

COUNCIL AGENDA

ORDINARY COUNCIL MEETING

30 September 2020



You are hereby notified that an **Ordinary Council Meeting** of Liverpool City Council will be held online on **Wednesday, 30 September 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

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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 Confidential Question With Notice - Management of the operating system for the parking meters

Reason: Item CONF 01 is confidential pursuant to the provisions of s10(A)(2)(d i) (d ii) (d iii) 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; AND commercial information of a confidential nature that would, if disclosed confer a commercial advantage on a competitor of the Council; AND commercial information of a confidential nature that would, if disclosed reveal a trade secret.

CONF 02 Acquisition of Lot 1047 DP2475 being 265 Sixth Avenue, Austral

Reason: Item CONF 02 is confidential pursuant to the provisions of s10(A)(2)(c) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

CONF 03 ST2964 Environment Restoration Plan Bush Regeneration Program of Works 2020-2023

Reason: Item CONF 03 is confidential pursuant to the provisions of s10(A)(2)(d ii) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed confer a commercial advantage on a competitor of the Council.

CONF 04 Out of Office Hours Compliance Officers

Reason: Item CONF 04 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 05 Acquisition of Lot 410 in DP 1233750, 70 Seventeenth Avenue in Austral for drainage purposes.

Reason: Item CONF 05 is confidential pursuant to the provisions of s10(A)(2)(c) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

CONF 06 Three (3) year Extension of Civica Spydus Managed Services Agreement

Reason: Item CONF 06 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.

ORDER OF BUSINESS

CONF 07 RCL2989 Tree Maintenance Services

Reason: Item CONF 07 is confidential pursuant to the provisions of s10(A)(2)(d i) (d ii) 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; AND commercial information of a confidential nature that would, if disclosed confer a commercial advantage on a competitor of the Council.

CONF 08 Acquisition of part of 13 First Avenue, Hoxton Park

Reason: Item CONF 08 is confidential pursuant to the provisions of s10(A)(2)(c) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

CONF 09 International Trade Engagement Strategy and New Zealand Trade Mission update

Reason: Item CONF 09 is confidential pursuant to the provisions of s10(A)(2)(d i) (d ii) 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; AND commercial information of a confidential nature that would, if disclosed confer a commercial advantage on a competitor of the Council.

Close



MINUTES OF THE ORDINARY MEETING HELD ON 26 AUGUST 2020

PRESENT VIA VIDEO CONFERENCING:

Mayor Wendy Waller
 Councillor Ayyad
 Councillor Hadchiti (arrived at the meeting at 6.27pm)
 Councillor Hadid
 Councillor Hagarty
 Councillor Harle
 Councillor Kaliyanda
 Councillor Karnib
 Councillor Rhodes
 Councillor Shelton
 Dr Eddie Jackson, Acting 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 David Smith, Acting Director City Economy and Growth
 Ms Ellen Whittingstall, Acting Internal Ombudsman
 Mr James Ng, General Counsel Manager Governance Legal and Procurement
 Ms Lina Kakish, Manager Development Assessment
 Mr Tim Pasley, Manager Waste and Cleansing
 Mr Andrew Stevenson, Chief Strategy and Engagement Officer
 Mr George Georgakis, Manager Council and Executive Services
 Ms Susan Ranieri, Coordinator Council and Executive Services (minutes)

The meeting commenced at 6.00pm.

STATEMENT REGARDING WEBCASTING OF MEETING

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

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

The prayer of the Council was read by George Georgakis, Manager Council and Executive Services.

Reason: Cllr Shelton holds office in an organisation, which has no regulatory powers, but is otherwise involved in the issues raised.

Cllr Shelton will remain in the virtual meeting for the duration of this item.

PUBLIC FORUM

Presentation – items not on agenda

Nil.

Representation – items on agenda

1. **Mr Tom Goode** on behalf of Ethos Urban made a written submission on the following item:

EGROW 01 - Draft Warwick Farm Racing Precinct Structure Plan, Planning Proposal and Local Contributions Plan.

2. **Mr Marc Conners** made a written submission on the following item:

EGROW 01 - Draft Warwick Farm Racing Precinct Structure Plan, Planning Proposal and Local Contributions Plan.

3. **Ms Danica Canoza** on behalf of AE Design Studio made a written submission on the following item:

EGROW 01 – Draft Warwick Farm Racing Precinct Structure Plan, Planning Proposal and Local Contributions Plan.

4. **Mr Martin Musgrave** on behalf of PPM Consulting made a written submission on the following item:

EGROW 06 - Post Exhibition Report - LEP Review Phase 1 Planning Proposal (Amendment 82) and Draft Land Use Planning Strategies.

MAYORAL MINUTE**ITEM NO:** MAYOR 02**FILE NO:** 218668.2020**SUBJECT:** Local Government Representation on the National Cabinet

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.

Motion: **Moved: Mayor Waller Seconded: Cllr Rhodes**

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; and
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.

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

ITEM NO: CEO 02
FILE NO: 209245.2020
SUBJECT: Biannual Progress Report

COUNCIL DECISION

Motion: **Moved: Clr Shelton** **Seconded: Clr Rhodes**

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.

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

Motion: **Moved: Clr Hagarty** **Seconded: Clr Shelton**

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.

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

Vote against: Clr Hadchiti and Clr Harle.

Note: Clr Balloot was an apology for the meeting.

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

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.

Chairperson

ITEM NO: COM 02
FILE NO: 201003.2020
SUBJECT: Report Back to Council - Mimosa Park, 22 Box Rd, Casula

COUNCIL DECISION

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

That:

1. The matter be referred to community consultation for 14 days with 2 options being:
 - i. Mimosa Park to be retained as a park; or
 - ii. Rezone and dispose of Mimosa Park.
2. A report to be brought back to the October Council meeting on the feedback from the community consultation.

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

Vote for: Clr Ayyad, Clr Hadchiti, Clr Hadid, Clr Harle and Clr Rhodes.

Vote against: Mayor Waller, Clr Hagarty, Clr Kaliyanda, and Clr Shelton

Note: Clr Balloot was an apology for the meeting.

Motion: Moved: Clr Ayyad **Seconded:** Clr Rhodes

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; and
2. Endorse the waiving of winter season 2020 fees charged to the Liverpool City Robins Sports Club.

Chairperson

Motion: **Moved: Clr Kaliyanda** **Seconded: Clr Hadid**

Item 1 - Kurrajong Road and Wingham Road roundabout, Carnes Hill – Proposed raised threshold across the eastbound approach.

- 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.

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

QUESTIONS WITH NOTICE

ITEM NO: QWN 01

FILE NO: 190647.2020

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?

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.

ITEM NO: QWN 02
FILE NO: 190649.2020
SUBJECT: Question with Notice - Clr 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?

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.



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 their 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.

ITEM NO: QWN 03
FILE NO: 216410.2020
SUBJECT: Question with Notice - Cllr Hagarty - Western Sydney Parklands Trust

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.

ITEM NO: QWN 04
FILE NO: 218196.2020
SUBJECT: Question with Notice - C/r Rhodes - Georges River Bank Stabilisation

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 alongside 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.

ITEM NO: QWN 05
FILE NO: 219555.2020
SUBJECT: Question with Notice - Cllr Kaliyanda - Wattle Grove Lake

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.

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

1. Notes the NSW Government's new Public Space Legacy Program and that \$4.75 million of open space funding is available to Liverpool City Council; subject to meeting the eligibility criteria;
2. Endorse the selected projects, as set out in the Council report, for submission to the Department of Planning, Industry and Environment under the Public Space Legacy Program; and
3. Direct the Acting CEO to lodge an application under the Public Space Legacy Program consistent with the recommendations of this report.

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

1. Notes the NSW Government's new Public Space Legacy Program and that \$4.75 million of open space funding is available to Liverpool City Council; subject to meeting the eligibility criteria;
2. Endorse the selected projects, as set out in Option 2 as shown below, for submission to the Department of Planning, Industry and Environment under the Public Space Legacy Program; and

Chairperson

3. Direct the Acting CEO to lodge an application under the Public Space Legacy Program consistent with the recommendations of this report.

The Foreshadowed motion (moved by Cllr Rhodes) then became the motion and on being put to the meeting was declared CARRIED.

Motion: **Moved: Clr Ayyad** **Seconded: Clr Rhodes**

1. Notes the Gateway determination for Liverpool Local Environmental Plan 2008 Amendment 82 and the submissions received on the planning proposal and draft strategies;
2. Proceeds with Amendment 82, subject to the amendments proposed in the post exhibition version of the planning proposal included in Attachment 4;
3. Delegates authority to the A/CEO to make any other minor typographical or editing amendments to the planning proposal and to forward the amended planning proposal to the Department of Planning, Industry and Environment for finalisation;
4. Adopts the amended Local Housing Strategy; Centres and Corridors Strategy and Industrial and Employment Lands Strategy, with the exception of Middleton Grange remaining a town centre rather than a local centre;
5. Delegates authority to the A/CEO to make any other minor typographical or editing amendments to the strategies and to forward the amended strategies to the Department of Planning, Industry and Environment for endorsement; and
6. Notify submitters of Council's decision.

Vote for: Clr Ayyad, Clr Hadchiti, Clr Hadid, Clr Harle and Clr Rhodes.

Chairperson

Foreshadowed motion:

Moved: Cllr Hagarty

Seconded: Cllr Karnib

That Council:

1. Notes the Gateway determination for Liverpool Local Environmental Plan 2008 Amendment 82 and the submissions received on the planning proposal and draft strategies;
2. Proceeds with Amendment 82, subject to the amendments proposed in the post exhibition version of the planning proposal included in Attachment 4;
3. Delegates authority to the A/CEO to make any other minor typographical or editing amendments to the planning proposal and to forward the amended planning proposal to the Department of Planning, Industry and Environment for finalisation;
4. Adopts the amended Local Housing Strategy; Centres and Corridors Strategy and Industrial and Employment Lands Strategy;
5. Delegates authority to the A/CEO to make any other minor typographical or editing amendments to the strategies and to forward the amended strategies to the Department of Planning, Industry and Environment for endorsement; and
6. Notify submitters of Council's decision.

The Foreshadowed motion (moved by Cllr Hagarty) then became the motion and on being put to the meeting was declared CARRIED with the Mayor using her casting vote.

Vote for: Mayor Waller, Cllr Hagarty, Cllr Kaliyanda, Deputy Mayor Karnib and Cllr Shelton.

Vote against: Cllr Ayyad, Cllr Hadchiti, Cllr Hadid, Cllr Harle and Cllr Rhodes.

Note: Cllr Balloot was an apology for the meeting.

PRESENTATION BY COUNCILLORS

Nil.

2. Bring back a report to the October Council meeting; and
3. Run an awareness campaign on this clear and unambiguous guidance through the District Forums, social and traditional media and other suitable forums.

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

ITEM NO: NOM 03
FILE NO: 219498.2020
SUBJECT: Use of Data to Improve Energy Efficiency and Reduce Pollution

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.

CONFIDENTIAL ITEMS**ITEM NO:** CONF 01**FILE NO:** 195722.2020**SUBJECT:** Endorsement of the Liverpool Access Committee membership 2020 - 2022**COUNCIL DECISION****Motion:****Moved: Cllr Hagarty****Seconded: Cllr Hadid**

That Council endorses the applicants outlined in the table below as members of the Liverpool Access Committee:

Name	Suburb	Representation Category
Ellie Robertson	Holsworthy	Category 1
Peter Fraser	Liverpool	Category 1
Jim Simpson	Liverpool	Category 1
Quang Nguyen	Casula	Category 1
Grace Fava	Liverpool	Category 2
Najla Turk	Kemps Creek	Category 2
Leanne Park	Liverpool	Category 2
Kaye Bruce	Liverpool	Category 2
Christine O'Neill	Casula	Category 3
Mohamed Issak	Liverpool	Category 3
Toby Pitt	Fairfield East	Category 3
Theresa Tran	Liverpool	Category 3

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

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

1. Accept the Tender from J.J Richards & Sons Pty Ltd T/A JJ's Waste & Recycling for Tender ST2954 – Waste, Recyclables and Garden Organics Collection for an initial seven (7) years at the GST inclusive price of \$77,074,081 (Option 1), \$82,871,231 (Option 2) contract term with the option of extending three (3) in 1 year increments.
2. Makes public its decision regarding tender ST2954 – Waste, Recyclables and Garden Organics Collection.
3. This report has been brought to Council because the Chief Executive Officer's instrument of delegation, approved by Council in accordance with the current provisions of section 377 of the Local Government Act 1993, only permits the Chief Executive Officer to approve (and not to reject) tenders up to a value of \$2 million.
4. Delegates the Acting Chief Executive Officer to finalise all details and sign the Letter of Acceptance following publication of draft Minutes on Council website for the tender, giving it contractual effect, in accordance with delegated authority.
5. Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of Section 10A(2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

Councillors voted unanimously for this motion.

THE MEETING CLOSED AT 8.37pm.

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 30 September 2020

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 26 August 2020. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.

CEO 01	Outcome of Public Exhibition of amendments to the Revenue Pricing Policy 2020-21
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Strategic Direction	Leading through Collaboration Strive for best practice in all Council processes
File Ref	240618.2020
Report By	Hiba Soueid - Manager Corporate Strategy and Performance
Approved By	Andrew Stevenson - Chief Strategy and Engagement Officer

EXECUTIVE SUMMARY

At its meeting on 29 July 2020, Council resolved to adopt the Delivery Program 2017-22 and Operational Plan 2020-21 including Budget and Revenue Pricing Policy (fees and charges).

In addition, Council resolved to receive a further report following the public exhibition of several amendments to the Revenue Pricing Policy.

These amendments included waiving or reducing several planning related fees which had been on public exhibition in order to maintain the 2019-20 financial year pricing and allow Council to be more competitive.

The 28 day public exhibition period has ended with no submissions being received. Consequently, it is recommended that the proposed amendments be adopted.

RECOMMENDATION

That Council adopts the amendments to the Revenue Pricing Policy (fees and charges) which are outlined in this report.

REPORT

Amendments to Fees and Charges FY 2020-2021

Several rate amendments were proposed to the Draft Revenue Pricing Policy (fees and charges) which was tabled at the Council meeting on 29 July 2020. These amendments included postponing fee increases for early education services until 28 September 2020 and the waiving or reduction of several planning related fees. Detailed information regarding these are outlined below.

Fee Details	Exhibited Fees	New Fees	Comments
Children's Services Fees and Security Deposits - Casula Pre-School, Cecil Hills, Hinchinbrook, Holsworthy, Prestons, Warwick Farm and Wattle Grove	Various Fees	Various Fees – as exhibited	Exhibited fees to take effect on 28th September 2020. Council has received an offer for transition payments from the federal government to support services return to the Child Care Subsidy. The relief package aims to keep services viable and for families to access affordable childcare. The financial offer is contingent on Council's deferral of childcare fee increases until 28th September 2020.
Construction Certificates New Single Class 1A Dwelling (residential) including registration - CC, PCA, OC and Registration New Granny flat (residential) including registration - CC, PCA, OC and Registration Combined New Granny flat and New Class 1 Dwelling (residential) including registration - CC, PCA, OC and Registration	\$1,281.20 \$1,281.20 \$1,845	\$1,250 \$1,250 \$1,800	Maintain FY 2019/2020 pricing to be market competitive. Maintain FY 2019/2020 pricing to be market competitive. Maintain FY 2019/2020 pricing to be market competitive.
Fee Details	Exhibited Fees	New Fees	Comments

CHIEF EXECUTIVE OFFICER REPORT

<p>Complying Development</p> <p>Erection of New Dwelling including registration - CDC, PCA, OC and Registration</p> <p>Erection of New Granny Flat including registration - CDC, PCA, OC and Registration</p> <p>Erection of Combined Dwelling and Granny Flat including registration - CDC, PCA, OC and Registration</p> <p>Swimming Pools - CDC, PCA, OC and Registration</p>	<p>\$1,845</p> <p>\$1,538</p> <p>\$2,255</p> <p>\$1,025</p>	<p>\$1,800</p> <p>\$1,500</p> <p>\$2,200</p> <p>\$1,000</p>	<p>Maintain FY 2019/2020 pricing to be market competitive.</p> <p>Maintain FY 2019/2020 pricing to be market competitive.</p> <p>Maintain FY 2019/2020 pricing to be market competitive.</p> <p>Maintain FY 2019/2020 pricing to be market competitive.</p>
<p>Development Assessment</p> <p>Master Plan Development Application Fee</p> <p>Fee for Modification to a Master Plan Development Application</p>	<p>\$12,860</p> <p>50% of the Master Plan Development Application Fee</p>	<p>\$0</p> <p>\$0</p>	<p>Fee has been replaced by Concept DA under Sec 256B Concept Development Applications</p> <p>Fee has been replaced by Concept DA under Sec 256B Concept Development Applications</p>
<p>Road Occupancy Applications</p>			<p>Include this note under the fee header:</p> <p><i>An exemption to this fee applies to applications for or on behalf of a public authority.</i></p>

Fee Details	Exhibited Fees	New Fees	Comments
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CHIEF EXECUTIVE OFFICER REPORT

Road Occupancy Charges – Full and Partial Road Closures	Various Fees	Various Fees – as exhibited	Insert a map to clearly identify what land is in and out of the Liverpool CBD for the purpose of calculating fees (map of Liverpool CBD is attached separately).
S10.7 Certificates Administration – Planning Certificates			
Outstanding Notices issued under LG Act 735/608	Fee as exhibited	Fee as exhibited	Amend fee name to: <i>Outstanding Notices issued under LG Act 735/608 and EP&A Act 10.2</i>

Public Exhibition

The proposed changes were publicly exhibited in line with the requirements of *Section 610F* of the *Local Government Act 1993* which states that Council must provide public notice of all fees for 28 days and consider any submissions duly made during the period of public notice.

Council did not receive any submissions on the proposed amendments. It is therefore recommended that Council adopts the proposed fees and charges.

CONSIDERATIONS

Governance	The proposed fees were placed on public exhibition in line with the below legislation.
Legislative	<p>The proposed fees and charges were placed on public exhibition in line with the requirements of Section 610F of the Local Government Act:</p> <p>610F Public notice of fees</p> <p>(1) A council must not determine the amount of a fee until it has given public notice of the fee in accordance with this section and has considered any submissions duly made to it during the period of public notice.</p> <p>(2) Public notice of the amount of a proposed fee must be given (in accordance with section 405) in the draft operational plan for the</p>

CHIEF EXECUTIVE OFFICER REPORT

	<p>year in which the fee is to be made.</p> <p>(3) However, if, after the date on which the operational plan commences--</p> <p>(a) a new service is provided, or the nature or extent of an existing service is changed, or</p> <p>(b) the regulations in accordance with which the fee is determined are amended, the council must give public notice (in accordance with section 705) for at least 28 days of the fee proposed for the new or changed service or the fee determined in accordance with the amended regulations.</p>
Risk	<p>Failure to publicly exhibit and approve changes to fees and charges may result in non-compliance with the above legislation and may result in enforceable action by the Office of Local Government, Planning and Policy.</p>

ATTACHMENTS

1. Revenue Pricing Policy Fees and Charges FY 2020-2021 (Under separate cover)

CEO 02

Election of Deputy Mayor

Strategic Direction	Leading through Collaboration Strive for best practice in all Council processes
File Ref	242015.2020
Report By	George Georgakis - Manager Council and Executive Services
Approved By	Andrew Stevenson - Chief Strategy and Engagement Officer

EXECUTIVE SUMMARY

Section 231 of the Local Government Act 1993 allows Councillors to elect a person from among their numbers to be the Deputy Mayor. The report recommends that Council proceeds with the election of the Deputy Mayor to be conducted by the Returning Officer.

RECOMMENDATION

That Council proceeds with the election of the Deputy Mayor to be conducted by the Returning Officer for the September 2020 – September 2021 period.

REPORT

The Minister for Local Government has postponed the election requirements under Section 318B of the Local Government Act 1993. NSW Council elections will now be held on Saturday 4 September 2021.

The election requirements under s318A of the Act relate to the holding of an **ordinary election** or a **by-election** only.

The requirement to elect a Deputy Mayor under Section 231 of the Local Government Act 1993 has not been postponed. This means that Council must hold an election for a Deputy Mayor when the term of the current Deputy Mayor ends in September this year.

Section 231 of the Local Government Act 1993 allows Councillors to elect a person from among their numbers to be the Deputy Mayor. Liverpool City Council's election of Deputy Mayor occurs annually in September.

Section 231(2) of the Local Government Act states that "the person may be elected for the Mayoral term or a shorter period". Traditionally, terms are for one year.

CHIEF EXECUTIVE OFFICER REPORT

Schedule 7 Clause 394 of the Local Government (General) Regulation 2005 provides that nominations for the Deputy Mayor must be in writing signed by at least two Councillors, one of whom may be the nominee. The nominee must consent in writing to the nomination. Completed nomination forms may be delivered or emailed to the Returning Officer prior to or during the meeting. The nomination form is attached.

The Acting Chief Executive Officer is the Returning Officer for the election of Deputy Mayor.

Schedule 7 Clause 394 of the Local Government (General) Regulation 2005 also provides that if more than one Councillor is nominated, the Council is to resolve whether the election is to proceed by preferential ballot, by ordinary ballot, or by open voting.

As the Council meeting will be conducted online via Microsoft Teams, Council will need to resolve to conduct the election of Deputy Mayor by open voting.

CONSIDERATIONS

Economic	There are no economic and financial considerations.
Environment	There are no environmental and sustainability considerations.
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	Section 231 of the Local Government Act 1993.
Risk	The risk is deemed low and considered to be within Council's risk appetite.

ATTACHMENTS

1. Nomination Form - Election of Deputy Mayor



**NOMINATION FORM
ELECTION OF DEPUTY MAYOR**

Local Government (General) Regulation 2005
Schedule 7, Clause 2 (2)

We, Councillor..... and Councillor
..... hereby nominate Councillor
..... for the Office of Deputy Mayor.

I, Councillor hereby consent to the above nomination.

CEO 03	Appointment of Councillors to Committees and Affiliated Bodies
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Strategic Direction	Leading through Collaboration Encourage community participation in decision-making
File Ref	244060.2020
Report By	George Georgakis - Manager Council and Executive Services
Approved By	Andrew Stevenson - Chief Strategy and Engagement Officer

EXECUTIVE SUMMARY

The purpose of the report is for Council to appoint the Councillor representatives to Committees and affiliated bodies where nominations are required.

At a meeting in September each year, Council elects persons to all positions, including Chairpersons, delegates to all community committees and affiliated bodies. The method for election for all positions shall be determined by Council.

The report outlines the Committees and affiliated bodies which Council has endorsed and recommends that Council appoints the Councillor representatives for the period to September 2021.

RECOMMENDATION

That Council:

1. Appoints Councillors as representatives to the following Committees for the period to September 2021:
 - a. Aboriginal Consultative Committee
 - b. Audit, Risk & Improvement Committee
 - c. Casula Powerhouse Arts Centre Board
 - d. Companion Animal Advisory Committee
 - e. District Forums
 - f. Environment Advisory Committee
 - g. Heritage Advisory Committee

- h. Liverpool Access Committee
 - i. Liverpool Sports Committee
 - j. Tourism & CBD Committee
 - k. Youth Council
2. Notes that all Councillors are members of the following Committees, and as such specific appointments are not required;
- a. Budget Review Panel
 - b. Strategic Panel
 - c. Civic Advisory Committee
 - d. Community & Safety Prevention Committee
3. Appoints Councillors as representatives to the following community committees and affiliated bodies and notifies them of their representatives for the period to September 2021:
- a. Georges River Combined Councils Committee
 - b. Western Sydney Migrant Resource Centre
 - c. Liverpool Pedestrian, Active Transport and Traffic Committee
 - d. Macarthur Bushfire Management Committee
 - e. NSW Metropolitan Public Libraries Association
 - f. South West City Planning Panel
 - g. South West Sydney Academy of Sport (SWSAS)
 - h. Western Sydney Regional Organisation of Councils (WSROC)

REPORT

Appointment of Councillors to Council Committees

Council is required to nominate its Councillor representatives for the committees it establishes. Those nominated to be representatives for the committees must be endorsed by a resolution of Council. Council reviews the membership and elects persons to all committees annually in September.

The Minister for Local Government has postponed the local government Council elections (which were to be held in September 2020) to Saturday 4 September 2021. At the Council meeting on 25 September 2019, Council appointed its Councillor representatives to its various Committees for the period to September 2020.

CHIEF EXECUTIVE OFFICER REPORT

With the current term of Council now extending by 12 months, the Office of Local Government has advised that the current appointments must end in September 2020.

The Office of Local Government has suggested the following options:

- Council resolve to extend the existing appointments in line with the postponement of the local government elections; or alternatively
- Council resolve to redetermine the representatives as usual at the September Council meeting.

The following information provides an outline of committees established by Council.

Note, the list in the table below does not include the following Committees as all Councillors are members, and as such, specific appointed representatives are not required:

- Budget Review Panel
- Strategic Panel
- Civic Advisory Committee, and
- Community & Safety Prevention Committee.

It should also be noted that at the 24 September 2014 Council meeting, Council resolved that “for internal Council Committees, all Councillors are entitled to attend, speak and participate in Committee deliberations”.

Aboriginal Consultative Committee	
<i>Purpose</i>	The Aboriginal Consultative Committee has been established primarily to provide an open line of communication between Council and the Aboriginal community.
<i>Meeting Information</i>	Quarterly, first Thursday, 6.00pm-8.00pm
<i>Representatives</i>	Mayor (or delegate) and one Councillor
<i>Current Representatives</i>	Mayor Waller and Cllr Shelton

Audit, Risk and Improvement Committee	
<i>Purpose</i>	The objective of the ARIC is to review the following aspects of Council's operations: compliance; risk management; fraud control; financial management; governance; implementation of Council's strategic plan, delivery program and strategies; service reviews; collection of performance measurement data by Council; provide information to Council for the purpose of

CHIEF EXECUTIVE OFFICER REPORT

	improving Council's performance of its functions; and external accountability.
<i>Meeting Information</i>	Quarterly, 3:00 – 5:00pm on a Friday
<i>Representatives</i>	Deputy Mayor and one Councillor
<i>Current Representatives</i>	Deputy Mayor Karnib and Cllr Shelton

Casula Powerhouse Arts Centre Board

<i>Purpose</i>	This Board has been established primarily to assist in the production and promotion of cultural programs including literature, music, performing arts, visual arts, craft, design, film, video, community arts, Aboriginal arts and collections of moveable cultural heritage programs.
<i>Meeting Information</i>	Bi-monthly, 4:30-6:00pm on a Thursday. Not currently meeting as has undertaken an EOI process for community members.
<i>Representatives</i>	Mayor (or delegate), Deputy Mayor, and one Councillor
<i>Current Representatives</i>	Mayor Waller and Cllr Kaliyanda.

Companion Animal Advisory Committee

<i>Purpose</i>	This is a Council community advisory committee and reports to Council. Its purpose is to bring together interested community members to provide a consultative forum to raise issues relating to Companion Animals. To enable Council to engage with its community by listening to and responding to their needs and concerns. The group will not involve itself with individual aspects or issues of specific animal operational/regulatory matters.
<i>Meeting Information</i>	Quarterly at 7.00pm on the first Tuesday
<i>Representatives</i>	Mayor (or delegate), and one Councillor
<i>Current Representatives</i>	A report was submitted to the July 2020 Council meeting to endorse the Terms of Reference. A Councillor representative has not yet been determined.

District Forums	
<i>Purpose</i>	For residents to come along and: contribute to Council plans and decision-making; share ideas to help solve local issues; participate in community-led projects; and be informed on Council services and operations.
<i>Meeting Information</i>	Bi-monthly for Rural and Eastern Forums; and Quarterly for New Release/Established and 2168 Forums.
<i>Representatives</i>	One Councillor to chair.
<i>Rural District Chairperson</i>	Clr Harle
<i>New Release/Established District Chairperson</i>	Clr Hagarty
<i>2168 District Chairperson</i>	Mayor Waller
<i>Eastern District Chairperson</i>	Clr Rhodes

Environment Advisory Committee	
<i>Purpose</i>	This committee has been established primarily to consider and provide input to Council's environment programs by making recommendations to Council.
<i>Meeting Information</i>	Bi-monthly, 5:30pm on a Monday.
<i>Representatives</i>	Two Councillors
<i>Current Representatives</i>	Clrs Shelton and Harle

Heritage Advisory Committee	
<i>Purpose</i>	This committee has been established primarily to support the conservation and promotion of heritage within the Liverpool Local Government Area by providing relevant community based advice and assistance.
<i>Meeting Information</i>	Quarterly, 6:00-7:00pm on a Tuesday.

CHIEF EXECUTIVE OFFICER REPORT

<i>Representatives</i>	Two Councillors
<i>Current Representatives</i>	Clrs Hadid and Harle

Intermodal Precinct Committee	
<i>Purpose</i>	The Intermodal Committee has been established primarily to respond to the challenges presented by the proposed Intermodal at Moorebank.
<i>Meeting Information</i>	Quarterly, 6:00pm–7:30pm on a Tuesday
<i>Representatives</i>	Two Councillors (Clrs Hadchiti and Rhodes)
<i>Current Representatives</i>	<i>At its meeting of 26 February 2020 Council adopted the Intermodal Precinct Committee Charter and revoked the Intermodal Committee Charter. At the 27 May 2020 Council meeting, Councillors Hadchiti and Rhodes were appointed as Council's representatives, and as such can continue for the next 12 months. A separate report has been included in this Council Agenda paper relating to nominating a Chair to the Intermodal Precinct Committee.</i>

Liverpool Access Committee	
<i>Purpose</i>	This committee has been established primarily to provide advice to Council which will effectively improve and alleviate access difficulties experienced by people with disabilities in Liverpool.
<i>Meeting Information</i>	Bi-monthly, 12:00noon-3:00pm on a Thursday
<i>Representatives</i>	Mayor (or delegate) and one Councillor
<i>Current Representatives</i>	Mayor Waller and Clr Harle

Liverpool Sports Committee	
<i>Purpose</i>	The committee has been established to:

CHIEF EXECUTIVE OFFICER REPORT

	<p>a) Provide a forum for representing the views of sporting organisation members, clubs and associations to Council relating to sporting matters; and</p> <p>b) Assist with the promotion, coordination and growth of sporting codes within the Liverpool LGA.</p>
<i>Meeting Information</i>	Quarterly, 7:00pm-9:00pm on the last Thursday of the month
<i>Representatives</i>	Mayor (or delegate)
<i>Current Representatives</i>	Clr Kaliyanda

Tourism & CBD Committee	
<i>Purpose and Meeting information</i>	<p>The Committee has been established to provide relevant advice and recommendations to Council relating to:</p> <p>a) The development of the visitor economy in the Liverpool LGA, including through recreation, tourism, activations and major events;</p> <p>b) Council initiatives to enhance tourism, encourage business growth, attract visitors and boost economic development in the Liverpool LGA; and</p> <p>c) Council initiatives to drive economic, social and cultural development in the CBD.</p>
<i>Meeting Information</i>	Bi-monthly, 10:00am–12noon on a Thursday
<i>Representatives</i>	Mayor (or delegate) and four Councillors
<i>Current Representatives</i>	Clrs Balloot, Hadid, Hadchiti, Hagarty and Shelton

Youth Council	
<i>Purpose</i>	The Liverpool Youth Council has been established primarily to provide advice to Council about issues relating to young people, to act as a consultative mechanism for young people and to promote the interests of young people in Liverpool.
<i>Meeting Information</i>	Monthly, Wednesday 6.00pm – 8.00pm
<i>Representatives</i>	Mayor (or delegate) and two Councillors
<i>Current Representatives</i>	Mayor Waller, Clr Hagarty and Clr Kaliyanda

Appointment of Councillors to Community Committees and Affiliated Bodies

Each September Council also nominates its Councillor representatives for various community committees and affiliated bodies. Those nominated to be representatives must be endorsed by a resolution of Council.

The following information provides an outline of bodies currently affiliated with Council:

Georges River Combined Councils Committee (GRCCC)	
<i>Purpose</i>	The primary role of the Georges River Combined Councils Committee (GRCCC) is to develop programs and partnerships, and to lobby government organisations and other stakeholders in order to protect, conserve and enhance the Georges River.
<i>Meeting Information</i>	Bi-monthly, 6pm on a Thursday
<i>Representatives</i>	Two Councillors
<i>Current Representatives</i>	Clrs Harle and Shelton

Western Sydney Migrant Resource Centre (WSMRC)	
<i>Purpose</i>	The Liverpool MRC provides a range of services and support for people from culturally and linguistically diverse backgrounds, and undertakes community development and advocacy.
<i>Meeting Information</i>	Bi-monthly, 5:30-7:30pm
<i>Representatives</i>	Two Councillors
<i>Current Representatives</i>	Deputy Mayor Karnib

Liverpool Pedestrian, Active Transport and Traffic Committee	
<i>Purpose</i>	To provide advice on regulatory traffic facilities, line marking or signage to Council
<i>Meeting Information</i>	Bi-monthly, 9:30am-12:30pm on a Wednesday
<i>Representatives</i>	Mayor (or delegate)

CHIEF EXECUTIVE OFFICER REPORT

<i>Current Representatives</i>	Clr Hagarty
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Macarthur Bushfire Management Committee	
<i>Purpose</i>	The Bushfire Management Committee is responsible for planning for and advising in relation to bush fire prevention and coordinating firefighting.
<i>Meeting Information</i>	Quarterly, 10:00am – 12:00noon
<i>Representatives</i>	One Councillor
<i>Current Representatives</i>	Clr Harle

NSW Metropolitan Public Libraries Association (NSW MPLA)	
<i>Purpose</i>	The NSW MPLA is the peak body that represents the interests and development of public libraries in metropolitan areas and is aimed at “positioning, sustaining and developing public libraries in the greater Sydney region for the social, cultural and economic benefit of their communities”.
<i>Meeting Information</i>	Quarterly
<i>Representatives</i>	Two representatives, one of whom shall be an elected Councillor and the other generally being a Library Manager.
<i>Current Representatives</i>	Clr Kaliyanda

South West City Planning Panel	
<i>Purpose</i>	The primary function of the South West City Planning Panel is to determine regionally significant development applications.
<i>Meeting Information</i>	Monthly
<i>Representatives</i>	Two council appointed members, one of whom is required to have expertise in one or more of the following areas: planning, architecture, heritage, environment, urban design, land economics, traffic and transport, law, engineering or tourism.

CHIEF EXECUTIVE OFFICER REPORT

	Expertise may be demonstrated by formal qualifications or relevant skills, knowledge and practical experience.
<i>Current Representatives</i>	Mayor Waller and Cllr Harle, with Cllrs Hagarty, Karnib and Rhodes as alternates

South West Sydney Academy of Sport (SWSAS)	
<i>Purpose</i>	The SWSAS provides talented athlete identification and development programs which assist athletes to successfully realise their sporting potential.
<i>Meeting Information</i>	Board meets six times per year, varies between 5:30 – 6:00pm, Thursday
<i>Representatives</i>	One Councillor
<i>Current Representatives</i>	Cllr Kaliyanda

Western Sydney Regional Organisation of Councils (WSROC)	
<i>Purpose</i>	WSROC is run by a board that represents member councils in Sydney, and supports business improvement, research and partnerships
<i>Meeting Information</i>	Bi monthly, on a Thursday, venues and timing vary
<i>Representatives</i>	Mayor and one Councillor
<i>Current Representatives</i>	Cllr Rhodes and Cllr Balloot

CONSIDERATIONS

Economic	Provision has been made in the 2020/21 budget for costs associated with the committees.
Environment	There are no environmental and sustainability considerations.
Social	There are no social and cultural considerations.

CHIEF EXECUTIVE OFFICER REPORT

Civic Leadership	<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> <p>Deliver services that are customer focused.</p> <p>Operate a well-developed governance system that demonstrates accountability, transparency and ethical conduct.</p>
Legislative	There are no legislative considerations relating to this report.
Risk	The risk is deemed to be low and is considered to be within Council's risk appetite.

ATTACHMENTS

Nil

CEO 04

**Mayoral Direction pursuant to Section 226(d) of
the Local Government Act 1993**

Strategic Direction	Leading through Collaboration Strive for best practice in all Council processes
File Ref	246500.2020
Report By	George Georgakis - Manager Council and Executive Services
Approved By	Andrew Stevenson - Chief Strategy and Engagement Officer

EXECUTIVE SUMMARY

To report to Council on one instance where the Mayor, pursuant to Section 226(d) of the Local Government Act 1993 exercised in cases of necessity, the policy-making functions of the governing body of the Council between meetings of the Council.

RECOMMENDATION

That Council note and endorse the Mayoral Direction dated 28 August 2020 attached to the report.

REPORT

Section 226 of the Local Government Act 1993 outlines the role of the Mayor and Section 226(d) states that the role includes the following:

“To exercise, in cases of necessity, the policy-making functions of the governing body of the Council between meetings of the Council.”

On 28 August 2020 the Mayor made a determination/direction pursuant to the policy-making responsibilities under s.226(d) of the Act.

The Mayoral Direction relates to directing the Acting CEO to prepare an issues and options report to be included in the agenda for the Ordinary Meeting of Council on 30 September 2020 detailing the options available to Council to amend the Liverpool Local Environmental Plan 2008 (LEP) to permit, with development consent, a recreation facility (outdoor) at 25 Dwyer Road, Bringelly. This could be via an amendment to Schedule 1 “Additional Permitted Uses” of the LEP.

The reasons why the determination/direction was necessary and could not be delayed until the next Ordinary Meeting of Council are outlined in the attached Mayoral Direction.

The Mayoral Direction is attached to the report.

The report referred to in the Mayoral Direction has been prepared and is included in the Agenda for the September Ordinary Meeting.

CONSIDERATIONS

Economic	Facilitate economic development. Facilitate the development of new tourism based on local attractions, culture and creative industries.
Environment	There are no environmental and sustainability considerations.
Social	Support community organisations, groups and volunteers to deliver coordinated services to the community. Support access and services for people with a disability. Deliver high quality services for children and their families.
Civic Leadership	Operate a well-developed governance system that demonstrates accountability, transparency and ethical conduct.
Legislative	Environmental Planning and Assessment Act 1979.
Risk	The risk is deemed to be low and considered to be within Council's risk appetite.

ATTACHMENTS

1. Mayoral Direction dated 28 August 2020



MAYORAL DIRECTION

Pursuant to s.226(d) of the *Local Government Act 1993*

(TRIM 233535.2020)

On 28 August 2020, I, Wendy Waller, being the elected Mayor of Liverpool City Council, make the following determination/direction pursuant to my policy-making responsibilities under Section 226(d) of the *Local Government Act 1993*:

1. Direct the A/CEO to prepare an issues and options report to be included in the agenda for the ordinary meeting of Council on 30 September 2020 detailing the options available to Council to amend the Liverpool Local Environmental Plan 2008 (LEP) to permit, with development consent, a recreation facility (outdoor) at 25 Dwyer Road, Bringelly. This could be via an amendment to Schedule 1 "Additional Permitted Uses" of the LEP.

This determination/direction is necessary and cannot be delayed until the next Ordinary Meeting of Council for the following reasons:

1. A Notice of Proposed Demolish Works Order and Restore Works Order and a Notice of Proposed Stop Use Order has been issued by Council to the owners of 25 Dwyer Road as the current use, being a "recreation facility (outdoor)" is prohibited in the R5 (Large Lot Residential) zone.
2. There has been a strong community response for Council to consider changes to the LEP to permit the use on the site, subject to a merit assessment via the development assessment process.
3. As a prohibited use currently under the LEP, a development application cannot be lodged, and therefore the merits of the proposal cannot be assessed.
4. This direction will allow a report to be prepared for the next Council meeting, being 30 September, outlining options to amend the LEP to permit the use with development consent for Council's consideration.

The A/Chief Executive Officer will report this determination/direction to the next Ordinary Meeting of Council, scheduled for 30 September 2020.

Date of determination/direction:

A stylized signature in black ink, consisting of a series of loops and a long horizontal stroke.

Wendy Waller
Mayor
Liverpool City Council

A stylized signature in blue ink, with the first letter 'E' being large and prominent, followed by the name 'Jackson'.

Eddie Jackson
A/Chief Executive Officer
Liverpool City Council

CEO 05

**Adoption of new Code of Conduct and Code of
Conduct Procedures**

Strategic Direction	Leading through Collaboration Strive for best practice in all Council processes
File Ref	239029.2020
Report By	Ellen Whittingstall - Acting Internal Ombudsman Jessica Saliba - Acting Coordinator Governance
Approved By	Dr Eddie Jackson - Acting Chief Executive Officer

EXECUTIVE SUMMARY

The Office of Local Government (the OLG) completed a review of the Model Code of Conduct (the Model Code) and Model Procedures for the Administration of the Code (the Model Procedures). The outcome of the review is a revised Model Code of Conduct 2020 and revised Model Code of Conduct Procedures 2020, as set out in sections 440, 440AA and 440AAA of the *Local Government Act 1993*. (They replace the previous Model Code and Model Procedures issued by the OLG in 2019.)

Section 440 of the *Local Government Act 1993* (the Act) requires that councils must adopt a code of conduct that incorporates the provisions of the Model Code (or is consistent with the Model Code).

Section 440AAA sets out the required contents for a council's code of conduct. The adopted code may include provisions that supplement the Model Code but they must not be inconsistent with them.

Section 440AA of the Act requires that councils must adopt procedures for the administration of the code of conduct that incorporate the provisions of the Model Procedures. The procedures to be adopted by councils may include provisions that supplement the Model Procedures but they must not be inconsistent with them.

This report recommends that Council adopt the Code of Conduct and the Code of Conduct Procedures (with minor amendments) and arrange appropriate training for the Mayor and Councillors, members of Council staff, members of Council advisory committees, Council volunteers and Council contractors.

RECOMMENDATION

That Council:

1. Adopt the Code of Conduct and Code of Conduct Procedures attached to this report;
2. Retain the maximum \$50 cap on the acceptance of gifts and benefits;
3. Retain the position that all gifts and benefits no matter the monetary value are declared;
4. Request the Chief Executive Officer to arrange appropriate training for the Mayor and Councillors concerning recent changes to the Code of Conduct and Code of Conduct Procedures; and
5. Note that Council's Governance team will provide appropriate training and resources in regard to the Code of Conduct for Council staff, members of Council advisory committees, Council volunteers and Council contractors.

REPORT

1. Commentary

The Model Code sets out the minimum ethical and behavioural standards that all council officials in NSW are required to comply with by:

- prescribing uniform minimum ethical and behavioural standards for all councils in NSW;
- providing clear guidance to council officials about the minimum ethical and behavioural standards expected of them as council officials;
- providing clear guidance to local communities on the minimum ethical and behavioural standards they can expect of the council officials who serve them;
- promoting transparency and accountability;
- promoting community confidence in the integrity of the decisions councils make and the functions they exercise on behalf of their local communities; and
- promoting community confidence in the institution of local government.

Council's current Code and Procedures are based on the Model Code and Model Procedures, previously issued by the OLG in 2019.

A summary of the main changes to the Code and Procedures is set out in the OLG Circular attached to this report.

CHIEF EXECUTIVE OFFICER REPORT

Council's Acting Internal Ombudsman and the Acting Coordinator Governance recommend that Council should adopt the Model Code and Model Procedures with only minor amendments, as permitted by the OLG, which would make the Code and Procedures applicable to members of Council advisory committees, Council volunteers and Council contractors.

Amendments have been made to the gifts and benefits provisions of the Model Code of Conduct. The amendments:

- Lift the \$50 cap on the value of gifts that may be accepted to \$100.
- Clarify that items with a value of \$10 or less are not "gifts or benefits" for the purposes of the Model Code of Conduct and do not need to be disclosed

However, councils are not obliged to amend their codes of conduct to lift the cap on the value of gifts that may be accepted if they do not wish to. It is open to councils to retain the existing \$50 cap or to impose another cap that is lower than \$100.

ICAC have reported that the offering and acceptance of gifts and benefits represents a considerable corruption risk. For example, gifts may be offered for the purpose of developing a favourable relationship that can be unduly exploited by the giver at a later date.

There are specific risks related to Council accepting gifts and benefits from third-parties, such as suppliers, recipients of services, or individuals and entities that are regulated or licensed by the council.

Giving due consideration to the advice from ICAC, it is recommended the council retain the existing \$50 cap and that all gifts and benefits are declared no matter the monetary value.

Council has an ongoing program of Code of Conduct training for members of Council staff and members of Council committees, undertaken by its Governance team. Training and resources will also be provided for Council volunteers and Council contractors. Suitable training in the new versions of the Code and Procedures will also be arranged for the Mayor and Councillors.

The Internal Ombudsman will continue to act as Council's Code of Conduct Complaints Coordinator and Disclosures Coordinator.

CONSIDERATIONS

Economic	There are no economic and financial considerations, apart from the cost of any Code of Conduct training provided by external trainers
Environment	There are no environmental and sustainability considerations.
Social	There are no social and cultural considerations.

CHIEF EXECUTIVE OFFICER REPORT

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	Local Government Act 1993, sections 440, 440AA and 440AAA
Risk	There is no risk associated with this report.

ATTACHMENTS

1. Office of Local Government Circular 20-32 Code of Conduct
2. Model Code of Conduct and Model Procedures at a Glance
3. Draft Code of Conduct (Under separate cover)
4. Draft Code of Conduct Procedures (Under separate cover)

Office of
Local Government

Circular to Councils

Circular Details	20-32 / 14 August 2020 / A708384
Previous Circular	19-25 – <i>Penalties available to councils for code of conduct breaches by councillors</i>
Who should read this	Mayors / Councillors / General Managers / Joint Organisation Executive Officers / Complaints Coordinators / Conduct Reviewers
Contact	Council Governance Team/ 02 4428 4100/ olg@olg.nsw.gov.au
Action required	Council to Implement

Amendments to the Model Code of Conduct for Local Councils in NSW and Procedures**What's new or changing**

- The *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW* (the Procedures) have been amended in response to the decision by the Supreme Court in the matter of *Cornish v Secretary, Department of Planning, Industry and Environment* [2019] NSWSC 1134.
- Amendments have also been made to the *Model Code of Conduct for Local Councils in NSW* (the Model Code of Conduct).
- The new Model Code of Conduct and Procedures have been prescribed under the *Local Government (General) Regulation 2005*.
- The new prescribed Model Code of Conduct and Procedures are available on the Office of Local Government's (OLG) website.

What this will mean for your council

- The new Model Code of Conduct and Procedures take effect immediately. This is because the amendments to the Procedures largely reflect existing practice following the Supreme Court's decision and the amendments to the Model Code of Conduct are minor in nature.
- Councils should adopt a code of conduct and procedures based on the prescribed Model Code of Conduct and Procedures as soon as possible.
- Councils' complaints coordinators should bring this circular to the attention of their council's conduct reviewers. Complaints coordinators should also inform conduct reviewers when the council has adopted a new code of conduct and procedures and provide copies.

Key points**Amendments to the Procedures**

- Consistent with the Supreme Court's decision, councils have the following options when taking disciplinary action against councillors for breaches of their codes of conduct under the new Procedures:
 - that a councillor be formally censured for the breach under section 440G of the *Local Government Act 1993* (the Act), or

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- that a councillor be formally censured for a breach under section 440G and the matter referred to OLG for further disciplinary action under the misconduct provisions of the Act.
- The process for censuring councillors for breaches of the code of conduct has been significantly strengthened to ensure councillors are made publicly accountable to their electors for their conduct. When censuring councillors, councils are required to specify in their resolution the grounds on which the councillor is being censured by disclosing the investigator's findings and determination and any other grounds that the council considers may be relevant or appropriate.
- Councillors may seek to avoid public censure for breaches of the code of conduct by voluntarily agreeing to undergo training or counselling, to apologise for their conduct or to give undertakings not to repeat their conduct before the investigator finalises their report to the council. Investigators can finalise their investigations without a report to the council where they consider these to be an appropriate outcome to the matter they are investigating. However, it will remain open to investigators to finalise their report and to recommend censure where they consider this is appropriate and warranted.
- The process for referral by councils of code of conduct breaches by councillors to OLG for further disciplinary action under the misconduct provisions of the Act has been streamlined. Investigators are required to consult with OLG before recommending the referral of matters to ensure the conduct in question is sufficiently serious to warrant disciplinary action for misconduct and that there is sufficient evidence of the breach to allow OLG to take further disciplinary action.
- Other amendments have been made to the Procedures to:
 - allow panels of conduct reviewers to be appointed without a resolution of the council, and
 - allow the referral of investigators' reports to OLG for action under the misconduct provisions of the Act where the council will not have a quorum to deal with the matter.

Amendments to the Model Code of Conduct

- The Model Code of Conduct has been amended to:
 - remove as a breach, failure to comply with a council resolution requiring action in relation to a code of conduct breach (because it is now redundant)
 - update the language used to describe the various heads of discrimination in clause 3.6 to reflect more contemporary standards
 - include in the definition of council committee and council committee members, members of audit, risk and improvement committees (ARICs) in anticipation of the commencement of the requirement for all councils to appoint an ARIC following the next local government elections.
- Amendments have also been made to the gifts and benefits provisions of the Model Code of Conduct in response to feedback from some councils. The amendments:
 - lift the \$50 cap on the value of gifts that may be accepted to \$100
 - clarify that items with a value of \$10 or less are not "gifts or benefits" for the purposes of the Model Code of Conduct and do not need to be disclosed

- clarify that benefits and facilities provided by councils (as opposed to third parties) to staff and councillors are not “gifts or benefits” for the purposes of the Model Code of Conduct, and
 - remove the cap on the value of meals and refreshments that may be accepted by council officials in conjunction with the performance of their official duties.
- Councils are not obliged to amend their codes of conduct to lift the cap on the value of gifts that may be accepted if they do not wish to. It is open to councils to retain the existing \$50 cap or to impose another cap that is lower than \$100.

Where to go for further information

- For further information please contact the Council Governance Team on 02 4428 4100 or by email at olg@olg.nsw.gov.au.



Tim Hurst
Deputy Secretary
Local Government, Planning and Policy

MODEL CODE OF CONDUCT FOR LOCAL COUNCILS IN NSW

‘AT A GLANCE’ GUIDE FOR ELECTED MEMBERS



Introduction

This guide summarises the key elements of the *Model Code of Conduct for Local Councils in NSW* that apply to elected members of local and county councils and joint organisations.

The Model Code of Conduct is available at www.olg.nsw.gov.au.

Each council's and joint organisation's code of conduct must reflect the requirements of the Model Code of Conduct and may contain additional requirements.

While this guide refers to "councils" for simplicity, all references in it to "councils" are to be taken as including local and county councils and joint organisations.

References to "councillors" are to be taken as references to mayors and councillors of local councils, members and chairpersons of county councils and voting representatives and chairpersons of joint organisations.

All councillors should familiarise themselves with their council's code of conduct and understand their obligations and the obligations of others.

General Conduct

It is important that the local community has confidence in the council and those that serve it, whether as elected representatives, members of staff or as delegates or committee members.

As a councillor, you must ensure that your conduct and behaviour towards others (including members of staff) meets the high standards that the community is entitled to expect of all council officials.

→ What conduct is expected of a councillor?

(Clauses 3.1 – 3.14)

You **must**:

- act lawfully and honestly and exercise care and diligence in undertaking your duties
- consider matters consistently, promptly and fairly and in accordance with established procedures
- ensure land use planning, development assessment and other regulatory decisions are properly made and that all parties are dealt with fairly, and
- comply with your duties under the *Work Health and Safety Act 2011* and take care of your own and others' health and safety

You **must not** conduct yourself in a way that:

- will bring the council into disrepute
- is contrary to law and council policies
- is improper, unethical or an abuse of power
- involves misuse of your position for personal benefit
- constitutes harassment or bullying or is unlawfully discriminatory, or
- is intimidating or verbally abusive.

→ **How must I behave in meetings?**

(Clauses 3.15 – 3.22)

Council and committee meetings are the key forum in which councillors exercise their role as members of governing body of the council and make decisions that are in the best interests of the council and the broader community.

It is critical that the community can have confidence in the decisions made on its behalf by its elected representatives at council and committee meetings.

For this reason, meetings must be conducted in an orderly, respectful way and decisions must be made that are informed and soundly based.

Councillors must not participate in binding caucus votes in relation to matters considered at council or committee meetings (other than for the election of the mayor or deputy mayor or to nominate a person to be a member of a committee or the council's representative on an external body).

At meetings, councillors must comply with rulings by the chair (unless a dissenting motion is passed) and must not:

- engage in disruptive or disorderly behaviour, or
- bully the chair or other councillors or council staff and members of the public attending meetings.

Councillors also must not engage in conduct at meetings that prevents the proper or effective functioning of the council including by:

- leaving the meeting to deprive it of a quorum
- submitting a rescission motion and then voting against it to prevent another councillor from submitting a rescission motion in relation to the same decision, or
- impeding the consideration of business at the meeting.

Submitting returns of interests

Councillors are required to disclose their personal interests in publicly available returns of interests.

These operate as a key transparency mechanism for promoting community confidence in decision making by councillors.

→ **When do I need to submit a written return of interests?**

(Clause 4.2.1)

You must submit a return of interests within three months of being elected and submit a new return annually (within three months of the start of each financial year).

If you become aware of any new interest that needs to be disclosed in the return, you must submit a new return within three months of becoming aware of the interest.

→ **What interests do I need to disclose?**

(Schedule 1)

You are required to disclose, among other things, the following types of interests in your return:

- interests in real property
- gifts
- contributions to travel
- interests and positions in corporations
- whether you are a property developer or a close associate of a property developer
- positions in trade unions and professional or business associations
- dispositions of real property
- sources of income, and
- debts

Conflicts of interest

As a member of the local community, it is inevitable that at some point you will have a conflict of interest in a matter that you are dealing with.

What is important is that you are able to identify that you have a conflict of interest and that you disclose and manage it appropriately.

There are two types of conflicts of interest – pecuniary and non-pecuniary. Your obligations to disclose and manage conflicts of interest will depend on what type of conflict of interest you have.

→ What is a pecuniary conflict of interest?

(Clauses 4.1 – 4.5)

You will have a pecuniary interest in a matter you are dealing with where there is a reasonable likelihood or expectation that you or a related person (eg a relative, your employer or business partner or a company you hold shares in) will gain or lose financially appreciably as a result of any decision made in relation to the matter.

→ How do I manage pecuniary conflicts of interest that I have in matters I am dealing with?

(Clauses 4.28 and 4.29)

Where you have a pecuniary interest in a matter being dealt with at a meeting, you must:

- disclose the nature of the interest, and
- leave the chamber while the matter is being considered and voted on.

You must do this at each meeting where the matter arises.

→ What is a non-pecuniary conflict of interest?

(Clauses 5.1, 5.2 and 5.8)

Non-pecuniary interests are private or personal interests that are not pecuniary interests.

You will have a non-pecuniary conflict of interest in a matter you are dealing with if a reasonable and informed person would perceive that you could be influenced by a private interest that you have in that matter. This is also known as the “pub test”.

How you deal with a non-pecuniary conflict of interest will depend on whether it is significant.

→ How do I know if I have a significant non-pecuniary conflict of interest in a matter I am dealing with?

(Clause 5.9)

You will have a significant non-pecuniary conflict of interest in a matter you are dealing with where you have a:

- close relationship (including a business relationship) with a person who will be affected by any decision made in relation to the matter
- strong affiliation with an organisation that will be affected by any decision made in relation to the matter, or
- financial interest in the matter that is not a pecuniary interest, or you otherwise stand to gain or lose a personal benefit as a result of a decision made in relation to that matter.

You will also have a significant non-pecuniary conflict of interest in a matter where you are member of the board or management committee of an organisation as the council’s representative and the interests of the council and the organisation are potentially in conflict in relation to the matter under consideration. This is what is known as a “conflict of duties”.

→ **How do I manage significant non-pecuniary conflicts of interest that I have in matters I am dealing with?**

(Clause 5.10)

You must manage significant non-pecuniary conflicts of interest you have in matters being dealt with at meetings in the same way you would a pecuniary interest. You must:

- disclose the nature of the interest, and
- leave the chamber while the matter is being considered and voted on.

You must do this at each meeting where the matter arises.

→ **How do I manage non-pecuniary conflicts of interest that are not significant?**

(Clauses 5.6, 5.7 and 5.11)

If you believe that you have a non-pecuniary conflict of interest in a matter that is not significant and that does not require further action, you must still disclose the interest.

You must disclose the interest at each meeting the matter arises and explain why you believe it is not significant and no further action is necessary to manage it.

→ **Will I have a conflict of interest in a matter if I have campaigned on it or expressed a personal or political opinion on it?**

(Clause 5.3)

No. Absent any other personal interest in a matter, your personal or political views on a matter, or those of any organisation you are a member of, cannot, on its own give rise to a conflict of interest.

→ **Managing conflicts of interest in environmental planning instruments**

(Clauses 4.36, 4.37 and 5.20)

To prevent the loss of quorum at meetings, special rules apply to the management of pecuniary and significant non-pecuniary conflicts of interest in relation to environmental planning instruments applying to the whole or a significant portion of the council's area.

Where you have a pecuniary interest or a significant non-pecuniary conflict of interest in an environmental planning instrument that applies to the whole or a significant portion of your council's area, you must disclose the interest but may participate in consideration and voting on the matter provided the only interests affected are your home or the homes of your relatives and close friends or others you are closely associated with (eg your employer or business partner).

The interests affected must be disclosed in a special return of interests that is tabled at the meeting.

If you, your relatives or close friends or associates have other property interests other than their homes that are affected by the environmental planning instrument under consideration at the meeting, you must remove yourself from any consideration and voting on the matter.

→ **Managing conflicts of interest arising from the receipt of political donations**

(Clauses 5.15 – 5.19)

Where councillors receive or directly benefit from a reportable political donation, this will give rise to a non-pecuniary conflict of interest. Councillors have specific obligations under the code of conduct to disclose and manage conflicts of interest that arise from political donations.

Where you have received or knowingly benefitted from a reportable political donation of \$1,000 or more:

- made by a major political donor in the previous four years, and
- the major political donor has a matter before council,

you must declare a non-pecuniary conflict of interest in the matter, disclose the nature of the interest, and manage the conflict of interest as if you had a pecuniary interest in the matter by leaving the chamber while the matter is being considered and voted on.

→ **What if I am not sure?**

(Clause 5.4)

Remember, no one knows your personal circumstances better than you and for that reason, the onus is on you to identify and disclose any potential conflict of interest you may have in a matter you are dealing with and to manage it appropriately.

If you are not sure whether you have a conflict of interest in a matter you are dealing with or what type of conflict of interest it is, always err on the side of caution.

If in doubt, get out.→ **How do I deal with council in my private capacity as a resident or ratepayer?**

(Clauses 5.28 and 5.29)

As a member of the community, it is inevitable that you will need to deal with your council in your private capacity.

Where this occurs, you should deal with the council in the same way as other members of the public. You should not expect or seek any preferential treatment because you are a councillor.

For example, if you have lodged a development application with the council, you must avoid discussing the application with staff in staff-only areas.

You must not use your position to obtain a private benefit for yourself or for someone else or to influence others in the performance of their functions to obtain a private benefit for yourself or for someone else (except where doing so through the proper exercise of your functions as an elected representative).

Gifts and benefits

In the course of performing your functions you may be offered a gift or a personal benefit. There are strict rules that govern what gifts or benefits you may accept and those that you must refuse.

These rules are informed by the following principles:

- you must not benefit personally from the performance of your role as a councillor except from the receipt of your fee and the payment of any expenses and the provision of any facilities by the council permitted under the council's councillor expenses and facilities policy to support you in the performance of your functions as a councillor, and
- you must not be influenced or be seen to be influenced in the performance of your functions as a result of the receipt of a gift or personal benefit.

→ **What is a gift or benefit?**

(Clauses 6.1 and 6.2)

A gift or benefit is something offered to or received by you or someone closely associated with you for personal use or enjoyment.

Gifts and benefits do not include:

- items with a value of \$10 or less
- political donations
- a gift or benefit provided to the council as part of a cultural exchange or sister city relationship (provided it is not used for your personal use and enjoyment)
- a benefit or facility provided to you by the council
- attendance at a work-related event or function for the purpose of undertaking your official functions, or
- meals, beverages or refreshments that are provided to you while you are carrying out your official functions.

→ What gifts or benefits must I refuse?

(Clause 6.5)

You **must not**:

- seek or accept bribes
- seek gifts or benefits of any kind
- accept any gift or benefit that may create a sense of obligation, or that may be perceived as intended or likely to influence you in undertaking your duties
- accept any gift or benefit that is worth more than \$100
- accept tickets to major sporting or cultural events with a ticket value of over \$100 or corporate hospitality at such events
- accept cash or cash-like gifts (such as gift vouchers, credit cards, debit cards with credit on them, phone or internet credit, lottery tickets etc) of any amount
- participate in competitions for prizes where eligibility is based on the council being a customer of the competition organiser, or
- personally benefit from reward points programs when purchasing on behalf of council.

→ What if I can't refuse a gift or benefit?

(Clause 6.7)

If you are offered a gift or benefit that is worth more than \$100 that cannot be reasonably refused, you must surrender it to the council.

→ What gifts can I accept and who must I report this to?

(Clauses 6.6, 6.8 and 6.11)

You may accept gifts with a value of under \$100. However, if you receive further gifts from the same person or another person associated with them in the next 12 months with a value which, when combined with the value of the first gift exceeds \$100, you must refuse to accept the additional gifts.

If you accept a gift of any value above \$10, you must disclose this promptly to the general manager in writing. The following details must be recorded in the council's gift register:

- the nature of the gift or benefit
- the estimated monetary value of the gift or benefit
- the name of the person who provided the gift or benefit, and
- the date on which the gift or benefit was received.

Interactions with council staff

Under the *Local Government Act 1993*, the general manager is responsible for the management of council staff. For this reason, the mayor and councillors cannot direct staff in the performance of their duties.

There should be little need for you to directly contact council staff. Most contact with staff is likely to occur through the general manager or other senior staff approved by the general manager.

If you need to contact staff about council-related business, any interaction must be with the general manager's approval or comply with your council's councillor/staff interaction policy.

→ What are the obligations of the mayor and councillors in dealing with council staff?

(Clauses 7.6 and 8.26)

You are not entitled to access staff only areas of the council and can only speak directly to council staff about council related matters where permitted to do so under the council's councillor/staff interaction policy or with the consent of the general manager.

You **must not**:

- behave in an overbearing or threatening way towards staff
- direct, pressure or influence staff in the performance of their duties, including in relation to the making of recommendations, or
- make personal attacks on staff at council meetings or other public forums including social media.

→ What obligations do staff have when dealing with you?

(Clause 7.6)

Members of staff also have obligations that apply to how they deal with councillors.

In particular:

- staff should not discuss personal workplace matters such as operational issues, grievances, workplace investigations or disciplinary matters with you
- staff should treat you with respect and not behave in an overbearing or threatening way towards you, and
- staff should not provide ad hoc advice to you without recording or documenting the interaction in the same way they would a member of the public.

→ What information am I entitled to?

(Clauses 8.1 – 8.6)

It is important that councillors have all the information they need to make informed decisions on behalf of the community.

For this reason, the mayor and councillors are entitled to any information necessary to perform their functions effectively as members of the governing body and as elected representatives.

You must make any requests by way of the councillor action/information request system or in accordance with council's councillor/staff interaction policy. The general manager will decide whether you can be provided with information you have requested and where approved, the information you have requested should be provided to you in a timely way. If information is provided to one councillor, then it must also be provided to all other councillors who request it.

You are not entitled to access information relating to matters you have a conflict of interest in. Requests for this information can be denied unless the information is otherwise publicly available.

If you have a private interest only in council information (ie you don't require it for the purpose of performing your role), you have the same rights of access to that information as any other member of the public.

Use of council information and resources

Council resources (including council information) are public resources. You must use council resources ethically, effectively, efficiently and carefully when performing your duties.

You must not use council resources for private purposes, or convert council property for your own use unless you are authorised to do so.

→ Use of council resources for election purposes

(Clauses 8.17 and 8.18)

You must not use council resources (including council staff), property or facilities for the purpose of assisting your election campaign or the election campaigns of others (whether council, State or Federal) unless they are otherwise available for use or hire by the public and any publicly advertised fee is paid for their use.

You also must not use the council letterhead, council crests, council email or social media or other information that could give the appearance it is official council material for the purpose of assisting your election campaign or the election campaign of others (whether council, State or Federal), or for other non-official purposes.

→ **What records should I keep?**

(Clauses 8.21 – 8.24)

All information created, sent or received in your official capacity (whether or not stored on a council device or a council email account) and any information stored in either soft or hard copy on council resources is considered to be a council record and must be kept in accordance with the *State Records Act 1998* and your council's records management policy.

Do not destroy, alter or dispose of records unless authorised to do so.

→ **What are my obligations in relation to the use of council information?**

(Clauses 8.9 – 8.11)

You can only access and use council information for council business. You must not use council information for private purposes and you must not seek to privately benefit from any council information you have obtained in your role as a councillor.

You must only release council information in accordance with established council policies and procedures and in compliance with relevant legislation (including privacy legislation).

You must maintain the integrity and security of any confidential or personal information you have access to. In particular, you must:

- only access confidential or personal information that you have been authorised to access and only for the purposes of performing your functions
- protect confidential and personal information
- only release confidential or personal information if authorised to do so
- only use confidential or personal information for the purpose for which it is intended to be used
- not use confidential or personal information to obtain a private benefit for you or for someone else
- not use confidential or personal information to cause harm to the council or anyone else, and
- not disclose confidential information discussed during a closed session of a council or committee meeting or any other

confidential forum (such as councillor workshops or briefing sessions).

→ **What are my obligations when using my council computer or mobile device?**

(Clause 8.20)

You must not use council's computer or mobile devices to access, download or communicate any material that is offensive, obscene, pornographic, threatening, abusive or defamatory or could lead to civil or criminal liability and/or damage council's reputation.

Making complaints under the code of conduct

Your council's code of conduct is the key mechanism for promoting and enforcing the ethical and behavioural standards the community rightly expects of those who serve the council.

For this reason, it is important that your council's code of conduct is correctly used and that code of conduct processes are respected and complied with.

→ **How do I make a code of conduct complaint?**

(Part 4 of the Procedures)

Complaints alleging breaches of the code of conduct must be made in writing to the general manager. Complaints about the general manager must be made in writing to the mayor. Complaints must be made within 3 months of the conduct occurring or you becoming aware of the conduct.

To be dealt with under the council's code of conduct, a complaint must show or tend to show conduct by another councillor, a member of staff, or another person exercising council functions under delegation or who is otherwise subject to the council's code of conduct in connection with their official role or the exercise of their official functions that would constitute a breach of the council's code of conduct if proven.

The following types of complaints must not be dealt with under a council's code of conduct and should instead be dealt with under the council's routine complaints management processes:

- complaints about the standard or level of service provided by the council or a council official
- complaints that relate solely to the merits of a decision made by the council or a council official or the exercise of a discretion by the council or a council official
- complaints about the policies or procedures of the council, and
- complaints about the conduct of a council official arising from the exercise of their functions in good faith, whether or not involving error, that would not otherwise constitute a breach of the council's code of conduct.

→ **What happens if a code of conduct complaint is made about me?**
(Parts 5, 6 and 7 of the Procedures)

The general manager (or a person authorised to exercise the general manager's complaints management functions in relation to code of conduct matters) has a discretion to decline or informally resolve complaints at the outset.

If the complaint is not informally resolved at the outset, it is referred to an independent expert conduct reviewer who will deal with the matter at arms' length of the council.

The conduct reviewer will undertake a preliminary assessment to determine how the matter should be dealt with. Most matters will be resolved informally by means such as explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour.

Only more serious matters are formally investigated. Investigations must follow strict rules that are designed to ensure that matters are dealt with fairly, confidentially and with rigour.

Where, following a formal investigation, the conduct reviewer determines that a councillor has breached the code of conduct, the conduct reviewer may recommend that the council formally censures the councillor for the breach

and, where the breach is serious, that the matter be referred to the Office of Local Government (OLG) for further disciplinary action.

Where the council censures a councillor for a breach of the code of conduct, the council must specify in its resolution the grounds on which the councillor is being censured. It does this by disclosing in the resolution the conduct reviewer's findings and determination. This information is recorded in the minutes of the meeting, thereby ensuring the councillor is publicly accountable to their electors for their conduct.

As noted above, serious breaches of the code of conduct may also be referred to the OLG for further disciplinary action.

Some matters are automatically deemed to be serious and are referred to OLG for consideration instead of being dealt with under the council's code of conduct. These include allegations of:

- pecuniary interest breaches
- failure to disclose conflicts of interest arising from political donations, and
- breaches of the "integrity" provisions (ie misuse of the code of conduct, reprisal action, disclosure of information about code of conduct matters and failure to comply with a council resolution).

The Chief Executive of OLG can take disciplinary action or refer more serious matters to the New South Wales Civil and Administrative Tribunal (NCAT). Disciplinary action includes suspension from office or suspension of the payment of fees for up to three months by the Chief Executive, or for up to six months by the NCAT.

The NCAT can also disqualify a councillor from holding office in any council for up to five years. Councillors who have been suspended by either the Chief Executive or the NCAT on three or more occasions are automatically disqualified for five years.

In the case of pecuniary interest breaches, the Chief Executive can also apply to the Supreme Court for an order requiring a councillor to pay to the council any financial benefit they received from a pecuniary interest breach.

→ **What are my responsibilities in relation to code of conduct complaints?**

(Clauses 9.1 – 9.7, 9.9, 9.13 and 9.15)

You have certain obligations in relation to any code of conduct complaints that you make or that are made about you. These obligations are designed to safeguard the integrity of your council's code of conduct and the processes for investigating and dealing with alleged breaches by ensuring code of conduct matters are dealt with in a manner that is robust, fair and confidential. Breaches of these obligations may themselves constitute a breach of your council's code of conduct.

In particular you must not:

- make code of conduct complaints for an improper purpose
- take or cause reprisal action to be taken against someone for making or dealing with a code of conduct complaint
- disclose any information about a code of conduct complaint you have made or that has been made about you except for the purpose of seeking legal advice, or
- impede or disrupt the consideration of a code of conduct complaint and you must comply with any reasonable and lawful requests made by anyone dealing with a code of conduct complaint.

Breaches of these obligations are deemed to be serious and are to be referred to OLG for disciplinary action under the misconduct provisions of the Act.

EGROW 01	Planning proposal request to amend development standards and Schedule 1 of the Liverpool Local Environmental Plan 2008 to facilitate a mixed use development in the B6 zone at 146 Newbridge Road, Moorebank
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Strategic Direction	Strengthening and Protecting our Environment Exercise planning controls to create high-quality, inclusive urban environments
File Ref	196421.2020
Report By	Kweku Aikins - Strategic Planner
Approved By	David Smith - Acting Director City Economy and Growth

Property	146 Newbridge Road, Moorebank (Lot 70 DP 1254895)
Owner	Tanlane Pty Ltd
Applicant	Benedict Industries Pty Ltd

EXECUTIVE SUMMARY

On 18 October 2017, Council received a request to prepare a planning proposal on behalf of Tanlane Pty Ltd for a portion of land at 146 Newbridge Road, Moorebank. The site is located south of Newbridge Road, within the precinct Council refers to as Moorebank East. The proponent refers to the proposed development as “Georges Cove Village”.

This planning proposal request is one of five requests that have been lodged in five areas (Site A to E) within the Moorebank East precinct. This site is currently zoned B6 Enterprise Corridor.

The planning proposal request as lodged proposed amending Schedule 1 of the LEP to permit a childcare centre, senior housing and health care facility on the site, increasing the height of buildings development standard from 15m to 30m and increasing the floor space ratio development standard from 0.75:1 to 2:1.

To ensure appropriate consideration of all requests in the Precinct, Council engaged Tract Consultants to prepare a structure plan to guide the assessment of the planning proposal requests for the first four sites (Sites A to D).

Following completion of the structure plan, the proponent amended the planning proposal request in March 2020 (**Attachment 1**) by removing the proposed childcare and seniors living and reducing the height of buildings development standard from 30m to 25m and reducing the floor space ratio development standard from 2:1 to 1.88:1.

The amended planning proposal request would permit development of a 6-storey mixed-use development, consisting of 126 residential apartments, 6,747m² of combined retail and commercial space and 2,800m² of communal rooftop open space.

Advice was sought from the Liverpool Local Planning Panel (LPP) at its meeting on 29 June 2020 in accordance with the Local Planning Panel Direction – Planning Proposals dated 23 February 2018. The planning assessment report presented to the Local Planning Panel is included in **Attachment 2**.

The report outlines that the proposal has strategic and site-specific merit and recommends that a planning proposal be prepared and submitted to the Department of Planning, Industry & Environment (DPIE) for a Gateway determination. The Panel agreed with the above recommendation and supported the proposal proceeding to a Gateway determination. A copy of the panel's advice is included in **Attachment 3**. The panel also advised Council to consider negotiating a voluntary planning agreement for affordable housing on the site and to prepare a site-specific Development Control Plan (DCP) containing design excellence provisions.

It is recommended that Council notes the advice of the LPP, supports in principle the planning proposal request and submit a planning proposal to DPIE seeking a Gateway determination and public exhibition.

RECOMMENDATION

That Council:

1. Notes the advice of the Liverpool Local Planning Panel;
2. Endorses in principle the planning proposal request;
3. Delegates to the A/CEO authority to prepare the formal planning proposal including any typographical or other editing amendments if required;
4. Notes that negotiations will occur with the proponent on a potential voluntary planning agreement for the provision of affordable housing;

5. Forwards the planning proposal to the Department of Planning, Industry and Environment pursuant to Section 3.34 of the Environmental Planning and Assessment Act 1979, seeking a Gateway determination with a request that Council be authorised as the local plan making authority and that the Gateway determination be conditioned requiring relevant technical documents be updated, that Section 9.1 Direction 2.6 (Remediation of Contaminated Land) be updated and a site specific DCP be prepared prior to public exhibition;
6. Subject to Gateway determination, undertakes public exhibition and community consultation in accordance with the conditions of the Gateway determination and Council's Community Participation Plan; and
7. Receives a further report on the outcomes of public exhibition and community consultation.

REPORT

The site and locality

The site is a portion of land at 146 Newbridge Road, Moorebank, legally described as Lot 70 DP 1254895. It is south of Newbridge Road, within the development precinct Council refers to as Moorebank East identified in Figure 1 below. The proponent refers to the proposed development as "Georges Cove Village".

The site is a 10,700m² irregular shaped allotment located approximately 4.7km east of the Liverpool city centre and 2km west of Moorebank Shopping Centre. The site has been used for extractive and recycling operations since development consent was issued in 1992. The site contains some stockpiled soils and construction materials.

To the west of the site is a vegetation buffer and Brickmakers Drive, and to the east is the former Flower Power site. Immediately south is the future Georges Cove residential estate and Georges Cove Marina. Further east is the Georges River, and further north is the industrial lands of Chipping Norton.



Figure 1: Aerial image of the site and locality, approximately outlined in red (source: Near Map)

Background

On 18 October 2017, a planning proposal request was lodged with Council, seeking the following amendments to the LLEP:

- Amend Schedule 1 to permit a childcare centre, senior housing and health care facility on the subject site;
- Increase the HOB from 15m to 30m; and
- Increase the FSR from 0.75:1 to 2:1.

The planning proposal request is one of five planning proposals lodged within the development precinct Council refers to as the Moorebank East precinct. The other planning proposals include:

- RZ- 4/2017** - The former Flower Power site to the east at 124 Newbridge Road (Site B);
- RZ-1/2019** - The 'Georges Cove' residential site to the immediate south (Site C); and
- RZ-5/2018** - The Mirvac site immediately south at 146 Newbridge Road (Site D) – (Cove Marina); and
- RZ-2/2020** - Further south is another planned mixed-use development known as EQ Riverside.

These sites are shown in Figure 2 below.



Figure 2: Moorebank East precinct, sites A-E (Nearmap)

At its meeting on 26 August 2020, Council received and noted a report on the status of the current planning proposals within Moorebank, including those within the Moorebank East Precinct.

Council has sought independent urban design and environmental advice to resolve several key planning issues and to determine if the proposed scale of development is appropriate and can be accommodate within the Moorebank East precinct. In this regard, Council engaged Tract Consultants in 2018 to provide strategic and urban design advice to assist with the integration and coordination of each of the planning proposal requests at a precinct level.

Tract Consultants prepared a structure plan and development yield analysis that balances development interfaces between each of the sites (A-D) consistently. The structure plan with a recommended road network is as shown in Figure 3 below. Site E was not included within the structure plan as a planning proposal request had not yet been lodged, at the time.

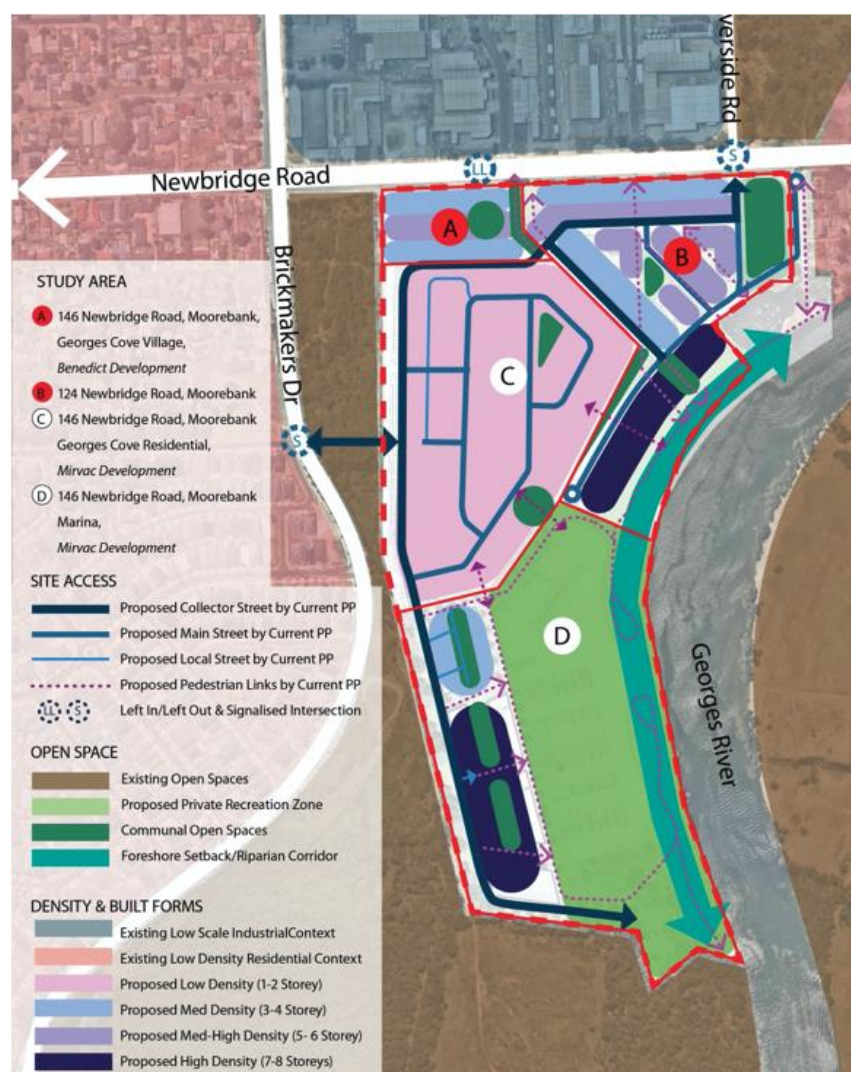


Figure 3: Moorebank East precinct Structure Plan (Tract Consultants)

The general agreed-upon urban design outcome for Site A, as shown in Figure 4 below, is:

- 3-4 Storey built form to Newbridge Road;
- 3-4 Storey built form to the internal DCP Road
- 6 storey setback upper form to DCP road

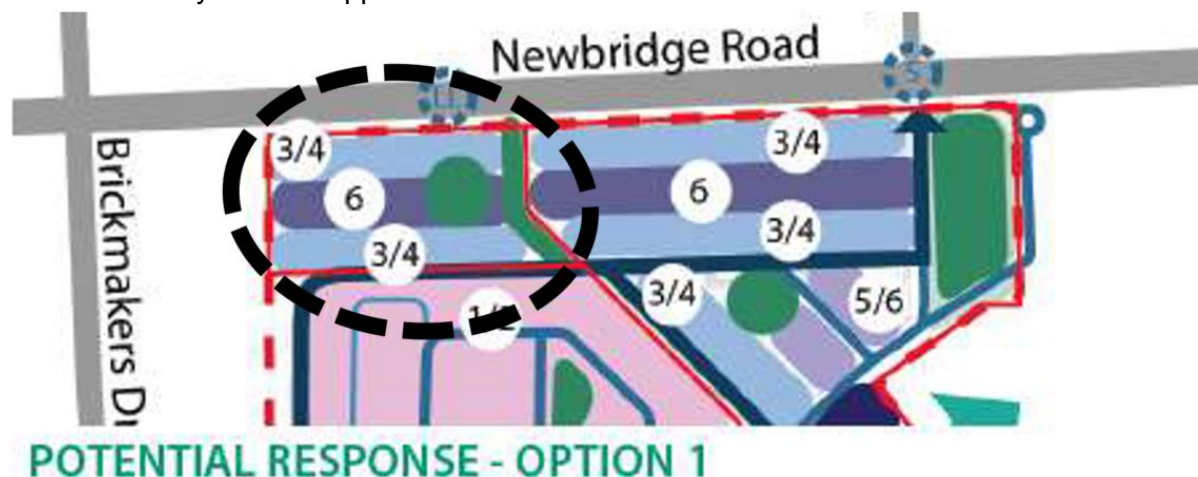


Figure 4: Peer Review Urban Design Outcome – Site A circled in black (Tract Consultants)

Following completion of the structure plan, the proponent amended the planning proposal request in March 2020 by removing the proposed childcare and seniors living and reducing the height of buildings development standard from 30m to 25m and reducing the floor space ratio development standard from 2:1 to 1.88:1. The amended planning proposal request would permit development of a 6-storey mixed-use development, consisting of 126 residential apartments, 6,747m² of combined retail and commercial space and 2,800m² of communal rooftop open space.

At its meeting on 27 July 2020, Council resolved to exhibit all planning proposals that have been lodged within Moorebank (excluding Site C as it had already been supported by Council) in accordance with Council's Community Participation Plan. The exhibition period concluded on 10 September 2020 with three submissions being received including two objections.

Apart from the abovementioned planning proposals, development consent was issued on 24 June 2020 to subdivide 146 Newbridge Road (Lot 70 DP 1254895) along its zoning boundaries to create Sites A, C and D (with the exception of 0.41 hectares of RE2 land which is proposed to be rezoned to R3 under planning proposal RZ-1/2019).

Proposed Amendment to the Liverpool Local Environmental Plan 2008

The current planning proposal request seeks to amend the LLEP to facilitate a mixed-use development supporting approximately 126 residential apartments, 6,747m² of combined retail and commercial space, and 2,800m² of communal rooftop open space. The proposed amendments to the LEP to achieve this are:

- An amendment to Schedule 1 to allow for a 'health care facility' (medical centre) and retail premise with a maximum GFA of 4,200m²;
- An amendment to the FSR Map from 0.75:1 to 1.88:1; and
- An amendment to the HOB Map from 15m to 25m.

It is recommended that the 'health care facility' is removed from the proposal as this use is currently permitted under Clause 57(1) of the State Environmental Planning Policy Infrastructure (2007).

Planning Assessment

A planning assessment report including detailed assessment of the merits of the proposal against the District and Region Plans and the Department of Planning's 'Guide to Preparing Planning Proposals', is provided included as **Attachment 2**. The report outlines that the planning proposal has strategic and site-specific merit and should proceed to a Gateway determination.

Advice of the Liverpool Local Planning Panel

Pursuant to Clause 2.19(1)(b) of the Environmental Planning and Assessment Act 1979, a planning proposal must be submitted to the Local Planning Panel (LPP) for their advice prior to consideration by the Council.

At its meeting on 29 June 2020, the LPP considered the planning proposal request and agreed that the proposal demonstrates strategic and site-specific merit and supported the planning proposal proceeding to a Gateway determination, taking into consideration matters in the minutes outlined below:

"The Panel notes the Council officer's response to the affordable rental housing targets in the Greater Sydney Region Plan. The Panel is also aware that Council's draft local housing strategy provides evidence that the Liverpool LGA suffers from one of the highest rates of rental stress in the country. In light of the targets in the Region Plan and the draft strategy, the Panel recommends that Council invite the applicant for the planning proposal to submit a planning agreement to Council that commits to a minimum number of affordable rental housing units being provided as part of the planning proposal.

The Panel notes that the site is located in a prominent location and will introduce new and substantial built form in the locality. The Panel recommends that Council considers including in the amended site specific DCP for the site a requirement that future development in the site achieves design excellence. The DCP should describe the design objectives that Council considers are necessary to achieve design excellence for this site.

The Panel recommends that the Council officers' report to Council that progresses the planning proposal specifically addresses the requirements listed in clauses 4(a), (b), (c) and clause 5 of section 9.1 direction 2.6 (remediation of contaminated land).

The Panel otherwise considers that the planning proposal exhibits strategic and site-specific merit for the reasons outlined in the Council officer's report."

Officer Comment on Local Planning Panel Advice

It is recommended that Council support in-principle the planning proposal request and forwards a planning proposal to DPIE seeking a Gateway determination and public exhibition.

As outlined in LPP advice, it is recommended that the proponent consider preparing a VPA offer to provide affordable rental housing as part of any future development. Subject to a favorable Gateway determination, Council will work with the proponent to determine what DCP amendments are required to achieve design excellence.

Consistency with Ministerial Direction 2.6 (Remediation of Contaminated Land)

The site has been used as a recycling facility since the original development consent was issued in 1992. Accordingly, the site has been identified as being contaminated by the previous extractive uses that occurred on the site. Therefore, assessment has been carried out to ensure the proposal meets the requirements of Ministerial Direction 2.6 as outlined in Table 1.

What a planning proposal authority must do if this direction applies	Response
<i>4(a) the planning proposal authority has considered whether the land is contaminated, and</i>	The site has been used as a recycling facility since the original development consent was issued in 1992. Accordingly, the site has been identified as being contaminated by the previous extractive uses that occurred on the site.
<i>4(b) if the land is contaminated, the planning proposal authority is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for all the purposes for which land in the zone concerned is permitted to be used, and</i>	Development consent has been issued for the subdivision of the broader site (Lot 70 DP 1254895), for which a Phase 1 Preliminary Investigation, Site Audit, a draft Long-Term Environmental Management Plan (LTEMP) and a revised Remediation Action Plan (RAP), were submitted.

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	The proponent is to provide confirmation that the above documentation applies to the subject planning proposal request. This can be included as a condition of Gateway determination to provide assurance that the land will be suitable for residential development after remediation.
<i>4(c) if the land requires remediation to be made suitable for any purpose for which land in that zone is permitted to be used, the planning proposal authority is satisfied that the land will be so remediated before the land is used for that purpose. In order to satisfy itself as to paragraph (4)(c), the planning proposal authority may need to include certain provisions in the local environmental plan</i>	Remediation of the site will largely be undertaken in accordance with the consent for the subdivision of the broader site. Accordingly, remediation will take place prior to redevelopment and associated construction works.
<i>(5) Before including any land specified in paragraph (2) in a particular zone, the planning proposal authority is to obtain and have regard to a report specifying the findings of a preliminary investigation of the land carried out in accordance with the contaminated land planning guidelines</i>	As discussed earlier, relevant documentation has already been submitted for the subdivision of the broader site. Confirmation as to how the documents relate to this proposal can be provided after a Gateway determination is issued.

Table 1: Consistency with Ministerial Direction 2.6

Consistency with the Local Strategic Planning Statement

All planning proposals must be consistent with Council's adopted Local Strategic Planning Statement (LSPS) – Connected Liverpool 2040.

The LSPS identifies the Moorebank East Precinct as an Urban Development Investigation Area on the Structure Plan map (page 20). It also provides strategic directions to support the implementation of the Regional, District and Community Strategic Plan.

The four key directions are: connectivity, livability, productivity and sustainability. The planning proposal aligns with the following directions and relevant priorities as outlined in Table 2:

Planning Priority	Comment
<i>Livability</i>	
Planning Priority 7 – Housing choice for different needs, with	The proposal would support additional housing supply and housing choice by delivering approximately 126

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density focused in the City Centre and centres well serviced by public transport	<p>dwelling which would assist in meeting Liverpool City Council's five-year housing supply target.</p> <p>The Liverpool Local Strategic Planning Statement identifies the Moorebank East precinct as an urban development investigation area on the Structure Plan map (page 20).</p>
Planning Priority 9 - Safe, healthy and inclusive places shaping the wellbeing of the Liverpool community	The proposal will facilitate a mixed-use development which including communal open space facilities. This would encourage walkability and wellbeing.
<i>Productivity</i>	
Planning Priority 12 – Industrial and employment lands meet Liverpool's future needs	The retail component would lead to increased employment opportunities for local workers.
<i>Sustainability</i>	
Planning Priority 15 – A green, sustainable, resilient and water-sensitive city	<p>The proposed development would include approximately 2,800m² of communal rooftop open space to be made available to residents living on the site that could advance liveability and sustainability on the site. Further water-sensitive outcomes, e.g. water-sensitive urban design components could be pursued later at the post-Gateway or DA stages.</p>

Table 2: Consistency with the LSPS

Consistency with Supporting Strategies

At its meeting on 26 August 2020, Council adopted the Liverpool Local Housing Strategy, Industrial and Employment Lands Strategy and Centres and Corridors Strategy. These strategies address specific actions outlined in the LSPS and guide future planning.

The Centres and Corridors Strategy identifies that the Liverpool B6 Enterprise Corridor zone currently allows a broader range of uses than most B6 zones in Greater Sydney. It highlights a need to prevent out of centre developments which may have an impact on existing centres.

The planning proposal proposes a retail premises with a maximum gross floor area of 4,200m². The site is not identified as a local centre and forms part of the larger Moorebank East renewal precinct. This is reflected in the LSPS which identifies the Moorebank East precinct as an Urban Development Investigation Area. It is therefore considered that the planning proposal request would support a broader-placed based role and cater for shopping and retail needs of the precinct and surrounding area and is consistent with the District Plan, LSPS and Centres and Corridors Strategy.

CONSULTATION

Preliminary Community Consultation

At its meeting on 27 July 2020 Council resolved to exhibit all planning proposals that have been lodged within Moorebank. Accordingly, the proposal was placed on public exhibition for 28 days, in accordance with Council's Community Participation Plan.

The exhibition period concluded on 10 September 2020 with three submissions being received including two objections. Summaries of the submissions and officer's response are listed in Table 3, and copies (of the objections) are included in **Attachment 5**.

Issue Raised	Officer Response
<i>Support</i>	
The planning proposal request is consistent with the changing use of the riverfront land, from industrial and commercial to residential and open space. This village environment would complement the adjoining Georges Cove Marina. We look forward to further consideration of the plans as they progress.	Noted.
<i>Objection 1*</i>	
As a resident and ratepayer of Liverpool City Council I totally object to this development.	
We do not need another disaster; cars cannot move along Newbridge Road as it is - It does not need any further traffic that this development would bring	<p>The submitted Traffic Impact Assessment (TIA) indicates that subject to the construction of improvement works at key intersections, including as part of other developments in the local area including Sites A-E, traffic impacts of the development can be minimised.</p> <p>Council's Traffic and Transport Unit has reviewed the submitted TIA and has requested submission of a revised TIA at the post Gateway stage.</p> <p>In addition, Transport for NSW (TfNSW) has been consulted regarding cumulative traffic impacts of the Moorebank East</p>

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	<p>Precinct and the proposed traffic improvement works.</p> <p>At the post Gateway stage, traffic impact assessment will be completed in conjunction with TfNSW to identify improvement works and appropriate funding mechanisms to minimise traffic impacts.</p>
Any time we get heavy rain Newbridge Road floods	<p>Newbridge Road is subject to flooding. Access to the site is from both Newbridge Road and a new DCP road that will be flood free. Flooding issues have been addressed in the planning assessment report including the provision of a pedestrian flood evacuation route from the site.</p>
<p>I am against:</p> <ul style="list-style-type: none"> -any further development- leave this flood prone land vacant - any additional houses or retail - any increase in height of building - any increase in floor space - any shops or retail - any rezoning - any apartments 	<p>Tract Consultants were engaged to recommend appropriate land uses and densities on sites in the Moorebank East precinct and have prepared a structure plan that ensures the orderly development of the precinct.</p> <p>At this early stage in the planning process, Council is satisfied that the proposal addresses amenity, flooding and traffic impacts. These issues will be further addressed in detail once a Gateway determination is issued and consultation is carried out with relevant state agencies/authorities.</p>
<p>This proposal should be in the only local paper publishing in print, The Champion</p> <p>Residents need to know</p>	<p>The proposal was exhibited on Council's website and in the 'Liverpool Champion' for a period of 28 days between 14 August and 10 September 2020.</p>
<i>Objection 2</i>	
<p>I write to oppose the amending of Schedule 1 of LLEP for Georges Cove Village at 146 Newbridge Road, Moorebank (Site).</p>	

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<p>As a retailer and property owner within Liverpool LGA, I believe that the current B6 zoning and LLEP controls should remain.</p>	
<p>Amending the LLEP to allow for 4,200m² of retail floor space and approximately 126 dwelling is a substantial overdevelopment and detrimental to other centres in the Liverpool area. 4,200m² of retail floor space is substantial and this would certainly take the focus from the retail and business centres in Moorebank, Chipping Norton, Hammondville, Wattle Grove, Liverpool and proposed centre at Holsworthy.</p>	<p>The planning proposal request proposes a larger retail premise than permitted currently under the LEP and will serve an increased population in the Moorebank East precinct as urban development takes place. The planning proposal request is supported by an Economic Needs Assessment (ENA) prepared by Location IQ, which indicates that the Moorebank Shopping Village and Chipping Norton Market Plaza would be impacted to a medium extent, with other centres being minimally impacted. However, the ENA finds that increased competition between supermarkets is beneficial to consumers and will not significantly affect the viability of centres. Additionally, the ENA provides a sound justification for a full line supermarket (which the planning proposal is facilitating). Nearby supermarkets at Wattle Grove, Chipping Norton and Moorebank are heavily patronised with limited opportunity for expansion.</p>
<p>Clause 7.23 of the LLEP states that <i>“development consent must not be granted for retail premises if the GFA of the premises exceeds 1600m².”</i></p> <p>Accordingly, Council should maintain the current B6 restrictions on retail:</p> <ul style="list-style-type: none"> ○ not exceeding GFA of 1600m²; ○ not allowing for speciality retail stores but rather being restricted to bulky goods and showrooms; and ○ not allowing for the inclusion of a ‘health care facility’. 	<p>The intent of the floor space restriction is to ensure that the viability of established and planned centres is not significantly affected. The ENA notes there is scope to increase the retail offering on this site as it is within an ‘Urban Development Investigation Area’ (as identified in the LSPS). There are no additional land uses being proposed, as the previously proposed childcare centre and seniors housing have been removed from this proposal and health care facilities are already permitted on the subject site.</p>

<p>SGS Economics and Planning's "Liverpool Centres and Corridors Strategy" does 'not support the creation of a new local centre' at 146 Newbridge Road, Moorebank. The report states at page 93 that:</p> <p><i>even with 1,500 sqm of retail floorspace instead of the 3,584.6 shown in the masterplan, this development would constitute a new local centre including a range of retail premises and other services (the proposed health care facilities, seniors housing and child care centre) in an out of centre location. Open space and a bus service along Newbridge Road are available next to the subject site, but it is not co-located with the wide range of social infrastructure that would be expected for a new local centre site.</i></p>	<p>The submitted Economic Needs Assessment prepared by Location IQ, indicates that the proposal would not provide a significant number of specialty shops, thereby enabling residents to patronise other centres/shops in the surrounding area. Additionally, the proposed seniors housing and child care centre have since been removed from the proposal, with health facilities already being permitted on the site. Given that the site is not characterised as a 'local centre', there is no inherent requirement to ensure that the site is co-located with social infrastructure. Regardless, the Social Impact Assessment prepared by Cred Consulting Pty Ltd identifies a range of services and social infrastructure within a kilometer of the site including a public primary school; a public high school; a medical centre; a shopping centre; a library; a community room; two open space areas (within 800 m); and future access to 2ha of foreshore open space. Therefore, the proposed development is not inconsistent with the "Liverpool Centres and Corridors Strategy" and would enhance the wide range of services already available in the locality.</p>
<p>Apart from bus, this area is not well serviced by existing rail networks. This would mean that residents of the 126 dwellings would be highly reliant on cars and would add to traffic in the Liverpool area.</p>	<p>The development site is not close to a train station; however, the site is close to bus route M90 along Newbridge Road. The bus route operates with 10 minutes service frequency during weekday peak hours and at least 20 minutes service frequency during daytime hours on weekends and public holidays. To minimise traffic impacts of the proposed development Council will consult with TfNSW during state agency consultation to identify improvement works and a funding mechanism for improvement works to be carried out.</p>

Table 3: Response to submissions

**It is advised that 'Objection 1' was made for all planning proposals within the Moorebank East Precinct.*

Internal Consultation

Flooding Issues

The Moorebank East precinct and the area north of Newbridge Road close to Georges River is flood prone and the site is identified as being subject to low, medium and high flood risks. The original planning proposal request was supported by a flood impact assessment report prepared by National Project Consultants (NPC) Pty Ltd (**Attachment 7**).

Council's Floodplain and Water Management team has reviewed the report and advise that the design concept is consistent with the mitigation measures and principles outlined in the NSW Flood Prone Land Policy and Floodplain Development Manual 2005. This addresses Ministerial Direction 4.3 (*Flood Prone Land*).

However, given the extent of modifications (i.e. changes in land uses) to the original planning proposal, it is recommended that a revised flood impact assessment report be prepared at the post-Gateway phase. The revised report is to account for any differences between the current and previous proposal and will be requested as a condition of any Gateway determination.

In 2018, NSW State Emergency Service (NSW SES) advised Council that an evacuation route would be required for any residential development within the Moorebank East precinct. Design and delivery of a flood evacuation route must be consistent with NSW SES's principles for evacuation. Council engaged environmental and natural hazard specialists Molino Stewart to investigate and report on the flooding and evacuation risks for each of the proposed development sites (within the Moorebank East Precinct). This work culminated in the Moorebank East Flood Evacuation Analysis Report in November 2019.

In response, an elevated pedestrian bridge from Site C is proposed by Mirvac to provide an acceptable pedestrian evacuation route for Sites A, C and D during a probable maximum flood event (PMF). The bridge has been approved as part of the operative consent for DA-24/2017 (issued on 24 June 2020) which approved the subdivision of the broader site into sites A, C and D.

With the proposed elevated pedestrian bridge/evacuation route, in the event of a flooding emergency, residents would have the option to be evacuated by either car, or as a last resort on foot (via the elevated pedestrian bridge).

Land Contamination Issues

The site has been identified as being contaminated by the previous extractive uses that occurred on the site. The proponent submitted a Detailed Site Investigation (DSI) and Remediation Action Plan (RAP) prepared by Douglas Partners in 2016 and 2017 respectively. Council's Environment & Health Section has expressed the following concerns:

- The DSI and RAP have been superseded by other environmental documentation submitted as part of the subdivision (DA-24/2017) of the broader site. The environmental documentation for the subdivision includes a Site Audit, draft long-term environmental management plan (LTEMP) and a revised RAP.
- Furthermore, Ministerial Direction 2.6 (Remediation of Contaminated Land) supersedes Clause 6 of SEPP No. 55 - Remediation of Land. Particularly, the Ministerial direction indicates that planning authorities are to consider contamination at any time during the preparation of an environmental planning instrument but are not required to before the gateway assessment.

The proponent will be required to confirm how the documentation submitted with the DA relates to the subject planning proposal request, as a condition of any Gateway determination. It is considered that contamination issues will be further addressed in detail during state agency consultation with the EPA.

Traffic Impacts

Council's Traffic and Transport unit has reviewed a Traffic Impact Assessment (TIA) report (**Attachment 8**) submitted with the original planning proposal. The TIA outlines that subject to the construction of the internal road network, and improvement works at key intersections as part of other developments in the local area including Sites A-E, traffic impacts of the development can be minimised.

A revised TIA is required to address traffic impacts and related concerns. Submission of the revised TIA will be requested as a condition of any Gateway determination. During state agency consultation, the planning proposal will be referred to Transport for New South Wales (TfNSW) for further traffic impact assessment.

Urban Design Issues

The proposed concept design and development standards are satisfactory at this stage in the planning proposal process. However, at the post-Gateway stage, Part 2.10 (Moorebank East) of the LDCP will need to be amended to include controls for 'Site A' including design excellence provisions. The requirement to prepare a DCP amendment will be requested as a condition of any Gateway determination.

Bushfire Impacts

The site is affected by Category 1 Bushfire Prone Vegetation on its western boundary. A bushfire assessment report of the previous planning proposal was submitted and reviewed by Council officers. An updated bushfire assessment report will need to be submitted during the post-gateway stage to demonstrate consistency with the amended proposal and concept architectural plan. Submission of an updated bushfire assessment report will be requested as a condition of any Gateway determination.

Social Impacts

The submitted social impact assessment (SIA) of the original (2017) planning proposal has been reviewed by Council. Given the extent of modifications (i.e. changes in land uses) it is recommended that a revised SIA is prepared. The revised SIA is to assess the social impacts of the current proposal. Submission of the revised SIA will be requested as a condition of any Gateway determination.

Next Steps

If Council supports the planning proposal request, a formal planning proposal will be prepared and submitted to the Department of Planning, Industry and Environment (DPIE) seeking a Gateway determination.

A further report will be provided to Council following the public exhibition period detailing submissions received and any amendments proposed.

CONCLUSION

The planning proposal request has both strategic and site-specific merit. This report notes that there are several environmental, traffic management, and urban design details to be resolved at the post gateway stage.

It is recommended that Council endorses the planning proposal to proceed to a Gateway determination with a further report prepared for Council's consideration following state-agency consultation and public exhibition period, detailing any submissions received and any amendments proposed.

CONSIDERATIONS

Economic	Facilitate economic development.
Environment	Manage air, water, noise and chemical pollution. Enhance the environmental performance of buildings and homes.
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.

Legislative	Environmental Planning and Assessment Act 1979.
Risk	The risk is deemed to be Low. If Council does not support the planning proposal request, there is a risk that the landowner will seek a review of Council's decision by the Sydney Western City Planning Panel.

ATTACHMENTS

1. Planning Proposal (Under separate cover)
2. Planning Assessment Report (Under separate cover)
3. Local Planning Panel Advice (Under separate cover)
4. Moorebank East Status Update - 26 August 2020 (Under separate cover)
5. Public Submissions (Under separate cover)
6. Economic Needs Assessment (Under separate cover)
7. Flood impact assessment (Under separate cover)
8. Traffic impact assessment (Under separate cover)

EGROW 02	Planning proposal request to amend development standards and Schedule 1 of the Liverpool Local Environmental Plan 2008 to facilitate residential development at the proposed George's Cove marina at 146 Newbridge Road, Moorebank
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Strategic Direction	Strengthening and Protecting our Environment Exercise planning controls to create high-quality, inclusive urban environments
File Ref	246006.2020
Report By	Kweku Aikins - Strategic Planner
Approved By	David Smith - Acting Director City Economy and Growth

Property	146 Newbridge Road, Moorebank (Lot 70 DP 1254895)
Owner	Tanlane Pty Ltd
Applicant	Mirvac Homes (NSW) Pty Ltd

EXECUTIVE SUMMARY

On 6 July 2018, Council received a request to prepare a planning proposal on behalf of Mirvac Homes (NSW) Pty Ltd for a portion of land at 146 Newbridge Road, Moorebank. The development site is south of Newbridge Road, within the precinct Council refers to Moorebank East precinct. The proponent refers to the proposed development as Georges Cove marina.

This planning proposal request is one of five requests that have been lodged in five areas (Site A to E) within the Moorebank East precinct. The subject site is currently zoned RE2 (Private Recreation).

The planning proposal request (**Attachment 1**) seeks to amend Schedule 1 of the Liverpool Local Environmental Plan 2008 (LLEP) to permit residential development and to increase the height of building (HOB) development standard from 21m to 35m and increase the floor space ratio (FSR) development standard from 0.25:1 to 0.4:1.

The planning proposal request will facilitate a future residential development comprising of 21 terrace dwellings and 353 apartments adjacent to the proposed Georges Cove marina.

Advice was sought from the Liverpool Local Planning Panel (LPP) at its meeting on 31 August 2020 in accordance with the Local Planning Panel Direction – Planning Proposals dated 23 February 2018. The planning assessment report presented to the LPP is included in **Attachment 2**.

The report outlines that the proposal has strategic and site-specific merit and recommends that a planning proposal be submitted to the Department of Planning, Industry and Environment for a Gateway determination. The panel agreed with the above recommendation and supported the proposal proceeding to a Gateway determination. A copy of the panel's advice is included in **Attachment 3**. The panel also recommended that Council to prepare a site-specific Development Control Plan (DCP) that establishes urban design controls and includes provision for a public pedestrian link around the western edge of the marina, in a north–south alignment.

It is recommended that Council notes the advice of the LPP, supports in principle the planning proposal request and submits a planning proposal to DPIE seeking a Gateway determination and public exhibition.

RECOMMENDATION

That Council:

1. Note the advice of the Liverpool Local Planning Panel;
2. Endorses in principle the planning proposal request;
3. Delegates to the A/CEO authority 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 with a request that Council be authorised as the local plan making authority and that the Gateway determination be conditioned requiring a site specific DCP be prepared prior to public exhibition;
5. Subject to Gateway determination, undertakes public exhibition and community consultation in accordance with the conditions of the Gateway determination and Council's Community Participation Plan; and
6. Receives a further report on the outcomes of public exhibition and community consultation.

REPORT

The site and locality

The site is a portion of land at 146 Newbridge Road, Moorebank, legally described as Lot 70 DP 1254895. It is south of Newbridge Road, within the development precinct Council refers to as Moorebank East identified in Figure 1 below. The proponent refers to the proposed development site as 'Georges Cove Marina'.

The site is a 10,700m² irregular shaped allotment located approximately 4.7km east of the Liverpool city centre and 2km west of Moorebank Shopping Centre. The property is under the single ownership of Tanlane Pty Ltd and is the site of a former sand mining operation by Benedict Sands, which is nearing the end of its life cycle.



Figure 1: Aerial image of the site and locality (source: Near Map)

Background

At its meeting on 31 August 2016, Council resolved to support a planning proposal to amend the LEP for land located at 146 Newbridge Road, Moorebank (Lot 70 DP 1254895).

The proposal sought to enable residential uses within the RE2 Private Recreation zone (limited to a key site area) and included a zone boundary adjustment in which 4190sqm of land would be rezoned from RE2 Private Recreation to R3 Medium Density Residential. The proposal was to facilitate the development of approximately 125 dwellings alongside the marina development, and nine additional lots to the south of the existing R3 Medium Density Residential land.

A Gateway determination was issued for the planning proposal on 9 March 2017. However, Moorebank Recyclers, the previous owners of Lot 6 DP 1065574 (which is directly south of the subject site) appealed the Gateway determination in the Land and Environment Court. The legal challenge was made on the basis that the planning proposal did not adequately address the now repealed Clause 6 of State Environmental Planning Policy No 55 – Remediation of Land (SEPP 55).

On 21 December 2017, the Class 4 appeal Moorebank Recyclers Pty Ltd v Tanlane Pty Ltd (No 2) [2017] NSWLEC 186 was dismissed. Moorebank Recyclers subsequently lodged an appeal against this decision in the NSW Supreme Court and the Gateway determination was declared invalid by the Court of Appeal on 18 December 2018.

Given the outcome of previous legal proceedings, the proponent has since lodged a new request to prepare a planning proposal which seeks to permit residential uses within the RE2 zone (limited to a key site area). This proposal is to facilitate approximately 353 apartments and 21 terrace dwellings. The zone boundary adjustment was also lodged as a separate planning proposal that was endorsed by Council at its meeting on 27 July 2020.

The planning proposal request (for residential uses) is one of five planning proposals lodged within the development precinct Council defines as the Moorebank East precinct. The other proposals include:

- **RZ-9/2017** - The 'Georges Cove Village' site to the far north along Newbridge Road (Site A);
- **RZ-4/2017** - The former 'Flower Power' site to the east at 124 Newbridge Road (Site B);
- **RZ-1/2019** - The 'Georges Cove' residential site to the immediate north (Site C); and
- **RZ-2/2020** - The planned mixed-use development known as 'EQ Riverside' to the immediate south at Lot 6 Newbridge Road (Site E).

These proposals are shown in Figure 2 below.

At its meeting on 26 August 2020, Council received and noted a report on the status of the current planning proposals within Moorebank, including those within the Moorebank East Precinct.



Figure 2: Moorebank East precinct, sites A-E (Nearmap)

Council has sought independent urban design and environmental advice to resolve several key planning issues and to determine if the proposed scale of development is appropriate and can be accommodate within the Moorebank East precinct. In this regard, Council engaged Tract Consultants in 2018 to provide strategic and urban design advice to assist with the integration and coordination of each of the planning proposal requests at a precinct level. Tract Consultants prepared a structure plan and development yield analysis that balances development interfaces between each of the sites (A-D) consistently. The structure plan with

a recommended road network is as shown in Figure 3 below. Site E was not included within the structure plan as a planning proposal request had not yet been lodged, at the time.

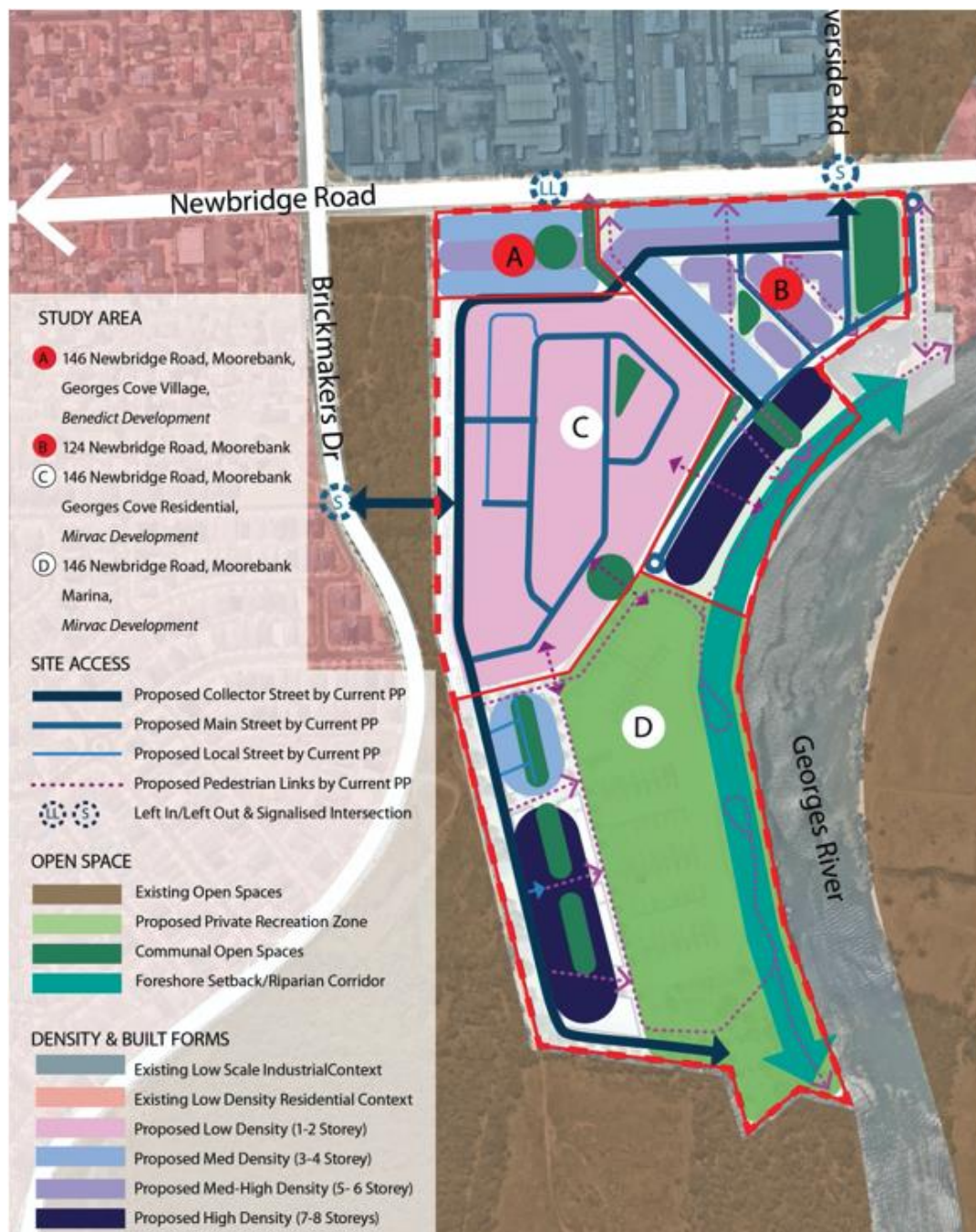


Figure 3: Moorebank East precinct Structure Plan, Sites A-D (Tract Consultants)

At its meeting on 27 July 2020, Council resolved to exhibit all planning proposals that have been lodged within Moorebank (excluding Site C as it had already been supported by Council) in accordance with Council's Community Participation Plan. The exhibition period concluded on 10 September 2020 with two submissions being received, including one objection.

Apart from the abovementioned planning proposals, development consent was issued on 24 June 2020 to subdivide 146 Newbridge Road (Lot 70 DP 1254895) along its zoning boundaries to create Sites A, C and D (with the exception of 0.41 hectares of RE2 land which is proposed to be rezoned to R3 under planning proposal RZ-1/2019). Additionally, Council is currently assessing a DA (DA-611/2018) for the proposed Georges Cove Marina at 146 Newbridge Road.

Proposed Amendment to the Liverpool Local Environmental Plan 2008

The current planning proposal request seeks to amend the LEP to facilitate a development consisting of approximately 374 dwellings (353 apartments and 21 terraces) within a key site in the existing RE2 zone. The proposal is to be achieved through the following amendments to the LLEP:

- Schedule 1 amendment to permit residential accommodation (limited to residential flat buildings and multi-dwelling housing);
- Increase HOB from current 21m to 35m; and
- Increase FSR from current 0.25:1 to 0.4:1.

Planning Assessment

A planning assessment report including detailed assessment of the merits of the proposal against the District and Region Plans and the Department of Planning's 'Guide to Preparing Planning Proposals', is included as **Attachment 2**. The report outlines that the planning proposal request has strategic and site-specific merit and should proceed to a Gateway determination.

Advice of the Liverpool Local Planning Panel

Pursuant to Clause 2.19(1)(b) of the Environmental Planning and Assessment Act 1979, a planning proposal must be submitted to the Local Planning Panel (LPP) for their advice prior to consideration by the Council.

At its meeting on 31 August 2020, the LPP considered the planning proposal request and agreed that the proposal demonstrates strategic and site-specific merit and supported the planning proposal proceeding to a Gateway determination (**Attachment 3**). The LPP advice is outlined below:

Background information

- *The proposed pedestrian bridge over Brickmakers Drive (which is required for flood free evacuation of the Moorebank East precinct) will be constructed as part of the residential development to the north of the marina site and will be available for use by residents of the proposed apartments in the planning proposal;*

- *The suitability of the site having regard to land contamination has been assessed by Mirvac's consultants and Council's experts as part of the subdivision of the Tanlane holding which was approved earlier in 2020. Those reports considered the site suitable for the permitted uses subject to the site being rehabilitated in accordance with an approved long-term environmental management plan;*
- *There is an existing voluntary planning agreement between Mirvac and Council that requires Mirvac to build a pedestrian bridge over the entrance to the marina adjacent to the River foreshore. A potential amendment to this agreement is currently being negotiated. The amendment, if agreed, will replace the requirement to build a bridge with a requirement to provide a north-south public pedestrian access around the western edge of the marina. Council's position is that the new pedestrian access should also be created as an easement on the title of the land; and*
- *A precinct specific development control plan is to be prepared post Gateway that will establish urban design controls which will require the design of any future development enabled by the planning proposal to incorporate a genuine public pedestrian link around the western edge of the marina, in a north-south alignment.*

Strategic Merit

- *The Panel agrees with Council officers' conclusion that the planning proposal has strategic merit having regard to the broader policy context including the Three Cities Regional Plan, the Western City District Plan and the Local Strategic Planning Statement. The amendments to Liverpool LEP 2008 contained in the planning proposal will increase the supply of housing, and the diversity of housing types in the Liverpool LGA, in an area of high amenity that has reasonable public transport opportunities.*

Site Specific Merit

- *The Georges River is both a constraint (flooding) and an opportunity (amenity). The Panel encourages Council to undertake a regional evacuation analysis that includes the entire Moorebank and Chipping Norton area so that clear provision can be made for the safe evacuation of residents in the event of flooding.*
- *The Panel encourages Council to pursue the urban design outcomes as described by Council's City Design Unit, in any future development control plan applying to the land, and to pursue an easement on title allowing public access along any future pedestrian route.*
- *The Panel acknowledges that Council is currently considering a draft precinct wide traffic study which proposes a staged improvement works program. The Panel considers there is a need to investigate improvements to traffic capacity in the precinct and recommends that Council progresses the draft precinct wide traffic study and implements the findings of that study prior to any further amendments to Liverpool LEP 2008 in the precinct.*

- *The Panel notes that land contamination has been assessed by the landowner's consultants and Council's experts. The Panel recommends that a full summary of the results of the assessment and recommendations of the contamination experts be put before the elected representatives when the matter is reported prior to Gateway.*

Conclusion

- *Having regard to the matters outlined above the Panel considers that the planning proposal has strategic and site-specific merit. The Panel recommends that the planning proposal proceed to Gateway determination and that the post Gateway actions mentioned in the Panel's minutes above be implemented.*

Officer Comment on Local Planning Panel Advice

It is recommended that Council support in-principle the planning proposal request and forwards a planning proposal to DPIE seeking a Gateway determination and public exhibition.

The LPP advice recommends Council prepare a regional flood evacuation study and an integrated traffic study for the precinct. Council is currently undertaking the regional flood study which will be completed by the end of September 2020. In addition, Council officers have consulted with Transport for NSW to ensure the cumulative traffic impacts of proposed development in the Moorebank East precinct is understood and that required traffic improvement works, and a funding mechanism is identified. Further detailed discussion will occur with TfNSW once a Gateway determination is issued as part of the state agency consultation phase.

There is an existing executed Planning Agreement applying to the site which requires a pedestrian bridge to be constructed at the entrance to the marina. The proponent is considering amendments to the VPA to remove this requirement and replace it with a pedestrian pathway along the western edge of the marina. This proposal is currently under assessment by Council and will be reported to a future Council meeting for a decision.

As recommended by the LPP, Council will work with the proponent to determine appropriate DCP amendments to achieve design excellence.

Consistency with Ministerial Direction 2.6 (Remediation of Contaminated Land)

The site has been used as a recycling facility since the original development consent was issued in 1992. Accordingly, the site has been identified as being contaminated by the previous extractive uses that occurred on the site. Therefore, assessment has been carried out to ensure the proposal meets the requirements of Ministerial Direction 2.6 as outlined in Table 1.

What a planning proposal authority must do if this direction applies	Response
<i>4(a) the planning proposal authority has considered whether the land is contaminated, and</i>	The site has been used as a recycling facility since the original development consent was issued in 1992. Accordingly, the site has been identified as being contaminated by the previous extractive uses that occurred on the site.
<i>4(b) if the land is contaminated, the planning proposal authority is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for all the purposes for which land in the zone concerned is permitted to be used, and</i>	A Site Audit and Remediation Action Plan (RAP) have been submitted as part of the marina DA on the subject site. Council's Environmental Health Section has advised that the site will be made suitable after remediation in accordance with the RAP and Site Auditor's conditions (subject to preparation and validation of a Section A Site Audit Statement prepared by an accredited Site Auditor).
<i>4(c) if the land requires remediation to be made suitable for any purpose for which land in that zone is permitted to be used, the planning proposal authority is satisfied that the land will be so remediated before the land is used for that purpose. In order to satisfy itself as to paragraph (4)(c), the planning proposal authority may need to include certain provisions in the local environmental plan</i>	Remediation of the site will largely be undertaken in accordance with any prospective development consent for the marina. Council's Environmental Health Section advised that the land requires remediation in accordance with the RAP and Site Auditor's conditions for the proposed use. Accordingly, Council's Environmental Health Section is satisfied that remediation will occur prior to construction.
<i>(5) Before including any land specified in paragraph (2) in a particular zone, the planning proposal authority is to obtain and have regard to a report specifying the findings of a preliminary investigation of the land carried out in accordance with the contaminated land planning guidelines</i>	A preliminary site investigation has been submitted and a Site Audit and RAP have also been submitted as part of the marina DA on the subject site. The submitted documents are considered to be satisfactory and will be used to inform a Long-term Environmental Plan for the site.

Table 1: Consistency with Ministerial Direction 2.6

Consistency with the Local Strategic Planning Statement

All planning proposals must be consistent with Council's adopted Local Strategic Planning Statement (LSPS) – Connected Liverpool 2040. The LSPS identifies the Moorebank East precinct as an Urban Development Investigation Area on the Structure Plan map (page 20). It also provides strategic directions to support the implementation of the Regional, District and Community Strategic Plan. The four key directions are: connectivity, liveability, productivity and sustainability. The planning proposal request aligns with Planning Priority 7 as outlined in Table 2:

Planning Priority	Comment
<i>Liveability</i>	
Planning Priority 7 – Housing choice for different needs, with density focused in the City Centre and centres well serviced by public transport	The proposal would support additional housing supply and housing choice by delivering approximately 374 dwellings which would assist in meeting Liverpool City Council's five-year housing supply target. The Liverpool Local Strategic Planning Statement identifies the Moorebank East precinct as an urban development investigation area on the Structure Plan map (page 20).

Table 2: Consistency with the LSPS

CONSULTATION

Preliminary Community Consultation

On 27 July 2020 Council resolved to exhibit all planning proposals that have been lodged within Moorebank. Accordingly, the subject proposal was placed on public exhibition for 28 days, in accordance with Council's Community Participation Plan.

The exhibition period concluded on 10 September 2020 with two submissions being received including one objection. Summaries of the submissions and officer's response are listed in Table 3.

Issue Raised	Officer Response
<i>Support</i>	
This planning proposal request for the Georges Cove Marina is consistent with the changing use of the riverfront land, from industrial and commercial to residential and	Noted.

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open space. We look forward to further consideration of the plans as they progress.	
<i>Objection</i>	
As a resident and ratepayer of Liverpool City Council I totally object to this development.	Noted.
<p>We do not need another disaster; cars cannot move along Newbridge Road as it is</p> <ul style="list-style-type: none"> - It does not need any further traffic that this development would bring 	<p>The submitted Traffic Impact Assessment (TIA) indicates that subject to the construction of improvement works at key intersections, including as part of other developments in the local area including Sites A-E, traffic impacts of the development can be minimised.</p> <p>Council's Traffic and Transport Unit has reviewed the submitted TIA and has requested submission of a revised TIA at the post Gateway stage.</p> <p>In addition, Transport for NSW (TfNSW) has been consulted regarding cumulative traffic impacts of the Moorebank East Precinct and the proposed traffic improvement works.</p> <p>At the post Gateway stage, traffic impact assessment will be completed in conjunction with TfNSW to identify improvement works and appropriate funding mechanisms to minimise traffic impacts.</p>
Any time we get heavy rain Newbridge Road floods	<p>Newbridge Road is subject to flooding. Access to the site is from both Newbridge Road, Brickmakers Road and a new DCP road that will be flood free. Flooding issues have been addressed in the planning assessment report including the provision of a pedestrian flood evacuation route from the site.</p>
<p>I am against:</p> <ul style="list-style-type: none"> - any further development- leave this flood prone land vacant - any additional houses or retail 	<p>Tract Consultants were engaged to recommend appropriate land uses and densities on sites in the Moorebank East precinct and have prepared a structure plan that ensures the orderly development of the precinct. At this early stage in the planning</p>

<ul style="list-style-type: none"> - any increase in height of building - any increase in floor space - any shops or retail - any rezoning - any apartments 	<p>process, Council is satisfied that the proposal addresses amenity, flooding and traffic impacts. These issues will be further addressed in detail once a Gateway determination is issued and consultation is carried out with relevant state agencies/authorities.</p>
<p>This proposal should be in the only local paper publishing in print, The Champion</p> <p>Residents need to know</p>	<p>The proposal was exhibited on Council's website and in the 'Liverpool Champion' for a period of 28 days between 14 August and 10 September 2020.</p>

Table 3: Response to submission

**It is advised that the objection was made for all planning proposals within the Moorebank East Precinct.*

Internal Consultation

Flooding Issues

The Moorebank East precinct and the area north of Newbridge Road close to Georges River is flood prone and the subject site is identified as being subject to low, medium and high flood risks within its boundaries.

A flooding report prepared by Cardno was submitted with the planning proposal request. This report was reviewed by Council's Floodplain and Water Management team who advised that the design concept is consistent with the mitigation measures and principles outlined within the NSW Flood Prone Land Policy and Floodplain Development Manual 2005. This addresses the Ministerial Direction 4.3 (*Flood Prone Land*).

In 2018, NSW State Emergency Service (NSW SES) advised Council that an evacuation route would be required for any residential development within the Moorebank East precinct. Design and delivery of a flood evacuation route must be consistent with NSW SES's principles for evacuation. Council engaged environmental and natural hazard specialists Molino Stewart to investigate and report on the flooding and evacuation risks for each of the proposed development sites (within the Moorebank East Precinct). This work culminated in the Moorebank East Flood Evacuation Analysis Report in November 2019.

In response, an elevated pedestrian bridge from Site C is proposed by Mirvac to provide an acceptable pedestrian evacuation route for Sites A, C and D during a probable maximum flood event (PMF). The bridge has been approved as part of the operative consent for DA-24/2017 (issued on 24 June 2020) which approved the subdivision of the broader site into sites A, C and D.

With the proposed elevated pedestrian bridge/evacuation route, in the event of a flooding emergency, residents would have the option to be evacuated by either car, or as a last resort on foot (via the elevated pedestrian bridge).

Land Contamination Issues

The site has been identified as being contaminated by the previous extractive uses that occurred on the site. The proponent submitted a Preliminary Site Investigation (PSI) prepared by Douglas Partners in 2018. However, Council's Environmental Health Section advised that the subject proposal "shall be accompanied by a Section B Site Audit Statement and Site Audit Report prepared by an NSW EPA Accredited Site Auditor confirming that:

- The nature and extent of contamination has been appropriately determined at the proposed development site;
- The investigation, remediation or management plan is appropriate for the intended purpose; and
- The site can be made suitable for the proposed land use in accordance with the submitted Remediation Action Plan (Report J14149RP1, Version V2, Final) prepared by EMM Consulting dated 11th March 2016 or any modified Remediation Action Plan as required.

The Site Audit Statement shall also confirm that the preliminary investigation of the land was carried out in accordance with the contaminated land planning guidelines and satisfactorily addresses the Land and Environment Court's findings dated 28th February 2018.

It is requested that the NSW EPA accredited site auditor also verifies whether the Applicant was required to provide a report on a detailed investigation (as referred to in the contaminated land planning guidelines) to obtain sufficient information to develop the Remediation Action Plan. If remediation is to include a cap and contain strategy, it is requested that the site auditor reviews the Long-Term Environmental Management Plan for ongoing management of the site.

A Site Audit and RAP have since been submitted for the marina DA on the subject site. Subject to development consent, it is proposed that a notation will be included on any Planning Certificate for Lot 70 DP 1254895, 146 Newbridge Road, Moorebank NSW under Section 10.7(5) of the Environmental Planning and Assessment Act 1979. The notation shall specify that the land is contaminated and subject to a Site Audit Statement, leading to the preparation of a Long-Term Environmental Management Plan. Accordingly, any future residential development would be required to comply with this Long-Term Environmental Management Plan.

Additionally, Ministerial Direction No 2.6 (Remediation of Contaminated Land) supersedes Clause 6 of SEPP No. 55- Remediation of Land. Particularly, the Ministerial Direction indicates that planning authorities are to consider contamination at any time during the preparation of an environmental planning instrument but are not required to before the Gateway assessment. Contamination issues will be further addressed in detail during state agency consultation with

the EPA. Accordingly, the proposal satisfactorily satisfies Ministerial Direction 2.6 (Remediation of Contaminated Land).

Urban Design Issues

The proposed concept design and development standards are satisfactory at this stage in the planning proposal process. However, at the post-Gateway stage, Part 2.10 (Moorebank East) of the LDCP will need to be amended to include controls for 'Site D' which align with the agreed-upon urban design outcome. This process will also ensure that the current Marina DA under assessment and a future development as facilitated by this planning proposal will integrate cohesively to produce a high-quality built form and public domain outcome. The requirement to prepare a DCP amendment can be included as a condition of Gateway determination.

Traffic Impacts

Council's Traffic and Transport Unit has reviewed a Traffic Impact Assessment (TIA) report submitted with the planning proposal request. The TIA outlines that subject to the construction of the internal road network, and improvement works at key intersections as part of other developments in the local area including Sites A-E, traffic impacts of the development can be minimised.

Council officers have consulted with TfNSW to identify improvement works and a funding mechanism required to minimise the cumulative traffic impacts of development in the Moorebank East precinct. This will continue during formal state agency consultation following the issuing of a Gateway determination.

Next Steps

If Council supports the planning proposal request, a formal planning proposal will be prepared and submitted to the Department of Planning, Industry and Environment (DPIE) seeking a Gateway determination.

A further report will be provided to Council following the public exhibition period detailing submissions received and any amendments proposed.

CONCLUSION

The planning proposal request has both strategic and site-specific merit. This report notes that there are several environmental, traffic management, and urban design details to be resolved at the post gateway stage.

It is recommended that Council endorses the planning proposal to proceed to a Gateway determination with a further report prepared for Council's consideration following state-agency

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consultation and public exhibition period, detailing any submissions received and any amendments proposed.

CONSIDERATIONS

Economic	Facilitate economic development.
Environment	Manage air, water, noise and chemical pollution. Enhance the environmental performance of buildings and homes.
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.
Legislative	Environmental Planning and Assessment Act 1979
Risk	The risk is deemed to be Low. If Council does not support the planning proposal request, there is a risk that the landowner will seek a review of Council's decision by the Sydney Western City Planning Panel.

ATTACHMENTS

1. Planning Proposal Request (Under separate cover)
2. Planning Assessment Report for Liverpool Local Planning Panel (Under separate cover)
3. Local Planning Panel Advice (Under separate cover)

EGROW 03**Planning proposal request to rezone land and amend development standards at 1370 Camden Valley Way, East Leppington**

Strategic Direction	Strengthening and Protecting our Environment Exercise planning controls to create high-quality, inclusive urban environments
File Ref	209517.2020
Report By	Masud Hasan - Senior Strategic Planner
Approved By	David Smith - Acting Director City Economy and Growth

EXECUTIVE SUMMARY

Council has received a planning proposal request (**Attachment 1**) from the landowner, Vicliz Pty Ltd to rezone the site at 1370 Camden Valley Way, East Leppington (Lot E in DP28997) from R3 Medium Density Residential to B1 Neighbourhood Centre, RE1 Public Recreation to R3 Medium Density Residential, R2 Low Density Residential to RE1 Public Recreation and to amend development standards.

The site is located within the Liverpool portion of the East Leppington Precinct, which forms part of the South West Growth Centre under *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* (Growth Centre SEPP).

The planning proposal request seeks to expand the existing neighbourhood centre to accommodate additional retail floor area and to reorganise the development of residential, commercial and recreational uses on the site. This requires an amendment to the current zoning and layout of open space, commercial and residential areas within the site.

The planning proposal request seeks to amend the upper limit of permissible total Gross Floor Area (GFA) in Clause 6.4 under Appendix 8 - Liverpool Growth Centre Precinct Plan of the Growth Centres SEPP by increasing the maximum retail GFA from 2,500m² to 4,800m².

The Height of Building Map, Land Reservation Acquisition Map, Lot Size Map and Residential Density Map under the Growth Centres SEPP are to be amended as part of this proposal to reflect the modified zoning boundaries proposed.

The planning proposal request also requires amendments to Schedule 3 (East Leppington Precinct) of the Liverpool Growth Centre Precincts Development Control Plan 2013. The DCP amendments reflect the proposed changes to the zoning boundaries and the proposed increase of the retail GFA provision. In addition, the DCP amendments include changes to the

ILP road network, pedestrian and cycleway network and the layout of the Neighbourhood Centre to make it consistent with the planning proposal request.

A voluntary planning agreement (VPA) has been offered by the proponent in support of the planning proposal request. The recreation facilities proposed under the VPA offer are over and above the Contributions Plan provisions for the site (details are provided in Table 1). The proposed VPA offer will assist in the early delivery of recreation facilities, without any additional cost to Council.

Advice was sought from the Liverpool Local Planning Panel (LPP) at its meeting on 29 June 2020 in accordance with the 'Local Planning Panel Direction – Planning Proposals' dated 23 February 2018. The planning assessment report presented to the Local Planning Panel is included in **Attachment 2**.

The report outlines that the proposal has strategic and site-specific merit and recommends that a planning proposal be prepared and submitted to the Department of Planning, Industry & Environment (DPIE) for a Gateway determination. The Panel agreed with the above recommendation and supported the proposal proceeding to a Gateway determination. A copy of the panel's advice is included in **Attachment 3**.

It is recommended that Council note the advice of the LPP, support in principle the planning proposal request, and submit a planning proposal to DPIE seeking a Gateway determination and public exhibition.

RECOMMENDATION

That Council:

1. Notes the advice of the Liverpool Local Planning Panel;
2. Endorses in principle the planning proposal request, subject to the proponent finalising the required amendments to the Liverpool Growth Centres Precinct DCP;
3. Delegates to the A/CEO authority to prepare the formal planning proposal including any typographical or other editing amendments if required;
4. Delegates to the A/CEO authority to negotiate a Voluntary Planning Agreement with the proponent, agree the terms of the offer with the proponent and report back to Council the details of the VPA prior to exhibition of the planning proposal, consistent with the Council's Planning Agreements Policy;
5. Endorses in principle the potential public benefits, to be further negotiated, including:

- Social Court located within Open Space Area 'C' of approximately 330m² including outdoor seating, basketball and netball hoop and bocce area including tree planting;
 - Concrete walking loop located within Open Space Area 'C' of approximately 180m;
 - Pedestrian crossing (including refuge island) located in the southern portion of the site across the future collector road to the open space area;
 - Boardwalk/bridge across riparian corridor along the south-east portion of the site of approximately 70m;
6. Forwards the planning proposal to the Department of Planning, Industry and Environment pursuant to Section 3.34 of the Environmental Planning and Assessment Act 1979, seeking a Gateway determination with a recommendation that amendments to the Liverpool Growth Centres Precinct DCP is included as a Gateway condition to be satisfied prior to public exhibition;
7. 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;
8. Receive a further report on the outcomes of public exhibition and community consultation.

REPORT

Background

The planning proposal request seeks to expand the existing neighbourhood centre area to accommodate additional retail floor area, and reorganise development of residential, commercial and recreational uses on the site.

On 2 March 2016, following a meeting with Council staff, pre-lodgement advice was provided to the proponent including:

- That a substantial portion of the land was not granted Biodiversity Certification and was subject to the Threatened Species Conservation (TSC) Act 1995;
- A portion of the land was subject to controls on existing native vegetation under Clause 6.3 of the Growth Centre SEPP. The objective of the clause is to manage existing native vegetation in accordance with the relevant biodiversity measures under Part 7 of Schedule 7 of the TSC Act;
- That the (2016) proposal involved a significant reduction of open space. The area of open space proposed to be removed was designated as a local recreation area and it would be inappropriate to relocate the desired uses on flood liable land;

- That there might be scope to reshape the open space without a reduction in its area in order to achieve a better and more efficient development outcome;
 - That the proposed retail centre should be located on the collector street so that it functioned as a main street not as a 'drive in' shopping centre. Shop top housing could be provided on the R3 zone adjacent and opposite the retail centre to reinforce the sense of place in the centre;
 - That the entrance from Camden Valley Way into the precinct was to be by a public street as per the Development Control Plan (DCP) and not directly through the service station site;
 - The retail centre might be accessed from the service station via a car parking structure so that it did not encourage vehicles to take shortcuts through the service station;
 - The lots should be organised so that the dwellings face and reinforce the street hierarchy and open space; and
 - That these issues must be addressed before any further consideration could be given to supporting a planning proposal request.
- On 3 March 2017, following the pre-lodgment meeting in March 2016, a planning proposal request was lodged with Council. The proposal sought to rezone the land and included modifications to the street layout under the Indicative Layout Plan (ILP) for the East Leppington precinct. This also included amendments to the Neighbourhood Centre layout included in the Development Control Plan (DCP).
 - On 19 July 2017, the applicant was advised of planning issues that needed to be addressed:
 - The required protection of the native vegetation on the site,
 - The reduction of open space area and potential detrimental impacts of an extended Neighbourhood Centre on the nearby centres such as, Leppington and Edmondson Park.
 - On 2 May 2018, the proponent submitted a revised concept plan for the open space and met with Council staff. A letter of advice was sent to the proponent on 12 June 2018 raising concerns with the concept plan including the reduction of open space area, proposed removal of protected vegetation, traffic impacts and potential adverse impacts of an extended Neighbourhood Centre on the nearby centres such as, Leppington and Edmondson Park
 - On 22 August 2018, the proponent submitted an updated concept plan and updated supporting documents. Correspondence was sent to the proponent on 19 October 2018, detailing matters such as the protection of Existing Native Vegetation (ENV) located on the site and the reduction of open space area. Council recommended that a modified proposal be prepared that would not reduce the quantum of open space and that would not impact on non-certified land.

- In early 2019, the Department of Planning, Industry and Environment (DPIE) confirmed that the existing native vegetation, as originally mapped, still constituted Existing Native Vegetation (ENV) as defined under the Biodiversity Certification Order, and as such could not be cleared.
- On 9 August 2019, the proponent submitted a revised proposal with a proposed zoning map including a reconfigured RE1 Public Recreation space for Council's review.
- On 20 September 2019, Council staff advised the proponent that the quantum of RE1 zoned land should be equal to or greater than the current RE1 zoned land. In addition, the section of SP2 Infrastructure (local drainage) zoned land area should be excluded from the calculation of RE1 zoned land.
- On 16 December 2019, a meeting was held between the proponent and Council officers. Advice was provided on the following:
 - The planning proposal request and the associated DCP amendments should be dealt with separately within the planning proposal report, as the DCP modifications can be considered upon the planning proposal receiving Council's in-principle support;
 - The proposed rezoning of SP2 Infrastructure zoned land to RE1 Public Recreation zone would not be supported by Council as the SP2 zoned land would be required for drainage infrastructure planned for the precinct;
 - The portion of SP2 zoned land might be considered as open space where it constituted an open drain. If the SP2 zoned land was linked to the existing RE1 land, and all would be in Council ownership, there would be no net loss of open space; this could be further justified by the embellishment proposed for the RE1 zoned land under the VPA offer.
 - DPIE advised that the proposed extension of Gross Floor Area (GFA) for the neighbourhood centre would not be considered until a time when planning for the Leppington Town Centre is finalised.
- On 31 March 2020, the proponent submitted a revised planning proposal request with additional supporting information. The proposal excluded SP2 zoned land towards the calculation of total open space area on the site. The area of resulting RE1 zoned land due to the proposed rezoning and reshaping remained equal to what was originally provided.
- On 29 June 2020, the planning proposal request was considered by the Liverpool Local Planning Panel (LPP). The panel considered the planning proposal request and provided their advice that the proposal has strategic and site-specific merit. This is further discussed in the following section of this report.

Site Description and Locality

The site is located at 1370 Camden Valley Way, East Leppington (Lot E in DP28997). The site is part of the East Leppington precinct and was rezoned pursuant to the Sydney Region Growth Centres SEPP 2006, in August 2014, to permit primarily a mix of residential density development.

The site currently contains land parcels zoned: B1 Neighbourhood Centre, RE1 Public Recreation, R3 Medium Density Residential, R2 Low Density Residential and SP2 Infrastructure. The zones and Indicative Layout Plan are intended to provide for a neighbourhood centre, medium and low-density residential developments, and passive recreation open space and stormwater drainage.

The site is bound by Camden Valley Way to the west, the Upper Canal to the east, private land holdings primarily zoned R3 Medium Density Residential and R2 Low Density Residential to the north and south as shown in Figure 1.

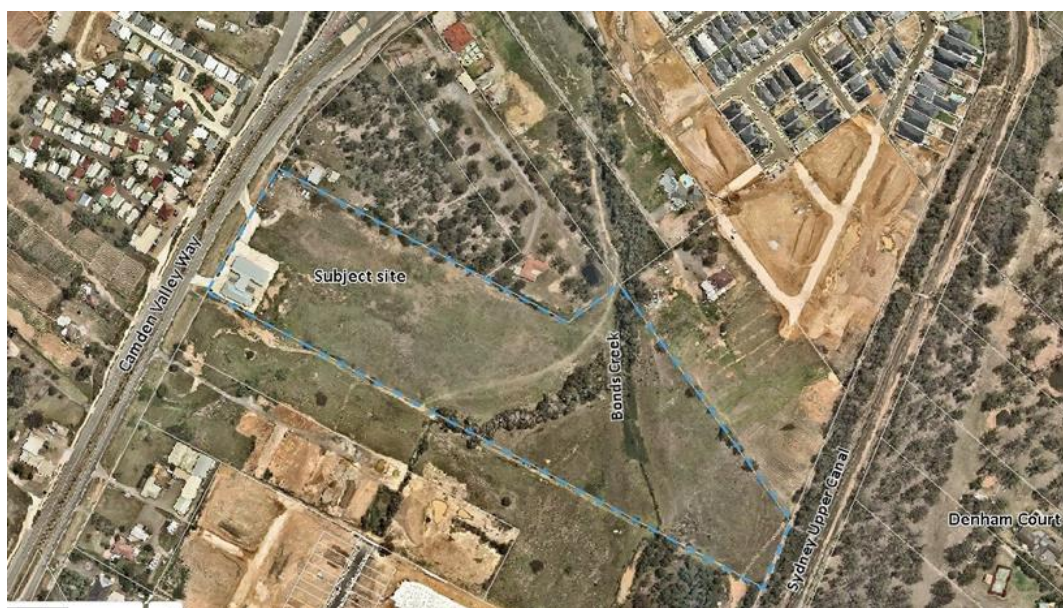


Figure 1: Aerial view of the subject site (Source: NearMap January 2020)

Leppington Station and the future Leppington town centre are approximately 1.5km north west of the site. Bus services along Camden Valley Way provide access to Leppington Station, Narellan Town Centre and Liverpool City Centre and will provide access to the future Leppington Town Centre. Bus stops are located along Camden Valley Way, with the nearest bus stop 200m from the site.

Other surrounding land uses are as follows:

- Willowdale Shopping Centre, within the Campbelltown LGA, is approximately 1km south-west of the site.
- Antegra Estate Retirement Village and Forest Lawn Gardens cemetery are to the north and north-east of the site respectively.

- Leppington Public School is approximately 1km north-west and John Edmondson High School is approximately 4km north-east of the site.
- Edmondson Park Village Square (along Camden Valley Way) is approximately 4km east of the site.

The site has access to the M5 and M7 Motorways via Camden Valley Way and Cowpasture Road respectively. Bringelly Road is approximately 1.8 km north of the site and provides connection to the future Western Sydney Airport and Aerotropolis.

The site's location, including the abovementioned surrounding land uses and transport links are shown as *Figure 2* below.



Figure 2: Locality Map – subject site highlighted (source: Urban Design Statement prepared by Benson McCormack Architecture, dated March 2020, Page no. 5)

Proposed Amendments to State Environmental Planning Policy (Sydney Region Growth Centres) - 2006

As indicated above, the site is currently zoned as B1 Neighbourhood Centre, RE1 Public Recreation, R3 Medium Density Residential, R2 Low Density Residential and SP2 Local Drainage under the Growth Centres SEPP 2006, as shown in *Figure 3*.

The neighbourhood centre was initially zoned to cater for the retail and service needs of future population of the East Leppington precinct. Since the urban release, residential yield has been tracking at greater densities than was planned, increasing the demand for retail floor space and service provision within the centre.

As a result, the planning proposal request seeks to increase the current zoned neighbourhood centre from 2,500m² to 4,800m² and to reorganise the residential, commercial and recreational land uses. In addition, the planning proposal request proposes an amendment to development standards, and Clause 6.4 of Appendix 8 of the Growth Centres SEPP.

This requires an amendment to the current commercial and residential zonings and layout of the open space, as well as amendment to the Liverpool Growth Centre Precincts DCP, which is discussed in the next section of this report.

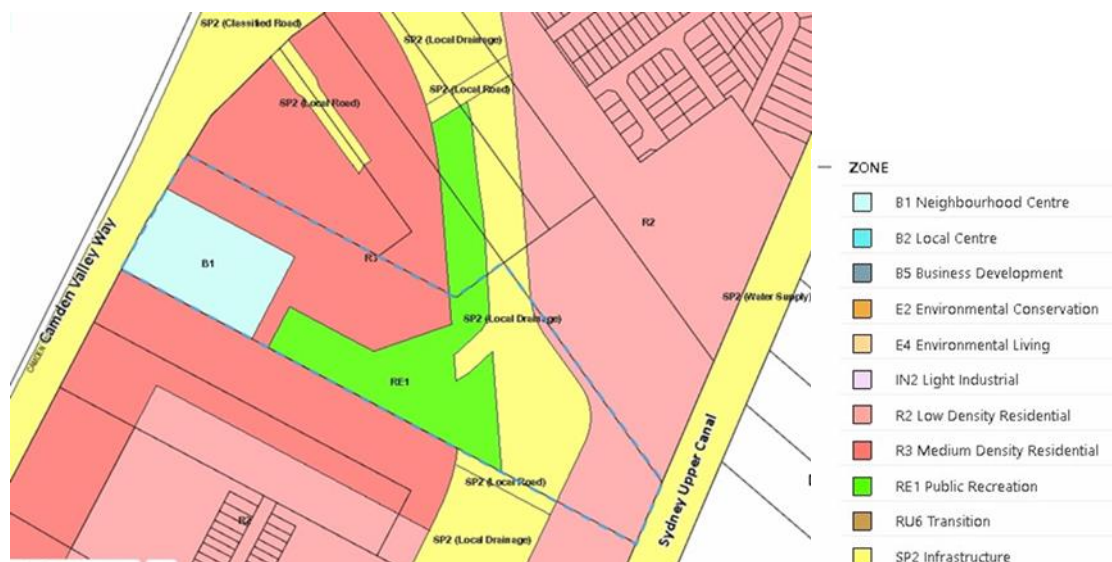


Figure 3: Existing zoning – subject site highlighted

The proposal is seeking to rezone parts of the subject site as follows:

- R3 Medium Density Residential to B1 Neighbourhood Centre;
- RE1 Public Recreation to R3 Medium Density Residential; and
- R2 Low Density Residential to RE1 Public Recreation. (Refer to Figure 4)

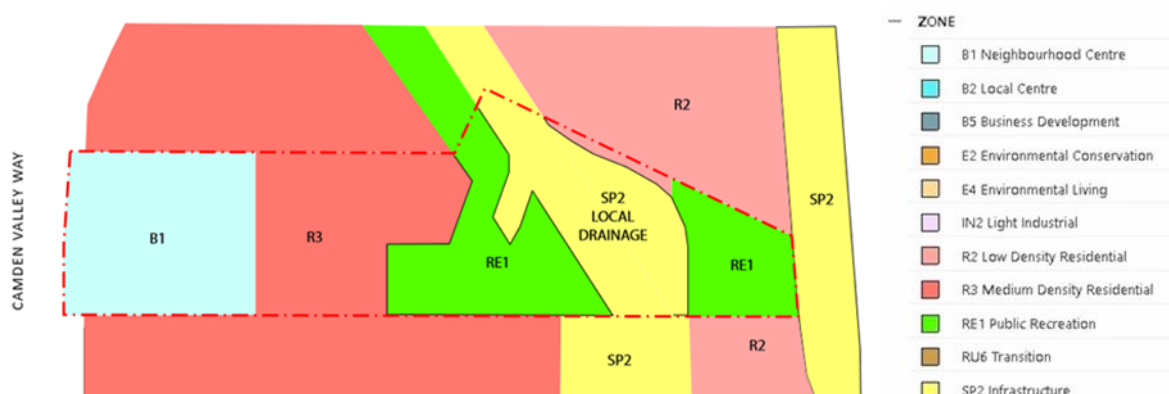


Figure 4: Proposed land use zoning – subject site highlighted

Figure 5 below summarises the land zoning amendments proposed:

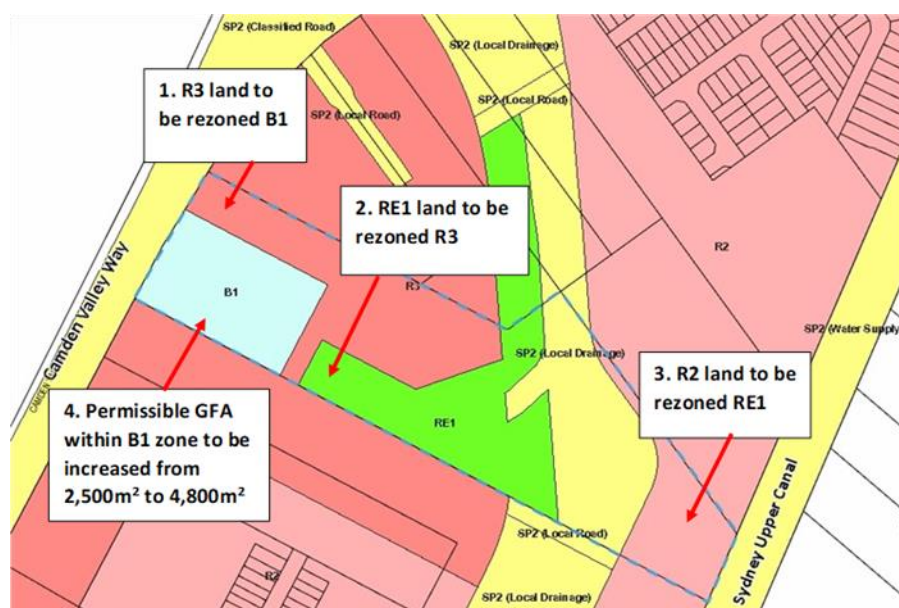


Figure 5: Matters addressed within the planning proposal

The planning proposal request increases the permissible retail GFA from 2,500m² to 4,800m² to meet the increased demand for retail floor area within the precinct. The amended clause will read –

“6.4 Maximum gross floor area for retail premises in Zone B1 in East Leppington Precinct

Despite any other provision of this Precinct Plan, the total gross floor area of all retail premises on land in Zone B1 Neighbourhood Centre within the East Leppington Precinct must not exceed 4,800 square metres.”

The Height of Building Map, Land Reservation Acquisition Map, Lot Size Map and Residential Density Map under the Growth Centre SEPP are to be amended as part of this proposal to reflect the modified zoning boundaries proposed on the site.

Amendments to the Liverpool Growth Centre Precincts Development Control Plan

The planning proposal request requires amendments to Schedule 3 - East Leppington Precinct of the Liverpool Growth Centre Precincts Development Control Plan (the DCP) to ensure it consistent with the planning proposal request.

Amendments to the DCP reflect changes to the zone boundaries and the increase in retail GFA provision. The amendments include changes to the local road network, pedestrian and cycleway network and the layout of the Neighbourhood Centre in the DCP. This is to be achieved by amending the DCP controls, maps and figures, including the Indicative Layout Plan (ILP) as detailed below:

- The Indicative Layout Plan (ILP) is a map in the DCP which shows the future road network and the land uses in the precinct (e.g. residential, open space etc.). This provides Council, developers and landowners with certainty as to how the land will be developed in a coordinated manner. Upon support of the planning proposal request, the ILP is to amend:
 - The road currently located to the north of the Neighbourhood Centre is relocated to the northern boundary of the site. This is to reflect the extended neighbourhood centre area and to provide road connection with residential developments to the north of the centre.
 - The local road along the western edge of the open space area, is realigned to make it consistent with the reconfigured zoning boundaries.
 - The local road connecting the neighbourhood centre to the reconfigured open space area, is envisaged to be widened to allow for a tree lined boulevard with pedestrian and cycleway emphasis. This will provide a pedestrian and cycleway connection between the neighbourhood centre and the public recreation area, facilitating easy access and visual connection to the open space area.

The draft ILP amendments are outlined in *Figure 6*. This may be subject to change upon refinement between Council staff and the proponent to ensure that the ILP provides for orderly development.

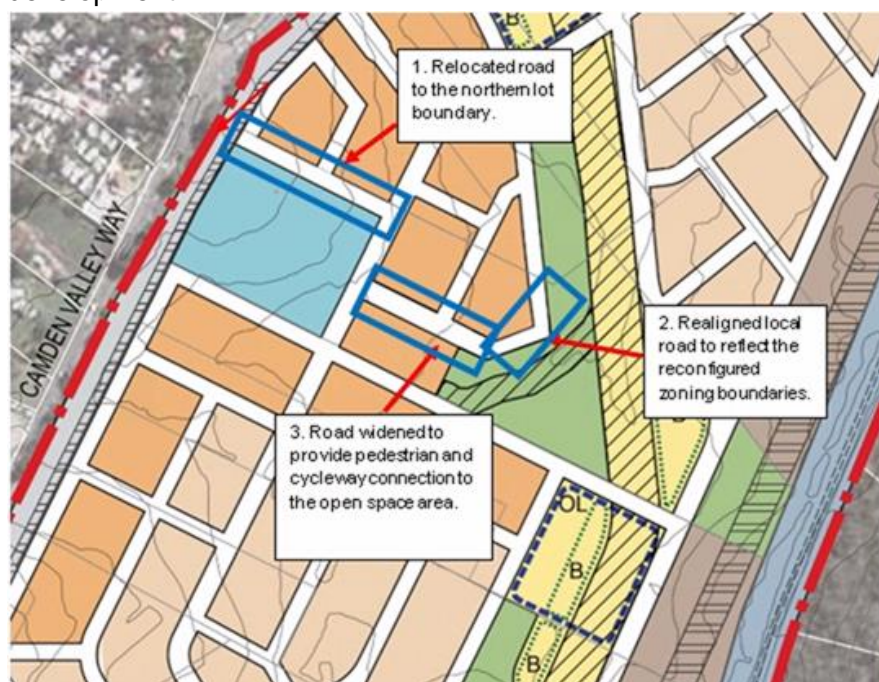


Figure 6: Proposed amendments to the ILP road network

- The numerical restriction on retail Gross Floor Area (GFA) of the neighbourhood centre under Section 3.1 of the East Leppington precinct DCP, is to be amended. The upper limit of permissible retail GFA within the centre will be increased from 2,500m² to 4,800m². This is to reflect the proposed increase of retail GFA under the planning proposal. Amended section of the DCP will read:

“Under the Liverpool Growth Centre Precinct Plan a maximum gross floor area of 4,800m² applies to retail premises within the Neighbourhood Centre”.

- A revised layout is proposed to replace the current layout of the neighbourhood centre at ‘Figure 3-2: Desired future layout of the Neighbourhood Centre’ of the DCP (refer to Figure 7). The proposed layout represents the extended area of the neighbourhood centre. It outlines public domain interfaces such as points of entry, active facades, vehicle access points and loading areas to guide the future development of the centre. Refinement of this figure will be coordinated between Council staff and the proponent.

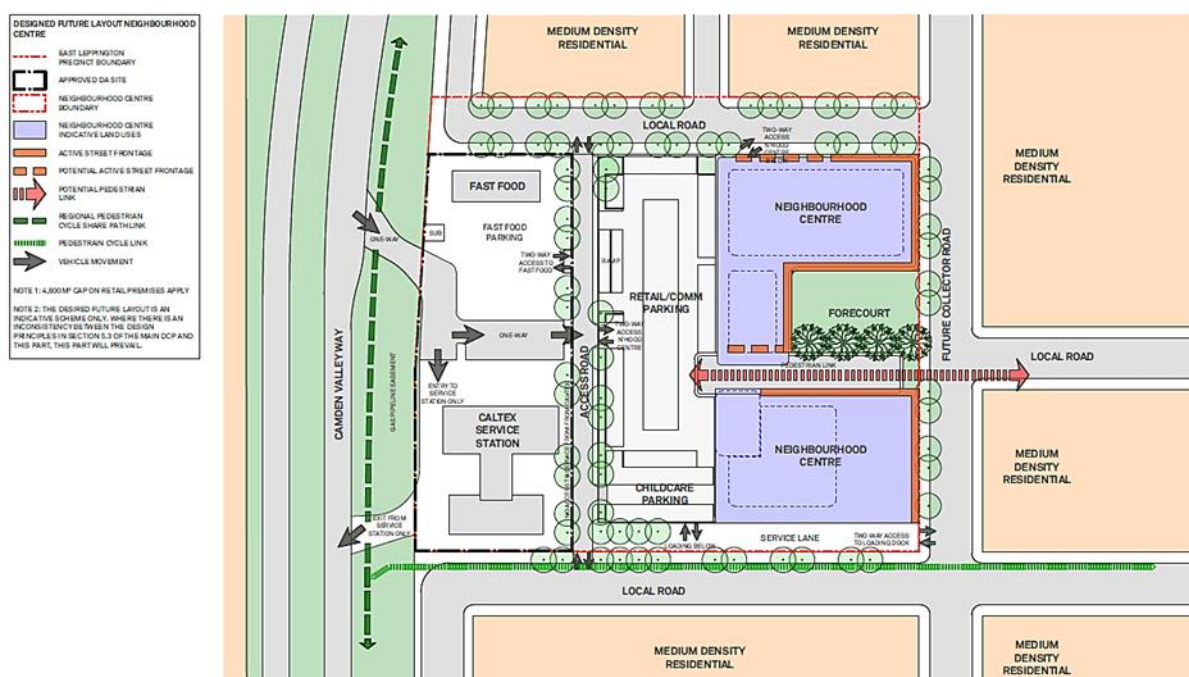


Figure 7: Proposed desired future layout of the Neighbourhood Centre

Miscellaneous Amendments to the DCP

The following maps and figures in the East Leppington Precinct DCP are to be amended to reflect the changes to zoning boundaries, the local road network, the neighbourhood centre layout and the pedestrian and cycleway network:

- Figure 2-3: Key elements of water cycle management and ecology strategy
- Figure 2-7: Bushfire risk and asset protection zone requirements
- Figure 2-10: Potential noise attenuation measures
- Figure 2-11: Residential structure
- Figure 2-12: Precinct road hierarchy
- Figure 2-13: Pedestrian and cycleway network
- Figure 2-19: Desired future subdivision layout – Very Low Density Residential – Upper Canal
- Figure 3-1: Location of Neighbourhood Centre

- Figure 3-2: Desired future layout of the Neighbourhood Centre

It is proposed (should the planning proposal receive a Gateway determination) that a draft DCP will be prepared and considered by Council at a further meeting for its consideration prior to proceeding with any public agency and community consultation.

Draft Voluntary Planning Agreement Offer

The proponent has prepared a letter of offer to enter into a Voluntary Planning Agreement (VPA) in support of the planning proposal request (**Attachment 4**). Under the letter of offer, recreation facilities are proposed to be delivered. These facilities are over and above the planned infrastructure under the East Leppington Development Contributions Plan.

Table 1 shows the list of facilities proposed to be delivered under the VPA. Refer to *Figure 8* for location of proposed VPA works.

Embellishment	Dimensions			Treatment
	Width (m)	Length (m)	Area (m ²)	
1.1 Social Court	20	20	330	Gravel surface plaza with outdoor seating and tree plantings. Informal recreation elements (i.e. Basketball/netball hoop, bocce etc.)
1.2 Walking Loop	2	180	340	Broom Finished Concrete.
1.3 Link Across Riparian Corridor (Boardwalk/Bridge)	3	70 (Actual span of boardwalk TBC)	175	Broom finished concrete path connecting to boardwalk spanning riparian corridor. Structure: Steel & timber Decking: Timber Balustrade: Steel & timber
1.4 Pedestrian Crossing	3.6	17	n/a	Painted white markings on road asphalt in accordance with AS1742.10. Pedestrian refuge to be included if required.

Table 1: Proposed works under VPA offer



Figure 8: Location of proposed VPA works (highlighted in red boxes)

The proposed facilities will assist in early delivery of recreation facilities in the area, without any additional cost to Council. The list of facilities under the VPA offer was reviewed by Council's Recreation and Open Space team and Infrastructure Planning team.

If Council supports the VPA offer, and the planning proposal receives a Gateway determination, a formal VPA will be drafted for Council's consideration. Similarly, a draft DCP will also be prepared. It is proposed that the draft VPA and DCP is presented to Council for consideration prior to any public agency or community consultation.

Advice of the Local Planning Panel

Pursuant to Clause 2.19(1)(b) of the Environmental Planning and Assessment Act 1979, a planning proposal must be considered by the Local Planning Panel (LPP) for their advice prior to consideration by the Council.

The Local Planning Panel considered the planning proposal at their meeting on 29 June 2020 and agreed that the proposal has strategic and site-specific merit and that they support the

proposal proceeding to a Gateway determination. The advice of the LPP is included in **Attachment 3**.

Consistency with the Local Strategic Planning Statement

All planning proposals must be consistent with Council's adopted Local Strategic Planning Statement (LSPS) – Connected Liverpool 2040.

The LSPS identifies the site within the Growth Area on the Structure Plan map (page 20). It also provides strategic directions to support the implementation of the Regional, District and Community Strategic Plan.

The four key directions are: connectivity, livability, productivity and sustainability. The planning proposal aligns with the following directions and relevant priorities as outlined in Table 2:

Planning Priority	Comment
<i>Liveability</i>	
Planning Priority 6 – High quality, plentiful and accessible community facilities, open space and infrastructure aligned with growth	The planning proposal request, with its reconfigured centre and public open space, will provide the opportunity to deliver a wide array of community facilities and social infrastructure for the thriving community.
Planning Priority 9 - Safe, healthy and inclusive places shaping the wellbeing of the Liverpool community	The proposal will facilitate the development of a larger centre, responding to an increase in forecast population, and an area of open space that can be delivered to a higher standard than what is possible under the development contributions plan.
<i>Productivity</i>	
Planning Priority 11 – An attractive environment for local jobs, business, tourism and investment'	The planning proposal request is consistent with the planning priority as the proposed extension of the neighbourhood centre area will deliver a larger centre to attract more local businesses, investments and job opportunities.
<i>Sustainability</i>	
Planning Priority 14 – Bushland and waterways are celebrated, connected, protected and enhanced	The planning proposal request is consistent with this planning priority as the proposal is protecting the Bonds Creek riparian corridor and its associated drainage land. It also retains the designated Existing Native Vegetation (ENV) area. The reconfigured open

	space land surrounding the riparian corridor and the protected ENV land create opportunities for the enhanced enjoyment and functionality of the green space.
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Table 2: Consistency with the LSPS

Consistency with Supporting Strategies

At its meeting on 26 August 2020, Council adopted the Liverpool Local Housing Strategy, and Centres and Corridors Strategy. These strategies address specific actions outlined in the LSPS and guide future planning.

The Centres and Corridors Strategy acknowledges the site as a future Local Centre. The strategy acknowledges that inclusion of the proposed centres in the retail hierarchy “should not change the development expectations of these centres, which are mostly set in growth area DCPs and the State Environmental Planning Policy (Sydney Region Growth Centres) 2006.” (Liverpool Centres and Corridors Strategy, 2020, P. 23). The centre would still be defined as a local centre, as per the strategy, if the increase in GFA is supported

The planning proposal does not notably increase or decrease residential lot yield on the site, rather the area of residential zoned land is reconfigured around a larger centre and re-arranged open space area. Regardless, the proposal is still largely consistent with the Local Housing Strategy, given that it seeks to increase opportunities for medium density (missing middle) housing typologies next to an identified centre, and close to amenities such as public open space.

Preliminary Public Exhibition

In accordance with the requirements of Council’s Community Participation Plan (CPP), preliminary public exhibition of the planning proposal request was undertaken for 28 days between 8 August 2020 and 16 September 2020. No submissions were received during the public exhibition period.

Consultation

Consultation was undertaken with Council’s internal departments including Council’s Community Development & Planning, City Economy, City Environment, Traffic and Transport, City Design and Public Domain and Floodplain and Water Management teams. No significant issues were identified that cannot be addressed prior to the proposal being finalised.

The matters primarily related to required amendments to the local road network, recreation facilities and a revised layout of the Neighbourhood Centre to reflect the reconfigured zoning boundaries. The issues can be resolved by the proposed DCP amendments and the works proposed under the VPA offer.

CITY ECONOMY AND GROWTH REPORT

Subject to receiving Council support and a Gateway determination, and Council endorsing the draft DCP and the VPA at a future meeting, formal community consultation will occur with a minimum exhibition period of 28 days.

Public Authority consultation will also be undertaken as per the conditions of the Gateway determination. It is proposed that adjacent landowners, and the landowner of each property who is affected by changes to planning controls be notified in writing.

Next Steps

If Council supports the planning proposal request, a formal planning proposal will be prepared and submitted to the Department of Planning, Industry and Environment (DPIE) seeking a Gateway determination.

The Gateway determination may require additional technical studies to be undertaken in parallel with the development of a draft DCP and VPA. The draft DCP and VPA will be reported back to Council. Following endorsement, the planning proposal, draft DCP, and draft VPA would then proceed to public exhibition.

A further report will be provided to Council following the public exhibition period detailing submissions received and any amendments proposed.

Conclusion

The planning proposal will promote positive social, environmental and economic outcomes by introducing housing diversity and choice, as well as superior open space and recreation outcomes. The associated DCP amendments and VPA will further assist in achieving these outcomes.

The planning proposal request has strategic and site-specific merit and it is recommended that Council endorses the proposal to proceed to a Gateway determination.

CONSIDERATIONS

Economic	Facilitate economic development.
Environment	Support the delivery of a range of transport options.
Social	There are no social and cultural considerations.
Civic Leadership	Encourage the community to engage in Council initiatives and actions. Provide information about Council's services, roles and decision-making processes.

Legislative	Environmental Planning and Assessment Act 1979
Risk	The risk is deemed to be Low. If Council does not support the planning proposal request, there is a risk that the landowner will seek a review of Council's decision by the Sydney Western City Planning Panel.

ATTACHMENTS

1. Planning Proposal Request (Under separate cover)
2. Planning Assessment Report for Local Planning Panel (Under separate cover)
3. Advice of Local Planning Panel (Under separate cover)
4. Draft Voluntary Planning Agreement offer (Under separate cover)

EGROW 04	Issues and Options Report - Potential amendment to Liverpool Local Environmental Plan to permit a Recreation Facility (Outdoor) at 25 Dwyer Road, Bringelly
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Strategic Direction	Generating Opportunity Attract businesses for economic growth and employment opportunities
File Ref	237969.2020
Report By	Luke Oste - Executive Planner
Approved By	David Smith - Acting Director City Economy and Growth

EXECUTIVE SUMMARY

On 28 August 2020, the Mayor issued a Mayoral Direction (Attachment 1), pursuant to Section 226(d) of the Local Government Act 1993, requiring the A/CEO to prepare a report that details options available to Council to amend the Liverpool Local Environmental Plan 2008 (LEP) to permit, with development consent, a Recreation Facility (Outdoor) at 25 Dwyer Road, Bringelly.

The Mayoral Direction relates to the Burns Outdoor Obstacle Training facility which was issued a Notice of Proposed Stop Use Order, Demolish Works Order and Restore Works Order on 4 August 2020 due to the use being prohibited in the R5 Large Lot Residential zone under the LEP.

The facility has operated for the last five years with the landowners believing the use was permitted without development consent in the zone as a home occupation.

This report recommends that Council prepares a planning proposal to amend Schedule 1 of the LEP to permit, with development consent, a Recreation Facility (Outdoor) at 25 Dwyer Road, Bringelly and forwards the planning proposal to the Department of Planning, Industry, and Environment (DPIE) seeking a Gateway determination.

It is also recommended that the Phase 2 LEP Review considers amending the list of land uses that are permissible with development consent in the R5 Large Lot Residential zone, to include Recreation Facility (Outdoor).

RECOMMENDATION

That Council:

1. Directs the A/CEO to prepare a planning proposal to amend Schedule 1 of the Liverpool Local Environmental Plan 2008 to permit, with development consent, a Recreation Facility (Outdoor) at 25 Dwyer Road, Bringelly and delegates authority to the A/CEO to forward the planning proposal to the Department of Planning, Industry, and Environment seeking a Gateway determination;
2. Notes that if a Gateway determination is issued, state agency consultation and public exhibition will be undertaken, and a post-exhibition report will be prepared for Council's consideration; and
3. Investigates including Recreation Facility (Outdoor) as a land use permitted with development consent in the R5 Large Lot Residential zone as part of Phase 2 of the LEP Review.

REPORT

Background

Over the past five years, the site at 25 Dwyer Road, Bringelly has been used as a Recreational Facility (Outdoor) known as Burns Outdoor Obstacle Training.

Council received a complaint on 10 July 2020 regarding the use of the premises. Council officers investigated the matter and determined the use did not have a development consent and was prohibited in the R5 Large Lot Residential zone under the Liverpool Local Environmental Plan 2008.

The landowners established the facility believing it was a home occupation and that the use was development permitted without consent. The LEP defines a home occupation as:

Home occupation means an occupation that is carried **on in a dwelling**, or **in a building ancillary** to a dwelling, by one or more permanent residents of the dwelling and that does not involve –

- a) the employment of persons other than those residents, or
- b) interference with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil, traffic generation or otherwise, or
- c) the display of goods, whether in a window or otherwise, or
- d) the exhibition of any signage (other than a business identification sign), or

e) the sale of items (whether goods or materials), or the exposure or offer for sale of items, by retail,

but does not include bed and breakfast accommodation, home occupation (sex services) or sex services premises.

The use being undertaken on the site is not carried on in a dwelling or in a building ancillary to a dwelling and is therefore not defined under the LEP as a home occupation. The use is properly defined as a Recreation Facility (Outdoor) under the LEP:

recreation facility (outdoor) means a building or place (other than a recreation area) used predominantly for outdoor recreation, whether or not operated for the purposes of gain, including a golf course, golf driving range, mini-golf centre, tennis court, paint-ball centre, lawn bowling green, outdoor swimming pool, equestrian centre, skate board ramp, go-kart track, rifle range, water-ski centre or any other building or place of a like character used for outdoor recreation (including any ancillary buildings), but does not include an entertainment facility or a recreation facility (major).

This use is prohibited in the R5 zone. Council therefore issued a Notice of Proposed Stop Use Order, Demolish Works Order and Restore Works Order on 4 August 2020.

There has been a strong community response in support of the continued operation of Burns Outdoor Obstacle Training. A change.org petition has to date received over 5,000 signatures. The Mayor therefore issued a Mayoral Direction pursuant to Section 226(d) of the *Local Government Act 1993* on 28 August 2020 requiring the A/CEO to prepare a report that details options available to Council to amend the Liverpool Local Environmental Plan 2008 (LEP) to permit, with development consent, a Recreation Facility (Outdoor) at 25 Dwyer Road, Bringelly.

Site Description

The site is known as 25 Dwyer Road, Bringelly and is legally described as Lot 80 within DP 27550. The sites topography is relatively flat, and the allotment is regular in shape. The site currently contains two dwellings, a pool, various storage sheds, a small dam, and outdoor training equipment at the front. The site is within a broader residential area typified by large residential lot developments.

Figure 1 shows the site within its locality. Figure 2 shows the site within its regional context.



Figure 1: Aerial view of subject site (Nearmap Aug 2020)

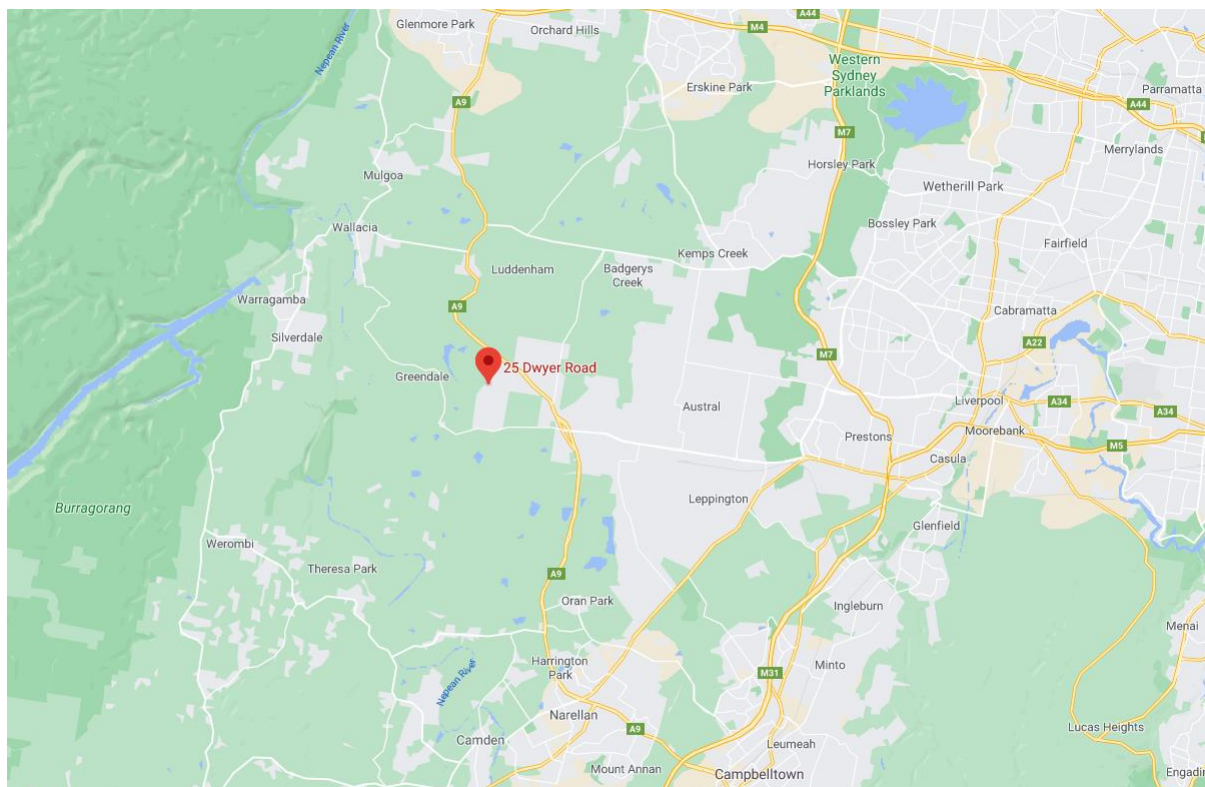


Figure 2 - Regional Context Map (Google Maps)

Planning Framework

The site is zoned R5 Large Lot Residential under the LEP and the objectives of the R5 Large Lot Residential zone are:

- *To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.*
- *To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.*
- *To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To ensure that a high level of residential amenity is achieved and maintained.*
- *To provide for complementary uses that are of low impact and do not unreasonably increase the demand for public services or public facilities.*

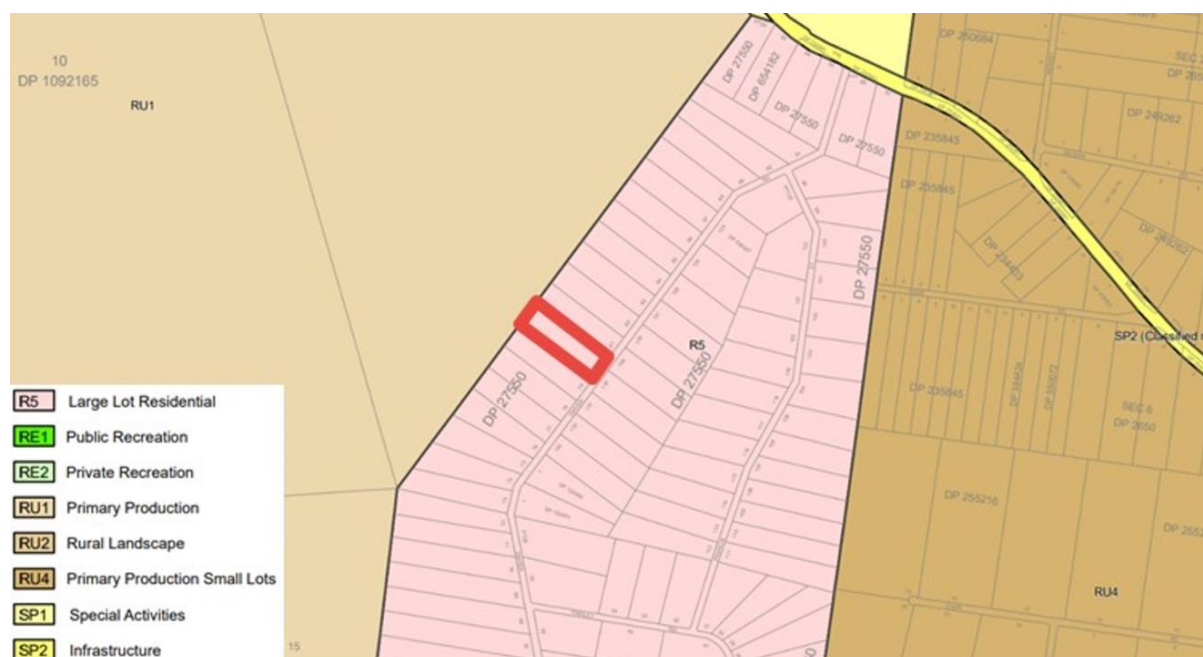


Figure 3 – Existing land use zoning in the LEP (subject site outlined in red)

The site is subject to the following development standards under the LEP:

- Minimum lot size of 2 hectares;
- Maximum height of buildings of 8.5m; and
- Maximum floor space ratio (FSR) of 0.2:1.

The site is located south-west of the Western Sydney International (Nancy-Bird Walton) Airport (WSA) which is currently under construction.

The site is identified within the Dwyer Road precinct of the Western Sydney Aerotropolis Plan (WSAP) and is a non-initial precinct not subject to rezoning under State Environmental Planning Policy (Western Sydney Aerotropolis) 2020. Therefore, the Liverpool LEP continues to apply.

Options to permit a Recreational Facility (Outdoor) at 25 Dwyer Road, Bringelly

The options available to Council to permit, with development consent, a recreational facility (outdoor) on this site are:

Option 1 – Schedule 1 Amendment to the LEP

A Schedule 1 amendment to the LEP allows a specific additional use to be permitted on a site, subject to development consent, even if it is not listed as a permitted land use in the land use tables in the LEP.

The advantage of Option 1 is that it will provide a tailored solution to the current issue by permitting the use of the site as a Recreation Facility (Outdoor) with development consent. Given the minor nature of the proposal, there is no requirement for the planning proposal to be considered by the Liverpool Local Planning Panel (LPP), which will reduce the time taken to progress the planning proposal to a Gateway determination.

The *Local Planning Panels Direction – Planning Panels (Attachment 2)* issued by the Minister for Planning & Public Spaces under Section 9.1 of the Environmental Planning & Assessment Act states:

1. *A council to whom this direction applies is required to refer all planning proposals prepared after 1 June 2018 to the local planning panel for advice, **unless** the council's general manager determines that the planning proposal relates to:*
 - a. *the correction of an obvious error in a local environmental plan,*
 - b. *matters that are of a consequential, transitional, machinery or other minor nature, or*
 - c. ***matters that council's general manager considers will not have any significant adverse impact on the environment or adjoining land.***

(Emphasis added)

It is considered that this planning proposal would not have any significant adverse impact on the environment or adjoining land that can't be appropriately managed through the merit assessment of a development application, and if considered appropriate to approve, with conditions.

A potential downside of this option is that the community could perceive Council is giving preferential treatment to the landowner by allowing a currently prohibited land use in the R5

zone to be permitted, subject to a future development consent and that other landowners are not been afforded the same opportunity.

Option 2 – Amendment to the Land Use Table in the LEP

An alternate way of permitting a Recreation Facility (Outdoor) is to amend the R5 land use table by adding Recreation Facility (Outdoor) to the list of land uses permitted with consent in the zone. This will then permit the use on all sites within the R5 zone across the LGA, subject to future development consent.

This option would also require a minor amendment to Part 3.8 Non-Residential Development in Residential Zones in the Liverpool Development Control Plan 2008 (DCP) to include guidance for the development of Recreation Facility (Outdoor) in the R5 Large Lot Residential zone.

Table 1 identifies other Councils that permit Recreation Facility (Outdoor) with development consent in the R5 Large Lot Residential zone in their LEPs.

LGA	Recreation Facility (Outdoor) permissibility
Camden Council	Yes
Campbelltown City Council	Yes
Hawkesbury City Council	Yes
Penrith City Council	No
Shoalhaven City Council	No
Wingecarribee Shire Council	Yes
Wollondilly Shire Council	No
Wollongong City Council	No

Table 1 – Permissibility of the 'Recreation Facility (Outdoor)' use in the R5 zone

The advantage of Option 2 is that it will resolve the current issue by permitting Recreation Facility (Outdoor) with development consent on the site and on other R5 zoned sites throughout the LGA. However, there is a risk that the timeframe may be slower than Option 1 as the LEP would be amended by adding this use for all R5 zoned land within the LGA.

It is also likely that the planning proposal would be required to be considered by the Liverpool Local Planning Panel given that it would have a larger scope when compared to Option 1 resulting in a slightly longer period of time to proceed to a Gateway determination.

Figure 4 below identifies the location of the existing R5 zone land in the Liverpool LGA

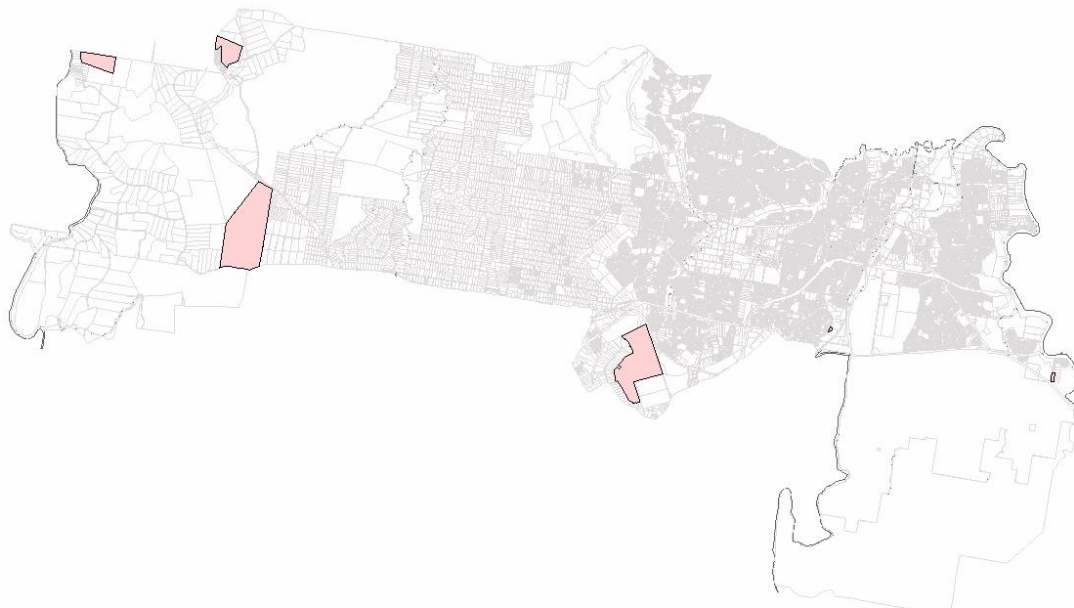


Figure 4 Location of R5 zoned land in Liverpool LGA

Option 3

The recommended option is to pursue a Schedule 1 amendment to the LEP as per Option 1 and pursue Option 2 as part of the LEP Review Phase 2 process. The advantage of Option 3 is that the planning proposal, to permit with development consent, the ongoing operation of the Burns Outdoor Obstacle Training facility can progress in a timely manner.

The broader issue of whether Council should permit, subject to development consent, a Recreation Facility (Outdoor) throughout the R5 zone can then be considered as part of the LEP Review Phase 2.

Conclusion

It is recommended that Council supports Option 3 and directs the A/CEO to prepare a planning proposal to amend Schedule 1 of the Liverpool Local Environmental Plan 2008 to permit, with development consent, a Recreation Facility (Outdoor) at 25 Dwyer Road, Bringelly and delegates authority to the A/CEO to forward the planning proposal to the Department of Planning, Industry, and Environment seeking a Gateway determination.

In addition, it is recommended that as part of Phase 2 of the LEP Review, Council investigates including Recreation Facility (Outdoor) as a land use permitted with development consent in the R5 Large Lot Residential zone.

CONSIDERATIONS

Economic	Facilitate economic development. Facilitate the development of new tourism based on local attractions, culture and creative industries.
Environment	There are no environmental and sustainability considerations.
Social	Support community organisations, groups and volunteers to deliver coordinated services to the community. Support access and services for people with a disability. Deliver high quality services for children and their families.
Civic Leadership	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. Mayoral Direction
2. Local Planning Panels Section 9.1 Direction - Planning Proposals



MAYORAL DIRECTION

Pursuant to s.226(d) of the *Local Government Act 1993*

(TRIM 233535.2020)

On 28 August 2020, I, Wendy Waller, being the elected Mayor of Liverpool City Council, make the following determination/direction pursuant to my policy-making responsibilities under Section 226(d) of the *Local Government Act 1993*:

1. Direct the A/CEO to prepare an issues and options report to be included in the agenda for the ordinary meeting of Council on 30 September 2020 detailing the options available to Council to amend the Liverpool Local Environmental Plan 2008 (LEP) to permit, with development consent, a recreation facility (outdoor) at 25 Dwyer Road, Bringelly. This could be via an amendment to Schedule 1 "Additional Permitted Uses" of the LEP.

This determination/direction is necessary and cannot be delayed until the next Ordinary Meeting of Council for the following reasons:

1. A Notice of Proposed Demolish Works Order and Restore Works Order and a Notice of Proposed Stop Use Order has been issued by Council to the owners of 25 Dwyer Road as the current use, being a "recreation facility (outdoor)" is prohibited in the R5 (Large Lot Residential) zone.
2. There has been a strong community response for Council to consider changes to the LEP to permit the use on the site, subject to a merit assessment via the development assessment process.
3. As a prohibited use currently under the LEP, a development application cannot be lodged, and therefore the merits of the proposal cannot be assessed.
4. This direction will allow a report to be prepared for the next Council meeting, being 30 September, outlining options to amend the LEP to permit the use with development consent for Council's consideration.

The A/Chief Executive Officer will report this determination/direction to the next Ordinary Meeting of Council, scheduled for 30 September 2020.

Date of determination/direction:

A stylized signature of Wendy Waller in black ink.

Wendy Waller
Mayor
Liverpool City Council

A stylized signature of Eddie Jackson in purple ink.

Eddie Jackson
A/Chief Executive Officer
Liverpool City Council

LOCAL PLANNING PANELS DIRECTION – PLANNING PROPOSALS

I, the Minister for Planning, give the following direction under section 9.1 of the *Environmental Planning and Assessment Act 1979*.


 Minister for Planning

Dated: 27/1/2018

Objective

The objective of this direction is to identify the types of planning proposals that are to be advised on by local planning panels on behalf of councils in the Greater Sydney Region and Wollongong and to establish the procedures in relation to those matters.

Application

This direction applies to a council that has constituted a local planning panel under the *Environmental Planning and Assessment Act 1979*, other than the council of the City of Sydney.

Direction

1. A council to whom this direction applies is required to refer all planning proposals prepared after 1 June 2018 to the local planning panel for advice, unless the council's general manager determines that the planning proposal relates to:
 - (a) the correction of an obvious error in a local environmental plan,
 - (b) matters that are of a consequential, transitional, machinery or other minor nature, or
 - (c) matters that council's general manager considers will not have any significant adverse impact on the environment or adjoining land.
2. When a planning proposal is referred to the local planning panel for advice in accordance with this direction it is to be accompanied by an assessment report prepared by the council staff setting out recommendations in relation to the planning proposal, including whether or not the planning proposal should be forwarded to the Minister or Greater Sydney Commission under section 3.34 of the *Environmental Planning and Assessment Act 1979*.
3. The local planning panel must have given its advice on the planning proposal before council considers whether or not to forward it to the Minister or Greater Sydney Commission under section 3.34 of the *Environmental Planning and Assessment Act 1979*.
4. This direction takes effect on the date it is published on the Department of Planning and Environment's website and applies to planning proposals that, before that date, have not been forwarded to the Minister or the Greater Sydney Commission. For the avoidance of doubt, the requirement in clause 2 to this direction extends to planning proposals that

have been referred to the local planning panel, and in relation to which the panel has not provided advice, before the date this direction takes effect.

5. This direction revokes the previous Local Planning Panels Direction – Planning Proposals dated 23 February 2018.

EGROW 05**Park Naming Application - Request to rename
Cirillo Reserve, Middleton Grange**

Strategic Direction	Creating Connection Celebrate diversity, promote inclusion and recognise heritage
File Ref	240735.2020
Report By	Murray Wilson - Executive Planner
Approved By	David Smith - Acting Director City Economy and Growth

EXECUTIVE SUMMARY

An application has been received from the previous part landowners of Cirillo Reserve (**Attachment 1**) to rename the under-construction sporting complex in Middleton Grange from 'Cirillo Reserve' (Cirillo Sporting Complex) to 'Segatto Sporting Complex'.

In 2010, Council proposed the naming of several parks in Middleton Grange, including this park. The Geographical Names Board (GNB) undertook public exhibition on Council's proposal and gazetted the park as Cirillo Reserve.

The GNB discourages the renaming of public places, including parks and reserves, and given the name Cirillo Reserve is well known, it is not recommended that Council supports the renaming of Cirillo Reserve to Segatto Sporting Complex.

RECOMMENDATION

That Council:

1. Does not support the renaming of Cirillo Reserve to Segatto Sporting Complex;
2. Investigates the naming of a building or sports field within Cirillo Reserve as "Segatto" to recognise the previous part ownership of the reserve.

REPORT

In 2009, Council received a request to name a future park located to the north of Middleton Grange Public School as Cirillo Reserve.

In June 2010, at the request of Council, seven possible park names within Middleton Grange were placed on public exhibition by the Geographical Names Board (GNB) (including the request for Cirillo Reserve). The public exhibition included advertisement in the Liverpool City Champion from 16 June 2010 to 16 July 2010. (**Attachment 2 and 3**).

The GNB did not receive any objections to the proposed park names. Subsequently, they gazetted the park names including Cirillo Reserve on 30 July 2010 (**Attachment 4**).

Cirillo Reserve (Sporting Complex) is under construction with work scheduled to be completed in December 2020, weather permitting.

In July 2020, Council received a request from the former part landowner on which part of the reserve is located to rename Cirillo Reserve to 'Segatto Sporting Complex'.

Previous Land Ownership of Cirillo Reserve

Seven allotments, as shown in Figure 1 make up Cirillo Reserve. Across the seven allotments, there have been four landowners as shown in Table 1. The adjoining landowner south of the reserve is shown in Table 2.

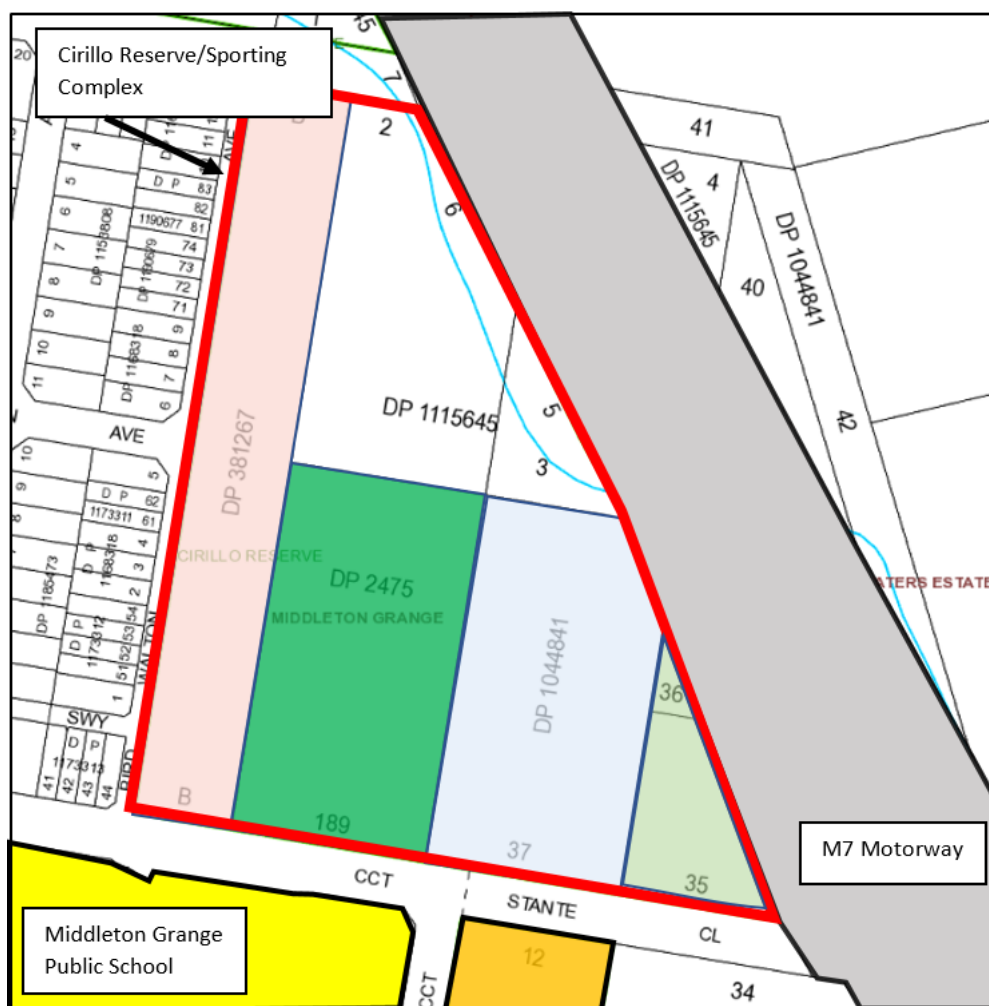


Figure 1 – Cirillo Reserve (Sporting Complex) and Previous Ownership.

Table 1 – Cirillo Reserve Allotments and Previous Owners.

Lot and DP	Previous Owners	Acquired by Council
Lot B DP 381267	Sau	26/9/2005
Lot 2 and 3 DP 1115645	RMS	30/10/2007
Lot 189 DP 2475	Ricciulli and Romeo	20/6/2005
Lot 35 and 36 DP 1044841 (Previously Lot 186 & 187 DP 2475)	RMS (Previously owned by Maric)	30/10/2007
Lot 37 DP 1044841	Segatto	4/4/2005

As shown above (light blue in Figure 1), a portion of Cirillo Reserve (Lot 37 DP 1044841) was once owned by the Segatto family, while the Cirillo family owned land outside of the subject site (orange in Figure 1).

Table 2 – Adjoining land

Lot and DP	Previous Owners	Acquired by Council
Lot 12 DP 1089776	Cirillo	23/11/2005

Issues with renaming Cirillo Reserve

There are several issues with the requested renaming of Cirillo Reserve:

- The re-naming of parks and reserves is discouraged by the GNB as it is confusing and disruptive;
- The naming of parks and reserves in Middleton Grange was undertaken in 2010 including public exhibition with no objections were received;
- The Segatto family were not the only previous landowners. There are three other previous landowners that could in future dispute the name 'Segatto' if it was to be renamed 'Segatto Sporting Complex';
- Although the sporting complex is still under construction, the name 'Cirillo Reserve' has been the name of the reserve for almost 10 years;
- Cirillo Reserve is due to be completed and opened by December 2020 (weather permitting). Renaming may delay any signposting and directional signage;
- If the renaming request is supported by Council, it will also need to be supported by the GNB to proceed to exhibition. If there are objections to the proposed renaming, and only if Council wish to proceed, and the GNB agrees with Council's wish to proceed, GNB will then make a recommendation to the Minister.

Alternative

Whilst it is understood why the request has been made, it is recommended that the name change is not supported for the reasons above. An alternative, which has been discussed with the Segatto family, is that Council instead supports the naming of a building or sports field within the reserve.

CONSIDERATIONS

Economic	There are no economic 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	There are no civic leadership and governance considerations.
Legislative	Geographical Names Act 1966
Risk	There is no risk associated with this report.

ATTACHMENTS

1. Naming Request
2. Advertisment
3. Government Gazette 11 June 2010
4. Government Gazette 30 July 2010

NAMING CONVENTION POLICY

Appendix 2-Naming Request Form



Naming Request Form

This request form should be used for any proposals to name a geographical feature including streets, Council owned buildings, parks, reserves, or waterways within the Liverpool Local Government Area (LGA).

All naming requests will be considered in accordance with the Geographical Names Board's Addressing Policy 2015 and Council's Naming Convention Policy.

The following should be considered before submitting a proposal to Council:

- Names should be easy to pronounce and not unnecessarily long
- Names should not be duplicated within, or in close proximity to, the Liverpool LGA
- If commemorating a person, the person must be deceased. Commemorative naming after a person requires the person's contribution to the local community to have been an outstanding benefit to the community (*evidence must be required*)
- Historical and/or Aboriginal names are preferred. Names encouraging multiculturalism are also encouraged
- The name does not have the potential to cause offence or poses a risk to public safety and service delivery, such as emergency services or mail delivery
- Renaming of roads or parks that are already named is not encouraged due to the potential to cause a safety issue for emergency service providers

Please note: All questions must be completed in full relevant to your request, otherwise Council will not progress with the assessment.

Details of the naming request:

Proposed name:	SEGATTO SPORTING COMPLEX
Location of the geographical feature (Lot/DP):	TEMPORARY CALLED CIRILLO SPORTING COMPLEX
Pronunciation if not obvious (use Macquarie Dictionary symbols)	S.E.G.A.T.T.O
Description of feature, including location and extent (please attached identification aids e.g. marked map, marked photograph):	
THE LAND ON WHICH THE SPORTING COMPLEX IS CURRENTLY BEING CONSTRUCTED WAS	

NAMING CONVENTION POLICY

Reason for choice of name (if insufficient space, please attach details):	
FARMED BY THE SEGGATO FAMILY SINCE THE LATE 1950S. THEN SOLD TO LIVERPOOL COUNCIL AS PROPOSED PARK LAND.	
If the name commemorates a person, please provide full name of the person it commemorates:	SEGGATO
- Date of birth	[REDACTED]
- Date of death	[REDACTED]
- Occupation when living	FARMER
- Last known residence	[REDACTED]
How was the person associated with the feature to be named:	OWNED AND FARMED THE LAND SINCE THE LATE 1950S
Person's association with, and main contribution to, the local community within the Liverpool LGA:	ROSE PRAYER & PROVIDED VEGETABLES TO THE LOCAL COMMUNITY.
Any additional justification for the use of the name:	AS ABOVE

Details of the person making the request (must be completed in full):

Name:	[REDACTED]
Address:	[REDACTED]
Phone number:	[REDACTED]
Email address:	[REDACTED]
Relationship/ association with the person which this request relates if commemorating a person:	[REDACTED]

Information provided will be referred to the Geographical Names Board for consideration and endorsement, or Council in its final decision.

Please return the completed form to:

Attention: Strategic Planning
Liverpool City Council
Locked Bag 7064
Liverpool BC NSW 1871
lcc@liverpool.nsw.gov.au

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Public Notices

Geographical Names Act, 1966

PURSUANT to the provisions of Section 8 of the Geographical Names Act, 1966, the Geographical Names Board proposes to assign the following names for reserves in the suburb of Middleton Grange: GNB 5321

Bristol Park, approx. 1198 m2 in area, comprising Lot 199 DP 280017 bounded by Donn Street.

Catalina Park, approx. 7487 m2 in area, comprising Part Lot 3, DP 270603 located 360 metres to the west of the northern extremity of Middleton Drive.

Cessna Reserve, approx. 10 hectares in area, located either side of Middleton Drive and on the northern side of McIver Avenue.

Cirillo Reserve, approx. 5 hectares in area, located between Mulver Avenue and Seventeenth Avenue East.

Kittyhawk Park, approx. 3540 m2 in area, located on the corner of Mulver Avenue and Second Avenue.

Lancaster Park, approx. 4048 m2 in area comprising Lot 1237 DP 280017 bounded in part by Truscott Avenue, Travis Street and Jessie Street.

Stante Reserve, approx. 4.7 hectares in area, bounded in part by Seventeenth Ave East, Qantas Blvd, Cowpasture Rd and Hall Cct.

The position and the extent for these features are recorded and shown within the Geographical Names Register of New South Wales. This information can be accessed through the Board's Web Site at www.gnb.nsw.gov.au

Any person wishing to make comment upon these proposals may within one (1) month of the date of this notice, write to the Secretary of the Board with that comment. In accordance with Section 9 of the Geographical Names Act 1966 all submissions lodged may be subject to a Freedom of Information application and may be viewed by a third party to assist the Board in considering this proposal.

WARWICK WATKINS
Chairman

Geographical Names Board
Panorama Avenue
BATHURST NSW 2795
Ph. 1800 025 700
GA1:807877

Public Notices

NOTICE

Anybody with information about the accident that occurred at the corner of Forbes and Lachlan Sts on 7th June, 2010 around 6:50pm. We are searching for a silver/grey Coemore with P plates. Please contact Gordana on 0406 963 925 or Neilson on 0424 474 177 or the Liverpool Police

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Deaths & Funerals

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Yves
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Aged 87 years
Till we meet again

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Family Business
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Return Thanks

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The Liverpool Champion, Wednesday, June 16, 2010 — 73 +

11 June 2010

OFFICIAL NOTICES

2397

A copy of Map GNB3819-1-A will also be on display at the office of the Geographical Names Board, Land and Property Information, 346 Panorama Ave, Bathurst NSW 2795 during the above dates. This proposal may also be viewed and submissions lodged on the Geographical Names Board web site at www.gnb.nsw.gov.au during the above dates.

Any person wishing to make comment upon this proposal may prior to Saturday 7 November 2009 write to the Secretary of the Board with that comment. All submissions lodged in accordance with section 9 of the Geographical Names Act 1966 may be subject to a freedom of information application.

WARWICK WATKINS,
Chairperson

Geographical Names Board
PO Box 143
BATHURST NSW 2795

L.G.A.: Liverpool City Council
Parish: Cabramatta
County: Cumberland
L.P.I. Map: Liverpool
1:100,000 Map: Penrith 9030
Reference: GNB 5321
Proposed Name: Cirillo Reserve
Designation: Reserve
L.G.A.: Liverpool City Council
Parish: Cabramatta
County: Cumberland
L.P.I. Map: Liverpool
1:100,000 Map: Penrith 9030
Reference: GNB 5321
Proposed Name: Stante Reserve
Designation: Reserve
L.G.A.: Liverpool City Council
Parish: Cabramatta
County: Cumberland
L.P.I. Map: Liverpool
1:100,000 Map: Penrith 9030
Reference: GNB 5321

The position and the extent for these features are recorded and shown within the Geographical Names Register of New South Wales. This information can be accessed through the Board's website at www.gnb.nsw.gov.au

In accordance with section 9 of the Geographical Names Act 1966 all submissions lodged may be subject to a Freedom of Information application and may be viewed by a third party to assist the Board in considering this proposal.

WARWICK WATKINS, A.M.,
Chairperson
Geographical Names Board
PO Box 143
Bathurst NSW 2795

LOCAL GOVERNMENT ACT 1993

Exemption of Councils from the Provisions of Section 512 of the Local Government Act 1993

I, BARBARA PERRY, M.P., Minister for Local Government, in pursuance of section 512(2) of the Local Government Act 1993, do, by this Order, exempt the councils on the attached

GEOGRAPHICAL NAMES ACT 1966

PURSUANT to the provisions of section 8 of the Geographical Names Act 1966, the Geographical Names Board hereby notifies that it proposes to assign the names listed hereunder as geographical names for reserves in the suburb of Middleton Grange.

Any person wishing to make comment upon these proposals may within one (1) month of the date of this notice, write to the Secretary of the Board with that comment.

Proposed Name: Catalina Park
Designation: Reserve
L.G.A.: Liverpool City Council
Parish: Cabramatta
County: Cumberland
L.P.I. Map: Liverpool
1:100,000 Map: Penrith 9030
Reference: GNB 5321

Proposed Name: Bristol Park
Designation: Reserve
L.G.A.: Liverpool City Council
Parish: Cabramatta
County: Cumberland
L.P.I. Map: Liverpool
1:100,000 Map: Penrith 9030

3698

OFFICIAL NOTICES

30 July 2010

In accordance with Section 9 of the Geographical Names Act 1966 all submissions lodged may be subject to a Freedom of Information application and may be viewed by a third party to assist the Board in considering this proposal.

WARWICK WATKINS, AM,
Chairperson

Geographical Names Board
PO Box 143
Bathurst NSW

GEOGRAPHICAL NAMES ACT 1966

PURSUANT to the provisions of section 10 of the Geographical Names Act 1966, the Geographical Names Board has this day assigned the names listed hereunder as geographical names.

Assigned Name: Catalina Park
Designation: Reserve
L.G.A.: Liverpool City Council
Parish: Cabramatta
County: Cumberland
L.P.I. Map: Liverpool
1:100,000 Map: Penrith 9030
Reference: GNB 5321

Assigned Name: Bristol Park
Designation: Reserve
L.G.A.: Liverpool City Council
Parish: Cabramatta
County: Cumberland
L.P.I. Map: Liverpool
1:100,000 Map: Penrith 9030
Reference: GNB 5321

Assigned Name: Cessna Reserve
Designation: Reserve
L.G.A.: Liverpool City Council
Parish: Cabramatta
County: Cumberland
L.P.I. Map: Liverpool
1:100,000 Map: Penrith 9030
Reference: GNB 5321

Assigned Name: Kittyhawk Park
Designation: Reserve
L.G.A.: Liverpool City Council
Parish: Cabramatta
County: Cumberland
L.P.I. Map: Liverpool
1:100,000 Map: Penrith 9030
Reference: GNB 5321

Assigned Name: Cecile Herman Park
Designation: Reserve
L.G.A.: Ashfield Council
Parish: Petersham
County: Cumberland
L.P.I. Map: Botany Bay
1:100,000 Map: Sydney 9130
Reference: GNB 5443

Assigned Name: Exeter Farm Reserve
Designation: Reserve
L.G.A.: Blacktown City Council
Parish: Prospect
County: Cumberland
L.P.I. Map: Prospect
1:100,000 Map: Penrith 9030
Reference: GNB 5451

Assigned Name: Lancaster Park
Designation: Reserve
L.G.A.: Liverpool City Council
Parish: Cabramatta
County: Cumberland
L.P.I. Map: Liverpool
1:100,000 Map: Penrith 9030
Reference: GNB 5321

Assigned Name: Cirillo Reserve
Designation: Reserve
L.G.A.: Liverpool City Council
Parish: Cabramatta
County: Cumberland
L.P.I. Map: Liverpool
1:100,000 Map: Penrith 9030
Reference: GNB 5321

Assigned Name: Stante Reserve
Designation: Reserve
L.G.A.: Liverpool City Council
Parish: Cabramatta
County: Cumberland
L.P.I. Map: Liverpool
1:100,000 Map: Penrith 9030
Reference: GNB 5321

Assigned Name: Kulnura Pioneer Park
Designation: Reserve
L.G.A.: Wyong Shire Council
Parish: Stowe
County: Northumberland
L.P.I. Map: Kulnura
1:100,000 Map: Gosford 9131
Reference: GNB 5429

Assigned Name: Gail Meagher Park
Designation: Reserve
L.G.A.: Parramatta City Council
Parish: St John
County: Cumberland
L.P.I. Map: Prospect
1:100,000 Map: Penrith 9030
Reference: GNB 5448

The position and the extent for these features are recorded and shown within the Geographical Names Register of New South Wales. This information can be accessed through the Board's website at www.gnb.nsw.gov.au

WARWICK WATKINS, A.M.,
Chairperson

Geographical Names Board
PO Box 143
Bathurst NSW 2795

EGROW 06**Business Resilience Grants**

Strategic Direction	Generating Opportunity Attract businesses for economic growth and employment opportunities
File Ref	252492.2020
Report By	Julie Scott - Manager City Economy
Approved By	David Smith - Acting Director City Economy and Growth

EXECUTIVE SUMMARY

At the ordinary meeting held on 29 July 2020, Council resolved the following in relation to Business Resilience Grants:

That Council:

- 1. 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.*

The following report provides an update on the situation for Liverpool businesses regarding COVID-19. Local Government Area data in the report comes from REMPLAN's COVID-19 summaries. The remainder of the data is analysis from 151 business sentiment surveys conducted by Council staff in August 2020.

Employment, economic output, salaries and wages, and gross regional product have been affected across all industries. The majority of businesses are surviving and still trading, but 12 said they were not confident they would last the next 6-12 months.

It is recommended that Council conclude the grants program and that a further report be provided to Council in May 2021 on the status of the Liverpool economy 12 months on from the first lockdown period and following the acquittal of the Business Resilience Grants program.

RECOMMENDATION

That Council:

1. Conclude the Business Resilience Grants program and allocate no further funding, noting that:
 - 50 grants have now been issued through the program;
 - due to the competitive nature of the process not all applicants could receive a grant; and
 - the allocated budget has been exhausted.
2. Receive a further report in May 2021 on the status of the Liverpool economy 12 months on from the first lockdown period and following the acquittal of the Business Resilience Grants program.

REPORT

Background

In June 2020, Council resolved to provide grants to 50 businesses, including 28 Liverpool CBD businesses using the City Development Fund and 22 businesses outside the Liverpool CBD using reallocated City Economy budget. Not all applications could be funded due to limited funds available and the large number of applications. All grants were distributed by the end of the 2019/20 financial year.

In July 2020, Council resolved to defer a report until September 2020 regarding the Business Resilience Grants which were distributed as part of Council's response to COVID-19. That report gave three possible recommendations: concluding the grants process; or open a second round of grants to all businesses; or open a second round of grants to only those businesses which were unsuccessful in the first round.

This report is an update on the status of the Liverpool economy using Local Government Area data from REMPLAN's COVID-19 summaries and analysis of 151 business sentiment surveys conducted by Council staff in August 2020. REMPLAN is an economic data forecasting tool. The REMPLAN data is for July 2020.

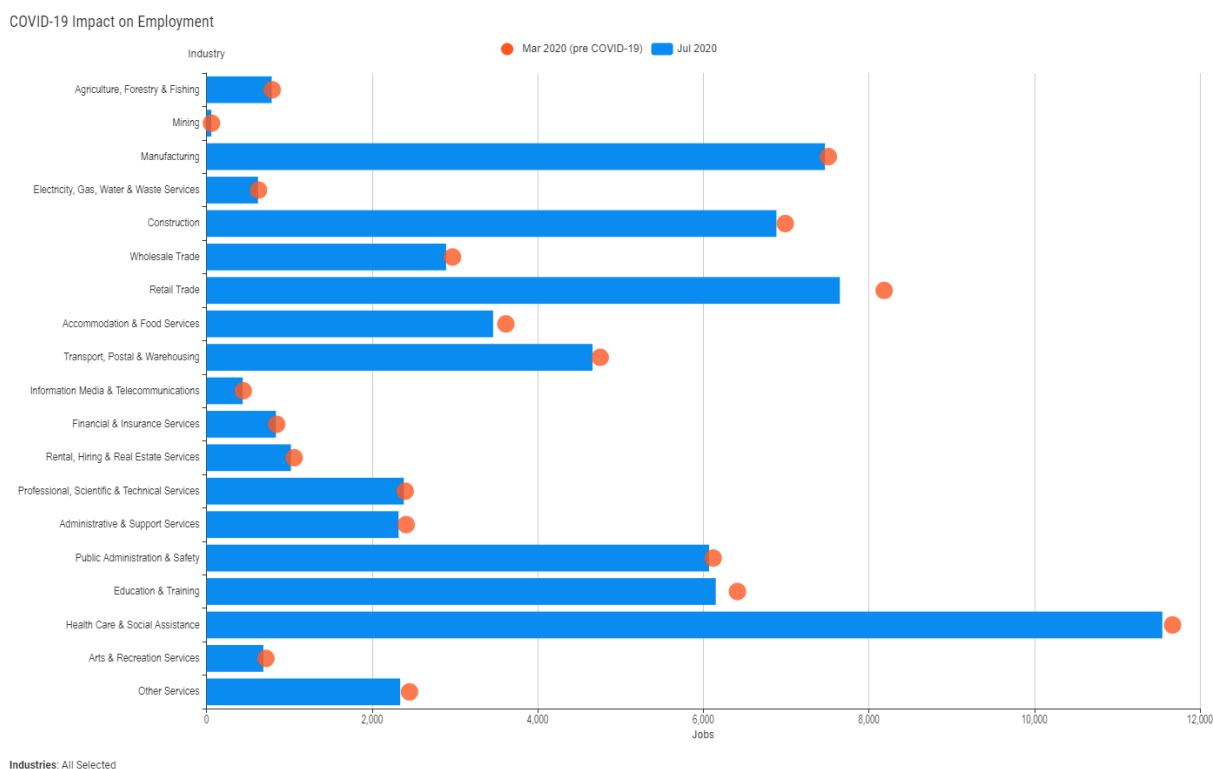
Employment, economic output, salaries and wages, and gross regional product has been affected across all industries. The majority of businesses interviewed are surviving and still trading, but 12 said they were not confident they would last the next 6-12 months.

Current status of Liverpool Economy

According to data from REMPLAN, employment fell across local industry sectors by 2.5 per cent (see Figure 1). National Economics estimates there are 90,000 jobs in the LGA. A 2.5 per cent fall applied to this figure would indicate employment has fallen to 87,750. The greatest decrease in employment and in percentage terms is Retail Trade.

NSW unemployment for July was 7.2 per cent. Australian Bureau of Statistics local area data on current local jobs in Liverpool LGA is unavailable until late September (after the writing of this report).

Figure 1 – Impact on Employment

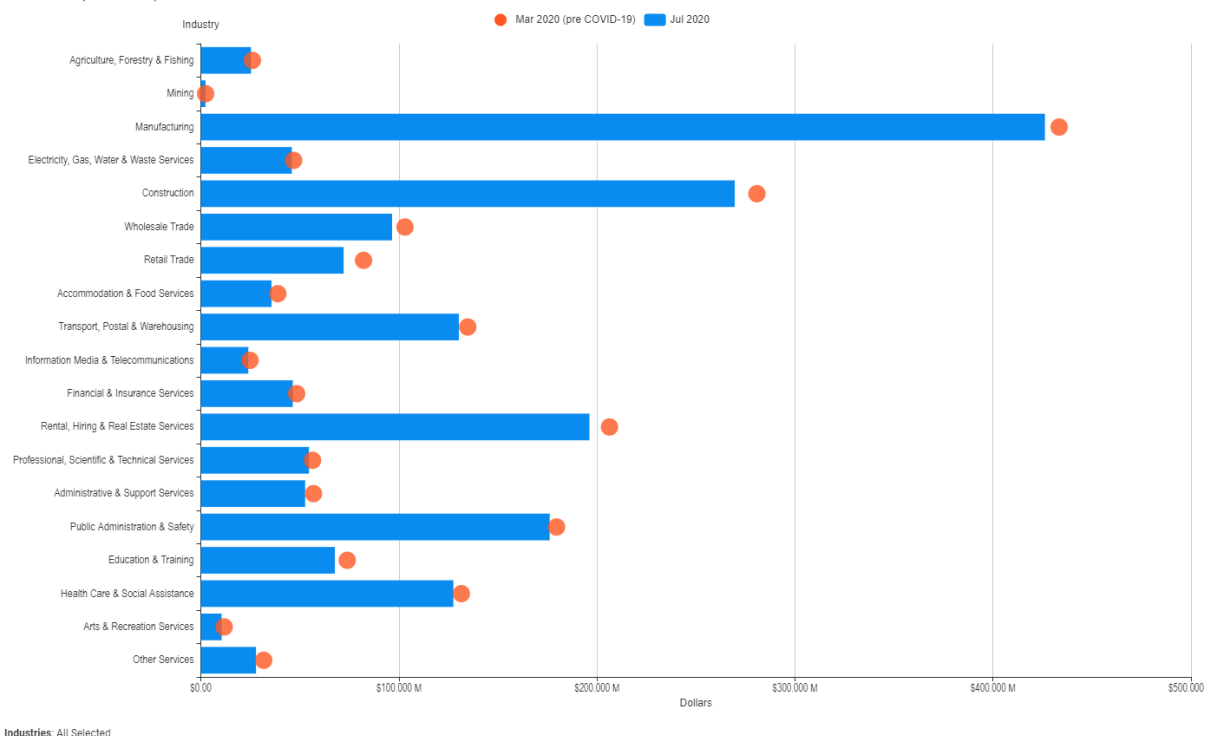


In Liverpool, prior to COVID-19 and the introduction of social lockdown measures to manage the pandemic, the total monthly output across all local industry sectors was estimated at \$1.970 billion. For July 2020, industry output is estimated at \$1.887 billion, a fall of 4.2 per cent (see Figure 2). The greatest decrease in output is in Construction. In percentage terms its Other Services.

The Other Services Division includes a broad range of personal services; religious, civic, professional and other interest group services; selected repair and maintenance activities; and private households employing staff. Units in this division are mainly engaged in providing a range of personal care services, such as hair, beauty, diet and weight management services; providing death care services; promoting or administering religious events or activities; or promoting and defending the interests of their members.

Figure 2 – Impact on Output

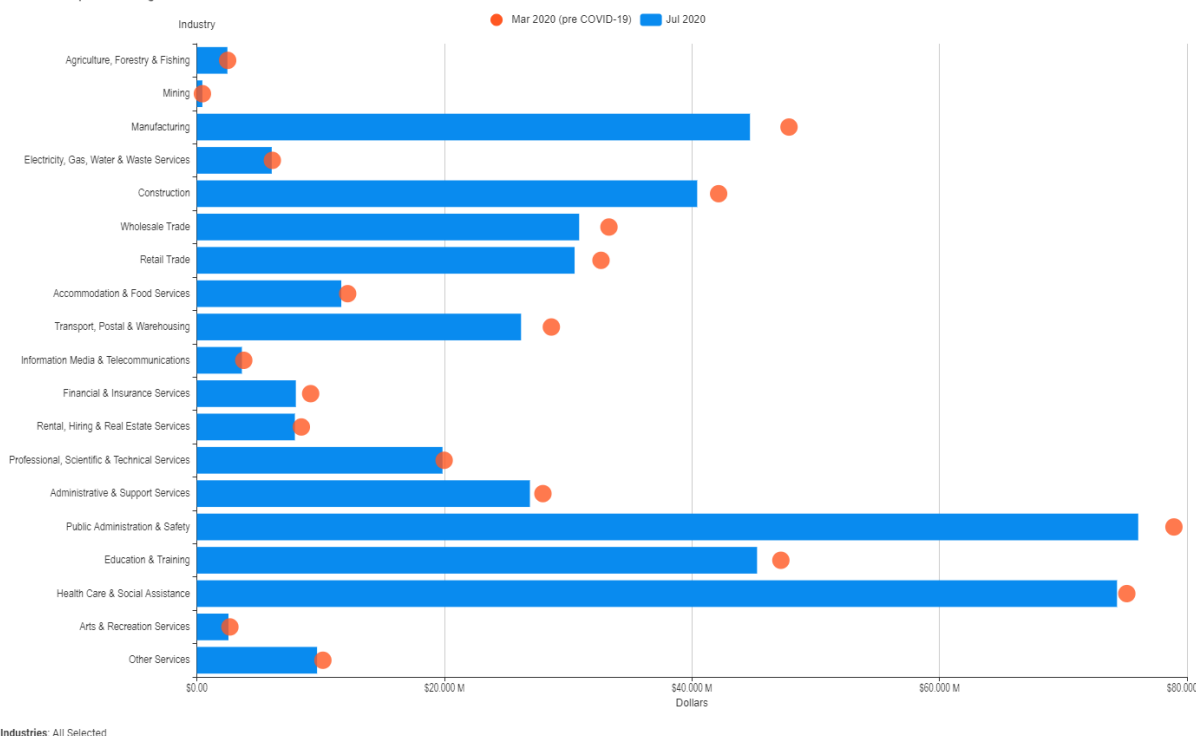
COVID-19 Impact on Output



Prior to the introduction of lockdown measures, the total monthly expenditure for wages and salaries across all local sectors was estimated at \$489 million. For July 2020 the total of wages and salaries is estimated at \$467 million, a fall of 4.4 per cent. Figure 3 shows the greatest decrease in wages and salaries is in Manufacturing. In percentage terms it's Financial and Insurance Services.

Figure 3 – Impact on Wages & Salaries

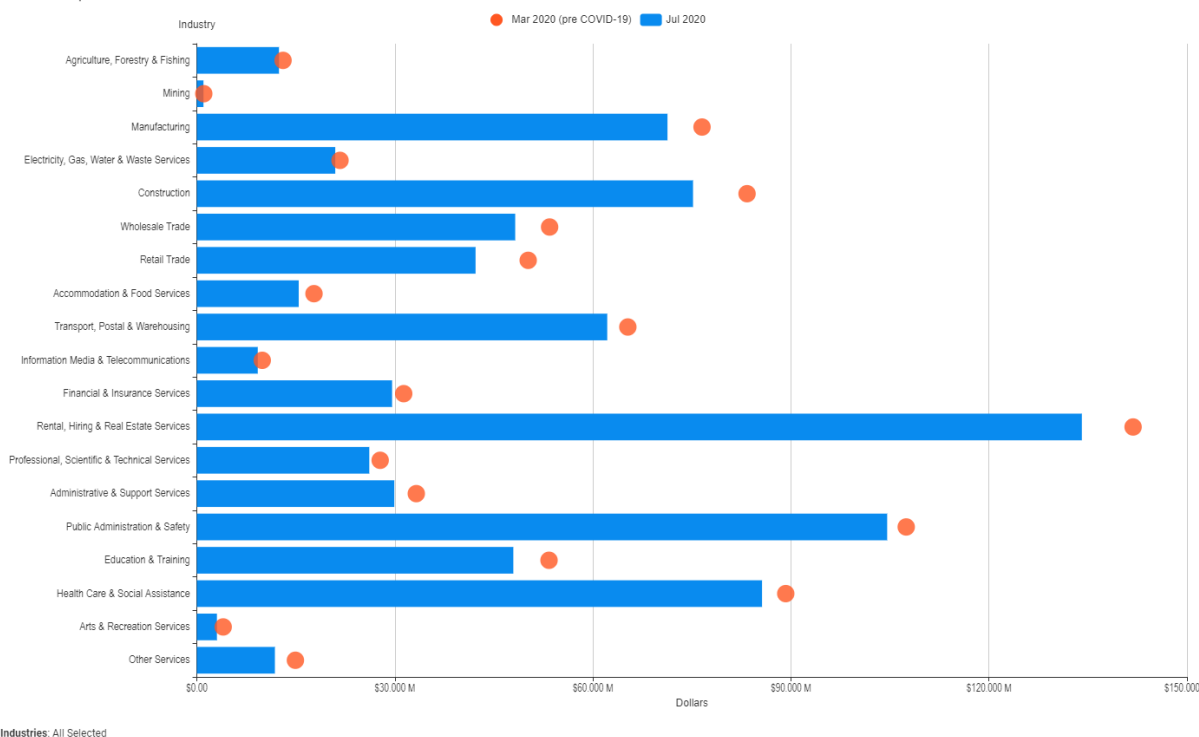
COVID-19 Impact on Wages & Salaries



The following graph shows the impact of the pandemic on 'Value-Added'. Value-Added can be calculated by subtracting local expenditure and expenditure on regional imports from the output generated by an industry sector, or alternatively, by adding the Wages & Salaries paid to local employees, the gross operating surplus and taxes on products and production. Value-Added by industry sector is the major element in the calculation of Gross Regional Product. Across all local industry there has been a fall from \$895 million to \$830 million – or 7.2 per cent. Figure 4 shows the greatest decrease is in Construction. In percentage terms it's Arts and Recreation Services.

Figure 4 – Impact on Value-Added

COVID-19 Impact on Value-Added



JobKeeper

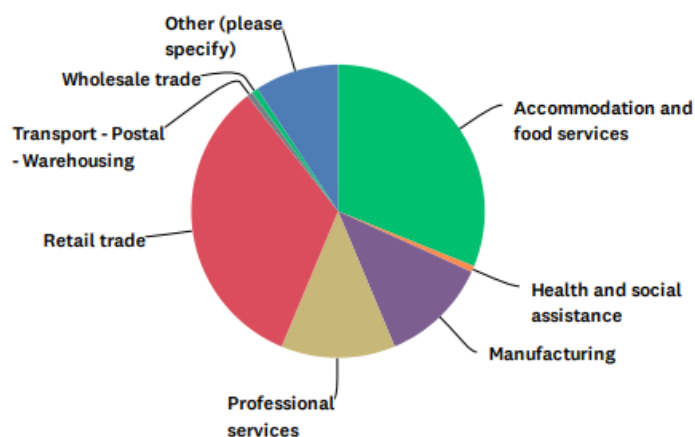
Businesses eligible for JobKeeper had a decline in revenue of at least 30 per cent. In the Liverpool LGA it is estimated that 41 per cent of businesses (estimated at 7175 businesses) have applied for JobKeeper support. Liverpool ranked 97 out of 535 local government areas in Australia.

Business sentiment surveys

During August 2020, redeployed CPAC staff spoke to 151 businesses to offer further support from the City Economy Team, understand how they have responded to the changing conditions of the pandemic and how they feel about the future.

The team spoke to range of industries (as seen in Figure 5), the majority in the Accommodation and Food Services category and Retail Trade.

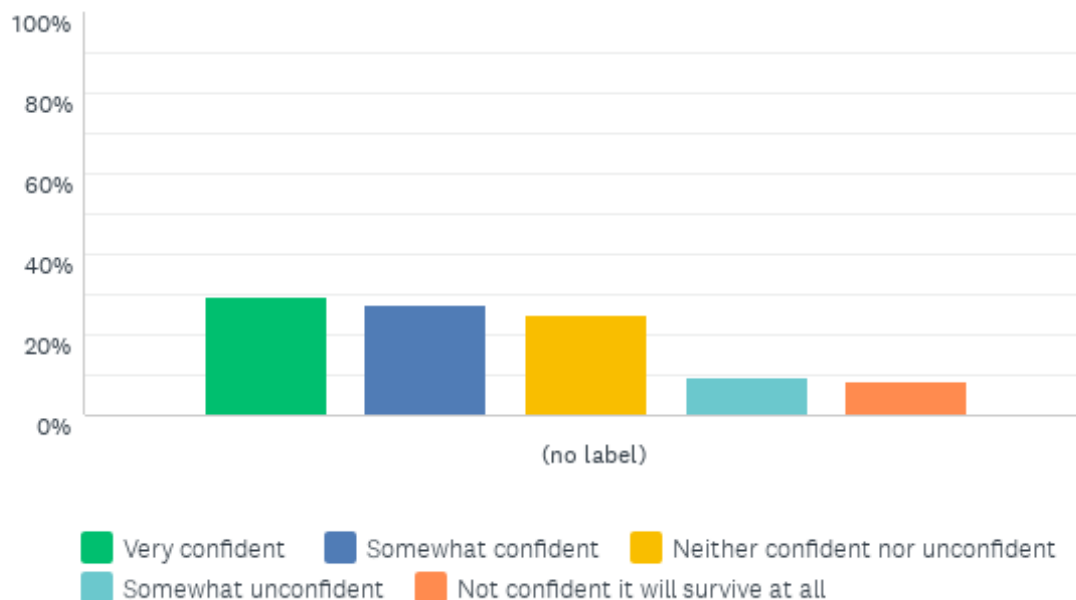
Figure 5: Industries reached in LCC surveys



ANSWER CHOICES	RESPONSES	
Accommodation and food services	31.13%	47
Agriculture - Forestry and fishing	0.00%	0
Construction	0.00%	0
Education and Training	0.00%	0
Health and social assistance	0.66%	1
Manufacturing	11.92%	18
Others	0.00%	0
Professional services	12.58%	19
Retail trade	33.11%	50
Transport - Postal - Warehousing	0.66%	1
Wholesale trade	0.66%	1
Other (please specify)	9.27%	14
TOTAL		151

The survey found that 95 per cent of businesses were open as normal or trading in some capacity. Confidence about the future was mixed, but the majority were very confident or somewhat confident they would survive the next 6-12 months. Nine per cent (12) were not confident they would survive.

Figure 6: Business Confidence

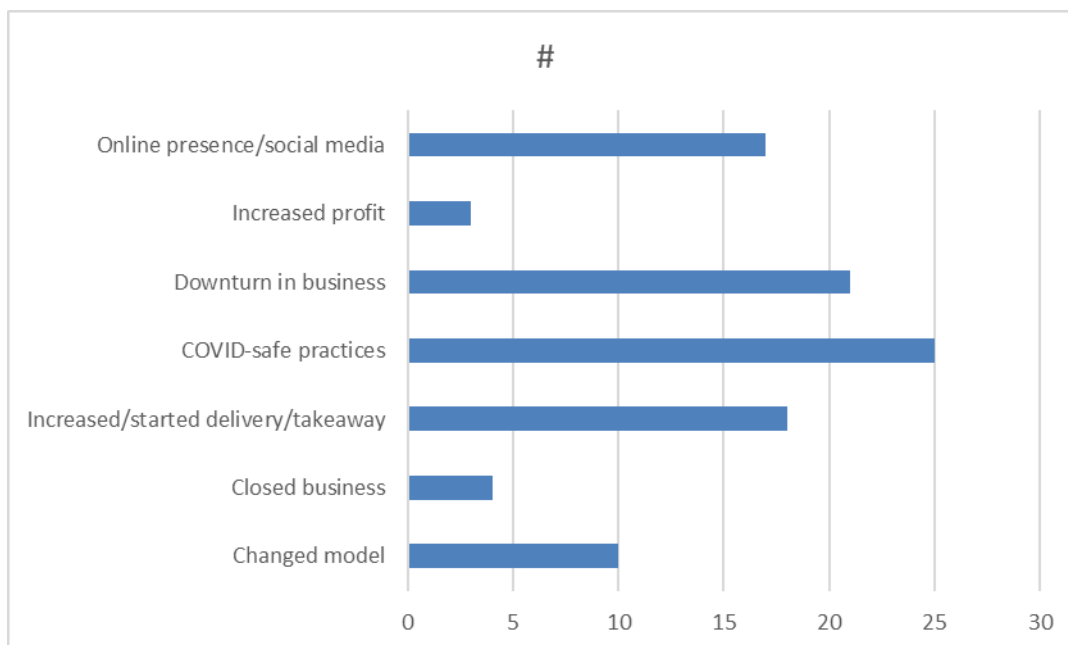


Sixty per cent of businesses applied for JobKeeper on behalf of their staff when it first became available. Fifty per cent will continue with JobKeeper, and 41 per cent said they would apply for additional (previously ineligible) staff to go on JobKeeper.

The latest federal government Jobkeeper data shows 10,354 applications across the LGA in June.

Postcode	April	May	June
2168	963	987	1003
2179	372	397	410
2556	156	163	163
2171	1140	1177	1220
2170	4070	4193	4293
2178	235	251	259
2565	917	971	987
2174	229	238	236
2745	780	835	864
2173	294	300	299
2172	87	94	97
2557	473	513	523
TOTAL	9716	10119	10354

A range of responses has emerged to changing conditions. The graph below shows some of the measures taken or effects of the pandemic.



Discussions with businesses found a range of responses, including:

- A tax agent offering more online services and avoiding face-to-face meetings;
- A law firm said they were moving to a paperless office and JobKeeper “was very useful to keep staff employed”. Another law firm has decreased the number of days they are open from five to four;
- An architect said they were still in business, but receiving smaller jobs as larger clients had dried up;
- Food trucks have been struggling with the cancellation of local events;
- A travel agent is expecting to close after they process refunds;
- Casula businesses suffered during the COVID cluster, but are slowly recovering;
- A clothing shop said business was down and it felt like people didn’t want to spend;
- A manufacturing business said business slowed but they had not made huge losses, while another manufacturer said turnover had dropped 55 per cent.

More than 100 businesses were followed up again by one of Council’s Business Support officers by email, with 82 requesting to be put on the Open for Business Directory and 50 referred to Business Connect.

NSW Government support for businesses

The NSW Government has provided a number of grants for eligible small businesses including:

- a \$3000 Small Business Recovery Grant – 365 grants to the value of \$1,083,599 were approved
- an export assistance grant of up to \$10,000
- a Small Business Support Grant of up to \$10,000 – 988 grants to the value of \$9,814,485 were approved

Business NSW Survey results

A Business NSW survey of more than 1000 NSW businesses during July 2020 found the following:

- 71 per cent were unlikely to be in a position to hire new staff by October 2020
- 134,000 fewer employed people in NSW since COVID-19
- Tourism, construction, transport, hospitality and education are the least likely industries to be back to normal by October 2020
- 2 in 5 say they would be closed without JobKeeper

Business Resilience Grants

Fifty Business Resilience Grants were distributed by June 30, 2020. City Economy staff spoke to all applicants, both successful and unsuccessful. Grant recipients will be followed up by phone during September/October 2020 to ensure they are on track with their grant expenditure.

Due to the intense one-on-one support from Council for local businesses, and the support provided through the Rebuilding Liverpool's Economy package, officers recommend no further grants program at this stage.

The grants will be acquitted by February 2021 and it would be timely to report on the program by May 2021, as well as review the status of the local economy 12 months on from the March lockdowns and following the cessation of JobKeeper.

CONSIDERATIONS

Economic	Facilitate economic development.
Environment	There are no environmental and sustainability considerations.

CITY ECONOMY AND GROWTH REPORT

Social	Raise awareness in the community about the available services and facilities.
Civic Leadership	Encourage the community to engage in Council initiatives and actions. Provide information about Council's services, roles and decision making processes. Deliver services that are customer focused.
Legislative	There are no legislative considerations relating to this report.
Risk	The risk is deemed to be Low. The risk is considered within Council's risk appetite.

ATTACHMENTS

Nil

COM 01

Grants, Donations and Corporate Sponsorship

Strategic Direction	Creating Connection Implement access and equity for all members of the community
File Ref	217621.2020
Report By	Galavizh Ahmadi Nia - Manager Community Development and Planning
Approved By	Tina Sangiuliano - Acting Director City Community and Culture

EXECUTIVE SUMMARY

Council is committed to building strong and resilient communities in the Liverpool Local Government Area (LGA) and to maximising social wellbeing. Council helps achieve these goals by providing financial support through grants and sponsorships to develop leadership skills, increase participation in community activities and address identified social issues.

Impacts from COVID-19 and respective social distancing requirements continue to limit the capacity and eligibility of programs, projects, or events. To ascertain community safety, demonstrate compliance with NSW Health guidelines, and show evidence of proactive and measurable program governance, applicants have been requested to provide a response to COVID-19 safety management.

This report provides funding recommendations totalling \$10,000 under the Corporate Sponsorship Program.

RECOMMENDATION

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

Applicant	Project	Recommended
International Sports Karate Association (IKSA)	29th ISKA NSW OPEN	\$10,000

REPORT

Corporate Sponsorship

The Corporate Sponsorship Program received one application which met the eligibility criteria and is recommended for funding as follows:

Applicant	International Sports Karate Association (IKSA)		
Project	29th ISKA NSW OPEN		
Amount Requested	\$10,000	Total Project Cost	\$30,490
Location	Whitlam Leisure Centre, Liverpool	Date	22 November 2020
About the applicant	<p>Active in 60 countries, ISKA's Australian arm was established in 1995. Holding a 55% market share of World-Wide market in Kickboxing sports - outside of Thailand - ISKA has a strong global presence.</p> <p>In Australia, ISKA aims to be the peak body for sports martial arts competition. Under its current leadership in Australia, ISKA has taken matters concerning martial arts competition to the highest levels of state and federal government to ensure that the adequate governance is in place for continued growth of the sport.</p> <p>Locally, they have operated with the Kemp's Creek International Martial Arts Centre, which has operated for over 40 years. It is the longest running Martial Arts School to operate in the same place in Australia. The Centre offers Thai Boxing, Brazilian Jiu Jitsu and Mixed Martial Arts, with a focus on broadening the appeal of the sport for men, women and children. They have recorded 20,000 students that have accessed the Centre.</p>		
Description	<p>Objectives:</p> <p>The 29th NSW OPEN is a national, multi-style martial arts tournament open and inclusive to all competitors from 3 to 60+ years of age, with both male and female disciplines. The NSW OPEN is the lead up tournament for the 2021 ISKA World Cup, which will be a major international event and promote Liverpool as a key competitive sports destination.</p> <p>The tournament will create the opportunity for martial arts schools and many culturally diverse groups to be represented and celebrate their skills together. Additionally, it will attract community members to spectate, learn more about the sports on display, connect with local and national organisations, and become involved in healthy, physical activities.</p>		

	<p>Funding will be used to offset eligible staging, seating, sound, advertising, and facilitation costs to provide free access to spectators, enabling Liverpool residents to enjoy a day of free entertainment.</p> <p>Outcomes:</p> <ul style="list-style-type: none"> • In accordance with NSW Health guidelines on COVID-19, deliver a unique and nationally recognised martial arts tournament in Liverpool; • Provide economic benefits to local businesses and industries generated from competitor and spectator traffic; and • Promote and provide free access to spectators to enjoy a day of competitive sport in Liverpool, learn more about martial arts, and become involved with the sporting community.
COVID-19 Safety Plan	<p>For community sporting activities that involve more than 20 participants, the organiser must have a COVID-19 Safety Plan.</p> <p>Participants will include players, people who are training, officials and spectators. The maximum number of participants at a community sporting activity must not exceed 500 participants. Record keeping for spectators must take place for all ticketed community sporting activities. Martial arts training and competition activities that are not sanctioned by the Combat Sports Authority are permitted to take place.</p> <p>In support of their application, ISKA have submitted a COVID-19 Safety Plan.</p>
Beneficiaries	<ul style="list-style-type: none"> • Up to 500 participants and spectators; and • Secondary benefits to local businesses and industries generated from competitor and spectator traffic.
Assessment	<p>Recommended for Funding - \$10,000</p> <p>The applicant's project aligns with the Community Strategic Plan <i>Direction 1 Creating Connections</i> and <i>Direction 3 Generating Opportunity</i> and meets the Corporate Sponsorship Program's funding outcomes. The 29th IKSA NSW OPEN will:</p> <ul style="list-style-type: none"> • Stimulate economic movement for hotel, catering, transport and food industries in the Liverpool LGA; • Positively promote Liverpool as a key tourist and competitive sporting destination; • Provide access for all community members to engage and learn more about the health and physical benefits of martial arts; and • Run the event in accordance with a COVID-19 Safety Plan. <p>Economic Benefit 7.7 – 2. a), b), and d).</p> <p>Community, cultural, and social benefits 7.7 – 2. b), and e).</p> <p>Expected program outcomes 7.7.1 - a), b), c), d), and e).</p>

CONSIDERATIONS

Economic	CORPORATE SPONSORSHIP			
	Budget	Balance	<i>Recommended funding in this report</i>	Remaining
	\$100,000	\$90,000	\$10,000	\$80,000
	COMMUNITY GRANTS			
	Budget	Balance	<i>Recommended funding in this report</i>	Remaining
	\$102,000	\$97,000	<i>Nil</i>	\$97,000
	MATCHING GRANTS			
	Budget	Balance	<i>Recommended funding in this report</i>	Remaining
	\$200,000	\$185,000	<i>Nil</i>	\$185,000
	SUSTAINABLE ENVIRONMENT GRANTS*			
	Budget	Balance	<i>Recommended funding in this report</i>	Remaining
	\$75,000	\$75,000	<i>Nil</i>	\$75,000
	COMBINED FUNDING BALANCE			
	Combined Budget	Combined Balance	<i>Total recommended funding in this report</i>	Remaining
	\$477,000	\$447,000	\$10,000	\$437,000
* Sustainable Environment Grants funding is via a rate levy and is only eligible to be used for the Sustainable Environment Grants Program.				
Environment	Support schools and community groups to play an active role in reducing their impact on the environment and implementing environmentally sustainable actions.			
Social	Support community organisations and groups to deliver services.			
Civic Leadership	Role model to applicants, residents, and general public COVID-19 safe practices and procedures when supporting funding requests.			
Legislative	Local Government Act 1993 - s356.			
Risk	Risk of supporting this activity is considered low. The applicant has provided a comprehensive COVID-19 Safety Plan which follows guidelines published by NSW Health.			

ATTACHMENTS

1. Grants, Donations and Corporate Sponsorship Policy (Under separate cover)

COM 02

**Acquittal Report for Grants, Donations and
Corporate Sponsorship Program 2019/2020 FY**

Strategic Direction	Creating Connection Implement access and equity for all members of the community
File Ref	217919.2020
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 July 2020, Council resolved that:

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

This report includes an overview of Council grants approved in 2019/2020 Financial Year and their acquittal status. It will also provide outcomes that were realised at the completion of the funded project, program or event and insights from the applicants and project partners.

In the 2019/2020 Financial Year, Liverpool City Council's (Council) Grants, Donations and Corporate Sponsorship Program contributed a total of \$256,940 to support the delivery of 56 projects, programs or events in Liverpool. The Council funds resulted in an investment of additional \$1,436,761 by the applicants into the Liverpool Local Government Area.

RECOMMENDATION

That Council receives and notes this report.

REPORT

In accordance with Council's Grants, Donations and Corporate Sponsorship Policy, projects, programs or events funded by Council are required to be acquitted within 12 months of receiving the funds.

The acquittal of funds is a condition of the approval process, requiring applicants to report back on the outcomes and the delivery of the funded project, program or event; and the benefits to the Liverpool community. Additionally, the acquittal report provides applicants with an opportunity to reflect on the overall outcomes, identify challenges, and collate data to support the completion of their project, program or event. This process can underscore

secondary benefits for applications including program sustainability, continuous improvement and growth, and review of program governance.

Of note is that funded projects in the second half of the 2019/2020 Financial Year were significantly impacted by COVID-19, while Council received much lower than anticipated number of applications due to social distancing restrictions coming into effect from March 2020. The projects funded in this period have mainly contributed towards responding to COVID-19 impacts including emergency relief services and supporting vulnerable community groups. Applicants affected in this period have been requested to provide ongoing updates on the delivery of their program and indicate the implications or delays they might be experiencing.

In May 2020, in accordance with Policy considerations, Council approved for acquittals due by June 2020 to receive an extension until December 2020. This extension was granted to support organisations who were unable to deliver on the objectives and or acquit their project due to the impact of COVID-19 social distancing restrictions.

A summary of outputs and outcomes under each category of grant funding follows below.

CORPORATE SPONSORSHIP

A total of 5 acquittals for events funded through the 2019/2020 Corporate Sponsorship Program were completed, contributing \$41,000 towards an estimated combined project investment of \$175,000. These figures demonstrate compelling leverage from Council's initial investment. Each sponsored event has engendered benefits for Liverpool's reputation and economy and positioned the city as an influencer and supporter of community-driven programs in South Western Sydney.

A breakdown on each of the sponsored events, including enumeration of funding, total project cost, participation, and outcomes, are as follows:

Applicant	Friends of India Australia		
Project	Ganeshotsava		
Amount Granted	\$10,000	Total Project Cost	\$40,000
Location	Whitlam Leisure Centre, Liverpool	Date	6 September 2019 – 8 September 2019
Endorsed	July 2019	Acquitted	November 2019

Projected Participation	7,000 community members and volunteers	Actual Participation	7,000 community members and volunteers
Description	Marking its 24 th year of operation in Liverpool, Ganeshotsava 2019 was one of the largest non-ticketed celebrations of its kind. The two-day event included Pooja to Lord Ganesha and an opportunity for youth to learn this rare tradition, Rangoli decorations, training in stage construction, design, and implementation for youth, and performance of various art and cultural forms.		
Outcomes	<ul style="list-style-type: none"> Financial benefits for local businesses who were sourced or commissioned to provide decorations, costumes, equipment, security, and food and drink; Celebrated and promoted the rich and timeless nuances of Indian culture to both Liverpool and the wider Sydney community; Engaged youth to build skills in public speaking, event management, and data and logistics control; and Partnerships established with The Sydney Kannada school, Sydney Sanskrit school and Hindu Swayam Sevak Sangh (HSS), which has a local presence in Liverpool LGA. 		

Applicant	Cancer Council NSW		
Project	Stars of Sydney South West		
Amount Granted	\$6,000	Total Project Cost	\$30,000
Location	Holiday Inn, Warwick Farm	Date	10 August 2019
Endorsed	July 2019	Acquitted	September 2019
Projected Participation	600	Actual Participation	320
Description	9 Stars from the Bankstown, Liverpool and Fairfield Local Government Areas (LGAs) partnered with local dancers to perform in front of an audience of 320 people on 10th August at the Holiday Inn Warwick Farm. The audience was made up of local business people and family and friends of participating Stars. 50 seats sponsored by Council were allocated to cancer survivors and their		

	families, as well as volunteers and fundraisers for the Cancer Council NSW branch from Liverpool.
Outcomes	<ul style="list-style-type: none"> • Raised over \$101,000 for Cancer Council NSW, \$15,000 more than the inaugural event in 2018; • Expanded awareness and access to support and prevention services in Liverpool by cancer patients; • Support continuation of funding for the Cancer Council NSW's Information Service and Enrich Survivor Wellness programs running from the Liverpool Hospital; • Enabled a day of entertainment and enjoyment to cancer patients and carers; and • Established relationships with local organisations and businesses, including Liverpool Chamber of Commerce, Liverpool Performing Arts Centre, F45 Liverpool, BNI Spirit at Liverpool Golf Club, CVGT Liverpool.

Applicant	Southern Districts Soccer Football Association (SDSFA)		
Project	Annual Liverpool Knockout Competition (Soccer)		
Amount Granted	\$5,000	Total Project Cost	\$10,000
Location	Ernie Smith Reserve, Moorebank	Date	31 August 2019 – 1 September 2019
Endorsed	August 2019	Acquitted	November 2019
Projected Participation	1,000 attendees	Actual Participation	2,000 attendees
Description	The Annual Liverpool Knockout competition hosted by Southern District Soccer Football Association (SDSFA) had its grand finals held on the 31st August and 1st September 2019 at Ernie Smith Reserve in Moorebank. Teams from ages Under 12s to All-Age in both boys and girls competed and played against each other in the competition.		

Outcomes	<ul style="list-style-type: none"> • Provided access to a competition that encouraged social cohesion, teamwork, sportsmanship, and enabled participation in a safe and healthy sport; • Promoted a day of family-friendly activities and community-driven values; • Engagement of volunteers and referees throughout Liverpool; • Increased interest in the competition, providing grounds for sustainability so the event will be able to continue to provide benefits to the players and members of the community; and • Brought together residents from diverse cultural backgrounds to share their passion and support for the support.
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Applicant	Liverpool Christians Community Celebrations		
Project	2019 Carols in the Park		
Amount Granted	\$10,000	Total Project Cost	\$30,000
Location	Bigge Park, Liverpool	Date	4:00PM-9:00PM 7 December 2019
Endorsed	September 2019	Acquitted	January 2020
Projected Participation	3,500-5000 attendees	Actual Participation	5,000 attendees
Description	Marking the fifteenth year of operation, the 2019 Carols in the Park celebrated the festive season. The event recorded one of its highest attendance in years, despite the smoke and heat generating from the bushfires. A free public event that included singing Christmas songs, entertainment, games, food and drink, and children's gift bags.		
Outcomes	<ul style="list-style-type: none"> • Created a welcoming, fun, and family-friendly atmosphere that was enjoyed by everyone who attended; • Brought together residents from diverse cultural backgrounds in Liverpool to share in a joyful occasion, while sharing each other's cultural heritage and traditions; and 		

	<ul style="list-style-type: none"> Recorded the highest level of attendance during both the day festival and the stage carols program, largest amount of activities and attractions, the most amount of food served, and greatest contribution and participation from community groups and local organisations.
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Applicant	Turbans 4 Australia		
Project	Guru Nanak 550th Birthday Celebrating Peace, Harmony and Service to Humanity		
Amount Granted	\$10,000	Total Project Cost	\$65,000
Location	Bigge Park, Liverpool	Date	10 November 2019
Endorsed	September 2019	Acquitted	December 2019
Projected Participation	Up to 1,200 attendees	Actual Participation	3,000 attendees
Description	Guru Nanak's Birthday in the Liverpool area was a celebration of the Sikh religion and interfaith harmony, honoring 550 years since the founder of Sikhism was born. The event featured a street parade, turban tying, demonstrations of the traditional Sikh martial art of Gatka, performances of Sikh devotional music, speeches from religious and community leaders, and free food as part of the Sikh tradition of Langar.		
Outcomes	<ul style="list-style-type: none"> The first time a celebration of Guru Nanak's Birthday was held in Liverpool and the Greater Western Sydney area, attracted a high number of attendees; Several local businesses, government departments and community organisations ran information stalls on the day; Raised awareness about the Sikh community among the broader population; and Attracted visitors from both Sydney and interstate. 12 journalists covered the event, including professionals working for ethnic media organisations that target subcontinental communities in Australia and overseas. 		

CORPORATE SPONSORSHIP ACQUITTALS EXTENDED OR PENDING ACQUITTAL

The following Corporate Sponsorship applications have been funded during the 2019/2020 financial period but have not yet been acquitted. Due to the ongoing impact from COVID-19 and respective social distancing requirements, organisations successful in receiving Council funding continue to face limitations and restrictions in their capacity to deliver programs, projects, or events. Successful applicants have been requested by Council to provide ongoing advice on the progress of their programs, projects, or events.

Where applicable, and in accordance with NSW Health Guidelines and COVID Safe Plans, applicants impacted by COVID-19 are seeking alternative delivery models, or are otherwise postponing elements of their funded program, project, or event until further health advice is issued. In accordance with the 12 month's acquittal timeframe, applicants who have received funding in the second half of the 2019/2020 financial year are not due to acquit their programs, projects, or events until the first half of the 2021 calendar year.

Applicant	Western Sydney Community Forum		
Project	2020 ZEST Community Awards		
Program	Corporate Sponsorship		
Amount Granted	\$10,000	Total Project Cost	\$227,000
Location	ANZ Stadium, Olympic Park	Date	March 2020
Endorsed	September 2019	Tentative Acquittal	October 2020

Applicant	Vedic Festival Incorporated		
Project	Festival of Chariots		
Program	Corporate Sponsorship		
Amount Granted	\$10,000	Total Project Cost	\$20,000
Location	Bigge Park, Liverpool	Date	October 2020
Endorsed	February 2020	Tentative Acquittal	February 2021

Applicant	Bonnie Support Services Ltd		
Project	South Western Sydney Women's Leadership Forum		

Program	Corporate Sponsorship		
Amount Granted	\$10,000	Total Project Cost	\$10,000
Location	Liverpool Catholic Club, Liverpool	Date	May 2020
Endorsed	February 2020	Tentative Acquittal	February 2021

Applicant	Liverpool-Fairfield Community Radio		
Project	Transmission Upgrade		
Program	Corporate Sponsorship		
Amount Granted	\$10,000	Total Project Cost	\$10,629
Location	Liverpool-Fairfield Community Radio, Liverpool	Date	February 2020 - July 2020
Endorsed	February 2020	Tentative Acquittal	March 2021

Applicant	St Vincent de Paul (Vinnies)		
Project	Liverpool Night Patrol Van		
Program	Corporate Sponsorship		
Amount Granted	\$16,500	Total Project Cost	\$16,500
Location	Mobile Patrol Van, Liverpool	Date	June 2020 – June 2021
Endorsed	May 2020	Tentative Acquittal	June 2021

MATCHING GRANTS

Council has currently received 1 acquittal for a funded program under the Matching Grant Program, contributing \$15,000 towards an estimated total project investment of \$102,000. This figure represents impressive leverage and demonstrates the applicant's willingness to commit their own resources to deliver an impactful program in Liverpool.

A breakdown on the project funded through the Matching Grant Program, including enumeration of funding, total project cost, participation, and outcomes, are as follows:

Applicant	Ingham Institute For Applied Medical Research		
Project	Multicultural First Aid Program		
Amount Granted	\$15,000	Total Project Cost	\$102,000
Location	Liverpool Library, Liverpool	Date	14 February 2020 – 6 March 2020
Endorsed	September 2019	Acquitted	April 2020
Projected Participation	Up to 100 people from CALD backgrounds	Actual Participation	106 people from CALD backgrounds
Description	The Ingham Institute for Applied Medical Research First Aid Program enhanced connections between itself as a health organisation with Liverpool's residents from multicultural backgrounds. The program assisted residents from migrant and refugee communities by teaching them basic first aid and raising awareness of healthy and safe lifestyles through obtaining a recognised First Aid qualification.		
Outcomes	<ul style="list-style-type: none"> • Successfully achieved a 100% competency pass rate from all participants in First Aid Training, that is additionally recognised on their Unique Student Identifier Number; • Produced and provided Liverpool City Council with a video highlighting the success of the program; • Fostered and enhanced partnerships with Women's Refugee Health Service, Settlement Services International, Western Sydney MRC, and Navitas; and • Received enough positive feedback and ongoing enquiries that the service will be required to relocate to a larger venue, with participation numbers expected to grow to 200+. 		

MATCHING GRANT ACQUITTALS EXTENDED OR PENDING ACQUITTAL

The following Matching Grant applications have been funded during the 2019/2020 financial period but have not yet been acquitted. Due to the ongoing impact from COVID-19 and respective social distancing requirements, organisations successful in receiving Council funding continue to face limitations and restrictions in their capacity to deliver programs, projects, or events. Successful

applicants have been requested by Council to provide ongoing advice on the progress of their programs, projects, or events.

Where applicable, and in accordance with NSW Health Guidelines and COVID Safe Plans, applicants impacted by COVID-19 are seeking alternative delivery models, or are otherwise postponing elements of their funded program, project, or event until further health advice is issued. In accordance with the 12 month's acquittal timeframe, applicants who have received funding in the second half of the 2019/2020 financial year are not due to acquit their programs, projects, or events until the first half of the 2021 calendar year.

Applicant	Sing & Grow Australia		
Project	Sing & Grow for Liverpool Community Hubs		
Program	Matching Grants		
Amount Granted	\$15,000	Total Project Cost	\$328,570
Location	Hoxton Park Primary School, Marsden Road Primary School and Heckenberg Primary School Community Hubs	Date	February 2020 – July 2020
Endorsed	February 2020	Tentative Acquittal	February 2021

Applicant	Holsworthy High P&C Association		
Project	Holsworthy Community Garden Greening Dreaming		
Program	Matching Grants		
Amount Granted	\$9,000	Total Project Cost	\$20,000
Location	Holsworthy High School, Holsworthy	Date	February 2020 – July 2020
Endorsed	February 2020	Tentative Acquittal	March 2021

Applicant	Curious Works Incorporated		
Project	Generate 2168		

Amount Granted	\$9,000	Total Project Cost	\$135,000
Location	Casula Powerhouse Arts Centre, Casula	Date	February 2020 – November 2020
Endorsed	February 2020	Tentative Acquittal	March 2021

Applicant	Moorebank Liverpool District Hockey Club		
Project	Spectator Shelter		
Amount Granted	\$15,000	Total Project Cost	\$268,330
Location	Moorebank Liverpool District Hockey Club, Moorebank	Date	February 2020 – December 2020
Endorsed	February 2020	Tentative Acquittal	February 2021

Applicant	Bill Crews Charitable Trust		
Project	2168 Community Household Survey		
Program	Matching Grants		
Amount Granted	\$9,500	Total Project Cost	\$46,693
Location	Miller TAFE, Miller	Date	July 2020 – July 2021
Endorsed	June 2020	Tentative Acquittal	July 2021

COMMUNITY GRANT ACQUITTALS EXTENDED OR PENDING ACQUITTAL

The following Community Grant applications have been funded during the 2019/2020 financial period but have not yet been acquitted. Due to the ongoing impact from COVID-19 and respective social distancing requirements, organisations successful in receiving Council funding continue to face limitations and restrictions in their capacity to deliver programs, projects, or events. Successful applicants have been requested by Council to provide ongoing advice on the progress of their programs, projects, or events.

Where applicable, and in accordance with NSW Health Guidelines and COVID Safe Plans, applicants impacted by COVID-19 are seeking alternative delivery models, or are otherwise postponing elements of their funded program, project, or event until further health advice is issued. In accordance with the 12 month's acquittal timeframe, applicants who have received funding in the second half of the 2019/2020 financial year are not due to acquit their programs, projects, or events until the first half of the 2021 calendar year.

Applicant	The City of Liverpool & District Historical Society		
Project	Liverpool Library Exhibition Space		
Program	Community Grants		
Amount Granted	\$5,000	Total Project Cost	\$5,000
Location	The City of Liverpool & District Historical Society, Liverpool	Date	February 2020 – July 2020
Endorsed	February 2020	Tentative Acquittal	February 2021

Applicant	Liverpool Neighbourhood Connections		
Project	Learn to Earn II		
Program	Community Grants		
Amount Granted	\$5,000	Total Project Cost	\$5,500
Location	Liverpool Neighbourhood Connections, Warwick Farm	Date	February 2020 – July 2020
Endorsed	February 2020	Tentative Acquittal	February 2021

SUSTAINABLE ENVIRONMENT GRANT ACQUITTALS EXTENDED OR PENDING ACQUITTAL

The following Sustainable Environment Grant applications have been funded during the 2019/2020 financial period but have not yet been acquitted. Due to the ongoing impact from COVID-19 and respective social distancing requirements, organisations successful in receiving Council funding continue to face limitations and restrictions in their capacity to deliver programs, projects, or events. Successful applicants have been requested by Council to provide ongoing advice on the progress of their programs, projects, or events.

Where applicable, and in accordance with NSW Health Guidelines and COVID Safe Plans, applicants impacted by COVID-19 are seeking alternative delivery models, or are otherwise postponing elements of their funded program, project, or event until further health advice is issued. In accordance with the 12 month's acquittal timeframe, applicants who have received funding in the second half of the 2019/2020 financial year are not due to acquit their programs, projects, or events until the first half of the 2021 calendar year.

Applicant	SCRAP (School Communities Recycling All Paper) Ltd		
Project	Integrating the Process at Holsworthy Community Garden		
Program	Sustainable Environment Grants		
Amount Granted	\$5,000	Total Project Cost	\$10,076
Location	Holsworthy High School, Holsworthy	Date	February 2020 – October 2020
Endorsed	February 2020	Tentative Acquittal	February 2021

Applicant	Middleton Grange Public School		
Project	Lakeside Outdoor Learning Project		
Program	Sustainable Environment Grants		
Amount Granted	\$5,000	Total Project Cost	\$5,000
Location	Middleton Grange Public School, Middleton Grange	Date	March 2020 – November 2020
Endorsed	February 2020	Tentative Acquittal	March 2021

Applicant	Civic Disability Services		
Project	Civic Seedling Start Up		
Program	Sustainable Environment Grants		
Amount Granted	\$5,000	Total Project Cost	\$5,000

Location	Civic Disability Services, Liverpool	Date	February 2020 – February 2021
Endorsed	February 2020	Tentative Acquittal	February 2021

Applicant	Malek Fahd Islamic School Limited		
Project	Reducing Single Use Plastic Water Bottles		
Program	Sustainable Environment Grants		
Amount Granted	\$5,000	Total Project Cost	\$9,668
Location	Malek Fahd Islamic School Limited, Hoxton Park	Date	July 2020 – July 2021
Endorsed	June 2020	Tentative Acquittal	July 2021

Applicant	Hoxton Park Public School Community Hub		
Project	Community Kitchen Garden		
Program	Sustainable Environment Grants		
Amount Granted	\$5,000	Total Project Cost	\$6,000
Location	Hoxton Park Public School, Hoxton Park	Date	July 2020 – July 2021
Endorsed	June 2020	Tentative Acquittal	July 2021

Applicant	Marsden Road Public School Community Hub		
Project	Community Native Garden		
Program	Sustainable Environment Grants		
Amount Granted	\$5,000	Total Project Cost	\$5,500
Location	Marsden Road Public School, Liverpool	Date	July 2020 – July 2021

Endorsed	June 2020	Tentative Acquittal	July 2021
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Applicant	Heckenberg Public School Community Hub		
Project	Community Connections Garden		
Program	Sustainable Environment Grants		
Amount Granted	\$5,000	Total Project Cost	\$9,855
Location	Heckenberg Public School, Heckenberg	Date	July 2020 – July 2021
Endorsed	June 2020	Tentative Acquittal	July 2021

CONCLUSION

Council's Community Development and Planning team will continue to provide support to funded applicants to deliver on their projects, programs and events. Staff will monitor the COVID-19 implications and will negotiate alternative delivery methods of funded initiatives. In accordance with the funding agreement, all funds are to be used for the purpose for which they were requested. Funding must be spent by the agreed project end date or within 12 months of the funding date, unless otherwise approved in writing by the Director Community and Culture. Any unspent monies are to be returned to Council as soon as the funded project has been finalised.

CONSIDERATIONS

Economic	TOTAL BUDGET EXPENDITURE 2019/2020		
	CORPORATE SPONSORSHIP		
	Budget	Allocated Funding	Total Investment
	\$100,000	\$107,500	\$459,129
	COMMUNITY GRANTS		
	Budget	Allocated Funding	Total Investment
	\$102,000	\$25,440	\$25,940
	MATCHING GRANTS		
	Budget	Allocated Funding	Total Investment
	\$200,000	\$89,000	\$900,593
	SUSTAINABLE ENVIRONMENT GRANTS		
	Budget	Allocate Funding	Total Investment
	\$75,000	\$35,000	\$51,099
	COMBINED FUNDING BALANCE		
	Combined Budget	Total Allocated Funding	Total Investment
	\$477,000	\$256,940	\$1,436,761
Environment	There are no environmental considerations.		
Social	Support community organisations and groups to deliver services.		
Civic Leadership	There are no civic leadership and governance considerations.		
Legislative	Local Government Act 1993 - s356.		
Risk	The risk is deemed to be low and is within Council's risk appetite.		

ATTACHMENTS

1. Grants, Donations, and Corporate Sponsorship Policy (Under separate cover)

COM 03

Child Safe Policy

Strategic Direction	Creating Connection Implement access and equity for all members of the community
File Ref	224048.2020
Report By	Galavizh Ahmadi Nia - Manager Community Development and Planning
Approved By	Tina Sangiuliano - Acting Director City Community and Culture

EXECUTIVE SUMMARY

Subsequent to the Royal Commission into 'Institutional Responses to Child Sexual Abuse', the NSW Parliament introduced *The Children's Guardian Act 2019* (the Act), which took effect on 1 March 2020. The Act gives the NSW Office of the Children's Guardian greater powers to protect children from harm by supporting organisations in NSW to create safer environments for children.

The Act contains statutory requirements for local government. To achieve compliance under the Act, local government authorities must become a Child Safe Organisation. A Child Safe Organisation is defined as 'an organisation in which child safety is embedded in planning, policy and practices, and where the voices of children and young people are valued and acknowledged'.

In May 2020, Liverpool City Council (Council) commenced the process of becoming a Child Safe Organisation and development of an overarching Child Safe Policy (Policy) and Behavioural Standards for Keeping Children Safe (Standards) through the formation of a Child Safe Working Group. The Policy focuses on ways in which Council can build and maintain a child safe environment that is inclusive, transparent and promotes meaningful participation for children. It is to ensure that Council protects, respects and promotes the health, welfare, wellbeing and safety of children. The overarching purpose of the Standards is to provide guidance to Council staff on how to behave when working or engaging with children.

In developing the Policy and Standards, key stakeholders including Council staff, external organisations, United Services Union and children and young people through the 2168 Children's Parliament and Liverpool Youth Council respectively were consulted.

The draft Child Safe Policy and Behavioural Standards for Keeping Children Safe are presented to Council for endorsement.

RECOMMENDATION

That Council:

1. Receives and notes this report;
2. Endorses the draft Child Safe Policy and the Draft Behavioural Standards for Keeping Children Safe for public exhibition for a period of 28 days, with a report to be provided back to Council following the conclusion of the exhibition period; and
3. Should no responses be received from the public exhibition period, authorise the Acting Chief Executive Officer to finalise the Child Safe Policy and oversee its implementation.

REPORT

Background

In 2012, the Australian Government announced the Royal Commission into Institutional Responses to Child Sexual Abuse. The Royal Commission was established in 2013 and concluded with a final report, the *Royal Commission into Institutional Responses to Child Sexual Abuse* (2017) (the Report). The Report made a number of recommendations that affect all tiers of government, including local government.

Recommendation 6.12 of the Report is specific to local government and it states:

“With support from governments at the national, state and territory levels, local governments should designate child safety officer positions from existing staff profiles to carry out the following functions:

- a) Developing child safe messages in Local Government venues, grounds and facilities;*
- b) Assisting local institutions to access online child safe resources;*
- c) Providing child safety information and support to local institutions on a needs basis; and*
- d) Supporting local institutions to work collaboratively with key services to ensure child safe approaches are culturally safe, disability aware and appropriate for children from diverse backgrounds.”*

The recommendation outlines local councils’ responsibility to work towards becoming a Child Safe Organisation as well as ensuring there are effective policies, guidelines and systems in place to keep children safe. Under the recommendation 6.12 of the Royal Commission, the Act outlines the following actions which are essential compliances by all institutions:

- To become a Child Safe Organisation;

- Development of an overarching Child Safe Policy;
- Establishment of a Child Safe Working Group;
- Appoint Designated Child Safety Officer position/s. This role can be incorporated into existing profiles to carry out functions requiring regulatory compliance;
- Development of clear reporting procedures for any allegations of child abuse against staff, councillors, contractors and volunteers; and
- Embed child safe practices into Council's Community Strategic Plan, Delivery Program and Operational Plan.

Requirements of a Child Safe Organisation

The Child Safe Policy and Behavioural Standards for Keeping Children Safe are developed to inform the child protection practices across Council. The Policy outlines Council's obligations and responsibilities to ensure children have safe and positive experiences when accessing Council facilities, programs and services. The Policy encompasses Council's commitment to child safety and protection as well as ensuring Council meets its legislative requirements under the Act.

The Behavioural Standards for Keeping Children Safe provide advice and guidance to Council staff on appropriate interactions with children when they are accessing Council facilities, programs and services. Further, the Behavioural Standards provide guidance on when and how to respond to reports or suspicion of harm to a child. They include:

- Mandatory reporting of child protection concerns;
- Child protection considerations in the selection and recruitment of staff;
- Management of allegations against staff involving children and young people; and
- The promotion of Council as a Child Safe Organisation.

The Act incorporates the Royal Commission's 10 Child Safe Standards as follows:

1. Child safety is embedded in organisation leadership, governance and culture.
2. Children participate in decisions affecting them and are taken seriously.
3. Family and communities are informed and involved.
4. Equity is upheld, and diverse needs are taken in to account.
5. People working with children are suitable and supported.
6. Processes to respond to complaints of child abuse are child focused.
7. Staff are equipped with the knowledge, skills and awareness to keep children safe through continual education and training.
8. Physical and online environments minimise the opportunity for abuse to occur.
9. Implementation of the Child Safe Standards is continuously reviewed and improved.

10. Policies and procedures document how the organisation is child safe.

These Standards provide guidance for local governments to create cultural change, adopt strategies to put the interests and safety of children first, and to keep children safe from harm.

The Standards include the following key components:

- The organisation publicly commits to child safety and leaders champion a child safe culture;
- Child safety is a shared responsibility at all levels of the organisation;
- Risk management strategies focus on preventing, identifying and mitigating risks to children; and
- Staff and volunteers comply with a code of conduct that sets clear behavioural standards towards children.

Implementation of the Child Safe Policy

The Policy paves the way for Council to become a Child Safe Organisation. It will strengthen existing child safe practices within the organisation and will introduce measures for identifying and reporting potential harm to children.

Development of Child Safe Organisation will be an ongoing process. This process is to comply with the Child Safe Standards from the NSW Office of the Children's Guardian and the Royal Commission Final Report Recommendations (2017) relevant to local government.

Established in May 2020, the Working Group will continue to work towards making Council a Child Safe Organisation. Aligned with the Ten Child Safe Standards, the following key targets are recommended for implementation:

- Embed child safe practices into Council's Community Strategic Plan, Delivery Program and Operational Plan (DP/OP);
- Ensure adherence to reporting timeframes for any allegations against staff;
- Incorporate Child Safety practices in all aspects of the business as part of the Reportable Conduct Scheme (*investigate and report on 'reportable allegations' or 'reportable convictions'*);
- Organise training for staff and leaders to understand legal obligations through the NSW Office of the Children's Guardian (at no cost to Council);
- Emphasise child safety in all staff recruitment and selection processes;
- Empower people leaders to have a child safety focus;
- Provide all staff and volunteers with information on individual child safety responsibility including reporting obligations;
- Consider development of a strategy for children and families;

- Ensure staff who interact with children in their role have a current Working with Children Check (WWCC) clearance;
- Embed promotion of child safety messages through a variety of methods including Customer Experience promotional video loops, staff Intranet and Council's website; and
- Display a variety of child safe signage and messages on all Council buildings inclusive of swimming centres, libraries, parks, sporting grounds, community facilities, education and care centres.

The Policy will be subject to ongoing monitoring and review to ensure currency and consistency with the Child Safe Standards and the Act, as well as incorporating best practice methods of implementation. This work will be led by Council's Community Development and Planning team, in consultation with the established Working Group.

Conclusion

Effective from March 2020, the Children's Guardian Act 2019 contains statutory requirements for local government. Council's compliance with the Act is incumbent upon the adoption of a Child Safe Policy and Behavioural Standards for Keeping Children Safe.

In adopting a Policy and Behavioural Standards, Council is demonstrating a commitment to the safety and protection of children in Liverpool in their interactions with Council staff, and when accessing Council facilities, programs and services. This Policy is a whole-of-organisation commitment to the safety and wellbeing of children, to protecting children from harm, and ensuring children's voices are heard, acknowledged and respected.

The operational impact of this policy will be minimum as child safe practices and procedures are embedded in Council departments working closely with children and young people including Early Childhood Services, Community Development, Library Services and Casula Powerhouse Art Centre.

The draft Child Safe Policy and Behavioural Standards for Keeping Children Safe are presented to Council for endorsement.

CONSIDERATIONS

Economic	Operational budget of approximately \$1,000 per annum to cover the cost of Working with Children Checks (WWCC) for existing positions that might be impacted by this policy.
Environment	There are no environmental and sustainability considerations.

CITY COMMUNITY AND CULTURE REPORT

Social	<ul style="list-style-type: none"> • Foster children's safety and well-being. • Raise community awareness and support action in relation to child safety. • Support policies that prevent child abuse and crime. • Support community organisations, groups and volunteers to deliver coordinated services to the community in a safe and respectful manner to children. • Promote Council's reputation as a leading organisation committed to children's safety.
Civic Leadership	<ul style="list-style-type: none"> • Undertake communication practices with the community and stakeholders in Liverpool related to child safety. • Encourage community participation in decision making. • Deliver services that are child centred. • Operate a well-developed governance system that demonstrates leadership, accountability, transparency and ethical conduct.
Legislative	<ul style="list-style-type: none"> • Children's Guardian Act 2019.
Risk	<p>The risk of not becoming a Child Safe Organisation is deemed to be High.</p> <p>There are legal and reputational risks to Council if it does not adequately comply with the Children's Guardian Act 2019 and the Child Safe Standards.</p>

ATTACHMENTS

1. Child Safe Policy
2. Behavioural Standards for Keeping Children Safe



Child Safe Policy

Adopted: XX.XX.XXXX

TRIM 226024.2020



Child Safe Policy

1. LEGISLATIVE REQUIREMENTS

The Children's Guardian Act 2019.

2. PURPOSE/OBJECTIVES

- 2.1 This Policy is to be read in conjunction with the Behavioural Standards for Keeping Children Safe.
- 2.2 In accordance with the Children's Guardian Act 2019 (the Act), councils are required to adopt a Child Safe Policy (Policy) to demonstrate commitment to children's safety.
- 2.3 The overarching purpose of this Policy is to ensure Liverpool City Council (Council) protects, respects and promotes the health, welfare, wellbeing and safety of children. In addition, the Policy will:
 - Enable Council to become a Child Safe Organisation;
 - Guide Council in implementing best practice approaches to child protection;
 - Ensure providing a safe environment for children and young people when they are on Council premises and utilising Council services;
 - Ensure Council is compliant with NSW child protection legislation, including mandatory reporting, recruitment and selection, and responding to allegations against staff involving children and young people;
 - Guide Council to comply with recommendations from the Royal Commission into Institutional Responses to Child Sexual Abuse (2017) that affect local government; and
 - Ensure Council is compliant with the Children's Guardian Act 2019.

3. DEFINITIONS

Unless the context permits otherwise, these terms have the following definition:

Child / Children: Anyone under 18 years of age. For the purposes of this Policy, references to "young people" or "young person" will be taken to be a reference to a Child.

Child Abuse / Abuse: A term used to refer to different types of harm or maltreatment. In this Policy it refers to types of harm or maltreatment that children experience, including physical harm, sexual assault, exposure to domestic violence, psychological harm and prenatal risks.

Child Safe Organisation: An organisation in which child safety is embedded in planning, policy and practices and where the voices of children are valued and actioned.

Child Safe Standards: The Child Safe Standards recommended by the Royal Commission to make organisations across the country safe for children (also known as the National Principles for Child Safe Organisations).

Children's Services: Has the same meaning given to it in section 27(4) of the *Children and Young Persons (Care and Protection) Act 1998* (NSW).

Child Safe Policy

Mandatory Reporters: Persons to which section 27 of the *Children and Young Persons (Care and Protection) Act 1998* (NSW) applies. Mandatory Reporters are persons who, in the course of their professional work or other paid employment deliver health care, welfare, education, children's services, residential services, or law enforcement, wholly or partly, to children. It also includes people who hold a management position in an organisation, the duties of which include direct responsibility for, or direct supervision of, the provision of health care, welfare, education, children's services, residential services, or law enforcement, wholly or partly, to children.

Neglect: A term used to refer to a pattern characterised when a parent or caregiver cannot regularly provide a child the basic requirements for his or her own growth and development such as food, clothing, shelter, medical and dental care, adequate supervision and adequate parenting and care.

Risk of Significant Harm (ROSH): Concern/s about a child that is sufficiently serious to warrant a response by a statutory authority irrespective of a family's consent. It is something that is not minor or trivial and that may be reasonably expected to produce a substantial and demonstrably adverse impact on the child's safety, welfare or wellbeing. In addition, it can result from a single act or omission or an accumulation of these. Risk of Significant Harm is the NSW threshold to report child protection concerns to Department of Communities and Justice (DCJ) Child Protection Helpline. Helpline (see section 23 of the *Children and Young Persons (Care and Protection) Act 1998* (NSW)).

Royal Commission: Means the Royal Commission into Institutional Responses to Sexual Abuse (2017). In 2012, Australian Government announced the establishment of the Royal Commission. The report made several recommendations to government and non-government organisations to keep children safe.

UN Convention on the Rights of the Child: A human rights treaty ratified in 1989 by the UN General Assembly of which Australia is a signatory, espousing its committed to keeping children everywhere safe, happy and healthy.

WWCC: Working with Children Check clearance issued by the Children's Guardian under the *Child Protection (Working with Children) Act 2012* (NSW). A WWCC is a requirement for anyone who works or volunteers in child-related work in NSW. The clearance check provides either clearance to work with children for 5 years, or prohibits people who pose an unacceptable risk from working with children.

4. POLICY STATEMENT

Council is committed to creating a city that is child safe and child friendly. Council supports and acknowledges the capacity and agency of children and aims to build on their existing strengths to achieve change. Council values and supports the rights of children and is committed to support all children living in its jurisdiction to reach their full potential. Safeguarding children is everyone's business, including elected members, Executive and management team, Council staff, volunteers, students, contractors and sub-contractors.

Child Safe Policy

4. INTRODUCTION

- 4.1 This Policy guides Council staff (paid and volunteer) on how to behave when interacting and engaging with children in the workplace. The Policy focuses on ways in which Council can build and maintain a child safe environment which is inclusive, transparent and promotes meaningful participation for children.
- 4.2 Council is committed to supporting the rights of children and to their care and protection. In NSW, the safety of children is the shared responsibility of parents and families, the community, government and non-government organisations. Council staff, volunteers, partners, students, contractors and sub-contractors share a commitment to the awareness, prevention and response to the suspected Risk of Significant Harm to a child.
- 4.3 Council adopts the Child Safe Standards from the NSW Office of the Children's Guardian and the Royal Commission Final Report Recommendations (2017) relevant to local government.

5. CHILD SAFE STANDARDS

Council is committed to keeping children safe by putting in place procedures and practices to meet the following Child Safe Standards:

- 1. Child safety is embedded in institutional leadership, governance and culture.
- 2. Children participate in decisions affecting them and are taken seriously.
- 3. Families and communities are informed and involved.
- 4. Equity is upheld, and diverse needs are taken in to account.
- 5. People working with children are suitable and supported.
- 6. Processes to respond to complaints of child sexual abuse are child focused.
- 7. Staff are equipped with the knowledge, skills and awareness to keep children safe through continual education and training.
- 8. Physical and online environments minimise the opportunity for abuse to occur.
- 9. Implementation of the Child Safe Standards is continuously reviewed and improved.
- 10. Policies and procedures document how the institution is child safe.

Child Safe Policy

6. CHILDREN'S PARTICIPATION

6.1 Council supports active participation of children in the programs, activities and services that Council offers. Council encourages and engages children through a number of mechanisms including:

- 2168 Children's Parliament;
- Liverpool Youth Council;
- Casula Powerhouse Arts Centre Youth Committee;
- Library Services;
- Community facilities;
- Recreation and leisure centres;
- The Way Out West (WOW) Festival; and
- Early Childhood Services.

6.2 These mechanisms encourage children to participate in decisions affecting their lives. Through Children's Parliament and Youth Council, children are able to raise concerns about matters of importance to them and advocate for change to Council, National Children's Commissioner, Federal Member for Werriwa and NSW Advocate for Children and Young People. Council promotes the importance of children's voice through mechanisms such as Liverpool/Fairfield Child and Family Interagency, Liverpool Listens and Liverpool District Forums.

7 RECRUITMENT

7.1 Council will maintain a rigorous and consistent recruitment, screening and selection process.

7.2 To maintain a Child Safe Organisation, Council is committed to build the capability of staff through support, induction, on-boarding, professional development and supervision. This will include all new employees and volunteers to participate in a comprehensive induction and orientation process to child safe policies, procedures and practices. The Child Safe Policy and Behavioural Standards for Keeping Children Safe will be included in the induction pack for training new employees.

7.3 Managers will support and ensure relevant employees and volunteers complete mandatory training in child protection and child safe practices as required for all new staff.

7.4 Council will meet legal requirements to ensure that staff who are engaged with children have valid a Working With Children Checks (WWCC). The WWCC is an essential part of Council's recruitment process to prevent risk to the safety of a child. All staff are required to update licences and Working with Children Check through payroll system. Staff will receive reminders through email to renew licences and Working with Children Check before they expire.

7.5 People and Organisational Development (POD) manage all selection and recruitment related to the WWCC. This is consistent with the *Child Protection (Working with Children) Act 2012* (NSW) and the *Child Protection (Working with Children) Regulation 2013* (NSW).

Child Safe Policy

8 MANDATORY REPORTING RISK OF SIGNIFICANT HARM

- 8.1 Where there are concerns that a child is suspected to be at Risk of Significant Harm (ROSH), Council staff who are Mandatory Reporters are required to report these concerns to the Department of Communities and Justice (DCJ) Child Protection Helpline. The Mandatory Reporter Guide (MRG) is used to help determine when and what should be reported.
- 8.2 Council staff who are not Mandatory Reporters, as well as members of the community, can also report the suspected Risk of Significant harm to the DCJ Child Protection Helpline. The DCJ Child Protection Helpline receives reports via either telephone on PH: 132 111 or via E-Reporting.
- 8.3 Mandatory reporting responsibilities are stipulated in the Children and *Young Persons (Care and Protection) Act 1998* (NSW).

9 EQUITY AND DIVERSITY

- 9.1 Council is committed to ensuring that all children are free from Abuse and Neglect and will enact this commitment through the implementation and monitoring of the Child Safe Standards.
- 9.2 This Policy details Council's commitment to ensuring all children are protected from harm and outlines key strategies to identify and support the specific vulnerabilities of children in Liverpool with zero tolerance for child abuse.
- 9.3 Council is committed to being a child Safe Organisation and it acknowledges its important role in protecting children in their interactions with Council staff, facilities and services.
- 9.4 Liverpool's diverse population includes Culturally Diverse communities, people living with a disability and a higher-than-average proportion of residents of Aboriginal and Torres Strait Islander people.
- 9.5 Council acknowledges that all children are vulnerable, however, factors such as age, disability, culture and socioeconomic status can contribute to increased vulnerability for many children. As the local government authority, it is vital that Council both celebrate this diversity and acknowledge the challenges that it presents, particularly in relation to child safety.

10 COMPLAINTS MANAGEMENT AND REPORTING

- 10.1 Council will take all allegations seriously, respond appropriately and report concerns to the relevant authorities. All complaints and allegations against staff, elected members, contractors and sub-contractors, work experience participants, students on placement, volunteers, facilities hirers, and lessees involving a child will be handled in accordance with the relevant legislation.
- 10.2 All allegations in relation to staff involving an individual under the age of 18 years will be immediately reported to the Internal Ombudsman who will investigate and report the matter to the relevant oversight agency in accordance with Council's reporting obligations.
- 10.3 Council will ensure children who feel unsafe or wish to raise a concern know who to talk with and feel comfortable to do so.

Child Safe Policy

- 10.4 Council will maintain the safety, suitability and security of its physical and online environments that children access.
- 10.5 The Child Safe Standards are embedded within Council's quality assurance practices. Council will appoint a Child Safe Contact Person or a Child Safe Committee to raise awareness of the Child Safe Standards and support different business unit's implementation of the Child Safe Standards. The support of each business unit will be determined by the needs and risks identified and expressed by the business units. Support may be delivered in the form of tailored training, resources and calling on the Child Safe Contact Person or Child Safe Committee to discuss challenges or service improvement.

11 STAFF SUPPORT AND DEVELOPMENT

- 11.1 Council will provide necessary resources and build the capability of all staff through professional development, supervision and support to promote and maintain a child safe organisation.
- 11.2 All staff will complete induction and ongoing training on managing risks and creating a safe environment to ensure the safety, suitability and security of physical environments for children in Council's services, facilities and programs. Council staff will be equipped with the knowledge, skills and awareness to keep children safe.
- 11.3 New employees and volunteers will be required to participate in induction and orientation process to child safe policies, procedures and practices. Managers will ensure new employees and volunteers complete all relevant training in accordance with Council's organisational requirements. Training will be provided to contractors and sub-contractors as required.
- 11.4 Council is committed to the provision of high-quality supervision practices for relevant staff. This includes regular reviews of workplace performance, behaviours and relationships, opportunities to share observations and problems and to safely explore views about child safety concerns.
- 11.5 Council provides opportunities for work experience and vocational placement for young people and engages young people in volunteering experiences. Procedures for employment, work or study placement, and volunteering opportunities for young people will need to reflect the developmental characteristics and meet the safety requirements of this age group.

12 COMMUNICATION

Council will hold regular information sessions for staff, volunteers and students about child safety. The Child Safe Policy will be discussed during induction sessions for all new staff, volunteers and students. Children, their parents and carers participating in Council programs will be referred to Council's website to view the Policy.

13 REQUIREMENTS OF MANAGERS

- 13.1 Managers are required to induct all workers new to Council to this Policy, including signing the statement of commitment to comply with the Policy.

Child Safe Policy

- 13.2 Lead the embedding of a child safe culture by being proactive in identifying and addressing issues or concerns relating to the safety and wellbeing of children. This should include regular discussions between staff and their people leaders (to be held at least twice annually) about behavioural standards and expectations.

14 OTHER LEGISLATION, INDUSTRY STANDARDS OR COUNCIL POLICIES

- UN Convention on the Rights of the Child (1989)
- Children's Guardian Act 2019 (NSW)
- Children and Young Persons (Care and Protection) Act 1998 (NSW)
- Child Protection (Working with Children) Act 2012 (NSW)
- Advocate for Children and Young People Act 2014 (NSW)
- Ombudsman Act 1974 (NSW)
- Liverpool City Council Code of Conduct (2019)
- Liverpool City Council Community Engagement Policy 2013
- Liverpool City Council Cultural Policy 2017
- Liverpool City Council Dignity and Respect in the Workplace Policy 2015
- Liverpool City Council Information and Communication Technology (ICT Policy)
- Liverpool City Council Liverpool Youth Council Charter 2020
- Liverpool City Council Social Justice Policy 2018
- Liverpool City Council Work, Health and Safety Policy 2017

15 POLICY REVIEW

- 15.1 The Child Safe Working Group meets regularly to oversee the implementation of the Policy and the Child Safe Standards.
- 15.2 The Policy will be reviewed every two years from the approval date, or as required by any changes in legislation.

16 BREACH OF POLICY

A breach of this Policy will be dealt with in accordance with any relevant staff agreements, awards, industrial agreements, contractors and Council policies including the Council's Code of Conduct and Code of Conduct Procedures.

Child Safe Policy**AUTHORISED BY**

Council (Chief Executive Officer)

EFFECTIVE FROM

XX.XX.XXXX

DEPARTMENT RESPONSIBLE

City Community and Culture (Community Development and Planning)

VERSIONS*The current and previous version of the policy should be set out in the following table.*

Version	Amended by	Changes made	Date	TRIM Number
1				226024.2020

The policy is developed by and, in consultation with the Child Safe Workplace Working Group comprised of representatives from:

- City Community and Culture;
- Office of the Chief Executive Officer;
- City Corporate;
- City Infrastructure and Environment;
- City Economy and Growth; and
- City Presentation.

ATTACHMENTS

Behavioural Standards for Keeping Children Safe (226027.2020)

REFERENCES

- The Royal Commission into Institutional Responses to Child Sexual Abuse (2017);
- Children's Guardian Act 2019;
- Child Safe Standards, The NSW Office of the Children's Guardian;
- The National Principles for Child Safe Organisations;
- Child Protection Policy, Cumberland City Council; and
- Child and Youth Safe Policy, Mission Australia.



LIVERPOOL
CITY
COUNCIL

Behavioural Standards for Keeping Children Safe

Adopted: XX.XX.XXXX

TRIM 226027.2020

Purpose

The overarching purpose of the Behavioural Standards for Keeping Children Safe (Standards) are to provide guidance to Liverpool City Council (Council) staff on how to behave when working or engaging with children. Council acknowledges that not all staff work directly with children and young people. These Standards apply to those occasions when staff are interacting with or are in the presence of children and young people (either in person or online).

For the purposes of these Standards, “child”, “children”, “young persons” and “young people” is anyone under the age of 18 years.

These Standards is to be read in conjunction with the Child Safe Policy.

The Behavioural Standards for Keeping Children Safe is to:

- Establish a common understanding of the behaviour standards expected of all Council staff towards children and young people;
- Outline appropriate behavioural standards for all Council staff, and to establish clear expectations for appropriate behaviour with children for keeping them and staff safe;
- Ensure a safe and healthy workplace for Council staff where all reasonable steps are taken to minimise the risk of false or exaggerated allegations being raised;
- List behaviours that are acceptable and those that are unacceptable;
- Provide clear guidelines and professional boundaries, ethical behaviour and appropriate and inappropriate relationships;
- Provide staff with the tools and knowledge regarding what is acceptable and what is not; and
- Promote accountability for staff behaviour in keeping children safe and protecting them from harm.

The Behavioural Standards for Keeping Children Safe applies to all Council staff including:

- Elected members of Council;
- Executive Management;
- Paid and unpaid staff;
- Volunteers;
- Contractors;
- Sub-contractors;
- Visitors;
- Apprentices, trainees, work experience students; and
- Anyone who performs work for, or on behalf of Council.

Where relevant, all staff are required to do:

- Act in accordance with Council's Child Safe Policy and these Standards at all times;
- Treat all children with respect and dignity;
- Promote the rights, safety and wellbeing of all children;
- Involve children and young people meaningfully in decisions about policies, activities and processes that concern them;
- Respond to any concerns or complaints of child harm or abuse promptly and in line with Council's policies and procedures;
- Comply with the Children's Guardian's Act and Council's policies and procedures on record keeping and information sharing;
- Use positive and affirming language with and about children;
- Promote participation, safety and empowerment of all children;
- Report any breaches of Child Safe Policy and Behavioural Standards;
- Always promote the safety and wellbeing of children;
- Report all instances of suspicious behaviour based on reasonable belief that abuse may have occurred (reports of suspicious behaviour can be lodged without evidence provided reasonable belief exists);
- Actively promote each child's voice and participation and encourage staff members to respond ethically to children's insights and recommendations for change;
- Treat children with respect, regardless of their race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status;
- Be a positive role model and mentor for children;
- Maintain privacy and confidentiality of all information regarding children;
- Ensure that a minimum of one other adult is present when working in the proximity of children;
- Immediately report concerns or allegations of child abuse and exploitation in accordance with Council's Child Safe Policy and Behavioural Standards and any relevant legislative reporting requirements, including mandatory reporters.
- Immediately disclose all charges, convictions and outcomes of an offence, which occurred before or occurs during your engagement with Council, in relation to child exploitation or abuse;
- Obtain child and parents/guardians' written consent before photographing or filming a child, and wherever possible, use the Council Image Release Form;
- Before photographing or filming a child, assess and endeavour to comply with local traditions or restrictions for creating or reproducing personal images;
- Ensure photographs, films, videos and DVDs present children in a dignified and respectful manner and not in a vulnerable or submissive manner. Children should be adequately clothed and not in poses that could be seen as sexually suggestive;

- Ensure images are honest representations of the context and the facts;
- Ensure the file labels, meta data or text descriptions do not reveal identifying information about a child when sending images electronically or publishing images in any form;
- Refer to: "Council: Use and Storage of Children's Images Guidelines"; and
- Seek advice from Council's Child Safety Officer/s before engaging with children to discuss any planned activities or programs and to seek feedback regarding planned child safety measures.

Staff are not to engage in any of the following behaviours, at all times:

- Engage in any activities that are potentially harmful to children, including those that might lead to sexual, physical, emotional and/or psychological harm to children;
- Use language or behaviour towards children that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate;
- Share images, videos or links with children;
- Show favour towards any child and treat all children equally and fairly;
- Touch or show affection, such as hugging children; and
- Act in any way that could be construed as 'grooming' a child, including sharing personal information, providing gifts or money, sharing secrets, favouritism or any special treatment.

Council is responsible to identify and respond effectively to any concerns about the safety and wellbeing of children. Council staff are required to:

- Identify and report to a manager immediately any matter that may compromise staff ability to work with children;
- Report to a manager even if the concern is minor and the information or observations are incomplete and uncertain;
- Respond to concerns about the behaviour of another worker and report those concerns in accordance with any relevant legislation and other related Council procedures and internal or external reporting; and
- Recognise the potential risk of harm to a child or young person and take all reasonable steps to respond in accordance with any relevant legislation and support children by connecting them with relevant support services.

AUTHORISED BY

Council (Chief Executive Officer)

EFFECTIVE FROM

XX.XX.XXXX

DEPARTMENT RESPONSIBLE

City Community and Culture (Community Development and Planning)

REVIEW DATE

This document will be reviewed every year, or as required by any changes in legislation or operational requirements including minor amendments.

CONSULTATION

The Behavioural Standards for Keeping Children Safe is developed by and, in consultation with the Child Safe Workplace Working Group comprised of representatives from:

- City Community and Culture
- Office of the Chief Executive Officer
- City Corporate
- City Infrastructure and Environment
- City Economy and Growth; and
- City Presentation.

REFERENCES

- The Royal Commission into Institutional Responses to Child Sexual Abuse (2017)
- Children's Guardian Act 2019
- Child Safe Standards, The NSW Office of the Children's Guardian
- The National Principles for Child Safe Organisations
- Child Protection Policy, Cumberland City Council; and
- Child and Youth Safe Policy, Mission Australia.

Statement of Commitment for Council staff

As a Council employee I will:

- Act to safeguard the best interests of children as set out in the Policy and Standards;
- Take actions promptly to ensure that children are safe;
- Report any concerns immediately to my manager, Council's Child Safety Officer, the Chief Executive Officer or another manager or people leader in Council;
- Follow Council's policies and procedures for receiving and responding to complaints and concerns; and
- Comply with legislative requirements on reporting (where relevant), and within Council's policy and procedure on internal and external reporting

I have read and understood Council's Child Safe Policy and the Behavioural Standards for Keeping Children Safe and I agree to abide by both documents during my employment with Liverpool City Council. I understand that breaches of Council's Child Safe Policy and Behavioural Standard for Keeping Children Safe may lead to disciplinary action or termination of my employment with Council, legal action, and or criminal investigation and prosecution.

Signature

Full Name

Date

CORP 01	Bigge Park Cafes - Lot 702 DP 1056246, Bigge Street, Liverpool
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Strategic Direction	Generating Opportunity Attract businesses for economic growth and employment opportunities
File Ref	230066.2020
Report By	Michal Szczepanski - Senior Property Officer
Approved By	George Hampouris - Acting Director City Corporate

EXECUTIVE SUMMARY

Bigge Park Liverpool is on NSW Crown Land and managed by Liverpool City Council (as Crown Land Manager) under the provisions of the Crown Land Management Act 2016.

In July 2019, Council officers undertook a Public Notification process advising of Council's intent to offer two buildings located in Bigge Park for lease as a café premises.

The Public Notification process resulted in one objection. Due to the transitional provisions of the Crown Lands Management Act 2016, the matter was referred to the Office of Local Government (OLG) for advice to deal with the objection.

In November 2019 Council resolved to proceed with the Tender process and "Direct the CEO or her delegate to write to the relevant authorities and seek consent from the Minister to finalise the tender processes accordingly".

On 29 June 2020 the Minister provided a letter of consent for the granting of a licence with regards to the Pump House Café and a lease for the Courtside Café.

Consequently, Council officers are progressing the tender process (WT2904) for the licence of the premises known as Pump House Café for a period of 5 years, to be followed by tender for the leasing of the Courtside Cafe (WT2904) for a period of 5 years with a 5 year option period.

RECOMMENDATION

That Council

1. Receive and note the report; and

2. That a further report be submitted to Council upon completion of the tender process of the Pump House café.

REPORT

Bigge Park Liverpool is NSW Crown Land and managed by Liverpool City Council (as Crown Land Manager) under the provisions of the Crown Land Management Act 2016.

Commencing late July 2019 Council officers undertook a Public Notification process advising of Council's intent to offer two buildings located in Bigge Park for lease as café premises, these buildings being:

- 1) Pump House Café located in the North-East corner of the Park near Liverpool Hospital
- 2) Courtside Café located along the Southern boundary of the Park, across the road from the TAFE College.

The Public Notification process resulted in one objection. Due to the transitional provisions of the Crown Lands Management Act 2016, the matter was referred to Office of the Local Government (OLG) for advice to deal with the objection.

On 20 November 2019 Council resolved to proceed with the Tender process and direct the CEO or her delegate to write to the relevant authorities and seek consent from the Minister to finalise the tender processes accordingly.

On 29 June 2020 the Minister provided consent with relation to the granting of the two leases for commercial purposes (namely cafes) over Bigge Park Liverpool.

The Minister further stipulated that under Clause 70(2)(c) of the Crown Land Management Regulation 2018, and the fact that on 30 June 2018 (the day before the new Regulation commenced) the Pump House Café premises were under a License (not a Lease), the new tenure must also be on the terms of a License, with the maximum term of 5 years applicable to Licenses under the Regulation.

A Lease for a maximum term of up to 21 years can be granted once a new Plan of Management for the Park is adopted.

As the Pump House Café premises were subject to a License on the 30 June 2018, the Pump House Café can only be licensed for a maximum term of 5 years.

It is recommended that the two tenders are offered to the market one at the time to ensure a more competitive bidding process for each tender.

On this basis it is recommended to first proceed with a tender for a 5 year License for the Pump House Café given the level of interest in this site. It is expected that at the expiry of the

term, the location will be well established and a longer term lease can be considered once a Plan of Management has been adopted.

CONSIDERATIONS

Economic	Further develop a commercial centre that accommodates a variety of employment opportunities.
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	Crown Land Management Act 2016, Crown Land Management Regulation 2018 and Local Government Act 1993.
Risk	The risk is deemed to be Low. Tenure of vacant spaces which will result in income to Council. The risk is considered within Council's risk appetite.

ATTACHMENTS

Nil

CORP 02

**COVID-19 Response - City Development Fund
Rebate Program**

Strategic Direction	Generating Opportunity Attract businesses for economic growth and employment opportunities
File Ref	234632.2020
Report By	Vishwa Nadan - Chief Financial Officer
Approved By	George Hampouris - Acting Director City Corporate

EXECUTIVE SUMMARY

At its extraordinary meeting held on 9 June 2020, Council resolved:

EGROW01 Business Resilience Grants:

“By application rebate land owners in the CBD (excluding Westfield & Liverpool Plaza) that were affected by mandatory restrictions an amount equal to three months of “City Development Funds” levies where it can be demonstrated that a loss in rental income has occurred, providing they meet the same criteria as in the grants program”

Council requested staff to investigate a realistic way of capping these monies and to prepare a report back to Council.

Based on the analysis of five alternate capping options, it is recommended that Council endorse Option 5, being a rebate based on unimproved land values.

RECOMMENDATION

That Council:

1. Endorse a capped rebate by application for landowners in the Liverpool CBD (excluding Westfield & Liverpool Plaza) that were affected by mandatory restrictions and who can demonstrate a 30% loss in cashflow in line with Option 5 as outlined in the report;
2. Reallocate funds from the “Eat Your Heart Out” program to fund this initiative.

REPORT

At its extraordinary meeting on 9 June 2020, Council resolved:

“By application rebate land owners in the CBD (excluding Westfield & Liverpool Plaza) that were affected by mandatory restrictions an amount equal to three months of “City Development Funds” levies where it can be demonstrated that a loss in rental income has occurred, providing they meet the same criteria as in the grants program”

Council requested that staff investigate a realistic way of capping these monies and to prepare a report back to Council.

This report presents the financial impacts of this rebate modelled on 5 capping options ranging from uncapped to capping at various percentage increments. Option 5 proposes a capping option which has a differing cap applied based on the commercial property’s unimproved value. This is the recommended option as it is considered most equitable.

	Option 1	Option 2	Option 3	Option 4	Option 5
Proposed Formula	Rebate of 25% applied to all rate payers	Rebate of 25% capped at \$750	Rebate of 25% capped at \$1000	Rebate of 25% capped at \$1500	Rebates (based on unimproved land values) < \$1m = 25% < \$5m = \$500 < \$10m = \$1000 >\$10m = \$1500
Total	\$304,792	\$197,821	\$224,141	\$255,065	\$169,416
Estimated Cost to Council (assuming 50% applications are eligible)	\$152,396	\$98,911	\$112,071	\$127,533	\$84,708

Excluding Westfield, Liverpool Plaza and Council owned properties, there are in total 587 rate payers who pay the CDF levy. Assuming a 50% eligibility rate, Under Option 5, the distribution of rebates will be as follows:

	Rebate: 25%	Rebate: \$500	Rebate: \$1000	Rebate: \$1500
# of Rate Payers X 50%	192.5	92	6.5	2.5
Cost	\$28,458	\$46,000	\$6,500	\$3,750

Assuming 50 per cent of property owners apply for and are eligible for the grant, the cost impact under Option 5 will be \$84,708.

In line with the Councillor resolution, this capping will be applied through an application and assessment based on elements of the business resilience grants assessment process. Please note that due to the business resilience grants criteria being designed for assessing small businesses, much of the criteria would not be applicable for commercial property owners.

Out of the 7 criteria applied for the business resilience grants assessment, the only two which would be applicable for commercial property owners are:

- Have an ABN and have been trading for a minimum of 12 months (businesses which have been in operation for less than 12 months may be considered based on evidence of viability).
- Can demonstrate loss of cashflow of 30% (or 15% for not-for-profit organisations) in either the June or September BAS quarter i.e. March 2020 - June 2020 or July 2020 to September 2020 specifically pertaining to the lease agreement of the property (subject to the CDF levy) at question.

It is recommended that the above 2 criteria are applied to assess the eligibility for CDF relief for commercial property owners. Eligible applicants are proposed to have a credit applied to their rates accounts reflecting the CDF levy rebate.

It is noted that property owners may demonstrate loss through either the June or the September quarter. Only one rebate will apply per eligible property.

City Development Fund

The City Development Fund is currently fully committed however due to the cancellation of major events due to COVID restrictions, this has freed up allocated expenditure.

Due to COVID-19, the Eat Your Heart Out event for 2020 was cancelled due to social distancing requirements. \$166,200 was initially allocated to this project. These funds were to

be redirected to other projects, however to date, this has not been confirmed. Therefore, it is recommended that this budget allocation be redirected to fund this initiative.

CONSIDERATIONS

Economic	<p>This initiative is estimated to cost \$85,000 and will affect programming funded by the City Development Fund.</p> <p>Further develop a commercial centre that accommodates a variety of employment opportunities.</p> <p>Facilitate economic development.</p>
Environment	There are no environmental and sustainability considerations.
Social	There are no social and cultural considerations.
Civic Leadership	Operate a well-developed governance system that demonstrates accountability, transparency and ethical conduct.
Legislative	There are no legislative considerations relating to this report.
Risk	The risk is deemed to be Low.

ATTACHMENTS

Nil

CORP 03

Investment Report August 2020

Strategic Direction	Leading through Collaboration Seek efficient and innovative methods to manage our resources
File Ref	237915.2020
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 August 2020:

- Council held investments with a market value of \$282 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 123 basis points above the AusBond Bank Bill index;

	AusBond Bank Bill Index (BBI)
Benchmark	0.66%
Portfolio yield	1.89%
Performance above benchmarks	1.23%

- Return on investment was \$341k 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 21.61% of its portfolio in ADI's rated BBB and below.

RECOMMENDATION

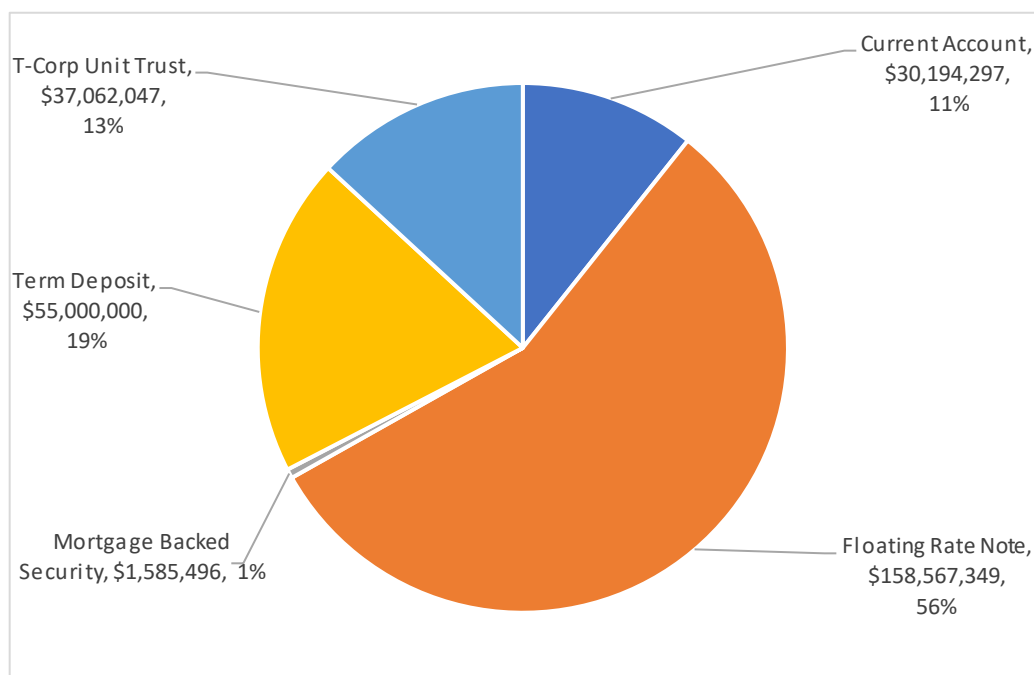
That Council receives and notes this report.

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 August 2020, Council held investments with a market value of \$282 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	Aug-20	Jun-20
Senior Debts (FRN's ,TCD's & FRB)*	101.19%	100.75%
MBS (Reverse Mortgage Backed Securities)	62.59%	62.11%
T-Corp Unit Trusts	102.95%	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 21.61% 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	30,194,297	10.69%			
Term Deposits < 1 Yr	40,000,000	14.16%			
T-Corp Unit Trust	37,062,047	13.12%			
Tradeable securities	158,567,349	56.15%			
Portfolio % < 1 Yr - (Short term liquidity)	\$265,823,693	94.13%	40%	100%	Yes
Term Deposit > 1 Yr < 3Yrs	15,000,000	5.31%	0%	60%	Yes
Grand Fathered Securities	1,585,496	0.56%	N/A	N/A	Yes
Portfolio % Medium term liquidity)	\$16,585,496	5.87%			Yes
Total Portfolio	\$282,409,189	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+	18,609,790	6.59%	25%	Yes
ANZ Banking Group Ltd	AA-	18,295,433	6.48%	25%	Yes
Auswide Bank Ltd	BBB	5,001,222	1.77%	15%	Yes
Bank Australia Ltd	BBB	3,499,636	1.24%	15%	Yes
Bank of China/Sydney	A	2,007,952	0.71%	25%	Yes
Bank of Communications Co. Ltd/Sydney	A-	3,011,508	1.07%	25%	Yes
Bank of Nova Scotia	A+	5,568,408	1.97%	25%	Yes
Bank of Queensland Ltd	BBB+	8,510,270	3.01%	15%	Yes
Bendigo & Adelaide Bank Ltd	BBB+	506,538	0.18%	15%	Yes
Citibank Australia Ltd	A+	1,004,116	0.36%	25%	Yes
Commonwealth Bank of Australia Ltd	AA-	42,000,037	14.87%	35%	Yes
Credit Union Australia Ltd	BBB	4,531,692	1.60%	15%	Yes
Emerald Reverse Mortgage Trust (Class A)	Unrated	720,079	0.25%	35%	Yes
Emerald Reverse Mortgage Trust (Class C)	Unrated	865,418	0.31%	2%	Yes
Heritage Bank Ltd	BBB+	3,516,121	1.25%	15%	Yes
HSBC Sydney Branch	AA-	8,021,678	2.84%	25%	Yes
Macquarie Bank	A+	9,080,944	3.22%	25%	Yes
Members Banking Group Ltd t/a RACQ Bank	BBB+	1,510,289	0.53%	15%	Yes
Members Equity Bank Ltd	BBB	1,606,874	0.57%	15%	Yes
National Australia Bank Ltd	AA-	33,420,118	11.83%	35%	Yes
Newcastle Permanent Building Society Ltd	BBB	3,553,726	1.26%	15%	Yes
NSW Treasury Corporation	AAA	35,962,865	12.73%	35%	Yes
NSW Treasury Corporation	AA	1,099,182	0.39%	35%	Yes
Police Credit Union	Unrated	2,000,000	0.71%	2%	Yes
Qbank	BBB-	4,487,503	1.59%	15%	Yes
Rabobank Australia Ltd	A+	4,021,812	1.42%	25%	Yes
Suncorp Bank	A+	8,058,118	2.85%	25%	Yes
Teachers Mutual Bank Ltd	BBB	2,116,708	0.75%	15%	Yes
Westpac Banking Corporation Ltd	AA-	49,821,155	17.64%	35%	Yes
Portfolio Total		\$282,409,189	100.00%		

Overall Portfolio Credit Framework compliance to Investment Policy

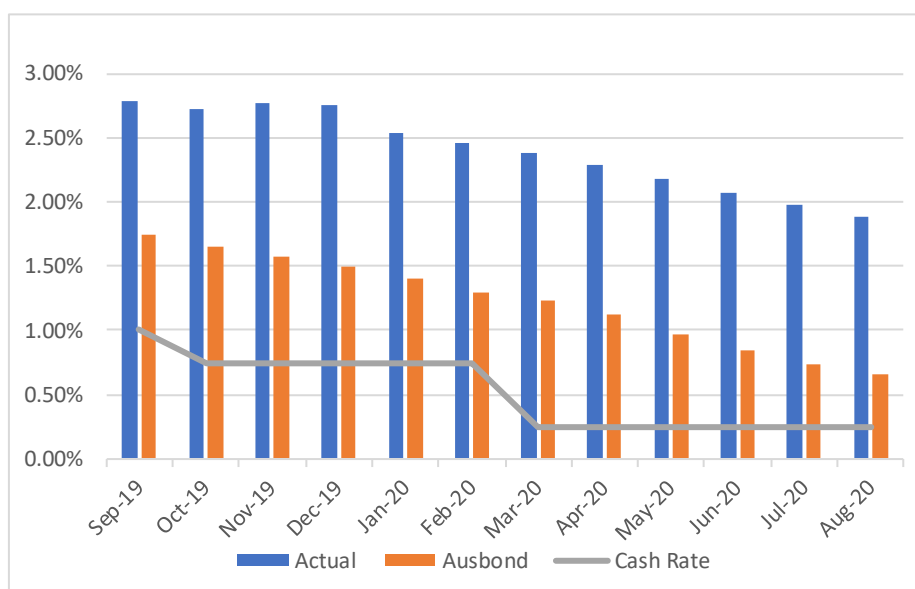
Credit Rating	Market Value	% Portfolio	Maximum Policy Limit	Complies to Investment Policy' "Yes/No"
AAA Category	35,962,865	12.73%	100%	Yes
AA Category	152,657,603	54.06%	100%	Yes
A Category	32,752,858	11.60%	60%	Yes
BBB Category	57,450,367	20.34%	40% - 45%	Yes
Unrated	3,585,496	1.27%	5% - 10%	Yes
Total Portfolio	\$282,409,189	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.

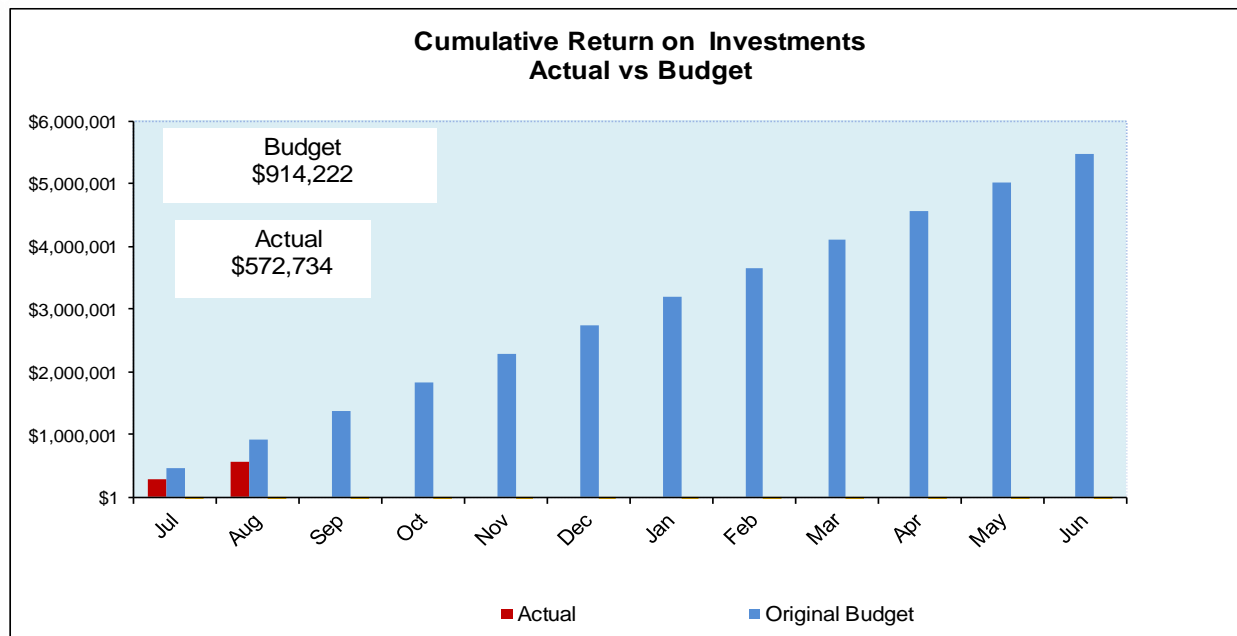
The portfolio yield to 31st August 2020 exceeded the AusBond Bank Bill index by 123 basis points (1.89% against 0.66%)

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 August 2020 is lower than the original budget by \$341k.



Investment Portfolio at a Glance

Portfolio Performance	✓	The portfolio yield to 31 st August 2020 exceeded the AusBond Bank Bill index by 123 basis points (1.89% against 0.66%).
Annual Income vs. Budget	✓	Council's investment interest income is lower than the original budget by \$341k as at 31 st August 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 1st September 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.

CONSIDERATIONS

Economic	Council's investment interest income is lower than the original budget by \$341k as at 31 st August 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	<p>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.</p> <p>Market interest is expected to stay at its lowest rate for a long period and will continue to put pressure on Council's budget.</p>

ATTACHMENTS

1. Investment Portfolio - August 2020



Portfolio Valuation As At 31 August 2020

Fixed Interest Security	Maturity Date	Security Rating	Face Value Current	Market Value	% Total Value	Running Yield
CBA Business Saver		AA-	16,140,290.14	16,140,290.14	5.72%	0.50%
CBA General Account		AA-	5,453,032.00	5,453,032.00	1.93%	0.10%
AMP Notice Account		BBB+	8,277,226.28	8,277,226.28	2.93%	1.05%
AMP Business Saver		BBB+	323,748.35	323,748.35	0.11%	0.70%
			30,194,296.77	30,194,296.77	10.69%	
Fixed Rate Bond						
AMP Bank	07/12/2020	BBB+	5,000,000.00	5,000,785.00	1.77%	2.99%
			5,000,000.00	5,000,785.00	1.77%	
Floating Rate Deposit						
Westpac	18/08/2022	AA-	6,000,000.00	6,000,000.00	2.12%	1.15%
			6,000,000.00	6,000,000.00	2.12%	
Floating Rate Note						
AMP Bank	10/09/2021	BBB+	5,000,000.00	5,008,030.00	1.77%	1.18%
ANZ Bank	09/05/2023	AA-	3,000,000.00	3,046,848.00	1.08%	1.00%
ANZ Bank	16/01/2025	AA-	3,000,000.00	3,036,708.00	1.08%	1.13%
ANZ Bank	29/08/2024	AA-	5,000,000.00	5,062,805.00	1.79%	0.86%
ANZ Bank	06/12/2023	AA-	7,000,000.00	7,149,072.00	2.53%	0.86%
Auswide Bank	06/11/2020	BBB	2,000,000.00	2,001,222.00	0.71%	1.20%
Bank Australia	30/08/2021	BBB	1,500,000.00	1,508,778.00	0.53%	1.39%
Bank Australia	02/12/2022	BBB	2,000,000.00	1,990,858.00	0.70%	1.00%
Bank of China (Australia)	19/04/2021	A	2,000,000.00	2,007,952.00	0.71%	1.13%
Bendigo and Adelaide	25/01/2023	BBB+	500,000.00	506,538.00	0.18%	1.15%
BOQ	18/05/2021	BBB+	1,000,000.00	1,008,206.00	0.36%	1.27%
BOQ	26/10/2020	BBB+	1,500,000.00	1,502,064.00	0.53%	1.58%
Citibank, N.A.	14/11/2024	A+	1,000,000.00	1,004,116.00	0.36%	0.98%
Commonwealth Bank	25/04/2023	AA-	3,000,000.00	3,039,468.00	1.08%	0.90%
Commonwealth Bank	16/08/2023	AA-	7,500,000.00	7,631,970.00	2.70%	1.03%
Commonwealth Bank	11/01/2024	AA-	9,500,000.00	9,735,277.00	3.45%	1.24%
Credit Union Australia	06/09/2021	BBB	2,000,000.00	2,016,552.00	0.71%	1.35%
Credit Union Australia	24/10/2024	BBB	2,500,000.00	2,515,140.00	0.89%	1.22%
Heritage Bank	29/03/2021	BBB+	3,500,000.00	3,516,121.00	1.25%	1.33%
HSBC	27/09/2024	AA-	2,000,000.00	2,002,772.00	0.71%	0.93%
HSBC	27/09/2024	AA-	3,000,000.00	3,004,158.00	1.06%	0.93%
HSBC Bank Australia	07/12/2022	AA-	3,000,000.00	3,014,748.00	1.07%	0.90%
Macquarie Bank	21/06/2022	A+	2,000,000.00	2,014,852.00	0.71%	0.85%
Macquarie Bank	12/02/2025	A+	3,000,000.00	3,032,028.00	1.07%	0.90%
Macquarie Bank	07/08/2024	A+	4,000,000.00	4,034,064.00	1.43%	0.94%
Members Equity Bank	16/04/2021	BBB	1,600,000.00	1,606,873.60	0.57%	1.37%
NAB	16/05/2023	AA-	2,000,000.00	2,031,432.00	0.72%	1.00%
NAB	26/09/2023	AA-	4,000,000.00	4,069,944.00	1.44%	1.03%
NAB	19/06/2024	AA-	4,000,000.00	4,070,424.00	1.44%	1.03%
NAB	26/02/2024	AA-	5,000,000.00	5,108,430.00	1.81%	1.14%
NAB	26/09/2023	AA-	8,000,000.00	8,139,888.00	2.88%	1.03%
Newcastle Permanent	06/02/2023	BBB	1,500,000.00	1,522,854.00	0.54%	1.75%
Newcastle Permanent	24/01/2022	BBB	2,000,000.00	2,030,872.00	0.72%	1.50%
QBANK	14/12/2021	BBB-	1,000,000.00	1,001,363.00	0.35%	1.60%
QBANK	25/03/2022	BBB-	1,500,000.00	1,499,041.50	0.53%	1.50%
QBANK	06/12/2022	BBB-	2,000,000.00	1,987,098.00	0.70%	1.25%
Rabobank Australia Branch	03/03/2022	A+	2,000,000.00	2,021,812.00	0.72%	1.18%
RACQ Bank	23/05/2022	BBB+	1,500,000.00	1,510,288.50	0.53%	1.16%
ScotiaBank	07/09/2023	A+	2,500,000.00	2,536,890.00	0.90%	1.02%
ScotiaBank	08/09/2022	A+	3,000,000.00	3,031,518.00	1.07%	1.08%
Suncorp	16/08/2022	A+	1,000,000.00	1,011,676.00	0.36%	1.49%

					%	
Fixed Interest Security	Maturity Date	Security Rating	Face Value Current	Market Value	Total Value	Running Yield
Suncorp	12/04/2021	A+	2,000,000.00	2,013,812.00	0.71%	1.07%
Suncorp	30/07/2024	A+	2,000,000.00	2,013,052.00	0.71%	0.88%
Suncorp	30/07/2024	A+	3,000,000.00	3,019,578.00	1.07%	0.88%
Teachers Mutual Bank	02/07/2021	BBB	2,100,000.00	2,116,707.60	0.75%	1.47%
Westpac	16/08/2024	AA-	2,500,000.00	2,541,915.00	0.90%	0.93%
Westpac	24/04/2024	AA-	4,000,000.00	4,102,304.00	1.45%	1.05%
Westpac	06/03/2023	AA-	5,000,000.00	5,065,480.00	1.79%	1.24%
Westpac	16/11/2023	AA-	6,000,000.00	6,111,456.00	2.16%	0.98%
			148,700,000.00	150,555,056.20	53.31%	
Floating Rate TCD						
Bank of Communications	28/10/2022	A-	3,000,000.00	3,011,508.00	1.07%	0.99%
			3,000,000.00	3,011,508.00	1.07%	
Mortgage Backed Security						
EmeraldMBS2006-1A	21/08/2051	Unrated	1,033,041.87	720,078.74	0.25%	0.55%
EmeraldMBS2006-1C	21/08/2056	Unrated	1,000,000.00	572,731.00	0.20%	1.30%
EmeraldMBS2007-1C	23/07/2057	Unrated	500,000.00	292,686.50	0.10%	1.05%
			2,533,041.87	1,585,496.24	0.56%	
Term Deposit						
Auswide Bank	06/09/2021	BBB	3,000,000.00	3,000,000.00	1.06%	1.80%
BOQ	07/09/2020	BBB+	1,000,000.00	1,000,000.00	0.35%	3.00%
BOQ	07/09/2020	BBB+	1,000,000.00	1,000,000.00	0.35%	3.00%
BOQ	07/02/2022	BBB+	2,000,000.00	2,000,000.00	0.71%	3.75%
BOQ	08/02/2021	BBB+	2,000,000.00	2,000,000.00	0.71%	3.60%
NAB	30/09/2020	AA-	3,000,000.00	3,000,000.00	1.06%	1.60%
NAB	04/11/2020	AA-	2,000,000.00	2,000,000.00	0.71%	0.77%
NAB	24/03/2021	AA-	5,000,000.00	5,000,000.00	1.77%	0.72%
Police Credit Union SA	16/08/2021	Unrated	2,000,000.00	2,000,000.00	0.71%	3.20%
Rabobank Australia Branch	29/08/2022	A+	2,000,000.00	2,000,000.00	0.71%	3.38%
Westpac	31/08/2022	AA-	2,000,000.00	2,000,000.00	0.71%	3.32%
Westpac	28/09/2020	AA-	4,000,000.00	4,000,000.00	1.42%	3.05%
Westpac	28/09/2020	AA-	4,000,000.00	4,000,000.00	1.42%	3.05%
Westpac	14/12/2020	AA-	3,000,000.00	3,000,000.00	1.06%	2.88%
Westpac	21/12/2020	AA-	3,000,000.00	3,000,000.00	1.06%	3.00%
Westpac	02/09/2020	AA-	5,000,000.00	5,000,000.00	1.77%	1.59%
Westpac	08/09/2020	AA-	5,000,000.00	5,000,000.00	1.77%	1.62%
			49,000,000.00	49,000,000.00	17.35%	
F1 Total			244,427,338.64	245,347,142.21	86.88%	
Security Type			Face Value Current	Market Value		
NSWTC IM Cash Fund			35,000,000	35,962,865	12.73%	
NSWTC IM Short Term Income Fund			1,000,000	1,099,182	0.39%	
			36,000,000	37,062,047	13.12%	
F1 Total			244,427,339	245,347,142	86.88%	
Portfolio Total			280,427,339	282,409,189	100.00%	

INF 01

2019-20 Capital Works Carryover of Projects

Strategic Direction	Leading through Collaboration Strive for best practice in all Council processes
File Ref	219610.2020
Report By	Raj Autar - Director City Infrastructure and Environment
Approved By	George Hampouris - Acting Director City Corporate

EXECUTIVE SUMMARY

Council, at its meeting held on 29 May 2019, adopted a budget as part of the 2019-20 Operational Plan including Council's Capital Works budget. Quarterly program reviews were undertaken in September 2019 and December 2019. The revised budget across Council was \$157,874,503.

This report identifies works that need to be carried over to the 2020-21 Program Year to enable Council to achieve the objectives of the 2019-20 Operational Plan. The amount being sought is \$23,437,875.

RECOMMENDATION

That Council approves the works and services listed in Attachment 1 with a remaining budget of \$23,437,875 to be carried over from the 2019-20 Program Year to the 2020-21 Program Year.

REPORT

A list of projects recommended to be carried over has been provided as Attachment 1. Explanations for the carryovers are included in this attachment as well.

In accordance with Clause 211 of the Local Government (General) Regulation 2005, Council approval is required to carryover these funds and continue those projects in 2020-21.

FINANCIAL IMPLICATIONS

There are no additional financial implications due to carryovers as all projects are fully funded.

CITY INFRASTRUCTURE AND ENVIRONMENT REPORT

CONSIDERATIONS

Economic	Deliver and maintain a range of transport, building and open space related infrastructure.
Environment	Deliver infrastructure that is environmentally friendly and sustainability focused.
Social	Promote active lifestyle by providing relevant public infrastructure. Provide safe and accessible transport facilities. Deliver high quality services for children and their families.
Civic Leadership	Provide information about Council's services, roles and decision making processes. Deliver services that are customer focused. Operate a well-developed governance system that demonstrates accountability, transparency and ethical conduct.
Legislative	Clause 211 of the Local Government (General) Regulation 2005 applies.
Risk	The risk is deemed to be Low.

ATTACHMENTS

1. Attachment 1 - 2019/20 Carryovers

CARRYOVERS 2019/2020

Unit	Project	Justification	General Funds	Grants and Contributions	s7.11 Reserve	DWM Reserve	Environment Levy Reserve	Stormwater Reserve	Property Reserve	Total	Comments
Buildings Construction	100905 - Water & Energy Conservation Delivery Program	This program is supporting the indoor pool HVAC replacement project at Michael Wenden Leisure Centre. Works in progress, completion delayed due to material from overseas (manufacturer delay due to COVID-19 situation). The project is complete.	185,000							185,000	Funds are required to meet contractual obligations.
	101370 - Casula Powerhouse Arts Centre Building Upgrades	The chimney supporting cable structural analysis is complete. Method of construction is being considered.	70,000							70,000	Funds are required to address a safety issue.
	101546 - Leisure Centre Upgrade Program Michael Wenden Leisure	Construction of the indoor pool HVAC replacement at Michael Wenden Leisure Centre is complete.	115,000							115,000	Funds are required to meet contractual obligations.
	101727 - Leisure Centre Upgrade Program Whitlam Leisure Centre	Works have started. Anticipated completion in October 2020.	325,000							325,000	Funds are required to replace switchboard.
	101789 - Library & Museum Rehabilitation Program	City Library Entry Upgrade project DA obtained in June 2020. Works will commence in September and be completed in October 2020.	45,000							45,000	
	101977 - Kokoda Oval Amenity Building Services	Department of Defence approval was prolonged and received in May 2020. Procurement process and engagement of Contractor is underway. Anticipated completion by December 2020.	150,000							150,000	Procurement process underway and should be completed.
	102095 - Warren Serviceway Car Park Lift Replacement	The project is completed.	330,000							330,000	Funds are required to meet contractual obligations.
	102386 - Heritage Conservation Program Collingwood House Upgrade	Works have commenced and will be completed in November 2020.	490,000							490,000	Funds are required to meet contractual obligations.
	102387 - Casula Powerhouse Arts Centre Lift Replacement	Installation completed. The Collingwood house project completion is based on anticipated savings from this project.	250,000							250,000	Funds are required to meet contractual obligations.
	102398 - Hoxton Park Road Office New Lift	The lift has been ordered and completion is expected by March 2021. Works have commenced.	500,000							500,000	Funds are required to meet contractual obligations.
	102399 - Cames Hill Community Centre Upgrades	Works Complete.	50,000							50,000	Funds are required to meet contractual obligations.
	102400 - City Library Lift Replacement	Works Complete.	130,000							130,000	Funds are required to meet contractual obligations.
	102401 - Cames Hill New Bin Enclosure	Works complete.	50,000							50,000	Funds are required to meet contractual obligations.
	102430 - Casula Powerhouse Arts Centre Chain Hoist Replacement	New chain hoist order has been placed, awaiting delivery from overseas. Anticipated completion by November 2020.	63,000							63,000	Funds are required to meet contractual obligations.
	102432 - Casula Powerhouse Arts Centre Air Conditioning Upgrade	Delivery of a new climate control system and modification of the AC system. This needed to be redesigned to meet COVID seating requirements.	140,000							140,000	
	102433 - Casula Powerhouse Arts Centre Roof Upgrade	Investigation completed, soffit rectification design and roof repair are underway.	150,000							150,000	Funds are required to meet contractual obligations.
Civil Construction	101513 - Gross Pollution Trap	Trash rack type Gross Pollutant Trap (GPT) at Iraking Avenue in Moorebank. Delay caused due to design changes. Design is underway.	130,000							130,000	
	101813 - Georges River Foot Bridge Voyager Point	Project delay due to necessary structural analysis and loading capacity of the bridge required to determine allowable construction equipment and scaffolding loading. Construction is planned to commence in November 2020.	1,330,000							1,330,000	Funding is from a \$2.04M grant each to Liverpool and Canterbury Bankstown Councils. These additional funds are required to meet the project cost.
	102348 - Bridges Rd, Moorebank - Newbridge to North End	Project delay caused due to pending Sydney Water main installation works. Works planned to commence in November 2020.	429,000							429,000	Works were deliberately deferred until now to allow Sydney Water to complete the works first.
	102361 - Greendale Rd, Greendale - Ch 5280 To Ch 6140	Delay caused due to design changes and road realignment, options development. Works planned to commence in November 2020.	748,000							748,000	This is the next stage of upgrading Greendale Road which will improve the safety of the road.
	102369 - Kingsford Smith Ave & Southern Cross Rd, Middleton Grange -	Extended delay caused due to power pole relocation required by the developer as part of the DA condition. Works commencing in October 2020.	206,000		100,000					306,000	The local residents are keen for this roundabout to be delivered.

CARRYOVERS 2019/2020

Unit	Project	Justification	General Funds	Grants and Contributions	s7.11 Reserve	DWM Reserve	Environment Levy Reserve	Stormwater Reserve	Property Reserve	Total	Comments
	102376 - College St - Granite Paving and Street Lighting (MFP)	Works planned over two financial years. Lighting contractor will complete works in September. Paving works being deferred until early 2021, pending completion of services extension for the hospital.	1,065,000							1,065,000	Funds are required to meet contractual obligations.
	102413 - GPT Pearce Park, Liverpool	Delay caused due to contaminated waste found during the excavation. Contract issued, project is presently being delivered. Completion expected in October 2020.	171,000							171,000	Funds required to meet contractual obligations.
	102414 - GPT Anzac Creek	Savings in budget to be transferred to CP102413 to pay for contaminated waste disposal cost.	273,000							273,000	
Floodplain and Water Management	102288 - Austral & Leppington North - Basin 6,11and 12 - Design	Project was delayed due to the complexity associated with the design of Basin 6. Project was planned to be delivered over two financial years. Unspent budget is being carried over to complete the project.			125,000					125,000	Funds are required to meet contractual obligations.
	102416 - GPTs - Design	Project was delayed due to the time taken to finalise procurement. Project was planned to be delivered over two financial years. Unspent budget is being carried over to complete the project.						32,550		32,550	Funds are required to meet contractual obligations.
	102435 - Flood Mitigation - Open Channel Design	Project was delayed due to the complexity of the issue related to the design guideline. Carry over is required to complete the project in 2020/21.						39,500		39,500	Funds are required to meet contractual obligations.
Investigations and Design	102286 - Liverpool CBD Traffic Improvement Design - Queuing at Gill Av and Hoxton Park Road	Design project was delayed due to additional time required for necessary investigation. Project is being delivered over two financial years.	20,000							20,000	Design project was delayed due to additional time required for necessary investigation. Project is being delivered over two financial years.
Open Space Construction	100015 - Playground Replacement Program	Works Completed.	40,000							40,000	Funds are required to meet contractual obligations.
	100621 - Casula Parkland Corridor	Works Completed.	70,000							70,000	Contractor has been engaged and funds committed to project.
	101522 - Outdoor Fitness Gym Program	Works Completed.	23,000							23,000	Funds are required to meet contractual obligations.
	101795 - Apex Park - Key Suburb Park Upgrade	Will be completed in October.	409,950							409,950	Contractor has been engaged and funds committed to project.
	102094 - Lt Cantello Reserve - Regional Playground	Project to be delivered over two financial years. Design and community consultation completed. Works currently being tendered for delivery in 20/21	100,000		270,000					370,000	This project will provide an inclusive playspace, developed in partnership with Variety Australia.
	102381 - Schoeffel Park - Key Suburb Park	Project to be delivered over two financial years. Stage 1 works will be completed in September 2020. Stage 2 and 3 works are grant funded and delivery will commence shortly afterwards.	408,000							408,000	Contractor has been engaged and funds committed to project.
	102385 - Basin 14 - Local Park Design	Delay to the design of the basin impacted on the delivery of designs for the adjoining park.			100,000					100,000	Project to be deferred until 20/21, budget is required to complete all design and investigation works.
	102417 - McGirr Park - Tennis Court Facility	All works complete.	329,000							329,000	Funds are required to meet contractual obligations.
	102426 - Croatia - Local Park Construction	Project to be delivered over two financial years. Delay due to asbestos finds and Contractor being engaged under new RCL. Design being completed following community consultation. Delivery is planned for completion in March 2021.			279,200					279,200	The local residents are keen for this park to be delivered.
Strategic Projects	101452 - River Connection Georges River Pedestrian Bridge - Design	This project is to be delivered over two financial years. The design is now almost 80% complete. Project cost estimates will become more accurate as the design nears to completion. This budget carryover is required to meet contractual commitments.			170,000					170,000	

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CARRYOVERS 2019/2020

Unit	Project	Justification	General Funds	Grants and Contributions	s7.11 Reserve	DWM Reserve	Environment Levy Reserve	Stormwater Reserve	Property Reserve	Total	Comments
	102169 - Wattle Grove Master Plan	Awaiting response from centre management.	26,220							26,220	
	102193 - LCC Development Corp	Project currently on hold and is subject to confirmation of Council direction and resourcing.	308,640							308,640	
	102402 - Woodward Park Activation	Delay in community and stakeholder consultation due to COVID-19 and subject to agreed master plan.	500,000							500,000	
	102446 - Lurnea Affordable Housing	Further review was requested by Council and the project is underway.	33,800							33,800	
			17,543,078	1,409,962	2,695,700	1,172,775	126,000	72,050	418,310	23,437,875	

NEW INITIATIVES

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BUDGET VARIATION

Total Budget Variation			17,543,078	1,409,962	2,695,700	1,172,775	126,000		418,310	23,437,875	

CTTE 01	Meeting Notes of the Liverpool Access Committee meeting held on 13 August 2020
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Strategic Direction	Creating Connection Implement access and equity for all members of the community
File Ref	232120.2020
Report By	Galavizh Ahmadi Nia - Manager Community Development and Planning
Approved By	Tina Sangiuliano - Acting Director City Community and Culture

EXECUTIVE SUMMARY

This report is tabled in order to present the Meeting Notes of the Liverpool Access Committee Meeting held on 13 August 2020.

RECOMMENDATION

That Council receives and notes the Meeting Notes of the Liverpool Access Committee Meeting held on 13 August 2020.

REPORT

The Meeting Notes of the Liverpool Access Committee meeting held on 13 August 2020 are attached for the information of Council.

The Meeting Notes identify several actions for Council staff to undertake, none of which have any financial impact on Council.

CONSIDERATIONS

Economic	There are no economic and financial considerations.
Environment	There are no environmental and sustainability considerations.
Social	Support access and services for people with a disability.

Civic Leadership	Encourage the community to engage in Council initiatives and actions.
Legislative	There are no legislative considerations relating to this report.
Risk	There is no risk associated with this report.

ATTACHMENTS

1. Meeting notes of the Liverpool Access Committee meeting held on 13 August 2020
2. Changing Places Directory August 20
3. Your Story Presentation to Access Committee meeting 13 August 2020



This meeting was recorded for minute taking purposes
This meeting occurred via MS Teams

NOTES FROM LIVERPOOL ACCESS COMMITTEE

13 August 2020

COUNCILLORS:

Mayor Waller
Councillor Shelton
Councillor Rhodes
Councillor Harle

Liverpool City Council (**Chairperson**)
Liverpool City Council
Liverpool City Council
Liverpool City Council

COMMITTEE MEMBERS:

Jim Simpson
Ellie Robertson
Peter Fraser

Community Representative
Community Representative
Community Representative

COMMUNITY MEMBERS:

Craig Simpson

Community Representative

COUNCIL ATTENDEES:

Josephine Zappia

Community Development Worker (**Minutes**)

APOLOGIES:

Christine O'Neill

Community Representative

OPEN

Meeting opened at 1:10 pm.

1. WELCOME, ATTENDANCE AND APOLOGIES

Mayor Wendy Waller opened the meeting, welcomed everyone and noted apologies.

2. DECLARATIONS OF INTEREST

Nil



3. CONFIRMATION OF PREVIOUS MINUTES

The meeting notes from the previous meeting held on 11 June 2020 were circulated to the Committee. No quorum was identified at this meeting.

4. GUEST SPEAKER – Silva Osaki and Elanor Holden, Legal Aid NSW

Silva Osaki and Elanor Holden from Legal Aid NSW presented on 'Your Story Disability Legal Support', a national free and independent service offering legal information and advice to People with a Disability. It enables those individuals to safely share their story with the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with a Disability. The PowerPoint presentation from the meeting is attached to the meeting notes.

Queries and Discussion

1. Is 'Your Story Disability Legal Support' Government funded?

Response: Yes, it is funded by the Attorney General's Department. Several organisations have been funded to support and assist people to engage with the Royal Commission.

ACTION: Community Development Worker to facilitate an introduction between Your Story Disability Legal Support and the Liverpool Elders network.

ACTION: Community Development Worker to share information about Your Story Disability Legal Support with community centres, libraries and the South West Aged and Disability Forum.

5. BUSINESS ARISING FROM PREVIOUS MINUTES

Responses to actions from the previous meeting are included in the attached table at the end of the meeting notes. Further discussion regarding these items are included under General Business.

6. ACCESS NOTIFICATIONS

Peter Fraser commended the City Works team for repairing the concrete lifting on the footpath at 108 Hoxton Park Road and for clearing the footpath from overgrown vine trees at the corner of Flowerdale Road and Hoxton Park Road, Liverpool. These footpaths are now accessible to people on wheelchairs and motor scooters.

Committee members discussed the approach to the walkway on both sides of the bridge at Moore Street and Brickmakers Creek. The concrete is broken and is dangerous for anyone on a wheelchair or scooter. The walkway is only wide enough for one device. Peter Fraser queried if the walkway can be expanded by half a metre and repair the broken footpath.



Committee members raised concerns regarding the corner of Moore Street and Flowerdale Road. There is a hole in the footpath next to the access opening at the curb and gutter. The hole is in a dangerous position as it is next to the ramp, and if a wheel drops into the hole, the person could fall off their wheelchair or scooter.

There are broken footpaths on the corner of Hume Highway and Cumberland Street, which is dangerous for those on wheelchairs or scooters.

ACTION: Council to investigate repairing the footpaths at the following locations:

- Moore Street and Brickmakers Creek – broken concrete and investigate options to expand the walkway;
- Moore Street and Flowerdale Road – hole in the footpath next to access opening; and
- Hume Highway and Cumberland Street – broken footpath.

ACTION: Community Development Worker to draft a letter of thanks to be sent to the City Works team on behalf of the Committee for repairing the footpaths at 108 Hoxton Park Road.

7. GENERAL BUSINESS

7.1 Illegal dumping on Memorial Avenue, Liverpool

Peter Fraser expressed concerns relating to illegal dumping adjacent to the bus stops on Memorial Avenue. Rubbish is found on the footpath and in shopping trolleys on the street and footpaths at these bus stops. This rubbish blocks the footpath to people on wheelchairs or scooters. Trolley trackers will not collect trolleys if there is rubbish in them. There is a lack of education amongst residents in the area on illegal dumping. Mayor Waller suggested adding signage on illegal dumping at bus stops in different languages to help raise awareness of the issue.

ACTION: Council to install signage and further investigate options for community education in various languages around illegal dumping.

7.2 Update on speed humps at Liverpool Westfield

Committee members discussed the initiative at the Liverpool Catholic Club on Hoxton Park Road to address the accessibility issues of the speed humps in the carpark. Previously, a person in a wheelchair or electric scooter could not go over the speed humps or pass by the side of the speed humps. The Access Committee raised this issue with the Catholic Club, who responded by reducing the width of the speed humps by 2 meters on either side, which allowed for a gap between the curb and speed hump for people on wheelchairs or electric scooters to pass through.

Committee members queried whether a similar approach could be taken at Liverpool Westfield.



ACTION: Community Development Worker to investigate industry standards for speed humps and clarify that Liverpool Westfield speed humps meet the standard.

7.3 Access Committee membership term

Committee members discussed the two-year term of the Access Committee. There are concerns that two years is not long enough for members to get settled in the role and proposed a three-year term which would give members more time to adapt.

The Community Development worker noted that the Youth Council has moved to a three-year term, but they also have a maximum membership period of two terms (six years). The Access Committee does not have a maximum membership period and therefore members can re-apply to be when the current term finishes.

Mayor Waller suggested that the membership remain a two-year term in the Charter and review this in 12 months' time.

7.4 Endorsement of Liverpool Access Committee 2020 – 2022

Community Development staff conducted interviews for 13 applicants and have recommended 12 new members to the Access Committee. This includes 4 existing members and 8 new members. The proposed members will be presented to Council at the August meeting for endorsement.

There is a diverse range of knowledge, skills and experience amongst the new committee, as well as genuine passion for making Liverpool more accessible and inclusive for people with disability.

7.3 Changing Places Toilet Facilities

Ellie Robertson shared a news article which detailed how the UK is making Changing Places toilets compulsory in shopping centres, supermarkets and sports and arts venues from 2021. This information share is included with the minutes.

Ellie Robertson suggested that Liverpool should follow the lead of other councils such as Penrith and Campbelltown and have a changing places toilet available in Liverpool. It was noted that a Westfield in Queensland has a changing places toilet and suggested that the new works at Liverpool Westfield could include a changing places toilet.

ACTION: Council to investigate whether a changing places toilet facility can be included in the Liverpool Civic Place design.

ACTION: Council to advocate to Liverpool Westfield for the inclusion of a changing places toilet in the new development.

8. CORRESPONDENCE

Nil.



CLOSE

Meeting closed at 2:40 pm.

Next meeting will be held 8 October 2020 at 1:00pm-3:00pm. Location to be confirmed pending social distancing restrictions.

RESPONSES TO ACTIONS FROM PREVIOUS MINUTES

Action	Response
Council to report back on the status of the application for the removal of a bus stop at Valley Plaza in Green Valley.	Council's Manager Traffic and Transport reported that Council has not authorised the removal of the bus stop. Last December, Council received an application from a traffic consultant, on behalf of the shopping centre owner, for the bus stop to be removed. The application was discussed with the Police and the local bus company and it was not supported.
Council to advise whether bus stops on Memorial Avenue, Liverpool are on a regular cleaning program during COVID-19.	The Waste team advised that bus stop cleaning has always been on a program and nothing has changed as a result of COVID-19.
Community Development Worker to follow up with the Liverpool Civic Place project team on whether the accessibility ramps and pedestrian crossing at the George St and Macquarie Street intersection on Scott Street will be upgraded.	The Liverpool Civic Place project manager advised that the repairs can be done by the construction team whilst they are completing the development as there may be a bit of footpath work to be completed around the development site. This item can be addressed directly at the time of construction rather than incorporating it in the DA design as the current conditions are not changing.
Community Development Worker to enquire about the accessibility plans for the lift at the new pedestrian overbridge at Railways Parade, Liverpool.	On Monday 10 August, the Strategic Projects Construction Manager provided the Design Consultant with larger lift dimensions that could accommodate a wide range of electric scooters and wheelchairs. The Design Consultant is happy to accommodate the use of larger dimensions for the lift.
Community Development Worker to request an update for the speed humps in the Liverpool Westfield car park and invite the Westfield manager to an Access Committee meeting.	<p>Community Development Worker followed up with the Centre Manager of Westfield Liverpool on the plan for a portable hoist in the toilet. It was advised that all works are planned as part of development, however works are on hold due to COVID-19.</p> <p>It was explained that the speed humps cause quite a bit of discomfort for people who are travelling in wheelchairs in a van or vehicle. The vehicle bumps significantly as they go over the</p>



	<p>humps, which jostle and cause people in wheelchairs to be shifted and cause discomfort. A smoother, more rounded speed hump would cause less jostling as it would allow for a more gradual progression of the vehicle over the hump.</p> <p>This feedback was taken on notice, however noted that current speed humps meet industry standards for car park exits due to safety. The Centre Manager is able to give a presentation to the Access Committee in the new year when the works will be underway.</p>
Community Development Worker to investigate amending the charter to extend the membership term to three years.	This matter was further discussed at the meeting of 13 August and it was agreed to remain as a two-year term, to be reviewed in August 2021.

Changing Places toilets for disabled people to be compulsory 19 July 2020

https://www.bbc.com/news/uk-england-53448846?fbclid=IwAR0z3s_ZoDJSS6BB0FqKl6Udk61lqeRqr0lUvj2Frh2UWcAYy3E6-IV1UA



Image copyright MUSCULAR DYSTROPHY UK Image

caption Changing Places have equipment such as a height-adjustable changing bench and a hoist

Large accessible toilets for severely disabled people - known as Changing Places - will be made compulsory for new buildings in England from 2021.

Shopping centres, supermarkets, sports and arts venues will be required to include at least one Changing Place, a government spokesman said.

The facilities include hoists, changing benches and space for carers.

Campaigner Zack Kerr said the announcement was "nothing short of life changing".

A government spokesman said there were more than 1,400 Changing Places toilets in the UK, compared with 140 in 2007, but more were needed to support about 250,000 severely disabled people. Population - 66 Million

Many disabled people have spoken about restricting their drinking to avoid needing the toilet when they were out, risking dehydration and urinary tract infections.

Other issues include sitting in soiled clothing until they find a suitable toilet or returned home, and carers having to change a disabled person on a dirty toilet floor.

Helen Whately, Minister for Care, said: "Compulsory Changing Places in new public buildings is a major step in reducing the health inequalities.

"All public spaces should cater for people with disabilities so they don't have to suffer discomfort, embarrassment, or even injury without access to a Changing Place."

The government's announcement will be a major change for building rules in England which now require Changing Places, which are at about 12 sq m, to be designed for new public buildings.

.....

Council pushes for more adult change facilities By [Alena Higgins](#) - April 22, 2020, 8:54

Penrith Council is seeking to make change facilities for people with a complex or profound disability mandatory in certain publicly-accessible buildings, going above and beyond national codes.

The amendments to the Penrith Development Control Plan (DCP), which are currently on public exhibition, will make Council the first in NSW and possibly Australia to include additional building types, other than those under the National Construction Code (NCC), that require the installation of adult change facilities.

In 2019, a change to the NCC was made to include standards for the provision of adult change facilities in certain types of buildings.

These include shopping centres with an occupancy of 3,500 people, sports venues capable of seating no less than 35,000 spectators, or which contains an accessible swimming pool, as well as museums, art galleries and theatres – or similar – that have an occupancy of no less than 1,500 patrons.

In addition to those already required by the NCC, Council proposes to include shopping centres with a capacity of 3,000 people or more, multi-tenanted specialised retail premises that are of a scale that they are considered a retail destination, major recreational facilities (sports stadiums, theme parks), large entertainment facilities and large clubs and pubs, via a provision in its DCP.

Disability advocate and Penrith Councillor Tricia Hitchen praised the move.

"I just wanted to thank the Council officers and Council itself for their work in the adult change room spaces," she said during Council's Ordinary meeting last month.

"The proposed amendments they are looking at here will make this Council the first Council in NSW – I think the first Council in Australia – to add the National Construction Code to other buildings other than the recommended ones, and I would like to thank Council for that work."

"It's a great achievement," Mayor Ross Fowler added.

The new controls are not intended to override the NCC, but rather complement its standards, according to a report prepared for Councillors.

"While these standards are supported, we believe that a number of additional building types that are publicly accessible should be required to install an adult change facility, above and beyond the NCC, to ensure that they can meet the needs of people with a complex or profound disability," it states.

Council has a strong record for leadership in the advocacy and delivery of adult change facilities.

At its meeting on February 27, 2017, Council resolved that all future city and town centre amenities are to have adult change facilities incorporated as standard.

[Alena Higgins](#)

Alena Higgins is the Weekender's Senior News Reporter, primarily covering courts and Council issues.

466 toilets average

9 toilets in Sydney


<https://toiletmap.gov.au/find#>


Department of Health


FAQ Suggest a toilet Register Log in


Use your current location to find toilets.


There are toilets with Changing Places on the map.

Carsa Bush Park Cafe

 97-99 Carwar Avenue, Carsa Park
 Open: unknown

Taronga Zoo

 Bradleys Head Road, Mosman
 Open: Oct-Mar 9:30am-5pm; Apr-Sep 9:30am-4:30pm

NSW Parliament House

 6 Macquarie Street, Sydney
 Open: Open variable hours

Sydney Airport - International Terminal

 International Terminal 1 Centre Road, Mascot
 Open: Open variable hours

Bankstown City Gardens

 Russ Street, Bankstown
 Open: Open daylight hours

There are more toilets that don't match your priorities and aren't displayed on the map. [Show these toilets.](#)

Can't find what you want?
 Type here to search

Map Satellite

Map data © 2020 Google

On-Screen Keyboard

About Copyright Disclaimer Privacy Accessibility Symbols Site map

3:19 PM 12/08/2020

THE NATIONAL PUBLIC TOILET MAP
A PROJECT OF THE NATIONAL CONTINENCE PROGRAM

Home Find Plan My Toilets Log in

Use your current location to find toilets. **Find**

Includes: Priorities:

There are toilets with Changing Places on the map.

Macarthur Square
200 Gilchrist Drive, Amberville
Open: Mon-Wed, Fri 9am-5:30pm; Thu 9am-9pm; Sat 9am-5:30pm; Sun 9am-5pm

Curry Reserve
40 Camden Valley Way, Elderslie
Open: Open daylight hours

There are more toilets that don't match your priorities and aren't displayed on the map. [Show these toilets.](#)

Map Satellite

Map data © 2020 Google Terms of Use

Feedback

Keyboard overlay:

Key	Home	Find	Plan	My Toilets	Log in
Tab	Home	Find	Plan	My Toilets	Log in
Enter	Home	Find	Plan	My Toilets	Log in
Shift	Home	Find	Plan	My Toilets	Log in
Ctrl	Home	Find	Plan	My Toilets	Log in
Alt	Home	Find	Plan	My Toilets	Log in
Esc	Home	Find	Plan	My Toilets	Log in
Space	Home	Find	Plan	My Toilets	Log in
Back	Home	Find	Plan	My Toilets	Log in
Forward	Home	Find	Plan	My Toilets	Log in
Print	Home	Find	Plan	My Toilets	Log in
Fullscreen	Home	Find	Plan	My Toilets	Log in
Close	Home	Find	Plan	My Toilets	Log in

THE NATIONAL PUBLIC TOILET MAP
A PROJECT OF THE NATIONAL CONTINENCE PROGRAM

Use your current location to find toilets.

Find

There are toilets with Changing Places on the map.

The Children's Hospital at Westmead
Hawsworth Street, Westmead
Open: Open 24 hours

Canopy Lane Cove
2 Rossmore Avenue, Lane Cove
Open: Open 24 hours

There are more toilets that don't match your priorities and aren't displayed on the map. [Show these toilets.](#)

Map Satellite

Map data © 2020 Google

Feedback

On-Screen Keyboard

Type here to search


3:25 PM 12/08/2020


THE NATIONAL PUBLIC TOILET MAP
A PROJECT OF THE NATIONAL CONTINENCE PROGRAM

Home Find Plan My Toilets

Use your current location to find toilets.



There are toilets with Changing Places on the map.

Moncrieff Community Park

 Bon Scott Crescent, Moncrieff
 Open: unknown

Corrigans Beach

 Beach Road, Batehaven
 Open: Open daylight hours

There are more toilets that don't match your priorities and aren't displayed on the map. [Show these toilets.](#)

Map Satellite

Includes:  Priorities: 

Map data ©2020 Google

331 PM 12/08/2020

THE NATIONAL PUBLIC TOILET MAP
A PROJECT OF THE NATIONAL CONTINENCE PROGRAM

Use your current location to find toilets.

Find

There are toilets with Changing Places on the map.

Kevin Walsh Oval
Churchill Street, Jamberoo
Open: Open 24 hours

There are more toilets that don't match your priorities and aren't displayed on the map. [Show these toilets.](#)

Map Satellite

Include: Priority:

Home Find Plan My Toilets

FAQ Suggest a toilet Register Log in

feedback

On-Screen Keyboard

Type here to search

333 PM 12/08/2020

[illegible]

THE NATIONAL PUBLIC TOILET MAP
A PROJECT OF THE NATIONAL CONTINENCE PROGRAM

Home Find Pan My Toilets

Use your current location to find toilets.

There are toilets with Changing Places on the map.

James Street
James Street, Mount Gambier
Open: Open 24 hours

May Park
Baillie Street, Northam
Open: Open 24 hours

Rotary Reserve
Esplanade, Victor Harbor
Open: Open daylight hours

There are more toilets that don't match your priorities and aren't displayed on the map. [Show these toilets.](#)

Include:
Priorities:

Map Satellite

Map data © 2020 Google Terms of Use

337 PM 12/08/2020

Type here to search

THE NATIONAL
PUBLIC TOILET MAP
A PROJECT OF THE NATIONAL CONTINENCE PROGRAM

Home Find Plan My Toilets

Use your current location to find toilets.

There are toilets with Changing Places on the map.

Castle Street Car Park
Castle Street, Coffs Harbour
Open 7am-9pm

Marina Drive
Marina Drive, Coffs Harbour
Open 8am-9pm

There are more toilets that don't match your priorities and aren't displayed on the map. [Show these toilets.](#)

Includes:
Priorities:

Map Satellite

Map data ©2020 Google Terms of Use

338 PM 12/08/2020

Type here to search

THE NATIONAL PUBLIC TOILET MAP
A PROJECT OF THE NATIONAL CONTINENCE PROGRAM

Home Find Plan My Toilets Log in Register Suggest a toilet FAQ

Use your current location to find toilets. **Find**

There are toilets with Changing Places on the map.

John Laws Park
Goodwin Terrace, Burleigh Heads
Open: Open variable hours

Pacific Fair Shopping Centre
Hooker Boulevard, Broadbeach Waters
Open: Mon-Wed, Fri-Sat 9am-5:30pm; Sun 9am-5pm

Washington Waters Park
Hemrie Parade, Southport
Open: Open 24 hours

Westfield Coomera
103 Foxwell Road, Coomera
Open: Open daylight hours

Map Satellite

Map data © 2020 Google Terms of Use

12:08:2020

The screenshot displays the National Public Toilet Map website, a project of the Australian Government Department of Health. The interface includes a search bar at the top with the text "Use your current location to find toilets." and a "Find" button. Below the search bar, there are filters for "Include:" and "Priorities:". The main map area shows a satellite view of Broome, Western Australia, with the Broome Recreation Aquatic Centre highlighted. The center is located on Cable Beach Road East, Djugun. The map also shows other nearby locations like Broome International Airport and Cable Beach. A sidebar on the right contains a list of results, including the Broome Recreation Aquatic Centre, with details such as "Open: Mon-Thur 5:45am-9am, Fri 5:45am-7:30pm, Sat-Sun 9am-5pm". The website footer includes links for "Home", "Find", "Pan", "My Toilets", "FAQ", "Suggest a toilet", "Register", and "Log in". The browser's address bar shows the URL "http://www.nationalpublictoiletmap.gov.au/".

THE NATIONAL PUBLIC TOILET MAP
A PROJECT OF THE NATIONAL CONTINENCE PROGRAM

Use your current location to find toilets. **Find**

Include: Priorities:

There are toilets with Changing Places on the map.

Broome Recreation Aquatic Centre
 Cable Beach Road East, Djugun
Open: Mon-Thur 5:45am-9am, Fri 5:45am-7:30pm, Sat-Sun 9am-5pm

There are more toilets that don't match your priorities and aren't displayed on the map. [Show these toilets.](#)

Home Find Pan My Toilets feedback

FAQ Suggest a toilet Register Log in

On-Screen Keyboard

Type here to search

1607 Ending Murray/Dillible C... A lion called Ch... 5 Ways Feral Cats B... Cruelty - Free Prod... AirKey online adm... Bible Matters danddaspireteah... National Public Toilet Map - Bro... DragonBar - Professional Individual Profile Tools Vocabulary Modes Audio Help The risk volume is at less to turn it on, you can use "wake up" or press its hot...

1607 Ending Murray/Dillible C... A lion called Ch... 5 Ways Feral Cats B... Cruelty - Free Prod... AirKey online adm... Bible Matters danddaspireteah... National Public Toilet Map - Bro... DragonBar - Professional Individual Profile Tools Vocabulary Modes Audio Help The risk volume is at less to turn it on, you can use "wake up" or press its hot...

1607 Ending Murray/Dillible C... A lion called Ch... 5 Ways Feral Cats B... Cruelty - Free Prod... AirKey online adm... Bible Matters danddaspireteah... National Public Toilet Map - Bro... DragonBar - Professional Individual Profile Tools Vocabulary Modes Audio Help The risk volume is at less to turn it on, you can use "wake up" or press its hot...

NATIONAL PUBLIC TOILET MAP
A PROJECT OF THE NATIONAL CONTINENCE PROGRAM

Use your current location to find toilets.

There are toilets with Changing Places on the map. Toilets situated close together have been clustered. Click on the cluster icon or zoom in to see them.

Memorial Park
Gabboldy Place, Mookering
Open: Open 24 hours

Duke Street
Odeon Street, Toodyay
Open: Open daylight hours

Guilderton Foreshore
Dewar Street, Guilderton
Open: Open daylight hours

Moora Recreation Ground
Roberts St, Moora
Open: Open 24 hours

Map interface showing various locations and icons for accessibility.

Footer: About Copyright Disclaimer Privacy Accessibility Symbols Site map

YOUR STORY

DISABILITY LEGAL SUPPORT

Free, independent legal support to share
your story with the Disability Royal Commission

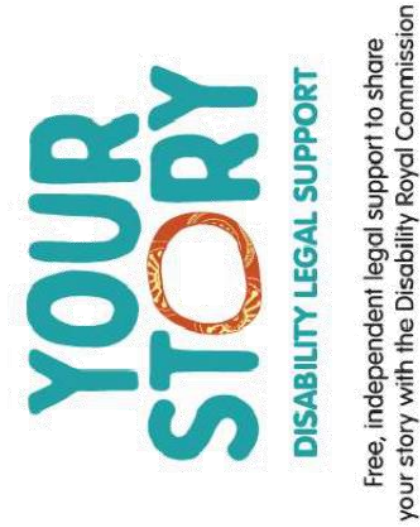
Changed our name



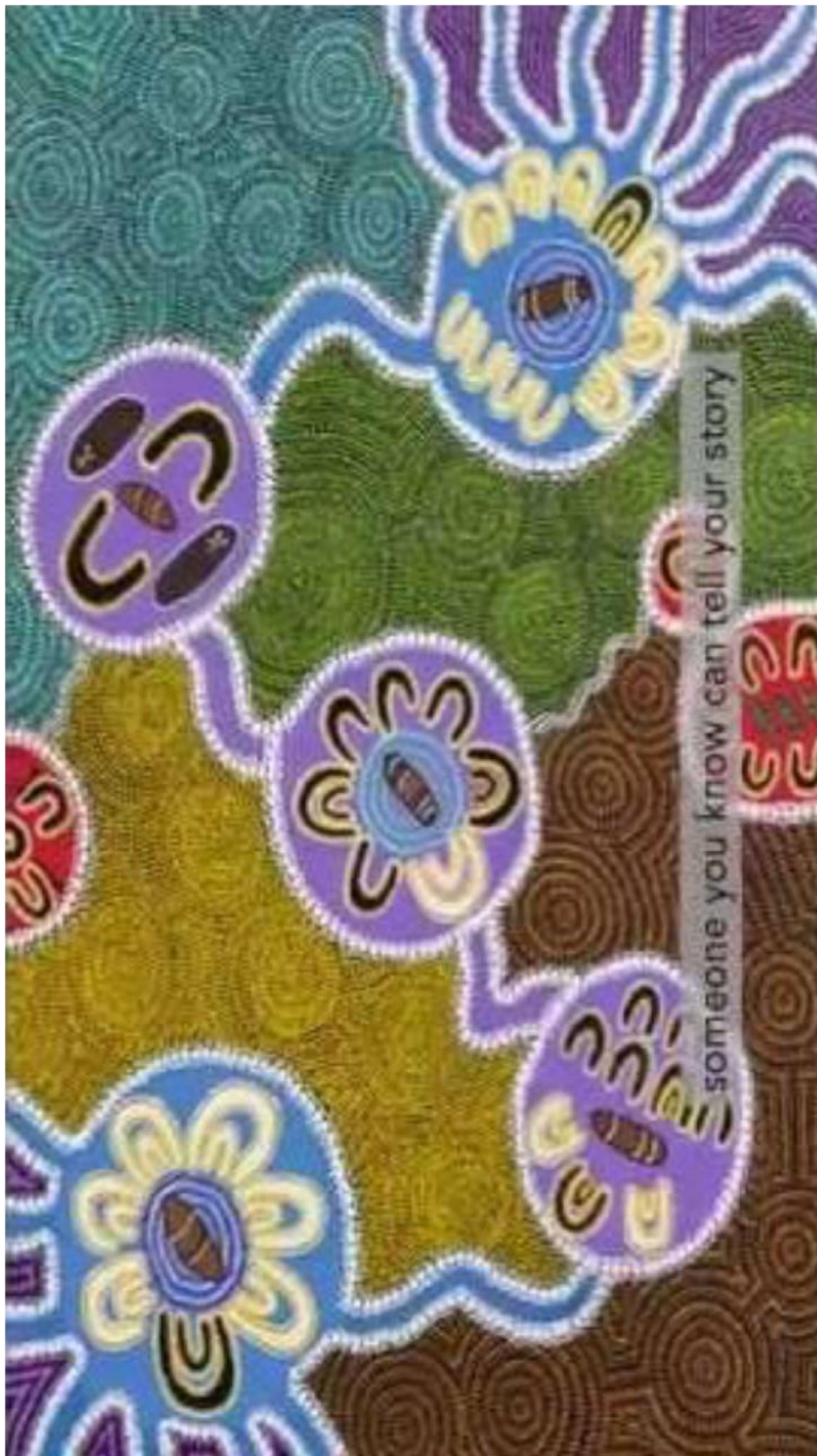
FROM THIS



TO



THIS



What are Royal Commissions?

Disability Royal Commission Apr 2019- Apr 2022

- In response to widespread reports of violence against, and the neglect, abuse and exploitation of, people with disability
- All settings and contexts, past and present
- Defines disability as any kind of impairment
- Will deliver recommendations to improve laws, policies, structures and practices to protect people with disability

What is the Disability Royal Commission ?



Speak at a community forum

Make a voluntary submission

Share your story at a private session

Give evidence (notice to produce or summons)

How to tell your
story to the
Disability Royal
Commission?



Provide legal advice and assistance to people who want to tell their story to the Disability Royal Commission

Independent from the Disability Royal Commission

Funded by the Commonwealth Attorney General's Department

Delivered by National Legal Aid and the National Aboriginal and Torres Strait Islander Legal Services

Your Story Disability Legal Support





Our Clients

- People with disability
- their Family or Carers
- their supporters or advocates

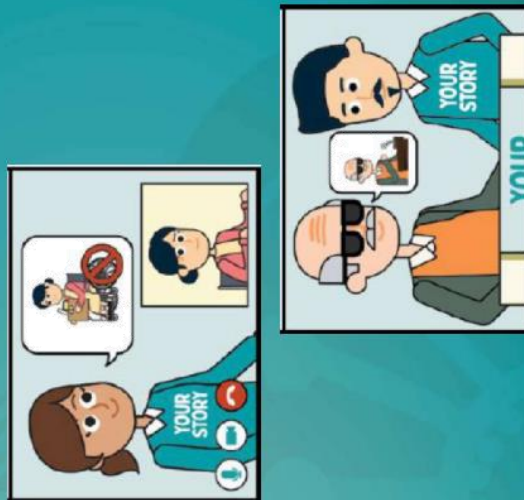
Our Service

- Information
- Legal advice
- Referrals

Our Approach

- No Wrong Door!

How we work



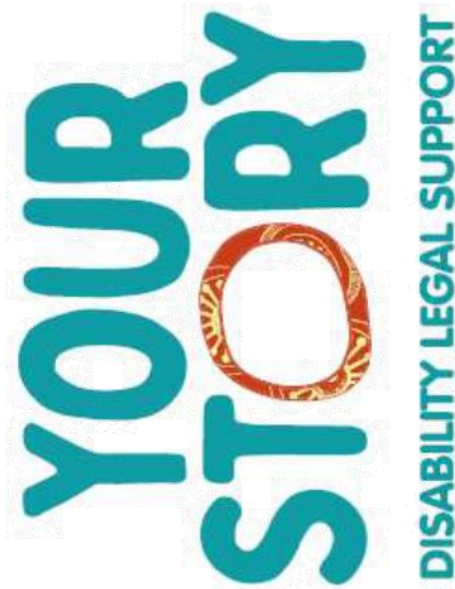
Increase awareness about us

Make introductions to us

Advise on how we can improve our
service delivery and accessibility

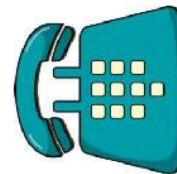
Working
together
with you



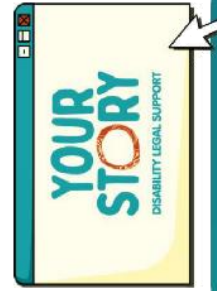


Free, independent legal support to share
your story with the Disability Royal Commission

Phone: 1800 771 800 (free call)



www.yourstorydisabilitylegal.org.au



CTTE 02

**Minutes of the Aboriginal Consultative
Committee meeting held on 6 August 2020**

Strategic Direction	Creating Connection Celebrate diversity, promote inclusion and recognise heritage
File Ref	233063.2020
Report By	Galavizh Ahmadi Nia - Manager Community Development and Planning
Approved By	Tina Sangiuliano - Acting Director City Community and Culture

EXECUTIVE SUMMARY

This report is tabled in order to present the Minutes of the Aboriginal Consultative Committee Meeting held on 6 August 2020.

RECOMMENDATION

That Council receives and notes the Minutes of the Aboriginal Consultative Committee Meeting held on 6 August 2020.

REPORT

The Minutes of the Aboriginal Consultative Committee meeting held on 6 August 2020 are attached for the information of Council.

The Minutes identify a number of actions for Council staff to undertake, none of which will have any financial impact on Council.

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. Promote community harmony and address discrimination.
Civic Leadership	Encourage the community to engage in Council initiatives and actions.
Legislative	There are no legislative considerations relating to this report.
Risk	There is no risk associated with this report.

ATTACHMENTS

1. Minutes of the Aboriginal Consultative Committee meeting held on 6 August 2020



Minutes

MINUTES FROM THE ABORIGINAL CONSULTATIVE COMMITTEE MEETING 6 August 2020

COUNCILLORS:

Mayor Wendy Waller
Councillor Geoff Shelton
Councillor Peter Harle

Liverpool City Council (**Chairperson**)
Liverpool City Council
Liverpool City Council

COMMITTEE MEMBERS:

Aunty Norma Shelley
Maggie Neal
Rosheen Sanders
Ruth Maginness
Christine Nickel
Kerriane Garrard
Sandra Kitching

Aboriginal Community Member
Aboriginal Community Member
Aboriginal Community Member
Aboriginal Community Member
Aboriginal Community Member
Aboriginal Community Member
Aboriginal Community Member

COUNCIL REPRESENTATIVES:

Javeria Hoda
Norma Burrows

Liverpool City Council (**Minutes**)
Liverpool City Council

APOLOGIES:

Aunty Gail Smith
Aunty Norma
Emma Eldridge
Amy Eldridge
Aunty Lexie Carrol

Aboriginal Community Member
Aboriginal Community Member
Aboriginal Community Member
Aboriginal Community Member
Aboriginal Community Member



Minutes

1. ACKNOWLEDGMENT TO COUNTRY

Mayor Wendy Waller welcomed everyone to the meeting and conducted the Acknowledgement to Country.

2. DECLARATIONS OF INTEREST

Nil.

3. CONFIRMATION OF THE PREVIOUS MINUTES

The minutes from the meeting held on 7 May 2020 were confirmed as a true record of that meeting.

4. BUSINESS ARISING FROM THE PREVIOUS MINUTES

ACTION: Community Development Worker (ATSI) to prepare a letter thanking Aunty Lexie Carol for her contribution to the Committee.

5. GENERAL BUSINESS

5.1 Naming Protocols

With the upcoming Western Sydney Airport, Aerotropolis and the new suburb development, the demand for indigenous street names is increasing. Members were informed that Council is reviewing the Place Naming Protocol, to include community consultation and input for future naming streets and suburbs.

ACTION: Committee members to suggest street names and provide ideas to create a naming protocol.

6. REPORTS BACK FROM COMMITTEES

Reports from the Local Aboriginal Research Committee and the Heritage Advisory Committee have not been received for this meeting.

6.1 Councillor's report

Councillor Geoff Shelton provided updates from the Council meeting held on 29 July:

- Council noted the resignation of Council's Internal Ombudsman, David Maguire;
- Council recognised the efforts of the City Economy team, who are working hard to promote business growth and continuity through grants during this unprecedented time;
- Council will investigate how to incorporate air quality into Development Application (DA) standards. Maintaining air quality within the LGA largely sits with State Government, however Council will consider ways to promote and prioritise clean air in our community;
- Council deferred the discussion on further business grants to the next Council meeting;



Minutes

- Council endorsed the Carnes Hill Recreational Precinct Stage 2 Masterplan, which will now be on public exhibition for community feedback;
- Council is undertaking a flood study of the Wianamatta and South Creek area surrounding the new Airport site. Updated flood maps were adopted by Council;
- Council discussed the Koala habitat corridors within the Liverpool LGA and noted that Liverpool has the only Chlamydia free population in all of NSW;
- Council also noted that Campbelltown City Council has been promoting itself as "Koala Town" and has generated quite a bit of revenue from related tourism as the Koala issue is close to many people's hearts;
- Council will be lobbying the Football Federation of Australia (FFA), the International Federation of Football (FIFA) and the State and Federal Governments to host teams, training games and other promotional opportunities for the 2023 FIFA Women's World Cup and investigate the feasibility of including World Cup opportunities in the Destination Management Plan;
- Council has been lobbying against the proliferation of toll roads within the Sydney Metropolitan area, especially M8 and M12, as these will have a significant impact on Liverpool;
- Council noted that the State Government has announced a fund of \$250 million dollars for open spaces and improvement of existing spaces. The fund is to be divided amongst Local Governments throughout NSW;
- Council's budget 2019/2020 Financial Year was adopted. Council noted the importance of maintaining the quality of services considering the recent impact of public health issues; and
- Council is in ongoing discussions in relation to the Civic Place development, which is located near the School and Arts building, near Governor Macquarie's Statue. The vision for the Civic Place development has gone through several iterations and is expected to be completed in the next few years.

Mayor Wendy Waller informed members of the Rates Hardship Committee. This Committee has been established to process applications from residents experiencing financial hardship due to the impacts of the COVID-19 and are finding it difficult to pay rates. Once the application is assessed and approved, residents will be permitted to defer rate payments, or alternatively set up a payment plan to assist with financial difficulty. Council is anticipating an influx in applications once Rates notices are posted to residents.

7. CLOSE

There being no further business, the meeting closed at 3.20pm.

8. NEXT MEETING

The next meeting will be held on 7 November 2020. Time and location to be confirmed pending social distancing restrictions.

CTTE 03

**Minutes of the Audit, Risk and Improvement
Committee Meeting held on 7 August 2020**

Strategic Direction	Leading through Collaboration Strive for best practice in all Council processes
File Ref	235215.2020
Report By	Chris Van Zyl - Acting Head of Audit, Risk and Improvement
Approved By	Dr Eddie Jackson - Acting Chief Executive Officer

EXECUTIVE SUMMARY

This report is tabled in order to present the Minutes of the Audit, Risk and Improvement Committee Meeting held on 7 August 2020.

RECOMMENDATION

That Council receives and notes the Minutes of the Audit, Risk and Improvement Committee Meeting held on 7 August 2020.

REPORT

The Minutes of the Audit, Risk and Improvement Committee held on 7 August 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	There are no economic and financial considerations.
Environment	There are no environmental and sustainability considerations.
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	<i>Local Government Act 1993, sections 8B and 23A</i>
Risk	<i>The committee discussed Council's Top 10 risks including the risk of an "outbreak of a major health pandemic", which is currently above Council's risk appetite, a number of controls are currently in place and is continuously monitored by management. Legislative compliance risk and the COVID-19 financial sustainability impacts on Council's budget was also discussed.</i>

ATTACHMENTS

1. ARIC Minutes 7 August 2020



Audit, Risk and Improvement Committee Minutes

7 August 2020 - Microsoft Teams Meeting - 9:30am - 12:30

Committee Members Present:

Andrew McLeod	Chairperson, Independent Member
Stephen Horne	Independent Member
John Gordon	Independent Member
Geoff Shelton	Councillor

Observers:

Karress Rhodes	Councillor	
George Hampouris	Acting Director City Corporate	
Chris Van Zyl	Acting Head of Audit, Risk and Improvement (Head of ARI)	
John Morgan	Director Property & Commercial Development	(Item 9.4 only)
Vishwa Nadan	Chief Financial Officer	
Hiba Soueid	Manager Corporate Strategy & Performance	
Jessica Saliba	Acting Coordinator Governance	
Lawrissa Chan	NSW Audit Office, Director, Financial Audit Services	(Items 9.4 & 7.1 only)
Greg Parks	NSW Audit Office, Audit Leader	(Items 9.4 & 7.1 only)
Rose Koch	Committees Officer (Minutes)	

1. WELCOME / OPENING

The Chairperson welcomed attendees and opened the meeting at 9:33 am.

2. APOLOGIES

Acting CEO and Deputy Mayor Karnib were acknowledged as apologies.

3. DECLARATIONS OF INTEREST

Independent Horne declared a non-pecuniary interest for item 10.1 of the agenda for having a commercial arrangement with Procure Group in relation to fraud work.

Clr Shelton and Clr Rhodes declared a non-pecuniary interest later in the meeting on item 9.1, point D on account of voting on this matter at a previous Council meeting.

4. CONFIRMATION OF PREVIOUS MINUTES

That the minutes of the Audit, Risk & Improvement Committee Meeting held on 1 May 2020 be confirmed as a true record of that meeting.

Motion

Moved: Clr Shelton

Seconded: Ind Gordon

9. RISK MANAGEMENT

9.4 Civic Place Project Update

This item was moved earlier in the meeting to be addressed.

Director Property & Commercial Development advised that a briefing on Liverpool Civic Place (LCP) was held on 28 July to update Councillors on the project. The internal audit recommendations and Council's position on the project was discussed. This is summarised as follows:

- The LCP vision is to anchor and catalyse development at the southern end of the Liverpool CBD. This is an opportunity to deliver a mixed-use A-grade facility in order to attract businesses and government agencies while establishing Liverpool as Sydney's third CBD;
- LCP consists of developer works including a hotel, commercial office space and retail, as well as Council works including Council facilities, a library and potentially space for University of Wollongong (UoW);
- The project development agreement was executed with Built Holdings in September 2019. The early works DA was lodged and determined in June 2020. The Council works DA is underway with lodgement expected for September 2020;
- The project will be funded partially by the NSW Treasury Corporation (TCorp) and commercial banks; and
- Demolition and excavation onsite is scheduled for September 2020 and completion of Council works is estimated for end of 2022 or early 2023.

Queries & Discussion

- A. The Chairperson queried whether the PCG membership is internal and whether Council had engaged an external probity advisor.

Director Property & Commercial Development confirmed that Council and Built Holdings have their own separate PCGs. Council had broadened the internal PCG to include the Director City Infrastructure & Environment and Acting Director City Community & Culture to provide input from their area of expertise. Any planning issues will be reported to the PCG.

The Chairperson queried whether this sufficiently addresses the recommendations put forward.

Director Property & Commercial Development advised that this will be discussed with Council's Acting CEO and will be reported back to the ARIC.

The Chairperson noted that himself and Independent Gordon had attended the audit briefing and were satisfied with the audit undertaken. The risk profile applied to the absence of funding agreements was likely more immediate than real, given Council's asset holdings and liquidity position. The risk rating of the finding in isolation based on Council's risk management methodology was accurate but in the broader scheme of Council's overall assets, it would not be as significant.

Independent Gordon noted the positive and timely response by Council staff on the recommendations put forward. Independent Gordon queried whether the engagement of an independent advisor to the project with a community perspective would be helpful.

Independent Gordon also queried whether Built Holdings have a timetable to finish their component of the project.

Director Property & Commercial Development advised the sunset clause on the contract is 5 years. Built Holdings proposes to have a DA lodged for the developer works by the end of 2020. UoW is being pursued to secure a tenancy agreement and Built will be pursuing their DA. If after 5 years they do not pursue, they don't pay the balance of the development rights fee. It's not until they secure and start the development that they would pay the balance. Council would be left with a site for DA approval for stage 2, which will then be a matter for Council to consider. Council does not lose the asset if the DA is not secured within the next 5 years.

Independent Gordon queried whether the changes in the legislation relating to the deferral of developer contributions would not apply to this contract. Director Property & Commercial Development advised that this will be taken on notice.

The Chairperson reiterated that it may be ideal to pursue an independent advisor or resource share from other Councils to strengthen the governance of the PCG.

Director Property & Commercial Development was praised for his efforts in responding to the panel recommendations in a timely manner.

- B.** Cllr Shelton made reference to the ARIC Attachment documents. Page 138 states *"VN advised that he has spoken to OLG and advised that the business case is only for the Council works component"* and Cllr Shelton was of the view that this contradicts the letter sent to Council's CEO dated 3 June 2020, on page 131. Council's current position was questioned.

Director Property & Commercial Development advised that it was agreed with the Office of Local Government (OLG) that the business case is for the Council works and a letter confirmation from OLG is expected in relation to this.

- C.** Cllr Shelton questioned which parts of the LCP Project Control Group meeting explicitly deals with cost saving measures negotiated with Built Holdings.

Director Property & Commercial Development confirmed that this was not discussed at the briefing and that the project is at the design and development phase. The details will be presented to Council. It was highlighted that the budget is maintained as endorsed by Council in October 2018.

Cllr Shelton queried whether a separate briefing to confirm funding options for the LCP will be held. Director Property & Commercial Development confirmed that the funding options will be presented to Council on 20 August 2020.

- D.** Cllr Shelton made reference to page 139 stating *"JM advised Water NSW potentially requires tanking of the basement"* and questioned whether other risks will surface in addition to the existing \$4 - \$5 million cost to the project. Council's position on any incremental cost was also questioned and when this will be known.

Director Property & Commercial Development advised that it was negotiated with Water NSW that there is no requirement to "tank the basement", which was potentially noted as a \$4 - \$5 million risk. This will be confirmed in the near future. Other risks are minimal at present. It is clear that any variations will be brought back to the PCG and Council for consideration.

Clr Shelton noted of concerns by Councillors in relation to cost issues and queried whether these details should have been raised earlier.

Director Property & Commercial Development highlighted that the budget is maintained as endorsed by Council in October 2018, any changes to the budget will be reported to Council.

- E.** The Committee was informed that the status of this project as a Private Public Partnership (PPP) is resolved. A letter from OLG is expected for confirmation.

RECOMMENDATION

That the Audit, Risk & Improvement Committee:

1. Receive and note the above LCP project update and PCG minutes.
2. That the letter from OLG be tabled to the next ARIC.
3. Receive an update at the next ARIC meeting regarding the implications (if any) on the project of recent legislation allowing deferral of developer contributions on large projects.

Motion

Moved: Independent Gordon

Seconded: Independent Horne

7. EXTERNAL AUDIT

7.1 NSW Audit Office - Interim Management Letter for the Year Ending 30 June 2020 (Late Paper)

This item was moved earlier in the meeting to be addressed.

Director, Financial Audit Services provided an overview of issues identified. The highlights were as follows:

- 7 issues are at moderate risk and 5 are low risk;
- Out of the 12 issues, 8 are repeat issues which Council will need to address;
- Progress has been made with the Legislative Compliance Register and the financial reporting manual, however the issues are not fully resolved; and
- For the interim phase the focus was on Council's IT controls, governance and new accounting standards.

Queries & Discussion

- A.** The Chairperson advised that he would like to hear from the management group on any issues preventing matters from being resolved.

The Chief Financial Officer added that the Legislative Compliance Register will be completed before the final audit. In the short term the security of EMT payments will not be resolved on time and Council is looking for appropriate software to resolve this matter. The OLG had issued guidance in relation to Council's accounting standards and it was believed this was a duplication. Council will follow these guidelines and note any exceptions.

Management had objected to the recommendation regarding the risk item of *"timeliness and capitalisation of infrastructure assets"*, found in the Interim Management Letter. Once works are complete, it is captured in the Assetic accounting system first, consisting of 2 components; physical and financial completion, which takes time. This information is reconciled and captured in the ledger. Management agreed to a 6 month reconciliation at this stage.

The Chairperson added that countenance should be given to the observations being made and adopt alternative measures to reduce the risks where possible.

Independent Gordon emphasised the importance of Council documenting its approach to confirm that it had appropriately addressed the new accounting standards that apply for the year ended 30 June 2020 particularly AASB 16 Leases which requires considerable analysis.

Acting Director City Corporate added that the Legislative Compliance Register has been appearing on the management letter over recent years. Council is confident that it will deliver a sustainable solution to manage legislative compliance over the next 3 months.

Independent Gordon acknowledged the work of management during the COVID19 period.

RECOMMENDATION

That the Audit, Risk & Improvement Committee:

1. Receive and note the NSW Audit Office Interim Management Letter.

Motion **Moved:** Independent Gordon **Seconded:** Independent Horne

5. ACTION TRACKING FROM MINUTES

5.1 Audit, Risk and Improvement Committee - Resolution Tracking

Acting Head of ARI reported that all the resolutions are on track for the Committee. The review of Council policies is currently an ongoing issue. A report is expected to be tabled to the February ARIC meeting.

Independent Gordon praised Acting Head of ARI for his efforts in managing the Committee's resolutions.

RECOMMENDATION

That the Audit, Risk & Improvement Committee note the progress made on the implementation of resolutions.

Motion **Moved:** Independent Gordon **Seconded:** Independent Horne

6. SPECIAL AGENDA ITEMS

No items.

8. INTERNAL AUDIT

8.1 Internal Audit Projects and Activities - 1 April to 30 June 2020

Acting Head of ARI reported that Council is currently working on updating the Strategic Internal Audit plan which will be reported to the next ARIC meeting. Meetings will be arranged with the Directors for their input into the plan. The focus currently is on the previous Strategic Audit Plan.

Independent Horne added that the number of overdue audit actions is not remarkable, however it is growing and the items are becoming of age.

Acting Head of ARI advised the introduction of time extensions process has improved the overdue action items. Two items exceeding 90 days relate to fire safety. The original finding related to various buildings not obtaining annual fire compliant certification. Last this was checked, only 1 was identified as such and it is likely this is a timing issue. This item should be closed as it will be an ongoing annual issue that requires monitoring.

The Chairperson recommended that Council takes a dedicated approach to dealing with these overdue items or modify the treatment proposed to something manageable to remediate risk. They are mainly policy and document related which can be managed.

Acting Head of ARI advised in most cases, other priorities surface and for this reason the timeframes are extended by management. This consists of an audit trail. Additionally, some of the items are assigned to staff who have been absent, therefore the priorities of acting staff differ.

Independent Gordon made reference to the ARIC agenda discussing an audit of asbestos and contaminated waste management. It was questioned whether there is a risk of legal action provided the findings are negative and suggested that Acting Head of ARI obtain advice on having this report classified as 'privileged'.

Acting Head of ARI agreed this is a valid point and advised this will be considered.

Clr Shelton advised that Council's legal department would be in a position to address this matter. Audit procedures should be transparent and reasonably open to observation.

The Chairperson sought to ascertain that written legal advice was received in relation to the entry of Built Holdings into the Liverpool Civic Place project.

Acting Head of ARI confirmed that the finding in the report stated that Council should receive written legal advice following the ARIC meeting on the introduction of Built Holdings. Written legal advice has been received by Council and before this audit was undertaken. The finding was made as a result of an oversight during the audit due to an abundance of documents handled, by which management forgot to provide the legal advice to the auditors.

The Chairperson informed the members that Council resolved on 29 June 2020 to remove the requirement for the independent verification by Head of Audit, Risk and Improvement on Council's investment portfolio and the certification previously provided by the Chairperson on a quarterly basis.

RECOMMENDATION

That the Audit, Risk & Improvement Committee;

1. Receives and notes The Internal Audit Projects and Activities Report.
2. Notes Council's resolution to remove the requirement for the independent verification on council's investment portfolio.

Motion

Moved: Independent Gordon

Seconded: Independent Horne

9. RISK MANAGEMENT**9.1 Enterprise Risk Management Report - June 2020**

Acting Head of ARI reported that in the last quarter, only 1 new risk was incorporated into the risk register relating to COVID19. Significant controls have been put in place as this is currently a high risk for Council. It is foreseen that the risk level will remain as is until after the pandemic eases and until then there is scope to review this and improve management.

Queries & Discussion

- A.** The Chairperson added that NSW is likely to catch up to Victoria's level of COVID-19 cases. Contractor management was recommended as the first intervention strategy. Victoria has had outbreaks of external contractors. It was advised that hygiene standards should be well established with these contractors in order to control Council's operational spaces to ensure health safety. Masks should be utilised in close proximity. Refocus in this space is needed.

The Chairperson reported of a positive COVID-19 case who had been exposed to a contractor in Victoria where the hygiene practices failed.

- B.** Cllr Shelton made reference to page 28 in the ARIC agenda where it states that *"management have acknowledged that no additional risk treatments may reduce the risk"* in relation to the item *"outbreak of a major health pandemic"*. It was advised that this matter requires regular monitoring and assessment on a daily basis.

Acting Head of ARI assured that the wording was not intentional and that management is assessing the situation continuously. The report was written at an earlier point in time.

Acting Director City Corporate assured that Council's Crisis Action Group is meeting on a weekly basis with key members across the organisation. Trends and actions are discussed as risks emerge. It was assured that the wording in the report is not reflective on the operation of Council.

Independent Gordon noted that he understood the intention behind the wording in the report as this is a global matter where risk is imminent until an effective vaccination exists. However, from a public observation, the wording might be misinterpreted as neglect by Council.

- C. Independent Gordon made reference to page 29 of the ARIC agenda, item R00016, *"Inadequate management of childcare operations"*. It was noted that the residual risk rating of this risk remained higher than council's risk appetite.

Acting Head of ARI confirmed that the controls are currently robust, and this risk was signed off by the CEO at the time, and there was no additional treatment in the children services area to mitigate risk.

The Chairperson expressed concern on the wording of this item which again implies negligence and does not reflect Council's ability to mitigate risk and may have a liability frame of reference attached.

Acting Head of ARI advised that this feedback will be discussed with management. A report on the movement between Council's Top10 risk will be presented to the next ARIC meeting.

- D. Independence Horne raised a potential risk involving CEO transition from a governance perspective. Cllr Shelton and Cllr Rhodes declared a non-pecuniary interest in relation to this item as they had voted on this matter. It was questioned whether a succession plan is in existence.

Acting Director City Corporate advised that there is no framework for a succession planning at present. A holistic approach is ideal for integration into the workforce management plan. It was agreed that a CEO transition is considered a risk as half of the executive team staff are currently in acting positions. The Acting CEO is taking measures to mitigate these risks such as meeting with Councillors to ascertain their expectations during this time and meeting with Directors to bridge knowledge gaps to protect the culture at Council. These will be covered in the risk register.

- E. Cllr Shelton noted of a recommendation carried at a previous ARIC meeting relating to Council reports including a statement on impacts to risk appetite. It was noted that this is in the pipeline and has not occurred.

Acting Head of ARI advised that the Council report templates had been permanently altered to include this consideration. This will be followed up with relevant Council staff.

Cllr Shelton confirmed that this had not occurred on all reports.

RECOMMENDATION

That the Audit, Risk & Improvement Committee

- 1) Receive and note the Enterprise Risk Management report.
- 2) Receive and note the new reporting format of Council's Top 10 risks.
- 3) Receive a further report on treatments implemented to ensure the overall control effectiveness after implementing treatments were effective in reducing the risks within Council's risk appetite.

- 4) Note the progress made towards implementing risk management and the quality self-assessment completed by Council's executive management team.
- 5) Endorse the 2020/21 Annual Risk Management Plan.
- 6) Notes that future Council reports will permanently contain a statement as to the effect of such recommendations on Council's risk appetite.

Motion **Moved:** Clr Shelton **Seconded:** Independent Gordon

9.2 Legislative Compliance Risks

Independent Horne advised that when this item was discussed in 2019, an agreement was made by the Auditor General present at the meeting and advised that a risk based approach was reasonable within the view of the NSW Audit Office.

The Chairperson confirmed this approach as agreed upon.

RECOMMENDATION

That the Audit, Risk & Improvement Committee:

1. Endorse councils' approach to legislative compliance as outlined in the report.
2. Receive a further report detailing the definitions for legislative compliance.

Motion **Moved:** Independent Horne **Seconded:** Independent Gordon

9.3 COVID19 Financial Sustainability Impacts

The Chief Financial Officer reported of an expected \$4 million loss on user fees and charges as well as development applications. No concerns are present for childcare fees as grants are being received. COVID-19 issues have resulted in a \$1.7 million impact based on the preliminary results for the 2019/20 year. No delays were experienced for rate collections, likely due to Job Keeper and Job Seeker payments.

The recruitment freeze is slowly lifting and business cases are being collated by the executive management team. Front line customer facing positions will be a priority.

A loan application for funding will be required for the Capital Works Program. Various sources of funding are being considered such as S.7.11 and government grants. Projects funded from general reserves will need to be monitored. The executive management team will assess the priorities given the financial situation.

Queries & Discussion

A. The Chairperson queried whether community grants are being made.

The Chief Financial Officer confirmed that Council has been issuing grants to assist local small businesses.

Acting Director City Corporate added that some fees were waived such as parking fees for essential workers.

The Chairperson recommended that Council acquit all funding for COVID-19 support and have capacity to report on social media channels.

B. Independent Gordon queried the estimated effect of COVID-19 on the 2021 budget.

The Chief Financial Officer advised that considering COVID-19 and business as usual, an estimation of \$4-6 million is made.

Independent Gordon recommended that consideration of a macroeconomic analysis be made on Liverpool's demographic in order to predict future cashflow trends when/if current Government support measures start to fall away.

Acting Director City Corporate noted that rate collections have not changed significantly despite COVID-19 and this is likely attributed to the availability of Job Keeper and Job Seeker payments for residents of Liverpool. It was agreed the long term impacts following legislative changes to these payments and the consequent impact to Council is a required area of focus.

RECOMMENDATION

That the Audit, Risk & Improvement Committee:

1. Receives and notes this report.

Motion

Moved: Independent Gordon

Seconded: Independent Horne

9.5 2019/2020 WHS Annual Report

No discussion was made on this item.

RECOMMENDATION

That the Audit, Risk & Improvement Committee:

1. Receive and note the 2019-2020 WHS Annual Report.

Motion

Moved: Independent Gordon

Seconded: Cllr Shelton

10. GOVERNANCE, COMPLIANCE & FRAUD

10.1 High Risk Probity & Financial Capacity Recommendations

Acting Director City Corporate advised that Council is looking to make changes within probity with a focus on procurement and probity risks with high risk tenders and so forth. Other risks are understood such as areas of Voluntary Planning Agreements and the aerotropolis. Currently there are no protocols to manage these risks and they are being investigated.

Independent Gordon queried the party conducting a financial assessment of Built Holdings.

The Chief Financial Officer confirmed this is Corporate Scorecard Pty Ltd.

RECOMMENDATION

That the Audit, Risk & Improvement Committee:

1. Receive and note the High-Risk Probity and Financial Capacity Recommendations report.

Motion

Moved: Independent Gordon

Seconded: Cllr Shelton

10.2 Governance Report January 2020 - June 2020

The Chairperson commented that the NSW police is required to submit GIPA requests. It was suggested for Council staff to look into the ministerial direction of collaboration between public agencies as they are required to collaborate.

RECOMMENDATION

That the Audit, Risk & Improvement Committee:

1. Receive and note the Governance Report.

Motion

Moved: Independent Gordon

Seconded: Independent Horne

10.3 Legal Affairs Report

The Chairperson questioned whether this report should still be received by the committee.

Independent Gordon advised the report may still be needed. It was agreed the entire details of all cases are not required however the report is useful to identify and track trends in Council's litigation and possible implications for processes and systems. A 6-monthly reporting process was suggested supported by exception reporting of significance matters.

RECOMMENDATION

That the Audit, Risk & Improvement Committee:

1. Receive and note the report containing the legal affairs of Liverpool City Council.

Motion

Moved: Independent Gordon

Seconded: Independent Horne

10.4 Six-monthly report on public interest disclosures and other complaints dealt with by the Internal Ombudsman

The ARIC commended the work of Council's Internal Ombudsman, David Maguire, for his efforts and support for the ARIC. It was acknowledged that Mr Maguire has now left Council.

Acting Director City Corporate confirmed that Council will look to market for a new Internal Ombudsman. At present, the Coordinator Governance acting in this position.

RECOMMENDATION

That the Audit, Risk & Improvement Committee receive and note this report.

Motion

Moved: Independent Gordon

Seconded: Independent Horne

10.5 Procurement Statistical Trend Analysis

The Chairperson commented that Council is paying a significant price for Governance and that this is not uncommon in local government. The aim of procurement is to achieve value for money in an effective way to instil community confidence.

Acting Director City Corporate agreed with these comments and advised that further conversations for improvement will be taken offline.

RECOMMENDATION

That the Audit, Risk & Improvement Committee receive and note the procurement statistical & trend analysis report.

Motion

Moved: Cllr Shelton

Seconded: Independent Gordon

11. SERVICE REVIEW & IMPROVEMENT

11.1 Service Reviews

No discussion was made on this item.

RECOMMENDATION

That the Audit, Risk & Improvement Committee:

1. Receive a further report on the Service Delivery Framework
2. Receive an update on the implementation of business plans across the organisation

Motion

Moved: Cllr Shelton

Seconded: Independent Gordon

11.2 Overdue Customer Requests and Records Action Items

Independent Gordon sought to ascertain whether responses were not made on certain items due to COVID-19.

Acting Head of ARI advised that with the overdue items within the City Economy & Growth directorate, the overdue items relate mainly to outstanding notices and orders. Details are included in the report below the graph, to provide a more meaningful breakdown analysis of the overdue items.

The Chairperson advised that this is reasonable data.

Manager Corporate Strategy & Performance added that some of the statistics are not current as staff have not had access to Pathways while working from home to close off these requests. Therefore, the data is not fully accurate and improvements to this process are being investigated.

Independent Gordon queried whether the “*Customer Requests Outstanding and Overdue*” graph has any correlation with complaints data relating to delayed responses.

Acting Director City Corporate was requested to investigate this.

RECOMMENDATION

That the Audit, Risk & Improvement Committee:

1. Note the Customer Request project update and receive a further update at the October 2020 meeting.
2. Receive a comprehensive Customer Request Outstanding and Overdue Report at its next meeting.

Motion

Moved: Independent Gordon

Seconded: Independent Horne

11.3 Business & Process Improvements

Independent Horne commented that service reviews have become like an audit program and that caution is required to align the two programs. Business improvement reviews typically come with many points of action.

Acting Head of ARI advised he will work with the Corporate Strategy team to avoid overlap and duplication between the Strategic Internal Audit Plan and service reviews. A program of service reviews have not been developed yet as Council is developing a service review framework. The Annual Business Improvement Plan tabled should not be confused with service reviews, although it contains elements of service reviews based on Council's process & quality management system. Acting Director City Corporate added that a workshop is being held for the Executive team to understand the core priorities for service reviews.

Independent Horne suggested that Blacktown City Council be liaised with as they have experience in the service review space.

RECOMMENDATION

That the Audit, Risk & Improvement Committee:

1. Receive and note the Business and Process Improvement update.
2. Endorse the Annual Business Improvement Plan.

Motion

Moved: Independent Gordon

Seconded: Independent Horne

12. ARIC SUPPORT

12.1 Draft ARIC Work Plan July 2020 – December 2021

No discussion was made on this item.

RECOMMENDATION

That the Audit, Risk & Improvement Committee:

1. Endorse the ARIC Work Plan for July 2020 to December 2021.
2. Review tentative ARIC meeting dates for 2021 at the next committee meeting.

Motion

Moved: Independent Gordon

Seconded: Independent Horne

13. GENERAL BUSINESS (FOR INFORMATION)

13.1 Letter Liverpool Civic Place (LCP)

Clr Shelton advised that Director Property & Commercial Development was expected to receive a letter in relation to LCP on two points. The first should address whether the OLG accepts the LCP development as a Public Private Partnership (PPP), and secondly it should detail as far as Capital Expenditure in relation to developer works is concerned, that it is not part of a business case, and that Council should answer to the Council development works.

A copy of this letter was requested to be tabled to the ARIC as a business paper when available. This has been added to the resolution on item 9.4.

13.2 Zero Based Accounting Policy Council Resolution

Clr Shelton queried what effect a zero based accounting policy would have on the function of Council. There has been criticism of this as it diminishes the value of long term issues such as organisations investing in research and development. It was also suggested this form of accounting is open to manipulation such as allocating profits to an earlier rather than later period, therefore having a distorted effect.

The Chairperson acknowledged that there are different interpretations of zero based costing and requested for a report explaining the intent of this in respect to the Council resolution.

14 CLOSE

The Chairperson closed the meeting at 12:22 pm.

15 NEXT MEETING

Friday, 23 October 2020, Microsoft Teams, 9:30 am – 12:30 pm

CTTE 04

**Minutes of the Tourism and CBD Committee
meeting held on 18 August 2020**

Strategic Direction	Generating Opportunity Create an attractive environment for investment
File Ref	240986.2020
Report By	Susana Freitas - Tourism Development Officer
Approved By	David Smith - Acting Director City Economy and Growth

EXECUTIVE SUMMARY

This report is tabled in order to present the minutes of the Tourism and CBD Committee Meeting held on 18 August 2020.

RECOMMENDATION

That Council:

1. Receives and notes the minutes of the Tourism and CBD Committee meeting held on 18 August 2020.
2. Endorse the recommendations in the minutes.

REPORT

The minutes of the Tourism and CBD Committee meeting held on 18 August 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	<p>Further develop a commercial centre that accommodates a variety of employment opportunities.</p> <p>Encourage and promote businesses to develop in the hospital health and medical precinct (of the City Centre).</p> <p>Facilitate economic development.</p> <p>Facilitate the development of new tourism based on local attractions, Culture and creative industries.</p>
Environment	<p>There are no environmental and sustainability considerations.</p>
Social	<p>Raise awareness in the community about the available services and facilities.</p> <p>Provide cultural centres and activities for the enjoyment of the arts.</p> <p>Preserve and maintain heritage, both landscape and cultural as urban development takes place.</p>
Civic Leadership	<p>Foster neighbourhood pride and a sense of responsibility.</p>
Legislative	<p>There are no legislative considerations relating to this report.</p>
Risk	<p>There is no risk associated with this report.</p>

ATTACHMENTS

1. Minutes of the Tourism and CBD Committee meeting held on 18 August 2020



This meeting was recorded for minute taking purposes
This meeting occurred via MS Teams

MINUTES FROM TOURISM & CBD COMMITTEE MEETING 18 August 2020

COUNCILLORS:

Wendy Waller
Geoff Shelton
Tony Hadchiti
Peter Harle
Karress Rhodes

Mayor (**Chairperson**)

(Observer)
(Observer)

COMMITTEE REPRESENTATION:

Michelle Caruso
Carol Christine North-Samardzic
June Young
Dr Garth Lean
Jason Aquilina

IAP2
Radio 2GLF
Community Representative
Western Sydney University
University of Wollongong

COUNCIL ATTENDEES:

Julie Scott
Craig Donarski
Clara McGuirk
David Petrie
Tracy Lee
Susana Freitas
Jessica Bono
Rose Koch

Manager City Economy
Director Casula Powerhouse Arts Centre (CPAC)
Strategic Events Lead
Manager City Design & Public Domain
Business Programs Officer
A/Senior Officer City Precinct
Business Events Officer
Committees Officer

APOLOGIES:

Ian Bailey
Chris Donovan

Winedge
Mercure Liverpool



OPEN

Meeting opened at 10:02 am.

1. WELCOME, ATTENDANCE AND APOLOGIES

Mayor Waller declared the meeting open and acknowledged the traditional custodians of the land. Apologies were noted.

2. DECLARATIONS OF INTEREST

Nil

3. ACKNOWLEDGEMENT OF PREVIOUS MINUTES

Motion: That the previous minutes from the Tourism & CBD meeting held on 23 June 2020 be endorsed by the Committee.

Moved: June Young

Seconded: Cllr Shelton

On being put to the meeting, the motion was declared carried.

4. PRESENTATIONS

4.1 Railway Street Serviceway Project Update

Manager City Design & Public Domain delivered a presentation on this item. The highlights were as follows:

- The Liverpool City Centre Public Domain Masterplan was adopted at the June 2020 Council meeting;
- Tactical urbanism will be applied to Railway Street Serviceway, which is a temporary installation of low cost works to test, trial and learn what works best for the area and the community;
- The state government has partnered with Council to showcase potential works that can be implemented to utilise streets as shared spaces. Council has been provided \$100,000 for the purpose of delivering the tactical urbanism project;
- The proposed work in the Serviceway will be open in 2020, with the program of construction currently being resolved with Council's Infrastructure and Environment team; and
- Underground services are being confirmed to accommodate the tree planting project for numerous streets in the Liverpool city centre. Pavement improvements will be installed as part of the new trees and tree surrounds.

Queries & Discussion

- i. Jason Aquilina queried when the safety and security features will be installed at Railway Street. Manager City Design & Public Domain advised that additional CCTV cameras will not be installed. The planter boxes will be bolted to one another and are significantly heavy, therefore removal would require machinery. The design of the laneway will help enforce the existing sign posted speed limit. The area meets the requirements for a shared zone under Transport for NSW.
- ii. Cllr Hadchiti queried whether trees will be planted at Terminus Street.



Manager City Design & Public Domain advised that Council staff are in the process of implementing this. There have been delays due to road widening works by the Roads & Maritime Services (now Transport for NSW).

- iii. Cllr Shelton queried whether usage of the laneway will be restricted to certain hours.
Manager City Design & Public Domain advised that this can be considered in future works.
- iv. Manager City Design & Public Domain confirmed that he will provide a report in future on the traffic flow design for the laneway and deliver improvements to pedestrian space.
- v. Mayor Waller queried when this project will begin.
Manager City Design & Public Domain advised the documentation package will be completed for tender. Following Council's procurement processes, the program will commence in October. A specific opening date will be confirmed once a contractor has been secured.

Action: The timeline of other improvements to Railway Street and Serviceway to be reported back at a future Tourism & CBD Committee meeting.

4.2 Casula Powerhouse Arts Centre Update

Director CPAC provided an overview on the upcoming exhibitions at CPAC. The highlights were as follows:

- In response to COVID19, CPAC has delivered a digital program with content involving online activities, exhibitions and stories;
- The "Pulse of the Dragon" and "Adaptation" exhibitions were affected by the lockdown and were converted to digital exhibitions in response;
- An eight week callout was made for creative works for people who live, work or study in Liverpool;
- CPAC youth were engaged with to provide "iso sessions" and concerts involving local music artists; and
- The organic garden has proven very popular with visitors to CPAC, and video material has been created for gardening tips.

Queries & Discussion

- i. Cllr Shelton queried whether the number of users to the online content is being tracked.
Director CPAC confirmed this is being tracked.
- ii. Cllr Shelton queried whether the number of repeat visitors are tracked.
Action: Director CPAC to investigate the above.
- iii. Dr Lean queried the geographic distribution of viewers engaging with the online content.
Most of them are focused in Liverpool and adjoining locations. Most of the viewers are those who are aware of CPAC.

4.3 National Economic Development Conference (NEDC) Update

Business Events Officer delivered a presentation on this item. The highlights were as follows:



- In 2019, Council won a bid to host the NEDC, which is a flagship event for Economic Development Australia, the national peak body for economic development;
- The event was scheduled to be held from 18-20 November 2020 at the William Inglis Hotel, however due to COVID19 lockdown restrictions this will be held online. The content of the event will be available online for 4 weeks;
- The theme for the event will involve "breaking new ground" and "rebuilding a resilient future". This is focused on rebuilding local economies affected by the pandemic;
- One of the invited speakers to the conference is Commissioner Shane Fitzsimmons who will highlight world leading disaster preparedness and recovery strategies;
- Tourism videos will be presented at the conference to showcase Liverpool's offering; and
- All Australian attendees will receive a "return to Liverpool" package including a visitor guide and exclusive promotions from local businesses.

Queries & Discussion

- Clr Shelton queried whether any economic benefit will be received from the trade exhibition.
Business Events Officer advised that businesses in Liverpool will be showcased via the hamper package to be distributed to encourage delegates to invest and spend time in Liverpool. High quality products will be sourced for inclusion in the package.

4.4 City Economy Update

A/Senior Officer City Precinct delivered this update. The highlights were as follows:

- An online concert was held showcasing local artist "L-Fresh The Lion" which reached 24,200 people with 5,400 views. This was well received by viewers;
- A jobs portal was implemented recently by Council which filters local positions for residents in their job search within the pandemic climate;
- "Marketplace" is now live on Council's website which is a B2B connection to establish new partnerships, collaboration opportunities and acts to resolve potential disruptions to supply chains;
- The Liverpool Regional Museum currently has an exhibition titled "An Engineer's Eye Liverpool 1971 – 1993" by Ray Hely, a former employee at Liverpool City Council;
- The City Economy Team will be assisting local small businesses in developing their social media presence and will also undertake surveys to determine the needs of businesses; and
- The tourism page on Council's website will be modified with new content to increase visitation to Liverpool.

5. GENERAL BUSINESS

5.1 Letter from Ian Bailey - 30km Speed Limit for CBD

Mayor Waller noted that this was an initiative by the State Government to experiment with a 30km speed limit for the Liverpool CBD, with intention to reduce traffic for a walkable city.

CLOSE

Meeting closed at 11:06 am.

CTTE 05

**Minutes of the Intermodal Precinct Committee
meeting held on 1 September 2020**

Strategic Direction	Generating Opportunity Attract businesses for economic growth and employment opportunities
File Ref	243551.2020
Report By	Chris Guthrie - Coordinator Business Development
Approved By	David Smith - Acting Director City Economy and Growth

EXECUTIVE SUMMARY

This report is tabled in order to present the minutes of the Intermodal Precinct Committee meeting held on 1 September 2020.

At its ordinary meeting held on 26 February 2020, Council endorsed the Intermodal Precinct Committee Charter to establish the Intermodal Precinct Committee, which is an advisory committee of Council.

Council appointed Councillor Rhodes and Councillor Hadchiti as Councillor representatives on the Committee.

RECOMMENDATION

That Council:

1. Receive and note the minutes of the Intermodal Precinct Committee;
2. Endorse the recommendations in the minutes;
3. Appoint either Cr Rhodes or Cr Hadchiti as Chairperson of the Intermodal Precinct Committee.

REPORT

At its ordinary meeting held on 26 February 2020, Council endorsed the Intermodal Precinct Committee Charter to establish the Intermodal Precinct Committee, as an advisory Committee to Council.

Four members of the community have been appointed to the Committee and Councillors Rhodes and Hadchiti were appointed to the Committee to represent Council.

The minutes of the meeting 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 a financial impact.

The recommendation from the committee, being that Council consider preparing a report on developing a communications campaign outlining the benefits of the intermodal will not have a financial impact at this stage. Any communications campaign will have a financial impact which will be identified in that future report.

It is also recommended that Council appoints a permanent Chairperson to the Committee, which will meet quarterly.

CONSIDERATIONS

Economic	Facilitate economic development.
Environment	There are no environmental and sustainability considerations.
Social	Raise awareness in the community about the available services and facilities.
Civic Leadership	Encourage the community to engage in Council initiatives and actions. Provide information about Council's services, roles and decision-making processes.
Legislative	There are no legislative considerations relating to this report.
Risk	There is no risk associated with this report.

ATTACHMENTS

1. Minutes of the Intermodal Precinct Committee



This meeting was recorded for minute taking purposes

MINUTES FROM INTERMODAL PRECINCT COMMITTEE

1 September 2020

COUNCILLORS:

Karress Rhodes
Geoff Shelton
Tony Hadchiti
Peter Harle
Nathan Hagarty

(Chairperson)

COMMITTEE REPRESENTATION:

Carlo Di Giulio
Darren Foxe
Fiona McNaught
Erik Rakowski

Community Representative
Community Representative
Community Representative
Community Representative **(entered later)**

COUNCIL ATTENDEES:

Chris Guthrie
David Smith
Luke Oste
Ellen Whittingstall
Jessica Saliba
Rose Koch

Coordinator Business Development
A/Director City Economy & Growth
Executive Planner
A/Internal Ombudsman **(Item 3 only)**
A/Governance Coordinator **(Item 3 only)**
Committees Officer **(Minutes)**

APOLOGIES:

Nil



OPEN

Meeting opened at 6:03 pm.

1. WELCOME, ATTENDANCE AND APOLOGIES

A/Director City Economy & Growth welcomed the Committee and confirmed all attendees. It was advised that Coordinator Business Development will assume the role of convenor for this Committee moving forward. A/Director City Economy & Growth will be involved in relation to planning matters.

Clr Rhodes was appointed as interim Chairperson for this meeting. The official Chairperson for this Committee will be decided at a future Council meeting when these minutes are confirmed.

2. CODE OF CONDUCT TRAINING

A/Governance Coordinator provided the Code of Conduct Training to the Committee and it was advised that further information on this can be found on Council's website.

Action: The Code of Conduct procedures to be sent to all Committee members.

Update: This has been actioned.

A/Director City Economy & Growth provided an overview of the Intermodal Precinct Committee Charter and the functions of the Committee.

3. CURRENT STATUS OF INTERMODAL & MODIFICATIONS

A/Director City Economy & Growth provided an overview on the concept plans and modifications of both the Moorebank Intermodal Precinct East (MPE) and West (MPW).

It was advised the move has been made from a "No Intermodal Committee", to the "Intermodal Committee" and now to the "Intermodal Precinct Committee" to look at the opportunities available to Council and for our local community.

Queries & Discussion

- i. Clr Shelton queried whether the warehouse space has been fully leased and that there is commitment to the space in its entirety.

Coordinator Business Development advised that this was a question that has been put to QUBE. The City Economy team are being told by QUBE that negotiations are underway with other potential businesses and announcements will be made soon. The Target warehouse has been operating for approximately 12 months and Woolworths have advised that they will be operating their distribution centre, as soon as practicable after they receive consent. (Subject to planning processes). QUBE is not sharing a lot of information with Council at present, however.

- ii. Clr Shelton queried in relation to Stage 3 of the subdivision, whether it may lead to a subsequent selling of allotments from the subdivision.

A/Director City Economy & Growth advised this is a concern. The Committee members were encouraged to look at Council's submission on the Planning Portal. The SSD number is 10431. Council raised concerns with the subdivision.

Action: A/Director City Economy & Growth to investigate the decision timeframe for SSD 10431 from DPIE.



- iii. Carlo Di Giulio queried the technology jobs that would be available from the Intermodal. Coordinator Business Development advised of jobs in IT and logistics.
Action: Coordinator Business Development to investigate the above for Woolworths.
- iv. Darren Foxe queried if there was a benchmark employment rate worked towards prior to the establishment of Woolworths at the Intermodal. The amount of jobs to be created by the Intermodal were questioned.

Coordinator Business Development advised of research commissioned a few years prior and the results indicated 6800 jobs for the intermodal site. Council is questioning these figures and awaiting further information.
- v. Mr Foxe queried whether the operation of Woolworths at the Intermodal would impact on traffic.

A/Director City Economy & Growth advised that the Council has consistently submitted on Intermodal DAs for road improvement works be carried out to minimise traffic impacts from the Intermodal development. It's not clear to Council whether traffic impacts will arise as a result of this proposed modification application or if traffic arrangements will remain unchanged compared to the consents already issued. That has been raised in Council's submission.

Coordinator Business Development advised that Council had requested an economic impact statement from DPIE and how it will impact on jobs.
- vi. Cllr Harle queried why 6 metres fill was being added to the site to raise the area.

A/Director City Economy & Growth advised this was to create level development blocks, address stormwater and flooding issues. Concerns were raised about the quantum and height of the fill noting this was included in most submissions by Council on this proposal.
- vii. Cllr Hagarty queried whether sound impacts along with height increases were included in Council's submission. A/Director City Economy & Growth advised that this would be considered for inclusion in the submission.

Motion: **Moved Cr Hadchiti** **Seconded: Mr Foxe**

The committee recommends to Council that a report be prepared on developing a communications campaign outlining the benefits of the intermodal and invite the intermodal company to the committee as a standing agenda item to provide updates to the committee.

On being put to the meeting, the motion was **carried**.

4. SUBMISSION

A/Director City Economy & Growth sought feedback from the Committee on the draft submission.

5. GENERAL BUSINESS

6. CLOSE

Meeting closed at 8:10 pm.

CTTE 06

Minutes of Strategic Panel Meeting held on 10 August 2020

Strategic Direction	Leading through Collaboration Strive for best practice in all Council processes
File Ref	245576.2020
Report By	George Georgakis - Manager Council and Executive Services
Approved By	Andrew Stevenson - Chief Strategy and Engagement Officer

EXECUTIVE SUMMARY

This report is tabled in order to present the Minutes of the Strategic Panel Meeting held on 10 August 2020.

RECOMMENDATION

That Council receive and note the Minutes of the Strategic Panel Meeting held on 10 August 2020.

REPORT

The Minutes of the Strategic Panel Meeting held on 10 August 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	There are no economic and financial considerations.
Environment	Raise community awareness and support action in relation to environmental issues. Support the delivery of a range of transport options.

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>Regulate for a mix of housing types that responds to different population groups such as young families and older people.</p> <p>Support community organisations, groups and volunteers to deliver coordinated services to the community.</p>
Civic Leadership	<p>Encourage the community to engage in Council initiatives and actions.</p> <p>Provide information about Council's services, roles and decision making processes.</p> <p>Operate a well developed governance system that demonstrates accountability, transparency and ethical conduct.</p> <p>Actively advocate for federal and state government support, funding and services.</p>
Legislative	There are no legislative considerations relating to this report.
Risk	The risk is deemed to be low and is considered to be within Council's risk appetite.

ATTACHMENTS

1. Minutes of Statagic Panel Meeting of 10 August 2020



This meeting was recorded for minute taking purposes
This meeting occurred via MS Teams

MINUTES FROM STRATEGIC PANEL

10 August 2020

COUNCILLORS:

Ali Karnib
Geoff Shelton
Nathan Hagarty
Peter Harle
Karress Rhodes

Deputy Mayor (**Chairperson**)

COUNCIL ATTENDEES:

Dr Eddie Jackson	A/Chief Executive Officer
Tim Moore	Director City Economy & Growth
Peter Patterson	Director City Presentation
Raj Autar	Director City Infrastructure & Environment
George Hampouris	A/Director City Corporate
Tina Sangiuliano	A/Director City Community & Culture
Andrew Stevenson	Chief Strategy & Engagement Officer
David Smith	Manager Planning & Transport Strategy
Adrian Nesbitt	Manager Communications
Lina Kakish	Manager Development Assessment
Julie Scott	Manager City Economy
Nada Mardini	Manager Community Standards
George Georgakis	Manager Council & Executive Services
Edward Steane	Project Lead Fifteenth Avenue Smart Transit Corridor
James Ng	General Counsel Manager Governance Legal & Procurement
Liz Young	Employment Officer
Rose Koch	Committees Officer (Minutes)

EXTERNAL INVITEES:

Sara Hanna	Senior Economist Research Team Leader, AEC Group Pty Ltd
Ashley Page	Chief Executive Officer, AEC Group Pty Ltd

APOLOGIES:

Wendy Waller	Mayor
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OPEN

Meeting opened at 10:00 am.

1. WELCOME, ATTENDANCE AND APOLOGIES

Deputy Mayor Karnib opened the meeting. Apologies were noted.

2. DECLARATIONS OF INTEREST

Nil

3. AGENDA ITEMS

3.1 Liverpool Employment Strategy: Local Jobs for Local People

Manager City Economy introduced this presentation and advised that Council received funding from the Moorebank Intermodal Company (MIC) to fund an Employment Officer and develop an employment strategy. The Employment Officer has been working with the AEC Group. The findings of the strategy were presented by Sara Hannah from AEC Group as follows:

- 32% of working residents in Liverpool work locally while a high proportion leave the region for work. A low percentage of local jobs are filled by local residents;
- The state government has expectations for employment to grow in Liverpool, presenting opportunities for Council to foster these jobs for the local community. These estimates do not include the aerotropolis;
- The aim of this strategy is to assist Council in identifying and harnessing opportunities for self-containment in Liverpool; and
- Upon consultation with businesses and Council, opportunities and challenges were detected in pursuing self-containment in Liverpool.

Council's Employment Officer added that datasets will be received annually to ensure Council has accurate information relating to local employment. Engagement is being made with businesses such as Woolworths Group and CSIRO to discuss their future workforce.

Queries & Discussion

- i. Cllr Shelton noted of previous industrial land strategies and reports by Council and it was queried to what extent this informs the present report.
Ms Hannah advised that they have not been considered.
- ii. Cllr Hagarty commented that a sleek marketing effort is ideal to improve perceptions of safety in Liverpool. It could be pivoted to include the LoveLivo campaign, where it is communicated that Liverpool is a great place to work and set up business. COVID19 has presented opportunities for Council to improve positive relations with businesses.
- iii. Cllr Rhodes sought to ascertain the involvement of the Moorebank Intermodal Company (MIC) for this strategy.

Manager City Economy explained that Council negotiated with the MIC two years ago. Part of the payback to Council on levies and charges would be put towards a four year employment plan. This includes of 3 components, one to engage an employment officer to work with stakeholders on recognising local jobs for residents. Second includes the engagement of a



consultant to develop a four-year strategy to share with stakeholders. Third includes continuous stakeholder engagement. This is a long-term strategy to change behaviours of local businesses for inward investment and consider local talent. Council will take advantage of this.

- iv. Cllr Rhodes queried whether the payment from the MIC is a one off or continuous payment.
Action: Manager City Economy to investigate the above with Corporate Services.
- v. Cllr Rhodes queried whether improvements to local workers in Liverpool is indicated in any statistics. It was commented this information is important to promote Liverpool as the third CBD and will be indication as to whether promotional efforts have made a difference.
Action: Manager City Economy to include the above as a standing agenda item for future Strategic Panel meetings. Trends and behaviours will be presented for local employment.
Action: Visitation figures to be presented to the Panel for Council events such as "Liverpool on a Roll".
- vi. Acting Director City Corporate added that in 2019, Council had invoiced the MIC for \$2.2 million which has been received. This will be an annual and ongoing fee until the board requires reviewing of the terms.
Action: Acting Director City Corporate to provide a list of capital projects to be funded to the Councillors.
- vii. Cllr Shelton added that a decade ago, the Chamber of Commerce ran a business incubation centre and that it would be worthwhile to raise discussions with individuals who have been part of this.

3.2 Bankstown to Liverpool Metro

Director City Economy & Growth presented to the Panel on the Bankstown to Liverpool Metro extension and Council's advocacy work. A summary was provided as follows:

- Council is advocating for the development of a metro service between Bankstown and Liverpool. The route would improve job accessibility for Liverpool residents and reduce road congestion;
- A response from the Parliamentary Secretary for Transport Roads was received by Council's CEO on 26 March, advising that planning is underway for the extension, however no further information was provided;
- A Western Sydney Business Chamber webinar was held on 22 June 2020. TfNSW announced the commencement of a planning process for the extension involving a strategic business case and a corridor preservation study. Council has now been invited to participate in this study;
- Work will start on planning for this route by 2023; and
- Solely involving Council officers in the process does not allow for Councillor and community involvement in the strategic business case. Council has flagged this with TfNSW and will continue to do so.

Queries & Discussion

- i. Cllr Hagarty queried whether the metro would require an interchange with the heavy rail station in Liverpool and added that an additional station may be needed to the east of Liverpool such as Moorebank. It was queried whether these guiding principles can be agreed upon.



Director City Economy & Growth advised this would be a sensible approach, provided that TfNSW does not respond to Council's recommendation for Councillor and community input into the project.

- ii. Cllr Rhodes queried on any impact to the Bankstown to Liverpool metro, provided that the Fast Transit Corridor project connecting Liverpool to the Western Sydney Airport (WSA) progresses.

Director City Economy and Growth confirmed that TfNSW do perceive the Fast Transit Corridor project favourably and that there are concerns that it may be prioritised over the Bankstown to Liverpool metro project. However, it is not a risk to the project.

Project Lead Fifteenth Avenue Smart Transit Corridor added that a transport connection between Liverpool and the WSA would present additional demand and therefore a business case can be made to deliver the metro service between Bankstown and Liverpool.

- iii. Cllr Shelton queried the existence of a project working group, running coextensive with a business case evaluation.

Director City Economy and Growth advised the group will participate in the strategic business case. Two Council employees will be nominated for the group and a senior member of staff will be nominated for the steering group. A confidentiality agreement was requested for signature.

Action: Project Lead Fifteenth Avenue Smart Transit Corridor to investigate with Council's Legal team on whether the confidentiality agreement will extend to Councillors and provide a response.

3.3 Out of Office Compliance Officers

Manager Community Standards delivered a presentation to Councillors on the rostering options for staff to provide afterhours surveillance services, as resolved by a previous Council meeting. The 2020 local government award for staff employment conditions were highlighted.

Queries & Discussion

- i. Cllr Rhodes queried the process and staff response time for Council rangers when requested by members of the community.

Manager Community Standards advised the members of the community call the afterhours number with the request directed to staff on duty. The current staff member resides locally and can provide a timely response depending on the location. Escalations will occur if the staff member is not available.

Action: Manager Community Standards to investigate whether a motion was carried for Council's establishment for an end date of COVID19 and report back to Councillors.

- ii. Cllr Hagarty queried whether the hours can be divided between existing staff members who have varying start and end times.

Manager Community Standards advised that with limited staff this is difficult to provide, and service efficiencies are needed to meet community needs. A five-day roster will be investigated, and a report will be presented to Council.

Action: Manager Community Standards to provide information to Councillors on the above when available.



- iii. Cllr Harle noted of phone calls received from residents on weekends with illegal parking and illegal construction works after hours.

Manager Community Standards advised these the afterhours services options presented will address these matters.

Action: Manager Community Standards to provide cost and revenue information on compliance in future presentations.

4. STANDING AGENDA ITEMS

4.1 Major Developments Update

Manager Development Assessment provided this update. This is summarised as follows:

- A 34-storey mixed use tower has been approved for 22-24 Elizabeth Street, Liverpool;
- An 11-storey residential unit building has been approved for 4-6 Bigge Street Warwick Farm;
- Design excellence matters are outstanding with a tentative determination date with the Regional Planning Panel for a residential development at the address of 1-9 Anderson Avenue, Liverpool;
- A seniors housing development is under assessment at 18 Randwick Close, Casula and is pending a site compatibility certificate. Council will provide information to the Department of Planning, Industry and Environment (DPIE);
- DA lodgements have increased by 49% from 2019, an indication of growth in Liverpool.

Queries & Discussion

- i. Cllr Rhodes queried the development types for outstanding DAs.
- Action:** Manager Development Assessment to provide a response.
- ii. Cllr Harle noted of plans for a parking space next to 18 Randwick Close, Casula and queried for news as this would have a bearing on the aged care facility.

Action: Manager Development Assessment to investigate the above and provide a response.

4.2 City Deal Update

Acting CEO reported that the Western City Aerotropolis Authority has been renamed to the Western Parkland City Authority. Tim Poole will remain as the Chief Operating Officer with Sarah Hill appointed as CEO.

A holistic focus will be applied to align the 8 Councils with the aerotropolis. An economic development strategy will be built on the work of the Liverpool Strategic Planning Statement (LSPS). An increased emphasis will be made for micro credentials allowing flexibility for career progression in evolving industries.

4.3 Update on Planning Proposals

Manager Planning & Transport Strategy reported that there are several planning proposals being considered at present and encouraged questions from the Councillors.

**Queries & Discussion**

- i. Cllr Rhodes praised Council staff for the timely circulation of information on this item.
- ii. Cllr Rhodes noted of several planning proposals for Newbridge Road and expressed concerns of traffic impact. The number of dwellings involved was questioned.

Manager Planning & Transport Strategy advised the exact figure is unknown however it is substantial.

Action: Manager Planning & Transport Strategy to investigate the above and provide a response.
- iii. Manager Planning & Transport Strategy confirmed that the regional flood evacuation report will be provided by Director City Infrastructure & Environment in September.

5. GENERAL BUSINESS

Nil.

CLOSE

Meeting closed at 11:58 am.

QWN 01	Question with Notice - Cllr Rhodes - Georges River Bank Stabilisation
Strategic Direction	Strengthening and Protecting our Environment Protect and enhance bushland, rivers and the visual landscape
File Ref	218251.2020

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.

Response

1. *What is being done to stabilise the banks of the Georges River at this particular site and others along the Georges River?*

Riverbank erosion is generally a natural process which allows rivers to meander and change course and stabilise over time. However, while bank erosion is considered a necessary ecological process, eroding soil and associated nutrients are the most important and widespread causes of reduced water quality impacting overall river system health. Further, if uncontrolled, serious damage can result to community infrastructure including loss of valuable land and riparian vegetation.

Council has therefore adopted a risk-based program of works to stabilise bank erosion along the Georges River. This approach is primarily guided by the need to restore and protect Council assets comprising stormwater infrastructure considered to be in danger of collapse; land and open space that would otherwise suffer significant loss; and to preserve public safety.

The following presents examples of riverbank erosion works that have recently been undertaken along the Georges River:

- a) South Park, Chipping Norton - to provide stormwater outlet protection works.



- b) Pleasure Point Reserve, Pleasure Point - to restore progressive loss of land through bank erosion.



- c) Haigh Park, Moorebank - to repair significant asset damage from ongoing bank erosion and to restore public safety.



2. Who is responsible to stabilise the bank of the Georges River?

At its meeting of 26 June 2019, Council considered a report on *Activating the Georges River* (copy attached), which included a detailed discussion regarding the current management responsibilities for the River and its broader catchment. The report outlined that due to its environmental value and recreation potential, around 18 agencies comprising State Government agencies, councils and community groups played different roles in the ongoing management of the Georges River. In this regard, the report concluded that with so many stakeholders and agencies having broad and overlapping responsibilities for the River, the lack of a clear governance structure has resulted in any improvement efforts being fragmented and uncoordinated.

With regards to the banks of the Georges River, based on legal advice received previously, Council's local government area does not extend below the water level (or the low water mark for tidal areas of Georges River). The State has rights to the control, use and flow of all waters in rivers, with the areas below the low water mark generally vested in the Crown. In view of this advice, it's clear that Council's powers over rivers are limited.

In order to provide a coordinated approach to investigate and address management needs across the whole of the Georges River catchment, in May 2012, the NSW Office of Environment and Heritage (OEH) in collaboration with the Georges Riverkeeper member

councils developed the Georges River Estuary Management Plan. Known as the Coastal Zone Management Plan (CZMP), it provides strategic direction and guidance on future strategic and environmental planning within the estuary and its catchment. It also provides an action plan for undertaking targeted works and other initiatives aimed at achieving the overall goal of improving estuary and river condition.

Bank erosion along sections of the Georges River was identified as a key issue facing the estuary. The CZMP accordingly identified erosion protection and bank stabilisation works along a four-kilometre reach of the Georges River, generally between Liverpool Weir and Chipping Norton Lakes. It was estimated that the required stabilisation works would cost between \$10 million and \$20 million.

In view of this significant cost, Council's constrained budgets and other competing priorities for infrastructure funding, the identified bank stabilisation works have not been able to be progressed at the scale envisaged in the CZMP.

3. When will stabilisation of the Georges Riverbank be done?

The mass failure and subsequent collapse of the riverbank adjoining Casula Parklands (refer to photos below) was triggered by an extreme flood event of February 2020, where flow velocities and volumes exceeded the structural capacity of the banks. Such an extensive bank erosion would normally require engineered revetment infrastructure works to stabilise the banks and arrest further bank erosion. However, in this instance such a response is not considered necessary in view of the following:

- due to its location along a bend in the River, there could potentially be long term adverse impacts downstream arising from natural river geomorphic processes of erosion and sediment deposition;
- the eroded bank is not a current threat to any built environment and will very likely stabilise over time; and
- costs associated with such significant restoration works would be prohibitive in the short to medium term.



While at this stage there are no plans for a comprehensive bank stabilisation program to be implemented along the Georges River, the following current and future programs provide the opportunity to selectively consider the need for bank stabilisation works:

- a) **River Connections** - Council is currently progressing the planning and delivery of a package of high value projects along the Georges River corridor to create public spaces along the river that are inviting and desirable. These include the multi-million dollar planned investments in Light Horse Park and Casula Parklands. These on-ground activation programs will not only transform the parklands into thriving and vibrant public spaces, but will also play a crucial role in providing the required interface infrastructure and amenities to support the many in-river activation activities being planned. As part of planning for the interface infrastructure such as viewing platforms, jetties and ceremonial Ghats, opportunities to selectively restore and protect riverbanks will also be considered.

An update on the full scope the River Connections Program is planned to be provided in early 2021.

- b) **Riparian vegetation** - vegetation along riparian corridors play a crucial role in controlling and preventing erosion. Council's Riparian Areas Vegetation Management Strategy (being developed) and Council's bush regeneration activities along the riparian corridors will continue to provide ongoing protection to the riverbanks.
- c) **Urban developments and development applications** - Council has been utilising opportunities and funding mechanisms available through urban intensification to undertake relevant riverbank stabilisation works, such as the planned riverbank stabilisation along the Georges River between Atkinson Street and Mill Park as part of the Shepherd Street Precinct development.

4. *Explain the Georges Riverkeeper's involvement vs conditions imposed on development applications to stabilise the Georges Riverbanks?*

Georges Riverkeeper, formerly the Georges River Combined Councils' Committee (GRCCC), consists of eight local councils, as well as government agencies and community representatives within the Georges River catchment. The Georges Riverkeeper Program services the GRCCC's eight member councils to identify key rubbish hotspots and areas for primary bush regeneration and weed control activities on the river's foreshores, creeks and tributaries. It coordinates the removal of rubbish and waste from the river catchment and monitors the ecological health of the river.

The Riverkeeper helps to facilitate a coordinated approach to the management of the Georges River. However, the role does not extend to providing input in the development assessment process.

ATTACHMENTS

1. Council Report INF 01 Activating the Georges River 26 June 2019

INF 01	Activating the Georges River
Strategic Direction	Strengthening and Protecting our Environment Protect and enhance bushland, rivers and the visual landscape
File Ref	099749.2019
Report By	Madhu Pudasaini - Manager Technical Support
Approved By	Raj Autar - Director City Infrastructure and Environment

EXECUTIVE SUMMARY

Council, at its meeting on 29 August 2018, considered a Notice of Motion regarding the need to activate Lighthorse Park and the adjoining Georges River. At the meeting, it was resolved that Council investigate and provide a report on the full range of issues that require consideration to enable recreational use and enjoyment of the river and adjoining parklands.

This report was presented to Council at its meeting held on 29 May 2019, however Council resolved to defer the report to the Strategic Planning Workshop for discussion and for the report to then be presented to the June Council meeting.

The Georges River and associated parklands are key assets and destinations in Liverpool, which will play a major role in supporting the urban renewal and revitalisation of the City Centre and adjoining lands. This report discusses the range and complexity of issues that currently affect the management and utilisation of the river, and provides a way forward to achieving, over time, Council's goal of transforming areas of the Georges River and associated parklands into vibrant and active public spaces.

RECOMMENDATION

That Council receives and notes this report.

REPORT**1. BACKGROUND**

At its meeting held on 29 August 2018, Council resolved that the CEO:

- a) *Bring a report back to Council outlining requirements of collaborating with the various State Government agencies that have control of the Georges River in order to have it revitalised to a standard that would be suitable for community use;*
- b) *Inform Councillors on ways Council can revitalise the Georges River before water gets into the River;*

- c) *Investigate water activities or sports and other short and long term options for activation of Lighthorse Park and report back to Council with cost; and*
- d) *Make representations to all bodies involved in the revitalisation of the Georges River, including Ministers.*

This report was presented to Council at its meeting held on 29 May 2019, however Council resolved to defer the report to the Strategic Planning Workshop for discussion and for the report to then be presented to the June Council meeting.

2. MANAGEMENT RESPONSIBILITIES OF GEORGES RIVER

The Georges River is one of the major river systems in the Sydney Basin and is a significant natural asset for the Liverpool community. Due to its environmental value and recreation potential, numerous State Government agencies, councils and community groups play key roles in the ongoing management of the Georges River, as shown in the table below.

Who manages Georges River?	Roles and responsibilities
a) Liverpool City Council	<ul style="list-style-type: none"> ▪ Council plays a vital role in the management of the river, which includes the significant sub-catchment of Cabramatta Creek. Council manages stormwater and flooding, and undertakes creek restoration and revegetation of riparian areas throughout the Local Government Area (LGA). ▪ Council is the regulatory authority on development and pollution incidents such as those caused by ineffective sediment and erosion control, both of which may have detrimental effects on waterway and riparian conditions. ▪ Council currently monitors the aquatic ecosystem health of the river and its tributaries. ▪ In addition, Council is currently undertaking an LGA-wide assessment of riparian vegetation conditions, which will inform the development of an LGA-wide plan of management for riparian areas and a vegetation management plan for the Cabramatta Creek catchment.
b) Georges Riverkeeper - formerly the Georges River Combined Councils' Committee (GRCCC), which consists of eight local councils, as well as government agencies and community representatives within the Georges River catchment	<ul style="list-style-type: none"> ▪ The Georges Riverkeeper Program services the GRCCC's eight member councils to identify key rubbish hotspots and areas for primary bush regeneration and weed control activities on the river's foreshores, creeks and tributaries. ▪ It coordinates the removal of rubbish and waste from the river catchment, and monitors the ecological health of the river. ▪ The Riverkeeper helps to facilitate a coordinated approach to the management of the Georges River.
c) Sydney Water	<ul style="list-style-type: none"> ▪ Sydney Water manages the delivery of potable water and disposal of waste water across the LGA. Occasional discharge

Who manages Georges River?	Roles and responsibilities
	from Sydney Water infrastructure may degrade water quality and elevate bacteria levels.
d) Local Councils - the Georges Riverkeeper consists of eight councils including Bayside, City of Canterbury Bankstown, Campbelltown, Fairfield, Georges River, Liverpool City Council, and Sutherland and Wollondilly Shire Councils	<ul style="list-style-type: none"> The local councils within the George River catchment are responsible for the management of the riparian corridors, bushlands and stormwater within their respective LGA boundaries. This includes the responsibility for the management of stormwater quality through managing and controlling developments within the catchment area to ensure stormwater runoff are appropriately treated prior to discharging into natural waterways.
e) NSW Office of Environment and Heritage (OEH)	<ul style="list-style-type: none"> The primary role of the OEH involves administering the <i>Local Land Services Act 2013</i>, <i>Bio-diversity Conservation Act 2016</i>, and the <i>Rivers and Foreshores Improvement Act 1948</i>. The OEH has developed the Georges River Estuary Management Plan and it provides funding assistance to local councils for foreshore protection and water quality improvement of the Georges River. The National Parks and Wildlife Service are part of the OEH and own and manage a significant portion of land along the river - the Georges River National Park.
f) NSW Roads and Maritime Services (RMS)	<ul style="list-style-type: none"> NSW Maritime is responsible for marine safety, regulation of commercial and recreational boating, including boating licences. It controls the dredging of the river and relevant maritime activities including routine environmental inspections of construction and maintenance activities to ensure legislative compliance.
g) Greater Sydney Local Land Services	<ul style="list-style-type: none"> Under the <i>Sydney Water Catchment Management Act 1998</i> the Local Land Services (former Sydney Metropolitan Catchment Management Authority) is responsible for the management and protection of the Georges River. Council has limited jurisdiction over foreshore works and approvals rest with the State Government.
h) NSW Office of Water	<ul style="list-style-type: none"> The NSW Office of Water is primarily responsible for the control and protection of river riparian corridors under the Water Management Act.
i) NSW Department of Primary Industries (DPI) Fisheries	<ul style="list-style-type: none"> The DPI Fisheries is responsible for regulating controlled activities in waterways under the <i>Fisheries Management Act 1994</i> for the management of fish and their habitats.

Who manages Georges River?	Roles and responsibilities
j) Environmental Protection Authority (EPA)	<ul style="list-style-type: none"> The EPA regulates polluters such as Sydney Water regarding the discharge of waste water.
k) Australian Defence Force (ADF)	<ul style="list-style-type: none"> The ADF owns and manages vast tracts of the upper catchment, which includes many minimally disturbed creeks such as Punchbowl Creek. These creeks recharge the river with clean waters and provide refuge for a vast array of native plants and animals.

As can be seen, the roles and responsibilities relating to the Georges River are wide-ranging, with state agencies performing predominantly statutory and compliance functions, while the Georges Riverkeeper, in conjunction with the councils, plays an active role in planning and implementing on-ground measures to improve the amenity and water quality of the Georges River. However, with so many stakeholders and agencies having broad and overlapping responsibility for the river, unless a clear governance structure is developed, any improvement efforts are likely to be fragmented and uncoordinated.

3. GEORGES RIVER – WATER QUALITY ISSUES AND MITIGATION

3.1 The broader context

The Georges River catchment is home to almost 1.4 million people, and this is projected to increase to over 1.7 million by 2031. Continued urbanisation of the catchment has resulted in significant alteration of flow regimes due to the increased volume of stormwater flowing into the river system, with stormwater runoff being the most significant contributor to the total contaminant load of the river. This has led to the continued physical degradation of natural watercourses within the catchment as evidenced by poor water quality, bed and bank erosion, siltation and degraded riparian vegetation.

Results from Council's ongoing water quality monitoring show that the Georges River within Liverpool has periodic quality issues, particularly with bacteria and blue-green algae. Studies have shown that three major sources contributing to the degradation are Bunbury-Curran, Cabramatta, and Prospect Creeks.

Consequently, and due to this extensive coverage of the Georges River catchment, any broad-scale waterway improvement program will require a holistic, catchment-wide approach in collaboration with the neighboring councils comprising Campbelltown, Fairfield and Canterbury-Bankstown Councils.

However, actions at a local level are also critical to effect necessary change, and requires a robust framework to shift focus from reactive responses to river issues to a more proactive, planned program of improvement works to bring about long-term improvements to the issues that are currently precluding the use of the Georges River to its full potential.

3.2 Liverpool's response

In June 2016, Council adopted a Water Management Policy (Policy) and a corresponding Water Management Strategy (Strategy) to provide a proactive response to the pressures on the Georges River by creating a robust framework to improve the health of the Georges River catchment and consequently the river.

The following table presents the various elements of the Strategy, and how the identified measures are now driving significant improvements in the management of water. It is considered that over time, these measures will bring about noticeable improvement to water quality in the Georges River.

Strategy - what actions are required?	Strategy description, intended outcome and status
a) Develop a Water Management Improvement Plan (WMIP)	<ul style="list-style-type: none"> This is the backbone of the Water Management Strategy and identifies a range of key improvements to introduce world best-practice approach to the management of water. The WMIP is in place and is being progressively implemented.
b) Focus on source control of pollutants as the most effective means to manage downstream water quality	<ul style="list-style-type: none"> Involves the control of pollutants at their source before they reach the river system through a structured program of installing best-practice water quality devices. Further, enhanced controls are now in place through Development Control Plans (DCP) requiring developers to provide a hierarchy of controls to progressively remove pollutants from stormwater before reaching the waterways. Gross Pollutant Traps (GPT) masterplan in place, which is driving the annual program of GPT installation works.
c) Introduce integrated stormwater management - explore opportunities to manage water quality in conjunction with managing quantity (flooding)	<ul style="list-style-type: none"> Council's award-winning Amalfi Park Basin in Lurnea illustrates an innovative approach to the integrated management of water quantity and quality issues. Similar concept is now being applied to a new 48ML basin in Edmondson Park, which will also include passive recreation areas as well as children's playground.
d) Adopt a whole of catchment approach	<ul style="list-style-type: none"> Provision of regional water quality treatment facilities and detention basins have introduced significant efficiencies and cost savings.
e) Introduce water quality monitoring	<ul style="list-style-type: none"> A structured and ongoing program of water quality monitoring has been introduced across all creeks and rivers in the LGA. The objective data on the extent and

Strategy - what actions are required?	Strategy description, intended outcome and status
	nature of the contamination of the waterways will guide Council in developing targeted mitigation strategies.
f) Introduce appropriate management structure - need for a dedicated resource	<ul style="list-style-type: none"> As identified in the Water Improvement Plan, a dedicated catchment management officer has been appointed to provide leadership and to drive identified improvements.
g) Take a planned approach to riparian corridor management	<ul style="list-style-type: none"> Council is currently undertaking an LGA-wide assessment of riparian vegetation conditions, which will inform the development of an LGA-wide plan of management for riparian areas and a vegetation management plan for the Cabramatta Creek catchment. Actions within these plans will guide management actions to improve the quality of riparian vegetation across the LGA.
h) Enhance sediment control	<ul style="list-style-type: none"> An ongoing funded program now exists to enable creek and riverbank erosion protection works to protect stormwater outlets and control ongoing bank erosion, which helps in reducing the turbidity of water in the river.
i) Expand bush regeneration activities	<ul style="list-style-type: none"> Council undertakes an ongoing program of bush regeneration works along riverbanks to provide a filter buffer to protect pollutants entering into the waterways.

4. GEORGES RIVER PARKLANDS - CONSTRAINTS AND OPPORTUNITIES

4.1 Constraints

While the actions and responses outlined in Section 3 above will bring about noticeable improvements to the water quality and amenity of the Georges River, numerous other initiatives need to be concurrently pursued to enable greater access and use of the river and parklands for public enjoyment.

The Georges River is, in effect, invisible from most parts of the City Centre, with available views only afforded from the concourse of Liverpool Station and along major arterial roads such as Newbridge Road and the M5 Motorway. Currently there is a lack of visible, safe and universally accessible points of entry from the City Centre and surrounding suburbs to both Lighthorse Park and the Georges River Corridor. Existing access points are hampered by isolation, poor wayfinding, signage and lighting.

The lack of path and landscape lighting within Lighthorse Park and along the river's edge has negative impacts on safety and discourages night-time use. Overgrown vegetation along the riverbanks contributes to the perception of Lighthorse Park as an unsafe environment through the blockage of sunlight and cross-views, creating dark areas with poor visibility by the river.

The river itself is inaccessible in most places due to steep banks, with access and egress problems further exacerbated by the presence of extensive weeds and submerged objects.

4.2 Opportunities

It is considered that major opportunities exist to engage with the river to:

- improve the connection of the City Centre to the river;
- improve the presentation and arrival experience of the City Centre from Newbridge Road; and
- improve the function and aesthetics of the riverfront parklands, reflecting the values and attributes which make it unique to and befitting of Sydney's third City Centre.

The opportunity to improve the City's connections to the river is embedded within the tremendous potential for the urban renewal of key sites adjacent to the Georges River. Redeveloping these sites to include new view corridors, improved pedestrian amenity, more generous public space along the foreshore and clear routes to the river would place the Georges River at the heart of a new Liverpool, and in effect, knit the eastern and western sides of the City together.

The proximity and elevation of Liverpool Station presents an opportunity to extend the existing transport interchange via a vertical connection to Lighthorse Park, facilitating ease of access to the river and southern suburbs for commuters and cyclists. Providing new lift and stair access directly from Liverpool Station to Lighthorse Park and the Georges River would create a welcoming, and highly visible new entry point, activity area and urban gateway for commuters, day-trippers and casual visitors alike.

Extension of the existing foreshore path to the south would connect southern suburbs to the river and provide a continuous riverside connection from the City Centre to the Casula Powerhouse Arts Centre. Introducing a river crossing that is accessible from the Park, in conjunction with a continuous new path network on the eastern foreshore would provide new connections to key regional attractions such as Lake Moore, Warwick Farm Racecourse, and Chipping Norton Lake.

Upgrading the existing amenities of Lighthorse Park to include a variety of leisure and recreational offerings would encourage broad-spectrum use – as would the inclusion of shade trees, public seating, lighting and designed spaces suitable for outdoor events, sports and informal gatherings.

5. ACTIVATING THE GEORGES RIVER AND PARKLANDS

In view of the significant benefits of the urban renewal of key sites along the Georges River, Council has commenced planning and delivering a package of high value projects along the Georges River corridor. Known as the River Connections Program, the projects respond to the identified constraints in a way that is designed to leverage the available opportunities to create public spaces along the river that are inviting and desirable.

5.1 River connections at a glance

River connections strategy	Description and objectives
	<p>a) Create a safe, inviting and active Lighthorse Park</p> <ul style="list-style-type: none"> In order to connect the Georges River and Lighthorse Park with Liverpool City Centre, and transform the area into a vibrant and active public space, it is first necessary to make the place safe and inviting to visitors of all ages and capacities. The Lighthorse Park Masterplan presents a staged improvement plan to achieve the above objectives. <p>Status: Develop and endorse masterplan 2018/19; detailed design 2019/20; staged construction 2020/21.</p>
	<p>b) Liverpool Railway Bridge - provide a new River Crossing and enhance the foreshore experience</p> <ul style="list-style-type: none"> A new lightweight crossing over the heritage-listed Liverpool Weir will open up access to the area and the City for residents in the east, while improvements to the path network at the Foreshore will greatly enhance interaction with and enjoyment of the River. <p>Program: Detailed design 2018/19; construction from 2020/21.</p>
	<p>c) Georges River Boardwalk - extend the foreshore upgrade to connect north and south</p> <ul style="list-style-type: none"> A continuous, shared path network that links Lighthorse Park to key River destinations (e.g. Casula Powerhouse Arts Centre) and riverside parks (e.g. Casula Parklands) will transform the Georges River Corridor into an integrated and active public space with Liverpool at its heart. <p>Program: Construction via VPA 2019/20.</p>

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River connections strategy	Description and objectives
	<p>d) Connect Liverpool Station concourse to the Park and River</p> <ul style="list-style-type: none"> Providing a new lift and stair access directly from Liverpool Station to Lighthorse Park and the Georges River creates a welcoming, and highly visible new entry point, activity area and urban Gateway for commuters, day-trippers and casual visitors alike. <p>Program: Design and approvals 2019/21; Construction from 2021/02.</p>
	<p>e) Revitalisation and embellishment of Casula Parklands</p> <ul style="list-style-type: none"> This key regional destination park involves the provision of a passive parkland space to the Liverpool community that includes an adventure playground, outdoor ninja gym, off leash dog area, sculpture walk, amenities building and landscaped gardens. The Park upgrade works will activate what was otherwise an underutilised public space. <p>Status: Construction complete.</p>
	<p>f) Chipping Norton Lakes Masterplan</p> <ul style="list-style-type: none"> Involves the development of a comprehensive masterplan to maximise the use and enjoyment of all the parklands around the Chipping Norton Lakes area. <p>Program: Develop vision and masterplan by June 2020.</p>


5.2 Activating the Georges River

The on-ground activation programs identified above will not only transform the parklands along Georges River into thriving and vibrant public spaces, but will also play a crucial role in providing the required infrastructure and amenities to support the many in-river activation activities.

The following section presents examples of recreational activities that are common in urban rivers, and could potentially be explored for Georges River. It also presents other and equally important uses of the river to present a holistic view of what river activation means to the community.

Activation ideas and examples	Description, issues and way forward
	<p>a) Floating playgrounds</p> <ul style="list-style-type: none"> There are real opportunities to introduce floating playgrounds in the Chipping Norton Lakes area as mini amusement parks. However, ongoing concerns regarding water quality have so far precluded such a proposal from being considered. Planned improvements to Lighthorse Park will include the provision of an on-shore water park so that water play is all inclusive.
	<p>b) Improving swimmability along sections of the river</p> <ul style="list-style-type: none"> Periodic water quality concerns arising from elevated levels of bacteria has precluded primary contact in-river recreational activities such as swimming.

Activation ideas and examples	Description, issues and way forward
	<p>c) Boating and kayaking activities</p> <ul style="list-style-type: none"> Recreational activities that require secondary body contact such as boating, kayaking and water skiing are feasible at most sites along the Georges River. The land-based activation programs that are underway include the provision of piers and jetties for the launching of kayaks and canoes.
	<p>d) Fishing</p> <ul style="list-style-type: none"> Fishing activities are quite common along the river, notwithstanding the warnings and prohibitions against this activity. Improvements to the quality and health of the river will allow this sport to continue without the risk of any contamination.
	<p>e) Hindu rituals</p> <ul style="list-style-type: none"> Access to flowing water is essential in all Hindu rites and ceremonies, and it is held sacred due to its purification and cleansing powers. It is considered that properly planned and constructed ceremonial Ghats will not only facilitate the performance of such centuries old rituals but will also create key destinations for many annual Hindu festivals.

Activation ideas and examples	Description, issues and way forward
	<p>f) Mandaean baptism rituals</p> <ul style="list-style-type: none"> As with Hinduism, water is also a symbol of purity in all rituals and religious ceremonies for the Mandaean religion. The Mandaean community has been seeking a place in the Georges River to undertake baptism rituals, however due to concerns regarding the quality of the water, any activity requiring primary in-river contact cannot be permitted. Subject to further assessments as outlined below, treated river water pools could be considered as interim solutions until improvements to the river quality can be achieved.

6. NEXT STEPS

In view of the known water quality issues with the Georges River, it is prudent that a thorough assessment is undertaken to test the viability and priority of the above-listed in-river activation strategies. In summary, the barriers to river activation are:

- not knowing if sites along the river are safe to use for recreation in terms of the physical constraints that may be present; and
- not knowing if water quality is of a standard that allows for primary and secondary contact activities due to a lack of long-term water quality data.

To gain a better understanding of the potential for in-river activation, it is proposed to use a Swim Site Activation Framework developed for the Parramatta River Catchment Group by McGregor Coxall. This framework provides a valuable tool to inform and guide management on the potential for activation and the type of activation that can be achieved at a particular site. It explores the potential for swimming and where swimming is not feasible, other river site activation options that maximise engagement with the river are explored.

Each of the sites along the river will be assessed to determine:

- the physical viability of in-river or land-based activation;
- the relative risks of a site to various safety and community acceptance factors including water quality; and
- the likelihood that a site will be active and have good visitation rates, impacting on the overall success of a river site's activation.

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CITY INFRASTRUCTURE AND ENVIRONMENT REPORT

As the planning for the land-based activation sites are well advanced, it is considered that the priority for investigation of the river sites be guided by the parkland sites. Consequently, the following three sites along the Georges River have been selected for further investigation:

- Lighthorse Park;
- Casula Parklands; and
- Casula Powerhouse Arts Centre.

The outcome of the above investigations will inform the development of a well-grounded vision as well as a priority program of improvement works required for the total activation of the Georges River.

CONSIDERATIONS

Economic	Facilitate the development of new tourism based on local attractions.
Environment	Manage the environmental health of waterways. Manage air, water, noise and chemical pollution.
Social	Preserve and maintain heritage, both landscape and cultural as urban development takes place. Deliver high quality services for children and their families.
Civic Leadership	Act as an environmental leader in the community.
Legislative	The management of all rivers is governed by various regulations, which would be important considerations in the planning for the in-river activation works.

ATTACHMENTS

Nil

QWN 02	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	218348.2020

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?**

The Trust's priorities remain activating, managing and maintaining Western Sydney Parklands including the Liverpool section under The Parklands Plan of Management 2030 and the Southern Parklands Framework 2018. Earlier this year, Shale Hills Dog Park opened in West Hoxton featuring 2-hectares of open space with state-of-the-art dog agility and is already a popular community destination

The Trust continues to work closely with Liverpool City Council and Transport for NSW to relocate Wylde MTB trail.

The Trust's priorities for the area also include delivery of the new western ridges Walk, a 12-kilometre trail through the Cecil Hills Precinct. Construction is due to start next year with the walk anticipated to be open for visitors later in 2021.

2. Will these plans change with the Western Sydney Parklands Trust being rolled into a super parklands trust?

It is business as usual across all areas of Western Sydney Parklands Trust's award-winning parks and open spaces including the Parklands areas in the Liverpool Local Government Area.

3. How will the unique needs and priorities of Western Sydney and Western Sydney Parklands be catered for in this new structure?

The Greater Sydney Parklands agency will be well-equipped to manage and safeguard existing parks across the city including Western Sydney Parklands, offering a stronger and better resourced parks agency for Sydney.

Each of the park trust's legislation will remain in place – including Western Sydney Parklands - with all the protections and obligations under those acts.

This will ensure that the new combined agency can work strategically at a city-wide level and still retain a focus on local community interests.

4. What structure will the board of the new trust take?

The Greater Sydney Parklands agency creates a combined board and administration of all three trusts to create a larger agency with increased resources and a greater voice to advocate for parks in Sydney. Eight directors sit on the Greater Sydney Parklands Board headed by Chair, Michael Rose.

The combined board will manage each of the existing parklands under their specific Acts, according to their specific heritage listings and plans of management.

5. How many board members on the new trust will be from Western Sydney?

The board reflects a mix of representation from different localities and backgrounds.

6. Will a board quota be set to ensure sufficient representation from Western Sydney?

A diverse and experienced board has been selected to ensure representation in the best interests of everyone. Board members will be well connected to communities right across the city and will be representing the interests of all areas including Western Sydney.

ATTACHMENTS

Nil

QWN 03	Question with Notice - Cllr Kaliyanda - Wattle Grove Lake
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Strategic Direction	Strengthening and Protecting our Environment Protect and enhance bushland, rivers and the visual landscape
File Ref	220455.2020

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?

Response

1. What measures have been undertaken to improve the water quality at Wattle Grove Lake? What measures have been found to be successful?

Wattle Grove Lake was constructed as part of land development by the Defence Housing Authority (DHA) in 1993. The Lake was originally constructed as a stormwater detention basin with the primary function of capturing and storing stormwater prior to discharging to Anzac Creek and ultimately the Georges River. However, over the years the function of the Lake has undergone significant change and has now become a crucial part of the local ecosystem providing habitat to native aquatic fauna as well as a number of exotic and native bird species, including ducks, geese and possibly others, from the nearby Georges River environs.

Over the past few decades significant urban developments have occurred within the catchment. Stormwater runoff from roads, residential and commercial premises and other sources appears to have transported significant litter, sediment, heavy metals, grease, oils, bacteria, nutrients and other chemicals into the Lake.

Wattle Grove Lake suffered a major fish kill event in 2012 triggering a comprehensive investigation into the causes of the fish kills. Council engaged consultants and set up

partnerships with the Western Sydney University for a rigorous program of water sampling and testing. Following a period of testing and monitoring, it was found that the Lake had abnormally high levels of iron and other nutrients, particularly Nitrogen and Phosphorous. The elevated concentrations of iron and other heavy metals appear to have been the primary cause of the decline in the quality of the water and ecological condition of the Lake. Council immediately developed and implemented a program of improvements to address the poor water quality issues. The improvement works included:

- Extensive bank erosion protection works to eliminate sediment runoff and control turbidity;
- Selected removal of silt and sediment from within the Lake to directly remove contaminants.
- A regular program of carp and eel removal, including partnering with the local fishing club to allow fishing and removal of carp and eels. The presence of large numbers of carp and eels are detrimental to the survival of the native wildlife. Further, due to shallow depths of the Lake, any disturbance to the sediment beds caused by the eels and carp results in an immediate surge in turbidity. As a result, the Lake constantly appears to be murky.
- Installation of fountains and aerators to increase circulation and oxygen levels.
- Improvements to garden beds to reduce sediment runoff into the Lake.
- Introduction of a program of regular audit of the gross pollutant traps (GPT) to analyse its performance. This resulted in modifications to numerous GPTs to improve capture of pollutants before reaching the Lake.



Photos showing sediment removal and bank protection works undertaken.

Council considers that the above measures, together with ongoing monitoring of water quality, have been successful in addressing the extreme conditions that resulted in the fish kills. This is further demonstrated by past water sampling data that shows a gradual decline in the turbidity and iron levels.

The turbidity and appearance issues arise from the shallow depths and the fauna that inhabit the Lake. It is considered that regular and systematic removal of carp and eels will assist in controlling these issues over time. Based on a more recent inspection of the Lake, the water

quality appears to have stabilised and is considered satisfactory, as shown in the photos below.



Photos of Wattle Grove Lake

2. *What is the underlying issue with the water quality at Wattle Grove Lake?*

Following extensive sampling, testing and analysis of water in the Lake, Council considers that the following factors have been the primary cause of poor water quality in Wattle Grove Lake:

- Urban development in the area over the past few decades has resulted in significant transport of pollutants into the Lake.
- The original design of the Lake does not appear to consider potential pollutant transport and necessary treatment requirements.
- Existing depth of the lake is not sufficient to allow the sediment particles to settle, causing an ongoing turbidity issue. Shallow depth and movement of carp and eels has also exacerbated the turbidity issue.

3. *What measures are still being undertaken, or are currently planned, to improve the water quality at Wattle Grove Lake?*

A range of water sampling and testing programs have continued over the years to actively monitor water quality variations to enable Council to predict extreme events such as algal blooms and fish kills. These have included:

- Ongoing partnership with Western Sydney University enabling coordinated monitoring of the water quality of the Lake. This monitoring program was recently expanded to include groundwater monitoring around Wattle Grove Lake to assess if groundwater is a potential source of lake water contamination causing the deterioration of the lake water quality. The results concluded that there was no evidence of groundwater contaminating the Wattle Grove Lake.
- More recently, the Department of Defence have undertaken sediment and surface water samples from Wattle Grove Lake as part of PFAS related investigations in and around the Holsworthy Barracks. All results were below the human health and ecological screening criteria and there was no evidence of any external contaminants, other than those identified above.

To provide longer term solutions to the water quality issues, Council investigated the following two options:

- a) Addressing inherent design flaws - it was considered that redesigning the Lake to improve inlet conditions and to increase the Lake depth would improve the water quality. However, it was found that any major engineering works would require draining of the Lake causing serious damage to the lake ecology. This option would also require a significant investment of capital funds.
- b) Construction of floating reed beds - research has shown that introducing floating reed beds into the lake would increase the uptake and absorption of the nutrients and improve water quality. The estimated cost for establishment of a floating reed bed was found to be over \$2.0M. Due the high cost of this option and other competing priorities for council funding, this option was not further progressed.

4. How has Council sought partnerships and worked with other organisations in order to address this issue?

As discussed above, Council has worked with numerous consultants and has formed partnership with the Western Sydney University to develop a detailed understanding of the underlying factors that are causing the water quality issues. This has enabled council to develop and implement improvement strategies that appears to have controlled the extreme conditions that have previously affected this lake.

ATTACHMENTS

Nil

QWN 04

**Question with Notice - Cllr Hagarty - JobKeeper
and JobSeeker**

Strategic Direction	Generating Opportunity Attract businesses for economic growth and employment opportunities
File Ref	255955.2020

QUESTION WITH NOTICE

Please address the following:

With JobKeeper and JobSeeker set to be reduced or removed for many come October, do we have approximate numbers on:

1. Number of businesses in Liverpool who will lose JobKeeper?
2. Number of people they employ?
3. Number of people on JobSeeker in Liverpool?

A response to these questions will be provided in the 27 October 2020 Council meeting business papers.

ATTACHMENTS

Nil

QWN 05	Question with Notice - Cllr Hadchiti - Western Sydney Aerotropolis State Environmental Planning Policy (SEPP) 2020
Strategic Direction	Strengthening and Protecting our Environment Exercise planning controls to create high-quality, inclusive urban environments
File Ref	255990.2020

QUESTION WITH NOTICE

Please address the following:

1. With the release of the Western Sydney Aerotropolis State Environmental Planning Policy (SEPP) 2020, have any major implications been identified that effect our LGA?

A response to these questions will be provided in the 27 October 2020 Council meeting business papers.

ATTACHMENTS

Nil

NOM 01

Integrated Pest Management Policy and Strategy

Strategic Direction	Leading through Collaboration Strive for best practice in all Council processes
File Ref	255803.2020
Author	Charishma Kaliyanda - Councillor

BACKGROUND

Council is frequently contacted by residents regarding the management of introduced and other species regarded as pests, such as Indian myna birds, eels, carp and foxes.

Such species threaten native biodiversity and may potentially pose a threat to humans.

Neighbouring local government areas (LGAs) such as Camden and Campbelltown have either specific plans, such as an Indian Myna Bird Management Plan, or more comprehensive Integrated Pest Management Plans.

The NSW EPA recommends Integrated Pest Management (IPM) as an environmentally sensitive way of managing pests. It uses a combination of practices and control methods with the aim of preventing problems from occurring and reducing the need for pesticide intensive activities. IPM activities include:

- Forward planning
- Regular monitoring
- Timely decision making

A necessary component of an IPM Policy and Strategy should also be a community engagement strategy to ensure residents, local businesses and schools, are also encouraged to be involved and take part in initiatives to protect native biodiversity.

An IPM Policy and Strategy integrates appropriate measures that discourage the development of pest populations while maintaining pesticides and other interventions to levels that are economically justified and reduce or minimise risks to human health and the environment. They should establish local priorities for pest species and areas to be managed and includes an action plan outlining time frames for implementation.

NOTICE OF MOTION

That Council:

1. Develop an Integrated Pest Management Policy and Strategy for the Liverpool LGA and report back to Council by the first February 2021 meeting; and
2. Include a plan for community awareness and engagement of the policy and strategy within the LGA.

ATTACHMENTS

Nil

NOM 02

Liverpool Multicultural Park

Strategic Direction	Creating Connection Celebrate diversity, promote inclusion and recognise heritage
File Ref	255851.2020
Author	Tony Hadchiti - Councillor Nathan Hagarty - Councillor

BACKGROUND

Liverpool prides itself as a vibrant multicultural community. Our residents come from all corners of the earth and we have a rich and proud indigenous history.

As a peaceful, democratic nation, each of us are afforded the opportunity to proudly celebrate our heritage. In Liverpool will do this openly and inclusively with the entire community, peacefully and in harmony.

It is often said that Australia is the most successful multicultural nation on Earth. While we believe this to be true, it is not enough to simply repeat a cliché for it to continue to be so. It requires continuous hard work and reminders of what it took to build this great achievement.

As the face of multicultural Australia, Liverpool should have a place that celebrates this achievement and the contribution of multiculturalism to Australia and specifically our LGA.

The Serbian Orthodox Youth Association (SOYA) are seeking to celebrate the contribution of the Serbian Community in South West Sydney and in particular Liverpool, which is home to thousands of Serbian Australians, with a park.

In the case of the Serbian community, the park would highlight the long standing alliances between Serbia and Australia shared in both World Wars. It would also honour modern Australians of Serbian descent such as Rale Rasic; Jelena Dokic; Professor Ana Deletic; and Karl and Peter Stefanovic.

Let the passion and drive of SOYA to honour to the contribution of Serbian Australians, serve as the catalyst for Liverpool to recognise the enormous contribution of multiculturalism to our city.

NOTICE OF MOTION

That Council:

1. Notes Liverpool is the face of multicultural Australia;
2. Notes Australia as the most successful multiculturalism nation on Earth;
3. Notes the successful contribution multiculturalism has made to modern Australia;
4. Acknowledge the contribution the Serbian Community makes to the Liverpool LGA;
5. Support the establishment of a Liverpool Multicultural Park;
6. Direct the CEO to work closely with SOYA to develop a Serbian section of the Liverpool Multicultural Park;
7. Note the support of the local State & Federal members of Parliament;
8. Writes to local and surrounding State & Federal MP's noting Councils support and request a monetary contribution for the establishment of such a park;

ATTACHMENTS

Nil

NOM 03**Housing targets and our fair share**

Strategic Direction	Strengthening and Protecting our Environment Exercise planning controls to create high-quality, inclusive urban environments
File Ref	255945.2020
Author	Nathan Hagarty - Councillor

BACKGROUND

Council has long argued that our population growth has not been matched with the requisite infrastructure to support it.

While we have some of the highest housing targets in the State, this has not been met with adequate physical and social infrastructure such as schools, hospitals, roads, public transport and critical Government services.

Recently, Rob Stokes, the Minister for Planning and Public Spaces, confirmed in a letter to Ku-ring-gai Council that councils, not the Greater Sydney Commission, are responsible for determining their housing supply targets.

The letter confirmed the housing targets set by the Greater Sydney Commission are not a legal requirement upon councils.

NOTICE OF MOTION

That Council:

1. Notes the letter from Rob Stokes, the Minister for Planning and Public Spaces, that councils, not the Greater Sydney Commission, are responsible for deciding their local housing supply targets;
2. Notes the many standing motions of Council regarding a lack of infrastructure in our LGA;
3. Notes it will work constructively with the State and Federal Governments to ensure housing targets are matched with the required infrastructure to support them; and
4. Acknowledges it may increase or reduce housing targets as it sees fit.

ATTACHMENTS

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