:

1. Keep the vacant block of land on 22 Box Road Casula, in order for it to be turned into a park;
2. Prepare a report outlining options for community use of the land including consultation of the local residents and also consider only unused and underutilised land;
3. Be provided with funding options to implement above or alternate options;

4. Note that 22 Box Road, Casula (this block is approximately 550 sqm) is currently zoned RE1 public recreation and is surrounded by R2 low density residential;
5. Receives and notes the report and has a further briefing in March 2020 and makes available all reports regarding land usage that is underutilised. Councillors be provided with any other relevant reports given to the previous term of Council.

This report responds to items 1 – 4 of the resolution and presents the key findings from the review of planning documents, site feasibility and analysis review, and recommends funding options to develop Mimosa Park for community's recreational use. In reference to the response to resolution point 5. Councillors be provided with all reports regarding land usage that is underutilised and any other relevant reports given to the previous term of Council, this has been referred to Property, who will provide a report to the November 2020 Council meeting.

2. Strategy Review - Recreation, Open Space and Sports Strategy (ROSS Strategy)

Adopted in 2018, the ROSS Strategy is a principal document that provides direction and guidance to Council for planning and development of Public Recreation (RE1) land. This includes planning for the current and future recreation, open space and sporting needs in the Liverpool LGA. The ROSS Strategy provides guidance on the delivery of high quality, integrated and multi-functional, recreation, open space and sporting infrastructure.

The ROSS Strategy recognises the undersupply of active and passive recreation facilities across the LGA, specifically in the new release suburbs of Austral, Carnes Hill, Edmondson Park and Middleton Grange. It also provides hierarchy classification for parks and open spaces.

Mimosa Park is classified as a local park. The fundamental function of a local park is to provide for a basic playground and connectivity to open space network. Local parks are generally utilised on a daily basis by the residents in the immediate catchment area (400m radius- 4-5 min walking distance).

The table below presents the classification of open space as per ROSS Strategy:

Classification	Size (sqm)	Description
Regional	10,000 or more	<p>Within 5km of homes and places of work:</p> <ul style="list-style-type: none"> • 5 minute drive • 15-20min bike ride
District	5,000-10,000	<p>1-2 km safe walking distance:</p> <ul style="list-style-type: none"> • 15-20 minute walk

CITY COMMUNITY AND CULTURE REPORT

		<ul style="list-style-type: none"> • 5 minute bike ride
Neighbourhood	1,500-5,000	800m safe walking distance: <ul style="list-style-type: none"> • 10 minute walk
Local	500-1,500	400m safe walking distance: <ul style="list-style-type: none"> • 5 minute walk
Pocket	100-500	200-400m safe walking distance: <ul style="list-style-type: none"> • 2-5 minute walk

In addition, one of the strategic actions within the ROSS Strategy currently being investigated by Council staff is an audit of the existing parks and open spaces across the Liverpool LGA. This audit will be a critical tool to document and assess the provision of facilities within existing parks and open spaces. The audit of existing provision of facilities will be evaluated against the required facilities as per the hierarchy and specifications of open space identified in the ROSS Strategy. This evaluation will assist Council in identifying gaps within the provision of facilities and guide the process of upgrading parks and open spaces to high quality, multipurpose and adaptive places. The audit findings will also assist in identifying unused and/or underutilized open spaces within the LGA, which could be included in the upgrade program or repurposed for other uses.

3. Need and demand analysis

Current parks and open spaces in Casula

The table below outlines the current provision of parks and open spaces within a 1,200m catchment area of Mimosa Park.

	Name and location	ROSS Strategy classification	Main functions	Approx. distance from Mimosa Park
A.	Daruk Park, Casula Ingham Drive	District Park	<ul style="list-style-type: none"> • Sports field • Amenity building • Community centre • Library 	820m
B	Jardine Park, Casula Reserve Road	District Park	<ul style="list-style-type: none"> • Sports field • Basketball court • Netball court • Playground • Amenity building 	1.5k
C	Peter Miller Reserve, Casula Cedar Road	District Park	<ul style="list-style-type: none"> • Sports field • Basketball half court 	280m

CITY COMMUNITY AND CULTURE REPORT

			<ul style="list-style-type: none"> Cricket nets Playground Amenity building 	
D	Gandangara Park, Casula Strawberry Road	Neighbourhood Park	<ul style="list-style-type: none"> Drainage corridor Pedestrian pathway 	700m
E	Tharawal Park, Casula Gunsynd Avenue	Local Park	<ul style="list-style-type: none"> Children's playground 	1.3km
F	Bill Wilson Park, Casula Maple Road	Local Park	<ul style="list-style-type: none"> Children's playground Picnic shelters 	1.5km
G	Acacia Park, Prestons 72A Grevillea Crescent	Local Park	<ul style="list-style-type: none"> Children's playground Picnic shelters 	500m

Table 3.1: Classification of parks and their function

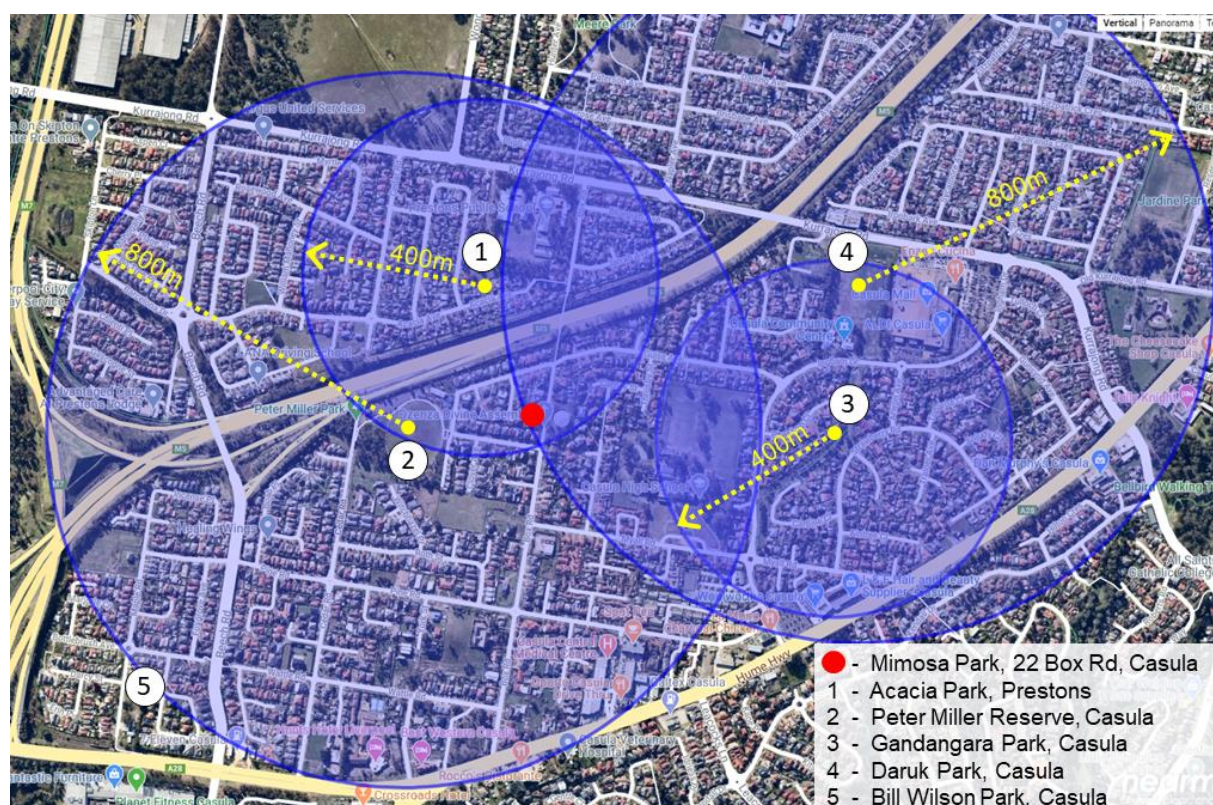


Figure 3.2: Catchment area of accessible parks around Mimosa Park

In reference to table 3.1 and figure 3.2, the community residing around Box Rd has access to the following hierarchy of parks:

- Peter Miller Reserve - District Park:

- Acacia Park - Local Park;
- Gandangara Park - Neighbourhood Park;
- Daruk Park - District Park; and
- Mimosa Park - classified as a local park and serves the daily needs of the residents in the area.

Demand analysis of parks and open spaces in Casula

It is estimated that Casula will have a shortfall of 4.97ha of sportsground and a surplus of 9.97ha of parks and open space by 2031¹. It should be noted that approx. 30% of the surplus in the local park network fall within the riparian zones along creeks, and approx. 60% falls within the 1:100 flood plain. Therefore, of the 9.97ha of surplus parks and open space, approximately 90% of the land is subject to some level of restrictions, and their functions and opportunities for access by community will be limited.

Site Feasibility and Analysis of the park

Site Analysis:

Mimosa Park is grassed and is currently maintained by Council's City Presentation team. The land is fully vacant and serves no purpose for community use.

The land drops approximately 4-5 metres from the front of the site to the back and has a gradient close to 1:10, which would require extensive earthwork and retaining walls to install a playground. The Preliminary site analysis has identified major upgrade requirements to make the site safe, including the construction of a retaining wall, back filling, levelling and fencing. Due to the topography conditions, the site does not meet the requirements for provision of an inclusive playground.

To meet the community requirements, a playground, outdoor gym, shade and circular walking tracks are provided at Peter Miller Park, which is within the catchment of this park, approximately 170 metres away. In addition, there is no fencing between Council's property and the private properties at this site, which is considered a risk to children accessing the park.

¹ Stubbs. J, 2016, 'Liverpool Housing, Population and Social Infrastructure Study'



Figure 3.3: Primary catchment area of Mimosa Park

Site feasibility:

Mimosa Park is classified as a local park. Currently, Mimosa Park is a small, undeveloped area of land located within the residential area at the western end of Box Rd, Casula. Considering the size and grade of Mimosa Park, it can only provide limited recreational opportunities.

The table below provides a brief description of the facilities to be considered for Mimosa Park:

Recommended Functions	Description	Specifications
Play area	Natural play area	<ul style="list-style-type: none"> Nature play Wooden logs at different heights to climb Natural hills and mounds utilising the site topography Stepping stone play
Connectivity	Transparency and inclusivity with playground spaces	Connectivity to the existing footpath on Box Rd

Trees	<ul style="list-style-type: none"> • Shade providing trees • Garden beds 	Visibility to the street
Passive open space	Grassed area for informal play	The park is sloped (1:10) towards the rear, then drops dangerously near the rear properties
Informal seating	Informal seating benches	Benches and informal seating

Table 3.4: Functional Brief of proposed facilities at Mimosa Park



Fig 3.5: sample image of natural play area

4. Funding and delivery options

The design stages (concept and detailed) and the construction of local parks such as Mimosa Park are ideally identified within the Capital Works Program for a particular financial year, whereas the construction cost is identified within the Contributions Plan for the suburb/area.

The collected contributions for the established areas of Liverpool LGA are either exhausted or insufficient to deliver all parks and open spaces (new works and upgrade works). Currently, there is a limitation within the collected contributions for the capital works program, which only allows for basic embellishments for a given park. This creates a gap in funds available for the delivery of high quality, versatile and inclusive parks and open space.

Despite its open space zoning, Mimosa Park has not been identified as a contribution plan item. At present, there is no ability to fund Mimosa Park through infrastructure contribution. The Park is not identified as an item in Liverpool Contributions Plan 2009 (Cabramatta Creek/Carnes Hill/Prestons). As such, funds cannot be allocated to the upgrade of this open space from contributions, which require Council to identify and allocate a funding source. The remaining funds for open space in this catchment are required to support open space projects still to be delivered under Contributions Plan 2009.

It is noted that Contributions Plan 2009 identified Peter Miller Park as the key open space precinct within this area. Over 15 years ago, Council invested in excess of \$3,000,000 to deliver Peter Miller Park.

It is recommended to undertake further site investigations, including environmental testing to determine the feasibility of the site, develop a concept design and complete community consultation. The high level costing for development and construction stage of this project is estimated at \$150,000. Budget phasing is outlined in the table below:

YEAR	ITEM	BUDGET
2020/21	Feasibility Study, Environmental Testing, Concept Development, Community Consultation	\$10,000
2021/22	Detail Design, Procurement and Construction	\$140,000

The table below outlines a high-level timeline for the project development and delivery stages:

Development stage 2020/21	Estimated duration
a. Needs, demand analysis; and feasibility analysis	2 weeks
b. Site environmental testing	12 weeks
c. Developing concept design (subject to availability of funding)	4 weeks
d. Stakeholder consultation: <ul style="list-style-type: none"> Internal Stakeholders Local community consultation: Liverpool Listens, Letter box drop, community notice boards, Pop-up stalls (subject to COVID-19 restrictions) 	2 weeks 4 weeks
e. Review of stakeholder consultation	2 weeks
f. Amend concept design as per stakeholder feedback	2 weeks
g. Resident Notification Letter (Final Concept)	2 weeks
Construction Stage 2021/22	Estimated duration
h. Detailed design	10 weeks
i. Procurement	10 Weeks
j. Construction, establishment and maintenance	20 weeks

5. Conclusion

With consideration to the hierarchy of open space identified in Council's ROSS Strategy, Mimosa Park is classified as a local park. The park is surrounded by low density residential. As a local park, Mimosa Park will respond to the daily recreation needs of the local community and will serve as a place for relaxation and play. Aligned with the specifications of a local park, this report proposes a natural play space (natural playground), tree planting, grassed informal play area and informal seating benches.

Subject to the availability of funds, a project program is required to be developed to stage the design and construction of the park, inclusive of community consultation.

CONSIDERATIONS

Economic	Currently no budget is allocated to deliver this project.
Environment	Raise community awareness and support action in relation to environmental issues.
Social	Raise awareness in the community about the available services and facilities. Support access and services for people with a disability. Deliver high quality services for children and their families.
Civic Leadership	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.
Legislative	There are no legislative considerations relating to this report.
Risk	The risk level of this project is deemed low. The risk is considered to be within Council's risk appetite.

ATTACHMENTS

Nil

COM 03

COVID-19 Impact on Sporting Field Hire Revenue

Strategic Direction	Creating Connection Deliver a range of community events and activities
File Ref	203891.2020
Report By	Mark Westley - Manager Recreation and Community Outcomes
Approved By	Tina Sangiuliano - Acting Director City Community and Culture

EXECUTIVE SUMMARY

The COVID-19 shutdown period has had the effect of disrupting sporting field hirers from running their winter season activities and consequently will then have a flow on effect into the coming summer season.

Council defines the winter season as between 1 March and 31 August. The month of March typically sees winter sports finalising their pre-season preparation for their competitions to commence early April. This year NSW Government restrictions introduced in response to the COVID-19 pandemic in late March resulted in hirers taking the responsible approach of initially postponing their season start, and later in April the government restrictions mandated that they were unable to commence their winter competitions.

In June 2020 the NSW Government agreed that local sporting competitions could resume for both junior and senior competitions from 1 July 2020 which resulted in modified training resuming earlier in June. To support the resumption of sport in our community Council supported a redefined 15 weekend winter season, 1 July to 11 October, agreed by the state sporting organisations representing the major football codes and cricket and the subsequent modification of the coming summer season.

As a consequence of COVID-19 sports associations and clubs within the LGA are reporting a substantial loss of player registration and difficulty of fielding sufficient teams to maintain competitions. The reduction in player registrations has impacted the financial viability of some clubs where registration fees represent an important source of revenue. In the case of the Liverpool City Robins Soccer Club their season has been further impacted by the use of their home ground as a NSW Health drive-through COVID Clinic.

Council's *Fees and Charges* document defines fees and charges for community sporting groups based on a seasonal flat rate for field use and floodlighting. The fee applied is the same whether the hirer uses the field 10 times or 26 times during the season. There is no ability for the reduction of the fees payable by community sport except through Council resolution.

In recognition of the impact on sports field hirers from the COVID-19 shutdown, this report is provided to enable Council to establish a mechanism for the application of a fee relief plan to reflect the reduced 2020 winter season, the coming 2020/2021 summer season and the other impacts on Community sport.

RECOMMENDATION

That Council:

1. Endorse the application of approved 2019/2020 and 2020/2021 sporting field fees and charges on a pro-rata basis for the 2020 winter and 2020/2021 summer seasons.
2. Endorse the waiving of winter season 2020 fees charged to the Liverpool City Robins Sports Club.

REPORT

The COVID-19 shutdown period has had the effect of disrupting sporting field hirers from running their winter season activities and will have a flow on effect into the coming summer season.

Council defines the winter season as between 1 March and 31 August. The month of March typically sees winter sports finalising their pre-season preparation for their competitions to commence early April. This year NSW Government restrictions introduced in response to the COVID-19 pandemic in late March resulted in hirers taking the responsible approach of initially postponing their season start, and later in April the government restrictions mandated that they were unable to commence their winter competitions.

In June 2020 the NSW Government agreed that local sporting competitions could resume for both junior and senior competitions from 1 July 2020 with modified training resuming earlier in June. The state's major football codes along with Cricket lobbied support from local government agencies to adopt an agreed winter season length of 15 weeks. To support the resumption of sport in our community, and recognising the advantages of streamlining the winter sporting season to be consistent with neighbouring Councils, Council staff supported the redefined 15 weekend winter season between 1 July and 11 October.

Sporting associations operating within the Liverpool LGA have taken a range of approaches to the redefined season with the majority seeking to operate a reduced season and others electing to cancel their season or run a yet to be determined "spring" competition in the hope that the risk of COVID-19 will be more settled at that time. The reality our community is facing at this time is that there is no guarantee that winter sports will be able to fulfil their redefined seasons due to the potential reintroduction of COVID-19 restrictions that stop sport.

CITY COMMUNITY AND CULTURE REPORT

Sports associations and clubs within the LGA are reporting a substantial loss of player registrations. In addition to the difficulty of fielding sufficient teams to maintain competitive competitions, the reduction in player registrations has impacted on the financial viability of some clubs where registration fees represent an important source of revenue.

Council's *Fees and Charges* document defines fees and charges for community sporting groups based on a seasonal flat rate for field use and floodlighting. The fee applied is the same whether the hirer uses the field 10 times or 26 times during the season. There is no ability for the reduction of the fees payable by community sport except through Council resolution.

To support sports clubs and associations, through such a challenging and unprecedented time, a mechanism is required to allow the application of fees that reflects the reduced season. To achieve a reasonable compromise that acknowledges the financial impact of COVID-19 on clubs and recognises that Council continues to incur costs such as field preparation and floodlighting costs, a pro-rata application of Council's fees is proposed.

Under this formula the seasonal hire fee applicable to a booking will be divided by the number of weeks in a regular season (26 weeks). This weekly amount will then be multiplied by the number of weeks in the redefined season. The pro-rata application of fees will also enable Council to apply consistent fees to competitions that straddle the redefined winter and summer seasons.

The financial impact of the pro-rata application of fees on the 2020 winter season is detailed in the table below. For the majority of sporting codes the application of a 15 week competition will result in a 42% reduction in the fees payable to Council. As illustrated in the table, the income invoiced by Council in the 19/20 financial year for hirers opting to continue their winter competition will reduce by \$48,769 from \$115,273 to \$66,503.

Venue	Hirer	Total full season Charges	Revised Season Competition Length Total Weeks	Proposed revised Charges	Discount on seasonal charges
Amalfi Memorial Park	FC Bossy Liverpool Youth	\$ 3,029	15	\$ 1,748	\$ 1,282
Australis Park	Fight For it PT	\$ 215	15	\$ 124	\$ 91
Australis Park	Commit2fit Personal Training	\$ 215	15	\$ 124	\$ 91
Australis Park	Liverpool Oztag	\$ 3,095	15	\$ 1,786	\$ 1,309
Brownes Farm Reserve	Dion Kallistros - fitness hirer	\$ 215	15	\$ 124	\$ 91

CITY COMMUNITY AND CULTURE REPORT

Brownes Farm Reserve	Southern Districts Soccer Football Association (SDSFA)	\$ 4,640	15	\$ 2,677	\$ 1,963
Bill Anderson Reserve	Kemps Creek United Soccer Club	\$ 535	15	\$ 309	\$ 226
Blamfield Oval	Preston Soccer Club	\$ 2,814	15	\$ 1,623	\$ 1,191
Bringelly Reserve	(SDSFA)	\$ 3,029	15	\$ 1,748	\$ 1,282
Childs Park	Iron Up Fitness	\$ 1,686	15	\$ 973	\$ 713
Venue	Hirer	Total full season Charges	Revised Season Competition Length Total Weeks	Proposed revised Charges	Discount on seasonal charges
Craik Park	West Sydney Gridiron	\$ 2,424	15	\$ 1,399	\$ 1,026
Craik Park	Austral City Bears Rugby League Football Club	\$ 2,142	15	\$ 1,236	\$ 906
Daruk Park	Casula Lakers Baseball Club	\$ 1,663	15	\$ 960	\$ 704
Durrant Oval	(SDSFA)	\$ 6,058	15	\$ 3,495	\$ 2,563
Dwyer Oval	Liverpool City Cougars JRUC	\$ 1,753	15	\$ 1,011	\$ 742
Edwin Wheeler Oval	South West Wanderers	\$ 2,035	15	\$ 1,174	\$ 861
Ernie Smith Reserve - Soccer	(SDSFA)	\$ 2,942	15	\$ 1,697	\$ 1,245
Freeman Oval	Werriwa All Breeds Dog Training Club Inc	\$ 67	15	\$ 39	\$ 28
Greenway Park	Tekniq Training	\$ 1,686	15	\$ 973	\$ 713
Greenway Park	South West Tigers Junior AFL	\$ 4,567	15	\$ 2,635	\$ 1,932
Greenway Park	Roy Gallucio / The Athletic Hub	\$ 2,317	15	\$ 1,337	\$ 980
Hammondville Park - Cricket	Sydney Junior Winter Cricket Association	\$ 384	15	\$ 222	\$ 163
Hammondville Park - Netball	Moorebank Sports Netball Club	\$ 2,241	15	\$ 1,293	\$ 948
Hammondville Park - Soccer	Moorebank Sports Soccer Club	\$ 623	15	\$ 360	\$ 264

CITY COMMUNITY AND CULTURE REPORT

Hillier Oval	All Saints JRLC	\$ 3,029	15	\$ 1,748	\$ 1,282
Hoxton Park Reserve	Liverpool Olympic Sports & Social Club	\$ 3,365	15	\$ 1,942	\$ 1,424
Ireland Park	Liverpool Rangers Soccer Club	\$ 5,103	15	\$ 2,945	\$ 2,159
Jardine Park	Casula United Football Club	\$ 3,029	15	\$ 1,748	\$ 1,282
Kokoda Oval	Sydney Junior Winter Cricket Association	\$ 384	15	\$ 222	\$ 163
Venue	Hirer	Total full season Charges	Revised Season Competition Length Total Weeks	Proposed revised Charges	Discount on seasonal charges
Larry Grant Oval (Landa Park)	Hinchinbrook Sports Club	\$ 4,146	15	\$ 2,392	\$ 1,754
McGirr Park	Green Island FC/Australian North Cyprus Friendship Association	\$ 1,471	15	\$ 849	\$ 622
Paciullo Oval	Flow Futbol Academy	\$ 2,599	15	\$ 1,499	\$ 1,100
Paciullo Oval	Sydney Junior Winter Cricket Association	\$ 384	15	\$ 222	\$ 163
Paciullo Oval	Liverpool Touch Football	\$ 1,753	15	\$ 1,011	\$ 742
Paciullo Oval	Ultimate Frisbee	\$ 3,506	15	\$ 2,023	\$ 1,483
Peter Miller Park	Liverpool Eagles Junior AFL	\$ 2,424	15	\$ 1,399	\$ 1,026
Powell Park	Sydney Morning Cricket Association	\$ 384	15	\$ 222	\$ 163
Riverside Park	Canterbury Bankstown District Baseball Club Inc	\$ 3,711	15	\$ 2,141	\$ 1,570
Ron Darcy Oval	Kraljeva Sutjeska Social Soccer Club	\$ 1,753	15	\$ 1,011	\$ 742
Rosedale Oval	South West Sydney Magpies AFL	\$ 2,706	15	\$ 1,561	\$ 1,145
Scott Memorial Park	Austral Soccer Club	\$ 535	15	\$ 309	\$ 226
Schell Park	Sydney Junior Winter Cricket Association	\$ 307	15	\$ 177	\$ 130
South Park	Chipping Norton FC	\$ 5,350	15	\$ 3,087	\$ 2,263

CITY COMMUNITY AND CULTURE REPORT

Stanwell Oval	(SDSFA)	\$ 3,029	15	\$ 1,748	\$ 1,282
Whitlam Park No.2	(SDSFA)	\$ 3,029	15	\$ 1,748	\$ 1,282
Whitlam Park No.3 and No.4	(SDSFA)	\$ 6,058	15	\$ 3,495	\$ 2,563
Wheat Park	Liverpool Sports Club	\$ 3,029	15	\$ 1,748	\$ 1,282
Winnal Reserve	Hinchinbrook Hornets	\$ 3,808	15	\$ 2,197	\$ 1,611
		Total full season Charges		Proposed revised Charges	Total Discount on full seasonal charges
	TOTALS	\$115,273		\$ 66,503	\$ 48,769

It should be noted that the following hirers have opted to cancel their winter season use and will receive a full refund of fees and charges.

		Total full season Charges Refunded
Peter Miller Park	Club Marconi	\$ 2,317
Childs Park Netball	Chipping Norton Netball Club	\$ 1,576
Jacque Osmond Reserve	Southern Districts Softball Association Inc	\$ 1,471
Woodward Park Netball	Liverpool Netball Association	\$ 7,870
	Total	\$ 13,234

Additionally, the Liverpool City Robins Sports Club based at Ash Road Sporting Complex have had their access to this venue impacted greatly by the NSW Health Department's use of this venue as a COVID-19 testing Clinic. The clinic commenced 14 July and currently is due to finish at the end of August although a further extension is likely. Council has relocated club training where possible however, in recognition of the disruption caused, it is proposed that Council waive all winter season hire fees applied to the Liverpool City Robins. Under the pro-rata mechanism this is a waiver of \$4,164.

Venue	Hirer	Total full season Charges	Revised Season Competition Length	Proposed revised Charges	Discount on seasonal charges
Ash Road Sports Complex	Liverpool City Robins Sports Club	\$ 7,217	15	\$ 4,164	\$ 3,054

CITY COMMUNITY AND CULTURE REPORT

The ongoing threat of COVID-19 within the community means that there is no guarantee that winter sports will get to complete their season and the pro-rata fees system will allow Council the flexibility to adjust fees payable by hirers should the reintroduction of COVID-19 restrictions further reduce the winter season.

In terms of the 2020/2021 summer sporting season, Council will again align itself with the collective position received from state sporting organisations representing the major football codes and cricket, which defines the season as starting 17 October and finishing no later than 5 April 2021. This represents a 25-week season for full season competitions.

Given the possibility of further COVID-19 impact it is proposed that Council also apply fees for the summer season on a pro-rata basis which allows Council to accommodate sports who have cancelled completely their winter competitions and are planning “spring” competitions that will straddle the winter and summer seasons.

This position will have approximately a 4% reduction on summer season income where the entire summer season is played without COVID-19 interruption.

Community sporting clubs and physical exercise activities conducted in Council’s parks and reserves are a vital part of the creation of connection and liveability of our city. It is important that Council responds to the impact of COVID-19 on these organisations and providers in a balanced sustainable way.

CONSIDERATIONS

Economic	The pro-rata mechanism will reduce the income invoiced by Council in the 19/20 financial year by \$48,769 from \$115,273 to \$66,503. Fee relief will assist the financial sustainability of community sport during the COVID-19 pandemic.
Environment	There are no environmental and sustainability considerations.
Social	Support community organisations, groups and volunteers to deliver coordinated services to the community.
Civic Leadership	There are no civic leadership and governance considerations.
Legislative	There are no legislative considerations relating to this report.
Risk	There is no risk associated with this report.

ATTACHMENTS

Nil

COM 04

Collingwood Visitation Precinct Masterplan

Strategic Direction	Creating Connection Implement access and equity for all members of the community
File Ref	206666.2020
Report By	Galavizh Ahmadi Nia - Manager Community Development and Planning
Approved By	Tina Sangiuliano - Acting Director City Community and Culture

EXECUTIVE SUMMARY

At its meeting on 27 May 2020, Council resolved to prepare a Masterplan for the Collingwood Visitation Precinct (Collingwood Precinct).

The development of the Collingwood Precinct represents a unique opportunity for Council to advantageously position this iconic site in alignment with key growth trends occurring and emerging in Liverpool. Envisioning the Collingwood Precinct as a cultural and historical gateway for local residents and tourists, the site will preserve and recognise the values, virtues, and vision of a diverse community that call Liverpool home.

Collingwood Precinct was listed as an Aboriginal Place, under the National Parks and Wildlife Act 1974, on 6 March 2009. The Aboriginal Place is associated with early engagement, and at times conflict, between colonial settlers and Aboriginal people.

Originally known as Bunker's Farm, the Collingwood Precinct represents a rare and insightful glimpse into the development and expansion of colonial settlement in the Liverpool region, providing evidence as an influencer of agricultural, economic, and industrial growth for the area.

Today, the Collingwood Precinct Aboriginal Place is important to Aboriginal people because the location and outlook provide a connection to Country and culture. The site also continues to be used as a meeting place by Aboriginal community.

Currently located at the Collingwood Precinct are the Liverpool Regional Museum, the Collingwood House and Discovery Park. It is a place of significant cultural and heritage value for the Aboriginal Community, coupled with an important colonial history. These factors place the Collingwood Precinct among the most unique places in Liverpool.

CITY COMMUNITY AND CULTURE REPORT

The development of the Collingwood Precinct establishes a significant benefit between linking heritage and tradition, local connection, national recognition, and global interest, and has the potential to command national and international attention to install Liverpool as an unmissable travel destination.

The redevelopment of Collingwood Precinct will be a proactive response to the projected economic growth in Liverpool, the projected tourist traffic generated from the future Western Sydney Airport, and the proximity to the City Centre and the Georges River. The Masterplan will seek to further enhance Liverpool's reputation as a welcoming place for all and provide an opportunity to deeply explore and connect the many cultural, historical, and community-driven aspects that contribute to Liverpool's diversity by:

- Establishing a First Nations' culture and heritage centre, with indoor and outdoor areas devoted to telling the stories of and celebrating the culture of the local Indigenous communities past, present and emerging;
- Preserving the post-colonial character and connect Collingwood Precinct to the Museum (and possibly the Library Heritage Section) and the School of Arts, using the Georges River walk/cycleway;
- Connecting Collingwood Precinct to Casula Parklands, Environmental Education Centre, Casula Powerhouse Art Centre and Georges River;
- Increasing accessibility and connectivity of Collingwood Precinct to significant transport modes, and pedestrian and bike networks; and
- Developing the open space and parklands that celebrates the Aboriginal heritage, the colonial history and today's multicultural city.

There is currently no funding included in Council's 2020/2021 budget for this project. The engagement of a consultant to undertake the Masterplan process is estimated to cost between \$150,000 and \$200,000.

This report seeks endorsement for the allocation of funds for the development of the Masterplan for the Collingwood Precinct to include existing infrastructure and assets. A Conservation Management Plan is currently being prepared for Collingwood House, which will be a key reference document for the preparation of the Masterplan. The Masterplan scope will include the cost estimate of recommended redevelopments and will form the basis to lobby the State and Federal Governments for funding.

RECOMMENDATION

That Council:

1. Receives and notes the report; and
2. Endorses funds of \$150,000 – 200,000 in the 2020/21 financial year to engage a consultant to undertake the Masterplan.

REPORT

1. Background

At the Ordinary Meeting held on 27 May 2020, Council resolved to:

1. Prepare a Masterplan for a Visitation Precinct that includes:

- Collingwood House;
- Liverpool Museum;
- New Liverpool Historical Society building;
- An Aboriginal Arts, Culture and Learning facility;
- Café; and
- Car and Bus Parking.

For the land bounded by the Hume Highway, Congressional Drive and Birkdale Crescent Liverpool.

2. Prepare the Visitation Concept Precinct Masterplan design and possible cost and Report back to Council at the 29 July Council Meeting in order to further place on Exhibition for Community Consultation.
3. Lobby State and Federal Governments for funding and include the Visitation Precinct Masterplan in the 10-year plan of Council.
4. Consider the Government initiative for TCorp loans for community projects that could be applicable for this project at the next Budget Review Meeting.

There is currently no funding included in Council's 2020/2021 budget for this project. The engagement of a consultant to undertake the Masterplan process is estimated to cost between \$150,000 and \$200,000.

This report seeks endorsement for the allocation of these funds for the development of the masterplan for Collingwood Precinct to include existing infrastructure and assets. A Conservation Management Plan is currently being prepared for Collingwood House, which will be a key reference document for the preparation of the Masterplan. The Masterplan scope will include the cost estimate of recommended redevelopments and will form the basis to lobby the State and Federal Government for funding.

Originally known as Bunker's Farm, the estate was one of the earliest and largest land grants in the Liverpool region, and influenced the economic growth of the estate lands. This played an essential role in the development of agriculture and early industries in the colony. The Collingwood Precinct is comprised of three key assets:

- The Collingwood House and garden;
- The Liverpool Regional Museum; and
- The parklands, inclusive of Discovery Park.

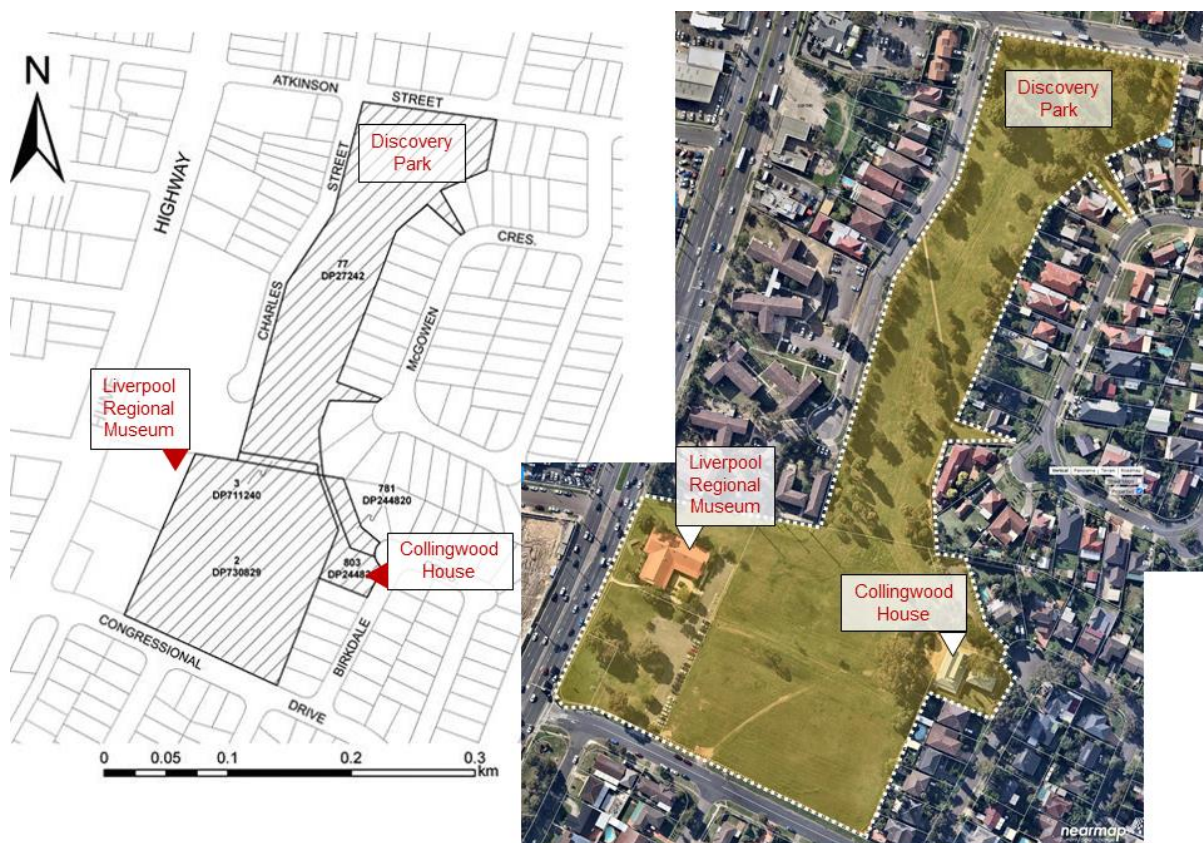


Figure 1.1: The scope of Collingwood Precinct

2. The historical context of Collingwood Precinct

Aboriginal Significance

The Collingwood Precinct was listed as an Aboriginal Place, under the National Parks and Wildlife Act 1974, on 6 March 2009. The land on which the Collingwood Estate (Bunker's Farm) is located is associated with the Tharawal, Dharug and Gundungurra peoples. The Precinct is located within the boundaries of the Tharawal Local Aboriginal Land Council (bordering Gandangara Local Aboriginal Land Council) and is of significance to the Tharawal and Dharug people.

The hilltop and ridgeline at Collingwood are understood to have been a meeting place for the Tharawal and Dharug people and a vantage point enabling the Country to be observed and monitored. Aboriginal community members have advised that when meeting, it was important for Aboriginal people to be still able to see their own country. It is also understood that this high point was used by Aboriginal people as a look out across the Georges River to the East

and the mountains to the West. The lookout provided views across the landscape, which allowed for observations of weather patterns, movements, threats from fire and changes in seasonal vegetation. The 'vista' from the high ground provides a view corridor southeast to the Georges River.²

Aboriginal community members have advised that Aboriginal artefacts have been found in the vicinity of the house and scarred trees were a feature of the Collingwood Estate.

Today, the Collingwood Precinct Aboriginal Place is important to Aboriginal people because the location and outlook provide a connection to Country and culture. The site also continues to be used as a meeting place for Aboriginal people. As such, input and directions on the vision and aspiration for this Aboriginal significant place from the Aboriginal community, including the Aboriginal Consultative Committee, Tharawal and Gandangara Aboriginal Land councils and other key stakeholders will be of high importance. Initial discussions have occurred with Tharawal Local Aboriginal Land Council on the intention to redevelop this site. In these discussions, Council have highlighted the importance of the land council's playing a key role in the planning and implementation of the Masterplan.

The Colonial Significance

The Collingwood House Estate is a remnant cultural landscape that demonstrates the changing use and occupation of the site and the significant transition of the place from an agricultural estate to an industrial estate during the 19th century.

The homestead complex is a rare example of a modified colonial Georgian residence that demonstrates the evolution of domestic colonial architecture and its adaptation to the Australian environment from the early 1800s to the early 1900s. It is one of only a small number of houses that remain from the Macquarie period and one of only a small number of examples remaining of the homesteads which once occupied the shores of the Georges River, another being Glenfield Farm. The evolution of the house and its fabric, dimensions, and layout are illustrative of the social and economic standing of its various owners within the colony, their resources, and the genteel lifestyle to which they aspired.³

The Liverpool Regional Museum

Liverpool Regional Museum was opened on 3 June 1989 as part of Australia's Bicentennial celebrations. The museum was initially managed by the Liverpool and District Historical Society, with Council assuming full responsibility for the museum during the 1990s. The museum curates and exhibits items reflecting environmental, heritage, and social themes

² Heritage Council of NSW, 'Collingwood, Bunker's Cottage, Bunker's Farm', accessed on 24 July 2020, <https://www.environment.nsw.gov.au/heritageapp/visit/ViewAttractionDetail.aspx?id=5052418>,

³ Heritage Council of NSW, 'Collingwood, Bunker's Cottage, Bunker's Farm', accessed on 24 July 2020, <https://www.environment.nsw.gov.au/heritageapp/visit/ViewAttractionDetail.aspx?id=5052418>,

within South-West Sydney while preserving and promoting Liverpool's cultural heritage, history and stories through collections, exhibitions, and public programs.

The Liverpool Regional Family History Centre

The Liverpool Regional Family History Centre opened in August 2009, with the relocation of the Liverpool Genealogy Society from the Liverpool City Library to the Liverpool Regional Museum. The Centre features specialised family history resources and provides a unique research centre for the study of worldwide family history. The Centre is also home to the Liverpool Genealogy Society Inc. who together with the Council, has a mutual interest in preserving, promoting, and providing access to a wide range of family history resources.⁴

The Parklands/Discovery Park

Discovery Park was developed and officially opened by Captain JA Shearing R.A.N on 7 March 1970 as Liverpool's contribution to the commemoration of Australia's 200th Anniversary. Originally located at the corner of George and Moore Streets, the site included a relocated obelisk to serve as the centrepiece of Discovery Park and was Liverpool's contribution to the Bicentennial celebrations of the 'discovery' of Australia by Captain Cook.

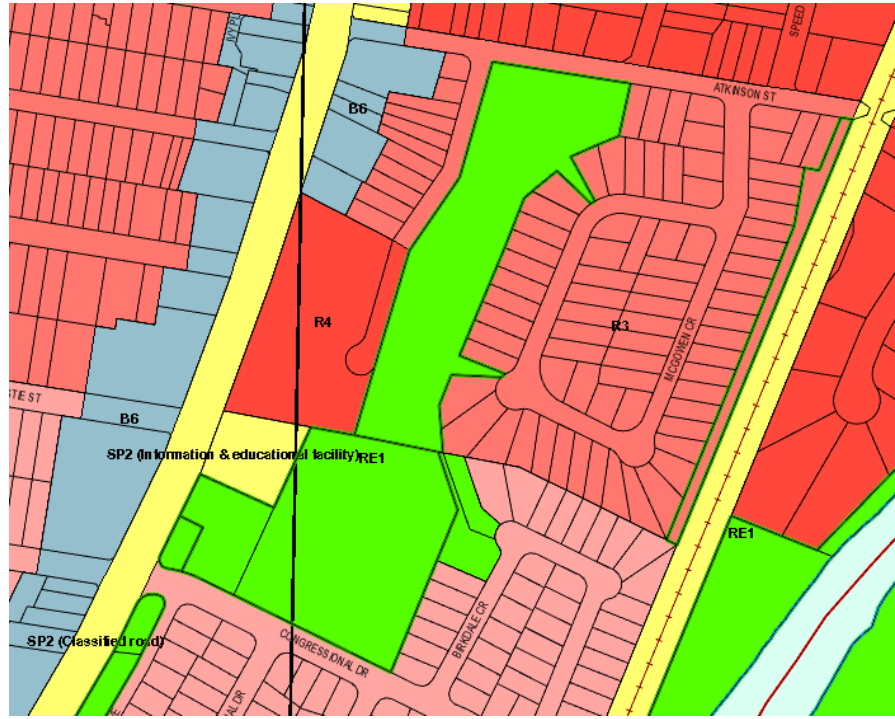
In 2017, the obelisk was removed from Discovery Park, and in 2018 was relocated back to Bigge Park and restored to its original height and form.

Discovery Park currently has little in the way of embellishments. There is a small garden area recognizing Captain James Cook. There is no play equipment or park furniture.

⁴ Liverpool City Council, Liverpool Regional Family Centre, accessed on 27 July 2020, <https://www.familyhistorycentre.com.au/about-us.html>

3. Current context

Collingwood Precinct, inclusive of the Discovery Park, is zoned under RE1- Public Recreation. Discovery Park is classified as a district level park and is surrounded by a network of local and neighborhood parks and open spaces. The table below provides further information on the surrounding land use and provision of parks and open spaces:

Current zoning	
	
Total area of Collingwood Precinct (inclusive of The Collingwood House, Liverpool Regional Museum and Discovery Park)	52,396.7 sqm/5.24ha
Current use: <ul style="list-style-type: none"> • Collingwood House- Normally open for heritage tours, but currently closed for conservation works. • The Liverpool Regional Museum and Family History Centre- Visitors tours, exhibitions, heritage, and other collections • Discovery Park- Passive recreation 	

Local context:

The figure below records the existing network of parks and open spaces around Collingwood Precinct. Other local and neighborhood parks include:

Park	Area (sqm)	Classification
Hazel Bradshaw Park	1,587	Neighborhood Park
Congressional Park	557.40	Local Park
Kiwi Grove	3,452	Neighborhood Park
Everett Park	3,914	Neighborhood Park



Figure 2.1: Existing parks and open spaces around Collingwood Precinct

4. Strategic alignment

The Masterplan will require alignment with the following strategies and plans:

- Liverpool Local Strategic Planning Statement;
- Recreation, Open Space and Sports Strategy;
- Destination Management Plan;
- Liverpool City Centre Public Domain Masterplan;
- Georges River Parklands and Chipping Norton Lakes Spatial Framework - A Masterplan process will be commenced in August 2020;
- Connectivity to the proposed Environmental Education Centre at Casula Parklands;
- Western Sydney District Plan;
- Collingwood Precinct Plan of Management (2011); and
- Conservation Management Plan for Collingwood House.

There is an excellent opportunity for the Visitation Precinct to be a key destination in a regionally significant green and cultural precinct, including the Georges River Parklands, Casula Parklands, Casula Powerhouse Arts Centre, and the future Environmental Education Centre.

5. Masterplan Scope

A workshop among key internal stakeholders was conducted to formulate preliminary scope of the Masterplan, aligned with key strategic directions and community's feedback and aspiration for the Precinct. The following preliminary scope was outlined for further investigation through a comprehensive Masterplan process:

- Establish a First Nations' culture and heritage centre, with indoor and outdoor areas devoted to telling the stories of and celebrating the culture of the local Indigenous communities past, present and emerging;
- Preserve the post-colonial character and connect Collingwood Precinct to the Museum (and possibly the Library Heritage Section) and the School of Arts, using the Georges River walk/cycleway;
- Connect Collingwood Precinct to Casula Parklands, Environmental Education Centre, Casula Powerhouse Art Centre and Georges River;
- Increase accessibility and connectivity of Collingwood Precinct to significant transport modes, and pedestrian and bike networks; and
- Develop the open space and parklands that celebrates the Aboriginal heritage, the colonial history and today's multicultural city. A welcoming place for all, incorporating music, dance, art, food and passive recreational uses.

Community consultation will be critical in the development of the masterplan and the formulation of the scope. It will likely involve the establishment of a community reference or working group including Indigenous and non-indigenous representatives from the community.

High level program for the Masterplan

There is currently no funding included in Council's 2020/2021 budget for this project. The engagement of a consultant to undertake the Masterplan process is estimated to cost between \$150,000 and \$200,000. Council may have to explore the option of redirecting existing funds (if available) towards the preparation of the Masterplan for Collingwood Precinct. It should be noted that Council currently has a shortfall in the delivery of social infrastructure.

Subject to Council's funding of the Masterplan preparation, the following table presents a high-level timeline for the various critical stages of this project:

Stage	Estimated duration	Estimated Start	Estimated Finish
1. Preparation of the project brief	3-4 weeks	September 2020	September 2020
2. Procurement of external consultants	6 weeks	October 2020	November 2020
3. Preparation of a draft masterplan	16 weeks	November 2020	May 2021
4. Council endorsement of the draft Masterplan			June 2021
5. Public exhibition of the Council endorsed draft Masterplan			July 2021
6. Adoption of final Masterplan by Council			September 2021

Note: Community consultation and engagement is a critical part of the masterplan process. Stage 3 (table above) is inclusive of the community engagement. Considering the historical and Aboriginal significance attached to the components of Collingwood Precinct, a comprehensive consultation with the community (inclusive of Indigenous and non-indigenous representatives) is required, which can potentially prolong the masterplan process.

Conclusion:

The development of the Collingwood Precinct represents a unique opportunity for Council to advantageously position this iconic site in alignment with key growth indicators occurring and emerging in Liverpool. The intended key outcomes of master planning are to:

- Establish Collingwood Precinct as a historically and culturally significant tourist destination strengthening local and regional heritage; and local character of Liverpool;
- Enable the translation of the vision into a key strategic document to lobby for the State and Federal Government for funding; and
- Further enhance Liverpool's reputation as a welcoming place for all and provide an opportunity to explore and connect Liverpool's cultural and historical diversity.

CONSIDERATIONS

Economic	Enhance the environmental performance of buildings and homes.
Environment	Enhance the environmental performance of buildings and homes. Protect, enhance, and maintain areas of endangered ecological communities, and high-quality bushland as part of an attractive mix of land uses. Raise community awareness and support action in relation to environmental issues.
Social	Raise awareness in the community about the available services and facilities. Support access and services for people with a disability. Deliver high-quality services for children and their families.
Civic Leadership	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 customer-focused services.
Legislative	There are no legislative considerations relating to this report.

Risk	The risk level of this project is deemed low. The risk is considered within Council's risk appetite.
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ATTACHMENTS

Nil

CORP 01

Investment Report July 2020

Strategic Direction	Leading through Collaboration Seek efficient and innovative methods to manage our resources
File Ref	201823.2020
Report By	John Singh - Accountant - Investments & Treasury Management
Approved By	Vishwa Nadan - Chief Financial Officer

EXECUTIVE SUMMARY

This report details Council's investment portfolio and its performance for the month ended 31st July 2020:

- Council held investments with a market value of \$287 million;
- The economic environment globally, including Australia, suffered significantly from the start of the COVID-19 pandemic in March. The market value of Council's investment in Floating Rate Notes (FRN) has since improved;
- The portfolio yield was 125 basis points above the AusBond Bank Bill index;

	AusBond Bank Bill Index (BBI)
Benchmark	0.73%
Portfolio yield	1.98%
Performance above benchmarks	1.25%

- Return on investment was \$166k lower than the original budget;
- Council's investment advisor, Amicus Advisory, has completed its review of Emerald Mortgage Backed Securities and recommends Council continue to hold its investments in the "Class A" and both "Class C" securities given current poor market pricing. MBS Securities are now not rated;
- Council's investments and reporting obligations fully complied 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 complied with limits set out in its current Investment Policy; and
- Council is committed to NSW TCorp's balanced investment framework and held 19.51% of its portfolio in ADI's rated BBB and below.

RECOMMENDATION

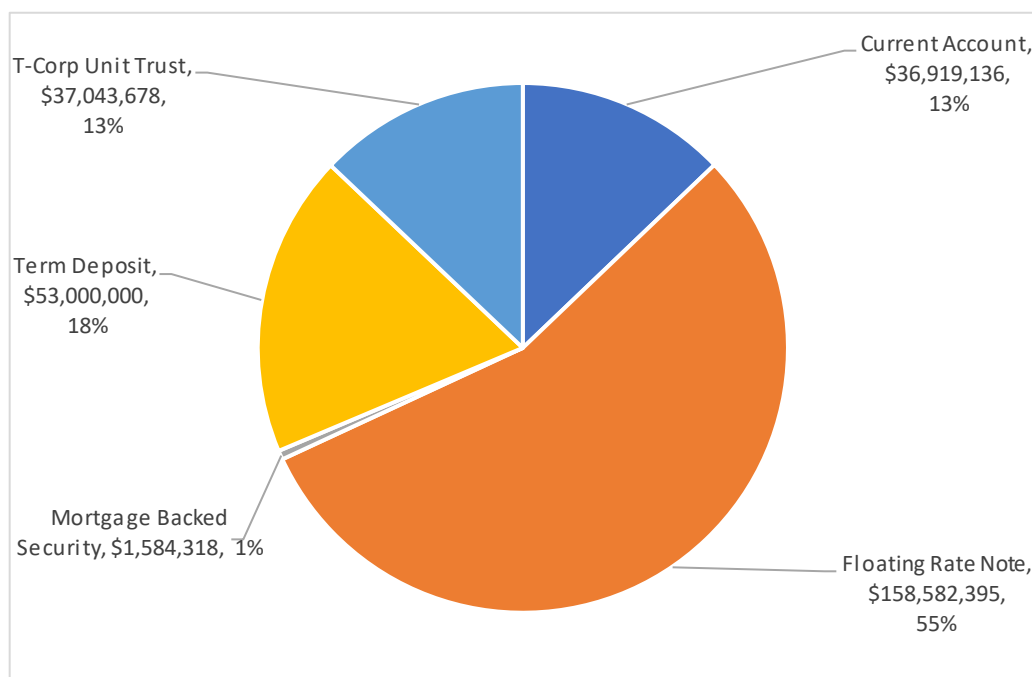
That Council receives and notes this report.

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 31st July 2020, Council held investments with a market value of \$287 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	Jul-20	Jun-20
Senior Debts (FRN's ,TCD's & FRB)*	101.20%	100.75%
MBS (Reverse Mortgage Backed Securities)	62.07%	62.11%
T-Corp Unit Trusts	102.90%	102.81%

***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.

The economic environment globally, including Australia, suffered significantly from the start of the COVID-19 pandemic in March. The market value of Council's investment in FRN's has since improved. Council has sufficient funds in its current account and has no plans at this stage to sell off any of its FRN's to meet its short-term cashflow requirements.

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.

Council is committed to NSW TCorp's balanced investment framework and held 19.51% of its portfolio in ADI's rated BBB and below.

Emerald – Mortgaged Backed Securities

Council's new investment advisor, Amicus Advisory, was asked on appointment to review Council's investments in "grandfathered" mortgage backed securities. Amicus has completed its review and recommends Council continue to hold its investments in the "Class A" and both "Class C" securities given current poor market pricing. Notwithstanding this recommendation, Amicus has assessed both "Class C" securities are likely to eventually default. However, Council will continue to receive interest up until default which is likely many years away. Fitch Rating Agency has decided to withdraw its rating on mortgage backed securities and as a result, Council investments in these securities are now classed non-rated.

Portfolio Maturity Profile

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

Term to Maturity	Total	% Holdings	Term to Maturity Policy Limit Minimum	Term to Maturity Policy Limit Maximum	Complies to Investment Policy' "Yes/No"
Current Account	36,919,136	12.86%			
Term Deposits < 1 Yr	36,000,000	12.54%			
T-Corp Unit Trust	37,043,678	12.90%			
Tradeable securities	158,582,396	55.23%			
Portfolio % < 1 Yr - (Short term liquidity)	\$268,545,210	93.53%	40%	100%	Yes
Term Deposit > 1 Yr < 3Yrs	17,000,000	5.92%	0%	60%	Yes
Grand Fathered Securities	1,584,318	0.55%	N/A	N/A	Yes
Portfolio % Medium term liquidity)	\$18,584,318	6.47%			Yes
Total Portfolio	\$287,129,528	100.00%			

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+	10,612,202	3.70%	25%	Yes
ANZ Banking Group Ltd	AA-	18,310,680	6.38%	25%	Yes
Auswide Bank Ltd	BBB	5,001,444	1.74%	15%	Yes
Bank Australia Ltd	BBB	3,499,238	1.22%	15%	Yes
Bank of China/Sydney	A	2,008,512	0.70%	25%	Yes
Bank of Communications Co. Ltd/Sydney	A-	3,009,168	1.05%	25%	Yes
Bank of Nova Scotia	A+	5,562,728	1.94%	25%	Yes
Bank of Queensland Ltd	BBB+	9,511,709	3.31%	15%	Yes
Bendigo & Adelaide Bank Ltd	BBB+	506,298	0.18%	15%	Yes
Citibank Australia Ltd	A+	1,003,296	0.35%	25%	Yes
Commonwealth Bank of Australia Ltd	AA-	56,731,025	19.76%	35%	Yes
Credit Union Australia Ltd	BBB	4,528,005	1.58%	15%	Yes
Emerald Reverse Mortgage Trust (Class A)	Unrated	723,120	0.25%	35%	Yes
Emerald Reverse Mortgage Trust (Class C)	Unrated	861,198	0.30%	2%	Yes
Heritage Bank Ltd	BBB+	3,517,136	1.22%	15%	Yes
HSBC Sydney Branch	AA-	8,012,008	2.79%	25%	Yes
Macquarie Bank	A+	9,077,485	3.16%	25%	Yes
Members Banking Group Ltd t/a RACQ Bank	BBB+	1,507,437	0.53%	15%	Yes
Members Equity Bank Ltd	BBB	1,607,002	0.56%	15%	Yes
National Australia Bank Ltd	AA-	28,439,135	9.90%	35%	Yes
Newcastle Permanent Building Society Ltd	BBB	3,552,458	1.24%	15%	Yes
NSW Treasury Corporation	AAA	35,945,923	12.52%	35%	Yes
NSW Treasury Corporation	AA	1,097,756	0.38%	35%	Yes
P&N Bank Ltd	BBB	2,000,000	0.70%	15%	Yes
Police Credit Union	Unrated	2,000,000	0.70%	2%	Yes
Qbank	BBB-	4,481,803	1.56%	15%	Yes
Rabobank Australia Ltd	A+	4,021,950	1.40%	25%	Yes
Suncorp Bank	A+	8,050,035	2.80%	25%	Yes
Teachers Mutual Bank Ltd	BBB	2,115,238	0.74%	15%	Yes
Westpac Banking Corporation Ltd	AA-	49,835,543	17.36%	35%	Yes
Portfolio Total		\$287,129,528	100.00%		

Overall Portfolio Credit Framework compliance to Investment Policy

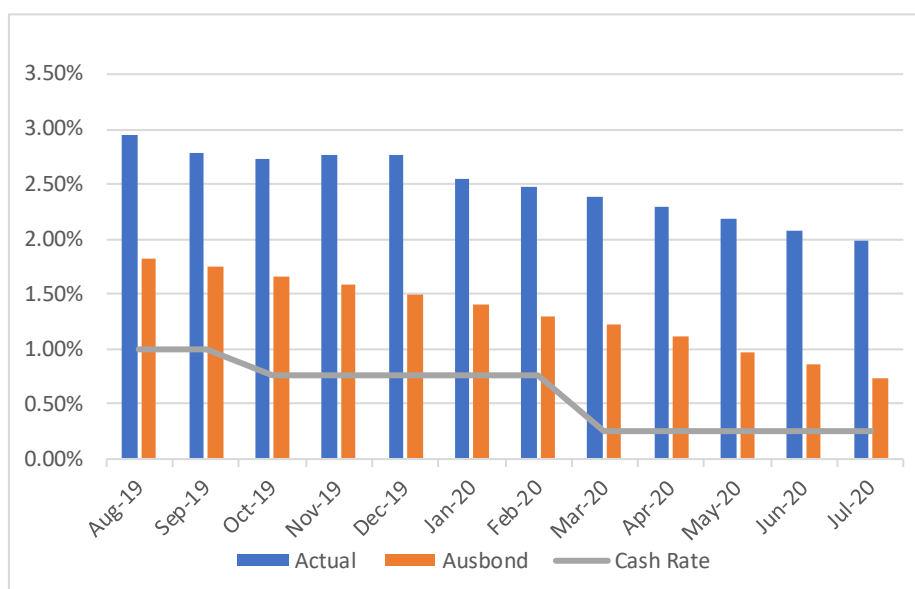
Credit Rating	Market Value	% Portfolio	Maximum Policy Limit	Complies to Investment Policy' "Yes/No"
AAA Category	35,945,923	12.52%	100%	Yes
AA Category	162,426,146	56.57%	100%	Yes
A Category	32,733,174	11.40%	60%	Yes
BBB Category	52,439,968	18.26%	40% - 45%	Yes
Unrated	3,584,318	1.25%	5% - 10%	Yes
Total Portfolio	\$287,129,528	100.00%		

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.

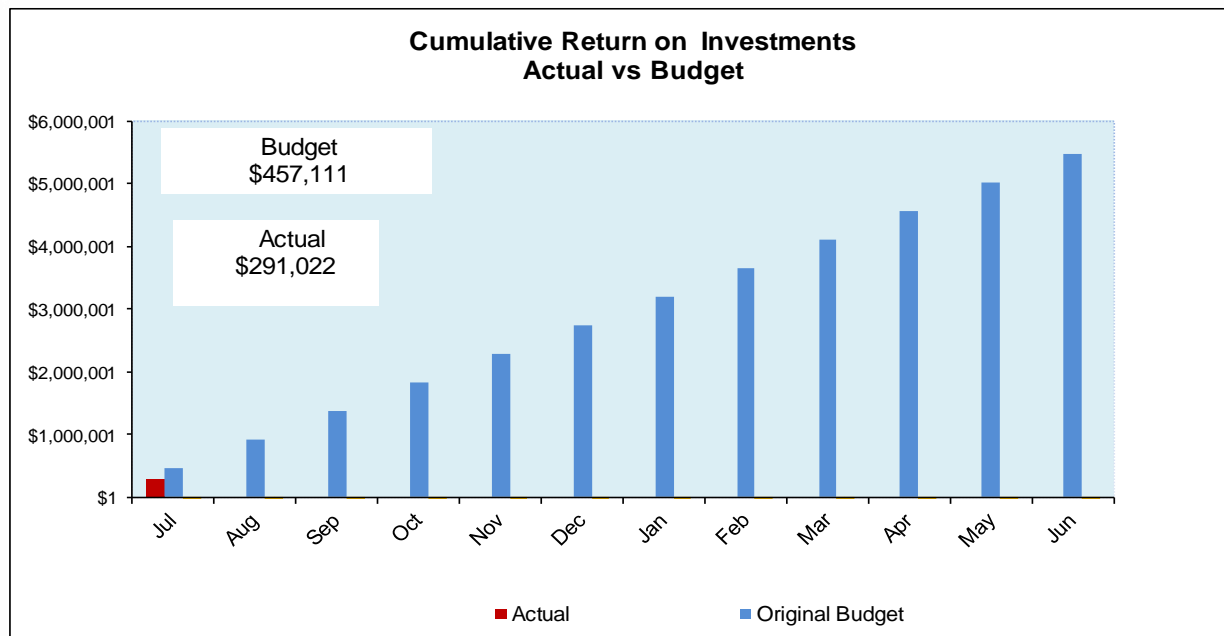
The portfolio yield to 31st July 2020 exceeded the AusBond Bank Bill index by 125 basis points (1.98% against 0.73%)

Council portfolio continues to perform 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 July 2020 is lower than the original budget by \$166k.



Investment Portfolio at a Glance

Portfolio Performance	✓	The portfolio yield to 31 st July 2020 exceeded the AusBond Bank Bill index by 125 basis points (1.98% against 0.73%).
Annual Income vs. Budget	✓	Council's investment interest income is lower than the original budget by \$166k as at 31 st July 2020 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 Reserve Bank has left the official cash rate on hold at 0.25 per cent in its meeting on 4th August 2020. The current 0.25 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 had previously requested an on-going independent review of its investment portfolio by the Audit Risk and Improvement Committee (ARIC) or its representative under delegated authority. At its meeting on 29th July 2020, Council resolved to discontinue this requirement. NSW Audit Office, as part of their annual audit procedure will obtain confirmation from respective financial institutions and validate Councils investments.

CONSIDERATIONS

Economic	Council's investment interest income is lower than the original budget by \$166k as at 31 st July 2020 and will be closely monitored.
Environment	There are no environmental and sustainability considerations.
Social	There are no social and cultural considerations.
Civic Leadership	There are no civic leadership and governance considerations.
Legislative	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> .
Risk	The capital value and return on investment is subject to market risks. Investment limits prescribed in Council's policy framework is aimed to mitigate these risks.

ATTACHMENTS

1. Investment Portfolio - July 2020



Portfolio Valuation As At 31 July 2020

Fixed Interest Security	Maturity Date	Security Rating	Face Value Current	Market Value	% Total Value	Running Yield
CBA Business Saver		AA-	34,824,010	34,824,010	12.13%	0.50%
CBA General Account		AA-	1,494,640	1,494,640	0.52%	0.10%
AMP Notice Account		BBB+	276,936	276,936	0.10%	1.05%
AMP Business Saver		BBB+	323,550	323,550	0.11%	0.70%
			36,919,136	36,919,136	12.86%	
Fixed Rate Bond						
AMP Bank	07/12/2020	BBB+	5,000,000	5,006,935	1.74%	2.99%
			5,000,000	5,006,935	1.74%	
Floating Rate Deposit						
Westpac	18/08/2022	AA-	6,000,000	6,000,000	2.09%	1.15%
			6,000,000	6,000,000	2.09%	
Floating Rate Note						
AMP Bank	10/09/2021	BBB+	5,000,000	5,004,780	1.74%	1.18%
ANZ Bank	09/05/2023	AA-	3,000,000	3,047,205	1.06%	1.00%
ANZ Bank	06/12/2023	AA-	7,000,000	7,152,565	2.49%	1.13%
ANZ Bank	29/08/2024	AA-	5,000,000	5,069,015	1.77%	0.87%
ANZ Bank	16/01/2025	AA-	3,000,000	3,041,895	1.06%	0.86%
Auswide Bank	06/11/2020	BBB	2,000,000	2,001,444	0.70%	1.21%
Bank Australia	30/08/2021	BBB	1,500,000	1,509,126	0.53%	1.40%
Bank Australia	02/12/2022	BBB	2,000,000	1,990,112	0.69%	1.00%
Bank of China (Australia)	19/04/2021	A	2,000,000	2,008,512	0.70%	1.13%
Bendigo and Adelaide	25/01/2023	BBB+	500,000	506,298	0.18%	1.15%
BOQ	26/10/2020	BBB+	1,500,000	1,502,964	0.52%	1.27%
BOQ	18/05/2021	BBB+	1,000,000	1,008,745	0.35%	1.58%
Citibank, N.A.	14/11/2024	A+	1,000,000	1,003,296	0.35%	0.97%
Commonwealth Bank	25/04/2023	AA-	3,000,000	3,039,285	1.06%	0.90%
Commonwealth Bank	16/08/2023	AA-	7,500,000	7,632,788	2.66%	1.03%
Commonwealth Bank	11/01/2024	AA-	9,500,000	9,740,303	3.39%	1.24%
Credit Union Australia	06/09/2021	BBB	2,000,000	2,016,790	0.70%	1.35%
Credit Union Australia	24/10/2024	BBB	2,500,000	2,511,215	0.87%	1.22%
Heritage Bank	29/03/2021	BBB+	3,500,000	3,517,136	1.22%	1.33%
HSBC	27/09/2024	AA-	3,000,000	2,998,698	1.04%	0.93%
HSBC	27/09/2024	AA-	2,000,000	1,999,132	0.70%	0.93%
HSBC Bank Australia	07/12/2022	AA-	3,000,000	3,014,178	1.05%	0.90%
Macquarie Bank	21/06/2022	A+	2,000,000	2,014,910	0.70%	0.85%
Macquarie Bank	07/08/2024	A+	4,000,000	4,032,140	1.40%	0.90%
Macquarie Bank	12/02/2025	A+	3,000,000	3,030,435	1.06%	0.93%
Members Equity Bank	16/04/2021	BBB	1,600,000	1,607,002	0.56%	1.37%
NAB	16/05/2023	AA-	2,000,000	2,031,670	0.71%	1.00%
NAB	26/09/2023	AA-	8,000,000	8,145,720	2.84%	1.03%
NAB	26/09/2023	AA-	4,000,000	4,072,860	1.42%	1.03%
NAB	26/02/2024	AA-	5,000,000	5,113,225	1.78%	1.14%
NAB	19/06/2024	AA-	4,000,000	4,075,660	1.42%	1.03%
Newcastle Permanent	24/01/2022	BBB	2,000,000	2,030,850	0.71%	1.75%
Newcastle Permanent	06/02/2023	BBB	1,500,000	1,521,608	0.53%	1.51%
QBANK	14/12/2021	BBB-	1,000,000	1,000,513	0.35%	1.60%
QBANK	25/03/2022	BBB-	1,500,000	1,497,480	0.52%	1.50%

	Maturity Date	Security Rating	Face Value Current	Market Value	% Total Value	Running Yield
Fixed Interest Security						
QBANK	06/12/2022	BBB-	2,000,000	1,983,810	0.69%	1.25%
Rabobank Australia Branch	03/03/2022	A+	2,000,000	2,021,950	0.70%	1.18%
RACQ Bank	23/05/2022	BBB+	1,500,000	1,507,437	0.53%	1.15%
ScotiaBank	08/09/2022	A+	3,000,000	3,029,565	1.06%	1.02%
ScotiaBank	07/09/2023	A+	2,500,000	2,533,163	0.88%	1.08%
Suncorp	12/04/2021	A+	2,000,000	2,015,230	0.70%	1.49%
Suncorp	16/08/2022	A+	1,000,000	1,011,475	0.35%	1.07%
Suncorp	30/07/2024	A+	3,000,000	3,013,998	1.05%	0.88%
Suncorp	30/07/2024	A+	2,000,000	2,009,332	0.70%	0.88%
Teachers Mutual Bank	02/07/2021	BBB	2,100,000	2,115,238	0.74%	1.47%
Westpac	06/03/2023	AA-	5,000,000	5,066,775	1.76%	0.93%
Westpac	16/11/2023	AA-	6,000,000	6,115,830	2.13%	1.05%
Westpac	24/04/2024	AA-	4,000,000	4,107,300	1.43%	1.24%
Westpac	16/08/2024	AA-	2,500,000	2,545,638	0.89%	0.98%
			148,700,000	150,566,292	52.44%	
Floating Rate TCD						
Bank of Communications	28/10/2022	A-	3,000,000	3,009,168	1.05%	0.99%
			3,000,000	3,009,168	1.05%	
Mortgage Backed Security						
EmeraldMBS2006-1A	21/08/2051	Unrated	1,052,456	723,120	0.25%	0.54%
EmeraldMBS2006-1C	21/08/2056	Unrated	1,000,000	569,449	0.20%	1.29%
EmeraldMBS2007-1C	23/07/2057	Unrated	500,000	291,749	0.10%	1.05%
			2,552,456	1,584,318	0.55%	
Term Deposit						
Auswide Bank	06/09/2021	BBB	3,000,000	3,000,000	1.04%	1.80%
BOQ	19/08/2020	BBB+	1,000,000	1,000,000	0.35%	3.05%
BOQ	07/09/2020	BBB+	1,000,000	1,000,000	0.35%	3.00%
BOQ	07/09/2020	BBB+	1,000,000	1,000,000	0.35%	3.00%
BOQ	07/02/2022	BBB+	2,000,000	2,000,000	0.70%	3.75%
BOQ	08/02/2021	BBB+	2,000,000	2,000,000	0.70%	3.60%
NAB	30/09/2020	AA-	3,000,000	3,000,000	1.04%	1.60%
NAB	04/11/2020	AA-	2,000,000	2,000,000	0.70%	0.77%
P&N Bank	14/08/2020	BBB	2,000,000	2,000,000	0.70%	3.00%
Police Credit Union SA	16/08/2021	Unrated	2,000,000	2,000,000	0.70%	3.20%
Rabobank Australia Branch	29/08/2022	A+	2,000,000	2,000,000	0.70%	3.38%
Westpac	31/08/2022	AA-	2,000,000	2,000,000	0.70%	3.32%
Westpac	28/09/2020	AA-	4,000,000	4,000,000	1.39%	3.05%
Westpac	28/09/2020	AA-	4,000,000	4,000,000	1.39%	3.05%
Westpac	14/12/2020	AA-	3,000,000	3,000,000	1.04%	2.88%
Westpac	21/12/2020	AA-	3,000,000	3,000,000	1.04%	3.00%
Westpac	02/09/2020	AA-	5,000,000	5,000,000	1.74%	1.59%
Westpac	08/09/2020	AA-	5,000,000	5,000,000	1.74%	1.62%
			47,000,000	47,000,000	16.37%	
F1 Total			249,171,592	250,085,849	87.10%	
Security Type						
			Face Value Current	Market Value		
NSWTC IM Cash Fund			35,000,000	35,945,923	12.52%	
NSWTC IM Short Term Income Fund			1,000,000	1,097,756	0.38%	
			36,000,000	37,043,678	12.90%	
F1 Total			249,171,592	250,085,849	87.10%	
Portfolio Total			285,171,592	287,129,528	100.00%	

CTTE 01

**Minutes of the Environment Advisory Committee
held on 22 June 2020**

Strategic Direction	Strengthening and Protecting our Environment Develop, and advocate for, plans that support safe and friendly communities
File Ref	191798.2020
Report By	Michael Zengovski - Manager City Environment
Approved By	Raj Autar - Director City Infrastructure and Environment

EXECUTIVE SUMMARY

This report is tabled in order to present the Minutes of the Environment Advisory Committee Meeting held on 22 June 2020.

RECOMMENDATION

That Council receives and notes the Minutes of the Environment Advisory Committee Meeting held on 22 June 2020.

REPORT

The Minutes of the Environment Advisory Committee held on 22 June 2020 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

Economic	Enhance the environmental performance of buildings and homes.
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Environment	<p>Minimise household and commercial waste.</p> <p>Manage the environmental health of waterways.</p> <p>Manage air, water, noise and chemical pollution.</p> <p>Retain viable opportunities for local food production while managing land use to meet urban growth.</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>
Social	<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>
Civic Leadership	<p>Act as an environmental leader in the community.</p> <p>Foster neighbourhood pride and a sense of responsibility.</p> <p>Facilitate the development of community leaders.</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>
Legislative	There are no legislative considerations relating to this report.
Risk	There is no risk associated with this report.

ATTACHMENTS

1. Minutes of the Environment Advisory Committee Meeting - 22 June 2020



This meeting was recorded for minute taking purposes
This meeting occurred via MS Teams

MINUTES FROM ENVIRONMENT ADVISORY MEETING 22 June 2020

COUNCILLORS:

Geoff Shelton
Peter Harle
Karress Rhodes

(Chairperson)

COMMITTEE REPRESENTATION:

Darren Duncan
Robert Dixon
Ellie Robertson
Signe Westerberg
Patricia Glossop
Stephen Dobell-Brown

Gandangara Aboriginal Land Council
Industry Representative
Community Representative
Community Representative (**left at 7:00pm**)
Community Representative
Community Representative

COUNCIL ATTENDEES:

Raj Autar
Peter Patterson
Michael Zengovski
Madhu Pudasaini
Jeya Shanmuganathan
Alexi Gilchrist
Maruf Hossain
Stephen Hodosi
Rose Koch

Director City Infrastructure & Environment
Director City Presentation
Manager City Environment
Manager Technical Support
A/Manager City Works
A/Coordinator Environment Restoration Plan
Coordinator Floodplain and Water Management
Coordinator Environmental Operations
Committees Officer (**Minutes**)

APOLOGIES:

Peter Ridgeway
Ian Bailey
Peter Fraser
Roslyn Faddy
Dr Floret Meredith

Industry Representative
Community Representative
Community Representative
Community Representative
Community Representative



OPEN

Meeting opened at 5:37 pm

1. WELCOME, ATTENDANCE AND APOLOGIES

Cllr Shelton declared the meeting open and acknowledged the traditional custodians of the land. Apologies were noted.

2. DECLARATIONS OF INTEREST

Nil

3. CONFIRMATION OF PREVIOUS MINUTES

Motion: That the minutes from the previous EAC meeting held on 20 April 2020 be adopted by the Committee.

Moved: Stephen Dobell-Brown

Seconded: Cllr Harle

On being put to the meeting, the motion was declared carried.

4. MATTERS ARISING FROM PREVIOUS MEETINGS

4.1 Tree Sensors

Coordinator Environmental Operations reported that sensors are not used to assess and monitor the health of trees. Staff are in the process of trialling the sensors in the Liverpool CBD and Casula Parklands* which will monitor soil moisture to ensure a proper plant establishment. This will inform the establishment of maintenance programs for Council's tree planting programs and help inform civic design with regards to tree pits and surface water capture. The sensors operate remotely where information is transmitted to Council servers.

The tree assessment process by Council's Tree Coordinator was tabled at the meeting.

The tree assessment involves taking note of shape, form and symmetry. The colour of the leaves are an indicator of the tree's overall health and vigour. The branch structure is assessed, identifying branch union, damage or disease and tree structure. A tree can survive with up to 70% of internal structure damage provided the external layer remains intact and viable. These findings are compared to a point of reference for the species.

*This was erroneously reported as Casula Mall in the meeting

Queries & Discussion

- i. Cllr Shelton queried whether this project can include other areas in the LGA, and whether the databank can include further information such as canopy size.
Coordinator Environmental Operations advised this may be added in the asset register however, due to the scope of the trial, the sensors are not used for established trees.
Action: Coordinator Environmental Operations to determine timeframe of Tree Sensor trial and provide an update at a future EAC on the Tree Sensor Program.
- ii. Cllr Shelton noted the Tree Register project involving a database to store information relating to trees in the LGA. It was queried whether an overlap of projects had occurred.



Coordinator Environment Operations advised that trees near playgrounds have been registered. Trees at other public open space locations will be registered soon.

Following discussions, Coordinator Environment Operations advised that Council can consider adding information relating to damaged trees in the mapping system.

Action: Coordinator Environment Operations to provide an update on the progress of the Tree Registration project.

- iii. Following discussions, Coordinator Environment Operations advised that Council can consider adding information relating to damaged trees in the mapping system.
- iv. Mr Duncan queried about Council's management of Scar Trees.

Action: Coordinator Environment Operations to provide an update at a future EAC meeting.

4.2 Bushfire Recovery Grants

Coordinator Environmental Operations reported that Council was unsuccessful in securing a Bushfire Recovery Grant. The size of damage was not deemed large enough to secure the grant.

An application will be made for the next round of grants.

A/Coordinator Environment Restoration Plan noted that maintenance of the site continues irrespective of grant funding.

4.3 Voyager Point Recovery Update

Coordinator Environmental Operations reported that a contractor has been engaged to manage the post burn sites at the Voyager Point bushland area. Threatened species and weeds are being managed.

An inspection was made in the area and varying species of orchids were identified and will be monitored. These were *Pixie Orchids*, *Glossodia Major* and *Pterostylis*.

Growth of other flora had also been identified, hence a positive outcome following the bushfires.

Queries & Discussion

- i. Mrs Glossop questioned whether the orchids will be photographed for a showcase to Liverpool.

Coordinator Environmental Operations advised that they will be photographed, and an article will be published in the spring issue of the Sustainable Liverpool newsletter.

A/Coordinator Environment Restoration Plan reaffirmed that the locations of the flowers will not be specified so as to prevent poaching.

Mr Dobell Brown reported that he had noticed that vegetation had been cleared from the property on Sirius Rd near footbridge.

A/Coordinator Environment Restoration Plan advised that the land is privately owned and permission had been granted for the clearing to proceed following consideration in the Land and Environment Court.

4.4 Fireworks at Civic Events

A/Coordinator Environment Restoration Plan provided an update from the Events Team in relation to fireworks at civic events.



As previously advised, there are currently no suppliers capable of providing suitable alternatives such as multiple drones at present and Council remains in a contract with the existing fireworks supplier until Australia Day 2021.

The Events team continues to observe the market for other alternatives.

Queries & Discussion

- i. Mr Dobell-Brown queried whether a silent firework option was available. Ellie Robertson confirmed that this exists and was used in European countries. Further information will be shared at a future EAC meeting by Ms Robertson.
- ii. Cllr Shelton queried whether the EAC and Council can be included in the feedback process for contract renewals and supplier options as the existing contract draws to a close in 2021.

Action: Events Team to present at a future EAC meeting on the above.

4.5 Responsible Pet Ownership

A/Coordinator Environment Restoration Plan reported that the Council - RSPCA vaccination and microchipping events had been put on hold due to COVID restrictions. New dates will be communicated on Council's website and social media.

It was advised that the correspondence from The Hon. Shelley Hancock tabled at the April meeting was incorrect, noting Council has no responsibility to accept all cats seized by members of the public, only those lawfully seized. The *Companion Animals Act 1998* identifies the circumstances in which a cat can be lawfully seized.

Queries & Discussion

- i. Ms Robertson queried where members of the public can take kittens found dumped or abandoned.
Action: A/Coordinator Environment Restoration Plan to investigate the above.
- ii. Cllr Shelton advised of discussions from the Office of Local Government to consider leashing of cats and providing financial incentives to encourage responsible pet ownership by charging higher fees for late desexing.

4.6 Enforcing Upgrades for Non-Conforming Driveways in Rural Areas

A/Manager City Works reported that audits were conducted in Austral with over 200 driveways identified as non-conforming. Letters will be sent to property owners to reconstruct their driveways to avoid flood risk.

As a trial, Earthlok matting will be installed in coming weeks at areas prone to erosion to mitigate erosion and reduce water blockage in a flood event. The space between the blocks will allow vegetation growth and allow water percolating through the spacing between the blocks.

Queries & Discussion

Mr Dobell-Brown suggested it be noted in letters to property owners that they have a responsibility to maintain their driveways, as a way to counter resistance from those required to undertake works.



Action: A/Manager City Works to provide photographic material relating to this item along with these minutes. A copy of a generic letter to be included for the reference of the Committee.

Action: A/Manager City Works to provide an update at a future EAC on the response of residents to the correspondence.

5. PRESENTATION

5.1 South Creek Flood Study Update

Manager Technical Support delivered a presentation on the South Creek flood study update. Original flood study was adopted by Council in 2004. Infrastructure NSW (INSW) is updating the flood study to facilitate planning decisions for the Western Sydney Aerotropolis and to incorporate the missing waterways in the LGA. Updated model utilises latest topographical information. While the flood levels in the updated map are still consistent with the updated maps, there are some areas where updated map shows the extension of flood affectation. This is due to the use of most current topographical information which has been validated by Council with the modelling of the February 2020 flood event. Council is considering adopting the updated flood model to provide sense of currency and to utilise the latest topographical information.

Queries & Discussion

- i. Ms Glossop asked for the Aboriginal name of South Creek and requested its future use.
Manager Technical Support advised the dual name is Wianamatta South Creek and will be used in future presentations.
- ii. Cllr Shelton noted concerns raised by the landowners in relation to proposed rezoning of the land based on the currently adopted flood model which is old and queried whether the landowners had a role in updating the flood study or are aware of it.
- iii. Manager Technical Support clarified that the flood model is being updated to provide the sense of currency and use the latest topographical information after the review of the February 2020 flood event. Landowners will have opportunity to comment on the updated flood maps during the public exhibition. Manager Technical Support advised that it is Council's understanding that the Western Sydney Planning Partnership's original aim was to rezone the land in August. However, Council has requested the Planning Partnership to review this timeline in light of Council's proposal to adopt the new model.
- iv. Cllr Shelton suggested for the updated flooding information be presented to residential reference groups and their respective Committees, prior to public exhibition.
Director City Infrastructure & Environment confirmed that this can be achieved.

Action update: Council has notified the Rural Reference Group about its plan to publicly exhibit the new flood study and associated flood maps. Council also briefed the Community Liaison Group (convened by the Western Sydney Planning Partnership) on 28 July 2020 regarding the new study and Council's plan.

- v. Cllr Shelton noted that the exhibition process is not subject to public opinion and is rather a process of exhibiting expert information, that is difficult to be challenged by the community if needed.
Director City Infrastructure & Environment acknowledged that the flood maps are technical outcomes, but it would be an opportunity to initiate conversation and improve community understanding of the nature of flooding and the changes occurring. Director City Infrastructure



and Environment added that the engagement process also may reveal local knowledge and information that Council may not be aware of.

Action: Manager Technical Support to provide an update on early comments from the exhibition period and obtain feedback from the reference groups to be presented at the next appropriate EAC meeting.

5.2 Environment Education Centre Design Competition

A/Coordinator Environment Restoration Plan presented an overview of the Architectural Design Competition that will be used to select the architect and design of the Environmental Education Centre. The opportunities for EAC, Councillor and Community engagement as part of this process were identified.

Queries & Discussion

- i. Mr Dobell-Brown raised concerns about the capacity to attract quality submissions, and whether the competition fee was sufficient.

A/Coordinator Environment Restoration Plan advised that the value of competition fee has been informed by subject matter experts to be sufficiently generous to remunerate entrants for the extent of their participation in Stage 2. A jury of subject matter experts reassures potential entrants of the merits of the completion process.

Director Infrastructure & Environment noted that the nature of a design competition provides a level of prestige upon the winning and shortlisted entrants, in addition to remuneration, that can be used to market themselves.

Motion: That an elected Councillor and a member of the EAC be considered to form part of the jury for the design selection of the Environmental Education Centre and that this be reported back to the Committee.

Moved: Stephen Dobell-Brown

Seconded: Patricia Glossop

On being put to the meeting, the motion was declared carried.
This motion was carried unanimously.

5.3 Update on Moorebank Voluntary Acquisition Scheme Property Acquisition

Coordinator Floodplain and Water Management provided an update on the property acquisition under the Moorebank voluntary acquisition scheme. Council acquired two properties this year at a cost of \$2.3M. Two thirds of the cost are covered by the state government's floodplain management grant program.

Queries & Discussion

- i. Cllr Shelton queried whether there is scope for community use for the acquired land that is not affected by flooding.

Director City Infrastructure & Environment advised that Council is developing a Masterplan for the Georges River demonstrating public need, which will steer property acquisition in the areas of public open space. The timeline for completion is 12-18 months.

6. GENERAL BUSINESS

6.1 Update on Environmental Restoration Plan

A/Coordinator Environment Restoration Plan reported that, with the relaxation of lockdown restrictions, the Environment Volunteer Program will resume in July with relevant COVID risk measures.



Community tree planting programs remain on hold while control measures are determined.

Bush Regeneration contracts have been evaluated. A report is being drafted for the July Council meeting for works to be initiated in August.

With disruptions to the program, consultants have been engaged for a Habitat Management Strategy. It will provide a visual identification of habitat to familiarise staff. Training will be provided.

Queries & Discussion

- i. Councillor Shelton queried as to the status of the Environment Volunteer Recognition Event. A/Coordinator Environment Restoration Plan noted a decision had been made to cancel the event due to the impacts of COVID on participation to date. An informal Christmas Party may be held to facilitate social connection with the volunteer groups.

6.2 Flood Prone Land Package

Coordinator Floodplain and Water Management informed the committee that the Department of Planning, Industry and Environment has released the Flood Prone Land Package for public exhibition until 25 June 2020.

Coordinator Floodplain and Water Management outlined the three aspects of the draft Flood Prone Land Package being:

- a) Mapping of the Flood Planning Area (FPA) which is the land that is identified within a Flood Planning Level (1%AEP plus 0.5m freeboard).
- b) Provision, identification and mapping of the special flood consideration area (SFCA) which is land located between the FPA and up to the probable maximum flood (PMF – low risk flood zone) ; and
- c) Provision, identification and mapping of the regional evacuation consideration area (RECA), which is the area that is identified in a relevant regional flood evacuation strategy or flood related state emergency sub-plan by NSW State Emergency Service (SES).

Council's current flood mapping already covers the FPA and has necessary data required to identify and map the SFCA. Council is seeking further clarification on the requirements for RECA from the Department of Planning, Industry & Environment (DPIE).

Action: Coordinator Floodplain and Water Management to provide an update in relation to this submission once it is available.

Action Update: Council has contacted the Department of Planning, Industry and Environment and received confirmation that at this stage the RECA only applies to the regional Hawkesbury Nepean River area. The area in Wallacia in Liverpool LGA affected by flooding from the Nepean River is covered by the Hawkesbury Nepean River Flood Plan developed by the SES. Therefore, there is no issue for council with respect to the draft Flood Prone Land Package.

CLOSE

Meeting closed at 8:10 pm.

CTTE 02	Minutes of the Liverpool Pedestrian, Active Transport and Traffic Committee meeting held on 22 July 2020
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Strategic Direction	Generating Opportunity Advocate for, and develop, transport networks to create an accessible city
File Ref	207606.2020
Report By	Charles Wiafe - Service Manager Traffic and Transport
Approved By	David Smith - Acting Director City Economy and Growth

EXECUTIVE SUMMARY

This report presents the recommendations of the Liverpool Pedestrian, Active Transport and Traffic Committee meeting held on 22 July 2020. At the meeting, the Committee considered eight (8) agenda items, four (4) technical discussion items and nine (9) general business items.

A copy of the meeting minutes, incorporating the Committee's recommendations on the agenda items is included as **Attachment 1**.

RECOMMENDATION

That Council adopts the following recommendations of the Committee:

Item 1 - Kurrajong Road and Wingham Road roundabout, Carnes Hill – Proposed raised threshold across the eastbound approach.

- Council approves the proposed raised threshold for eastbound traffic on the approach to Kurrajong Road/William Buckley Drive/ Wingham Road roundabout.
- The project is to include tree planting and landscaping in the central island.

Item 2 - Sandringham Drive, Cecil Hills – Reconfiguration to permit additional on-street parking.

- Council approves the proposed signs and line marking associated with localised road widening of the section of Sandringham Drive in front of Cecil Hills Heritage Farm.

Item 3 - Seventeenth Avenue, Austral – Proposed children's crossing and associated signs and line marking Scheme.

- Council approves the proposed children's crossing and associated signs and line marking scheme.

Item 4 - Flynn Avenue, Middleton Grange – Proposed raised threshold.

- Council approves installation of a raised threshold in the form of asphaltic concrete as a temporary facility until such a time that the road section is reconstructed.

Item 5 - Reilly Street and Gill Avenue, Liverpool – Proposed roundabout upgrade.

- Council approves the proposed raised thresholds and associated signs and line marking scheme.
- The project is to investigate the inclusion of landscaping in the central island.

Item 6 - Soldiers Parade, Edmondson Park – Additional on-street parking.

- Council approves on-street kerbside parking with associated signs and line marking along the western side of Soldiers Parade.
- Council approves installation of a raised median island as part of the kerbside parking works.

Item 7 - Heathcote Road/Bardia Parade/Walder Road intersection upgrade, Holsworthy - Signs and line marking Scheme.

- Council approves the signs and line marking along Bardia Parade and Walder Road as well as a central median island on the Walder Road approach to Heathcote Road.

Item 8 - Kelly Street, Austral – Proposed roundabout and signs and line marking scheme.

- Council approves the proposed traffic facilities including the roundabout and associated signs and line marking scheme.
- The project is to investigate tree planting and landscaping in the central island.

Item 9 - Items approved under delegated authority

- Council notes the traffic facilities approved under delegated authority between 20 May 2020 and 22 July 2020.

REPORT

This report presents the recommendations of the Liverpool Pedestrian, Active Transport and Traffic Committee meeting held on 22 July 2020. At the meeting, the Committee considered eight (8) agenda items, four (4) technical discussion items and nine (9) general business items.

A copy of the meeting minutes, incorporating the Committee's recommendations on the agenda items and actions in response to the technical discussion and general business items is included as **Attachment 1**. It is recommended that Council adopts the Committee's recommendations on the agenda items as outlined above.

Three Technical Discussion and nine General Business items were considered, and the recommended actions are as follows:

Technical Discussion Items

TD1 - Governor Macquarie Drive, Chipping Norton – Reconfiguration and upgrade to a four-lane road.

Council has received funding to extend the existing right lane from Governor Macquarie Drive (GMD) into Newbridge Road and rehabilitate the section of GMD between Newbridge Road and Alfred Road.

The project includes extension of the existing right turn from Governor Macquarie Drive into Newbridge Road from 80 to 180 metres in order to address queuing during the morning peak hours. In consultation with TfNSW, it is proposed to restrict turning movements at the GMD/Balanada Avenue intersection to left in left out. The Transdev representative has advised that a revised bus route along Governor Macquarie Drive with a U-turn will be used and hence the left-in left-out configuration would not affect their school bus service. Consultation will be carried out with the local residents during detailed design and prior to construction.

TD2 - Overview of Road Safety Program 2019/2020.

This is an overview of the major projects conducted by the Road Safety Program over the past financial year. A report on the overview is attached in the booklet.

Council's road safety officers provided an update on the local government road safety program and advised as follows:

- Six child restraint checking events were conducted by Council in the 2019/20 financial year. It was found that 85% of the restraints were fitted incorrectly.

It was discussed and agreed that parents may be given the opportunity to book online.

- A slowdown campaign initiative was carried out along seven local streets. This aims to increase driver awareness on the need to slow down along local streets.
- TfNSW provides funding for workshops titled "Helping Learner Drivers Become Safer Drivers" It aims to provide parents and carers further understanding about driving experiences for younger inexperienced drivers. It informs and educates supervisors of the use of the learner driver logbook and license conditions.

- School Road Safety - Council is working closely with schools in the LGA on road safety initiatives. Social media and digital flyer promotions are being made for community education.

TD3 - Anzac Road and Delfin Drive, Wattle Grove – Traffic Management Changes.

Council has received representations to reduce traffic delays along the section of Delfin Drive fronting Wattle Grove Lake. This road section has two bus stops on both sides of the road and a pedestrian refuge.

The concern is that buses at the bus stops delays through traffic. A revised configuration will be submitted to the Police and TfNSW for approval under delegated authority.

General Business Items**GB1 - Hume Highway and DeMeyrick Avenue – Concern about safe pedestrian movements, and request for speed hump, parking restriction and a marked pedestrian crossing.**

Council has received representations concerning safe pedestrian movements with a request for a speed hump, parking restrictions and a marked pedestrian crossing at the above intersection. An assessment will be carried out to determine the need for a speed hump, parking restrictions and a pedestrian crossing and if required, approval will be sought under delegated authority.

GB2 - Ernest Avenue, Chipping Norton in front of Market Plaza – Illegal parking along the western side

This road section is currently signposted as “No Stopping” and a bus zone. Hence, the kerbside parking is illegal parking and Council enforcement officers will be requested to patrol and enforce the existing parking restriction.

GB3 - Wonga Road and Compton Avenue intersection – Request for traffic calming devices

The Federal Member for Werriwa has made a representation for installation of a raised pedestrian crossing and speed hump close to the intersection of Wonga Road and Compton Avenue.

Investigation will be carried out and if required, approval will be sought either under delegated authority or presented to the next committee meeting.

GB4 - Projects to be nominated under the Federal Blackspot Program

As part of the Federal Blackspot Program, TfNSW has requested Council to nominate road sections (including intersections that meet the warrant for submission under the program). A list of projects as shown in the minutes was discussed and noted.

GB5 - Line Markings at Talana Hill Drive, Edmondson Park

Council's maintenance team has been requested to carry out the line marking during the month.

GB6 - Cowpasture Road, Hoxton Park Road and Fifteenth Avenue intersection

Clr Harle expressed concern about noisy motorbike movements along the section of Cowpasture Road close to its intersection with Hoxton Park Road/Fifteenth Avenue and requested that the Liverpool Local Area Command patrol the location.

The Police representative agreed to the request and advised that the road section will be included in their patrol and enforcement.

GB7 - Wattle Grove and Delfin Drive

Clr Rhodes expressed concern about antisocial driving behavior at this location due to speeding and traffic noise. She requested the Police include the location in their patrol and enforcement. The Police representative agreed to this request.

GB8 - Potholes at 10 and 22 Harvey Avenue

Clr Rhodes queried whether potholes have been repaired at this location. A response will be sent to Clr Rhodes.

GB9 - Moorebank Avenue, near Church Road accident

The Police representative advised that there has been a recent fatal crash at the intersection and the Police is carrying out investigation into the cause of the crash. It was discussed and agreed that TfNSW would also investigate and if required implement possible signs and line marking.

Budget impact of matters arising from the minutes

Item	Description	Funding, Indicative Cost and Timing
1	Kurrajong Road and Wingham Road Roundabout, Carnes Hill – Proposed Raised Threshold Across the Eastbound Approach.	Council's minor traffic facilities project Indicative Cost - \$65,000. Timing – March 2021.

2	Sandringham Drive, Cecil Hills – Reconfiguration to Permit Additional On-Street Parking.	Council's minor traffic facilities project Indicative Cost - \$50,000. Timing – March 2021.
3	Seventeenth Avenue, Austral – Proposed Children's Crossing and associated Signs and Line Marking Scheme.	Developer Timing – In accordance with development consent requirement
4	Flynn Avenue, Middleton Grange – Proposed Raised Threshold.	Council's minor traffic facilities project Indicative Cost - \$30,000. Timing – February 2021.
5	Reilly Street and Gill Avenue, Liverpool – Proposed roundabout upgrade.	Federal Blackspot Program# Indicative Cost - \$100,000 Timing - March 2021
6	Soldiers Parade, Edmondson Park – Additional On-Street Parking.	Council's minor traffic facilities project Indicative Cost - \$10,000. Timing – November 2020.
7	Heathcote Road/Bardia Parade/Walder Road, Holsworthy – Intersection upgrade and Signs and Line Marking Scheme.	Federal Government Funding under Western Sydney Infrastructure Program (local roads package) Indicative Cost - \$1.1m. Timing – May 2021.
8	Kelly Street, Austral – Proposed Roundabout and Signs and Line Marking Scheme.	Developer Timing – In accordance with development consent requirement.
9	- Items Approved Under Delegated Authority	RMS block grant funding# Indicative Cost - \$10,000. Timing – October 2020.

RMS block grant funding has no financial implication on Council

CONSIDERATIONS

Economic	Provide efficient parking for the City Centre. Deliver a high-quality local road system including provision and maintenance of infrastructure and management of traffic issues.
Environment	Promote an integrated and user-friendly public transport service. Support the delivery of a range of transport options.
Social	Support access and services for people with a disability. Improve road and pedestrian safety.
Civic Leadership	Actively advocate for federal and state government support, funding and services.

Legislative	Provide efficient parking for the City Centre. Deliver a high-quality local road system including provision and maintenance of infrastructure and management of traffic issues.
Risk	The risk is considered Low. The risk is considered within Council's risk appetite.

ATTACHMENTS

1. Minutes - Liverpool Pedestrian, Active Transport and Traffic Committee Meeting - 22 July 2020



MINUTES

This meeting was held via MS Teams

MINUTES OF LIVERPOOL PEDESTRIAN, ACTIVE TRANSPORT & TRAFFIC COMMITTEE MEETING 22 July 2020

COMMITTEE FORMAL MEMBERS

Councillor Nathan Hagarty
Damien Leemon Police
Clayton Hopper

Liverpool City Council (LCC) (Chairperson)
Local Area Command
Office of Melanie Gibbons MP

COMMITTEE TECHNICAL ADVISORS & INFORMAL MEMBERS

Councillor Peter Harle
Councillor Karress Rhodes

LCC
LCC

Charles Wiafe (**CW**)
Toula Athanasiou
Mahavir Arya

Service Manager, Traffic & Transport, LCC
Road Safety Officer, LCC
Traffic & Transport Engineer, LCC

Steve Babbage
Hannah Shilling

Transdev
Transit Systems

COUNCIL ADMINISTRATIVE SUPPORT

Christopher Jattan
Rose Koch

LCC
LCC (Minutes)

COUNCIL TECHNICAL OBSERVER

Binod Parajuli
Anup Bajracharya
Bikram Joshi

Coordinator Investigations & Design, LCC
Senior Civil Designer Engineer, LCC
Program Engineer – Roads & Drainage, LCC

APOLOGIES

Tania Davis
Betty White

MP for Mulgoa
Representative for MP for Liverpool

WELCOME, ATTENDANCE, APOLOGIES AND OPENING

The meeting was opened at 9:30 am. Consent was obtained by the Chairperson, to record the meeting through MS Teams. Cllr Hagarty acknowledged the traditional custodians of the land. Apologies were noted.

DECLARATIONS OF INTEREST

Nil

CONFIRMATION OF PREVIOUS MINUTES

CW advised that the minutes from the previous meeting held on 20 May 2020 was adopted by Council at the 24 June 2020 Council meeting.

AGENDA ITEMS

Item	Subject
1	Kurrajong Road and Wingham Road Roundabout, Cames Hill – Proposed Raised Threshold Across the Eastbound Approach.
2	Sandringham Drive, Cecil Hills – Reconfiguration to Permit Additional On-Street Parking.
3	Seventeenth Avenue, Austral – Proposed Children's Crossing and associated Signs and Line Marking Scheme.
4	Flynn Avenue, Middleton Grange – Proposed Raised Threshold.
5	Reilly Street and Gill Avenue, Liverpool – Proposed roundabout upgrade.
6	Soldiers Parade, Edmondson Park – Additional On-Street Parking.
7	Heathcote Road/Bardia Parade/Walder Road, Holsworthy – Intersection upgrade and Signs and Line Marking Scheme.
8	Kelly Street, Austral – Proposed Roundabout and Signs and Line Marking Scheme.
9	Items Approved Under Delegated Authority

TECHNICAL DISCUSSION ITEMS

Item	Subject
TD1	Governor Macquarie Drive, Newbridge Road to Alfred Road, Chipping Norton – Reconfiguration and upgrade to a four-lane road.
TD2	Overview of Road Safety Program 2019/2020
TD3	Anzac Road and Delfin Drive, Wattle Grove – Traffic Management changes
TD4	Nominated sites to be submitted under the 2020/2021 Federal Blackspot Program

GENERAL BUSINESS ITEMS

Item	Subject
GB1	Hume Highway and DeMeyrick Avenue – Concern about safe pedestrian movements, and request for speed hump, parking restriction and a marked pedestrian crossing.
GB2	Ernest Avenue, Chipping Norton in front of Market Plaza – Illegal parking along the western side
GB3	Wonga Road and Compton Avenue intersection – Request for traffic calming devices
GB4	Projects to be nominated under the Federal Blackspot Program
GB5	Line Markings at Talana Hill Drive, Edmondson Park.
GB6	Cowpasture Road, Hoxton Park Road and Fifteenth Avenue intersection.
GB7	Wattle Grove and Delfin Drive
GB8	Potholes at 10 and 22 Harvey Avenue
GB9	Moorebank Avenue, near Church Road accident

CLOSE – Meeting closed at 11:09 am.

ITEM 1**Kurrajong Road and Wingham Road Roundabout, Cames Hill – Proposed Raised Threshold Across the Eastbound Approach****INTRODUCTION**

At its meeting on 17 July 2019, the committee considered and supported installation of a raised threshold across the eastbound traffic lane along Kurrajong Road to improve road safety at the existing Kurrajong Road/William Buckley Drive and Wingham Road roundabout.

Design of the threshold has been prepared and the committee is requested to support the detailed design as shown in Attachment 1.

ASSESSMENT

The existing Kurrajong Road/William Buckley Drive/ Wingham Road roundabout is a four-way intersection with a central island which permits two eastbound and westbound traffic lanes (along Kurrajong Road). In the last three years, there has been three single vehicle runoffs into the adjoining properties.

The crashes are a result of drivers approaching the roundabout at an inappropriate speed and not negotiating the roundabout appropriately. Hence, a raised threshold is proposed to be installed across the eastbound traffic lane on the approach to the roundabout as shown in attachment 1.

The threshold aims to slow down traffic and ensure that drivers are able to negotiate the roundabout appropriately. Design of the threshold has been carried out in accordance with the Transport for NSW (TfNSW) road design guidelines.

RECOMMENDATION

The Committee supports the proposed raised threshold for eastbound traffic on the approach to Kurrajong Road/William Buckley Drive/ Wingham Road roundabout as shown in Attachment 1.

DISCUSSION

CW advised that the proposed raised threshold is to slow down eastbound traffic on the approach to the existing roundabout and aim to reduce or address single vehicle runoff crashes into the adjoining residential property fences at the northern eastern corner of the roundabout. The threshold will be approximately 75 millimetres high.

Transit Systems representative, requested that the company is to be notified prior to installation and to minimise impacts on bus movements through the roundabout. It was agreed notice will be given prior to installation.

The Chairperson added that the installation is to be carried out outside school pick up and drop off times. The Committee discussed and supported the raised thresholds as shown in Attachment 1.

COMMITTEE RECOMMENDATION

The Committee supports the proposed raised threshold for eastbound traffic on the approach to Kurrajong Road/William Buckley Drive/ Wingham Road roundabout as shown in Attachment 1.

ITEM 2**Sandringham Drive, Cecil Hills – Reconfiguration to Permit Additional On-Street Parking****INTRODUCTION**

Council has received representations from the Cecil Hills Public School community for the section of Sandringham Drive in front of the Cecil Hills Heritage Farm (next to the Public School) to be widened to accommodate on-street kerbside parking as well as through traffic.

Design of the requested improvement has been carried out as shown in Attachment 2. The design requires revised signs and linemarking. The committee is requested to support the signs and linemarking associated with the localised road widening.

ASSESSMENT

Sandringham Drive is a collector road providing access to Cecil Hills between Windsor Road and Spencer Road. It provides access to residential streets, the Cecil Hills shopping centre and a secondary access to the Cecil Hills public school. The road section close to the school is a divided road with carriageway width of approximately 5m on each side.

This road section has signposted bus stops and permits kerbside parking. Council has been receiving representations that the 5m carriageway is such that buses have to mount the kerbs to be able to travel through this road section when there are vehicles parked along the kerbs. To ensure this road section accommodates the on-street parking and allows buses to be able to pass and stop, localised road widening to approximately 6m in each direction is proposed.

The carriageway will be linemarked with edge lines and signposted with bus stop and short-term parking during school pickup and set down as shown in attachment 2. The designs have been done in accordance with TfNSW guidelines including swept path analysis.

RECOMMENDATION

The Committee supports the proposed signs and linemarking associated with localised road widening of the section of Sandringham Drive in front of Cecil Hills Heritage Farm as shown in Attachment 2.

DISCUSSION

CW advised that the proposed works would permit bus movements without having to mount the median island, when vehicles are parked along the southern side of the road section and permit additional kerbside parking for school pick-up and set down.

Transit Systems representative supported the localised widening but requested that an existing established tree in the median island, needs to be trimmed regularly to provide appropriate clearance for bus movements.

The Committee discussed and supported the localised road widening and associated signs and linemarking.

COMMITTEE RECOMMENDATION

The Committee supports the proposed signs and linemarking associated with localised road widening of the section of Sandringham Drive in front of Cecil Hills Heritage Farm as shown in Attachment 2.

ITEM 3**Seventeenth Avenue, Austral – Proposed Children's Crossing and associated Signs and Line Marking Scheme****INTRODUCTION**

Council has received design drawings for the installation of a children's crossing across a section of Seventeenth Avenue in front of Arrahman College (the college is currently under construction and is expected to open next academic year).

The Committee is requested to consider and support the proposed children's crossing and associated signs and linemarking scheme, as shown in Attachment 3.1-3.4.

ASSESSMENT

Council has approved construction of a new school, Arrahman College (K-12) at the north-eastern corner of Craik Avenue and Seventeenth Avenue, Austral.

The consent condition for the construction of the college includes installation of a children's crossing across the school frontage to provide a safe pedestrian crossing facility. The expected pedestrian and traffic volumes in the short to medium term would not meet the TfNSW (and Austroads warrant) for a marked pedestrian crossing, hence the requirement for a children's crossing.

The children's crossing has been designed in accordance with the Austroads and TfNSW Road Design Guidelines.

The Committee is requested to consider and support the proposed children's crossing and associated signs and linemarking scheme, as shown in Attachment 3.1-3.4.

RECOMMENDATION

The Committee is requested to consider and support the proposed children's crossing and associated signs and linemarking scheme as shown in Attachment 3.1-3.4.

DISCUSSION

The Committee was advised that there is a provision in the future to change the children's crossing to a marked crossing, when warrant for such a crossing is met.

On a related issue, the Chairperson outlined that he has received representation from the adjoining property owner expressing concern about a streetlight that has been installed close to the proposed crossing. The property owner is concerned the streetlight has not been installed on the common property boundary and is requesting whether the streetlight can be relocated.

CW advised that the school should have notified the property owner prior to the installation. However, it was agreed that Council will put the property owner in touch with the school to discuss possible arrangement to address the owners concern. It was agreed that this will be discussed further offline. The Committee discussed and supported the children's crossing and the associated signs and linemarking.

The Committee noted that in future by the end of 2021, traffic and pedestrian counts will be carried out to assess whether the location will the warrant for a marked pedestrian crossing. If the warrant is met, a raised marked pedestrian crossing will be presented to the Committee for support and subsequent Council approval.

COMMITTEE RECOMMENDATION

The Committee supports the proposed children's crossing and associated signs and linemarking scheme as shown in Attachment 3.1-3.4.

ITEM 4	Flynn Avenue, Middleton Grange – Proposed Raised Threshold
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INTRODUCTION

Council has received representations for an additional speed hump to be installed across a section of Flynn Avenue between Kingsford Smith Avenue and Hall Circuit. Council has investigated and identified an appropriate location which would minimise impact on adjoining residents.

Design of the speed hump has been completed and committee is requested to support the speed and associated signs and linemarking as shown in Attachment 4.

ASSESSMENT

Flynn Avenue is a collector road between Cowpasture Road and the Western Sydney Parklands. It is part of one of the main east-west road links providing access to Middleton Grange including the two schools (Thomas Hassall Anglican College and Middleton Grange Public School) in the suburb.

Flynn Avenue attracts significant traffic volume and due to its straight alignment, local residents have been expressing concerns about speeding. In response to the speeding concerns, Council installed a raised threshold across a section of Flynn Avenue near Monkton Avenue. However, residents are still concerned that the single threshold has not effectively reduced the speeding.

Hence, an additional threshold is proposed across the road section east of Onslow Gardens (approximately 300m east of the existing threshold). The threshold has been designed in accordance with Austroads design guide. As the committee has previously agreed to, the height of the threshold will be approximately 75mm.

RECOMMENDATION

The Committee supports installation of a threshold across the section of Flynn Avenue just east of Onslow Gardens as shown in Attachment 4.

DISCUSSION

CW advised that a raised threshold is proposed across the section of Flynn Avenue east of Onslow Gardens. This is in response to a recommendation to install an additional threshold across Flynn Avenue. The location has been chosen to minimise possible noise impacts on adjoining residents.

The Committee was advised that this road section could be reconstructed with the proposed Town Centre development. The Committee discussed whether speed cameras could be installed to assist in slowing down traffic speed along this road section.

CW advised that TfNSW is responsible for installation for speed cameras and a request has been made to the agency to consider the use of mobile speed camera. It was discussed and agreed that the raised threshold could be installed with asphalt as a temporary and cost-effective facility.

COMMITTEE RECOMMENDATION

The Committee supports installation of a raised threshold in the form of asphaltic concrete as a temporary facility until such a time that the road section is reconstructed.

ITEM 5	Reilly Street and Gill Avenue, Liverpool – Proposed Roundabout Upgrade
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INTRODUCTION

Council has received funding under the Federal Blackspot 2020/2021 Program to install raised thresholds across the approaches to the existing Reilly Street and Gill Avenue roundabout.

Council has prepared detailed design of the raised thresholds in accordance with the Austroads design guide. The Committee is requested to consider and support the raised thresholds and associated signs and linemarking scheme as shown in Attachments 5.1-5.4.

ASSESSMENT

The Reilly Street and Gill Avenue intersection has an existing roundabout. The roundabout has developed an unacceptable crash history and hence in consultation with TfNSW, traffic calming in the form of raised thresholds has been submitted and funded as indicated above.

Design of the thresholds has been carried out in accordance with Austroads and TfNSW Road Design Guide. Gill Avenue is a bus route and swept path analysis has been carried out to ensure that bus movements can be accommodated after the installation of the thresholds.

The design includes fencing and landscaping to ensure that the raised thresholds are not used as a pedestrian crossing facility. The threshold would affect left and right turn movements into two adjoining residential properties. The owners/occupants would be consulted to seek their views prior to the installation of the thresholds.

RECOMMENDATION

The Committee supports the proposed raised thresholds and associated signs and linemarking scheme as shown in Attachments 5.1-5.4.

DISCUSSION

The Committee discussed supported the proposed raised thresholds and associated signs and linemarking scheme as shown in Attachments 5.1-5.4.

COMMITTEE RECOMMENDATION

The Committee supports the proposed raised thresholds and associated signs and linemarking scheme as shown in Attachment 5.1-5.4.

ITEM 6	Soldiers Parade, Edmondson Park – Additional On-Street Parking
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INTRODUCTION

Council has received representations for additional commuter parking to be provided along the section of Soldiers Parade close to the Edmondson Park Train Station.

Council has assessed and identified that the section of Soldiers Parade north of the station is currently signposted with “No Stopping”. The carriageway can be modified to permit kerbside parking. Council has prepared a design layout of such modification.

The committee is requested to consider and support the revised carriageway arrangements and signs and linemarking scheme as shown in Attachment 6.1-6.5.

ASSESSMENT

Soldiers Parade is the north-south collector road along the eastern side of Edmondson Park Station. It is a link road between Bernera Road (to the north) and Campbelltown Road (to the south). The section close to the station is a two-lane road with a single traffic lane in each direction.

The section north of the station has a bridge across the railway line which has been constructed to accommodate for future four traffic lanes. This arrangement indicates it has kerbside road space between the railway line and Croatia Avenue which can be linemarked to permit parking. A portion of this road section is currently signposted with “No Stopping”.

This road section has now been modified to permit additional approximately 48 parallel parking spaces. A layout of this configuration is as shown in Attachment 6. In addition to the modification to permit parking, a chevron median island is proposed close to the Soldiers Parade/Croatia Avenue intersection.

This is to demarcate opposing traffic movements and address recent crashes close to the intersection. The modification has been designed in accordance with Austroads Design guide.

RECOMMENDATION

The Committee supports the revised carriageway arrangements and associated signs and linemarking scheme as shown in Attachment 6.1-6.5.

DISCUSSION

CW advised that since the request was made to consider on-street parking along the eastern side of the section of Soldiers Parade in question, TfNSW advised they would start construction of additional 1000 car parking spaces on the southern side of Edmondson Park Railway Station.

As part of the construction, the 183 car parking spaces that will be lost during construction will be replaced with temporary carparking on the northern side of the station. TfNSW has advised that temporary car parking spaces will be completed in the next 2 to 3 months.

The section of Soldiers Parade in question has an existing guardrail along the eastern side and there is no paved footpath. The carriageway is also not wide enough to permit a wide road surface to accommodate parked cars and provision for a footpath. With this arrangement, the Committee disused and noted that it is probably not safe to permit on-street parking.

The Liverpool Police representative expressed concerns that the mountable median island shown in the design drawing could pose a safety risk and should be replaced with a raised median island.

Hence, the Committee discussed and agreed that additional parking along the eastern side does not proceed but for Council to monitor the parking arrangement after start of construction of the 1000 parking spaces and identify other arrangements to increase parking if required.

COMMITTEE RECOMMENDATION

That the Committee supports:

- On-street kerbside parking with associated signs and linemarking along the western side of Soldiers Parade as shown in Attachment 6.1-6.5.
- A raised median island be installed to replace the mountable median strip shown in Attachment 6.1-6.5.

ITEM 7**Heathcote Road/Bardia Parade/Walder Road, Holsworthy– Intersection upgrade Signs and Line Marking Scheme****INTRODUCTION**

Council has received funding under the Western Sydney Infrastructure Program - Round 3 (Local Road Package) to increase road capacity along the Bardia Parade approach and provide signalised pedestrian crossings across all approaches at the above-mentioned intersection.

In consultation with TfNSW, Council has prepared detailed design of the intersection upgrade and associated linemarking in accordance with TfNSW road design guide. The linemarking along Heathcote Road will not be changed.

The committee is requested to consider and support the linemarking along Bardia Parade and Walder Road as shown in Attachment 7.1-7.2.

ASSESSMENT

Heathcote Road is a classified road under the care and control of TfNSW, whilst Bardia Parade and Walder Road are local roads under the care and control of Council. Heathcote Road/Bardia Parade/Walder Road is a four-way signalised intersection.

Figure 1 – Heathcote Road/Bardia Parade/Walder



Road – current intersection layout

The intersection permits all turning movements. Bardia Parade is one of the main collector roads providing access to the southern part of Wattle Grove. Traffic movements out of Bardia Parade at the intersection is predominantly north bound.

The current intersection configuration as shown in figure 1 does not have a slip lane which would permit free left-turn movements.

In addition, the current configuration does not have a signalised pedestrian crossing across the northern Heathcote Road approach.

In consultation with TfNSW, the intersection is being upgraded to provide a slip lane out of Bardia Parade and a signalised pedestrian crossing across the Heathcote Road northern approach. The changes include signalised shared path across the slip lane and median island in the Walder Road approach. These changes require additional signs and linemarking as shown in Attachment 7.

RECOMMENDATION

That the committee supports the linemarking along Bardia Parade and Walder Road as well as central median island in the Walder Road approach as shown in Attachment 7.1-7.2.

DISCUSSION

The Committee discussed and supported the project and signs and linemarking as shown in Attachment 7.1-7.2. The Committee noted that as the signs and linemarking scheme is close to the signalised intersection, TfNSW could approve the scheme.

The Transit Systems representative also supported the project with a comment that it would improve bus movements through the intersection.

COMMITTEE RECOMMENDATION

That the Committee supports the linemarking along Bardia Parade and Walder Road as well as central median island in the Walder Road approach as shown in Attachment 7.1-7.2.

ITEM 8	Kelly Street, Austral – Proposed Roundabout and Signs and Line Marking Scheme
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INTRODUCTION

A development consent for subdivision works adjacent to a section of Kelly Street, Austral requires construction of new roads and associated traffic facilities including a roundabout at a proposed four-way intersection.

The developer has submitted detailed design drawings for the traffic facilities and associated signs and linemarking scheme. The designs have been carried out in accordance with Austroads design guide.

The Committee is requested to consider and support the proposed traffic facilities and signs and linemarking scheme as shown in Attachment 8.1-8.4.

ASSESSMENT

As indicated above, Council has approved subdivision works including the construction of new roads as part of a subdivision of land adjacent to Kelly Street. The roadworks would result in a road layout with four-way intersections and one T-intersection. These intersections require intersection treatment including a roundabout.

The four-way intersections are proposed to be signposted with give-way signs and a roundabout. These treatments would regulate traffic movements at the four-way intersections. The roundabout would also act as a traffic calming device.

The roundabout includes provision for safe pedestrian movements through splitter islands associated with the roundabout. The designs of the traffic facilities including the signs and linemarking have been carried out in accordance with Austroads design guide.

RECOMMENDATION

The Committee is requested to consider and support the proposed traffic facilities and signs and linemarking scheme as shown in Attachment 8.1-8.4.

DISCUSSION

CW advised that the turning paths will be tested to determine whether it can accommodate the planting of a tree in the middle of the roundabout. If so, it will be included in the design. The design will accommodate service vehicles.

The Committee discussed and supported the proposed traffic facilities including the roundabout and associated signs and linemarking scheme as shown in Attachment 8.1-8.4.

COMMITTEE RECOMMENDATION

That the Committee is requested to consider and supported the proposed traffic facilities including the roundabout and associated signs and linemarking scheme as shown in Attachment 8.1-8.4.

ITEM 9	ITEMS APPROVED UNDER DELEGATED AUTHORITY
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INTRODUCTION

This item provides a summary of minor traffic facilities that have been approved under the Liverpool Pedestrian, Active Transport and Traffic Committee Delegated Authority by TfNSW and Police representatives over the two-month period, between 20 May 2020 and 22 July 2020.

Delegated Authority No.	Location	Description of Proposal
2020.015	Northumberland Street, Liverpool	Remove 15P - this was temporary during high volume of people queueing for centrelink during covid-19 lockdown
2020.019	South Liverpool Road, Heckenberg	Installation of No Stopping restrictions
2020.020	Twentieth Avenue, Hoxton Park	Changes to signage for Children's Crossing
2020.021	Kingsford Smith Avenue, Middleton Grange	Time Changes to existing Bus Zone and No Parking

RECOMMENDATION

The Committee notes the above Delegated Authority applications approved by the NSW Police Force and Transport for NSW (TfNSW) representatives over the two-month period between 20 May 2020 and 22 July 2020.

DISCUSSION

No objections were made by the Committee.

COMMITTEE RECOMMENDATION

That the Committee notes the above Delegated Authority applications approved by the NSW Police Force and Transport for NSW (TfNSW) representatives over the two-month period between 20 May 2020 and 22 July 2020.

TECHNICAL DISCUSSION ITEMS

ITEM	LOCATION/ISSUE	REMARK
TD1	Governor Macquarie Drive, Chipping Norton – Reconfiguration and Upgrade to a four-lane road.	<p>Council has received funding to extend the existing right lane from Governor Macquarie Drive (GMD) into Newbridge Road and rehabilitate the section of GMD between Newbridge Road and Alfred Road.</p> <p>In consultation with TfNSW, the rehabilitation is proposing to restrict turning movements at the GMD/ Balanada Avenue intersection to left in left out.</p> <p>Please refer to the reconfiguration as shown in the attachment sheet.</p> <p>The Committee to discuss and support this arrangement.</p> <p>CW advised that the project includes extension of the existing right turn from Governor Macquarie Drive into Newbridge Road from 80 to 180 metres in order to address queuing during the morning peak hours. The main impact would be on the first side street from Newbridge Road i.e. Balanda Avenue as the proposal is for the intersection to be modified to left in/left out configuration. Consultation will be carried out with the local residents prior to construction.</p> <p>The Transdev representative advised that the company has a bus route through the intersection. An alternate route would require 'no parking' restriction during school days along a number of properties to accommodate the revised bus route. The representative has since advised that the revised bus route would be along Governor Macquarie Drive and parking restriction is not required.</p>
TD2	Overview of Road Safety Program 2019/2020	<p>This is an overview of the major projects conducted by the Road Safety Program over the past financial year.</p> <p>A report on the overview is attached in the booklet.</p> <p>Council's road safety officers provided an update on the local government road safety program and advised as follows:</p> <ul style="list-style-type: none"> Six child restraint checking events were conducted by Council in the 2019/20 financial year. It was found that 85% of the restraints were fitted incorrectly.

		<p>It was discussed and agreed that parents may be given the opportunity to book online.</p> <ul style="list-style-type: none"> • A slowdown campaign initiative was carried out along seven local streets. This aims to increase driver awareness on the need to slow down along local streets. • TfNSW provides funding for workshops titled "Helping Learner Drivers Become Safer Drivers" <p>It aims to provide parents and carers further understanding about driving experiences for younger inexperienced drivers. It informs and educates supervisors of the use of the learner driver logbook and license conditions.</p> <ul style="list-style-type: none"> • School Road Safety - Council is working closely with schools in the LGA on road safety initiatives. Social media and digital flyer promotions are being made for community education.
TD3	Anzac Road and Delfin Drive, Wattle Grove – Traffic Management changes	<p>Council has received a representation to reduce traffic delays along the section of Delfin Drive fronting Wattle Grove Lake.</p> <p>This road section has two bus stops on both sides of the road and a pedestrian refuge.</p> <p>The concern is that the buses at the bus stops delays through traffic. A revised configuration will be submitted to the Police and TfNSW for approval under delegated authority.</p> <p>CW advised that investigations are being made for parking restrictions near the Wattle Grove Lake. Approval will be sought under delegated authority for suggested solutions to be implemented.</p>

GENERAL BUSINESS ITEMS

ITEM	LOCATION/ISSUE	REMARK
GB1	Hume Highway and DeMeyrick Avenue	<p>Council has received a concern about safe pedestrian movements and a request for speed hump, parking restrictions and a marked pedestrian crossing. Assessment will be carried out for the need of a speed hump, parking restrictions and a pedestrian crossing and if required, approval will be sought under delegated authority.</p> <p>CW advised an investigation is being carried out to recommend a solution to provide a safe pedestrian crossing facility. TfNSW representative also advised that the agency is carrying out investigations to implement solutions to address the concerns raised.</p>
GB2	Ernest Avenue, Chipping Norton in front of Market Plaza – Proposed parking restriction	<p>Council has received representation about illegal parking within the bus zone on the western side of Ernest Avenue in front of the Chipping Norton Market Plaza. This results in people crossing the road section to go to the shops.</p> <p>This road section is currently signposted as "No Stopping" and a bus zone. Hence, the kerbside parking is illegal parking and Council enforcement officers will be requested to patrol and enforce the existing parking restriction.</p> <p>CW advised that he will liaise with Community Standards to include the road section in their regular site visits and enforcement.</p>
GB3	Wonga Road and Compton Avenue intersection – Request for traffic calming devices	<p>The Federal Member for Werriwa has made a representation for installation of a raised pedestrian crossing and speed hump close to the intersection Wonga Road and Compton Avenue.</p> <p>Investigation would be carried out and if required, approval will be sought either under delegated authority or presented to the next traffic meeting.</p> <p>The Committee noted the representation and investigation being carried out.</p>
GB4	Projects to be nominated under the Federal Blackspot Program	<p>On behalf of the Federal Blackspot Program, TfNSW has requested Council to nominate road sections (including intersections that meet the warrant for submission under the program).</p> <p>A list of projects as shown in the attached table is to be discussed.</p> <p>The Committee noted the nominated projects.</p>

Project Location	Number of Injury Crashes	Number of Non-Injury Crashes	Proposed Treatment
Kurrajong Road/Beech Road/Lyn Road, Prestons	5	0	Replace existing roundabout with Traffic signals and road widening
Aviation Road and Regentville Drive, Elizabeth Hills	3	1	Installation of raised thresholds on two approaches
South Liverpool Road and Whitford Road intersection, Green Valley	6	0	Installation of raised thresholds on all the approaches to the existing roundabout
North Liverpool Road and Wilson Road, Green valley	3	1	Installation of raised thresholds on all the approaches to the existing roundabout
Macquarie and Campbell Street, Liverpool	4	2	Wombat Crossing E Macquarie Street
Kingsbury Road and Peronne Road, Edmondson Park	3	1	Replace with roundabout
Castlereagh Street/ Moore Street, Liverpool	4	2	Raised threshold south of Moore Street intersection
Kurrajong Road and Mowbray Street, Prestons	4	2	New traffic signals

FURTHER GENERAL BUSINESS ITEMS

ITEM	LOCATION/ISSUE	REMARK
GB5	Line Markings at Talana Hill Drive, Edmondson Park.	CW advised that line markings are to be done by Council's linemarking contractor. An estimated time frame will be provided for the linemarking.
GB6	Cowpasture Road, Hoxton Park Road and Fifteenth Avenue intersection.	<p>Clr Harle expressed concern about noisy motorbike movements along the section of Cowpasture Road close to its intersection with Hoxton Park Road/Fifteenth Avenue and requested that the Liverpool Local Area Command patrol the location.</p> <p>The police representative agreed to the request and advised that the road section will be included in their patrol and enforcement.</p>
GB7	Wattle Grove and Delfin Drive	<p>Clr Rhodes expressed concern about antisocial behaviour at this location due to speeding and traffic noise. She requested the police to include the location in their patrol and enforcement.</p> <p>The Police representative agreed to this request.</p>
GB8	Potholes at 10 and 22 Harvey Avenue	Clr Rhodes queried whether potholes have been repaired at this location. Email response will be sent to Clr Rhodes.
GB9	Moorebank Avenue, near Church Road accident	<p>The police representative advised that there has been a recent fatal crash at the intersection and the police is carrying out investigation on the cause of the crash.</p> <p>It was discussed and agreed that TfNSW would also investigate and if required implement possible signs and linemarking.</p>

QWN 01	Question with Notice - Cllr Hagarty - Appeal Powers Against Land and Environment Court Decisions
Strategic Direction	Leading through Collaboration Strive for best practice in all Council processes
File Ref	190647.2020

QUESTION WITH NOTICE

Please address the following:

1. What appeal powers do Council (or the public) have when an applicant's appeal of previously refused DA is upheld by the Land and Environment Court?

Response

What is the applicant's right of appeal against refusal of a DA?

Where the Council is the consent authority for development and decides to refuse consent to a development application ('DA'), the applicant has the right to appeal to the Land and Environment Court ('Court') within 6 months of the decision.

When is the Council a party to an appeal against refusal of a DA?

The Council is the consent authority responsible for determining the DA, and hence a party to the appeal to the Court, where the decision to refuse consent was made by the local planning panel/regional planning panel on the Council's behalf or by an officer of the Council under delegated authority from the Council.

Can members of the public be a party to an appeal against refusal of a DA?

Only the applicant and the Council are parties to the appeal proceedings, unless the Court orders that another person is joined as a party, which is uncommon.

Members of the public have no right of appeal to the Court against a decision by the Council to refuse consent to a DA.

Can an objector appeal against refusal of a DA that is designated development?

No. An objector can only appeal a decision of a consent authority to grant consent to designated development.

If the Court grants consent to designated development, ordinarily, an objector cannot appeal the Court's decision.

In very limited circumstances, an objector can bring judicial review proceedings to review a decision by the Court to grant consent to a designated development.

On what basis is an appeal against refusal of a DA dealt with by the Land and Environment Court?

An appeal against the refusal of a DA is heard and determined by the Court on the planning merits of the DA.

The appeal does not involve a review of the Council's decision but instead involves the making of an entirely new decision.

The appeal is ordinarily heard and determined by a commissioner of the Court rather than a judge.

Who can appeal the Land and Environment Court's determination of an appeal against the refusal of a DA & on what basis?

Ordinarily, only parties to the appeal have a right to appeal the Court's decision in an appeal against refusal of a DA. Therefore, ordinarily only the applicant and the Council will have appeal rights against the Court's decision.

Where an appeal against the refusal of a DA is heard and determined by a commissioner of the Court, the Council has a right to appeal to a judge of the Court against an order or decision made by the Commissioner but only on a question of law. The appeal must be brought within 28 days. The Council may bring a further appeal to the Supreme Court against the decision of the judge of the Court, but only on a question of law, and the leave of the Supreme Court is required for it to do so. This further appeal process must be commenced within 28 days.

Where the Council is a party to an appeal against the refusal of a DA that is heard and determined by a judge of the Court, the Council may appeal to the Supreme Court against the decision of the judge on a question of law. The appeal process must be commenced within 28 days.

What is a question of law?

In general terms, a question of law is one that must be answered by applying relevant legal principles to interpretation of the law rather than by applying facts and evidence. Thus, in an appeal involving a question of law, the appellate body does not review the merits of the decision the subject of the appeal but rather the legal basis on which the decision was made.

ATTACHMENTS

Nil

QWN 02

Question with Notice - Cllr Kaliyanda - Processing of Organic Waste in the Liverpool LGA

Strategic Direction	Strengthening and Protecting our Environment Manage the community's disposal of rubbish
File Ref	190649.2020

QUESTION WITH NOTICE

Please address the following:

1. How much of waste collected in the Liverpool LGA is organic waste? How much of this is organic food waste?
2. How much organic waste in the Liverpool LGA actually ends up in landfill?
3. Do we currently have any policies or strategies in place to divert organic food waste from landfill?
4. Are there collective procurement contracts or similar arrangements for organic waste in NSW?

Response

1. **How much of waste collected in the Liverpool LGA is organic waste? How much of this is organic food waste?**

In 2019/2020 there was 16,736.69 tonnes of organic garden waste collected through the Council's kerbside garden waste bin. From a recent audit, 48% of the red bin waste is food material. This means that in 2019/2020 there was 24,860.75 tonnes of food waste in the red general waste bin.

2. **How much organic waste in the Liverpool LGA actually ends up in landfill?**

All waste in the red general waste bin currently goes to landfill. The waste in the organics garden bin is processed into soil products.

Figure 1 | 2020 Overall Waste



Figure 2 | 2020 Overall Recycling



Figure 3 | 2020 Overall Organics



3. Do we currently have any policies or strategies in place to divert organic food waste from landfill?

The NSW government is currently working on a 20 year Waste Strategy which is due to be released in late 2021. Council has undertaken research into a local strategy and is waiting for the release of the state strategy to finalise our strategy. This will give council the ability to align our strategy with the state government targets and goals and respond accordingly.

The Domestic Waste Collections tender which is currently being evaluated will have provisions for future changes in bin configurations and processing locations. This will give council the opportunity to adapt to any future opportunities such as Food Organics Garden Organics (FOGO), energy from waste, or other technologies.

Council has also placed an application for a grant under the Local Government Transition Fund. This grant will commission a feasibility and transition strategy around FOGO. Council will also be supporting the separate WSROC submission around food waste disposal option in multi-unit dwellings.

Council does encourage residents to divert food waste from there general waste bins by offering residents a \$50 rebate off a compost bin or worm farm reciprocal. Council also offers community workshops on worm farming and composting. Our waste primary school and preschool program address worm farming and composting.

4. Are there collective procurement contracts or similar arrangements for organic waste in NSW?

Liverpool is working with Camden, Campbelltown, Liverpool, Wollondilly and Wingecarribee to collectively tender and secure the provision of waste processing and disposal services for:

- General Waste
- Recycling
- Organics
- Bulky Waste

The project aims to ensure Councils have collective bargaining power to attract market investment in technology and infrastructure to service the South West Sydney region. Through this partnership, the Councils will also gain access to a dedicated facility, secure disposal and price certainty for the life of the contract.

ATTACHMENTS

Nil

QWN 03	Question with Notice - Cllr Hagarty - Western Sydney Parklands Trust
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Strategic Direction	Creating Connection Create a dynamic, inclusive environment, including programs to support healthy living
File Ref	216410.2020

QUESTION WITH NOTICE

Background

In July the Berejiklian government announced it will fold the Centennial Park and Moore Park, Parramatta Park and the Western Sydney Parklands trusts into a new super trust.

This move would appear to run counter to Western Sydney Parklands' ethos of being Western Sydney's backyard and the Greater Sydney Commissions' Metropolis of Three Cities Plan.

While Centennial, Moore & Parramatta Parks are established open space which have existed for well over a century, Western Sydney Parklands is still being developed.

The social, economic and cultural needs of Western Sydney must be determined by the people of Western Sydney.

With this latest move and the impact of COVID-19 on the NSW budget, Liverpool needs reassurance that plans for Western Sydney Parklands are still on track.

Please address the following:

1. Are plans for the development of the Liverpool section of Western Sydney Parklands still on track?
2. Will these plans change with the Western Sydney Parklands Trust being rolled into a super parklands trust?
3. How will the unique needs and priorities of Western Sydney and Western Sydney Parklands be catered for in this new structure?
4. What structure will the board of the new trust take?
5. How many board members on the new trust will be from Western Sydney?
6. Will a board quota be set to ensure sufficient representation from Western Sydney?

A response to these questions will be provided in the 30 September 2020 Council meeting business papers.

ATTACHMENTS

Nil

QWN 04	Question with Notice - Cllr Rhodes - Georges River Bank Stabilisation
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Strategic Direction	Strengthening and Protecting our Environment Protect and enhance bushland, rivers and the visual landscape
File Ref	218196.2020

QUESTION WITH NOTICE

Please address the following:

Can Council provide a report on the recent collapse of the Eastern bank of the Georges River opposite the Council dog park and bordering the Moorebank Intermodal.

1. What is being done to stabilise the banks of the Georges River at this particular site and others along the Georges River?
2. Who is responsible to stabilise the bank of the Georges River?
3. When will stabilisation of the Georges River bank be done?
4. Explain the Georges Riverkeeper's involvement vs conditions imposed on development applications to stabilise the Georges River banks?

Recent collapse of the Georges River bank along side the Moorebank Intermodal site and opposite the Council dog park was disturbing to say the least.

A large chunk of the bank that borders the Moorebank Intermodal Development site recently fell into the River.

When the ground is left bare by human activities including clearing, building (and related activities) and vehicle use such as 4WD's and trail bikes the soil is easily washed away when it rains. Examples of this can be seen between Sandy Point and Alford's Point as sediment from the ridges washes into Mill Creek and then into the Georges River. This erosion removes the fertile topsoil and the soil that is washed into waterways can contain plant nutrients, minerals, organic matter and seeds. It can also contain pesticides and toxic heavy metals.

When soil, sand, dust, cement, paint and building debris reach the waterways, they can:

- increase the risk of flooding;
- block drains;
- spread weeds to bushland;
- result in algal blooms;

- cause health problems for swimmers; and
- smother and suffocate water plants and animals and impact on their ability to reproduce.

The size of the erosion that fell into the Georges River in the one event is of particular concern and needs to be addressed.

A response to these questions will be provided in the September 2020 Council meeting business papers.

ATTACHMENTS

Nil

QWN 05**Question with Notice - Cllr Kaliyanda - Wattle
Grove Lake**

Strategic Direction	Strengthening and Protecting our Environment Protect and enhance bushland, rivers and the visual landscape
File Ref	219555.2020

QUESTION WITH NOTICE

Please address the following:

1. What measures have been undertaken to improve the water quality at Wattle Grove Lake? What measures have been found to be successful?
2. What is the underlying issue with the water quality at Wattle Grove Lake?
3. What measures are still being undertaken, or are currently planned, to improve the water quality at Wattle Grove Lake?
4. How has Council sought partnerships and worked with other organisations in order to address this issue?

A response to these questions will be provided in the September 2020 Council meeting business papers.

ATTACHMENTS

Nil

NOM 01

Parking on Verges and Nature Strips

Strategic Direction	Leading through Collaboration Strive for best practice in all Council processes
File Ref	216306.2020
Author	Nathan Hagarty - Councillor

BACKGROUND

Parking on verges and nature strips can attract fines. Alternatively, parking in some of Liverpool's smaller streets blocks the access of emergency services vehicles and garbage trucks

Previously, Council has passed initiatives to deliver more on street parking and allow second driveways. In April, Council sought to bring some common sense to the issue of parking on verges and nature strips. However, there still appears to be some confusion, with a number of residents still being fined for parking on a verge or nature strip.

It is evident that a clear and easily understood policy needs to be developed for the benefit of residents, compliance staff and Councillors.

NOTICE OF MOTION

That Council:

1. Update relevant policies and procedures to give clear and unambiguous guidance setting out when a fine will or won't be issued for parking on a verge or nature strip, including pictures and diagrams;
2. Bring back any updated policies to the October meeting of Council; and
3. Run an awareness campaign on this clear and unambiguous guidance through the District Forums, social and traditional media and other suitable forums.

ACTING CHIEF EXECUTIVE OFFICER'S COMMENT

The NSW Road Rules Regulation 197 specifies that – "A driver must not stop on a bicycle path, footpath, shared path or dividing strip, or a nature strip adjacent to a length of road in a built-up area".

Council officers attend to complaints about parking on nature strips. No proactive patrols are conducted. Once it is established that illegal parking is occurring, residents of the street are sent education letters advising them of the NSW Road Rules and advising them not to park on the footpath or nature strip. If illegal parking continues and complaints are received, fines are issued.

Transport for NSW (TfNSW) has published technical guidelines on arrangements including paving road verges along narrow streets to permit legal parking. A number of Councils are using recommendations from the guidelines to provide indented parking bays along narrow roads.

At its meeting on 11 December 2019, Council considered a report – EGROW06 “Guidelines for the assessment of on-street parking along narrow streets” and resolved:

That Council:

- *Adopts the Guidelines for the Assessment and Prioritisation of Parking along Narrow Streets;*
- *Notes that funding allocation for the provision of on-street parking along narrow streets can be considered in the 2020/21 and future years’ budgets; and*
- *Provides an education plan until the end of February 2020 to residents parking on verges.*

This financial year’s budget includes a funding allocation of \$200,000 and a list of streets that will be prioritised for indented parking to be provided.

Council also resolved as part of its COVID-19 response at its meeting on 16 April 2020 to:

“Direct the CEO to apply discretion when issuing infringements, while protecting public health and safety. In that regard, fines will only be issued in the following circumstances:

- Parking in a “No Stopping” and “No Parking” zones and in close proximity to an intersection;
- Trucks parking in residential areas in excess of one hour;
- **Parking on nature strips where it causes an obstruction to pedestrians and/or a blind spot for drivers exiting their driveways;**
- Environmental pollution incidents; and
- Dog attacks

There was no end date attached to this resolution. As a result of a further resolution of Council from the meeting on 24 June 2020, Council resolved (for the purposes of defining an end date of COVID related measures):

- Where a date is specified in the resolution – then that date will continue to apply.

- Where no date is specified in the resolution and the resolution is subject to the lifting of a restriction – then, for the purpose of implementing the resolution, the date will be **1 July 2020**. It would be anticipated that at that point minimal restrictions would remain in place affecting only some businesses. For example, on 16 April 2020 Council resolved to waive all out-door dining fees from the date of restriction coming into place until 2 months after these restrictions are lifted. The proposed amendment would mean that out-door dining fees would be waived until 2 months after 1 July 2020.
- Where a resolution is not subject to the lifting of a restriction and the resolution requires Council to provide assistance for an unspecified period – then, for the purpose of implementing the resolution, the resolution will apply for the **duration of the 2020/21 financial year**, unless otherwise resolved by Council.

Based on the above resolution, discretion is being applied as resolved by Council in issuing infringements during the 2020/21 financial year.

A continuing education campaign can be undertaken to remind residents of the NSW Road Rules.

ATTACHMENTS

Nil

NOM 02**Register of Legal Proceedings**

Strategic Direction	Strengthening and Protecting our Environment Exercise planning controls to create high-quality, inclusive urban environments
File Ref	218682.2020
Author	Nathan Hagarty - Councillor

BACKGROUND

Carrying out non-permitted uses puts lives and property at risk. It can also have a detrimental impact on the environment.

With the courts not sitting as frequently as they did pre-COVID-19, compliance matters requiring legal action are taking longer to resolve.

Despite numerous orders, some residents and businesses are continuing to undertake these non-permitted uses while Council awaits a legal outcome.

Unfortunately, this is creating the false perception among some that Council is not carrying out its compliance duties efficiently or effectively. This is certainly not the case.

Council needs to explore all means to stop this illegal activity.

NOTICE OF MOTION

That Council:

1. Pending legal advice, set up a page on the Council website that lists the current compliance action awaiting a legal outcome; and
2. Post a link to this page on social media once a month.

ATTACHMENTS

Nil

NOM 03	Use of Data to Improve Energy Efficiency and Reduce Pollution
Strategic Direction	Strengthening and Protecting our Environment Encourage sustainability, energy efficiency and the use of renewable energy
File Ref	219498.2020
Author	Charishma Kaliyanda - Councillor

BACKGROUND

The ClimateClever app enables users to measure and monitor electricity, gas and water consumption. Developed by Curtin University, it provides users with an action plan on how to be more efficient with their energy use, reducing pollution and utility bills.

ClimateClever works in three simple steps:

- Measure – Calculate and track consumption, pollution and costs.
- Audit – Understand how the home or school consumes resources, and how this contributes to pollution and utility costs.
- Action – Create a custom action plan to systematically reduce resource consumption, pollution and utility bills.

A growing number of local governments across Australia have partnered with ClimateClever to offer residents, local schools and businesses a way to measure their energy consumption, reduce pollution and save on their utility bills.

Some of the benefits for local governments include:

- Enhance tree planting across the LGA – to date, more than 85,000 trees have been planted across Perth and regional WA under this scheme.
- Adopt an easy, concrete and measurable way to meet strategic goals – apps simplify the collection and analysis of utility and usage data.
- Build genuine community engagement around sustainability – the ClimateClever program provides a new and innovative way to up-skill a large and engaged audience of students, teachers and school staff; households; and, soon, local businesses.
- Fostering and developing leadership in sustainability – helping to engage, educate and up-skill students around these important issues.
- Help our local schools, households and businesses achieve savings on their utility bills

The ClimateClever initiative already has a number of local government partners, including the Cities of Albany, Canning, Stirling and Mosman Council.

With Liverpool regularly having the worst air quality in the Sydney basin, we should welcome initiatives that encourages schools, households and businesses to plant more trees and reduce pollution .

A standard partnership costs \$850 + GST.

NOTICE OF MOTION

That Council:

1. Trial a standard partnership with the ClimateClever initiative for 12 months;
2. Run a public awareness campaign to encourage take up of the app among local schools, businesses and households; and
3. Report back in 12 months on the efficacy of the app, in particular, its effectiveness in meeting the goals of Council's 10 year Community Strategic Plan.

ATTACHMENTS

Nil