

COUNCIL AGENDA

ORDINARY COUNCIL MEETING

25 August 2021



You are hereby notified that an **Ordinary Council Meeting** of Liverpool City Council will be held **ONLINE** on **Wednesday, 25 August 2021** 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

CHIEF EXECUTIVE OFFICER

ORDER OF BUSINESS

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Acknowledgment of Country and Prayer

National Anthem

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Condolences

Confirmation of Minutes

Ordinary Council Meeting held on 28 July 2021 6

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NIL

Chief Executive Officer Report

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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	Question with Notice - Cllr Rhodes - Liverpool Animal Shelter		
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Reason: Item CONF 01 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.

ORDER OF BUSINESS

CONF 02 Question with Notice - Clr Rhodes - Land adjoining Kokoda Oval, Hammondville

Reason: Item CONF 02 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 03 Question with Notice - Clr Hadchiti - Basin 6, Austral

Reason: Item CONF 03 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 04 Update on Shepherd Street Planning Agreement

Reason: Item CONF 04 is confidential pursuant to the provisions of s10(A)(2)(g) of the Local Government Act because it contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

CONF 05 Order of Liverpool Awards 2021

Reason: Item CONF 05 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 06 Management of Contaminated Lands

Reason: Item CONF 06 is confidential pursuant to the provisions of s10(A)(2)(g) of the Local Government Act because it contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

CONF 07 Legal advice on the public release of documents relating to Intermodal

Reason: Item CONF 07 is confidential pursuant to the provisions of s10(A)(2)(g) of the Local Government Act because it contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

CONF 08 Tender for Supply of Electricity - Renewable Energy Percentage Election

Reason: Item CONF 08 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.

Close



MINUTES OF THE ORDINARY MEETING HELD ON 28 JULY 2021

PRESENT:

Mayor Wendy Waller
 Councillor Ayyad
 Councillor Balloot
 Councillor Hadchiti
 Councillor Hadid
 Councillor Hagarty
 Councillor Harle
 Councillor Kaliyanda
 Councillor Karnib
 Councillor Rhodes
 Councillor Shelton
 Dr Eddie Jackson, Chief Executive Officer
 Mr George Hampouris, Acting Director Corporate Services
 Ms Tina Bono, Acting Director Community and Culture
 Mr David Smith, Acting Director Planning and Compliance
 Mr Peter Diplas, Acting Director City Presentation
 Mr Raj Autar, Director Infrastructure and Environment
 Mr John Morgan, Director Economy and Commercial Development
 Ms Jennifer Chenhall, General Counsel, Manager Governance, Legal and Procurement
 Mr John Milicic, Manager Property Services
 Mr Vishwa Nadan, Chief Financial Officer
 Ms Ellen Whittingstall, Acting Internal Ombudsman
 Mr George Georgakis, Manager Council and Executive Services
 Ms Rose Koch, Committee Officer (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, 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 Mr Eddie Jackson, Chief Executive Officer.

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

CONF 01: Tender WT3013 – Construction of stormwater basin 6 in Austral

Reason: Clr Hadchiti lives in the area.

Clr Hadchiti remained in the meeting for the duration of this item.

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

COM 01: Grants, Donations and Corporate Sponsorship

Reason: Clr Rhodes knows organisations that are listed in the report through her work in the community.

Clr Rhodes remained in the meeting for the duration of this item.

Clr Hadchiti declared a pecuniary interest in the following item:

MAYOR 01: Environmental Planning and Assessment Amendment (Compliance Fees) Regulation 2021

Clr Hadchiti left the virtual meeting for this item.

PUBLIC FORUM

Presentation – items not on agenda

Nil.

Representation – items on agenda

Nil.

Clr Hadchiti declared a pecuniary interest in MAYOR 01 and left the virtual meeting at 6.08pm.

MAYORAL MINUTES

ITEM NO: MAYOR 01
FILE NO: 245497.2021
SUBJECT: Environmental Planning and Assessment Amendment (Compliance Fees) Regulation 2021

On Friday 16 July 2021, Council was notified by the Chief Executive of LGNSW of the passage by the NSW State Government of the Environmental Planning and Assessment Amendment (Compliance Fees) Regulation 2021 (NSW). Liverpool City Council is one of 29 councils in NSW which charges compliance levies to support council development and compliance activities.

Earlier this year, while Council was finalising its 2021/2022 budget, the Government announced it intended to prohibit the ability of councils to charge a compliance levy from 1 July 2021. Following strong advocacy from LGNSW and councils, the Government announced it would defer this imposition on councils so it could consult with the sector and introduce a new compliance funding regime.

Regrettably, in the absence of any consultation and despite ongoing advocacy by LGNSW, the Environmental Planning and Assessment Amendment (Compliance Fees) Regulation 2021 was published on Friday 16 July 2021 with the effect of prohibiting councils from collecting compliance levies. For those councils that currently collect compliance levies, this prohibition now takes effect from 31 December 2021.

This regulation was made in the same month the Government saw the passage of new legislation which facilitates 'compliance levies' for the NSW Building Commissioner's Office. Councils will be required to collect the new compliance levies for the Building Commissioner's Office and remit the funds but won't be able to collect compliance levies to fund their own development and compliance activities.

LGNSW considers this an outrageous impost on councils. LGNSW will be strongly responding to the Government's action and has requested our Council's assistance by providing information about the financial impacts of this change.

For Liverpool City Council, the compliance levy has raised, on average, \$3 million per year (since the levy was introduced in FY 2015/16). This Council has previously resolved that all revenue from the levy be used to fund council development and compliance activities. Removing the ability for councils to collect a compliance levy will result in at least a \$3 million shortfall in Council's operational budget position in future years (potentially more depending on the level of development activity in the LGA) and will significantly affect our capacity to deliver the level of compliance activities expected by the community.

For high growth Councils like Liverpool, the Compliance Levy is an opportunity to ensure adequate oversight and resourcing of our regulatory responsibilities. Coming on top of changes to the contributions planning framework, the removal of the compliance levy is yet another cut to local government funding without any reduction in demand.

The State Government should reverse this decision or implement, at least, a 2-year moratorium on the removal of the levy for high growth Councils like Liverpool to enable a transition to any new scheme. This would enable a transition to alternative budget arrangements for future financial years without impacting so significantly on service delivery over the short term.

COUNCIL DECISION

Motion: **Moved: Mayor Waller**

That Council write to the Hon Rob Stokes, Minister for Planning and Public Spaces requesting the Government reverse the decision to prohibit council from collecting compliance levies from 31 December 2021, or in the alternative, for the State Government to implement (at least) a 2 year moratorium on the removal of the levy for high growth Councils like Liverpool to enable a transition to any new scheme.

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

Clr Ayyad voted asked that she be recorded as having voted against the above motion.

ITEM NO: MAYOR 02
FILE NO: 245450.2021
SUBJECT: 2021 COVID-19 Lockdown

I would like to take this opportunity to thank Liverpoolians for staying home and doing the right thing. We are living through very unusual and challenging times.

While virus case numbers across Greater Sydney are concerning, Liverpool's numbers remain lower compared to other named Local Government Areas.

Due to the pandemic the local government elections have been postponed until 4 December 2021.

Like everyone in our community I'm in lockdown with my immediate family members including children and can very much relate to the challenges of home schooling and working life. It's not easy and we are all doing it tough

We are a resilient community and when faced with adversity we stand together.

If you are at home and experiencing distress, please reach out via phone or use technology to reach out to someone you trust. Support is available through the Beyond Blue Helpline, Lifeline, the National Sexual Assault, Domestic Family Violence Counselling Service and the National Debt Hotline.

This pandemic is serious because the virus has mutated and this time people of all ages in our community are vulnerable and it's extremely contagious. As a parent and grandparent, automatically you wish to protect those most vulnerable in your family. I would like to stress that health guidelines are provided regarding care for family members not of your household - please follow these instructions.

The Minister for Health and Medical Research, Brad Hazzard has explained recently that a number of community infections had occurred due to families intermingling to pay their respects after a death in the family.

This would indeed be a very sad time with plenty of rituals and traditions involved, but it is crucial that you do not visit other households during this time. My own cousin recently passed away and sadly I cannot attend the household nor attend the funeral. We will use technology and yes, we were close.

I have lobbied for more vaccination centres in Liverpool and there has been some success. From 2 August, pop-up mobile vaccination centres will be set up in nominated suburbs in our community.

It is important that you get tested if you are unwell.

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

1. Notes the Gateway determination for Liverpool Local Environmental Plan 2008 (Amendment 79) and the results of the public authority consultation and community consultation; and
2. Subject to the execution of the planning agreement, proceeds with Amendment 79 to the Liverpool Local Environmental Plan 2008 and delegates authority to the CEO (or his delegate) to liaise with the Parliamentary Counsel's Office and the Department of Planning, Industry and Environment to finalise the amendment.

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

Chairperson

Motion: **Moved: Clr Ayyad** **Seconded: Clr Hadid**

1. Receive and note this report; and
2. Investigates including 'Dual Occupancies' as a land use permitted with development consent in the R2 Low Density Residential and R3 Medium Density Residential zones of the Liverpool Local Environmental Plan as part of Phase 2 of the LEP Review.

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

Chairperson

Clr Hagarty and Clr Kaliyanda temporarily left the meeting at 6.20pm.

COMMUNITY & CULTURE REPORT

ITEM NO: COM 01
FILE NO: 196466.2021
SUBJECT: Grants, Donations and Corporate Sponsorship

COUNCIL DECISION

Motion: **Moved:** Clr Shelton **Seconded:** Clr Hadid

That Council endorses the recommendation of **\$28,950** (GST exclusive) under the **Corporate Sponsorship Program** for the following projects subject to the projects going ahead due to Covid restrictions;

Applicant	Project	Recommended
Friends of India Australia Incorporated	Ganeshotsava	\$10,000
Southern Districts Soccer Football Association	Annual Liverpool Knockout Competition (Soccer)	\$8,950
Ingham Institute for Applied Medical Research	Robotics, Health Technology & Industry Symposium	\$10,000

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

ITEM NO: CORP 02
FILE NO: 206185.2021
SUBJECT: Western Sydney City Deal - Participation Evaluation

COUNCIL DECISION

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

That Council notes the report which provides an overview of Council's costs and benefits associated with the Western Sydney City Deal to date.

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

ITEM NO: CTTE 02
FILE NO: 191038.2021
SUBJECT: Liverpool Sports Committee Minutes of meeting held 27 May 2021

COUNCIL DECISION

Motion: **Moved: Clr Ayyad** **Seconded: Clr Hadid**

That Council:

1. Receives and notes the Minutes of the Liverpool Sports Committee meeting held on 27 May 2021.
2. Endorse the recommendation in the minutes

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

ITEM NO: CTTE 03
FILE NO: 200415.2021
SUBJECT: Minutes of the Companion Animals Advisory Committee meeting held on 1 June 2021

COUNCIL DECISION

Motion: **Moved: Clr Ayyad** **Seconded: Clr Hadid**

That Council receive and note the minutes of the Companion Animals Advisory Committee meeting held on 1 June 2021.

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

Motion: **Moved: Clr Ayyad** **Seconded: Clr Hadid**

1. Receives and notes the meeting notes of the Liverpool Access Committee meeting held on 15 April 2021;
2. Receives and notes the minutes of the Liverpool Access Committee Meeting held on 10 June 2021; and
3. Endorses the recommendations in the notes and minutes.

Chairperson

ITEM NO: CTTE 06
FILE NO: 214288.2021
SUBJECT: Minutes of Strategic Panel meeting held on 15 June 2021

COUNCIL DECISION

Motion: **Moved: Clr Ayyad** **Seconded: Clr Hadid**

That Council receives and notes the Minutes of the Strategic Panel Meeting held on 15 June 2021.

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

ITEM NO: CTTE 07
FILE NO: 216781.2021
SUBJECT: Minutes of the Environment Advisory Committee Meeting held on 15 June 2021

COUNCIL DECISION

Motion: **Moved: Clr Ayyad** **Seconded: Clr Hadid**

That Council:

1. Receives and notes the Minutes of the Environment Advisory Committee Meeting held on 15 June 2021.
2. Endorse the recommendations in the Minutes.

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

Motion: **Moved: Clr Ayyad** **Seconded: Clr Hadid**

1. That the Committee write to Woolworths to seek an ongoing scholarship program for:
 - a. at least one local student from the Liverpool LGA to study an engineering or advanced technologies undergraduate program at a local university; and
 - b. at least one scholarship for a local student to attend TAFE to study in an emerging field such as electrotechnology.
2. Council to consider engagement with the NSW and Federal governments as well as relevant parties to retain the current Moorebank Avenue upgrade and seek alternative solutions to the realignment such as overpass bridges;
3. Council consider engagement with the NSW and Federal governments as well as relevant parties to construct an eastbound M5 weave upgrade at the same time as the Moorebank Ave Interchanges and westbound weave projects are undertaken, and to place appropriate transparent noise walls in both directions, similar to those on the M7;
4. Council to write to the NSW government and EPA NSW to advise that Council is no longer the authorised regulatory authority for air and noise pollution, that this role is assumed by the EPA NSW and that Council provide a list of location metrics for air and noise pollution enforcement to the Committee; and
5. That Council consider engaging with NSW and Federal government to redesign the Moorebank Precinct West Masterplan to be consistent with concept approvals at 300,000 square metres of warehousing.

Chairperson

QUESTIONS WITH NOTICE

ITEM NO: QWN 01

FILE NO: 196276.2021

SUBJECT: Question with Notice - Cllr Hagarty - Animal Welfare

Please address the following:

1. What is the process from when rangers attend to a found pet?
2. What is the average time between an animal being taken to the shelter and appearing on:
 - Council's website?
 - The facilities Facebook page?
3. What other channels are used?
4. What details are posted?
5. Are there KPIs for this?
6. Are Council meeting these KPIs?
7. Are there KPIs in place for rehoming animals?
8. Are Council meeting these KPIs?
9. How much time each day are dogs given out of their kennels?
10. What enrichment are they provided each day?
11. What strategies are in place to prevent dogs from suffering significant kennel stress such as aggressive behaviour, barking and lunging at people?.
12. What training and information do rangers and rehoming officers undertake and have access to in relation to:
 - Animal handling, enrichment and recognising body language?
 - The latest methods in animal rehoming?
 - Dangerous dog handling?

Response

1. What is the process from when rangers attend to a found pet?

Council officers will scan the animal, and if microchipped, will contact the owner and return the animal home within 2 hours and update Council's records. If the animal is not identified, then the animal is taken to the Liverpool Animal Shelter at Rossmore Vet.

Under the Companion Animals Act, a companion animal must be identified (microchipped) from 12 weeks of age and it is an offence not to do so and is subject to an on the spot fine. In addition, the Act requires a dog to wear a collar which shows the name of the dog and the address or phone number of the owner. It is also an offence for a dog not to have a collar.

2. What is the average time between an animal being taken to the shelter and appearing on:

- Council's website?
- the facilities Facebook page?

Lost animals that are not identified are posted on both pages within 24 hours of entering the shelter on a Monday to Friday. If an animal enters the animal shelter on the weekend, details are posted on Monday. However, the shelter can be contacted 7 days a week for residents to enquire about lost animals or to pick up lost animals.

3. What other channels are used?

Council monitors local lost & found Facebook pages. Where an owner has posted details regarding their lost pet, Council officers will contact them directly. Staff also circulate Lost Pet Alerts amongst the team, so officers are aware of missing animals in the area.

Council also keeps a log of all calls made to the shelter regarding lost pets in the Liverpool LGA and surrounding areas which is referred to when an animal is impounded, to reunite the pet and owner sooner.

4. What details are posted?

Species, breed, gender, name (if known), suburb found, and a photo.

5. Are there KPIs for this?

As identified above, lost animals that are not identified are posted on both pages within 24 hours of entering the shelter on a Monday to Friday. If an animal enters the animal shelter on the weekend, details are posted on Monday. However, the shelter can be contacted 7 days a week for residents to enquire about lost animals or to pick up lost animals.

6. Are Council meeting these KPIs?

Yes.

7. Are there KPIs in place for rehoming animals?

The Delivery Program and Operational Plan (DPOP) (C.4.06) target is 65% of dogs to be rehomed within two months and 40% of cats to be rehomed within two months.

8. Are Council meeting these KPIs?

Council reports on how it is meeting targets in the DPOP through the biannual report. Council is currently exceeding this target. In the January to June 2021 period, 94% of dogs were rehomed and 100% of cats were rehomed within 2 months.

9. How much time each day are dogs given out of their kennels?

Dogs are out of their kennels all day. Dogs are taken out of their night kennels and taken to their outdoor runs every morning. Dogs are also walked by staff and have one on one training and enrichment time in Council's off-leash area.

10. What enrichment are they provided each day?

As outlined above, dogs are taken to their outdoor runs every morning, walked by staff, have one on one time with staff, provided with toys, kongs with food / treats, and training with treats for mental stimulation.

11. What strategies are in place to prevent dogs from suffering significant kennel stress such as aggressive behaviour, barking and lunging at people?

As outlined above, dogs are out of their kennels all day. Dogs are taken out of their night kennels and taken to their outdoor runs every morning. Dogs are also walked by staff and have one on one training and enrichment time in Council's off-leash area.

The welfare and enrichment of animals is Council's priority. Staff spend time with each animal to build a relationship with them and gain their trust. Keeping the dogs mentally stimulated and physically active along with one on one training time helps ensure dogs are happy while at the shelter. Council officers are at the facility Monday to Friday to work with and monitor the welfare of each animal. Animals are cared for by Rossmore Vet staff on the weekends.

12. What training and information do rangers and rehoming officers undertake and have access to in relation to:

- animal handling, enrichment and recognising body language?

Formal training sessions have been held at the Liverpool Animal Shelter and included all shelter staff. The training was carried out by an Animal Behaviourist. There is also ongoing training on a one to one basis when a particular dog is identified that requires assessment to deal with a behavioral issue.

- **the latest methods in animal rehoming?**

Council's officers have access to online information, communication with other shelter rehoming officers and connection with rescue groups.

- **dangerous dog handling?**

Dangerous dog training has been conducted for Rangers and Shelter staff by an external trainer. Ongoing training and development is available to Council staff and forms part of Council's continuous learning and development program.

COUNCIL DECISION

Motion:

Moved: Cllr Hagarty

Seconded: Cllr Rhodes

1. That Council staff investigate ways and means of posting animals on Council's website, prior to Monday, if found on Friday evening or over the weekend;
2. Investigate implementing an expression of interest waitlist for people interested in a particular breed of animal;
3. The ongoing statistics and information detailed in this item be regularly reported to the Companion Animals Advisory Committee;
4. Council investigates updates to its website in relation to animal rehoming; and
5. Council investigate the ability of the public to surrender cats and different ways of rehoming cats.

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

ITEM NO: QWN 02
FILE NO: 196334.2021
SUBJECT: Question with Notice - Clr Kaliyanda - Digitisation of Services

Please address the following:

1. What Council services or functions have been digitised (partially or completely) as a response to the impacts of COVID-19?

Since the commencement of the pandemic, Council has re-prioritised some of its IT projects to better enable the way both its staff operate whilst working from home and the Community engages with Council. Some examples are the upgrade of Council's security infrastructure which has allowed for remote working without compromising on security. Council's full suite of corporate software has been made accessible both to corporate and personal devices. Other implementations have been the Online booking management system, the digitisation of GIPA lodgements and the expansion of virtual and hybrid meetings throughout our Community Engagement. This includes the Liverpool District Forums, Council Committees and consultation methodologies.

In regards to CPAC, a series of digital initiatives have been implemented and are available in the below links;

<https://www.casulapowerhouse.com/visit/cpac-digital-program>

<https://www.casulapowerhouse.com/visit/cpac-digital-program/art-activities>

CPAC was the first NSW Arts Centre to do so during the initial 2020 lockdown. The Digital Program is still ongoing during the 2021 lockdown period with more activities coming online each week. These include virtual tours, online film screenings, online exhibitions, artist talks, activities for kids and families, music, cooking lessons and gardening tips.

In the Events space, NAIDOC Week 2021 was heavily impacted by Covid restrictions and has transitioned partially to the digital realm. Some examples of video contents and activities are included in the below links.

<https://www.facebook.com/watch/?v=907245306472147>

<https://www.casulapowerhouse.com/visit/naidoc-week>

2. Has follow up been conducted as to which of these were successful and which were not?

As Council continues to navigate through the challenges of the pandemic delivery of some services in alternative formats have been assessed for their effectiveness. For example, the review of Liverpool District Forums identified some challenges and opportunities when they are delivered solely online. The alternative method of hybrid is currently being investigated to allow residents' participation in-person and or online. Other services such as library and CPAC have been innovative in their approach to communicate information and engage service users through virtual sessions.

What Council has learnt though, is that large sections of the community are happy to be engaged in a virtual environment. This has in some areas increased participation due to the ease of accessibility, resolves the problem for those whom lack the transport means and enhances flexibility. Notwithstanding this, Council is acutely aware that a section of the community still prefers face to face interaction.

During government stay at home orders periods, Council has no option but to rely on online channels to inform and consult with the community. As the pandemic continue, for all other times outside the lockdown, in accordance to NSW Health advice and through a COVID Safe Plan, Council will adopt innovative and flexible arrangements to maximise engagement and interaction with residents.

Council will review the Community Engagement Plan to provide overarching framework and guidelines for diverse and flexible community engagement methods during the pandemic.

For CPAC, Google Analytics and Social Media metrics are analysed regularly to ensure content is being used by as many as possible. Encouragingly, total virtual visitation to the centre has at least matched and often exceeded usual attendance figures.

3. If so, what factors have been identified in the successful digitisation of a service or function?

While Council certainly couldn't have predicted the COVID-19 pandemic, this event has acted as a catalyst for the shift in community engagement by accelerating the speed at which local governments are adapting to meet the community's changing needs. As a case in point, preliminary data from the online booking system shows that the community's utilisation of the online bookings portal is increasing steadily month to month.

Based on the "Building stronger communities in an increasingly digital post pandemic society" report (a community focused research assessment co-published by CIVICA and UTS in May 2021), 79% of citizens expect the main interactions with their council to be through self-service technologies in the next five years. In addition, 47% of citizens agree they will primarily use social media to connect with their local council in the future. This broad appetite for digital engagement is consistent with Council's

own observation of its community and business. Council is acutely aware that there are sub-groups in the community who might miss out where digital engagement is the predominate approach and this needs to be catered for.

In the arts and culture space, some of the most successful digitised services have been in the film screening, virtual exhibitions/tours and kids/family areas. The latter being especially so when the online activity is paired with downloadable activity sheets/instructions for parents.

4. What factors have been identified in the unsuccessful digitisation of a service or function?

Council recognises that there are sub-groups in the community (seniors, people with a disability or socio-economic disadvantage groups) which lack the technological skills or equipment to connect via digital engagement. Council has also recognised that there is a large part of the community which prefers engagement of services when they are digitised.

Council's Library Services and Community Development teams have existing strategies and programs that are currently being explored to provide training and assistance to the residents who lack the access to technology and/or require upskilling in the utilisation of technology. It is envisaged that the staff will host and facilitate these sessions when the state's lockdown eases.

At CPAC, music performances have been identified by the measurement mechanisms mentioned above to be the least successful digitised translation of service, so they have been discontinued in response. This has probably been as a result of the increased volume of digitised concert experiences made available to people during the pandemic from across Australia and around the world.

5. Please outline what aspects of Council's functions or services have explored, or are currently exploring, digital transformation to improve resident experience, effectiveness or efficiency.

Council has been working on a digital transformation strategy which will position Council to future proof itself as a "connected Council". In other words, digitising its community, service and back office functions in a seamless and integrated way to both improve organisational efficiency, community engagement and the overall customer experience. This will also form the foundation to leverage off the technological future which includes Smart Cities, open data, IoT and 5G. This is expected to be presented to Council later in the calendar year.

ITEM NO: QWN 03
FILE NO: 234116.2021
SUBJECT: Question with Notice - Clr Rhodes - Provision of "Off the Leash Dog Parks" throughout the Liverpool LGA

Can Council explain what process does Liverpool Council use when determining:

- a) Where "off the leash dog parks" are situated throughout the Liverpool LGA?
- b) How many "off the leash Dog Parks" should be provided in Liverpool LGA?

A response to these Questions with Notice will be provided in the 25 August 2021 Council Meeting Business Papers.

ITEM NO: QWN 04
FILE NO: 234120.2021
SUBJECT: Question with Notice - Clr Rhodes - Council submission on Moorebank Intermodal State Significant Development

Can Council answer the following:

1. Did Liverpool Council submit an objection to NSW Government Planning – Major Projects – Project 271156 submissions – 13111 – 3251
2. Can Council confirm if they received a Notice of Determination of Application Moorebank Intermodal Precinct West - Stage 3 (SSD-10431), from the Department of Planning Industry and Environment that they would have received on or around 18 June 2021, like the other Objectors within our community?
3. Can Council provide a copy of the letter if received, to all Councillors?
4. Can Council confirm that as an Objector; as is listed on the DPIE major projects portal; that Liverpool City Council has until August 13th [56 days from June 18th] to exercise its right as an Objector as per s8.8 and s8.10 of **the Act** (Environmental Planning and Assessment Act 1979 No 203)?

A response to these Questions with Notice will be provided in the 25 August 2021 Council Meeting Business Papers.

ITEM NO: QWN 05
FILE NO: 234143.2021
SUBJECT: Question with Notice - Cllr Rhodes - Legal Reports and records

Does Council:

1. Make available on the Councillor intranet, Liverpool Council's Legal reports of all legal engagements on an Annual Basis listed first under:
 - a) The years of a Council elected term, and also
 - b) Year that the Council engagement was first initiated, eg: 2016 – 2021/ 2016 – 2017 etc,

That can be accessed by Councillors at any time, and also provide the use of a historic record for the transition of different elected members onto Council per term?

2. Would it be possible for all past legal report records to be filed and made available in a similar fashion on the Councillor intranet for Councillors referral?

A response to these Questions with Notice will be provided in the 25 August 2021 Council Meeting Business Papers.

PRESENTATIONS

Clr Harle advised that he would like to make a presentation relating to CONF 01.

Mayor Waller advised that he could make his presentation prior to discussion of that item during the Closed Session part of this meeting.

NOTICES OF MOTION

ITEM NO: NOM 01
FILE NO: 236016.2021
SUBJECT: Proposed Changes to Developer Levies

BACKGROUND

Recently the NSW Government released draft legislation that proposed changes to reduce the type of community projects that could be eligible for funding from developer contributions. This is one component of an overhaul of NSW's infrastructure contributions system, which is due to come into force by July 2022.

However, these changes, if adopted, could shift more of the cost of infrastructure from developers onto ratepayers. It also means there is no guarantees that the money collected as part of these developments would be directed back into projects in the local areas that these levies had been collected.

Liverpool, as part of the south-west growth corridor, is already under significant pressure to meet the infrastructure needs of our fast-growing community. We need to juggle the responsibilities associated with developing infrastructure from scratch in many of the new release areas of our LGA. Furthermore, there is a risk that these changes could result in the NSW Planning Minister having discretion over what these developer contributions are spent on, rather than having extensive input and determination by the local communities that would need and use this infrastructure.

NOTICE OF MOTION (submitted by Cllr Kaliyanda)

That Council:

1. Write to the NSW Government expressing our concern over the impact of these proposed changes to the legislation on our local community;
2. Seek a guarantee from the NSW Government that contributions levied in a local area will be spent on that community; and
3. Seek a guarantee from the NSW Government that community consultation and voices of the local community will be given specific importance in the determination of infrastructure spending and delivery.

ITEM NO: NOM 02
FILE NO: 236043.2021
SUBJECT: COVID Support

NOTICE OF MOTION (submitted by Cllr Hagarty)

1. Testing and Vaccination

That Council lobby for:

- a. More locations and resources to conduct testing; and
- b. A mass vaccination hub in a highly accessible location in Liverpool.

2. Parking for essential workers

That Council provides parking for essential workers including health care providers.

3. Vulnerable community groups

That Council:

- a. Re-establish the 'COVID-19 Emergency Response Program' to support critical and essential services for vulnerable community groups in Liverpool.
- b. Lobby the State and Federal Government for long term funding and resources in local targeted services, including but not limited to:
 - mental health support for communities from non-English speaking backgrounds; and
 - youth unemployment.

4. Rate relief

That Council extend hardship provisions for rates implemented at 16 April 2020 Council meeting.

5. Community facilities and sporting fields

That Council provide a full refund for hirers/licence holders of any parks, sporting fields and other community facilities where a fee has been paid and the use of that facility is not possible due to restrictions being put into place for the duration of those restrictions.

6. Animal Shelter

That Council direct the CEO to keep the Liverpool Animal Shelter open with restricted access and in line with relevant public health orders.

7. Local Business

That Council:

- a. Support businesses to facilitate effective pivots of their existing business models;
- b. Promote successful examples of local business pivots since the beginning of the pandemic; and
- c. provide ongoing information and support to local businesses about relevant State and Federal business relief and support services.

8. Retail tenants

That Council provide rent abatement for all existing retail and small tenants/licence holders for the duration of the lockdown.

9. Outdoor dining

That Council waive all out-door dining fees for the duration of the lockdown.

10. Supplier payments

That Council ensure all payments that can be made to suppliers where the goods/services have been delivered in full (noting some may be staged payments) be made immediately and not wait until the due date should that be a period of less than 2 months.

11. Planning and Development

That Council commit to drive down the outstanding Development Applications and Planning Proposals.

12. Staff

That Council direct the CEO to, where practical, retain staff during the lockdown, through meaningful means such as redeployment to other duties.

13. Stimulus

That Council seek funding from the State and Federal Government for accelerated capital works projects that can be delivered in the Liverpool LGA within a short timeframe.

COUNCIL DECISION

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

1. Testing and Vaccination

That Council write to the State Government to advise that Council is willing to work with the government to help with offering locations for testing clinics, and vaccination hubs.

2. Parking for essential workers

That Council provides parking for essential workers including health care providers.

3. Vulnerable community groups

That Council:

1. Re-establish the 'COVID-19 Emergency Response Program' to support critical and essential services for vulnerable community groups in Liverpool;
2. Lobby the State and Federal Government for long term funding and resources in local targeted services, including but not limited to:
 - a. mental health support for vulnerable communities; and
 - b. youth unemployment.

4. Rate relief

That Council:

- a. Take the following measures in relation to hardship provisions:
 1. extends hardship provision to all rateable properties (i.e. residential, business and farmland);
 2. apply hardship provisions to rates that fall due from July 2021 onwards only;
 3. assign the Rates Department to undertake initial assessments of hardship applications;
 4. re-establishment the Hardship Committee to review all applications rejected for final determination;
 5. Council suspend debt recovery action until state-wide COVID related restrictions are lifted; and
 6. provide an online form to enable residents to submit hardship applications.

- b. *Exhibit its intentions for the minimum statutory period for a one off reduction of 10% on properties that sit within the definition residential use subject to a criteria that would include but not limited to:*

- *Property being used for owner occupier purposes;*
- *At least one owner has claimed a government COVID disaster payment;*
- *The property is in the name of an individual.*

Present a report back to Council after the exhibition period.

Note: Following the Council meeting, Councillors were advised that the information in italics above relating to the provision of a rate reduction within NOM 02 is unlawful. Therefore, section 4 (b) of NOM 02 cannot be enacted.

5. Community facilities and sporting fields

- a. That Council:

1. Provide a full refund for hirers/licence holders of any parks, sporting fields and other community facilities where a fee has been paid and the use of that facility is not possible due to Covid-19 restrictions being put in place for the duration of those Covid-19 restrictions; and
2. If Covid-19 restrictions return, that this become a policy position of Council.

6. Animal Shelter

That Council direct the CEO to keep the Liverpool Animal Shelter open with restricted access and in line with relevant public health orders.

7. Local Business

- a. That Council:

1. Support businesses to facilitate effective pivots of their existing business models;
2. Promote successful examples of local business pivots since the beginning of the pandemic;
3. provide ongoing information and support to local businesses about relevant State and Federal business relief and support services;
4. Create a business directory for free online services and investigate integrating this to Council's What's On page; and

5. Write to the State Government calling for a resumption of construction in the Liverpool local government area (LGA) and allow construction workers living in the Liverpool LGA to resume work in line with Covid-19 health regulations.

8. Retail tenants

That Council defer a decision on rent abatement for all existing retail and small tenants/licence holders until the August 2021 meeting.

9. Outdoor dining

That Council waive all out-door dining fees for the 2021/22 and 2022/23 financial years.

10. Supplier payments

That Council ensure all payments that can be made to suppliers where the goods/services have been delivered in full (noting some may be staged payments) be made immediately and not wait until the due date should that be a period of less than 2 months.

11. Planning and Development

That Council commit to drive down the outstanding Development Applications and Planning Proposals.

12. Staff

That Council direct the CEO to, where practical, retain staff during the lockdown, through meaningful means such as redeployment to other duties in accordance with the “splinter award”.

13. Stimulus

That Council:

- a. Seek funding from the State and Federal Government for accelerated capital works projects that can be delivered in the Liverpool LGA within a short timeframe; and
- b. Direct the CEO to present a report to the next Council meeting of all capital expenditure which has a contract value of more than \$500,000, excluding any projects fully funded by Section 7/11 or State or Federal grants, detailing:
 - The project/spend;

- Importance of the project/spend; and
- Whether a force majeure clause is included in the contract

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

COUNCIL IN CLOSED SESSION

Mayor Waller advised that Council would now move into Closed Session to deal with items CONF 01 to CONF 06 because:

CONF 01 and CONF 05 are confidential pursuant to the provisions of s10A(2)(d i) of the Local Government Act because they contain commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

CONF 02, CONF 03 and CONF 04 are confidential pursuant to the provisions of s10A(2)(g) of the Local Government Act because they contain advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

CONF 06 is confidential pursuant to the provisions of s10A(2)(c) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

Council moved into Closed Session at 7.31pm.

Clr Balloot retired from the meeting at 7.31pm.

CONFIDENTIAL ITEMS

ITEM NO: CONF 01
FILE NO: 201850.2021
SUBJECT: Tender WT3013 - Construction of Stormwater Basin 6 in Austral

During this item, Clr Harle made a presentation to Councillors on Stormwater Channels in Urban Areas. The presentation is shown below:

Stormwater Channels in Urban areas.

Comparing systems – old, new and proposed.

By Councillor Peter Harle

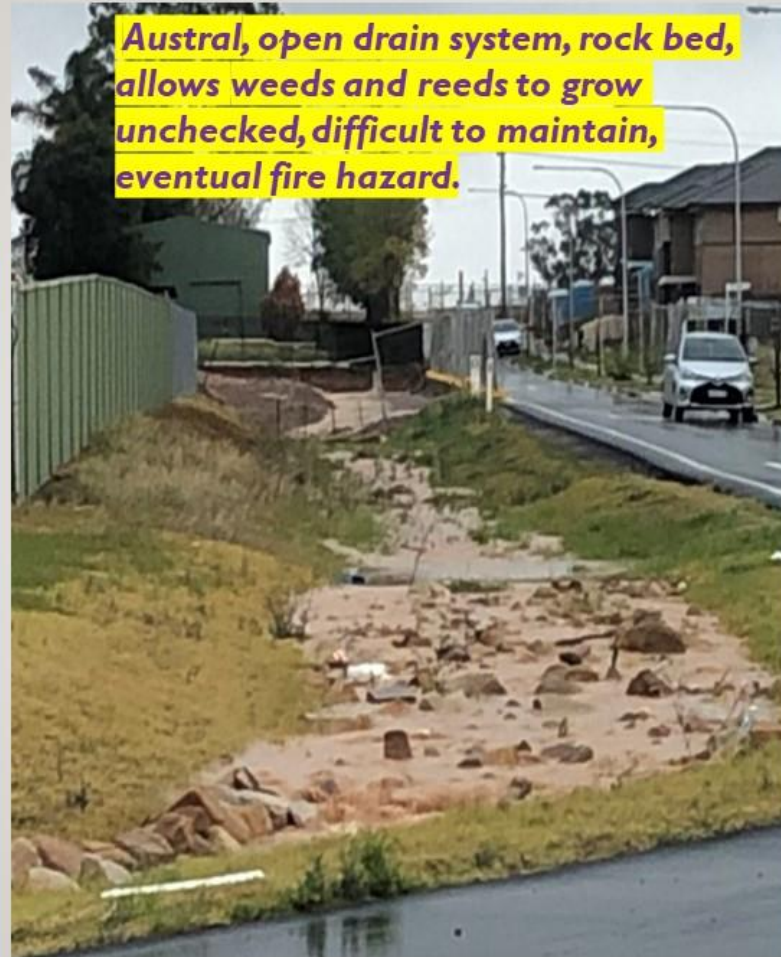
- ***Liverpool City Council is in the process of analysing stormwater and flood water control systems in the new areas of Austral, West Hoxton, Rossmore and existing areas of Middleton Grange and Edmondson Park.***
- ***Residents need to be aware of these proposals and ensure that they meet their needs.***
- ***I have major concerns with those proposals and believe they will lead to many undesirable health and safety effects on nearby residential developments. Residents need to be aware of these proposals and raise concerns with Liverpool City Council to ensure they meet residents needs and wants.***
- ***It is evident from the following information that there are major concerns with the proposed Open Drain Stormwater and flood drainage system currently being constructed.***

CURRENT STORMWATER CHANNELS

This is the current and proposed system of open drains; rocks, reeds, weeds, and unsightly rubbish traps.

Smelly in dry periods and very difficult to maintain.

Austral, open drain system, rock bed, allows weeds and reeds to grow unchecked, difficult to maintain, eventual fire hazard.



Hoxton Park: Road underpass blocked, filled with rubbish, weeds & soil from eroded channel banks.



Hinchinbrook: Stagnant ponds with mosquitos.



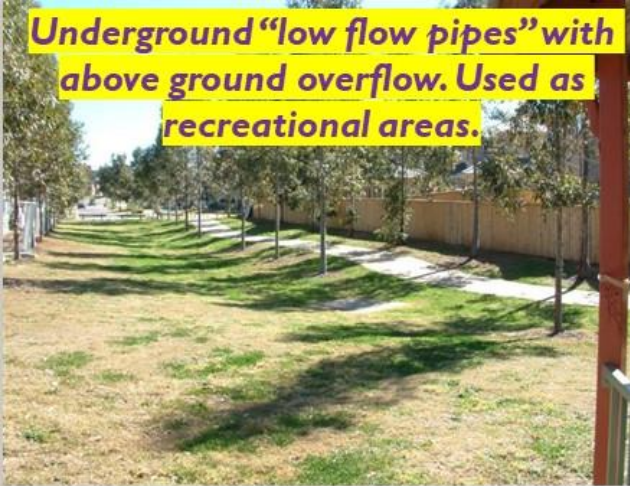


Open stormwater channels are difficult to maintain, trap street borne rubbish, a place for rats, snakes, mice and mosquitos to hang out. Produce bad odours in summer especially during extended dry periods. Are serious fire hazards when reeds, weeds and grass dry out. This is the State Governments' preferred stormwater and floodwater control system and want Councils to install in place of existing "low flow" piped underground drains and concrete lined canal systems which are much less maintenance intensive. Residents need to oppose open drain systems. Once constructed they will cost millions of \$ to replace and remediate.

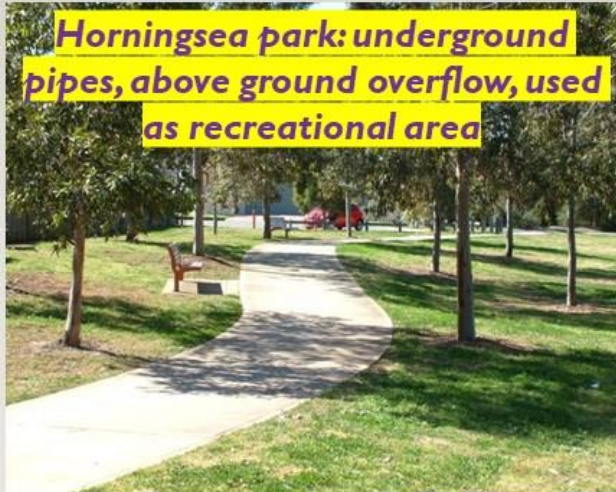




Underground “low flow pipes” with above ground overflow. Used as recreational areas.



Horningsea park: underground pipes, above ground overflow, used as recreational area



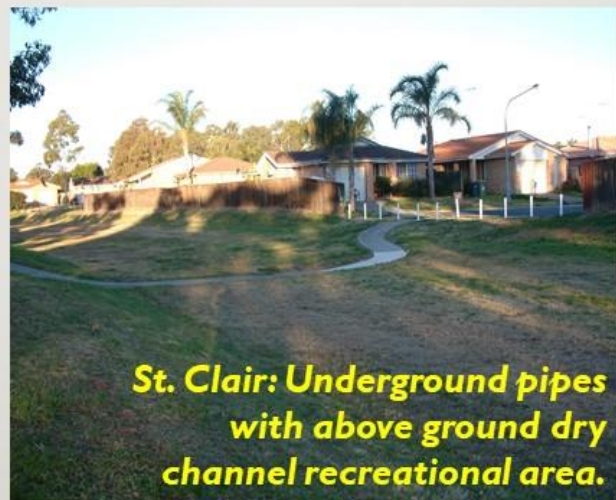
Examples of existing “low flow” combined underground and above ground stormwater and flood control channels. No place for vermin, reeds, weeds and rubbish to collect. Only require grass cutting and minimum long term maintenance.

During flood events water is spread across a wide channel, eventually flowing into major creeks and rivers. “Billabongs” or small lakes could be incorporated spaced at 500m intervals or more to allow water to clean itself, fish and marine animals are used to minimise mosquitos.

Horningsea Park: Underground “low flow” pipes with above ground wide channel recreational area.



St. Clair: Underground pipes with above ground dry channel recreational area.



An example of this is at Bedwell Park near Horningsea Park which is part of the overall “low flow” system, it works well, with Gross Pollution Traps installed.

COUNCIL DECISION

Motion:

Moved: Cllr Harle

Seconded: Cllr Rhodes

That Council:

1. Accepts the Tender from Devcon Civil Pty Ltd for Tender WT3013 – Construction of Stormwater Basin 6 at Austral and Leppington North for an 8 month contract term and an additional 12 months defects liability period at the GST inclusive price of \$3,885,957.23;
2. Makes public its decision regarding Tender WT3013 – Construction of Stormwater Basin 6 at Austral and Leppington North;
3. Delegates the 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;
4. 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 accept tenders up to a value of \$2 million.
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; and
6. Identify suitable areas where underflow drainage would possibly work and report back to the September Council meeting.

On being put to the meeting the motion was declared CARRIED

Councillors voted unanimously for this motion.

Cllr Balloot had left the meeting prior to this item and was not in the meeting when this item was discussed.

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

1. Note the inspection report by Fire and Rescue NSW, as shown in Attachment 1; and
2. Exercise its power to issue a Fire Safety Order as recommended by Council's Fire Safety Officer to address the identified fire safety deficiencies.

Chairperson

ITEM NO: CONF 03
FILE NO: 225644.2021
SUBJECT: Legal Affairs Report - 1 April 2021 - 30 June 2021

COUNCIL DECISION

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

That Council:

1. Receive and note the report concerning the legal affairs of Liverpool City Council; and
2. A report to be received at the August Council meeting once a response is received in relation to line item 28 of the confidential report.

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

ITEM NO: CONF 04
FILE NO: 230833.2021
SUBJECT: Report back on CONF 04 - NOM from Cllr Rhodes - Moorebank Intermodal Development possible negative impact on Liverpool residents from 26 May 2021 Council meeting

COUNCIL DECISION

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

That Council receive legal advice on whether the documents received can be publicly released.

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

ITEM NO: CONF 05
FILE NO: 234109.2021
SUBJECT: Question with Notice - Cllr Rhodes - Liverpool Animal Shelter

A response to the Questions with Notice will be provided in the 25 August 2021 Council Meeting Business Papers.

Clr Hadid temporarily left the meeting at 8.54pm.

ITEM NO: CONF 06

FILE NO: 237867.2021

SUBJECT: Consideration of an Application for the acquisition of land on the grounds of hardship - 46 Boyd Street, Austral identified as Lot 122 in DP 738282

COUNCIL DECISION

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

That Council:

1. Approves the hardship application and the acquisition of 46 Boyd Street, Austral identified as Lot 122 in DP 738282 on the basis that there is no income being derived from the property by the owner and on the terms outlined in this report;
2. Delegates authority to, and directs the CEO and his delegates to enter into negotiations with the property owner and/or their representative to acquire the property by agreement on the basis recommended in this report without having to submit a further report to Council for approval;
3. Delegates authority to, and directs the CEO and his delegates in the event that agreement cannot be reached, to proceed with all necessary steps to give effect to the compulsory acquisition of the property;
4. Delegates authority to, and directs the CEO and his delegates, to proceed with making the necessary application to the Minister for Local Government and the Governor in accordance with the *Local Government Act, 1993* to obtain approval to acquire the property in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991*;
5. Resolves that, upon acquisition, 46 Boyd Street, Austral identified as Lot 122 in DP 738282 is classified as operational land in accordance with the *Local Government Act, 1993*;
6. Authorises its delegated officer to execute any document, under Power of Attorney, necessary to give effect to this decision; and
7. Keeps this report confidential pursuant to the provisions of Section 10(A)(2)(c) of the *Local Government Act, 1993* as this information would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

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

OPEN SESSION

Council moved back into Open Session at 9.04pm. Mayor Waller read out the resolutions that were passed in Closed Session (as shown on the previous pages).

Clr Hadid returned to the meeting at 9.07pm

THE MEETING CLOSED AT 9.09PM.

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 25 August 2021

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 28 July 2021. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.

PLAN 01**Draft Amendment to Liverpool Growth Centre
Precincts Development Control Plan**

Strategic Direction	Strengthening and Protecting our Environment Exercise planning controls to create high-quality, inclusive urban environments
File Ref	247426.2021
Report By	Masud Hasan - Senior Strategic Planner
Approved By	David Smith - Acting Director Planning & Compliance

EXECUTIVE SUMMARY

Council received a planning proposal request from Vicliz Pty Ltd to rezone land at 1370 Camden Valley Way, Leppington (Lot E in DP28997), to amend development standards and expand the existing Neighbourhood Centre retail floor area. Supporting amendments to Schedule 3 - East Leppington Precinct of the Liverpool Growth Centre Precincts Development Control Plan (the DCP) are required to reflect the changes proposed under the planning proposal.

At its meeting on 30 September 2020, Council resolved among other matters:

That Council:

2. *Endorses in principle the planning proposal request, subject to the proponent finalising the required amendments to the Liverpool Growth Centres Precinct DCP;*
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;*

On 22 December 2020, the planning proposal received a Gateway determination from the Department of Planning, Industry and Environment (DPIE).

As required by points 2 and 6 of the 30 September 2020 Council resolution, the draft amendments to the DCP have been finalised (**Attachment 1**) in consultation with the proponent. 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 achieved by amending the relevant DCP controls, maps and figures, including the Indicative Layout

Plan (ILP). The proposed DCP amendments ensure that the DCP planning controls are consistent with the planning proposal.

It is recommended that Council endorses the proposed DCP amendments and proceeds to publicly exhibit the draft DCP in accordance with Council's Community Participation Plan.

RECOMMENDATION

That Council:

1. Place the draft amendment to the Liverpool Growth Centre Precincts Development Control Plan on public exhibition for 28 days in accordance with Clause 18 of the Environmental Planning and Assessment Regulation 2000 and the Liverpool Community Participation Plan 2019; and
2. Receive a further report on the outcomes of public exhibition and community consultation on the planning proposal, voluntary planning agreement and DCP amendment.

REPORT

Background

Council received a planning proposal request (LLEP Amendment 88) from Vicliz Pty Ltd, the landowner of 1370 Camden Valley Way, Leppington (Lot E in DP28997), to rezone part of the land. The planning proposal also sought to amend the development standards applying to the land and expand the existing Neighbourhood Centre retail floor area to accommodate additional retail floor area demand in the precinct. Supporting amendments are required to Schedule 3 - East Leppington Precinct of the Liverpool Growth Centre Precincts Development Control Plan (the DCP) to ensure the DCP is consistent with the planning proposal.

Council at its meeting on 30 September 2020 provided in principle support for the planning proposal and resolved to forward the planning proposal to DPIE seeking a Gateway determination. Council further resolved to finalise any required DCP amendments with the proponent before it is publicly exhibited.

On 22 December 2020, the planning proposal received a Gateway determination from DPIE, which advised the planning proposal and its associated supporting documents be publicly exhibited, subject to conditions. Consequently, the draft DCP amendments have been prepared, in consultation with the proponent, and it is recommended that Council endorse the DCP amendment for public exhibition and community consultation.

Subject to Council's endorsement, the DCP amendments will be exhibited with the planning proposal and the supporting planning agreement. This will enable members of the community to comment on all aspects of the proposal.

Amendments to the Liverpool Growth Centre Precincts Development Control Plan

Amendments to the DCP have reflected changes to the zone boundaries and the increase in retail GFA provision (from 2,500m² to 4,800 m²), consistent with the planning proposal. The amendments include further changes to the local road network, pedestrian and cycleway network and the layout of the Neighbourhood Centre in the DCP. This is achieved by amending the DCP controls, maps and figures, including the Indicative Layout Plan (ILP) as detailed below:

- **ILP Map** – The 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. The ILP is proposed to be amended as follows:
 1. The road currently located to the north of the Neighbourhood Centre is relocated to the northern boundary of the subject site. This is to reflect the extended Neighbourhood Centre area and to provide a road connection with residential developments to the north of the centre.
 2. The local road along the western edge of the open space area, is realigned to make it consistent with the reconfigured zoning boundaries.
 3. 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 pedestrian and cycleway connection between the Neighbourhood Centre and the public recreation area, facilitating easy access and visual connection to the open space area.
 4. The ILP road section connecting the precinct with the intersection of Camden Valley Way and Cowpasture Road, is realigned. The road realignment will make the ILP consistent with LEP Map Amendment 1 adopted by Council on 31 March 2021, and subsequently gazetted on 18 June 2021.

The draft ILP amendments are demonstrated in *Figure 1 and 2*.



Figure 1: Current ILP road network

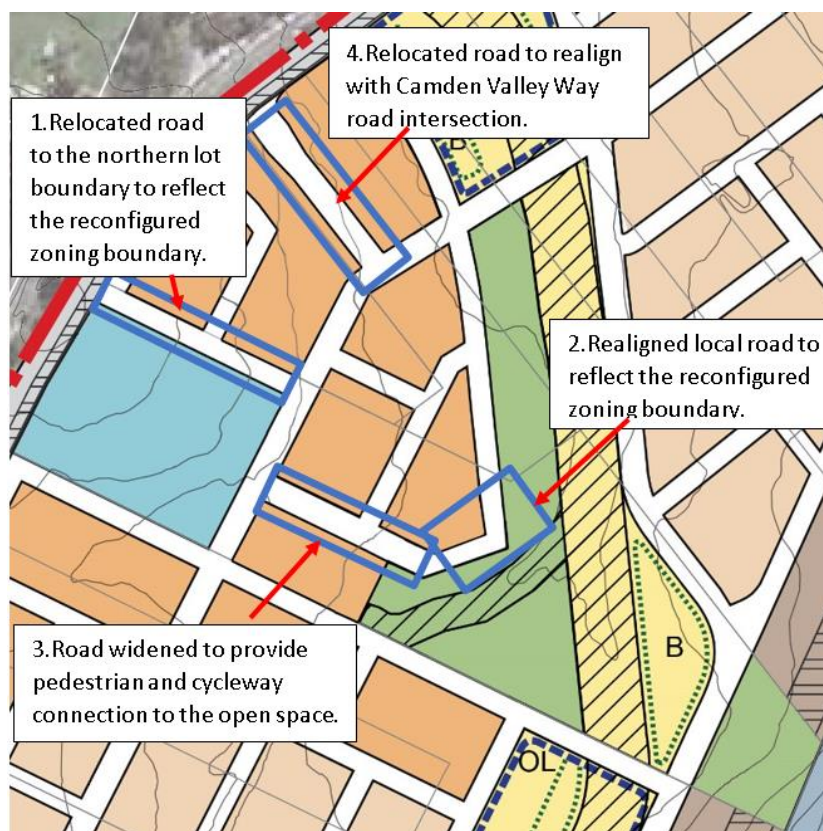


Figure 2: Proposed amendments to the ILP road network

- **Section 3.1** – The numerical restriction on retail Gross Floor Area (GFA) of the Neighbourhood Centre under Section 3.1 of the East Leppington Precinct DCP is amended. The upper limit of the permissible retail GFA within the centre has been increased from 2,500m² to 4,800m². This is to reflect the proposed increase of retail GFA under the planning proposal.
- **Figure 3-2** – 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 3 and 4 below). 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.



Figure 3: Current 'desired future layout of the Neighbourhood Centre' figure

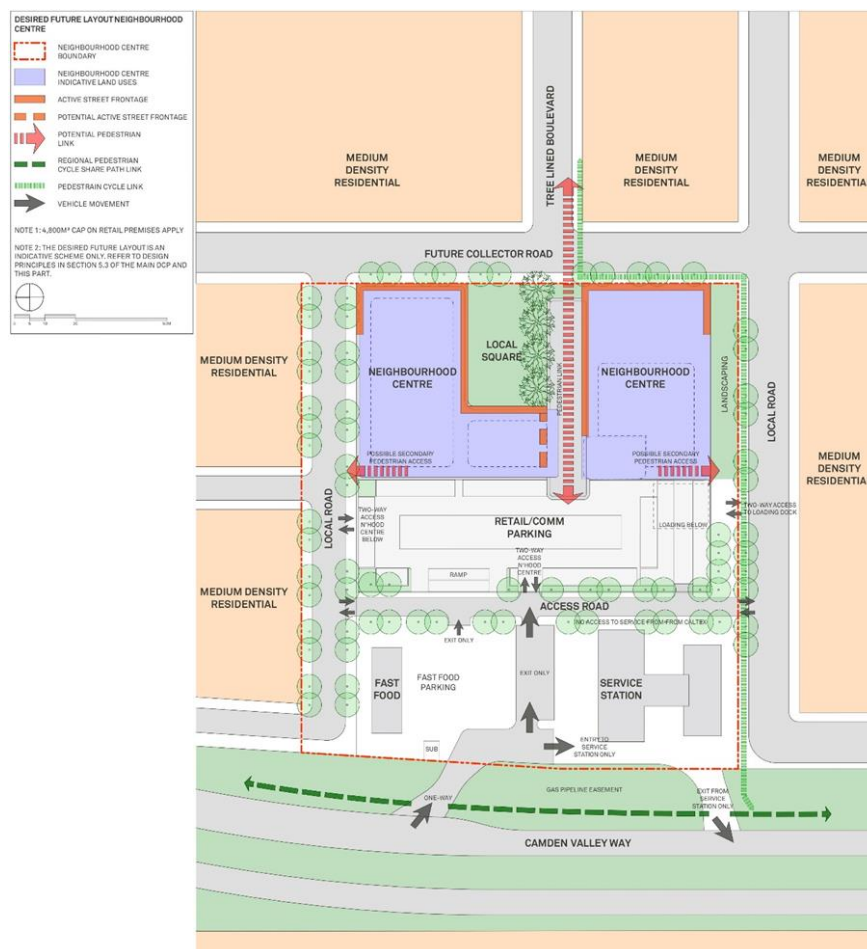


Figure 4: Proposed amended desired future layout of the Neighbourhood Centre figure

- A new clause (Clause 7) and new Figure 3-3 (refer to Figure 5 below) are included to subsection 3.1 East Leppington Neighbourhood Centre under Section 3 - Centre Development Controls of the DCP. This is to ensure the design and construction of the street (tree lined boulevard) is consistent with the proposed DCP amendments.

The proposed clause of the DCP will read:

Despite section 3.3.1 of the Main DCP, the design and construction of the street (tree lined boulevard) that connects the Neighbourhood Centre with the local park and Bonds Creek corridor, are to be consistent with Figure 3-3, Council's Engineering Design Guide and Austroads.

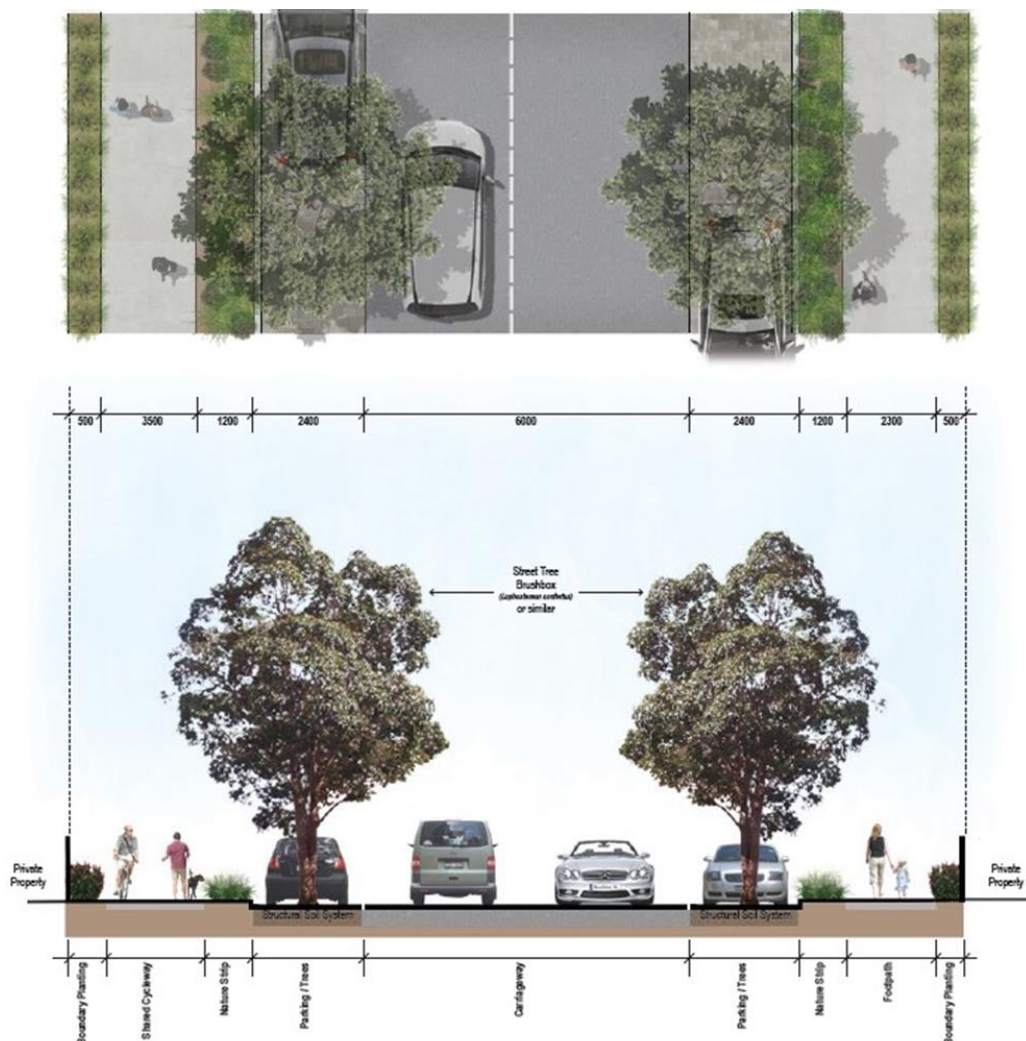


Figure 5: Layout of the street (tree lined boulevard) connecting the Neighbourhood Centre with the local park and Bonds Creek corridor.

- Additional site-specific controls for the subject site are included under the newly added Section 4.6 of the DCP. This is to ensure that future development within the subject site will create active frontage with public domain, including the public open space area. This will further assist in providing passive surveillance, limiting opportunities for concealment and other crime related activities as well as enhancing community safety.

Miscellaneous Amendments to the DCP

The following maps and figures in the East Leppington Precinct DCP are amended to reflect the changes to zoning boundaries, the local road network, the Neighbourhood Centre layout and the pedestrian and cycleway network (Attachment 1). Respective page numbers of the amended DCP figures in the draft DCP are provided below.

- Figure 2-3: Key elements of water cycle management and ecology strategy (at page no. 13)

- Figure 2-7: Bushfire risk and asset protection zone requirements (at page no. 18)
- Figure 2-10: Potential noise attenuation measures (at page no. 22)
- Figure 2-11: Residential structure (at page no. 24)
- Figure 2-12: Precinct road hierarchy (at page no. 26)
- Figure 2-13: Pedestrian and cycleway network (at page no. 28)
- Figure 2-19: Desired future subdivision layout – Very Low Density Residential – Upper Canal (at page no. 37)
- Figure 3-1: Location of Neighbourhood Centre (at page no. 40)
- Figure 3-2: Desired future layout of the Neighbourhood Centre (at page no. 44)

Consultation

Consultation was undertaken with Council's internal departments including Community Planning, Transport Management and City Design and Public Domain teams.

Subject to Council endorsing the draft DCP, community consultation will be undertaken for 28 days, as required by Council's Community Participation Plan.

Next Steps

Subject to Council endorsement, the draft DCP will be publicly exhibited with the planning proposal, draft VPA and supporting documents. A post-exhibition report to Council will be prepared following the public exhibition period detailing submissions received and any amendments proposed to the planning proposal and the DCP.

CONSIDERATIONS

Economic	Facilitate economic development
Environment	There are no environmental and sustainability considerations
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	There is no risk associated with this report.

ATTACHMENTS

1. Draft DCP Amendment (Under separate cover)
2. ASIC - Current Extract - VICLIZ PTY LTD - **Confidential**

COM 01

Community Gardens Options Paper

Strategic Direction	Creating Connection Implement access and equity for all members of the community
File Ref	179274.2021
Report By	Galavizh Ahmadi Nia - Manager Community Development and Planning
Approved By	Tina Bono - Acting Director Community & Culture

EXECUTIVE SUMMARY

At its meeting of 2 February 2021, Council resolved to:

1. *Explore the feasibility of expanding community gardens, including footpath gardening and their long-term operation and financial sustainability; and*
2. *Report back the finding to Council at the June 2021 Council meeting.*

Council staff have conducted a comprehensive review of Liverpool's existing community gardens, including current and historical gardens. This review included:

- The cost of establishing and maintaining existing gardens (both monetary and staff resources);
- The benefits and limitations of existing gardens;
- A review of opportunities and limitations of community and verge garden models by other councils; and
- A review of alternative models of supporting the community with gardening opportunities, including developer and community driven gardens.

This report outlines the key findings of the review and presents three options for Council's consideration:

1. To expand the existing community gardens network and allocate funding of \$100,000 per annum to engage a dedicated Community Gardens officer and to cover operational costs. Establishment costs of each new community garden is estimated at \$50,000-\$70,000. This option is not recommended as there is no expressed demand to justify this level of investment.

2. Encourage community and developer driven opportunities for individual and communal gardening on private property in Liverpool. This could include rooftop gardening, balcony gardening and garden beds in common areas.
3. Make no changes, maintain the existing community garden network with no further expansion.

A detailed overview of options, associated costs, benefits and limitations and potential risks are outlined for Council's consideration.

RECOMMENDATION

That Council:

1. Receives and notes this report; and
2. Encourages community and developer driven opportunities for individual and communal gardening on private property in Liverpool. This could include rooftop gardening, balcony gardening and garden beds in common areas.

REPORT

1. Background

Liverpool's community gardens network was predominately initiated under the Living Streets Program (LSP). The LSP was a grant-funded project which commenced in 1997 and ceased in 2015. The LSP included a dedicated part-time Program Coordinator, whose role was to engage and work with communities in areas of identified disadvantage across Liverpool. They worked closely with various agencies and community groups; and applied community cultural development techniques to engage with residents to create sustainable and vibrant new urban spaces, such as community gardens and public art initiatives. Initiated by LSP, there are currently three community gardens in Liverpool that are being supported by Council.

Hart Park

In 2004, LSP received funding for two years from the Western Sydney Area Assistance Scheme (WSAAS) to work with the residents of Warwick Farm in developing a set of creative and engaging community programs. The project was delivered in partnership with Liverpool Health Service, Liverpool Migrant Resource Centre (now Western Sydney Migrant Resource Centre), NSW Housing Tenancy Services, University of Western Sydney Cultural Studies Centre and Warwick Farm Neighbourhood Centre, now known as Liverpool Neighbourhood Connections (LNC).

The funds were used to establish a community cultural development program providing opportunities for local people to be engaged in creative artworks and gardening projects. The key objective was to transform public spaces and create a sense of place which promotes

livability, safety, and beauty within the urban environment. As part of this project, the Hart Park Organic Community Garden and Orchard was established in 2007. Once established, the Hart Park Community Garden incurred further running costs including gardening materials, tools, seedlings, a shed, and a rainwater tank.

The Hart Park Community Garden was established in an area of high-density apartment living to increase opportunity for community activities and access to healthy foods. The garden consists of 16 individual garden beds and a shared fruit orchard and vegetable garden space. Access to the garden is by membership only. This garden is managed by a diverse group of residents and includes public art installations.

Since its establishment, the Hart Park Community Garden has demonstrated an overreliance on Council staff for the day-to-day operations, compared to other community gardens in Liverpool. In addition to the establishment costs of over \$35,000, the garden also receives occasional financial support from Council for maintenance purposes, including the donation of materials.

Light Horse Park

The Light Horse Park Community Garden was funded by the Department of Planning through the Georges River Foreshore Improvement Program. The Light Horse Park Community Garden was completed by *Working Proudly*, a community-based transition to employment program. Work on the Light Horse Park Community Garden commenced in March 2003 and over 190 *Working Proudly* participants spent a combined 104 weeks developing this garden. The garden was officially opened in 2006 and incurred establishment costs of more than \$300,000.

The garden contains 18 raised garden beds measuring 5m x 5m each and includes a shade structure, fence, irrigation system and storage bays. Access to the garden is by membership only. This garden is largely self-sufficient and is managed by a diverse group of residents. Members of the garden meet regularly to update each other on garden news and maintain the common areas.

Dunbier Park

Not much is known about the origins of the Dunbier Park community garden and who was involved in its establishment. However, it is understood the garden was supported in part by the LSP (likely after establishment) with the supply of materials, including fencing, engagement with gardeners, and the development of garden rules. The garden was launched in 2010. The establishment cost of this garden is unknown.

The garden consists of 14 raised garden beds growing a variety of seasonal and fresh produce. Access to the garden is by membership only. The garden membership consists of women only and is largely self-managed. This garden also receives occasional financial support from Council for maintenance purposes.

Living Garden

In 2004, The Living Streets Project was awarded a grant of \$39,440 from the Australian Council for Arts. The funds were passed on to the Uniting Church Liverpool and the project was managed by the Living Streets Project Coordinator.

The Living Garden at the corner of Pirie and Speed Streets, Liverpool was a partnership project between the Uniting Church and Liverpool City Council. The Uniting Church donated an unused parcel of land (approximately 14 m x 13.8m) for at least 5 years, for the creation of a mosaic flower garden for the enjoyment of all residents and visitors. The project commenced on 15 May 2005, with artists running a series of design consultations and ceramic & mosaic workshops with the local community and schools. This was followed by several flower/shrub planting weekends and the launch of the garden on 26 May 2006. The site was planned as a place for people to relax, reflect and enjoy a safe and peaceful environment, with a welcoming flower garden and fountain.

The Uniting Church agreed to the full community use of the space on the provision that a Memorandum of Understanding (MoU) be drawn up between the Church and Council. An Advisory Committee was established to direct the project and it consisted of the Living Streets Program Coordinator and representatives from STARTTS, Liverpool Migrant Resource Centre, NSW Refugee Health Service, Liverpool Uniting Church, Liverpool TAFE Outreach, and the community garden group. The garden space still exists but is not currently open to the public.

Food4Life Market, Warwick Farm

The Food4Life Market was established in Warwick Farm by the Salvation Army and Sydney South-West Local Health District (then Area Health Service). Due to its track record of establishing sustainable community gardens, Council's Living Streets Project was invited by SWSLHD to support the establishment of a community garden in the large backyard of the food market to sustain the Food4Life Market with fresh edible produce. Living Streets introduced new partners to the garden project including Liverpool TAFE and Warwick Farm Neighbourhood Centre. The community garden has since ceased operation.

The Gathering Place, Heckenberg

Launched in 2009, The Gathering Place was a partnership project between the LSP, Miller TAFE, Green Corps, and the Heckenberg Neighbourhood Centre. The garden was designed with two large seating areas with public art installations and assorted planted herbs and garden beds. The garden was located outside the Heckenberg Community Centre at Busby and was enjoyed and cared for by residents accessing the community centre. Over the years, the garden was abandoned, and the seating structures were considered unsafe resulting in the garden being removed in early 2020.

The Resting Place community garden, St Mark's Anglican Church, Spica St, Sadleir

This community garden was facilitated by Council's LSP in partnership with Anglicare, St Mark's Anglican Church, Ashcroft High School, Crossroads Christian Centre Casula and MTC Work Solutions. In 2008, Anglicare hosted the 'Celebrate 2168' event to develop a design concept with resident input. Once the design was developed and approved, the 'Work for the Dole' program was engaged to develop the garden including paving, garden beds and construction of a pergola. Ashcroft High School students developed a mosaic mural installed on the garden shed. Church members and Anglicare were responsible for the continued maintenance of the garden by providing access to fresh produce such as herbs and vegetables as well as a meeting place for families and children. This community garden has since ceased operation.

Schools Gardens

Many school gardens benefit from Council's Sustainable Environment Grants Program through the provision of funding toward establishment and operational costs of gardens within school grounds, including funding to:

- Wattle Grove Public School;
- Ashcroft Public School;
- Holy Spirit Catholic Primary School Carnes Hill;
- Heckenberg Public School;
- Hoxton Park Public School; and
- Marsden Road Public School.

In 2009, a community garden was coordinated by LSP in partnership with Miller Technology High School, Community 2168 Project, MTC Work Solutions and Green Corps. This garden allowed residents, particularly those who may live in units, to access plots of land to grow organic fruit and vegetables. The design had input from many students at the school as well as residents. A group of young people participating in a Green Corps project developed the garden, including plots and a nursery. The school provided water tanks and built a fence and gate to allow for separate access to the garden. Residents participated in an organic gardening course through Miller TAFE Outreach and were provided with keys. A gardening club was established with rosters for maintenance and upkeep. Membership fees were put towards communal tools and resources. Stage two of the project involved an art overlay of the area, a pergola, kitchenette, and community space. This garden is now primarily used by Miller Technology High School for sustainability education purposes.

2. Traditional Community Gardens

A review of the traditional community garden model and their operations and a comparative analysis of their benefits and limitations to that of a verge garden model has been undertaken.

Benefits and Limitations of traditional community gardens

Community gardens are a part of the sharing economy within an area. In an urban setting, community gardens are referred to as Urban Gardens or Urban Farming. They make it possible for many people to enjoy a resource - in this case, land for gardening that they may not have access to or could not afford on their own. However, it's not just the gardeners themselves who gain from community gardens – the benefits extend to the rest of the neighbourhood and even to society.¹

Community Gardens can benefit a community in different ways, including beautification, access to fresh produce, community participation and connections, educational opportunities and generating income locally.



Figure 1: Image of a traditional community garden

Liverpool's community gardens were developed to be largely self-managed with sporadic input from Council on matters such as membership, gardener participation and conduct, and

¹ <https://www.moneycrashers.com/start-community-garden-benefits/>

COMMUNITY & CULTURE REPORT

financial support. However, historically the sustainability and operations of all gardens were highly dependent on Council and other stakeholders' financial and management support.

The following is an analysis of benefits and limitations of Liverpool community gardens:

Benefits of the existing model	Limitations/ risks of the existing model
Gardeners are not under any formal deed or agreement with Council to use the public space. There are no upfront costs associated with third party Public Liability Insurance or Incorporation fees.	'Top down' approach with establishing the community gardens can place less onus on the communities resulting in some community gardens depending heavily on Council for support or are at risk of becoming unsustainable.
Some have become largely self-managed community gardens with only occasional requests to Council, such as the Light Horse Park Community Garden	Following the discontinuation of the LSP there is no designated position that can assist with building autonomy and the capacity of the gardeners. This includes funding advice, operational funds, ongoing engagement and gardening and workshops.
No fixed tenure allows residents to manage a garden plot indefinitely.	With no fixed tenure, gardeners can hold onto a garden plot for decades. This makes it next to impossible for residents on a long waiting list to get an opportunity to participate in the garden.
No cost to gardeners for initial set up of the gardens as they were delivered through a funding model.	The cost with establishing community gardens in the existing model is not cost effective or sustainable. Fencing is particularly expensive. A lot of money and resources has gone into starting up and supporting community gardens.
Garden rules developed to support day to day operation of the community gardens.	Can be resource intensive for Council staff to sort out issues within the community gardens. Conflict between gardeners and 'rule breaking' are tricky to prove and resolve as the third party. The garden rules are difficult to monitor and enforce. Gardeners can break rules continuously and may not be held accountable. Council needs to manage disputes and grievances.
Fencing around the community gardens has low vandalism rates.	Fenced community gardens can appear exclusive and 'shut out' from the rest of the parks. Provides only limited access for the community to enjoy, be part of, and learn from the gardens.

An expansion of large-scale community gardens in Liverpool would include the identification of appropriate land, consultation with community and the development of a more formalised

management model. The size, scale and number of gardens would be based on community demand and access to sufficient space in various locations across the Liverpool LGA.

Risks and benefits

Community gardens provide a benefit to community members by supporting the provision of access to fresh produce, green spaces, and social opportunities. Currently, this benefit is limited to those residents who have been allocated a plot in a fenced community garden. The plots are usually allocated at the establishment phase of a community garden through an Expression of Interest process and are likely to change unless returned to Council by the resident. The expansion of the community garden network in Liverpool would allow for greater access by community members to garden spaces, and thus greater benefit to a wider range of community members.

Currently, Liverpool's community gardens are governed by a Gardener Agreement, which outlines the expectations and responsibilities of both Council and participants in the garden. This agreement is informal and does not include considerations such as insurance, licensing, and tenure. Should Council wish to expand its community garden network by installing more large-scale fenced community gardens, the following factors and impacts would need to be considered:

- A formal, legal agreement with participants which outlines the individual and group responsibilities including:
 - The need for community groups to be incorporated in order to apply for funding from Council and other external sources;
 - The requirements of community groups to hold Public Liability Insurance and implement appropriate risk management strategies; and
 - Adherence to Council's Code of Conduct and other legal requirements.
- The identification of suitable land including size, suitability, zoning, ownership identification (State, Council, or Crown) and possible future use;
- Licensing of land and potential Property Agreements with participants;
- Development of a Management Plan for each garden;
- Site access, capacity, and operating hours;
- Access to start-up funding (through Council grants or other external sources);
- Responsibility for ongoing maintenance of the larger site; and
- Tenure of participants and the use of the land as a community garden;

Noting that demand for expansion of community gardens has been low, there is a risk to Council that a large financial commitment to expanding community garden will result in minimal community benefit, should participation in community gardens continue to be low.

Establishment and ongoing costs

Expanding the community garden network represents the highest financial cost to Council of all three options. Based on establishment costs of existing community gardens, the cost of establishing new community gardens is anticipated to be approximately \$50,000 per garden. This amount is higher at present due to higher cost of materials and resources and has limited social return on investment for Council. Further, based on the existing community gardens operational budget, ongoing costs of \$5,000–6,000 per garden would be required to support maintenance, materials, and resources.

Additionally, the resources required to manage an expansion and ongoing management of community gardens do not exist and would need to be allocated. In order to effectively manage this expansion and the ongoing management and implementation of community gardens to a sufficient standard, a full-time dedicated position would be required. The financial cost to Council to employ an additional officer for this purpose would be approximately \$100,000, including salaries and on-costs.

In addition to these costs, while there are social benefits for participating gardeners, Council may experience a financial loss on the value of land dedicated to community gardens. Where such land may have been earmarked for sale or redevelopment, this value will be impacted by its use as a community garden. This cost is unknown as it will be dependent on the identified land earmarked for gardens.

An expansion of the current community garden model is not recommended.

3. Verge Gardens

Verge gardening is the practice of growing ornamental, native or edible plants on the nature strip. In many local government areas, residents can utilise the nature strip to create gardens which grow fresh produce or other plants. Verge gardens can be established by a single resident or, such as is seen in many cases around central Sydney and the Inner West, a group of residents living on the same street may establish a larger shared garden.

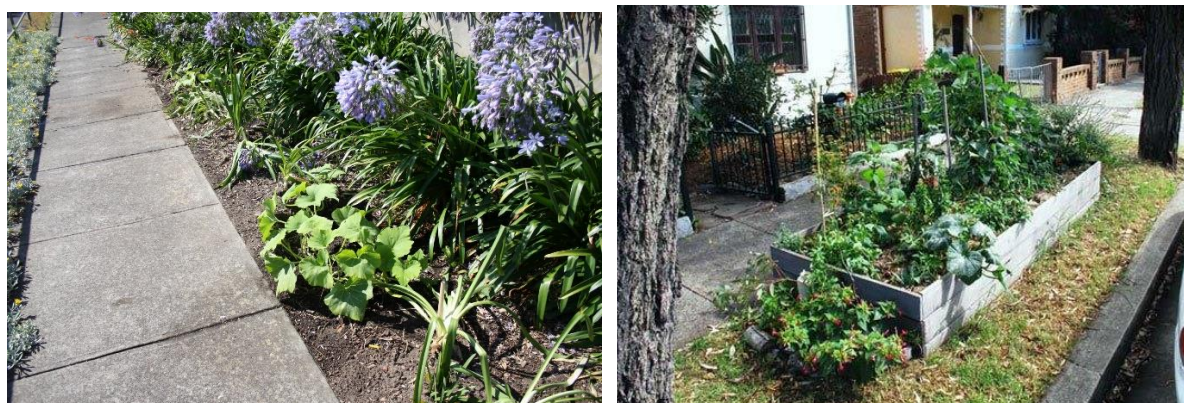


Figure 2 - Samples of verge gardens

Despite the suitability of this model in some council areas, the review of potential verge gardening option in Liverpool has highlighted some potential risks. The following is an analysis of benefits and limitations/ risks of verge gardens:

Benefits of verge gardens

- Verge gardens are considered a simple, low-cost substitute to traditional fenced community gardens that typically have very high start-up costs.
- Verge gardens can contribute to a Council's plans to "green" urban spaces, particularly those with high density residential areas and in spaces where parks and open space options are limited.
- Verge gardens can be implemented anywhere where trees can't be planted such as under powerlines and in areas where height restrictions apply.

Limitations/ risks of verge gardens:

- Concerns regarding soil contamination are relevant to many LGAs, including Liverpool.
- The use of inappropriate edging, plants growing over the footpath and roots impacting below the footpath causing cracks and other damage which impedes mobility and presents a trip hazard for residents.
- The planting of inappropriate plants such as those which are hazardous to humans and poisonous to domestic and wild animals such as dogs, cats and birds.
- The impact of verge gardens on sightlines for motorists and pedestrians across driveways and intersections presenting a risk to public safety.
- Risk of interference to underground services such as water, gas and electricity lines.
- Risk of poorly maintained gardens due to changes in resident circumstances or residents moving houses and costs to Council to make good the verge.
- Impacts on council and other public services such as the placement of bins and household clean up services, mail delivery and water/electricity main readings.
- Objections from neighbouring properties to the establishment of a verge garden can lead to neighbourhood disputes and possible legal proceedings.
- Varying types of nature strips across an LGA, such as fully concreted pavements (all the way to the road) or large nature strips (in locations where footpaths do not create a clear delineation between private land and Council property), narrow or sloping nature strips being incompatible with a garden.
- Management of communication and information across various council departments whose input would be required into each application for a verge garden.

Information around verge gardening in Liverpool is limited and Council has not previously engaged in verge gardening initiatives.

With consideration to varied potential risks and limitations, establishment of verge gardens in Liverpool is not recommended.

4. Developer and Community Driven Gardens

Liverpool City is undergoing rapid change and development. The Liverpool LGA is one of the fastest growing local government areas in NSW, experiencing substantial growth in both urban release areas and redevelopment in established areas. This provides a unique opportunity for community participation in gardening from a different approach.



Figure 3 - Image of rooftop gardening

This approach encourages the development of community gardens by developers and their future residents on private land. In this model a developer is encouraged to include community garden infrastructure in the early stages of their concept designs. Such infrastructure could include rooftop and balcony gardening in high rise developments and garden beds in common areas of low-rise residential buildings. This model also supports Resilient Sydney Strategy for creating cool homes and streets and green and resilient buildings.

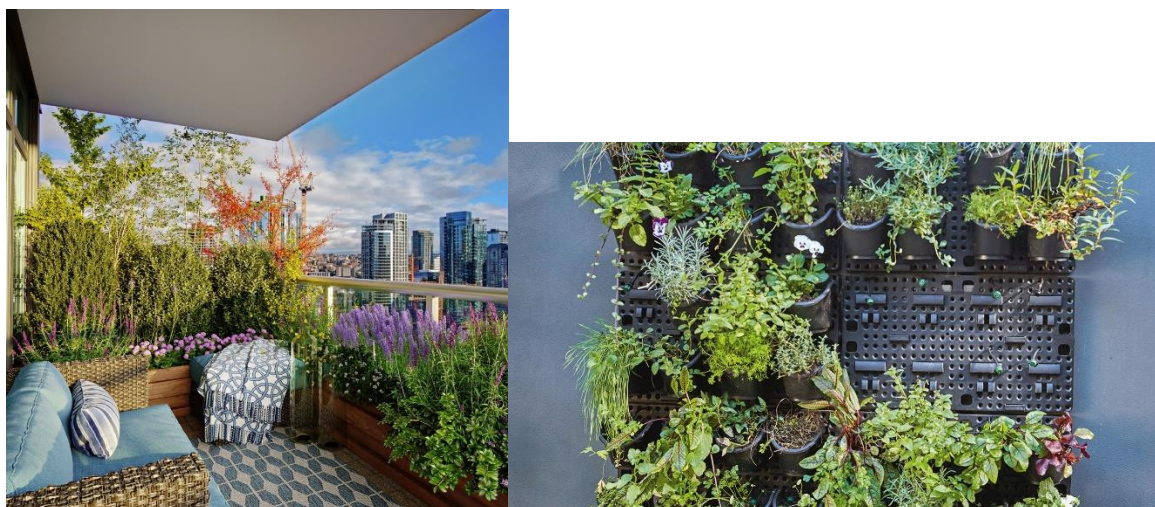


Figure 4 - Image of balcony gardening with garden beds and vertical gardens

Rooftop and balcony gardening have become a new trend in many cities where there are competing demands for land and green spaces. Marketing and expanding this model in Liverpool is recommended. A preliminary assessment of this approach has not identified planning barriers and can be considered for inclusion in the review of the DCP.

Developers are taking an increased interest in rating systems such as building standards and residents' experiences in their living environment. Rooftop or balcony gardening can be an enticing prospect for developers to consider, as a viable and valuable asset. In this model, Council will have a supporting role, rather than a leading role. This supporting role could include, but not limited to, encouraging developers' interest in incorporating gardening spaces in design and development, and information and resources for residents.

5. Information and educational resources

Councils are best positioned to support the community with information and educational packs around gardening practices. Creating gardens (individual or group) and maintaining a healthy and sustainable garden is a big task that many people struggle to appropriately manage. While there are many resources online about starting a garden, sifting through them and deciding on the best approach can be challenging. For this, it is recommended that Council develop and make available an information and resource pack for the community.

Council's environment and waste education programs run gardening and composting workshops for the community. It is recommended that further gardening educational and training sessions be incorporated in programming of the future Environmental Education Centre.

6. Strategic alignment

Recreation, Open Space and Sports (ROSS) Strategy

Council's ROSS Strategy is a key strategic document that provides a long-term framework for the planning of parks and open spaces (inclusive of the open space network) within the Liverpool LGA. One of the key objectives of the strategy is to create 'places for people' to encourage greater opportunities for meetings and daily activities, have spontaneous conversations and develop connections. The strategy aims at creating places that respond to the daily needs of the diverse population, provide for multi-purpose use of the space for multiple activities to function together and thus establish a confident relationship with their neighbours and the locals. Community gardens are one such use of public spaces.

This higher density living in apartments and compact dwelling sizes will exert additional pressure on the existing supply of open space. To merge the gap between existing provision and required supply of open space, ROSS Strategy and studies like the Liverpool Green Grid Study 2019 aims at identifying green grid corridors that connect existing parks, reserves, and open spaces to establish an open space network. This study supports the recommended option of this report, to maximise green spaces via rooftops and landscaping with community gardening as a catalyst.

Liverpool City Centre Public Domain Masterplan

The adopted Liverpool City Centre Public Domain Master Plan (Master Plan) recommends an expansion of the community gardens located at Hart Park and Dunbier Park within the Liverpool City Centre to encourage sustainable food production and increased community participation. The Master Plan also includes planted verges, as potential alternatives to turfed and/or paved verges in various locations. This includes planting to create a physical barrier between pedestrians and motorists, planting in locations where trees can't be planted due to underground/overhead services, utilities, and other obstructions such as awnings; and in locations where turf is not growing successfully. While planting verges has been identified, due to outlined risks planting of edible foods (fruit and vegetables) is not recommended.

Environment Education Programs

Council's environmental education and engagement is primarily delivered by the Environment Restoration Plan (ERP) program, funded by the Environment Levy. The ERP Program has a fixed scope limited by its governance framework. There is currently no capacity to include the community gardens portfolio within the ERP Program or provide financial support from the Environment Levy.

Council's Waste program, funded by the Waste Levy, also delivers educational content where the focus is on managing domestic food and green waste, namely composting and worm farms. The Waste Program also provides rebates to ratepayers for worm farms and compost bins.

7. Conclusion

Community gardens in Liverpool were predominately developed under the LSP which was funded externally from 1997 to 2015. There are three Council managed gardens, and several other gardens that are being operated externally, by schools or community organisations.

Specific to this report, community gardens, verge gardens, and an alternative model of rooftop and balcony gardening as main models in urban gardening have been reviewed. The review included their delivery and management in Liverpool and other local councils, as well as benefits and limitations.

With consideration to the high cost and operation and management resources required for expansion of existing community garden models, expressed low demand and potential risks associated with verge gardening, it is recommended that Council encourages community and developer driven opportunities for individual and communal gardening on private property in Liverpool. This could include rooftop gardening, balcony gardening and garden beds in common areas.

CONSIDERATIONS

Economic	Should Council consider option 1 funds will be required for expansion of community gardens, toward the development and construction stages and operational cost. This should be appropriately considered during the 2022/23 budget planning process.
Environment	Support environmental education and awareness.
Social	Build community connection and enhance participation. Reduce social isolation.
Civic Leadership	Undertake communication practices with the community and stakeholders across a range of media. Encourage the community to engage in Council initiatives and actions.
Legislative	There are no legislative considerations relating to this report.
Risk	The risk is deemed to be low.

ATTACHMENTS

Nil

COM 02

Grants, Donations and Corporate Sponsorship

Strategic Direction	Creating Connection Implement access and equity for all members of the community
File Ref	234155.2021
Report By	Galavizh Ahmadi Nia - Manager Community Development and Planning
Approved By	Tina Bono - Acting Director Community & 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 physical 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 demonstrate evidence of proactive and measurable program governance, all applicants have been requested to provide information on their compliance with COVID-19 safety guidelines.

This report provides recommendations for funding totalling \$25,000 from the Corporate Sponsorship and Matching Grants programs.

The delivery of the endorsed programs is subject to 'COVID Permit' condition. Should the funded program be impacted, a new timeframe or return of funds to Council will be negotiated with applicants.

RECOMMENDATION

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

Applicant	Project	Recommended
Hindu Council of Australia	Deepavali - Festival of Lights	\$7,800

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

Applicant	Project	Recommended
HelpMe Feed Foundation Ltd	HelpMe Feed maternal and child health support for CALD women	\$15,000

REPORT

Corporate Sponsorship

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

Applicant	Hindu Council of Australia		
Project	Deepavali - Festival of Lights		
Amount Requested	\$10,000	Total Project Cost	\$14,000
Location	Casula Powerhouse Arts Centre, Casula (CPAC)	Date	23/10/2021
About the Applicant	Hindu Council of Australia's (HCA) mission is to build a strong and cohesive Hindu community in Australia. This includes contribution to Australian society culturally and economically, and living in harmony with other communities while promoting and sharing values of the Hindu faith, culture and traditions.		

Description	<p>Objectives: Host an internationally recognised and culturally enriching festival in celebration of Deepavali, the Festival of Lights. The event will take place at CPAC and will feature a prominent Kolu doll display in collaboration with CPAC curators, puppetry, music and live performances sequencing the events of the Ramayana, cultural programs and food stalls.</p> <p>Outcomes:</p> <ul style="list-style-type: none"> • An opportunity for local communities, businesses, suppliers, and volunteers to contribute positively to a culturally significant event in the Liverpool LGA; • A platform to host a range of activities in the area and opportunities for people from diverse backgrounds and communities to showcase their culture through various performance and activities; and • Promote and advocate young artists and musicians to showcase their talent and generate positive connections in a creative environment.
COVID-19 Safety Plan	The applicant has provided a risk assessment inclusive of COVID-19 conditions. They have also advised that they will adhere to current and ongoing NSW Health Guidelines and include necessary hygiene and social distancing requirements.
Beneficiaries	<ul style="list-style-type: none"> • 2,000 attendees throughout the day of the event; • Local businesses and suppliers contributing to the event; and • Local artists and performers.
Assessment	<p>Recommended for Funding - \$7,800</p> <p>The project aligns with the Community Strategic Plan <i>Direction 1 Creating Connection</i> and meets the Corporate Sponsorship Program's funding priorities.</p> <p>The organisation has submitted a fee waiver request for use of CPAC venue, equipment and technical staff, a total to \$2,200. This amount has been deducted from the recommended funding.</p> <p>Expected program outcomes 7.7.1 a), b), d); and e)</p>

Matching Grants Program

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

Applicant	HelpMe Feed Foundation Ltd
Project	HelpMe Feed maternal and child health support for CALD women

Amount Requested	\$15,000	Total Project Cost	\$115,000
Location	Online	Date	Ongoing
About the Applicant	<p>The HelpMe Feed Foundation is a not-for-profit organisation that supports the health of babies and parents globally through the provision of information and support on feeding, and maternal and child health to new parents.</p> <p>The program delivery partner, Karitane, provides an extensive range of child and maternal health programs focused on refugee and migrant families including home visits for Culturally and Linguistically Diverse (CALD) families, along with postnatal depression and parental support.</p>		
Description	<p>Objectives:</p> <p>This project provides information, support, participation, and empowerment to new parents and volunteer community coaches from diverse backgrounds in CALD communities. Health professionals from Karitane design and manage programs to support new parents through three interconnected pillars:</p> <ul style="list-style-type: none"> • Individualised health care plans; • Evidence-based resources - video and .pdf guides (in CALD languages); and • CALD volunteer community coaches. <p>The HelpMe Feed Foundation provides an app, program, and coaching support for women when health professionals are not available through a unique community volunteering model.</p> <p>CALD community coaches are recruited from the Liverpool LGA, trained to provide emotional support and reinforce health information via the app and its digital communication tools. Health professionals maintain oversight and visibility into the volunteer coaching. Community coaches offer support in relevant community languages, providing accurate and timely information to new parents in their first language.</p> <p>The mobile phone app enables CALD women to be matched and participate as volunteer community coaches and receive support regardless of location, mobility, time commitment, language, or skill. Through the app, support is available to new parents 24 hours a day, 7 days a week.</p> <p>Outcomes:</p> <ul style="list-style-type: none"> • An opportunity for local community members to be trained as volunteer community coaches; • Increased social connection and participation for new CALD parents at risk of increased social isolation; and 		

	<ul style="list-style-type: none"> Improved access to evidence-based and tailored health information for new parents in Liverpool.
COVID-19 Safety Plan	The app and program are fully digitally delivered and would not require any adjustments to its current format in the event of a COVID-19 outbreak.
Beneficiaries	<ul style="list-style-type: none"> 30 community volunteers from Liverpool trained as community coaches; and Local community members who access the app and program.
Assessment	<p>Recommended for Funding - \$15,000</p> <p>The project aligns with the Community Strategic Plan <i>Direction 1 Creating Connection</i> and meets the Corporate Sponsorship Program's funding priorities.</p> <p>Expected program outcomes 7.6.1 a) and b).</p>

CONSIDERATIONS

Economic	CORPORATE SPONSORSHIP			
	Budget	Balance	<i>Recommended funding in this report</i>	Remaining
	\$100,000	\$71,050	\$7,800	\$63,250
	COMMUNITY GRANTS			
	Budget	Balance	<i>Recommended funding in this report</i>	Remaining
	\$102,000	\$102,000	<i>Nil</i>	\$102,000
	MATCHING GRANTS			
	Budget	Balance	<i>Recommended funding in this report</i>	Remaining
	\$200,000	\$200,000	\$15,000	\$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	\$448,050	\$25,000	\$423,500
* 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 these activities is considered low. Applicants have provided information on their compliance with COVID-19 safety guidelines published by NSW Health.

ATTACHMENTS

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

COM 03**Report back to Council - Racism Not Welcome campaign**

Strategic Direction	Creating Connection Celebrate diversity, promote inclusion and recognise heritage
File Ref	243078.2021
Report By	Galavizh Ahmadi Nia - Manager Community Development and Planning
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EXECUTIVE SUMMARY

At its meeting on 31 March 2021, Council resolved to:

1. *Note the recent, alarming rise of racism in our community;*
2. *Receive further information about the “Racism Not Welcome” campaign and continue to encourage advocacy and promotion of the campaign in the local area;*
3. *Join the NSW Anti-Racism Working Group, an initiative of the Local Government Multicultural Workers’ Network; and*
4. *Receive a report with recommendations on how the campaign can be implemented.*

A study by the Australian National University (ANU) in November 2020, found that incidents of racial vilification and attacks, particularly against people of Asian descent, rose sharply in 2020 as a result of the COVID-19 pandemic. The virus’ origin from China was found to be the likely motive of these racist attacks.

However, recent discussion and engagement with local community organisations including Western Sydney Migrant Resource Centre (WSMRC), Navitas Liverpool, MTC Australia, and TAFE NSW has found that there have not been any identified or known incidents of racial vilification or attacks reported by these community groups as a result of the COVID-19 pandemic.

Council officers have conducted further research into the ‘Racism Not Welcome’ campaign, an initiative of the Inner West Multicultural Network. The campaign aims to organise collective action to address the issue of racism in the local community. Currently, this is achieved through the installation of street signs which carry the message “Racism Not Welcome” in key community locations.

Through implementing this resolution, Council has become a member of the NSW Anti-Racism Working Group, an initiative of the NSW Local Government Multicultural Network, of which Council is a member. Meeting monthly, the working group provides workers a safe space to discuss anti-racism and strategies.

Council's focus in preventing racism and discrimination has been to invest in building social capital through systems and networks; enhancing the community's capacity and resilience through projects and the provision of services; and sharing positive stories and messages which encourage acceptance and inclusion. The experience of co-operation in response to Covid underscores the efficacy of this approach.

A general consensus amongst relevant community-based organisations appears to suggest the installation of "Racism Not Welcome" signs is likely to detract from the positive messages of celebrating diversity and inclusion through Council, and others' initiatives. It is recommended therefore that Council does not join the 'Racism Not Welcome' campaign; rather, continues to work collaboratively on positive community messaging, programs and activities that highlight Liverpool's uniqueness and cultural diversity.

RECOMMENDATION

That Council receives and notes this report.

REPORT

Racism Not Welcome Campaign

Campaign background

The "Racism Not Welcome" campaign was initiated in 2020 by Inner West Multicultural Network and supported by Inner West Council. The campaign aims to organise collective action in addressing the issue of racism within the local community. The initial vision of a protest rally including guest speakers was inhibited by the COVID-19 outbreak and could not proceed as planned.

Following consultation with the local community, the campaign shifted focus to the development of street signage to be installed across the Inner West LGA. The signs feature the slogan "Racism Not Welcome" and have been installed in various high-traffic locations to raise awareness with the broader community. Signs were installed at 40 separate locations throughout the Inner West LGA, at a cost of approximately \$100 per sign.

Considering this campaign was initiated in 2020, there is insufficient data available to indicate whether the campaign has had a positive impact or otherwise.

The Liverpool Story

The significant cultural diversity of Liverpool LGA has been the driving factor for responding to any racial concerns. Council's approach is combined with that of the community services sector in Liverpool, to share positive stories and messages which encourage acceptance and inclusion; and build on community's capacity and resilience. This approach is also mirrored to that of Multicultural NSW, who highlight community resilience, building sector capability and a shared sense of value as key priorities of their Strategic Plan 2021 – 2025.

Council Programs and Initiatives Addressing Racism

Council participates in several key initiatives which aim to prevent and identify racist activities, as well as to encourage social cohesion and inclusion in Liverpool. These include:

- Co-convening the Liverpool Refugee and Migrant Interagency (LRMI) in partnership with Western Sydney Migrant Resource Centre (WSMRC). This interagency is an opportunity for networking, information-sharing, and discussion of issues related to refugees and migrants in the Liverpool LGA for local services sector;
- Participating in the Refugee Council of Australia (RCOA) Refugee Welcome Zone Leadership Group (RWZLG). As a member of the RWZLG, Council participates in advocacy and policy discussions which aim to improve and recognise the importance of local government in the National Settlement Framework;
- Membership of the Welcoming Cities Network, which supports Council to participate in broader initiatives and development of strategies that encourage unity, shared values and belonging amongst all community members;
- Facilitating the Conversation Café at Liverpool City Library. This program provides an opportunity for community members who would like to practice and improve their English-speaking skills in a social group setting;
- Facilitating the National Community Hubs Program as the Support Agency of three community hubs in Liverpool. The program supports migrant and refugee families, particularly mothers with young children, to bridge the gap between migrants and the wider community. Hubs connect women with schools, peers, and local organisations providing health, education, and support;
- Facilitating the implementation of Liverpool's Declaration of Cultural and Religious Harmony, which promotes peace and harmony among communities from different cultural and religious backgrounds, within the LGA and broader society;
- Collaborating with local community organisations in the provision of programs and initiatives which foster community engagement, cohesion and capacity-building for local members;
- Delivery of festivals, community engagement programs and initiatives which celebrate the contribution of residents from refugee and migrant backgrounds. These include Refugee Week, Harmony Day and Liverpool on a Roll (Council's premier multicultural food festival);

- Resolving to establish the Liverpool Multicultural Park, to celebrate and acknowledge the contributions made by our refugee and migrant communities;
- Facilitating the Language Aide Program, which strengthens the bilingual skills of staff to deliver effective customer service for culturally diverse communities wanting to access information and services. Language Aides are available in a range of languages which reflect the primary demographics of Liverpool including Arabic, Cantonese, Hindi, Mandarin, Serbian, Spanish and Vietnamese;
- Providing grants and sponsorship funding to community groups to deliver significant cultural days and community events to celebrate culture and art; and
- Promotional activities such as the recent delivery of a new fleet of waste compactor trucks which carry community messaging. One such message, “Celebrating our Cultural Diversity” acknowledges Liverpool’s strong connection to refugee and migrant communities. Council has also installed a Harmony Day mural on the Library wall above the Council Chambers to reflect the message of Harmony Day 2021 ‘Everyone Belongs’ in various community languages as a constant reminder of Council’s commitment to diversity and social cohesion in Liverpool.

Council staff are currently investigating an education and capacity building program in partnership with WSMRC and educational providers, to roll out a community training and awareness program in Liverpool. Furthermore, Council is working with the University of Western Sydney’s Challenging Racism Project to investigate local partnership opportunities.

NSW Anti-Racism Working Group

Council has joined the NSW Anti-Racism Working Group, an initiative of the NSW Local Government Multicultural Network (LGMN), of which Council is also a member. The LGMN, convened by Cumberland City Council and supported by Local Government NSW (LGNSW) brings together local governments to collaborate on issues facing refugee and migrant communities.

The Anti-Racism Working Group was established to provide workers a safe space to discuss anti-racism issues and concerns. The NSW Anti-Racism Working Group objectives include:

- Identify emerging concerns around racism, current strategies, their effectiveness and gaps;
- Identify, provide and promote anti-racism training, education opportunities and resources to organisations, groups and the wider community;
- Explore partnership and funding opportunities and coalition building with key organisations and agencies including Aboriginal and Torres Strait Islander communities;
- Identify the roles (influence, control and interest) of local government bodies in addressing racism and develop short, medium and long term strategies;

- Explore local governments' and other organisations' strengths in anti-racism strategies, develop and implement an action plan, and learn from other marginalised communities on actions to create social change (such as disability action plans and the same-sex marriage equality campaign);
- Research incidents of racism and relevant policy in different LGAs to develop local actions;
- Develop and collaborate on youth-specific anti-racism initiatives; and
- Seek out funding opportunities that encourage collaboration between partners and support these objectives.

NSW Anti-Racism Working Group Racial Literacy Starter Toolkit

An initiative of the NSW Anti-Racism Working Group, the Racial Literacy Starter Toolkit was developed by University of Technology Sydney in April 2021 to encourage self-awareness and self-learning regarding racial literacy. The Toolkit provides information and resources which encourage discussion and awareness of racism-related issues. The Toolkit discusses key concepts which support the management of racism including:

- What is racism;
- Types of racism;
- Racism in the workplace;
- Internalised racism;
- Racism in Australia; and
- Allies and Accomplices.

As members of the Anti-Racism Working Group, Council has access to share and promote this resource through Council networks such as the Liverpool Refugee and Migrant Interagency (LRMI), in order to encourage and support inclusion and harmony. Council's ongoing participation in this Working Group will further support its work in addressing racism through positive community messaging and facilitate access to services and programs that highlight Liverpool's strength as a multicultural community.

Conclusion

Installation of "Racism Not Welcome" signs are likely to take away from the positive message of celebrating diversity and inclusion through Council initiatives. A focus on building capacity and resilience is mirrored in the approach of Multicultural NSW, who highlight community resilience, building sector capability, and a shared sense of value as key priorities of their Strategic Plan 2021 – 2025. On a local level, key agencies were consulted, which emphasised positive messaging and capacity building as the most effective approach in Liverpool.

COMMUNITY & CULTURE REPORT

It is recommended that Council does not join the 'Racism Not Welcome' campaign; and continue to work collaboratively on positive community messaging, programs and activities that highlight Liverpool's uniqueness and cultural diversity.

Further, it is also recommended Council promote the Racial Literacy Toolkit to community organisations and groups. This Toolkit will build on Council's approach of capacity building, awareness raising and promoting inclusion and cohesion.

CONSIDERATIONS

Economic	Budget will be required if Council resolved to join the 'Racism Not Welcome' campaign.
Environment	There are no environmental and sustainability considerations.
Social	Promote community harmony and address discrimination.
Civic Leadership	Encourage the community to engage in Council initiatives and actions. Actively advocate for federal and state government support, funding and services.
Legislative	There are no legislative considerations relating to this report.
Risk	The risk associated with this report is deemed low.

ATTACHMENTS

1. NSW Anti-Racism Working Group Racial Literacy Toolkit



LOCAL GOVERNMENT
**MULTICULTURAL
NETWORK**

NSW Anti-Racism Working Group Racial Literacy Starter Toolkit

April 2021

**ISABELLA TORRISI
UNIVERSITY OF TECHNOLOGY SYDNEY**

ACKNOWLEDGEMENTS

We would like to thank the members of the NSW Anti-Racism Working Group. The working group discussions have informed the content development of this toolkit and we're grateful for their insight.

We especially want to thank Isabella Torrisi, University of Technology Sydney (UTS) for developing this toolkit on behalf of the NSW Anti-Racism Working Group.

This toolkit is intended to provide information and resources upon which to raise discussion and awareness. It does not represent official policies of the Working Group or any of the organisations represented by Working Group members.

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CONTEXT

The Racial Literacy Starter Toolkit (the 'toolkit') was developed as a student research placement with University of Technology Sydney (UTS). The toolkit was developed on behalf of the New South Wales Anti-Racism Working Group. The working group was formed in June 2020 to address the growing number of racist incidents related to COVID-19 and the global Black Lives Matter movement that demands government and society at all levels to address systemic racism. The working group is an initiative of the Local Government Multicultural Network that is supported by Local Government NSW. The current members of the group are staff from local government, government and non-government organisations.

The New South Wales Anti-Racism Working Group of the Local Government Multicultural Network has held meetings to discuss racism since June 2020. Through the discussions, the working group has recognised the importance of racial literacy to improve progress in anti-racism strategies. The working group discussions have informed the content development of this toolkit.

This toolkit is to encourage self-awareness and self-learning in improving racial literacy. It was found that 50 per cent of the group felt uncomfortable when discussing issues around race (Anti-Racism Working Group, meeting minutes, 2020). So, this toolkit has been created as a way to spark informed discussions among group members and with anyone it is shared with.

NSW Anti-Racism Working Group: Objectives

1. Identify emerging concerns around racism, current strategies, their effectiveness and gaps.
2. Identify, provide and promote anti-racism training, education opportunities and resources to organisations, groups and the wider community.
3. Explore partnership and funding opportunities and coalition building with key organisations and agencies including Aboriginal and Torres Strait Islander communities.
4. Identify the roles (influence, control and interest) of local government in this area and short, medium- and longer-term strategies.
5. Explore local governments' and other organisations' strengths in anti-racism strategies, develop and implement an action plan, and learn from other marginalised communities on actions to create social change (such as disability action plans and the same-sex marriage equality campaign)
6. Research incidents of racism and relevant policy in different local government authorities (LGAs) to develop local actions.
7. Develop and collaborate on youth-specific anti-racism initiatives.
8. Seek out funding opportunities that encourage collaboration between partners and support the objectives outlined above.

If you are interested in joining the working group, attending as a guest, or have more questions about the toolkit please contact Susana Ng, NSW Anti-Racism Working Group Convenor: sng@cityofsydney.nsw.gov.au.

TERMS USED TO DESCRIBE RACIAL IDENTITY

Over time and in different cultures, many different expressions have been used to describe groups of people who represent a smaller group, a 'minority', when compared to the larger population. In Australia, some of the terms used are people from 'non-English-speaking backgrounds (NESB)' and those who are 'culturally and linguistically diverse (CALD)'. In recent years, the expression 'BIPOC', meaning Black, Indigenous and people of colour, has gained in popularity. As racism and prejudice are directed at people's cultures as well as their race, terms can describe a person's cultural or religious identity (i.e. Muslim) and not their race, but still be used in discussions about racism.

BLACK, INDIGENOUS AND PEOPLE OF COLOUR (BIPOC)

BIPOC is currently a widely popular term used and became more popular by those who saw 'person of colour' as inadequate to describe all people from groups experiencing racism. Both terms are criticised, as the experiences, issues, treatment and historical contexts of BIPOC are not the same and many people still feel erased and overlooked when using this acronym. So, it is recommended to use this term in broad sense, and if referring specifically to indigenous people, to use 'indigenous' and to Black people, to use 'Black'. Some people consider referring to people by an acronym is dehumanising so encourage people to spell out terms like BIPOC and POC. In recent years, experts recommend using 'Black' to describe Black people and culture, connected with the African diaspora, rather than 'black' which is used in other contexts, for example, to describe the colour. In Australia, to refer to Australia's First Peoples, it is recommended to use the capital 'I' for 'Indigenous', while 'indigenous' can refer to people of other countries.

PERSON OF COLOUR (POC)

Person or people of colour is an umbrella term that is widely accepted yet also debated. The term originated from the United States as a way to politically bring together Native American, Latino, Asian and Pacific Islander women to join the Black Women's agenda. Then the term became more broadly used. The term is also a more positive term than non-White, as it places racial and ethnic identities as central rather than in opposition to something. Some criticise that this terminology overlooks those who could pass for white and that the terms could be used to simplify and generalise the complex cultures, experiences and histories of different peoples. As above, the terms should be used as a political grouping of solidarity, rather than to incorrectly describe specific racial or ethnic groups.

WHITE PEOPLE

In Australia, 'white people' refers to any person of European, Anglo Celtic heritage or anyone who is 'white' in skin colour, including anyone of Western European descent, who benefit from some aspects of white privilege. The phrase 'white person' or 'white people' is a common and widely accepted academic term used when discussing race. 'Whiteness' is a concept relating to power, colonialism and institution. There is some debate whether to use 'White' with a capital 'w' or 'white'. Some advise that as 'white' does refer to a specific cultural identity, it should not use a capital 'w' and this report will follow that convention.

Additional resources

[Where Did BIPOC Come From?](#) – A *New York Times* article discussing terms like BIPOC and POC, and how they may be inadequate.

Who identifies as a person of colour in Australia? – An ABC article showcasing an Indigenous Australian perspective of this discussion of the expression 'POC'.

WHAT IS RACISM?

Racism is a complex issue that encompasses our past and current political, social, economic and cultural structures, actions and beliefs. Mainstream definitions present racism as isolated or discreet behaviours and actions by a minority representation of society – failing to acknowledge that white people hold institutional and social power over Black, Indigenous and people of colour (BIPOC). While racism in its most basic definition is discrimination and prejudice against a race other than one's own, it is combined with social and institutional privileges over Black, Indigenous and people of colour.

These systems perpetuate an unequal distribution of benefits, resources and influence between white people and minorities. This direction of power benefits white people at the expense of Black, Indigenous and people of colour overall and is the result of historic, traditional, and normalised practices deeply embedded in colonised nations.

Resources

Blind People Describe Racism – Racism isn't just about skin colour. A video in which blind people are asked to describe racism.

TYPES OF RACISM

Many discussions in the working group were about the types of racism that Black, Indigenous and people of colour have experienced and what is truly considered racist.

OVERT RACISM

The most common and widely referred to definition of racism refers to overt racism, for example, being called a racial slur – so, experiencing hatred based on race in a way that is confrontational, obvious and intentional.

The actions involved can be aggressive, abusive and offensive while clearly undeniable. They are often seen as less common, one-off actions and actions of outliers of the community – not a reflection of society as a whole.

These interactions are usually between strangers and are easier to report, police and identify. They include violence, cyber bullying, verbal abuse and harassment.

COVERT RACISM

Covert racism is a lot more nuanced as it is difficult to detect in the first place. Due to the subtle and underlying nature of covert racism, many Black, Indigenous and people of colour

can't even identify the racism they're experiencing and so it is difficult to police and for laws to address.

These acts of racism are often institutionalised and embedded in beliefs and social systems, for example, not getting hired or being fired because of race. They include microaggressions, workplace racism, unconscious behaviour, internalised and many other forms of racism.

MICROAGGRESSIONS

Microaggressions may be intentional or unintentional small behaviours that lead and contribute to bigger issues surrounding racism. They are small incidents that can add up into something bigger. Black, Indigenous and people of colour can be accused of being too sensitive when voicing concern over microaggressions, as these actions may not seem overtly related to race. These include Black, Indigenous and people of colour feeling their opinions go unheard in professional settings, being told "you're attractive for a (BIPOC) person" or asked "where are you *actually* from?"

Resources

[What exactly is a microaggression?](#)

[Strategies to deal with microaggressions](#)

[What microaggressions are and how to prevent them](#)

INSTITUTIONALISED RACISM

Also referred to as systemic racism, institutionalised racism is the way normalised racist sentiments have infiltrated aspects of society at systemic and fundamental levels. Examples of this are in legal processes and access to health, education and jobs.

It is the idea that the racism is so much part of institutions and systems, that it may be invisible but has harmful effects. For example, in representation on television, in movies and in the media, a survey conducted by the ABC found 76% of those on Australian screens had an Anglo-Celtic background. This can lead to the invisible assumption that white people are the baseline of society, and that everyone else is different or 'other'.

Institutional racism can lead to cycles of poverty, for example, if people of colour have difficulty in accessing health services or employment, it could lead to a cycle of poverty and for the next generations as well.

Resources

[A Guardian article on BLM protests in Sydney](#) states that "research last year indicates Indigenous Australians are now more likely to be in prison than African Americans."

[The Guardian database that records every known Indigenous death in custody](#) shows 434 Indigenous deaths in custody since 1991.

[A Powerful Lesson About Privilege](#) – a video from BuzzFeed shows how minorities are disadvantaged through systemic racism.

This page on [life expectancy in Australia](#) reports life expectancy for a non-indigenous male to be 80.2 years and for a non-indigenous female to be 83.4 years compared to for an indigenous male at 71.6 years and indigenous female at 75.6 years.

RACISM IN THE WORKPLACE

Race-based discrimination in the workplace is as serious as other forms of racism. White males hold an overwhelming amount of leadership positions in the workforce ([AHRC 2018](#)) so voices of Black, Indigenous and people of colour are already overlooked in the work environment.

Casual racism, overt racism and microaggressions can all appear in the workplace and if they are normalised or accepted by the people in power, it therefore becomes extremely hard to identify or report. If Black, Indigenous and people of colour don't feel comfortable and supported in their jobs, it can affect their work, mental health and motivation to confront racial discrimination due to fears of ramifications or the stress of it.

White-dominated workplaces create spaces that marginalise the needs and voices of Black, Indigenous and people of colour, similarly to their exclusion in society. Anti-racism programs and diversity training can be beneficial but if colleagues are unwilling to change their racist behaviours, it can create extremely discriminatory workplaces.

Similar to other themes of whiteness, issues around workplace racism are thought to only arise when a Black, Indigenous and person of colour is present – failing to acknowledge that it is the behaviour of white people that creates these uncomfortable work environments.

Resources

[Anti-Racist Organizational Assessment](#) – Use the self-assessment tool to reveal if racial justice is a priority in your workplace.

[Tool for Organizational Self-Assessment Related to Racial Equity](#)

[What to do if faced with racism at work](#)

[Let's talk about racism at work: Why are we so quiet in the office, when the rest of society is talking?](#) – Article written by Jemi Jeng on the lack of discussion around workplace racism.

[A study of seniors in leadership roles by the AHRC found](#) “Almost 95 per cent of senior leaders at the chief executive or ‘c-suite’ levels have an Anglo-Celtic or European background.”

[SBS staff urge leadership change as former journalists air claims of racism](#)

[More than half of Indigenous Australians are experiencing racism in the workplace](#)

[Minorities Who 'Whiten' Job Resumes Get More Interviews](#)

INTERNALISED RACISM

Internalised racism is equally as harmful as any other type of racism as it inadvertently contributes to the structures that suppress minorities. It is often unconscious and comes

from ideas of self-doubt, disgust and disrespect of one's race because of normalised white sentiments of minority cultures.

It can be defined as when Black, Indigenous and people of colour take on racist beliefs and opinions about themselves and racial groups. It involves members of minority groups aligning themselves, usually unconsciously, with their oppressors to maintain a place in society or a sense of belonging, in a way to prove respectability when feeling powerless.

Through living in a majority white society where other cultures are looked down on them, marginalised Black, Indigenous and people of colour may unknowingly resent their race and reject things that should be celebrated and accepted. Black, Indigenous and people of colour with internalised racism may play into racial stereotypes, or dismiss other Black, Indigenous and people of colour or dismiss BIPOC issues.

Resources

[I stopped dating 'coconuts' and faced my own internalised racism – SBS article](#)

[African Australians like Jumess are working to reverse the effects of internalised racism and showcase their culture – ABC News](#)

[My Journey Overcoming Internalised Racism – Positive Women's Network](#)

[Women are reconsidering their relationship with skin-whitening creams. Here's why – ABC](#)

RACISM IN AUSTRALIA

HISTORICAL CONTEXT: THE WHITE AUSTRALIA POLICY

The White Australia Policy was a policy intended to limit immigration to Australia from 1901. The related policies and laws were dismantled between 1949 and 1973 but the effects of them are still embedded in Australian society today. The policies stopped non-European immigration into Australia with the aim to create a white society. Racially charged sentiments date to before Federation in 1901 from 'Terra Nullius' to anti-Asian feelings during the Gold Rush. The White Australia policy was a manifestation of how white Australians felt about minority cultures.

Similarly, the **Assimilation Policy** aimed at integrating Indigenous Australians into white culture. They had to conform to white Australian behaviours and communities in an effort to create one uniform society, in the hopes all 'full blood Aboriginal' people would soon no longer be an 'issue'.

The **Stolen Generation** refers to the removal of Aboriginal and Torres Strait Islander children from their families up until the 1970s. This traumatic removal was aligned with the Assimilation Policy in the aim to make these children reject their traditional heritage and culture.

Australia now has the **Racial Discrimination Act 1975** which "prohibits racial discrimination and offensive behaviour based on racial hatred" (Australian Government 2016).

The **Australian Human Rights Commission** describes racism as:

"Racism can take many forms, such as jokes or comments that cause offence or hurt, name-calling or verbal abuse, harassment or intimidation, or commentary in the

media or online that inflames hostility towards certain racial groups. Racism can also take the form of unfair treatment of people because of their race.

The Racial Discrimination Act makes racism that amounts to discrimination against the law. Racial discrimination is when a person is treated less favourably, or not given the same opportunities, as others in a similar situation, because of their race, the country where they were born, their ethnic origin or their skin colour.

Racism that is racial hatred can also be against the law. Racial hatred is doing or saying something in public, including in the workplace, based on the race, colour, national or ethnic origin of a person or group of people, which is likely to offend, insult, humiliate or intimidate. The Act contains exemptions to protect freedom of speech."

However, this description of racism does not acknowledge how economic, social and political structures are affected by racism and only describes the most obvious forms that racism can take. There is no recognition of the ongoing institutionalised racism embedded in Australian society that Indigenous Australians continue to experience due to the history of White Australia and the treatment of other minority groups in this country. The "exemptions to protect freedom of speech" can lead to hateful or racially charged language still being accepted in public discourse and even used by politicians, which leads to the normalisation of racist sentiments in the media and politics, especially against refugees, people from and with cultural heritage from Asia and the Middle East, and Indigenous Australians.

RACISM IN THE AUSTRALIAN MEDIA

It is reported that "100% of national news directors in Australia were of Anglo-Celtic background" ([Media Diversity Australia, 2020](#)). While Black, Indigenous and people of colour are extremely underrepresented in our media, the effects of this lead to the normalisation of racially charged discourse that continually leaves the voices of Black, Indigenous and people of colour unheard. TV, radio and news is currently a space where white sentiments and fragility can thrive and TV personalities have platforms to speak on race issues despite their lack of qualifications.

It is easy to overlook racism in the media as the majority of it is covert and uses methods such as 'dog whistling' and scaremongering to embed racist sentiments into their messaging. Dog whistling is a way to imply or spark racial hatred without being obvious. Examples of this are evident when implying Muslims are dangerous or Chinese people carry COVID-19 without explicitly saying so. Spreading stories that entertain these narratives are extremely harmful and without representation of BIPOC voices in the media, ideas like this will remain.

A report by [All Together Now on opinion news pieces aired in Australia](#) revealed the racialized nature of COVID-19 stories creating anti-Asian sentiments. The racial climate in Australia still features the 'othering' of minority races, the idea that Australian minorities are not necessarily 'Australian'. Many of these news pieces are accepted as common practice and are hence normalised. The research found that 57 per cent of the pieces analysed portrayed Black, Indigenous and people of colour in a negative way.

OnePath Network's Islam in the Media 2017 report found that within 3,000 articles that mention Muslims and Islam, they also mentioned words such as violence, terrorism and extremism. This undeniable scaremongering has obvious effects on how Australians view Islamic people in general.

The media both reflects what the general public allows and considers acceptable to say and influences it. So, racism in the media can flow into Australian sports, news and politics, creating environments that are racist and discriminatory. For example, the NSW Civil and Administrative Tribunal found Sonia Kruger vilified Muslim people in Australia but her comments were not racist because while the *Today Show* Presenter portrayed Muslim migrants as violent and terrorists, it was not considered racist as Muslims refers to a religion and culture.

Resources

What is Racism? – A resource and fact sheet from the Australian Human Rights Commission and the "It Stops With Me" campaign with basic information about racism in Australia.

RACISM. IT STOPS WITH ME – An anti-racism campaign from the Australian government, with definitions, fact sheets and resources.

Black Lives Matter 2020 Impact Report – Report from the 2020 Black Lives Matter movement with information and statistics on its achievements.

People share their everyday racism in Australia – An ABC video discussing ways in which Australians are treated because of their race.

The Stolen Generations – In-depth resource on the Stolen Generations from Australians Together

White Australia Policy – as described in the Encyclopaedia Britannica

Sorry Day – A resource on Sorry Day and reconciliation

Australian TV news presenters overwhelmingly white, report finds – Article from the ABC revealing how a majority of the faces we see on our televisions are Anglo-Celtic

RACISM IN THE UNITED STATES

It is useful to note that today much of the activism around racism around the world has been galvanised by anti-racism campaigns in the United States of America. The history of the United States of America is embedded with slavery and colonisation and racist beliefs, actions and systems have permeated American society since its establishment, particularly with the various systems that dehumanised Africans and their African American descendants. The Civil Rights movement in the 1950s and 60s was a turning point in the United States' racial history but in spite of constitutional and legal changes, racism has continued in many forms.

The death of George Floyd was the catalyst for nationwide Black Lives Matter demonstrations in 2020, aimed at concerns over police brutality towards African Americans. There has also been a rise in white supremacy movements, most likely fuelled by the racist sentiments Donald Trump normalised during his presidency. But the United States and the Black Lives Matter movement are providing global inspiration for challenging racism, and developing racial literacy, as is the aim of this starter kit.

Resources

Black Lives Matter 2020 Impact Report – Report from the 2020 Black Lives Matter movement with information and statistics on its achievements.

DISCUSSIONS OF WHITENESS

WHITE FRAGILITY

White fragility refers to the reactions of white people when faced with notions of racism. This results in dismissal, defensive behaviour, denying, victimising themselves and avoiding responsibility because they feel blamed or attacked, and these perspectives of racism challenge their world view.

White fragility inhibits further conversations around race as it refuses to acknowledge the issue in the first place as a defence mechanism. Discussion around racial issues triggers negative responses from some white people as they often don't have to confront racial discrimination since most have lived their lives in an insulated and comfortable environment free of issues surrounding racism.

Some white people are familiar with being in control of the narrative, so often believe racial problems are for minorities, an issue that does not apply to them. They therefore disregard racism, and facilitate systems that inhibit equity for Black, Indigenous and people of colour. Racism can be recognised as a problem, but some white people may refuse to acknowledge or see themselves as part of the issue. They have the privilege of not facing racism or having to talk about it. If some people are systemically taught that their interests are universal, and their perspectives and ideas are central then it is hard for them to understand or address viewpoints other than their own.

Examples of white fragility could be where a person feels personally attacked when racism is being discussed and feels hurt when asked to discuss issues of race. They might wonder why Black Lives Matter is a necessary movement and statement and ask why not “All Lives Matter”, without acknowledging the violence against black people that the movement is denouncing.

WHITE SAVIOURS

The notion of the ‘white saviour’ has its roots in colonialism yet is an immensely relevant issue that is still prevalent in our society today. It is often construed that colonising sparks ideas of “exploring” and “advancing” foreign and exotic countries and peoples. It was (and is currently) seen as a moral obligation for white people to “fix” other cultures in order to save them from themselves, and thus the idea of the white saviour is formed.

This idea is based on the notion that Indigenous or colonised people are “primitive” and “unsophisticated”, needing to be saved, set in the context of “empires” with heroes and explorers, improving other nations and civilising them.

These themes tie in with the idea of “selective recall” in relation to historical events. Nations communally recount history in favour of themselves. This whitewashing of events leads to a

less nuanced conversation around race issues and is damaging when colonised nations seek recognition or apologies.

Currently, the white saviour notion is evident in forms other than colonisation. It manifests as white people continually viewing themselves as superior to other races and cultures, and feeling as though Black, Indigenous and people of colour need to be "saved" and the only people who can liberate them are white people. At times, the white saviour may have good intentions, like the idea of sponsoring a child in Africa while this may not be the best way to help their community. And the intentions can often be based on incorrect stereotypes or beliefs, such as that Muslim women are oppressed because of their religion.

Additional resources

When the saviour becomes the story – SBS article addressing white people traveling to third world countries to do volunteer work who may end up doing more harm than good.

Why Hollywood's White Saviour Obsession Is an Extension of Colonialism – *Teen Vogue* article addressing the white saviour complex in popular culture and its ties with colonialism.

As a white Australian talking about racism you should feel a sense of discomfort – An *SMH* article discussing being confronted with the realities of racism as a white person.

WHITE IDENTITY DEVELOPMENT

White identity development is a framework of stages representing pathways towards acknowledging experiences other than the "white experience". This is a brief look at some of the most common sentiments Black, Indigenous and people of colour are faced with when striving to discuss race issues with white people.

"I don't see colour" – "Colourblindness" is a common deflection when discussing issues around race. While the person may believe this sentiment is a positive way to prove they're not racist, it furthers the erasure Black, Indigenous and people of colour already face. Though the claim is not to see colour, it also implies that the default or baseline colour is white. It gives permission to disregard the many aspects of culture and race that make BIPOC experiences unique and complex. Aligning with white fragility, this notion sparks the idea that there are only issues to be addressed when Black, Indigenous and people of colour are involved and ignores the roles of privilege which white people are granted, therefore creating more roadblocks to progress. While white people may be the most common offender of this sentiment, Black, Indigenous and people of colour can also be a part of the problem when internalised racism is involved.

"It's not my fault I'm white" – Associated with the ideas of white fragility this sentiment is one of defence when confronted with the realities of privilege. Similar examples are "I didn't enslave anyone" – which disregards the ongoing benefits white people receive because of colonisation and their power in society now. Unlike the first statement, the person at least admits there is a power dynamic and inextricable connection to privilege when discussing race, but it is up to them to move forward in how they approach race issues further.

"I have a (BIPOC) friend" – This remark is a common excuse where someone believes that because they have a friend who is BIPOC, they couldn't possibly be racist or act in a way that is racist. It can also be an excuse to not look deeper into issues of structural racism. Issues

regarding racism go beyond overtly avoiding someone of another race – which is not very common. The idea that they are 'friends' with someone of a minority race also symbolises the minimum effort required when engaging with race issues, while also using it as a reason to be praised. Ideas like this lead to tokenism and token ethnic friends, which in turn, is not beneficial for Black, Indigenous and people of colour.

ALLIES AND ACCOMPLICES

An ally is someone in a position of privilege (not belonging to a minority or marginalised group) working in solidarity with minority groups and using their position of power to advocate, listen and defend the rights, beliefs and freedoms of these marginalised groups – in this case, against racism. An ally is a difficult role as people in positions of power can often overshadow or make the issue worse. Being an ally and accomplice is an ongoing process with lots of learning needed. It is not easy nor comfortable.

An accomplice is a role beyond an ally in support of minority groups. It goes beyond being a listener and advocate but can risk the person's social and professional relationships and even their safety.

Solidarity not saviours – How to be an ally

Recognise your privilege

- Realise the place your race has put you in society and the struggles others have endured that you have avoided due to your privilege.

Educate yourself

- It is your responsibility to know the historical and cultural context and how the history of oppression continues in our systems today.
- Find out who the traditional custodians of the land you are on.

Listen and amplify

- Create a space for Black, Indigenous and people of colour where their opinions and voices have often been excluded.
- Avoid white saviour sentiments. Black, Indigenous and people of colour do not need anyone to speak on their behalf since their stories have often been buried under white people's voices.
- Sometimes the conversation does not include you.
- Engage with BIPOC media and know when to step back

Have difficult conversations

- Being an ally requires more than being there for good times.
- Do not be complacent or dismissive when you hear racist language or see racism, stereotyping and other small acts of racism that contribute to the normalisation of racist behaviour.

Be active, attend events, volunteer and donate!

Additional resources

Find out who are the traditional custodians of the land you are on

10 Ways To Be A Genuine Ally To Indigenous Communities – A resource from Amnesty International with more ways to be a helpful ally

Where do you fit? Tokenistic, ally – or accomplice? – A UOW article with information about the difference between an ally and an accomplice

What can I do? – The best ways to be an Indigenous Ally

BYSTANDER ACTION

Bystander action is the idea that someone who witnesses an action can do something about it, whether it is a racist incident, sexual harassment or any other situation that could benefit from intervention. As a bystander, you may be able to stop a racist incident, prevent it from escalating, and potentially prevent or minimise social or emotional harm to the targeted person or group. Taking a personal stand contributes to the establishment of social norms that make racist behaviour unacceptable in our community. It also has the potential to positively affect individuals' attitudes in the long term.

Witnessing any act of racism is extremely confronting. So, it's vital to know the correct steps to mediate, intervene or report the situation. Whether the incident may be an act of violent or casual racism, being an active bystander is important, despite the circumstances.

Assess the situation

Is it safe enough to intervene? Do the police need to be called?

Intervene

Interrupt or stop the interaction if it is safe to do so. Explain how the behaviour may be harmful or hurtful. Call out the situation as racist

Report

If it is an extremely violent or dangerous situation, call 000.

If you are in a business, workplace, school or any professional setting or on public transport, report it to the leadership, security and staff.

Make a formal complaint to the Australian Human Rights Commission on 1300 656 419 or (02) 9284 9600.

Document

Take notes or record the situation to give to security or the police.

Support

Provide support and reassurance for the person who is the target.

Additional resources

How to Be an Active Bystander When You See Casual Racism – A New York Times article providing guidance on how to react to casual incidents of racism.

What to do if you witness racism on the bus – How to react on public transport when witnessing an act of racism.

Bystander intervention training – Sign up for free bystander training with Hollaback! for yourself or your workplace.

Respond to racism – Guidance on how to respond to racism from "Racism. It Stops with Me"

Bystander action on preventing race-based discrimination – A video from VicHealth on bystander action.

Bystander Anti-Racism – A resource from the Monash University on bystander action.

CURRENT ANTI-RACISM STRATEGIES AND RESOURCES

NON-GOVERNMENT ORGANISATIONS

All Together Now monitors media and analyses race-related pieces, assessing how race is portrayed in Australian public discourse.

Research

Social Media Campaign

The **Asian Australian Alliance** advocates on issues concerning the Asian Australian community, and pushes for greater representation and diversity.

Survey

Colour Code is taking a stand against racism against Asian communities due to the rise in discrimination due to COVID-19

#UnityOverFear Social Media Campaign

Petition – Support migrants during COVID-19 crisis

Democracy in Colour is a national racial and economic justice organisation led by people of colour. We run campaigns that tackle structural racism and build the power of people of colour to shape the critical issues that affect our lives.

Petition – Hate is not news

Training – Anti-racism workplace training

The **Jewish Board of Deputies** works against anti-Semitism and other discrimination.

Education

Reconciliation Australia defends the human rights of Indigenous Australians and the significance of reconciliation.

Campaign

The **Centre for Multicultural Youth** provides support and advocacy for young people from migrant and refugee backgrounds.

Support groups and forums

Together for Humanity provides education on diversity and acceptance for schoolchildren

School education programs and workshops

GOVERNMENT

Australian Human Rights Commission

Education and 'Racism, it stops with me' Campaign

Anti-Discrimination New South Wales

Community Education

Multicultural NSW

Online Campaign – Stop Public Threats

The Department of Health (Australian Government)

Training Resources

Racism. No way! (NSW Department of Education)

School education and programs

INTERNATIONAL

Hollaback!

Bystander training and anti-racism resources

Black Lives Matter

The official Black Lives Matter website

United Nations

Let's Fight Racism: United Nations campaign

Stand up for human rights and #FIGHTracism

UNESCO

Description of UNESCO's work to fight against racism

CORP 01

Investment Report July 2021

Strategic Direction	Leading through Collaboration Seek efficient and innovative methods to manage our resources
File Ref	216619.2021
Report By	Chi Nguyen - Accountant - Investments & Treasury Management
Approved By	Vishwa Nadan - Chief Financial Officer

EXECUTIVE SUMMARY

This report details Council's investment portfolio and its performance for the month ended 31st July 2021:

- Council held investments with a market value of \$338 million.
- The economic environment globally, including Australia, suffered significantly from the start of the COVID-19 pandemic in March 2020. The market value of Council's investment in Floating Rate Notes (FRN) has since improved;
- RBA has decided to lower the cash rate to 0.10% with an indication to keep it at this level for next three years. This will have significant impact on Council's interest earnings;
- The portfolio yield was 109 basis points above the AusBond Bank Bill index;

	AusBond Bank Bill Index (ABBI)
Benchmark	0.05%
Portfolio yield	1.14%
Performance above benchmarks	1.09%

- Return on investment was \$35k lower than the original budget. This includes \$95k capital gain on FRN's;
- 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 17.71% of its portfolio in ADI's rated BBB and below.

RECOMMENDATION

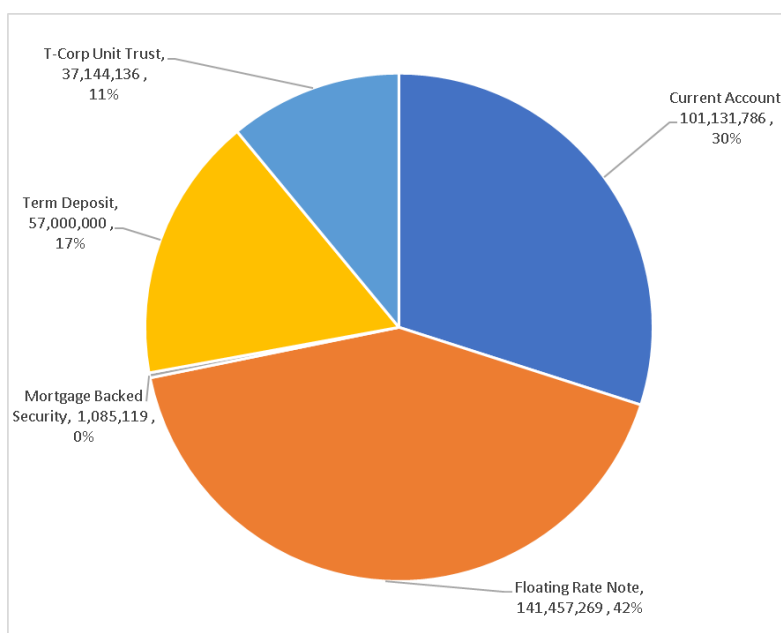
That Council receives and notes this report.

REPORT

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

Council's Portfolio

At 31st July 2021, Council held investments with a market value of \$338 million. Council's investment register detailing all its investments is provided as an attachment to this report. In summary, Council's portfolio consisted of investments in:



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

Asset Class	Jul-21	Jun-21
Senior Debts (FRN's ,TCD's & FRB)*	101.34%	101.27%
MBS (Reverse Mortgage Backed Securities)	72.34%	71.06%
T-Corp Unit Trusts	103.18%	103.17%

***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) into 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.*
- *Floating Rate Note (FRN) - returns an aggregate of a fixed margin and a variable benchmark (usually BBSW).*

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 17.71% 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 that both "Class C" securities are likely to eventually default. However, Council will continue to receive interest up until default which is likely to be 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	101,131,786	29.94%			
Term Deposits < 1 Yr	47,000,000	13.91%			
T-Corp Unit Trust	37,144,136	11.00%			
Tradeable securities	141,457,269	41.87%			
Portfolio % < 1 Yr - (Short term liquidity)	326,733,192	96.72%	30%	100%	Yes
Term Deposit > 1 Yr < 3Yrs	10,000,000	2.96%	0%	70%	Yes
Grand Fathered Securities	1,085,119	0.32%	N/A	N/A	Yes
Portfolio % Medium term liquidity)	11,085,119	3.28%			Yes
Total Portfolio	337,818,310	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	23,703,526	7.02%	15%	Yes
ANZ Banking Group Ltd	AA-	18,328,462	5.43%	35%	Yes
Auswide Bank Ltd	BBB	3,000,000	0.89%	15%	Yes
Bank Australia Ltd	BBB	3,515,059	1.04%	15%	Yes
Bank of Communications Co. Ltd/Sydney	A-	3,023,370	0.89%	25%	Yes
Bendigo & Adelaide Bank Ltd	BBB+	506,210	0.15%	15%	Yes
Bank of Nova Scotia	A+	5,567,933	1.65%	25%	Yes
Bank of Queensland Ltd	BBB+	2,000,000	0.59%	15%	Yes
Citibank Australia Ltd	A+	1,017,909	0.30%	25%	Yes
Commonwealth Bank of Australia Ltd	AA-	104,766,239	31.01%	35%	Yes
Credit Union Australia Ltd	BBB	4,552,413	1.35%	15%	Yes
Emerald Reverse Mortgage Trust (Class A)	Unrated	907,397	0.27%	5%	Yes
Emerald Reverse Mortgage Trust (Class C)	Unrated	1,085,119	0.32%	5%	Yes
HSBC Sydney Branch	AA-	8,100,293	2.40%	35%	Yes
Macquarie Bank	A+	19,148,392	5.67%	25%	Yes
Members Banking Group Ltd t/a RACQ Bank	BBB+	1,509,387	0.45%	15%	Yes
Members Equity Bank Ltd	BBB	9,000,000	2.66%	15%	Yes
National Australia Bank Ltd	AA-	33,430,610	9.90%	35%	Yes
Newcastle Permanent Building Society Ltd	BBB	3,535,720	1.05%	15%	Yes
Northern Territory Treasury	AA-	4,000,000	1.18%	35%	Yes
NSW Treasury Corporation	AA	37,144,136	11.00%	45%	Yes
Police Credit Union	Unrated	2,000,000	0.59%	5%	Yes
Qbank	BBB-	4,513,152	1.34%	15%	Yes
Rabobank Australia Ltd	A+	4,011,870	1.19%	25%	Yes
Suncorp Bank	A+	6,075,811	1.80%	25%	Yes
UBS AG	A+	2,546,649	0.75%	25%	Yes
Westpac Banking Corporation Ltd	AA-	30,828,655	9.13%	35%	Yes
Portfolio Total		\$337,818,310	100.00%		

Overall Portfolio Credit Framework compliance to Investment Policy

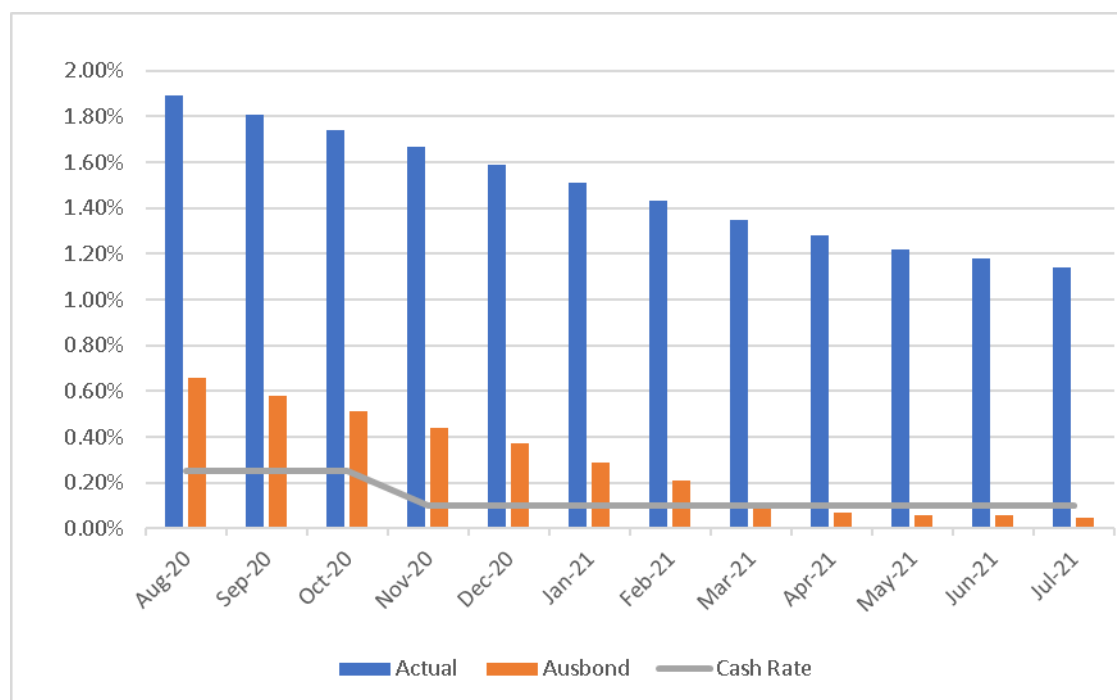
Credit Rating	Market Value	% Portfolio	Maximum Policy Limit	Complies to Investment Policy' "Yes/No"
AA Category	236,598,394	70.04%	100%	Yes
A Category	41,391,934	12.25%	60%	Yes
BBB Category	55,835,466	16.53%	45%	Yes
Unrated	3,992,516	1.18%	10%	Yes
Total Portfolio	337,818,310	100.00%		

Portfolio performance against relevant market benchmark.

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

The portfolio yield to 31st July 2021 exceeded the AusBond Bank Bill index by 109 basis points (1.14% against 0.05%)

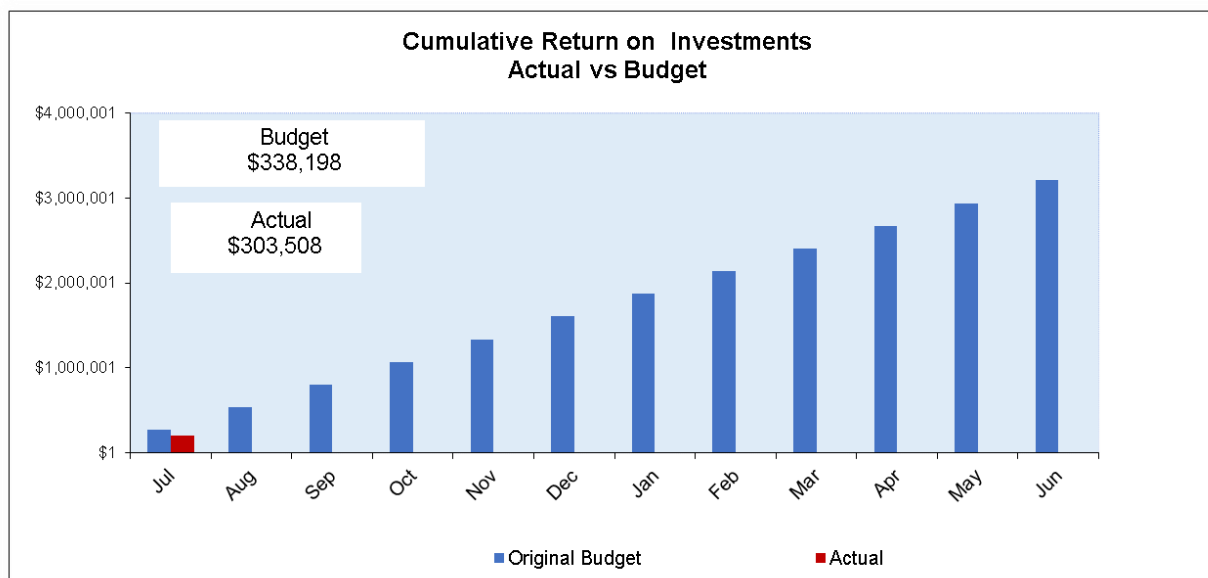
Council portfolio continues to perform at above benchmark rates despite ongoing margin contraction and significantly lower market term deposit yields. Comparative yields for the previous months are charted below:



Performance of Portfolio Returns against Budget

CORPORATE SERVICES REPORT

Council's investment income for July 2021 is \$35k lower than the original budget. This includes \$95k capital gain on FRN's.



Investment Portfolio at a Glance

Portfolio Performance	✓	The portfolio yield to 31 st July 2021 exceeded the AusBond Bank Bill index by 109 basis points (1.14% against 0.05%).
Annual Income vs. Budget	✓	Council's investment interest income is \$35k lower than the original budget as at 31 st July 2021 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 0.10 per cent in its meeting on 3rd August 2021. The current 0.10 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 \$35k lower than the original budget as at 31 st July 2021 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 July 2021



Portfolio Valuation As At 31 July 2021

Fixed Interest Security	Maturity Date	Security Rating	Face Value Current	Market Value	% Total Value	Running Yield
Current Account						
CBA Business Saver		AA-	70,712,375.27	70,712,375.27	20.93%	0.15%
CBA General Account		AA-	1,669,050.46	1,669,050.46	0.49%	0.00%
AMP Business Saver		BBB	4,337,805.76	4,337,805.76	1.28%	0.50%
AMP Notice Account		BBB	14,363,765.41	14,363,765.41	4.25%	0.80%
Macquarie Bank Accelerator Account		A+	10,048,789.42	10,048,789.42	2.97%	0.40%
			101,131,786.32	101,131,786.32	29.94%	
Fixed Rate Bond						
Northern Territory Treasury	15/12/2021	AA-	4,000,000.00	4,000,000.00	1.18%	0.60%
UBS AG	26/02/2026	A+	2,550,000.00	2,546,649.30	0.75%	1.10%
			6,550,000.00	6,546,649.30	1.94%	
Floating Rate Deposit						
Westpac	18/08/2022	AA-	6,000,000.00	6,000,000.00	1.78%	1.09%
			6,000,000.00	6,000,000.00	1.78%	
Floating Rate Note						
AMP Bank	10/09/2021	BBB	5,000,000.00	5,001,955.00	1.48%	1.10%
ANZ Bank	9/05/2023	AA-	3,000,000.00	3,042,432.00	0.90%	0.94%
ANZ Bank	6/12/2023	AA-	7,000,000.00	7,145,747.00	2.12%	1.06%
ANZ Bank	29/08/2024	AA-	5,000,000.00	5,088,725.00	1.51%	0.81%
ANZ Bank	16/01/2025	AA-	3,000,000.00	3,051,558.00	0.90%	0.78%
Bank Australia	30/08/2021	BBB	1,500,000.00	1,501,179.00	0.44%	1.34%
Bank Australia	2/12/2022	BBB	2,000,000.00	2,013,880.00	0.60%	0.93%
Bendigo and Adelaide	25/01/2023	BBB+	500,000.00	506,210.00	0.15%	1.08%
Citibank, N.A.	14/11/2024	A+	1,000,000.00	1,017,909.00	0.30%	0.92%
Commonwealth Bank	25/04/2023	AA-	3,000,000.00	3,036,888.00	0.90%	0.83%
Commonwealth Bank	16/08/2023	AA-	7,500,000.00	7,623,630.00	2.26%	0.97%
Commonwealth Bank	11/01/2024	AA-	9,500,000.00	9,724,295.00	2.88%	1.15%
Credit Union Australia	6/09/2021	BBB	2,000,000.00	2,002,148.00	0.59%	1.28%
Credit Union Australia	24/10/2024	BBB	2,500,000.00	2,550,265.00	0.75%	1.15%
HSBC	27/09/2024	AA-	3,000,000.00	3,045,117.00	0.90%	0.86%
HSBC	27/09/2024	AA-	2,000,000.00	2,030,078.00	0.60%	0.86%
HSBC Bank Australia	7/12/2022	AA-	3,000,000.00	3,025,098.00	0.90%	0.83%
Macquarie Bank	21/06/2022	A+	2,000,000.00	2,010,684.00	0.60%	0.78%
Macquarie Bank	7/08/2024	A+	4,000,000.00	4,049,136.00	1.20%	0.84%
Macquarie Bank	12/02/2025	A+	3,000,000.00	3,039,783.00	0.90%	0.88%
NAB	16/05/2023	AA-	2,000,000.00	2,028,952.00	0.60%	0.94%
NAB	26/09/2023	AA-	8,000,000.00	8,137,760.00	2.41%	0.96%
NAB	26/09/2023	AA-	4,000,000.00	4,068,880.00	1.20%	0.96%
NAB	26/02/2024	AA-	5,000,000.00	5,111,170.00	1.51%	1.08%
NAB	19/06/2024	AA-	4,000,000.00	4,083,848.00	1.21%	0.95%
Newcastle Permanent	24/01/2022	BBB	2,000,000.00	2,014,544.00	0.60%	1.67%
Newcastle Permanent	6/02/2023	BBB	1,500,000.00	1,521,175.50	0.45%	1.44%
QBANK	14/12/2021	BBB-	1,000,000.00	1,002,908.00	0.30%	1.52%
QBANK	25/03/2022	BBB-	1,500,000.00	1,505,827.50	0.45%	1.43%
QBANK	6/12/2022	BBB-	2,000,000.00	2,004,416.00	0.59%	1.17%
Rabobank Australia Branch	3/03/2022	A+	2,000,000.00	2,011,870.00	0.60%	1.11%

Fixed Interest Security	Maturity Date	Security Rating	Face Value Current	Market Value	% Total Value	Running Yield
RACQ Bank	23/05/2022	BBB+	1,500,000.00	1,509,387.00	0.45%	1.09%
ScotiaBank	8/09/2022	A+	3,000,000.00	3,027,090.00	0.90%	0.94%
ScotiaBank	7/09/2023	A+	2,500,000.00	2,540,842.50	0.75%	1.01%
Suncorp	16/08/2022	A+	1,000,000.00	1,008,931.00	0.30%	1.01%
Suncorp	30/07/2024	A+	3,000,000.00	3,040,128.00	0.90%	0.80%
Suncorp	30/07/2024	A+	2,000,000.00	2,026,752.00	0.60%	0.80%
Westpac	6/03/2023	AA-	5,000,000.00	5,059,915.00	1.50%	0.86%
Westpac	16/11/2023	AA-	6,000,000.00	6,112,290.00	1.81%	0.99%
Westpac	24/04/2024	AA-	4,000,000.00	4,104,372.00	1.21%	1.16%
Westpac	16/08/2024	AA-	2,500,000.00	2,552,077.50	0.76%	0.92%
			133,000,000.00	134,979,853.00	39.96%	
Floating Rate TCD						
Bank of Communications	28/10/2022	A-	3,000,000.00	3,023,370.00	0.89%	0.91%
			3,000,000.00	3,023,370.00	0.89%	
Mortgage Backed Security						
EmeraldMBS2006-1A	21/08/2051	Unrated	1,033,041.87	907,397.12	0.27%	0.49%
EmeraldMBS2006-1C	21/08/2056	Unrated	1,000,000.00	719,284.00	0.21%	1.24%
EmeraldMBS2007-1C	23/07/2057	Unrated	500,000.00	365,834.50	0.11%	0.98%
			2,533,041.87	1,992,515.62	0.59%	
Term Deposit						
Auswide Bank	6/09/2021	BBB	3,000,000.00	3,000,000.00	0.89%	1.80%
BOQ	7/02/2022	BBB+	2,000,000.00	2,000,000.00	0.59%	3.75%
Commonwealth Bank	1/10/2021	AA-	3,000,000.00	3,000,000.00	0.89%	0.75%
Commonwealth Bank	25/02/2022	AA-	4,000,000.00	4,000,000.00	1.18%	0.73%
Commonwealth Bank	6/10/2021	AA-	3,000,000.00	3,000,000.00	0.89%	0.73%
Commonwealth Bank	28/01/2022	AA-	2,000,000.00	2,000,000.00	0.59%	0.43%
Members Equity Bank	23/05/2022	BBB	4,000,000.00	4,000,000.00	1.18%	0.50%
Members Equity Bank	12/07/2022	BBB	5,000,000.00	5,000,000.00	1.48%	0.50%
NAB	8/09/2021	AA-	5,000,000.00	5,000,000.00	1.48%	0.80%
NAB	26/11/2021	AA-	5,000,000.00	5,000,000.00	1.48%	0.57%
Police Credit Union SA	16/08/2021	Unrated	2,000,000.00	2,000,000.00	0.59%	3.20%
Rabobank Australia Branch	29/08/2022	A+	2,000,000.00	2,000,000.00	0.59%	3.38%
Westpac	31/08/2022	AA-	2,000,000.00	2,000,000.00	0.59%	3.32%
Westpac	14/09/2021	AA-	5,000,000.00	5,000,000.00	1.48%	0.77%
			47,000,000.00	47,000,000.00	13.91%	
Total			299,214,828.19	300,674,174.24	89.00%	
Security Type						
			Face Value Current	Market Value		
NSWTC IM Cash Fund		AA	35,000,000.00	36,037,901.56	10.67%	
NSWTC IM Short Term Income Fund		AA	1,000,000.00	1,106,234.32	0.33%	
			36,000,000.00	37,144,135.88	11.00%	
Total			299,214,828.19	300,674,174.24	89.00%	
Portfolio Total			335,214,828.19	337,818,310.12	100.00%	

CORP 02**Biannual Progress Report - June 2021**

Strategic Direction	Leading through Collaboration Strive for best practice in all Council processes
File Ref	248229.2021
Report By	Hiba Soueid - Manager Corporate Strategy and Performance
Approved By	George Hampouris - Acting Director Corporate Services

EXECUTIVE SUMMARY

The Biannual Progress Report provides an overview of Council's performance against the Principal Activities that were scheduled for the January to June 2021 period. This is reported against the Delivery Program 2017-2022 and Operational Plan 2020-2021.

This is the second progress report for 2020-2021 and has been prepared in accordance with the Office of Local Government Integrated Planning and Reporting Guidelines and Section 404 (5) of the *Local Government Act* (1993).

RECOMMENDATION

That Council notes and receives the Biannual Progress Report which outlines the progress of Principal Activities detailed in the Delivery Program 2017-2022 and Operational Plan 2020-2021.

REPORT

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

Council's Delivery Program 2017-2022 and Operational Plan and Budget 2020-2021 outline Council's commitment to the community. The combined document details 103 Principal Activities that Council has committed to delivering.

Section 404 (5) of the *Local Government Act* (1993) requires the Chief Executive Officer (CEO) to ensure that a progress report is provided to Council at least every six months. It

CORPORATE SERVICES REPORT

should include information and updates on the Principal Activities that have been detailed in the four-year Delivery Program. This allows Council and the public to monitor progress.

During the January to June 2021 reporting period, Council focused on assisting local businesses to mitigate the impact of the COVID-19 pandemic, as well as continuing to engage with the community. The limitations on face-to-face engagement, and the ease of restrictions throughout the period, presented both challenges and opportunities to Council's daily operations.

In response, Council assisted local businesses by introducing the Business Resilience Grants program initiative. This was one of the items endorsed by Council as part of its COVID-19 support package. The program received a positive response, with an overall \$172,000 provided in financial support. With the ease of restrictions, Council reintroduced face-to-face community events in the form of the 'Love Summer' series of activations including Liverpool On a Roll, and the Seniors Week concert aimed at keeping the community connected and engaged. Council also continued to deliver major infrastructure works including the official opening of the world-class sports complex and recreational space - Cirillo Reserve, to support healthy and active lifestyles in the community.

By the end of June 2021, 95% of Principal Activities in the Delivery Program and 2020-21 Operational Plan were on track or completed.

The attached report provides detailed information on each of the 103 Principal Activities detailed in the Delivery Program 2017-2022.

CONSIDERATIONS

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

ATTACHMENTS

1. Biannual Progress Report - January to June 2021 (Under separate cover)

CORP 03**Alteration to Council Meeting dates for
remainder of 2021**

Strategic Direction	Leading through Collaboration Strive for best practice in all Council processes
File Ref	249068.2021
Report By	George Georgakis - Manager Council and Executive Services
Approved By	George Hampouris - Acting Director Corporate Services

EXECUTIVE SUMMARY

The local government elections in NSW which were scheduled to be held on 4 September 2021 have been postponed by three months due to Covid-19 restrictions and will now be held on 4 December 2021. This report proposes alterations to Council's meeting dates for 2021 as a result of that change. A further report will be submitted to the October 2021 Council meeting with proposed Council meeting dates for 2022.

RECOMMENDATION

That Council:

1. Make the following changes to its Council meeting cycle for 2021:
 - i. *Hold a Council meeting in the last Wednesday of September, being 29 September 2021;*
 - ii. *Change the date of the October meeting (currently scheduled for 20 October 2021), to the last Wednesday in October being 27 October 2021;*
 - iii. *Change the date of the November meeting (currently scheduled for 17 November 2021) to the last Wednesday in November being 24 November 2021; and*
 - iv. *Remove the meeting scheduled for 15 December 2021 as this will be after the elections and prior to any declaration of the new Council.*
2. Receive a further report at the October 2021 Council meeting with proposed Council meeting dates for 2022.

REPORT

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

Council at its meeting in November 2020 adopted its meeting dates for 2021 which is shown below:

Table 1 – Council meeting dates 2021 (adopted by Council in November 2020)

Meeting date	Comments
3 February 2021	First meeting after January break to deal with accumulated business.
24 February 2021	Last Wednesday of the month.
31 March 2021	Last Wednesday of the month.
28 April 2021	Last Wednesday of the month.
26 May 2021	Last Wednesday of the month.
30 June 2021	Last Wednesday of the month.
28 July 2021	Last Wednesday of the month.
25 August 2021	Last Wednesday of the month.
<i>No meeting in September due to Local Government Elections</i>	
20 October 2021	First meeting of the new Council.
17 November 2021	Third Wednesday of the month.
15 December 2021	Third Wednesday of the month.

With the local government elections postponed by three months to 4 December 2021 and the current term of Council extended by that period, it is recommended that the following changes be made to the Council meeting dates for 2021:

- i. *Hold a Council meeting in the last Wednesday of September, being 29 September 2021;*
- ii. *Change the date of the October meeting (currently scheduled for 20 October 2021), to the last Wednesday in October being 27 October 2021;*

CORPORATE SERVICES REPORT

- iii. *Change the date of the November meeting (currently scheduled for 17 November 2021) to the last Wednesday in November being 24 November 2021; and*
- iv. *Remove the meeting scheduled for 15 December as this will be after the elections and prior to any declaration of the new Council.*

A further report will be submitted to the October 2021 Council meeting with proposed Council meeting dates for 2022. That report will also outline a proposed timeframe for the Councillor Induction Program for the new 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	<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	Section 365 and 366 of the <i>Local Government Act 1993</i> .
Risk	The risk is deemed to be low and is considered to be within Council's risk appetite.

ATTACHMENTS

Nil

CORP 04

Amendment to Council's Investment Policy

Strategic Direction	Leading through Collaboration Seek efficient and innovative methods to manage our resources
File Ref	255741.2021
Report By	Vishwa Nadan - Chief Financial Officer
Approved By	George Hampouris - Acting Director Corporate Services

EXECUTIVE SUMMARY

Council's Investment policy is the main instrument guiding Council's investment decisions and requires review annually or more frequently depending on legislative changes or in response to changes in market conditions.

The current version of Council Investment Policy was adopted on 25 April 2020 and is due for review.

This report seeks a council resolution to adopt minor amendments identified.

RECOMMENDATION

That Council adopts the amended Investment Policy.

REPORT

Council's Investment policy is the main instrument guiding Council's investment decisions and requires a review annually or more frequently depending on legislative changes or Council's positioning to market conditions.

This report seeks a council resolution to adopt minor amendments identified. Amongst other things, Council seeks to extend the Policy review period to 2 years. Notwithstanding this and in line with the amended Policy, if changes are required earlier than the review period, this will be brought to Council as required.

The Policy has also been amended to address duplications within the Policy and references made which now reflect the exchanges and indices currently used by Council.

CONSIDERATIONS

Economic	The changes recommended will allow Council to reduce its risk exposure and update the policy in view of the current market conditions.
Environment	The environmental and sustainability considerations are included in the policy.
Social	There are no social and cultural considerations.
Civic Leadership	There are no civic leadership and governance considerations.
Legislative	Section 625 of the Local Government Act 1993 permits Council to invest funds.
Risk	The investment risk management framework is included in the policy

ATTACHMENTS

1. Draft Amended Investment Policy 2021 (Under separate cover)

CORP 05

Postponement of Council Elections, Deputy Mayor and Council Committees

Strategic Direction	Leading through Collaboration Strive for best practice in all Council processes
File Ref	256287.2021
Report By	George Georgakis - Manager Council and Executive Services
Approved By	George Hampouris - Acting Director Corporate Services

EXECUTIVE SUMMARY

Council at its meeting in September 2020 resolved to appoint Councillor Hadid to the position of Deputy Mayor for the term 30 September 2020 to 4 September 2021. With the local government elections now postponed by three months to 4 December 2021, this report presents options for Council's consideration with regards to the position of Deputy Mayor. The report also recommends that the current Councillor representatives appointed to Council Committees, remain in place until the end of this Council term.

RECOMMENDATION

That Council;

1. Note that Councillor Hadid's term as Deputy Mayor will cease on 4 September 2021;
2. Determine whether it wishes to conduct an election for the position of Deputy Mayor for the period from 5 September 2021 – 4 December 2021, and if so, whether the election is to be conducted at the 25 August 2021 Council meeting or the September 2021 Council meeting; and
3. Notes that the current Councillor representatives appointed to Council Committees at the 30 September 2020 meeting, remain in place until the end of this Council term.

REPORT

1. Deputy Mayor

Council at its meeting in September 2020 resolved to appoint Councillor Hadid to the position of Deputy Mayor for the term 30 September 2020 to 4 September 2021. With the local government elections now postponed by three months to 4 December 2021, this report presents options for Council's consideration with regard to the position of Deputy Mayor.

Below is an extract from page 6 of the attached document from the Office of Local Government on the “*Postponement of the 2021 local government elections, frequently asked questions*”:

What does the postponement of the elections mean for deputy mayors?

Deputy Mayors may be elected for the mayoral term or a shorter term. Deputy Mayors hold their office for the term specified by the Council’s resolution. If a Deputy Mayor’s term expires before election day on 4 December 2021, an election may need to be held for Deputy Mayor. It should be noted however, that Councils are not required under the Act to have a Deputy Mayor.

As Councillor Hadid’s term as Deputy Mayor will cease after 4 September 2021, the Office of Local Government was consulted on the options available to Council.

The options are:

i. Do nothing

Section 231 of the Local Government Act 1993 provides that:

*“(1) The Councillors **may** elect a person from among their number to be the deputy mayor.*

*(2) The person may be elected for the mayoral term or a **shorter term**”.*

Councils are not required under the Local Government Act 1993 to have a Deputy Mayor, so can choose to not have a Deputy Mayor after 4 September 2021 until the first meeting of the new Council, following which an election for the Deputy Mayor can be held.

ii. Conduct an election for the Deputy Mayor

Should Council resolve to appoint a Deputy Mayor until the local government elections on 4 December 2021, it could either:

- a. Conduct the election for the Deputy Mayor at the 25 August Council meeting, with the period to commence from 5 September 2021 until 4 December 2021; or
- b. Conduct the election for the Deputy Mayor as part of the September 2021 Council meeting agenda (scheduled for Wednesday 29 September 2021). Note, if this option is chosen, it would mean there is no Deputy Mayor in place from 5 September until 29 September 2021 (which is the date of the meeting proposed for September).

Note, 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”.

Should Council resolve to conduct the election of Deputy Mayor (for the 4/9/2021 – 4/12/2021 period) at the August Council meeting, any completed and signed nomination forms would be

CORPORATE SERVICES REPORT

required to be emailed to the Returning Officer prior to or during the meeting. A nomination form is attached to this report. The Chief Executive Officer is the Returning Officer for the election of Deputy Mayor.

In the event that there is only one candidate, that Councillor will be appointed 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, if Council resolves to conduct an election for the position of Deputy Mayor, it will also need to resolve to conduct the election of Deputy Mayor by open voting.

2. Council Committees

Council at its meeting on 30 September 2020 appointed Councillor representatives to its Council Committees for the period to September 2021. It is recommended that the current Councillor representatives remain in place until the end of this Council term.

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. Deliver services that are customer focused. 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 to be low and is considered to be within Council's risk appetite.

ATTACHMENTS

1. Nomination Form - Deputy Mayor
2. Postponement of the 2021 local government elections, frequently asked questions



**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.

Postponement of the 2021 local government elections



Frequently asked questions

Questions about the postponement of council elections

When will council elections be held?

All council elections will be held on **4 December 2021**.

Why are council elections being postponed?

Council elections are being postponed in response to the current outbreak of the Delta variant of the COVID-19 virus. Global experience has demonstrated that previously effective mitigation strategies for the COVID-19 virus are no longer effective in containing the spread of the Delta variant. Only the strictest controls will contain the current outbreak.

It would be untenable for the Government to encourage electors to leave their homes to vote at a time when people are also being advised not to leave their homes unless it is essential to do so, to limit the spread of the virus.

The Government is also concerned that the current outbreak and restrictions may see a low voter turnout at council elections that could jeopardise the legitimacy of election outcomes and public confidence in them.

Has the NSW Electoral Commissioner been consulted?

The decision to postpone council elections has been made in consultation with the NSW Electoral Commissioner and NSW Health. The NSW Electoral Commissioner has advised the Government that it is no longer tenable to hold council elections during the current COVID outbreak. The Commission now faces insurmountable challenges in conducting council elections in areas affected by outbreaks.

The current outbreak and stay at home restrictions do not only affect electors' ability to vote in person but also the ability of election workers to attend polling places and counting venues for the purposes of their work. The Commission is also finding it increasingly difficult to engage and retain election workers because of fear of COVID.

Why have council elections in regional areas been postponed?

The current outbreak has seen stay at home restrictions imposed in the Orange, Blayney and Cabonne local government areas and cases and transmission hotspots identified in other regional areas.

The Government cannot take the chance that there will be no further outbreaks in regional areas between now and 4 September 2021 that would put council elections in those areas at risk.

Conducting council elections in regional areas will also require the movement of personnel and equipment from Greater Sydney to those areas creating the risk that holding elections in regional areas may cause the virus to be seeded in those areas.

Postponement of the 2021 local government elections



Frequently asked questions

Why can't council elections be held on 4 September 2021 by postal voting?

When holding postal voting only elections for the 2021 local government elections was proposed as an option to address the risks of holding council elections during the COVID-19 pandemic, it was strongly opposed by the local government sector. It is now too late to revisit that option.

To allow council elections to be held by postal voting only outside the circumstances current permitted under the *Local Government Act 1993* (the Act) would require an amendment to that Act. The earliest this could occur is in the week starting on the 4 August when Parliament is scheduled to resume, by which time it will already be too late. There is no guarantee any legislation mandating postal voting only elections would be supported by the local government sector or would pass the Parliament.

Even if the necessary amendments could be passed, the NSW Electoral Commission has advised that it will not be logistically possible to distribute, receive and process postal votes for every elector in NSW in the time between now and 4 September.

Why can't council elections be held on 4 September 2021 using on-line voting?

Technology assisted voting is currently only available to a limited class of electors and only at council elections administered by the NSW Electoral Commissioner. The eligibility criteria for technology assisted voting for council elections is largely the same as State elections.

As with postal voting, to allow council elections to be held by online voting only would require an amendment to the Act. The earliest this could occur is in the week starting 4 August. The Parliament has previously indicated opposition to any expansion of technology assisted voting and any legislation allowing an expansion of technology assisted voting would be unlikely to pass.

Even if the necessary amendments could be passed, the NSW Electoral Commission has advised that its online voting systems could not accommodate every elector in NSW.

Questions about the 4 December 2021 elections

How can the Government be sure that it will be safe to hold council elections on 4 December 2021?

The restrictions imposed under the *Public Health (COVID-19 Temporary Movement and Gathering Restrictions) Order 2021* are designed to contain and reduce the spread of the current outbreak. It is hoped that the measures imposed under the Public Health Order will be effective in containing the current outbreak well before December.

The Government also expects that community vaccination rates will have increased to a level by December to allow available mitigation strategies to be more effective in containing the spread and impact of the Delta variant.

Postponement of the 2021 local government elections



Frequently asked questions

What legislative measures have been taken to support council elections in December being COVID-safe?

Amendments have been made to the *Local Government (General) Regulation 2005* (the Regulation) to facilitate delivery of the December 2021 local government elections in a COVID-safe manner.

Among other things, the amendments to the Regulation expand the eligibility criteria for pre-poll and postal voting in response to the COVID-19 pandemic and allow technology assisted voting at elections administered by the NSW Electoral Commission.

The criteria for pre-poll voting for the 2021 elections have been relaxed allowing any elector to vote during the pre-poll voting period. This will mean that voting will not occur on a single day but over a period of 13 days, including election day. This will assist in allowing a range of COVID-safe measures to be implemented at polling places.

Additional eligibility criteria have been introduced for postal voting in response to the COVID-19 pandemic. These allow electors to vote by post if they are self-isolating because of COVID-19 related reasons, or because they reasonably believe that attending a polling place on election day will pose a risk to their health or safety or the health or safety of another person because of COVID-19. Permanent and temporary residents in hospitals, nursing homes, retirement villages and similar facilities are also eligible to vote using postal voting because of their particular vulnerability.

Technology assisted voting, or iVote, will be able to be made available to electors at council elections administered by the NSW Electoral Commission, and will operate in the same way it does for State elections. Eligibility to vote using iVote will be limited to the same criteria that apply at State elections. Electors who are eligible to vote by post and who have applied for but have not received their postal ballot paper 8 days before election day will also be eligible to vote using iVote.

New powers have also been introduced to allow election managers and officials to maintain COVID-safe measures at and around polling places and at venues where votes are scrutinised or counted. The Regulations empower election managers to:

- restrict posters being displayed and canvassing activities within 100 metres of polling places where this is necessary to comply with a public health order or to reduce the risk of infection from COVID-19, (where posters and canvassing are restricted, links to the posters and other election material may instead be published on the election manager's website)
- prohibit or restrict the number of scrutineers present at polling places and places where ballot-papers are scrutinised or votes counted where this is necessary to comply with a public health order or to reduce the risk of infection from COVID-19, subject to there being alternative scrutiny arrangements (eg filming the counting of votes)

Postponement of the 2021 local government elections

Frequently asked questions



- temporarily suspend voting at a polling place for up to 4 hours and to adjourn voting for up to 13 days after election day in response to a health hazard.

What are the key dates for the 4 December local government elections?

Key dates for the December 2021 local government elections are as follows:

Key date	Step
25 October 2021	Close of electoral rolls (6pm) Candidate nominations open Commencement of the “regulated period” for the elections (for example, published electoral material must comply with authorisation rules)
26 October 2021	Postal vote application opens
3 November 2021	Close of candidate nominations (12pm) Registration of electoral material that is for distribution on election day commences
4 November 2021	Ballot paper draw
5 November 2021	Caretaker period commences
22 November 2021	Pre-poll voting opens iVote commences
26 November 2021	Registration of electoral material for distribution on election day closes (5pm)
29 November 2021	Postal vote applications close (5pm)
3 December 2021	Pre-poll voting closes
4 December 2021	iVote applications close (1 pm) iVote voting closes (6pm) Election day (8am-6pm)
17 December 2021	Return of postal votes closes (6pm)
21 – 23 December 2021	Results declared progressively as counts are finalised by Returning Officers

Postponement of the 2021 local government elections



Frequently asked questions

When will council elections be declared?

In response to changing postal delivery services, on the advice of the NSW Electoral Commission, the time for the receipt of postal votes has been extended to 13 days after election day. This change has been made to provide a greater opportunity for valid postal votes to be received and counted. This change will mean it is unlikely council elections will be declared before **21 December 2021**.

When should councils schedule their first meetings after the election?

As noted above, council elections are not likely to be declared before **21 December 2021**. Councils should schedule the timing of their first meetings following the election on this basis.

Councils that elect their mayor are required to hold a mayoral election with 3 weeks after the declaration of the ordinary election and will be required to schedule a meeting for this purpose within 3 weeks of the declaration of the election.

When scheduling the first meeting following the election, councils will need to factor in the Christmas/New Year period.

What needs to happen at the first meeting after the elections?

At the first meeting after the election:

- all councillors and members of county councils must take an oath or make an affirmation of office - councillors are not permitted to participate in meetings until they have done so
- councils must, by resolution, declare that casual vacancies occurring in the office of a councillor within 18 months of the election are to be filled by a countback of votes cast at the election if councils want to fill vacancies by these means – councils that do not resolve to fill vacancies using a countback at their first meeting after the election will be required to fill vacancies using a by-election
- councils that elect their mayors must hold a mayoral election and an election for deputy mayor where they have one
- joint organisations must elect a new chairperson
- county councils must elect a new chairperson.

The Office of Local Government will issue more detailed guidance about these requirements closer to the elections.

Postponement of the 2021 local government elections



Frequently asked questions

Questions about the effect of the postponement of council elections?

What does the postponement of the elections mean for current councillors?

Current councillors will continue to hold their civic offices until council elections are held on 4 December 2021. The civic offices of current councillors will expire on election day on **4 December 2021**.

What does the postponement of the elections mean for popularly elected mayors?

Popularly elected mayors will continue to hold their civic offices until council elections are held on **4 December 2021**.

What does the postponement of the elections mean for mayors elected by councillors?

The making of the order will not affect the requirement to hold mayoral elections. Mayoral elections must be held for mayors elected in September 2019 when their two year-terms expire in September 2021. The Office of Local Government will issue more detailed guidance on this before September.

Mayors elected in September 2020 will continue to hold office until council elections are held on 4 December 2021.

The civic offices of all mayors elected by councillors will expire on election day on **4 December 2021**.

What does the postponement of the elections mean for deputy mayors?

Deputy mayors may be elected for the mayoral term or a shorter term. Deputy mayors hold their office for the term specified by the council's resolution. If a deputy mayor's term expires before election day on 4 December 2021, an election may need to be held for deputy mayor. It should be noted however, that councils are not required under the Act to have a deputy mayor.

What does the postponement of the elections mean for chairpersons of county councils?

Chairpersons of county councils now hold office for two years. Chairpersons of county councils elected in September 2020 will continue to hold office until council elections are held on 4 December 2021.

The civic offices of chairpersons of county councils will expire on the election day for their constituent council on **4 December 2021**.

Postponement of the 2021 local government elections



Frequently asked questions

What does the postponement of elections mean for joint organisations?

The composition of joint organisation boards may need to change in September 2021 if mayors of member councils elected by councillors are not re-elected.

Joint organisations elected chairpersons for a two-year term in 2020. Chairpersons elected in 2020 will continue to hold office until council elections are held on 4 December 2021.

The civic offices of chairpersons of joint organisations will expire on the election day for their member council on **4 December 2021**.

Will councils need to hold by-elections to fill casual vacancies occurring before 4 December 2021?

No. The order postponing the ordinary elections provides that any casual vacancies occurring in a council between now and 4 December are to be filled by the ordinary election for that council to be held on 4 December 2021.

This means that councils are not required to hold a by-election to fill casual vacancies occurring between now and 4 December 2021 or to apply to the Minister for a dispensation from the requirement to hold a by-election.

General managers are still required to notify the Office of Local Government, Local Government NSW, and the NSW Electoral Commissioner of any vacancies within 7 days of their occurring.

What happens if the resignation of councillors between now and 4 December results in a loss of quorum?

It is not possible under the Act for councils to lose quorum because of councillor resignations.

A quorum is defined under section 368 of the Act as *“a majority of the councillors of the council who hold office for the time being and are not suspended from office”*. This means that the quorum is calculated based on the number of councillors who hold office at a particular point in time and does not include civic offices that are currently vacant.

How will the postponement of elections to 4 December 2021 affect the next term of councils?

The postponement of the elections will not affect the timing of future council elections, and the subsequent ordinary local government elections will still proceed in September 2024.

Postponement of the 2021 local government elections



Frequently asked questions

What does the postponement of elections mean for the requirement for councillors to lodge returns of interests?

Under the *Model Code of Conduct for Local Councils in NSW*, councillors (and designated persons) must lodge returns of their interests within three months of 30 June of each year.

All current serving councillors, members of county councils and voting representatives of the boards of joint organisations must lodge a written return of interests with the general manager (or the executive officer in the case of joint organisations) before **30 September 2021** unless they have submitted a return within the previous three months.

Returns of interests must be tabled at the first meeting of the council or board of the joint organisation after they are required to be lodged. They must also be made publicly available free of charge on councils', county councils' and joint organisations' websites, unless there is an overriding public interest against disclosure of the information contained in them or to do so would impose unreasonable additional costs on the council or joint organisation.

When will the caretaker period begin for the next local government elections?

The caretaker period no longer commences on 6 August 2021 and *Circular 21-17 Council decision-making prior to the September 2021 local government elections* may now be disregarded.

The caretaker period for the 4 December 2021 elections will now commence on **5 November 2021** and end on **4 December 2021**.

During the caretaker period, councils, general managers, and other delegates of councils (other than a joint regional planning panel, a local planning panel or the Central Sydney Planning Committee) must not exercise the following functions:

- entering into any contract or undertaking involving an expenditure or receipt by the council of an amount equal to or greater than \$150,000 or 1% of the council's revenue from rates in the preceding financial year (whichever is the larger)
- determining a "controversial development application" (as defined by clause 393B(3) of the Regulation), except where a failure to make such a determination would give rise to a deemed refusal, or such a deemed refusal arose before the commencement of the caretaker period
- appointing or reappointing the council's general manager (except for temporary appointments).

Councils should plan now to avoid the need to make these types of decisions during the caretaker period.

Postponement of the 2021 local government elections



Frequently asked questions

The Office of Local Government will issue more detailed guidance about the caretaker requirements closer to the elections.

When will the “regulated period” begin for the next local government elections?

The “regulated period” is the period commencing 40 days before elections in which rules regulating “electoral material” as defined by the Regulation come into effect.

The regulated period no longer commences on 26 July 2021 and *Circular 21-12 “Electoral matter” and use of council resources prior to local government elections* may now be disregarded.

The “regulated period” for the 4 December 2021 elections will now commence on **25 October 2021** and end on **4 December 2021**.

Councils should plan now to issue publications that may be affected by the rules governing “electoral material” during the regulated period before that period commences.

The Office of Local Government will issue more detailed guidance about “electoral matter” and use of council resources during the regulated period closer to the elections.

How will the postponement of the elections affect councils’ IP&R cycle?

The postponement of the elections will not impact on councils’ IP&R cycles.

The postponement of council elections from 4 September 2021 to 4 December 2021, will not alter the requirement under the Act for councils to review the community strategic plan before 30 June 2022 and establish a new delivery program to cover their principal activities for the 4-year period commencing on 1 July 2022.

However, the postponement of elections will impact of the timing of the end of term report.

Has Central Coast Council’s referendum been postponed?

Central Coast Council will not be proceeding with its referendum on 4 September 2021. It will be a matter for the Council to determine the future timing of the referendum based on the advice of NSW Health and the requirements of the Public Health Order.

How does the postponement of elections affect councils that are currently under administration?

Four councils are currently under administration:

- Balranald Shire Council
- Central Coast Council
- Central Darling Shire Council
- Wingecarribee Shire Council.

Postponement of the 2021 local government elections



Frequently asked questions

Balranald Shire Council, Central Coast Council and Central Darling Council will continue under Administration despite the postponement of the elections.

Wingecarribee Shire Council's suspension expires on **10 September 2021** and councillors who continue to hold their civic offices in that council will resume their offices from that date to **4 December 2021** when their civic offices expire.

Where can I get more information?

Contact your Engagement Manager or the Office of Local Government's Council Governance Team on 4428 4100 or olg@olg.nsw.gov.au.

INF 01**2020-21 Capital Works Carryover of Projects**

Strategic Direction	Leading through Collaboration Strive for best practice in all Council processes
File Ref	245587.2021
Report By	Raj Autar - Director Infrastructure & Environment
Approved By	George Hampouris - Acting Director Corporate Services

EXECUTIVE SUMMARY

Council, at its meeting held on 24 June 2020, adopted a budget as part of the 2020-21 Operational Plan including Council's Capital Works budget. Quarterly program reviews were undertaken in September 2020, December 2020 and March 2021. The revised budget across Council was \$152,511,192.

This report identifies works that need to be carried over to the 2021-22 Program Year to enable Council to achieve the objectives of the 2020-21 Operational Plan. The projects proposed for carryover are attached as Attachment 1 with the associated budget amount of \$19,138,615.

RECOMMENDATION

That Council approves the works and services listed in Attachment 1 with a remaining budget of \$19,138,615 to be carried over from the 2020-21 Program Year to the 2021-22 Program Year.

REPORT

A list of projects recommended to be carried over has been provided as Attachment 1. Justifications for the carryovers, which amount to 12% of the total capital works budget, 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 2021-22.

FINANCIAL IMPLICATIONS

There are no additional financial implications due to carryovers as all projects are fully funded.

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 carryover is necessary to allow contractor payments to be made for ongoing works.

ATTACHMENTS

1. 2020-21 Carryovers

CARRYOVERS 2020/2021

Unit	Project	Justification	General Funds	Grants and Contributions	s7.11 Reserve	Carnes Hill Stage 2 Precinct Development Reserve	Stormwater Reserve	Property Reserve	Total	Comments
Buildings Construction	100905 - Water & Energy Conservation Delivery Program	CPAC - supply and installation of Rooftop Solar Panels considered necessary to reduce long term energy costs. DA approval processes underway to enable installation by mid next year.	82,000						82,000	It is anticipated completion by 30 May 2022, includes timing requirements associated with the DA approval.
	101370 - Casula Powerhouse Arts Centre Building Upgrades	DA process already underway for the heating, ventilation and air conditioning to main hall at Casula Powerhouse, considered necessary for the ongoing comfort of many patrons who visit this premier space.	76,960						76,960	It is anticipated completion by 30 May 2022, includes timing requirements associated with the DA approval.
	101529 - Protection & Security to Council's Remote Assets Program	DA approval process underway for the heritage restoration works at the Former Courthouse.	70,640						70,640	Project completion anticipated by June 2022.
	101546 - Leisure Centre Upgrade Program - Michael Wenden Leisure	Carry over required to ensure completion of ongoing improvement works.	103,300						103,300	Project completion anticipated by end November 2021.
	101789 - Library & Museum Rehabilitation Program	Project progressing. Funds required to complete the lock up stages of the project. The project has reached 80% completion.	85,740						85,740	Project completion anticipated by 30 September 2021.
	101977 - Kokoda Oval Amenity Building Services	Project progressing, some delays due to the sewer connection redesign and approval from Sydney Water.	104,640						104,640	Project completion anticipated by end November 2021.
	102518 - Stante Amenity Building	Funds required to complete the lock up stages of the project. The project has reached 80% completion.	25,580						25,580	Project completion anticipated by end October 2021.
	102495 - Compliance Program	Project delays due to the sourcing of heritage material required for roofing works at Rosebank Cottage.	35,370						35,370	It is anticipated that the project will be completed by October 2021
	102645 - Casula Library Roof	Funds required to complete the final installation of roofing elements. The project has reached 90% completion.	210,000						210,000	Project completion anticipated by 30 September 2021.
	102655 - Schoeffel Park New Amenity	Prefabricated amenity block facing delays in Victoria.	136,720						136,720	Project completion anticipated by end October 2021.
Civil Construction	100866 - Bridge Rehabilitation & Renewal Program	Funds required for continuation of GHD's consultancy services (for Voyager Point Footbridge).	63,000						63,000	Project completion anticipated by end July 2022.
	101445 - Road Resurfacing & Rejuvenation Program	Funds required for completion of road resurfacing and rejuvenation program.	124,870						124,870	All preparatory works have been completed. Rejuvenation works will be completed before December 2021.
	102348 - Bridges Rd, Moorebank - Newbridge to North End	Delay due to Sydney Water's project, entailing installation of pressure main - carryover of funds required.	429,000						429,000	Project completion anticipated by end December 2021.
	102361 - Greendale Rd, Greendale - Ch 5280 To Ch 6140	Council developed different design options to minimise land acquisition. Land acquisition process has commenced, including negotiation with the resident. Funds required to purchase land.	148,000						148,000	This project will be scheduled in 2022 -23 program after the acquisition process is completed this year
	102526 - Erosion Protection - 2020 Flood Damage (staged)	Remaining funds are to be carried over to continue the flood damage program.	99,000						99,000	Project completion anticipated by June 2022.
	102555 - Governor Macquarie Drive Land Acquisition	Funds carryover required, as the project will be delivered over two financial years under WSIP grant funding. Design has commenced and land acquisition process is underway.		200,000					200,000	Land acquisition anticipated by December 2021.
	102587 - Cycleway - Traffic Signal (Bicycle Lantern), Newbridge Road	Delay due to traffic control signal design approval from TfNSW. Grant funding to be carried over in 2021/22.		233,310					233,310	TfNSW has approved carryover of grant funding.
	102588 - Cycleway - Traffic Signal (Bicycle Lantern), Hume Highway	Delay due to traffic control signal design approval from TfNSW. Grant funding to be carried over in 2021/22.		225,610					225,610	TfNSW has approved carryover of grant funding.
	102590 - Cycleway - Middleton Dr, Middleton Grange - M7 Cycleway Link	Delays due to ongoing discussions with Northwest Roads to construct the cycleway link, in order to meet their stringent requirements.	133,260						133,260	Design to be completed in 2021/22 program.
	102592 - Carpark - Ernie Smith Reserve, Moorebank - Resurfacing	Funds required for the completion of pending resurfacing works which has been impacted by sporting field works.	302,000						302,000	Project completion anticipated by April 2022.
	102598 - First Ave and Twentieth Ave, Hoxton Park - Roundabout	Funds required to meet project commitments. Delay caused due to the land acquisition settlement process which occurred on 18 May 2021.	100,000						100,000	Construction works commenced end of June 2021.
	102606 - Kurrajong Road / Lyn Pde Intersection Upgrade - Design	Funds required to continue design works.	66,940						66,940	The design works are planned to be carried out over two financial years. Design works currently underway.
	102643 - Railway Street Serviceway	DPIE funded project, to be delivered by October 2021 (as per the conditions).		98,782					98,782	Grant was confirmed in the later part of the 2020/21 program year. Remaining funds to be carried over.
	102649 - Heathcote Road, Walder Road, Bardia Pde Intersection	Project funded by WSIP Grant. Delay experienced due to Sydney Water asset relocation, including receiving approvals from TfNSW for traffic control signal works.		733,000					733,000	Funds committed as 70% of the works completed.

CARRYOVERS 2020/2021

Unit	Project	Justification	General Funds	Grants and Contributions	s7.11 Reserve	Carnes Hill Stage 2 Precinct Development Reserve	Stormwater Reserve	Property Reserve	Total	Comments
	102811 - Strzelecki Dr & Rosedale CT Stage 2 – Reconstruction of kerb	Funds required to complete works which will be undertaken in two stages.	57,930						57,930	Increase in scope of works. Project planned to be completed by December 2021.
	102813 - GMD / Newbridge Road intersection upgrade & road reconstruct	Project funded by WSIP Grant. Design & construction over two financial years.		779,000					779,000	Project completion anticipated by December 2021.
	102821 - Carpark - On Street Parking in Narrow Streets	Funds have been committed to complete the works. Delay experienced due to the need to undertake community consultation of preferred design.	195,000						195,000	On street parking to be completed by June 2022.
Floodplain and Water Management	100011 - Moorebank Voluntary Acquisition Scheme	Carryover of funds required to commence land acquisition process.	187,372	890,851					1,078,223	Planned purchase of property could not proceed due to Council's offer not being accepted by the owner.
	102609 - Edmondson Park - Raingardens - Detailed Design	Carryover of funds required to deliver the project design.			24,759				24,759	Tender was re-advertised, resulting in a delay of awarding of the contract.
	102289 – East Leppington - Design of Stormwater Infrastructure	Carry over of funds required for completion of final design work.			36,472				36,472	The project involves extensive investigation and detailed design of flood detention basins, raingardens, creek modification and trunk drainage system. While substantial works have been completed, the final design is expected to be completed by August 2021.
Open Space Construction	100015 - Playground Replacement program	Carryover of funds required to meet contractual obligations. Project progressing, delayed due asbestos remediation works required for Lyons Park.	145,000						145,000	Project completion anticipated by 30 September 2021.
	100457 - Sports Courts / Facilities	Project to be re-tendered due successful tenderer rescinding offer. Funds required for continuation of project.	247,050						247,050	Project completion anticipated by end December 2021.
	101522 - Outdoor Fitness Gym Program	Carryover of funds required due delays experienced in finalising consultation with Local Land Council.	87,245						87,245	Project completion anticipated by end Jan 2022.
	102094 - Lt Cantello Reserve - Regional Playground	Funds committed for Livvi's Place (inclusive play space which was developed in partnership with Variety-The Children's Charity). Remaining budget to be carried over, to deliver supporting infrastructure works.	565,000		265,200				830,200	Playground delivery has been delayed due to equipment lead times from overseas and will be completed by end November.
	102382 - Stante Reserve - Local Park Construction	Carryover of funds required to meet contractual obligations. Delays experienced due to adverse weather conditions, impacting landscaping works and construction of the amenity building.			1,100,000				1,100,000	Project anticipated for completion by end October 2021.
	102426 - Croatia - Local Park Construction	Contractors engaged, carryover funds required to deliver contractual obligations.			670,700				670,700	Project anticipated for completion end September 2021.
	102463 - Schoeffel Park (LRCI) – Park and Pump Track Construction	Funds required for carryover due to delays in procuring a specialist Contractor to undertake the works.	171,000	1,235,030					1,406,030	Project anticipated for completion by Jan 2022.
	102480 - Affleck Park – Park Development	Carryover of funds to undertake design works, which was delayed due to discovery of asbestos and planning of remediation works.	40,000						40,000	Contractor engaged to undertake design works, anticipated for completion by end Nov 2021.
	102481 - St Andrews Park – Local Park Upgrade	Funds required for carryover, delays experienced in the consultation process (design & community). Contractor has been engaged and ready to commence work.			220,000				220,000	Project anticipated for completion end October 2021.
	102483 - Ernie Smith reserve – Inclusive Playground	Funds required for carryover, due to project delays experienced in the delivery of Grant works by Southern Districts Soccer Association.	20,000						20,000	Funds have been committed. Detail design at 90%; project anticipated for completion by end August 2021.
	102485 - Dunumbral Park – Key Suburb Park Upgrade	Funds required for carryover, delays experienced in the consultation process (design & community). Contractor has been engaged and ready to commence work.	205,880						205,880	Project anticipated for completion end October 2021.
City Design & Public Domain	102467 - Bigge Street Pocket Park	Consultants have been engaged to prepare detailed design drawings for the conversion of a former heritage item to a community garden thereby enhancing the heritage of the site and provides an interpretative experience to the local residents.		47,779					47,779	
Transport Management	102206 - Bernera Rd/Yarrunga St/Yato Rd, Prestons - Improvement works	The contract for the concept design of the intersection upgrade has been awarded and it is scheduled to be completed by October 2021. The construction phase will commence in the next financial year.		67,640					67,640	

CARRYOVERS 2020/2021

Unit	Project	Justification	General Funds	Grants and Contributions	s7.11 Reserve	Carnes Hill Stage 2 Precinct Development Reserve	Stormwater Reserve	Property Reserve	Total	Comments
	103020 - Busby Public School, South Liverpool Road, Busby	Installation of raised threshold to be completed by December 2021.		148,705					148,705	
Childcare Operation	102822 - Casula Preschool Clay Kiln	This is a grant funded project expected to be completed by December 2021.		6,818					6,818	
	102823 - Cecil Hills Indigenous Garden	This is a grant funded project expected to be completed by December 2021.		14,044					14,044	
	102824 - Hinchinbrook Outdoor Play area	This is a grant funded project expected to be completed by December 2021.		15,000					15,000	
	102825 - Holsworthy Community Garden	This is a grant funded project expected to be completed by December 2021.		15,000					15,000	
	102826 - Prestons Outdoor Play Area	This is a grant funded project expected to be completed by December 2021.		10,999					10,999	
	102827 - Warick Farm Outdoor play area	This is a grant funded project expected to be completed by December 2021.		15,000					15,000	
	102828 - Wattle Grove Outdoor play area.	This is a grant funded project expected to be completed by December 2021.		822					822	
Community Planning	102170 - Miller Master Plan	Consultancy works are currently underway and a report will be prepared for the November 2021 Council meeting.	152,407						152,407	
	102391 - Georges River Parklands and Chipping Norton Lakes Spatial Framework	Consultant has been engaged and the master planning has commenced. Project is expected to be completed by November 2021.	47,800	66,102					113,902	
	102468 - Carnes Hill Recreation Precinct Stage 2 Masterplan	Consultancy works are currently underway with the Business Case and Functional Brief nearing completion.	100,548			222,312			322,860	
	102498 - Austral Concept Design Masterplan Stage1	Contract for the concept design has been awarded and funds have been committed. Budget is required towards consultant's costs and a temporary Project Officer.	302,977						302,977	
	102608 - Cabramatta Creek and Brickmakers Creek Masterplan	Council is currently seeking quotations for master planning and consultancy works.	25,000				13,541		38,541	
	102610 - Austral & Leppington North - Drainage Corridor Masterplan	This project is on the priority program. The briefing has been drafted to engage a consultant to prepare a masterplan in the current financial year.			86,341				86,341	
	102654 - Mimosa Park, Box Road, Casula	Council resolved to prepare concept design for Mimosa Park and funds have been committed.	15,000						15,000	
Information Technology	101932 - Infrastructure Upgrade - Mobility	Council is acquiring quotes for the delivery of this project.	210,990						210,990	
	101933 - Automation - User and Software	Implementation of SCOMM delayed due to other priorities.	120,070						120,070	
	101938 - Digital Transformation - Systems Integration Program	Budget required to cover additional consultancy works due to delays in the program.	353,150						353,150	
	101939 - Business Continuity Program - Software	Proof of Concept was not completed due to other major upgrades.	105,910						105,910	
	101997 - Business Continuity Program - Hardware	Key sites were not completed and hardware will need to be purchased.	160,780						160,780	
	102157 - Infrastructure Upgrade - Audio Visual upgrade	Project was not completed as there is currently a world wide shortage in hardware resulting in over 14 weeks delay in delivery.	158,160						158,160	
	102158 - Infrastructure Upgrade - BCP - Second VDC	Project was delayed due to conflicting priorities and tasks. Work will be completed in the current financial year.	200,000						200,000	
	102159 - Infrastructure Switch Upgrade-Switch Replacement	Phillip Park project is still under way and will not be completed until September 2021.	213,080						213,080	
	102187 - Contract Management System (CMS)	Project is still underway.	146,420						146,420	
	102393 - Online Booking System - One Council Application	Project is still underway.	337,580						337,580	
	102394 - Corporate Application Strategy	This project relates to the Digital Transformation integration program. Delays in the business case have impacted the delivery of this project.	300,620						300,620	
	102395 - Cyber Security	Budget required as audit finding has identified the need for increased cyber security.	64,720						64,720	

CARRYOVERS 2020/2021

Unit	Project	Justification	General Funds	Grants and Contributions	s7.11 Reserve	Carnes Hill Stage 2 Precinct Development Reserve	Stormwater Reserve	Property Reserve	Total	Comments
Operational Facilities	100113 - Major Plant	Budget has been committed and awaiting delivery of plant and equipment.	1,968,518						1,968,518	
	101392 - Purchase of New Plant	Budget has been committed and awaiting delivery of plant and equipment.	1,113,987						1,113,987	
Property Assets	102403 - EWIS - 33 Moore St	Assessment of the building reveals that an EWIS system has not been installed throughout the entire building in accordance with Building Code. The building must therefore be upgraded to ensure the required fire safety measure is installed as soon as practicable.						150,000	150,000	
	102201 - Warren Serviceway Carpark upgrades	Minor upgrades could not completed in FY2020-21.	55,985						55,985	
	102406 - Former Courthouse	Works delayed due to COVID.	313,000					28,699	341,699	
	102242 - 33 Moore St Fire Services Upgrade	Full compliance with the current BCA for an existing building is not considered reasonable nor practicable. The inspection revealed a number of items which are recommended to be addressed to satisfy life safety requirements in the event of a fire.	109,235						109,235	
Property Services	101967 - 35 Scott St Fit-out	Works delayed due to COVID.	48,470						48,470	
	102006 - Men's Shed Relocation	Project is to be completed over two financial years.	53,800					28,690	82,490	
	102406 - Former Courthouse	Upgrade works have been delayed due to COVID.	313,000						313,000	
	102410 - Property Software System	Audit Committee recommended Property Services to explore Lease Management system to capture all leases and tenancy agreements with a view to perform an annual assessment to update all leases.	48,705						48,705	
	102503 - Collingwood House Garden Upgrade	Upgrade works have been delayed due to COVID.	50,000						50,000	
Property Strategic Projects	102169 - Wattle Grove Master Plan	Budget required to fund due diligence, legal and valuation costs.	80,000						80,000	
			11,488,409	4,803,492	2,403,472	222,312	13,541	207,389	19,138,615	

NEW INITIATIVES

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BUDGET VARIATION

Total Budget Variation			11,488,409	4,803,492	2,403,472	222,312	13,541	207,389	19,138,615	

INF 02

Impact of COVID on current contracts

Strategic Direction	Leading through Collaboration Strive for best practice in all Council processes
File Ref	251380.2021
Report By	Vishwa Nadan - Chief Financial Officer
Approved By	Raj Autar - Director Infrastructure & Environment

EXECUTIVE SUMMARY

Council, at its meeting held on 28 July 2021, resolved that a report be presented to the August 2021 Council meeting detailing all capital expenditure which has a contract value of more than \$500,000, excluding any projects fully funded by Section 7.11 Contributions, or State or Federal grants. Council further resolved that the report include the following information:

- a) The project/spend;
- b) Importance of the project/spend; and
- c) Whether a force majeure clause is included in the contract.

Council's capital works programs are primarily driven by the need to ensure that the full range of Council services that rely on proper functioning infrastructure can continue to be provided. Consequently, the following broad categories of works forms the backbone of Council's capital works program and budget:

1. Asset restoration and renewal - involves the progressive replacement of assets that have deteriorated beyond the scope of normal maintenance. These works are necessary to ensure public safety and service continuity, and includes road pavement reconstruction, major building repairs and bridge repairs;
2. Enhancement and expansion activities - includes upgrades and provision of new assets to address capacity constraints, meet new demand from new urban release areas or to meet Council's strategic objectives e.g. the Liverpool Civic Place;
3. IT Infrastructure upgrades - introduction and use of appropriate technology to support Council's business process in a way that facilitates delivery of services that best meet community needs and the priorities of Council; and
4. Plant and Equipment Purchase - to support the operation and maintenance of Council's extensive network of built and natural assets in the most effective way.

INFRASTRUCTURE & ENVIRONMENT REPORT

In consideration of the above Council decision, this report presents only those current contracts that are funded through Council's general revenue.

RECOMMENDATION

That Council receives and notes this report.

REPORT

1. Capital contracts expenditure and budgets

The following table provides information relating to current contracts for the following categories of Council's capital projects, with corresponding justification for the expenditure:

- Purchase of plant and equipment;
- Construction of Liverpool Civic Place;
- Asset renewal and restoration; and
- Asset enhancements and upgrades.

Project Description - <i>only general fund contact value > \$500,000.</i>	Budget	Need and importance of project
City Presentation	\$3,082,505	
Major Plant Purchase	\$3,082,505	Budget has been committed and awaiting delivery of essential plant and equipment to progressively replace ageing plant.
Economy & Commercial Development	\$81,770,473	
Construction of Liverpool Civic Place	\$81,170,473	To meet community demand for accessible facilities.
Infrastructure & Environment	\$5,417,640	
Road Resurfacing Program Rejuvenation	\$500,000	For public safety and improved accessibility.
Road Resurfacing Program Programmed Patching	\$900,000	For public safety and improved accessibility.
Stante Reserve - Local Park Construction	\$600,000	To improve liveability of new urban release areas and to promote healthy lifestyles.
Wolstenholme Avenue, Greendale	\$500,000	For public safety and improved accessibility.
Contaminated Lands - waste remediation	\$700,000	For public health and safety, as well as legislative compliance.
Mill Road, Liverpool - Speed to Highway	\$567,600	For public safety and improved accessibility.
Bellfield Road, Rossmore - Start Seal to May	\$500,000	For public safety and improved accessibility.
Phase 1 Urban Forest Strategy - Greening City Tree planting	\$550,040	For public safety and improved accessibility.

INFRASTRUCTURE & ENVIRONMENT REPORT

Project Description - <i>only general fund contact value > \$500,000.</i>	Budget	Need and importance of project
Spencer Road, Cecil Hills - Frederick to Gabriella	\$600,000	For public safety and improved accessibility.
Total	\$90,270,618	

2. Force Majeure

A force majeure clause in contracts relieves a party from performing its contractual obligations due to an event outside the reasonable control of the affected party. Common force majeure events include; 'acts of God', 'natural disasters', 'government action or interference', 'labour shortages', 'national emergencies' and 'acts of war'.

Most of Council's current contracts have provisions written into them regarding circumstances beyond the reasonable control of a party, and having regard to past experience, have been amended to include pandemics, epidemics, government shutdowns, State or Federal public health orders, etc.

While the older contracts may not have these provisions, the General Conditions of Contract (AS2124) addresses this eventuality by allowing Termination by Frustration, whereby without fault of either party, the contractual obligations are incapable of being performed due to an unforeseen event (or events). Under this scenario, the parties can be discharged from their agreement. Notwithstanding, it does not prevent Council and the contractor mutually agreeing to amend the contract or accept that a force majeure event exists.

The need for a force majeure clause or termination clause adds protection for both parties, and not just Council. There may be obligations that Council may not be able to perform while the force majeure event continues, and such a clause prevents the contractor from making a claim against Council. The overall benefit of having a force majeure clause is to ensure that the obligations of the parties will be postponed until the end of the force majeure event, avoiding any breach and allowing the contractual obligations to be satisfied at a later date. It prevents a party from being in breach of the contract and having to pay damages if circumstances beyond their control prevents them from performing their side of the contract.

The spread of COVID-19 does not mean that a force majeure clause will be operative or that a contract will be frustrated. Parties will need to consider the specific impacts COVID-19 is having on the performance of obligations in the context of their contract.

CONSIDERATIONS

Economic	There are no economic and financial considerations.
Environment	There are no environmental and sustainability considerations.

INFRASTRUCTURE & ENVIRONMENT REPORT

Social	Deliver high quality services for children and their families.
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	General Conditions of Contract (AS2124)
Risk	The risk is deemed to be Low.

ATTACHMENTS

Nil

INF 03

**Monitoring and Managing Sustainability
Outcomes**

Strategic Direction	Strengthening and Protecting our Environment Encourage sustainability, energy efficiency and the use of renewable energy
File Ref	253443.2021
Report By	Michael Zengovski - Manager City Environment
Approved By	Raj Autar - Director Infrastructure & Environment

EXECUTIVE SUMMARY

Council, at its meeting held on 26 August 2020, resolved to trial a partnership with the ClimateClever program for 12 months and to encourage schools, business and households to become involved.

The ClimateClever program is a resource that enables users to measure and monitor electricity, gas and water consumption. The program has been reviewed to determine whether promoting it to the community would add value to Council's current strategic approach to climate change.

A Climate Action Plan is currently being developed to lead a strategic approach to Council's response to climate change. Council acknowledges the importance of monitoring electricity, gas and water consumption across the LGA to inform initiatives to reduce emissions and to track progress. Various resources are currently utilised to monitor consumption, including the Resilient Sydney Platform and audits of Council's highest consuming facilities.

This report recommends that Council does not proceed with the trial of the ClimateClever partnership at this time. The Climate Action Plan will identify optimal tracking tools to assist Council meet sustainability goals included in *Our Home, Liverpool 2027*.

RECOMMENDATION

That Council:

1. Does not proceed with the trial of the ClimateClever partnership at this time.

2. Continues to progress the development of the Climate Action Plan to lead a strategic approach to Council's response to climate change and identify measures to reduce emissions. Consideration can be given to trialling the partnership, or an equivalent service at a later date, if it is determined that it would add value to the implementation phase of the Climate Action Plan.

REPORT

1. Background

The ClimateClever program estimates carbon footprints based on electricity, gas, water and waste parameters. It identifies potential actions that can reduce carbon footprints. Platforms have been developed for schools, businesses and households. The program has been reviewed to determine whether promoting it to the community would add value to Council's approach to climate change related matters.

A Climate Action Plan is currently being developed by Council to guide the delivery of improved environmental outcomes. It will provide a strategic approach to sustainability initiatives including emission and water use reductions across Council's operations and the broader community.

2. Climate Action Plan

The Climate Action Plan currently being prepared by Council responds to sustainability goals included in *Our Home, Liverpool 2027* such as increased energy efficiency and use of renewable energy. The Plan will build on existing projects and programs identified by Council, the community and NSW State Government to deliver robust economic and environmental benefits through resource efficiency, decreased emissions, improved liveability and other sustainability initiatives. It will prescribe priority actions to ensure that Council positions itself as a sustainability leader.

Monitoring will be an important component of the implementation of the Climate Action Plan to ensure that the identified actions are driving improved outcomes. The Plan will include the identification of optimal tracking tools to ensure accurate monitoring.

3. Monitoring Platforms and Community Resources

Council has a contract in place with Azility to measure and track energy use in Council's buildings. The information provided by Azility has assisted Council to monitor energy and water consumption trends and identify initiatives to reduce consumption. Energy audits have also been completed for Council's highest consuming facilities to identify energy reduction projects that offer the most cost-effective benefit.

The Resilient Sydney Platform is also available to track community emissions across various sectors within the LGA. The information available from this Platform is currently used by

INFRASTRUCTURE & ENVIRONMENT REPORT

Council to gain an understanding of trends and better plan for future communities. It is a valuable resource to help inform the development of future strategies and initiatives to reduce emissions.

There are also other existing energy saving programs available to the community, such as Endeavour Energy's Household Energy HomeSaver program. This free program offers advice to customers on ways to manage their energy usage and reduce the cost of their electricity bills.

Council raises the community's awareness of sustainability and environmental initiatives through its Sustaining Liverpool newsletters. Through the newsletters, Council has provided information regarding the installation of solar photo voltaic (PV) systems in homes and promoted energy saving workshops, including the Endeavour Energy's Household Energy HomeSaver program.

4. ClimateClever Program

The ClimateClever program is relatively new, with platforms and tools being progressively released since 2018. Community members can sign up to the program without a Council partnership being in place. However, they would receive a 50% discount on the ClimateClever apps if Council became a ClimateClever partner. A standard partnership for Council costs \$850 per year.

Council acknowledges the potential benefits of the ClimateClever program to enable users to measure and monitor electricity, gas and water consumption and report on actions taken to reduce carbon emissions.

Given Council's progress in the development of the Climate Action Plan, and the existing monitoring and community resources that are already available, it is considered that trialling the ClimateClever program would not add significant value to sustainability outcomes at this time.

5. Conclusion

Based on the progress made on the development of a Climate Action Plan and availability of other resources such as monitoring tools, it is recommended that a ClimateClever partnership is not trialled at this time. Consideration can be given to trialling the partnership, or an equivalent service, at a later date if it is determined that it would add value to the implementation phase of the Climate Action Plan.

CONSIDERATIONS

Economic	Council has committed funds for the development of a Climate Action Plan. Implementation of the Plan will focus on actions with a short payback period where possible. Annual partnership costs would be
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INFRASTRUCTURE & ENVIRONMENT REPORT

	incurred by the ClimateClever partnership. There would be additional costs for community members to become involved with the ClimateClever program.
Environmental	A Climate Action Plan is currently being developed by Council to guide the delivery of improved environmental outcomes. It will identify priority actions for resource efficiency, decreased emissions, improved liveability and other sustainability initiatives.
Social	Community education and awareness will be considered during the development and implementation of the Climate Action Plan.
Civic Leadership	The development of a Climate Action Plan responds to sustainability goals included in <i>Our Home, Liverpool 2027</i> such as increased energy efficiency and use of renewable energy. The Plan will prescribe priority actions to ensure that Council positions itself as a sustainability leader.
Legislative	There are no legislative considerations.
Risks	Climate change presents a significant risk to Council and the community. The development of a strategic approach via a Climate Action Plan will help ensure that Council fulfils its responsibility in minimising associated risks.

ATTACHMENTS

Nil

CTTE 01

**Minutes of the Heritage Advisory Committee
meeting held on 24 May 2021**

Strategic Direction	Creating Connection Celebrate diversity, promote inclusion and recognise heritage
File Ref	216433.2021
Report By	Thomas Wheeler - Heritage Officer
Approved By	David Smith - Acting Director Planning & Compliance

EXECUTIVE SUMMARY

This report is tabled to present the minutes of the Heritage Advisory Committee meeting held on 24 May 2021.

RECOMMENDATION

That Council:

1. Receives the minutes of the Heritage Advisory Committee meeting held on 24 May 2021;
2. Endorses the following recommendation of the Committee:
 - That Council thank and acknowledge the effort of Council's Parks team in restoring the gardens at Collingwood House;
3. Notes the following recommendations of the Committee which are operational matters and will be further investigated.
 - Council to consider allocating a section within Council with responsibility for the monitoring and maintenance of the Liverpool Pioneers Memorial Park website and to undertake all work necessary to ensure the website is operating as designed; and
 - Council considers the employment of trades people with traditional trade skills to in-house heritage building maintenance, with the aim of placing Liverpool City Council as a leader in heritage asset management.

REPORT

The minutes of the Heritage Advisory Committee meeting held on 24 May 2021 are attached for the information of Council.

The minutes contain the following Committee recommendations:

- The Liverpool Heritage Advisory Committee would like to thank and acknowledge the effort of Council's Parks section in restoring the Gardens at Collingwood House.

Officer Comment:

The restoration of the gardens at Collingwood House would not be possible without the skill and dedication of staff within the Parks team. As well as undertaking their normal duties, a small team have worked to clean up the gardens, plant new trees and prepare the soil and new mulch.

- Council to consider allocating a section within Council with responsibility for the monitoring and maintenance of the Liverpool Pioneers Memorial Park website and to undertake all work necessary to ensure the website is operating as designed.

Officer Comment:

The Heritage Advisory Committee raised concerns with the condition and management of the Liverpool Pioneers Memorial Park website which was developed as a part of the last phase of reinstatement works. Council will review the website, including for its ongoing maintenance, updating and general management.

- Council considers the employment of trades people with traditional trade skills to in-house heritage building maintenance, with the aim of placing Liverpool City Council as a leader in heritage asset management.

Officer Comment:

This matter will be considered as part of the Facilities Management review underway.

The recommendation to acknowledge the work of staff will not have a financial impact. The other committee recommendations, which are operational matters, will be investigated.

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	There are no civic leadership and governance considerations.
Legislative	There are no legislative considerations relating to this report.
Risk	There is no risk associated with this report.

ATTACHMENTS

1. Minutes of the Heritage Advisory Committee meeting held on 24 May 2021.



Minutes

Meeting: Liverpool Heritage Advisory Committee
Date: 24/05/2021
Time: 6pm – 7 pm
Venue: Learning POD, Level 5 33 Moore Street or Microsoft TEAMS
Quorum: 50% of membership plus one and one Councillor

Councillor Representation:

Cllr Karress Rhodes (KR)	Councillor
Cllr Geoff Shelton (GS)	Councillor

Community Members:

Vicki Andrews (VA)	Community Representative
Alison Cukic (AC)	Community Representative
Dr Jennifer Shearer French (JSF)	Community Representative
Ruth Grimson (RG)	Community Representative
David Key (DK)	Heritage Expert – Community Representative
Gary Estcourt (GE)	Heritage Expert – Community Representative
Josh Madden (JM)	Heritage Expert – Community Representative
Robert Brown (RB)	Heritage Expert – Community Representative

Council Staff

Thomas Wheeler (TW)	Heritage Officer
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Minutes

1. WELCOME, ATTENDANCE, APOLOGIES AND OPENING

1.1. Opening of the Meeting

1.2. Acknowledge to Country

We would like to acknowledge the Cabrogal Clan of the Darug Nation who are the traditional custodians of the land that now resides within Liverpool City Council's boundaries. We acknowledge that this land was also accessed by peoples of the Dhurawal and Darug Nations.

1.3. Apologies

Nil

2. DECLARATIONS OF INTEREST

Nil

3. BUSINESS ARISING FROM PREVIOUS MINUTES

Liverpool Pioneers Memorial Park

The Liverpool Heritage Advisory Committee acknowledges the efforts of Council staff in holding the 200th Anniversary of the cemetery. The event was considered by the members of the committee to be fitting for the significance and history of the cemetery.

Moved: VA Seconded: JF

Harris Creek Bridge

VA reminded the members of the committee to put in a submission to support the state nomination. There was a concern raised by the short notification period, however TW advised that this was determined in consultation with Council due to the previous consultation efforts.

4. LIVERPOOL PIONEERS MEMORIAL PARK

Archaeological Investigations

TW advised the committee that they have only been able to locate 9 grave slabs for the potential 43 military graves. Attempts are being made to overlap the GPS locations of each grave to identify the names of the people buried. However, it has been identified that the existing mapping is out by about 2 metres and the archaeologists are not sure whether this will impact on the identification of names.

The investigations have identified a significant layer (between 300 to 1000mm) of clay fill which appears to relate to the 1950s/60s. The presence of the clay fill has confused the understanding



Minutes

of the cemetery and appears to have impacted on the early graves with the removal of the top section of grave cuttings. The decision was made to not go deeper to avoid the disturbance of any remains.

Monument and Conservation Repairs

TW advised the committee that funding was proposed to be provided in the budget to support the assessment and preparation of conservation and restoration plans for up to 5 monuments at Liverpool Pioneers Memorial Park. The scope of works identified through this work will inform capital works budgets for the following year.

Question 1: Has the archaeological works have anything to do with re-interring old headstones (GS)?

The archaeological investigations were to identify the location of potential military graves. They were not to facilitate the re-interring of headstones currently being held at the Liverpool City Council Depot.

Question 2: Are the new white grave slabs evidence of the restoration of military graves (GS)?

The new white grave slabs with marble headstones were installed by the Office of Australian War Graves to replace the deteriorated grave slabs for up to 5 WWI servicemen.

Question 3: Is anything further happening with the memorial garden (VA)?

The design has been completed and Council is currently working on getting quotes from contractors to undertake the work as soon as possible. The design and construction is being funded by the Office of Australian War Graves.

Question 4: Has the Council archives been searched for any photographs from when the headstones been removed (JM)?

Despite retrieving every available Liverpool Pioneers Memorial Park file from Council records, there is very little information from the files on the pre-1960s period. The maps and image available currently are based on post-1960s investigations and not reflective of the pre-1960s cemetery.

Question 5: Is there any scope to upgrade or enhance the existing Liverpool Pioneers Memorial Park (GS)?

The current website does require work to better align it with the NSW curriculum to enhance its value for students and teachers. The website does have technical problems where the mapping function is not working as designed. A key issue with the website was it did not have a website owner, or a responsible resource to ensure the website is maintained, and grows over time.



Minutes

Question 6: Has there been any thoughts or any way that Council can approach schools and get communication to schools to drive a greater understanding in local history and heritage?

Council currently has limited resources which would assist or facilitate a greater interaction with local schools to build greater awareness with schools in our local history and heritage. It is hoped that once the Local Studies and Museum teams are at full capacity there will be resources to facilitate some integration and engagement but this will be limited due to overall workloads.

Motion: Council to consider allocating a section within Council with responsibility for the monitoring and maintenance of the Liverpool Pioneers Memorial Park website and to undertake all work necessary to ensure the website is operating as designed.

Moved: JF

Seconded: RG

Carried

5. TRADITIONAL TRADE SKILLS AND HERITAGE MAINTENANCE

Council has recently completed four conservation management plans for Collingwood, the Former Liverpool Courthouse, the Casula Powerhouse Arts Centre and Liverpool Pioneers Memorial Park. The conservation management plans included a 20 year cyclical costed maintenance plan for each building, indicating if Council was to outsource maintenance to its heritage assets the 20 year cost of maintenance of Councils heritage assets would exceed \$70 million.

The high cost is due to the need to outsource skills currently not held in-house and the difficulties in seeking appropriate trade skills.

Motion: Council consider the employment of trades people with traditional trade skills to in-house heritage building maintenance, with the aim of placing Liverpool City Council as a leader in heritage asset management.

Moved: JF

Seconded: RG

Carried



Minutes

6. COLLINGWOOD HOUSE UPDATE

Building conservation works are now completed and work is progressing on the restoration of the gardens. The garden restoration work is only possible due to the support provided by Council's Parks Department.

Motion: The Liverpool Heritage Advisory Committee would like to thank and acknowledge the effort of Council's Parks Section in restoring the Gardens at Collingwood House.

Moved: RG

Seconded: VA

Carried

7. FORMER LIVERPOOL COURTHOUSE UPDATE

Conservation works are currently being planned for the courthouse. Minor works are currently underway and details of major works are being compiled for a grant application. Works completed to date include the restoration of the original Rim Locks, installation of a roof access kit and the repair of the internal timber cedar furniture.

8. ACTIVATION AND PUBLIC PROGRAMMING

Council is currently in discussion with the School of Social Science and School of Education at Western Sydney University regarding the formation of a partnership to develop a curriculum specific public program and learning package for Collingwood House and Former Liverpool Courthouse. The partnership would enable Council to access the extensive network of professionals and students to build an avenue for activation for both properties as well as the building of awareness of the properties within the local schools, as well as tourism operators and community organisations.

9. GENERAL BUSINESS

Question 7: Were footings and a well found where works are being undertaken for the new Council Chambers?

TW advised that footings were identified through the excavation works and the materials were salvaged. The footings and materials have been documented and photographed and are currently being held in storage with the aim of re-using the materials within the new civic domain.



Minutes

NEXT MEETING – 24 August 2021

CLOSE.

CTTE 02	Minutes of the Liverpool Pedestrian, Active Transport and Traffic Committee meeting held on 21 July 2021
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Strategic Direction	Generating Opportunity Advocate for, and develop, transport networks to create an accessible city
File Ref	250523.2021
Report By	Charles Wiafe - Service Manager Transport Management
Approved By	David Smith - Acting Director Planning & Compliance

EXECUTIVE SUMMARY

This report presents the recommendations of the Liverpool Pedestrian, Active Transport and Traffic Committee meeting held on 21 July 2021. At the meeting, the Committee considered fifteen (15) agenda items, three (3) technical discussion items and fifteen (15) general business items.

A copy of the meeting minutes, incorporating the Committee's recommendations on the agenda items is included in Attachment 1.

RECOMMENDATION

That Council adopts the following recommendations of the Committee:

- Item 1 Campbell Street, Liverpool – Proposed Raised Threshold.
- Approves the raised threshold as shown in the Attachment booklet.
- Item 2 88 Kurrajong Road, Prestons - Proposed Traffic Facilities and Signs and Linemarking Scheme.
- Approves the proposed median islands and associated signs and linemarking scheme in Kurrajong Road, west of Kookaburra Road (North) as shown in the Attachment booklet.
- Item 3 Fourteenth Avenue, Austral - Proposed Traffic Facilities and Signs and Linemarking Scheme.
- Approves the signs and linemarking scheme as shown in the Attachment booklet.
- Item 4 Moorebank East, Moorebank – Proposed Traffic Facilities and Signs and Linemarking Scheme.

- Approves the signs and linemarking scheme as presented.
- Item 5 Flynn Avenue, Middleton Grange – Speed Concerns and Proposed Raised Threshold in front of Thomas Hassell College.
- Approves the proposed traffic facilities as shown in the Attachment booklet.
- Item 6 Flynn Avenue, Middleton Grange - Proposed Traffic Restrictions through the Western Sydney Parklands.
- Approves the proposed road closures.
 - All stakeholders to be advised of the road closures.
- Item 7 Talana Hill Drive, Edmondson Park - Request for Raised Thresholds.
- Approves Installation of two raised thresholds across Talana Hill Drive Section. Community consultation is to be carried out with residents close to the proposed raised threshold location to confirm the locations.
 - Detailed design of the raised thresholds be submitted to the TfNSW and Police for review prior to installation.
- Item 8 Stanton Street, Liverpool - Request for AM and PM peak 'No Left Turn' and 'No Right Turn' restrictions at its intersection with Memorial Avenue and Flowerdale Road.
- The 'No Left Turn' and 'No Right Turn' access restrictions through Stanton Street be deferred.
 - Community consultation be carried out with local residents to consider treatment options including 'No Left Turn' at the Stanton Street and Flowerdale Road intersection, installation of traffic calming devices including rumble bars in the curved road section.
 - The outcome of the community consultation be presented to the September traffic committee meeting.
- Item 9 Manning Street, Warwick Farm – Proposed Traffic Calming Scheme.
- Approves the interim treatments along Manning Street involving improved signage, pavement marking, and street lighting as shown in the Attachment booklet.
- Item 10 Barry Road, Chipping Norton – Proposed Pedestrian Refuge.
- Approves installation of pedestrian refuge in Barry Road at Ernest Avenue intersection, Chipping Norton, as shown in the Attachment booklet.
 - Detailed design of the pedestrian refuge to include design of a crossing facility across Ernest Street, to be presented at a future meeting.
- Item 11 Fifteenth Avenue, Austral – Proposed 'No Right Turn' restrictions at Craik Avenue intersection.

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- Approves installation of the proposed No Right Turn into Craik Avenue subject to TfNSW approval.
 - A traffic management plan (on the proposed right turn movements) be prepared and submitted to TfNSW endorsement prior to implementation.
- Item 12 Transport for NSW Digital Smart Kerb Pilot Scheme – Update and Second Street.
- Approves installation of parking sensors in the parking spaces along sections of Elizabeth Street, College Street, Bigge Street, and Moore Street as part of the Smart Kerb Pilot.
- Item 13 Badgerys Creek Road, Badgerys Creek – Access to the metro station proposed roundabout.
- Approves the submitted detailed design and signage and linemarking plans of the proposed roundabout.
 - Council to enter an agreement with Sydney Metro for removal of this temporary roundabout once the construction work is complete. Alternative access is to be identified and established to access the Metro station and future Bradfield City Centre.
- Item 14 Ardennes Avenue, Edmondson Park - Request for Traffic Calming Devices.
- Approves installation of asphalt concrete speed humps in front of House No's 113-115 and between Darwin Road/Normandy Road.
- Item 15 Items Approved Under Delegated Authority.
- Approves the works approved under the delegated approval process.

REPORT

This report presents the recommendations of the Liverpool Pedestrian, Active Transport and Traffic Committee meeting held on 21 July 2021. At the meeting, the Committee considered fifteen (15) agenda items, three (3) technical discussion items and fifteen (15) general business items.

A copy of the meeting minutes, incorporating the Committee's recommendations on the agenda items is included in Attachment 1. It is recommended that Council adopts the Committee's recommendations on the agenda items as outlined above.

Three (3) technical discussion items and fifteen (15) general business items were considered, and the recommended actions are as follows:

Technical Discussion Items

TD1 - Kurrajong Road – Noise Impact of the Raided Threshold

The resident has been informed that due to COVID lockdown, noise assessments cannot be carried out at this stage. This item is deferred and to be discussed at the September 2021 or at a future meeting after completion of the requested noise assessment.

TD2 - Kingsford Smith Avenue - School Bus Route

Council will write to the two local bus companies that services the local area that the revised bus route is now via Kingsford Smith Avenue and Southern Cross Avenue. In addition, Thomas Hassall College is to be advised not to use the side streets off Kingsford Smith Avenue as a bus route.

TD3 - Lord Howe Drive – Request for Relocation of a Bus Stop

No representative of the local bus company was present at the meeting. A previous email from the local bus company representative indicated that if a shelter were to be installed, it would be non-compliant with the TfNSW bus stop layout requirements.

A design was sent through as guidance for when installing new stops and undertaking auditing. There is a requirement of 1.5m clear space around the bus stop. The bus stops in the area are already less than 400m apart. Locations can be assessed to move the bus stops.

The local resident has expressed concern about the proposed bus shelter and Council has received a petition objection to the installation. The Committee discussed and endorsed a position that, investigation be carried out to identify an alternate suitable location for the bus shelter to be installed.

General Business Items**GB1 - Second Avenue, West Hoxton – Proposed Road Extension.**

Clr Hagarty reported that he has received objections for the proposed extension. Hence, the Committee endorsed that the proposed extension is not to proceed.

GB2 - 5 McGirr Parade, Warwick Farm – Request for parking restriction signs.

This will be submitted under delegated authority.

GB3 - Graham Avenue, Casula - Request for traffic calming devices.

The Police reported that enforcement is regularly undertaken at this location, but an engineering solution would not be objected to. Council will investigate to determine whether an engineering solution is needed along the road. This will be reported to the November 2021 meeting.

GB4 - Wilson Road/Hinchinbrook Drive/Partridge Avenue, Hinchinbrook – Request for additional speed hump.

Investigations will be carried out and if additional speed humps are required, design layouts will be prepared and presented to the November 2021 meeting.

GB5 - Cressbrook Drive, Wattle Grove - Request for installation of a “No Stopping” zone.

Approval for the parking restriction will be sought under delegated authority.

GB6 - Fifteenth Avenue, Austral – Traffic movements.

Design investigation will be carried out and if required, presented to the Committee at the November 2021 meeting for further discussion.

GB7 - Dalmatia Avenue/Vinny Road, Edmondson Park - Request for traffic calming devices.

Design investigation will be carried out and if required, presented to the Committee at the November 2021 meeting for further discussion.

GB8 - Keato Avenue, Hammondville – Speeding.

The Committee endorsed a position that Police continue speed enforcement.

GB9 - Orange Grove, Warwick Farm – Speeding.

The Committee endorsed a position that the Police continue speed enforcement.

GB10 - Harraden Drive, West Hoxton - Request for traffic calming devices.

The Committee endorsed a position that the Police continue speed enforcement.

GB11 - Lethbridge Road, Austral – Request for installation of a speed hump.

The Committee endorsed a position that the Police continue speed enforcement.

GB12 - Ashcroft Avenue, Casula – Speeding.

The Committee endorsed a position that the Police continue speed enforcement.

GB13 - 238 and 240 Epsom Road, Chipping Norton - Request for Parking Restrictions.

The Committee endorsed a position that parking restrictions are not supported but Community Standards team should continue to enforce any illegal parking across the driveways and the driveways can be highlighted with transvers lines.

GB14 - Tulloch Close, Casula – 2P parking restriction.

Staff advised that since 4P was introduced at the nearby shopping centre, the medical centre at the corner approached Council and complained of increased parking in front of property and asked for parking restrictions in the street. It was found many residents do not support it.

Parking restrictions can be considered in front of house numbers 2 and 4 but not the entire street. The affected residents will be consulted for their feedback before any implementation.

GB15 – Cartwright Avenue and Willian Drive, Cartwright – Line marking roundabout

There are issues with the operation of the roundabout, with some motorists thinking there are two lanes.

The Police requested investigation to identify whether the linemarking needs to be changed to improve lane discipline at the roundabout.

Budget impact of matters arising from the minutes

Item	Description	Funding, Indicative Cost and Timing
1	Campbell Street, Liverpool – Proposed Raised Threshold	TfNSW Safer Roads Grant Funding Indicative Cost - \$160,000. Timing – May 2022.
2	88 Kurrajong Road, Prestons- Proposed Traffic Facilities and Signs and Line marking Scheme	Developer Indicative Cost – No cost to Council Timing – Dependent on the Developer construction timeline.
3	Fourteenth Avenue, Austral - Proposed Traffic Facilities and Signs and Line marking Scheme	Developer Indicative Cost – No cost to Council Timing – Dependent on the Developer construction timeline.
4	Moorebank East, Moorebank – Proposed Traffic Facilities and Signs and Line marking Scheme	Developer Indicative Cost – No cost to Council Timing – Dependent on the Developer construction timeline.
5	Flynn Avenue, Middleton Grange – Speed Concerns and Proposed Raised Threshold in front of Thomas Hassell College	Developer Indicative Cost – No cost to Council Timing – Dependent on the Developer construction timeline.
6	Flynn Avenue, Middleton Grange - Proposed Traffic Restrictions through the Western Sydney Parklands	Council's minor traffic facilities project Indicative Cost - \$10,000. Western Sydney Parklands to be requested to be contribute. Timing – December 2021.

7	Talana Hill Drive, Edmondson Park - Request for Raised Thresholds	Council's minor traffic facilities project Indicative Cost - \$30,000. Timing – March 2022.
8	Stanton Street, Liverpool - Request for AM and PM peak 'No Left Turn' and 'No Right Turn' restrictions at its intersection with Memorial Avenue and Flowerdale Road	Item deferred - No cost implication.
9	Manning Street, Warwick Farm – Proposed Traffic Calming Scheme	Council's minor traffic facilities project Indicative Cost - \$30,000. Timing – March 2022.
10	Barry Road, Chipping Norton – Proposed Pedestrian Refuge	Council's minor traffic facilities project Indicative Cost - \$30,000. Timing – June 2022.
11	Fifteenth Avenue, Austral – Proposed 'No Right Turn' restrictions at Craik Avenue intersection	TfNSW block grant funding Indicative Cost - \$3,000. Timing – October 2021.
12	Transport for NSW Digital Smart Kerb Pilot Scheme – Update and Second Street	Developer (TfNSW) Indicative Cost – No cost to Council Timing – Dependent on TfNSW implementation timeline.
13	Badgerys Creek Road, Badgerys Creek – Access to the metro station proposed roundabout	Developer (Sydney Metro) Indicative Cost – No cost to Council Timing – Dependent on the Sydney Metro construction timeline.
14	Ardennes Avenue, Edmondson Park - Request for Traffic Calming Devices	Council's minor traffic facilities project Indicative Cost - \$30,000. Timing – June 2022.
15	Items Approved Under Delegated Authority	TfNSW block grant funding Indicative Cost - \$10,000. Timing – August 2021.

CONSIDERATIONS

Economic	Provide efficient parking for the City Centre. Deliver a high-quality local road system including provision and maintenance of infrastructure and management of traffic issues.
Environment	Promote an integrated and user-friendly public transport service. Support the delivery of a range of transport options.
Social	Support access and services for people with a disability. Improve road and pedestrian safety.

Civic Leadership	Actively advocate for federal and state government support, funding and services.
Legislative	Roads Act.
Risk	The risk is considered Low. The risk is considered within Council's risk appetite.

ATTACHMENTS

1. Liverpool Pedestrian Active Transport and Traffic Committee Meeting Minutes - 21 July 2021 (Under Separate Cover)

CTTE 03

**Minutes of the Civic Advisory Committee
meeting held on 3 August 2021**

Strategic Direction	Leading through Collaboration Strive for best practice in all Council processes
File Ref	253720.2021
Report By	George Georgakis - Manager Council and Executive Services
Approved By	George Hampouris - Acting Director Corporate Services

EXECUTIVE SUMMARY

This report is tabled in order to present the Minutes of the Civic Advisory Committee Meeting held on 3 August 2021.

RECOMMENDATION

That Council receives and notes the Minutes of the Civic Advisory Committee meeting held on 3 August 2021.

REPORT

The Minutes of the Civic Advisory Committee meeting held on 3 August 2021 are attached for the information of Council.

The minutes contain the following Committee recommendation:

- That Council investigate potential heritage buildings of significance due to new developments occurring in the Austral area.

The meeting also considered the nominations and made recommendations for people to receive the Order of Liverpool Awards for 2021. As this information contains personal information, that part of the minutes has been included in a separate report in the Confidential Section of the meeting agenda.

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	Encourage the community to engage in Council initiatives and actions. Provide information about Council's services, roles and decision making processes. Deliver services that are customer focused. Operate a well developed governance system that demonstrates accountability, transparency and ethical conduct.
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. Civic Advisory Committee Minutes from 3 August 2021 - Excluding Item 4



This meeting was recorded for minute taking purposes
This meeting occurred on MS Teams

MINUTES FROM CIVIC ADVISORY COMMITTEE MEETING

3 August 2021

COUNCILLORS:

Mazhar Hadid
Geoff Shelton
Karress Rhodes

Deputy Mayor (**Chairperson**)

COMMITTEE MEMBERS:

Ellie Robertson
June Young
Stephen Dobell-Brown
Margaret Favelle
Daniel Hunnisett

Community Member
Community Member
Former Councillor
Rotary International
Holsworthy Army Barracks (Defence)

COUNCIL ATTENDEES:

Clare Cochrane
Thomas Wheeler
Scott Sidhom
Alyson Infanti
George Georgakis
Rose Koch

Public Arts Officer
Heritage Officer
Coordinator City Design & Public Domain
Civic & Citizenship Coordinator
Manager Council & Executive Services
Committees Officer (**Minutes**)

APOLOGIES:

Wendy Waller
Collin Harrington

Mayor
Former Mayor



OPEN

Meeting opened at 10:33 am.

1. WELCOME, ATTENDANCE AND APOLOGIES

Deputy Mayor Hadid opened the meeting and welcomed the committee. Apologies were acknowledged.

2. DECLARATIONS OF INTEREST

Later in the meeting, Cllr Rhodes declared a non-pecuniary interest for item 4 – Order of Liverpool Awards on account of being personally acquainted with numerous nominees. Cllr Rhodes left the virtual room during discussion of this item.

3. UPDATES FROM RESOLUTIONS OF PREVIOUS MEETING

3.1 ANZAC Public Art Memorial Project

The Public Arts Officer reported that Council had been working with representatives of the Education Centre project to be built near Casula Powerhouse Arts Centre (CPAC). The memorial will form part of the landscape at the location. Council's City Design & Public Domain team is collaborating with the Infrastructure and Environment team, and the artist, for installation of the sculpture. A development application is necessary for the sculpture to be installed. Due to the COVID19 outbreak, delays will be made to receive grant funding.

Queries & Discussion

- i. Stephen Dobell-Brown queried whether approval was obtained from the Office of Craig Kelly MP for the installation of the sculpture. The location of the sculpture on the site was also questioned.

Public Arts Officer advised that this was addressed and documented. Installation can now proceed.

The sculpture will be visible along Powerhouse Road, subject to how the landscape will be managed at the site. It will also be visible from the railway line.

3.2 Demolition of Heritage Building – 170 Edmondson Ave, Austral

The Heritage Officer reported that this property was identified when pre planning was undertaken for Austral. The building had been substantially modified; therefore, the heritage significant values were not listed. Upon demolition, this was not a listed heritage property. The listing in question applies to the property at close vicinity which is physically similar.

Queries & Discussion

- i. Mr Dobell-Brown expressed concerns of heritage items that are potentially missed and queried whether similar occurrences may perpetuate in Austral.

Heritage Officer advised that Austral is bound under the State Environmental Planning Policy (SEPP), therefore Council can propose amendments, however it is the task of Department of Planning, Industry & Environment (DPIE) to support the amendments. The potential of missed buildings for consideration is likely.



Provided that dwellings of significance are identified through a consultation process, Austral can be included in Council's heritage study.

Motion: This Committee recommends that Council investigate potential heritage buildings of significance due to new developments occurring in the Austral area.

Moved: Stephen Dobell-Brown

Seconded: Ellie Robertson

On being put to the meeting, the motion was declared carried.

4. ORDER OF LIVERPOOL AWARDS

Note:

As this part of the minutes contains personal information regarding recommended recipients to receive an Order of Liverpool Award, it has been excluded from these minutes. A separate report is on the Agenda for the 25 August 2021 Council meeting under confidential cover regarding the Order of Liverpool Awards, which contains this section of the minutes.

5. GENERAL BUSINESS

5.1 Order of Liverpool Celebration

Civic & Citizenship Coordinator reported that the 2020 Order of Liverpool Award celebration had 6500 online attendees.

CPAC has been booked for the 2021 celebration, however this option is subject to the public health order. The Committee will be advised on the outcome.

The meeting closed at 11:08am.

QWN 01	Question with Notice - Cllr Rhodes - Provision of “Off the Leash Dog Parks” throughout the Liverpool LGA
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Strategic Direction	Strengthening and Protecting our Environment Develop, and advocate for, plans that support safe and friendly communities
File Ref	241481.2021

QUESTION WITH NOTICE

Can Council explain what process does Liverpool Council use when determining:

- Where “off the leash dog parks” are situated throughout the Liverpool LGA?
- How many “off the leash Dog Parks” should be provided in Liverpool LGA?

Response

Provision of off-leash dog parks are a legislative requirement. The Local Government Act 1993 requires all local councils to provide at least one off-leash dog area and promote such facilities to the owners of companion animals.

In meeting this requirement of the Act, Council’s Recreation, Open Space and Sports Strategy (ROSS Strategy) includes a section regarding off-leash dog areas which guides the planning and provision of off-leash dog parks.

Off-leash areas bring many benefits to dogs and owners including:

- Reduced nuisance dog behaviour;
- Socialisation of dogs;
- Healthier and friendlier dogs;
- Increased chance of owner exercise and social connection, both spontaneous and planned; and
- Connection with nature for both dogs and owners.

The ROSS Strategy outlines the equitable provision of dog-friendly areas throughout the LGA and that they should be located in areas with easy access, including areas of high need, including Liverpool CBD where there is a rise in high density and apartment living. Therefore, designated spaces for companion animals to exercise and socialise have become increasingly important.

The planning, design and delivery of off-leash dog parks is identified as key action of the ROSS Strategy Action Plan. The strategy recommends planning and provision of:

- One large fenced off-leash area in each of Liverpool District areas; and
- At least one off-leash area in every suburb (subject to site availability).

Council's current off-leash dog parks are fenced. In areas such as reserves and parklands with low vehicle and pedestrian access, unfenced off-leash areas can be designed. All dog parks are designed to include and make available supporting facilities like dog bowls, water refill stations, disposal bags and bins, and signage outlining owners' responsibilities. These supporting facilities will be necessary in both fenced and unfenced designated off-leash areas.

Council currently provides off-leash dog areas at the following locations:

1. Lieutenant Cantello Reserve, Hammondville
2. Casula Parklands, Casula
3. Macleod Park, Prestons
4. Miller Park, Miller
5. Hoxton Park Reserve, Hoxton Park
6. Cirillo Reserve, Middleton Grange
7. Shale Hills Dog park, West Hoxton (within Western Sydney Parklands)

In addition, the provision of off-leash dog areas is being considered as part of the planning and design of the following parks:

1. Basin 14-open space, Edmondson Park - Off leash dog park included within the basin design and will be delivered as part of the project.
2. The Homestead Park, Chipping Norton - Future off-leash area is being investigated through Georges River Parklands and Chipping Norton Lakes Spatial Framework.

Council will continue to assess the demand for provision of off-leash dog parks across the Liverpool LGA.

ATTACHMENTS

Nil

QWN 02	Question with Notice - Cllr Rhodes - Council submission on Moorebank Intermodal State Significant Development
Strategic Direction	Strengthening and Protecting our Environment Exercise planning controls to create high-quality, inclusive urban environments
File Ref	241484.2021

QUESTION WITH NOTICE

Can Council answer the following:

1. Did Liverpool Council submit an objection to NSW Government Planning – Major Projects – Project SSD-10431.
2. Can Council confirm if they received a Notice of Determination of Application Moorebank Intermodal Precinct West - Stage 3 (SSD-10431), from the Department of Planning Industry and Environment that they would have received on or around 18 June 2021, like the other Objectors within our community?
3. Can Council provide a copy of the letter if received, to all Councillors?
4. Can Council confirm that as an Objector; as is listed on the DPIE major projects portal; that Liverpool City Council has until August 13th [56 days from June 18th] to exercise its right as an Objector as per s8.8 and s8.10 of **the Act** (Environmental Planning and Assessment Act 1979 No 203)?

Response

1. **Did Liverpool Council submit an objection to NSW Government Planning – Major Projects – Project SSD-10431**

Yes. Please refer to Attachment 1 for a copy of Council's submission.

2. **Can Council confirm if they received a Notice of Determination of Application Moorebank Intermodal Precinct West - Stage 3 (SSD-10431), from the Department of Planning Industry and Environment that they would have received on or around 18 June 2021, like the other Objectors within our community?**

Yes. Please refer to Attachment 2 for a copy of the Notice of Determination.

3. Can Council provide a copy of the letter if received, to all Councillors?

Please refer to Attachment 2 for a copy of the Notice of Determination.

4. Can Council confirm that as an Objector; as is listed on the DPIE major projects portal; that Liverpool City Council has until August 13th [56 days from June 18th] to exercise its right as an Objector as per s8.8 and s8.10 of the Act (Environmental Planning and Assessment Act 1979 No 203)?

Yes, Council had until 13 August 2021 to exercise its rights as an objector. Council had not resolved to appeal the decision before that date.

ATTACHMENTS

1. Council submission
2. Notice of Determination



Our Ref: SSD1-8/2020
 Contact: Luke Oste
 Ph: (02) 8711 7886
 Date: 1 June 2020

Department of Planning, Industry and Environment
 Locked Bag 5022
PARRAMATTA NSW 2124

Sent by email: nathan.heath@planning.nsw.gov.au

**Re: Moorebank Precinct West Stage 3 (SSD-10431) – Liverpool City Council
 Objection**

Dear Mr Heath,

Liverpool City Council was invited to comment on the Moorebank Intermodal West Stage 3 (MPW Stage 3) State Significant Development Application (SSD-10431). It is noted that Council previously submitted advice regarding the request for Secretary's Environmental Assessment Requirements (SEARs). That advice is attached for your information and forms part of this submission.

The proposed development comprises the following components:

- Establishment of a construction compound in the southern portion of the MPW site to facilitate site development works for MPW Stage 2 and 3 and future stages of the MPW development;
- Progressive subdivision of the MPW site into nine (9) allotments; and
- Ancillary works including access roads, earthworks, utilities installation/connection, stormwater and drainage infrastructure, signage and landscaping.

Council objects to this development application, particularly the proposed subdivision and resulting non-compliance with Clause 4.1 of the Liverpool Local Environmental Plan 2008.

Proposed Subdivision

The MPW Stage 3 proposal includes the progressive subdivision of the site into nine (9) allotments. This proposed subdivision will result in a significant non-compliance with Clause 4.1 of the Liverpool Local Environmental Plan 2008 (LEP) in the order of 11,987.72%, or a 107.72ha shortfall in the minimum required lot size. It is noted that Council provided a detailed response on the applicant's request for SEARs detailing concerns regarding this contravention of the development standard.

Council has the following concerns with the application and the Clause 4.6 Variation Request:

- Objective 1(c) in Clause 4.1 Minimum subdivision lot size seeks to prevent fragmentation of land which would prevent the achievement of the extent of development and nature of uses envisaged for particular locations. The existing



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MPW Stage 3 – LCC Submission

- 2 -

120ha minimum lot size control was established when the site was rezoned for an intermodal development in order that a holistic approach is undertaken for the construction, operation and management of an intermodal across the entire precinct. The rezoning of the site was not intended to facilitate development of an industrial estate, rather an intermodal development

- The application states that the lot layout design will be “characteristic of similar nearby industrial areas. As stated above, the intermodal development is not an industrial park or estate but instead a holistic intermodal freight terminal.
- The applicant’s response/justification to Clause 4.6(1b) states the following:

“Should the development proceed without subdivision, as per the SSD 10431 application, it will create a development that requires management and operation that is consistent with the MPE site, which would have adverse outcomes on the performance of the precinct as a whole.”

Council notes that MPW should be managed and operated consistently in a similar manner to the MPE site, and that compliance with the minimum lot size control would improve the operation and management of the precinct as a whole.

- The applicant’s response/justification to Clause 4.6(3a) states that “*exception to the existing development standard would facilitate subdivision of the MPW site as envisaged and approved*”. This directly contravenes Condition E26(a) of the Concept Approval SSD 5066 MOD 1.
- The applicant’s response/justification to Clause 4.6(5b) states that “*there is no public benefit to maintaining the development standard, thereby prohibiting subdivision of the MPW site, in this case.*” Council reiterates its concern that the proposed contravention of the minimum lot size will compromise the coordinated and holistic operation and management of MPW.

Traffic Comments

The construction of the compound and subdivision is not expected to generate significant traffic movements. However, the importation of fill would require haulage vehicles on the local road network. Appropriate construction traffic management will be required.

In addition, Council has objected to the Moorebank terminals development for a number of reasons, including traffic and transport impacts on the road network in the Liverpool Local Government Area and has consistently requested that improvement works should be carried out to minimise these impacts.

A Voluntary Planning Agreement (VPA) has been signed with Transport for NSW (TfNSW) for a contribution to be paid for improvement works on the arterial road network. A contribution scheme for improvements on the local road network has so far not been adequately addressed and needs to be raised again.

If despite Council’s objection, this application is approved, traffic related conditions have been included in Appendix A.

*MPW Stage 3 – LCC Submission**- 3 -*

Engineering

LCC notes that many of the engineering comments provided for the various MPW applications have not been adequately addressed. For MPW Stage 3, general engineering advice is provided at Appendix B.

Should you require additional information on this matter, please contact Luke Oste, Executive Planner on 8711 7886 or oste@liverpool.nsw.gov.au.

Yours sincerely



David Smith

Manager Planning and Transport Strategy

Appendix A – Traffic Conditions

Prior to Issue of Construction Certificate

1. As the Moorebank and Anzac Road intersection will be used during construction and provide access to the proposed subdivided lots, detailed design of Moorebank Avenue / Anzac Road and proposed new access road intersection upgrade and associated intersection performance analysis and turning path shall be submitted to Council and TfNSW for approval.
2. Detailed design information indicating the layout of the proposed car parking areas associated with the subject development (including, driveways, grades, turn paths, sight distance requirements in relation to landscaping and/or fencing, aisle widths, aisle lengths, and parking bay dimensions) should be in accordance with AS 2890.1- 2004, A52890.6-2009 and AS 2890.2 — 2002 for heavy vehicle usage.
3. A Construction Traffic Management Plan (CTMP) prepared by a qualified traffic and transport practitioner detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted to Council for approval prior to the issue of a Construction Certificate.
4. A community communication strategy must be prepared in accordance with Condition A31 of Development Consent (SSD 7709) and submitted to Council for comment.

Prior to works commencing

Road Occupancy with Traffic Control Plan

5. Prior to commencement of any works within the public road reservation, a Road Occupancy (ROC) is to be submitted to Council's Traffic and Transport Section or Transport Management Centre (TMC) for any works within the public road reserve.
6. The ROC or Road Occupancy Licence (ROL) is to include a Traffic Control Plan including details for vehicular and pedestrian movements, shall be prepared in accordance with AS1742.3 "Traffic Control Devices for Works on Roads" and the Roads and Maritime Services publication "Traffic Control at Worksites" and certified by an appropriately accredited Roads and Maritime Services Traffic Controller, and submitted to Council and the PCA for approval.

Traffic control measures shall be implemented during the construction phase of the development in accordance with the certified plan. A copy of the plan shall be available on site at all times.

Note: A copy of the Traffic Control Plan shall accompany the Notice of Commencement to Liverpool City Council.

During Construction

Hours of Construction Work and Deliveries

7. Construction work/civil work/demolition work, including the delivery of materials, is only permitted on the site between the hours of 7:00am to 6:00pm Monday to Friday, 8:00am to 1:00pm Saturday. No work will be permitted on Sundays or Public Holidays, unless otherwise approved by Council.
8. All haulage routes for construction vehicles shall be via Moorebank Avenue and the M5 Motorway.

MPW Stage 3 – LCC Submission (Appendix A)

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9. The proponent should consult Council for any activity that might impact on traffic flows along Moorebank Avenue.
10. The existing construction access road on Lot 8 via the intersection of Moorebank Avenue and Chatham Avenue shall be maintained until such a time when the upgrade of Moorebank Avenue and Anzac Road intersection and the north-south access road is completed.

Traffic Management

11. All works within the road reserve are to be at the applicant's cost and all signage is to be in accordance with the RMS Traffic Control at Worksites Manual and the RMS Delineation Guideline.

If a works zone is required, an application must be made to Council's Traffic and Transport Section. The application is to indicate the exact location required and the applicable fee is to be included. If parking restrictions are in place, an application to have the restrictions moved, will need to be made.

Notice must be given to Council's Traffic and Transport Section of any interruption to pedestrian or vehicular traffic within the road reserve, caused by the construction of this development. A Traffic Control Plan, prepared by an accredited practitioner must be submitted for approval, 48 hours prior to implementation. This includes temporary closures for delivery of materials, concrete pours etc.

12. Applications must be made to Council's Traffic and Transport Section for any road closures. The applicant is to include a Traffic Control Plan, prepared by a suitably qualified person, which is to include the date and times of closures and any other relevant information.

Prior to the issue of any Subdivision Certificate

13. The Applicant must prepare a specific Workplace Travel Plan (WTP) and submit it to Council for comment. The Workplace Travel Plan must be developed in consultation with TfNSW and Council, which outlines measures and facilities to promote the use of public and active transport modes.

The plan must:

- a) Be prepared by a suitably qualified traffic consultant in consultation with Transport for NSW (TfNSW) and Council;
 - b) Include specific actions and incentives, such as car pool, shuttle bus service and provision of cycling and pedestrian facilities, to increase use of public and active transport modes;
 - c) include measures to promote and support the implementation of the plan, including financial and human resource requirements, roles and responsibilities for relevant employees involved in the implementation of the WTP; and
 - d) include details regarding the methodology and monitoring / review program to measure the effectiveness of the objectives and mode share targets of the WTP, including the frequency of monitoring and the requirement for travel surveys to identify travel behaviours of users.
14. All approved road works are to be completed to the satisfaction the Principal Certifying Authority (PCA).

Conditions Relating to Use

15. The warehousing and distribution facilities must only be used for activities associated with freight using either the MPE or MPW rail intermodal terminal.

MPW Stage 3 – LCC Submission (Appendix A)

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16. Travel surveys and an evaluation report for the implementation of Work Travel Plan should be submitted to Council one year after the operation of the proposed warehousing facilities.

Appendix B – Engineering Comments

1. All retaining walls shall be of masonry construction and must be wholly within the property boundary, including footings and agricultural drainage lines. Construction of retaining walls or associated drainage works along common boundaries shall not compromise the structural integrity of any existing structures.

Where a retaining wall exceeds 600mm in height, the wall shall be designed by a practicing structural engineer and a construction certificate must be obtained prior to commencement of works on the retaining wall.

2. Prior to the issue of a Construction Certificate for subdivision works, detailed engineering plans for the subdivision works shall be submitted to the Principal Certifying Authority for approval. Engineering plans shall be designed in accordance with Liverpool City Council's Design Guidelines and Construction Specification for Civil Works, Austroad Guidelines and best engineering practice.

The subdivision works may include but are not limited to the following:

- Public and private roads
- Stormwater drainage including water quantity and quality treatment measures
- Interallotment drainage
- Private access driveways
- Sediment and erosion control measures
- Overland flow paths
- Flood control measures
- Traffic facilities including roundabouts, intersection treatments, car parks, bus stops, cycleways, pathways etc.
- Earthworks
- Bridges, culverts, retaining walls and other structures
- Landscaping and embellishment works
- All works required for conversion of the proposed sediment basin to a bio retention function
- All works required for the decommissioning temporary OSD systems including pipe removal, basin filling and works to existing pit structures if required

The Construction Certificate must be supported by engineering plans, calculations, specifications and any certification relied upon.

3. Prior to the issue of a Construction Certificate the Certifying Authority shall ensure that details of a stormwater pre-treatment system have been provided on the stormwater plans and that the design meets pollutant retention criteria in accordance Council's Development Control Plan.

The Construction Certificate must be supported by:

- Specification & installation details of the stormwater pre-treatment system
- The approval of an operation and maintenance manual/ schedule for the stormwater pre-treatment system

A copy of the approved operation and maintenance manual/ schedule shall be submitted to Liverpool City Council with notification of the Construction Certificate issue.

MPW Stage 3 – LCC Submission (Appendix B)

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4. Prior to commencement of works sediment and erosion control measures shall be installed in accordance with the approved Construction Certificate and to ensure compliance with the Protection of the Environment Operations Act 1997 and Landcom's publication "Managing Urban Stormwater – Soils and Construction (2004)" – also known as "The Blue Book".

The erosion and sediment control measures shall remain in place and be maintained until all disturbed areas have been rehabilitated and stabilised.

5. All earthworks shall be undertaken in accordance with AS3798 and Liverpool City Council's Design Guidelines and Construction Specification for Civil Works.

The level of testing shall be determined by the Geotechnical Testing Authority/ Superintendent in consultation with the Principal Certifying Authority.

6. Prior to the issue of a Subdivision Certificate or an Occupation Certificate (*whichever comes first*) the Principal Certifying Authority shall ensure that the:

- a) On-site detention system/s
- b) Stormwater pre-treatment system/s
- c) Flood control works
 - Have been satisfactorily completed in accordance with the approved Construction Certificate and the requirements of this consent.
 - Have met the design intent with regard to any construction variations to the approved design.
 - Any remedial works required to be undertaken have been satisfactorily completed.

Details of the approved and constructed system/s shall be provided as part of the Works-As-Executed drawings.

7. Prior to the issue of a Subdivision Certificate or an Occupation Certificate (*whichever comes first*) a restriction as to user and positive covenant relating to the:

- a) On-site detention system/s
- b) Stormwater pre-treatment system/s
- c) Flood control works

Shall be registered on the title of the property. The restriction as to user and positive covenant shall be in Liverpool City Council's standard wording as detailed in Liverpool City Council's Design and Construction Guidelines and Construction Specification for Civil Works.

8. Prior to the issue of a Subdivision Certificate the following compliance documentation shall be submitted to the Principal Certifying Authority. A copy of the following documentation shall be provided to Council where Council is not the Principal Certifying Authority:

- a) Work as Executed (WAE) drawings of all civil works. The WAE drawings shall be marked in red on copies of the stamped Construction Certificate drawings signed, certified and dated by a registered surveyor or the design engineer. The Work as Executed drawings shall be prepared in accordance with Council's Design Guidelines. Electronic copies of the WAE shall be provided in DWG format and PDF format to Council along with two hard copies of the WAE plans.
- b) The WAE drawings shall clearly indicate the 1% Annual Exceedance Probability flood lines (local and mainstream flooding).

MPW Stage 3 – LCC Submission (Appendix B)

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- c) The WAE drawings shall be accompanied by plans indicating the depth of fill for the entire development site. The plans must show, by various shadings or cross hatchings, the depth of any fill within 0.3m depth ranges.
 - d) CCTV footage in DVD format to Council's requirements and a report in "SEWRAT" format for all drainage within future public roads and public land. Inspections are to be carried out in accordance with the Conduit Inspection Reporting Code of Australia WSA 05-2006. Any damage that is identified is to be rectified in consultation with Liverpool City Council.
 - e) Surveyor's Certificate certifying that all pipes and services are located wholly within the property or within appropriate easements and that no services encroach boundaries.
 - f) Documentation for all road pavement materials used demonstrating compliance with Council Design Guidelines and Construction Specification.
 - g) A Geotechnical Report certifying that all earthworks and road formation have been completed in accordance with AS3798 and Council's Design Guidelines and Construction specifications. The report shall include:
 - Compaction reports for road pavement construction
 - Compaction reports for bulk earthworks and lot regrading.
 - Statement of Compliance
 - h) Structural Engineer's construction certification of all structures.
9. In order to enable a Subdivision Certificate to be issued for submission to the LPI Service, the applicant is required to lodge a separate application along with one (1) original and ten (10) copies of the proposed plan of subdivision and one (1) original and two (2) copies of the proposed 88b instrument if required.
10. The applicant shall pay the standard fee for purpose of subdivision certificate administration of plan checking and release.
- 11.
- a) Written evidence of suitable arrangements with Sydney Water (Section 73 Compliance Certificate) for the supply of water and sewerage services to the development is to be submitted to the PCA prior to the issue of a Subdivision Certificate.
- Council will not issue a Subdivision Certificate unless the method of sewerage disposal is by gravity reticulation mains to either Sydney Water branch and trunk sewers or Sydney Water point of treatment.
- b) Notification of arrangement for the development from Endeavour Energy shall be submitted to Council.
 - c) Compliance Certificate for the development from an approved local telecommunications carrier shall be submitted to Council.
12. Care shall be taken by the applicant and the applicant's agents to prevent any damage to adjoining properties. The applicant or applicant's agents may be liable to pay compensation to any adjoining owner if, due to construction works, damage is caused to such an adjoining property.



Our Ref: SSD1-4/2020
Contact: Luke Oste
Ph: 8711 7886
Date: 18 March 2020

Department of Planning, Industry and Environment
Locked Bag 5022
PARRAMATTA NSW 2124

Sent by email: nathan.heath@planning.nsw.gov.au

Re: Moorebank Precinct West Stage 3 – Liverpool City Council Advice on SEAR's

Dear Mr Heath,

Liverpool City Council (Council) has received a request to provide advice on a recently lodged State Significant Development (SSD-10431). The Department of Planning, Industry and Environment (DPIE) has received a request for Secretary's Environmental Assessment Requirements (SEARs) for the Moorebank Intermodal Precinct West (MPW) - Stage 3. The proposed development is a State Significant Development under the Environmental Planning and Assessment Act 1979.

The proposed development comprises the following components:

- Establishment of a construction compound in the southern portion of the MPW site to facilitate site development works for MPW Stage 2 and 3 and future stages of the MPW development;
- Progressive subdivision of the MPW site into nine (9) allotments; and
- Ancillary works including access roads, earthworks, utilities installation/connection, stormwater and drainage infrastructure, signage and landscaping.

Subdivision

The proposed Moorebank Precinct West Stage 3 includes intentions that the proposal site would be progressively subdivided as part of this application into nine (9) new allotments. A plan of the proposed subdivision lot layout is provided in the extract provided in Figure 1 below. Table 4-2 within the Environmental Impact Statement Scoping Report (the Report) provides details regarding the proposed lot sizes and



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MPW Stage 3 SEAR's Request – LCC Advice

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descriptions.

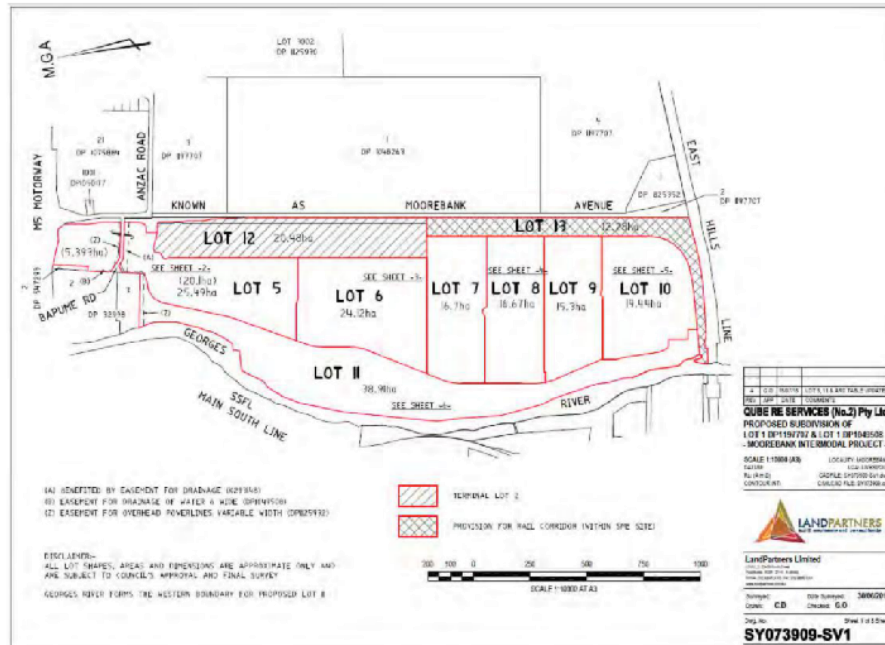


Figure 1 - Proposed Subdivision Plan MPW Stage 3

The Liverpool Local Environmental Plan 2008 (LEP) requires a minimum lot size of 120 ha across the MPW site under Clause 4.1 minimum subdivision lot size. It is noted that within the Report, attention is drawn to Section 4.38(3) of the EP&A Act which states the following:

3) Development consent may be granted despite the development being partly prohibited by an environmental planning instrument.

It is acknowledged that a partly prohibited development may be granted consent. The relevance of this clause to this matter is questionable however, given that the Clause 4.1 within the Liverpool LEP is a development standard and not a prohibition.

Nonetheless, the proposed subdivision will result in a contravention of a development standard in the order of 11,987.72%, or a 107.72ha shortfall in lot size. This is an enormous variation to the existing development standard, and Council does not see this as a partial non-compliance.

Council and the community have previously raised concerns regarding the possibility of sites being sold off within the broader Moorebank Intermodal development. Furthermore, DPIE have raised concerns that have been acknowledged by the IPC regarding the management and maintenance for the entire precinct. Consequently, Condition E26a) was put in place for the Concept Approval SSD 5066 MOD 1 which states:

*Subdivision**E26. Any future Development Application for subdivision must:*

- a) demonstrate compliance with the minimum lot size specified in the Liverpool Local Environmental Plan;*
- b) demonstrate compliance with Condition 15 of this consent;*
- c) include a subdivision plan showing completed estate works including but not limited to site services, internal roads, maintenance access roads, pedestrian paths, landscaping, lighting of common areas, provision for emergency services including for firefighting, onsite detention basins and stormwater treatment systems;*
- d) include a detailed management and maintenance program for estate infrastructure; and*
- e) nominate a single entity responsible for implementation of the management and maintenance program.*

Given the points and concerns outlined, Council is not supportive of the proposed subdivision included within the Moorebank Precinct West Stage 3 application. If such a lot configuration is to be pursued, this would ordinarily be considered through a planning proposal to ensure such a variation to a development standard has site and strategic merit. This planning proposal should include an Economic Impact Statement that identifies the potential ramification such a proposal would have on surrounding industrial land within Liverpool.

Council requests that a concurrent planning proposal be lodged to ensure an appropriate assessment of the potential impacts is undertaken with regard to the proposed subdivision of the MPW development site.

Holistic Approach

Within the Report, the following is outlined regarding the submission of an SSD for MPW Stage 3:

"Where additional environmental impacts are identified, the previous assessment will be reviewed and updates to the technical specialist reports completed. It is anticipated that the following key issues may require further review to support the Proposal and EIS:

- Traffic and Transport;*
- Noise and Vibration;*
- Visual Amenity, Urban Design and Landscaping; and*
- An update to stormwater plans.*

The EIS for the Proposal will provide a review of other general environmental issues that are deemed relevant."

Council has consistently stressed the need for a holistic investigation approach to be undertaken with regard to the potential impacts caused by the combined development

*MPW Stage 3 SEAR's Request – LCC Advice**- 4 -*

proposals across MPE and MPW. Council and its community have consistently raised significant concerns about the scale of impacts associated with the project. The consideration of cumulative impacts must be undertaken to gain a clear understanding of the potential impacts of both projects on the Liverpool community and Council assets. Therefore, with regard to new and updated technical specialist reports, Council stresses the need for cumulative impacts to be assessed, and holistic mitigation measures to be employed.

Pedestrian Access

Council has previously outlined concerns regarding access to the site, and sought pedestrian access from Casula Train Station. A pedestrian and cycling bridge that links MPW and MPE to the Casula Train Station and existing Georges River cycling path would provide significant amenity to future workers within the Moorebank Intermodal development, visitors to the area and surrounding residents. Council is eager for this to facilitate active transport opportunities, as well as improve access to the amenity of the Georges River.

If you have any further enquiries in relation to the above, please contact Luke Oste, Acting Executive Planner on 8711 7886.

Regards,

**David Smith**

Acting Director City Economy & Growth



Planning,
Industry &
Environment

18 June 2021

Mr Christopher Jattan
Liverpool City Council

EMAIL: jattanc@liverpool.nsw.gov.au

Dear Mr Jattan

**Notice of Determination of Application
Moorebank Intermodal Precinct West - Stage 3 (SSD-10431)**

I am writing to inform you, for the purposes of section 4.18 of the *Environmental Planning and Assessment Act 1979* (the **Act**), that consent to the above State Significant Development application (SSD-10431) was granted subject to conditions on 11 May 2021 by the Independent Planning Commission (the **Commission**), as delegate of the Minister for Planning and Public Spaces under Part 4 of the Act.

The development consent is subject to conditions, which are available on the Department's website at: <https://www.planningportal.nsw.gov.au/major-projects/project/27156>. The Departments' Assessment Report, endorsed plans and the Commission's Statement of Reasons for Decision are also found on the website at the link above.

The consent operates from 13 May 2021. The consent lapses on 13 May 2026 unless the development has physically commenced (in the case of development consent for the erection of a building, subdivision of land or the carrying out of a work) or if the use of land, building or work is actually commenced before that date.

The Independent Planning Commission has not conducted a public hearing in respect of the application.

Reviews and appeals

Certain appeal and review rights are available to applicants and objectors following determination of a development application.

The Applicant does not have the right to request a review of the determination under section 8.3 of the Act.

If the Applicant is dissatisfied with the determination of the application, the Applicant has the right, under section 8.7 of the Act, to appeal to the Land and Environment Court within 12 months after the date on which the decision appealed against was notified or registered in the NSW planning portal.

If you are an objector to the application, you may, within 56 days after the date on which the notice of the determination of the application is given, appeal to the Land and Environment Court under section 8.8 of the Act.

The Department appreciates your input and thanks you for your participation. The Department's Compliance Team will become responsible for the enforcement of conditions of development consent once works commence.

Your contact officer Nathan Heath can be contacted on (02) 8289 6617 or nathan.heath@planning.nsw.gov.au. Please mark all correspondence regarding the proposal to their attention.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Jake Shackleton'.

Jake Shackleton
Director – Infrastructure Management

As nominee of the Planning Secretary

QWN 03	Question with Notice - Cllr Rhodes - Legal Reports and Records
Strategic Direction	Leading through Collaboration Strive for best practice in all Council processes
File Ref	241489.2021

QUESTION WITH NOTICE

Does Council:

1. Make available on the Councillor intranet, Liverpool Council's legal reports of all legal engagements on an Annual Basis listed first under:
 - a) The years of a Council elected term, and also;
 - b) Year that the Council engagement was first initiated, e.g.: 2016 – 2021/ 2016 – 2017 etc

That can be accessed by Councillors at any time, and also provide the use of a historic record for the transition of different elected members onto Council per term?

2. Would it be possible for all past legal report records to be filed and made available in a similar fashion on the Councillor intranet for Councillors referral?

Response

1. **Make available on the Councillor intranet, Liverpool Council's Legal reports of all legal engagements on an Annual Basis listed first under:**
 - a) The years of a Council elected term, and also**
 - b) Year that the Council engagement was first initiated, e.g.: 2016 – 2021/ 2016 – 2017 etc**

Past Legal Affairs Reports are already available on the Councillor Intranet page, under the archive tab. Further to this, legal proceedings are also reported in Councils Annual Report.

If a separate tab is being sought for the reports to be held under, this may be able to be arranged, to allow for easier access.

If the request is for the reports to be re-formatted as above, such as in year of commencement, this is not possible, not only due to the intensive resources that would be required, but matters also commence and cease and commence again throughout the years.

- 2. Would it be possible for all past legal report records to be filed and made available in a similar fashion on the Councillor intranet for Councillor's referral?**

As previously stated in the answer above to question 1, Legal Affairs Reports can already be accessed through the archive tab on the Councillor Intranet page. It may be possible for a separate tab to be placed on the intranet page for these reports, to allow for ease of access.

ATTACHMENTS

Nil

QWN 04	Question with Notice - Cllr Harle - Shopping Trolleys, Parkbridge Estate Road Extension, Solar Energy, and Staff Changes
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Strategic Direction	Leading through Collaboration Strive for best practice in all Council processes
File Ref	263293.2021

QUESTION WITH NOTICE

Please address the following:

1. In relation to shopping trolleys,
 - a) What progress, if any, has been made on the issue of abandoned shopping trolleys with the State Government?
 - b) How is Council policing shopping trolley owners to take all necessary steps to ensure their shopping trolleys remain within their designated areas?
 - c) What action is Council taking if the owners are not complying?
 - d) With the new shopping centres such as Edmondson Park, has there been any significant change in the number of abandoned shopping trolleys compared to older areas?
2. With reference to the Parkbridge Estate road extension under the M7, when is it likely that this connection will be undertaken and a possible completion date?
3. Does Council have a policy encouraging solar energy is retrofitted to Community buildings as part of their refurbishment when and if it falls due?
 - a) Examples?
4. Can Council provide a regular update of relevant staff changes that Councillors may have access to?

A response to these questions will be provided in the business papers for the September 2021 Council meeting.

ATTACHMENTS

Nil

QWN 05**Question with Notice - Cllr Harle - Covid and
English Language Courses**

Strategic Direction	Leading through Collaboration Increase community engagement
File Ref	263325.2021

QUESTION WITH NOTICE

Please address the following:

Considering the current Covid pandemic and communications problems caused by language difficulties within our community, what is Council offering in English language Courses to the community?

A response to these questions will be provided in the business papers of the September 2021 Council meeting.

ATTACHMENTS

Nil

QWN 06	Question with Notice - Cllr Hadchiti - Retail Hierarchy
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Strategic Direction	Generating Opportunity Attract businesses for economic growth and employment opportunities
File Ref	264008.2021

QUESTION WITH NOTICE

Given that retail outlets can shut their doors down at will to walk in customers, what's the point of investing in and implementing a Retail Hierarchy?

A response to this question with notice will be provided in the business papers for the September 2021 Council meeting.

ATTACHMENTS

Nil

NOM 01

**Liverpool Animal Shelter - Animal Return Policy
for previously rehomed animals**

Strategic Direction	Strengthening and Protecting our Environment Develop, and advocate for, plans that support safe and friendly communities
File Ref	262566.2021
Author	Karress Rhodes - Councillor

BACKGROUND

I am aware of a recent incident where a dog recently rehomed from the Liverpool Animal shelter was no longer able to be kept at the home of the person who had adopted the animal.

I was also informed that the person could not return the animal to the Liverpool Animal Shelter as the contract of sale does not allow an animal to be returned to the animal shelter once adopted.

I also confirmed that Council has a clause written into the contract of sale that doesn't allow adopted animals to be returned to the shelter.

Council advice also confirms that there is a rigorous rehoming process that Council believes has resulted in only three people having contacted the shelter to discuss returning their animal after recent adoption.

I note in the most recent case that I am aware of, involving an animal having to be rehomed after recently being adopted from the Liverpool Animal Shelter, the owner made no attempt to contact Council because of the no return clause in the contract of sale.

The question is, is the reported low rate of people contacting the shelter about return issues a result of rigorous rehoming procedures at the shelter or is it because of the no return clause in the contract of sale agreement and that perhaps there is a higher number?

The current contract of sale that people sign states that the shelter will not accept the return of any animals adopted from the shelter.

I am concerned about the consequences for animals caught in such circumstances if not rehomed or being able to be returned to the shelter.

It is not a good outcome for the animal nor for Liverpool as such animals may find themselves back on the streets as strays and only after much suffering, again end up being the responsibility of Liverpool Council and possibly with health issues as a result of neglect.

It may be in the best interest of the welfare of any such animal adopted from the Liverpool Animal Shelter, but who for certain prescribed exceptional circumstances within a qualified period of time from being first adopted, are accepted by the Liverpool Animal Shelter to be returned by the original adopter of the animal, all of which would be prescribed in the report back to Council that addresses the merits or otherwise of a possible return policy to address the situation and questions raised in this motion for further discussion and consideration.

The following is a question I asked at the last Council meeting, and which was taken on notice:

“Is there a return policy whereby an animal can be returned to the pound, within a particular timeframe if it hasn’t worked out”?

The response to the question to council taken on notice from the July 2021 Council meeting was:

“Council does not accept returns of animals adopted from the shelter. Statistically, Council has rehomed 294 dogs between June 2019 - June 2021. Out of these, only 3 owners have contacted the shelter to discuss returns. One was after having the dog for six months. Council’s Sale Agreement is attached.

Prior to the adopter signing this form, adopters go through a rigorous process to be matched up with the right pet. Council’s Rehoming Officer first conducts a phone interview to determine whether the person’s home and lifestyle is suitable for the dog and discusses the dog’s behaviours and characteristics. If it is a good match, the officer books a meet and greet with the family at the shelter.

These often take more than an hour, and in some cases the family is encouraged to come back on a second occasion (if the dog is shy and needs time to warm up). At the end of each meet and greet the officer has an open clear discussion with the family to ensure they are ready to meet the needs of the dog and discusses Council’s no returns policy, so it is clear to them prior to finalising their adoption paperwork.

Due to rigorous rehoming processes, Council does not have any issues with people seeking to return animals”.

NOTICE OF MOTION

That Council receive a report at the September 2021 Council meeting on the merits or otherwise, including any reasonable conditions, of allowing the return of animals previously rehomed from the Liverpool Animal Shelter, that would need to be considered in a possible Return Policy for previously rehomed animals.

CHIEF EXECUTIVE OFFICER'S COMMENT

The day-to-day management of the Liverpool Animal Shelter is an “operational matter” that the General Manager is responsible for under Section 335 of the Local Government Act. The adoption process (including the Sale of Animal Agreement) has operated successfully for nearly 5 years without complaint. As an operational matter, changing the current adoption process is not supported, based on the one example provided in this NOM. Permitting returns and changing the current rehoming process may have financial implications for Council and potential adverse impacts on the welfare of the animals.

Background

When Council commenced the operation of the Liverpool Animal Shelter in 2016, a sale of animal agreement was implemented, based on legal advice at the time. The purpose of the agreement was to ensure Council was not liable for any animal related costs once an animal is rehomed and to ensure the welfare of adopted animals.

Adopted animals take approximately three months to settle with a new family in a new home. It can be challenging for both a new family and their new pet and so it is important to ensure future owners of pets are committed to adopting an animal. Returning an animal to the shelter once adopted can make the animal anxious and stressed, making it difficult for the animal to settle and be rehomed again.

A new owner may return the animal because it has been injured, ill or involved in an attack to avoid outlaying expenses on vet treatments, without revealing these issues to Council.

Council's previous advice provided to Councillors following a question taken on notice at last month's Council meeting indicates the Sale of Animal Agreement is effective, and statistically, there is not a wider issue with people seeking to return animals due to Council's rigorous rehoming processes.

Between July 2019 and July 2021, 286 dogs were rehomed. 50 of these dogs were adopted by homes in the Liverpool LGA (17.5%) and 82.5% of dogs were rehomed to homes outside the Liverpool LGA. In addition, for the same period, 908 dogs were impounded and only 1 dog that was previously adopted from Liverpool Animal Shelter was among the dogs impounded.

The statement that these animals, if not being able to be returned, will find themselves as strays and become the responsibility of Liverpool Council is not supported by the statistics above. In fact, it indicates that Council's adoption processes are very successful.

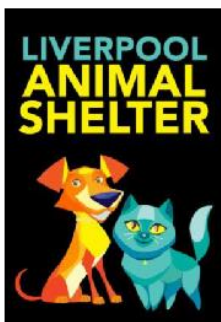
As no details have been provided to Council regarding the alleged incident referred to in this NOM, Council is unable to comment further.

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Council officers are available to assist people with any issues they have with their new pet, offering advice on enrichment and training. Council has also put together an Adoption Guide which is given to adoptees to provide support to owners and animals during the transition period.

ATTACHMENTS

1. Sale of Animal Agreement Contract



SALE OF ANIMAL AGREEMENT

Made under the Companion Animals Act 1998 and Impounding Act 1993

Seizure No Office Use Only

Description of animal:

Microchip No:

TRIM No 346810.2016 (Dec 2016)

This agreement is between Liverpool Animal Shelter and the Purchaser of the animal described above.

Terms and conditions

Your new animal described above will be health checked by a veterinarian prior to going home with you. Animals with known major health conditions are NOT OFFERED for sale unless so disclosed. Although we do our best to ensure animals are healthy before leaving our care, we do not know their history prior coming to the shelter, and may be suffering from underlying health, disease or behavioural problems without exhibiting symptoms.

If the animal described above becomes ill within one (1) week of purchase, contact Rossmore Veterinary Hospital - (02) 9606 6984 for a free consultation for health conditions that occurred prior to sale. Please note that this offer covers the initial examination only and does not extend to any further or ongoing treatment that may be required, nor does it cover any pets that you may already have at home that may have become ill due to the introduction of a new animal.

Liverpool Animal Shelter does not accept returns of pets adopted from the shelter. It is recommended that you carefully choose your animal.

I agree to be bound by the terms and conditions of this Agreement.

Signature of Purchaser: Date:

Signature of Witness: Print Name:

NOM 02

**Liverpool Animal Shelter Social Media Animal
Rehoming Service**

Strategic Direction	Leading through Collaboration Seek efficient and innovative methods to manage our resources
File Ref	263983.2021
Author	Karress Rhodes - Councillor

BACKGROUND

Liverpool has once again been severely impacted by shutdowns as a result of COVID 19 that has closed our rehoming services through the Animal Welfare Shelter.

Professional advice indicates that there will be continued lock downs when necessary for the foreseeable future even if 80% vaccination is achieved. This questions the need for Council to look at alternate ways of delivering the rehoming service that can continue during lockdowns and also work as a valuable tool even if and when the lock down restrictions do not apply.

Council is currently accustomed to placing photographs on Social media of animals in the Liverpool Animal Welfare Shelter, but in the wake of COVID and in view of what other LGA's are doing in the space of Social Media in order to keep rehoming services available to constituents, it needs to be addressed on what Liverpool could or should provide for our Constituents in a similar way.

Care needs to be taken on Council being able to assess the appropriateness of constituents' place of residence for the adopted animals, as well as animals being adopted on a whim by people bored whilst in lockdown and on possible ways Council could address these issues through a social media led adoption service.

Both Campbelltown and Blacktown are providing a rehoming service through this method and perhaps it is time for Liverpool to do the same.

NOTICE OF MOTION

That Council consider and report to September Council Meeting 2021 on the merits or otherwise of the provision of Social Media animal rehoming services that includes photo and video of animals up for adoption.

CHIEF EXECUTIVE OFFICER'S COMMENT

As an operational matter, animal rehoming has been temporarily suspended at the Liverpool Animal Shelter due to Public Health Orders. Council staff are continuing to care for animals housed at the shelter and lost pets can still be dropped off at the shelter and pet owners are able to collect their pet by phoning the animal shelter.

Staff attending to animal welfare at the animal shelter are considered "authorised workers" under the Public Health Order. All residents of Greater Sydney are under stay-at-home orders, with new and significant penalties for breaches of the Public Health Orders. It is not a reasonable excuse for residents to leave their home to purchase a pet.

Council already uses social media and the animal shelter website to advertise animals that are available for adoption. Once COVID restrictions are relaxed, Council will recommence animal rehoming.

ATTACHMENTS

Nil

NOM 03

**Pedestrian Bridge from Casula Railway Station
to Moorebank Intermodal**

Strategic Direction	Strengthening and Protecting our Environment Develop, and advocate for, plans that support safe and friendly communities
File Ref	264095.2021
Author	Karress Rhodes - Councillor

BACKGROUND

The anticipated employment opportunities that the Moorebank Intermodal site has been reported to be the most significant employment opportunity in the Liverpool LGA to date. Liverpool's congested traffic makes the Intermodal site difficult to access by roads particularly when you consider the impact of delivery truck movements transferred from Port Botany to this site. The truck movements of goods competing with the sites employee access could be better addressed by utilising the Casula Railway Station, encouraging and promoting rail rather than vehicle access, through the delivery of a pedestrian bridge directly to the Moorebank Intermodal place of employment, taking traffic off Liverpool roads, reducing air pollution and supporting local jobs.

The plans to build a substantial parking station at the Casula Railway Station also supports the positive benefit that such a pedestrian bridge would provide in servicing Liverpool's reported most significant employment opportunity.

The Casula Parkland has been the focus of Liverpool Council's delivery of social amenity infrastructure such as the Casula Powerhouse Arts Centre and restaurant, sculpture walk, dog park, soon to be delivered Environment Centre and river access that is a major visitation precinct unequalled in the Liverpool LGA thus far.

A pedestrian bridge would provide residents east of the Georges River the opportunity to enjoy the social benefits of Council investment into social infrastructure into the Casula Parklands that residents west of the Georges River currently enjoy. A bridge would encourage physical activity and improve health outcomes for Liverpool citizens.

The pedestrian bridge would further contribute to the visitation economy and enhance the activation of the Casula Powerhouse Arts Centre, restaurant, and parklands by making access more available to all residents in the Liverpool LGA.

NOTICE OF MOTION

That Council consider and report to the October 2021 Council meeting on the merits or otherwise of the provision of a pedestrian crossing over the Georges River from the Casula Railway Station to the Moorebank Intermodal site, that includes:

1. Cost of bridge and possible Moorebank Intermodal contribution to the cost;
2. Possible State and Federal grants;
3. Analysis of anticipated Moorebank Intermodal job opportunities that would benefit through the train, pedestrian access;
4. Estimated number of vehicles that could be taken off our roads by employees using trains and or pedestrian access to the Moorebank Intermodal job opportunities; and
5. Benefit of pedestrian bridge to CPAC, dog park, Environment Centre linking east of the Georges River residents to driverless access to the Liverpool Council facilities.

CHIEF EXECUTIVE OFFICER'S COMMENT

A Traffic, Transport and Accessibility Impact Assessment Report prepared for the Moorebank Intermodal Precinct West (MPW) and Moorebank Intermodal Precinct East (MPE) developments discussed the potential for a pedestrian/cyclist link from Casula station to the Moorebank Intermodal development site. However, the development consents for MPE and MPW Stages 1 and 2 do not include a requirement for the Intermodal company to construct such a link and associated pedestrian bridge.

The traffic and transport improvements approved as part of the MPW and MPE developments include:

- road improvement works at the M5 Motorway and Moorebank Avenue intersection;
- the upgrade of Moorebank Avenue; and
- bus service to connect to train stations.

Council's submission on the Moorebank Intermodal developments outlined a need for a potential future bridge between Casula station and the Intermodal site.

Condition 18 of SSD 5066 MPW West Concept and Stage 1 and Condition B2(j) of MPW Stage 2 requires *"the layout of the site shall not prevent a possible future pedestrian connection to Casula Railway Station" and "provision of a corridor between Moorebank Avenue and the Georges River for a possible future pedestrian connection across the Georges River to Casula Railway Station, of a width that would allow the future construction of a shared path that complies with the relevant suggested width set out in the Guide to Road Design Part 6A: Paths for Walking and Cycling (Austroads, 2017)"*

The Urban Development Design Report, which provides a consolidated landscape plan for the MPW site has been approved by DPIE in consultation with Government Architect NSW, which includes provision for pedestrian and/or cycling access from Casula station in the future.

A bridge would be approximately 500m long, with associated abutments, and require paved footpaths links. It would increase public transport access to MPW and MPE sites and would reduce travel time and annual operational costs of local bus services to the MIT sites.

A report by the October 2021 Council meeting as requested in this Notice of Motion is unable to be achieved.

Whilst Council is pleased that provision has been made in the planning approvals for a potential future bridge connection, a pedestrian bridge in this location is not required to be delivered by the Intermodal company and is not identified in Council's future infrastructure projects or in the 10-year capital works program. No design or other investigations have been carried out to understand the likely costs of the project. There is no budget included in the 2021/22 Operational Plan to undertake the necessary studies to provide meaningful information to Council on costings, grant opportunities, analysis of anticipated job opportunities, potential reduced vehicle trips and other potential benefits outlined in the Notice of Motion.

If Council wishes such a project to be considered as a future infrastructure project, this will need to be considered during the normal budget planning process.

ATTACHMENTS

Nil

NOM 04**COVID Restrictions in Western Sydney**

Strategic Direction	Creating Connection Create a dynamic, inclusive environment, including programs to support healthy living
File Ref	263697.2021
Author	Nathan Hagarty - Councillor

BACKGROUND

For weeks Liverpool, along with other Western Sydney LGAs, have faced restrictions over and above the rest of Sydney. These additional restrictions have included extra testing requirements, limits on working and a ban on construction.

On Saturday 14 August, all of New South Wales was put in lockdown and restrictions were increased across Sydney. Both the Statewide lockdown and the case numbers confirm that the outbreak is now widespread. However, additional restrictions still exist in Liverpool and the other "LGAs of concern".

We've seen the dangers of confused and conflicting messaging from Governments throughout this pandemic. Clear, consistent and concise information during a crisis saves lives.

Additional restrictions, statements from politicians and footage from other parts of Sydney of people congregating in large numbers have many locals feeling ostracized and subject to double standards. This has fermented a dangerous undercurrent of resentment in our community.

If we're all in this together like the Premier has said, then there should be one rule for all.

NOTICE OF MOTION

That Council:

1. Notes:

- additional restrictions, statements from politicians and footage suggesting inconsistent enforcement across Sydney is causing distress and resentment in our community
- the importance of clear and consistent messaging from Government and health authorities

2. Write to the Premier as matter of urgency requesting serious consideration for consistent restrictions and enforcement across Sydney

ATTACHMENTS

Nil

NOM 05

Naming of Western Sydney Aerotropolis

Strategic Direction	Creating Connection Celebrate diversity, promote inclusion and recognise heritage
File Ref	264038.2021
Author	Charishma Kaliyanda - Councillor

BACKGROUND

In March 2021, NSW Government announced that the name of the Western Sydney Aerotropolis city would be 'Bradfield', in honour of the engineer that designed the Sydney Harbour Bridge and Sydney's rail network. However, the name still requires the approval of the NSW Geographical Names Board.

There is no question that John Bradfield has left an immense mark on this city and his legacy warrants recognition.

However, the name should better reflect the times, our region, and its aspirations. A new city is an opportunity to set out a new vision. The government attests, this new urban centre will drive the next wave of opportunities in advanced manufacturing, research, science and education, creating up to 200,000 jobs. So why not select a name that better represents the multi-layered First Nations, colonial and multicultural identity of this region?

Despite the government saying that community consultation had been conducted, it has since emerged that was a lack of in-depth First Nations involvement in the naming decision, which should be at the heart of any discussion on naming. Local residents have expressed this view as well.

The Geographical Names Board is currently seeking community feedback on Western Parkland City Authority's proposed name for the aerotropolis city. They have identified that "it is important that place names reflect the character and history of the local area and community."

The closing date for these submissions is September 4, 2021.

NOTICE OF MOTION

That Council:

1. Develop a submission to the Geographical Names Board expressing our preference for the naming of the Aerotropolis City to better reflect our local community;

2. Seek a guarantee from the NSW Government to more extensively consult with the local First Nations community on the naming of the Aerotropolis city;
3. Start a formal parliamentary petition of local residents who would also like a name that better reflects the character and history of our local area and community; and
4. Share this petition on Council's social media channels.

CHIEF EXECUTIVE OFFICER'S COMMENT

Council can prepare a submission to the Geographical Names Board, if resolved by Council, expressing Council's preference for the naming of the Aerotropolis City to better reflect the local community. Council can also write to the NSW Government seeking a guarantee that they more extensively consult with the local First Nations community on the naming of the Aerotropolis city. Council can also start a formal parliamentary petition if desired by Council.

ATTACHMENTS

Nil

NOM 06	Rates
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Strategic Direction	Leading through Collaboration Seek efficient and innovative methods to manage our resources
File Ref	263677.2021
Author	Tony Hadchiti - Councillor

BACKGROUND

During the Council meeting held on Wednesday 28 July 2021 I proposed an inclusion to NOM 02 – COVID Support, shown below, which was unanimously carried.

4. Rate relief

Exhibit its intentions for the minimum statutory period for a one-off reduction of 10% on properties that sit within the definition of residential use subject to a criteria that would include but not limited to:

- *Property being used for owner occupier purposes;*
- *At least one owner has claimed a government COVID disaster payment; and*
- *The property is in the name of an individual.*

Present a report back to Council after the exhibition period.

On Friday 30 July 2021 the Mayor & Councillors were advised via email that the above was 'unlawful' and would not be enacted. The minutes of the meeting were published which also referred to the above as being "unlawful".

Section 356 of the Local Government Act 1993 Act 30 states word for word the following:

356 Can a council financially assist others?

- 1) A council may, in accordance with a resolution of the council, contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions.*
- 2) A proposed recipient who acts for private gain is not ineligible to be granted financial assistance but must not receive any benefit under this section until at least 28 days' public notice of the council's proposal to pass the necessary resolution has been given.*

- 3) *However, public notice is not required if—*
- a) the financial assistance is part of a specific program, and*
 - b) the program's details have been included in the council's draft operational plan for the year in which the financial assistance is proposed to be given, and*
 - c) the program's proposed budget for that year does not exceed 5 per cent of the council's proposed income from the ordinary rates levied for that year, and*
 - d) the program applies uniformly to all persons within the council's area or to a significant group of persons within the area.*
- 4) *Public notice is also not required if the financial assistance is part of a program of graffiti removal work.*

Note - Part 4 of the Graffiti Control Act 2008 deals with graffiti removal work.

Point 1 & 2 of Sect 356 above are clear that Council may grant assistance as long as proper procedures are followed and those procedures were proposed

I thank Councils General Counsel for her time on the phone and via email talking through the issues, but our residents are suffering from this pandemic and Council should act quickly to show some extra support.

NOTICE OF MOTION

That Council:

1. Direct the CEO to immediately exhibit its intentions for the minimum statutory period required, for a one-off grant of financial assistance equivalent to 10% of the person/s annual rates payable, with a minimum grant of \$150 and maximum grant of \$300, to a person/persons who own property within the Liverpool Local Government Area that fits within the definition of residential use, subject to a criteria that would include but not limited to:
 - The property is being used for owner occupier purposes;
 - At least one owner has claimed and been granted a government COVID disaster payment 2021; and
 - The property is in the name of an individual(s).
2. Direct the CEO to immediately exhibits its intentions immediately for the minimum statutory period for a one-off grant equivalent to 10% of the annual rates, to a person/s who own properties that sit within the definition of residential that currently receive the pensioner rebate;

3. Direct the CEO to present a report back to Council in the September 2021 meeting, with clear instructions on how persons who meet the criteria can apply for the grant; and
4. Direct the CEO to ensure that immediately following the report to Council, that applications can be submitted via electronic means and in person should COVID restrictions allow for in person submission.

ATTACHMENTS

Nil