

AGENDA

GOVERNANCE COMMITTEE MEETING

22 August 2023

Book 1



You are hereby notified that a **Governance Committee Meeting** of Liverpool City Council will be held at **LEVEL 6, 35 SCOTT STREET, LIVERPOOL NSW 2170** on **Tuesday, 22 August 2023** commencing at 10.00am.

Please note this meeting is closed to the public. The minutes will be submitted to the next Council meeting.

If you have any enquiries, please contact Council and Executive Services on 8711 7584.

A handwritten signature in black ink, appearing to read "John Ajaka".

Hon John Ajaka
CHIEF EXECUTIVE OFFICER

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ITEM 01

Development Assessment

Strategic Objective	Liveable, Sustainable, Resilient Deliver effective and efficient planning and high-quality design to provide best outcomes for a growing city
File Ref	243345.2023
Report By	William Attard - Manager Development Assessment
Approved By	Lina Kakish - Director Planning & Compliance

EXECUTIVE SUMMARY

This report is prepared to table a snapshot of key Development Assessment (DA) statistics.

RECOMMENDATION

That the Committee receives and notes the Development Assessment report.

REPORT

The following key Development Assessment (DA) statistics are provided:

Development Applications and Class 1 Appeals

Outstanding Development Applications (DAs)	
30 June 2023 (Prior Report)	660 DAs
31 July 2023	599 DAs
Difference in Reporting Periods	61 DAs
Active Class 1 Appeals	
30 June 2023 (Prior Report)	42 Appeals
31 July 2023	43 Appeals
Difference in Reporting Periods	1 Appeal
Development Applications (DAs) Received & Completed (July 2023)	
DAs Received	80 DAs
DAs Completed	137 DAs
Development Application (DA) Approval Statistics (July 2023)	
DAs Approved	87 DAs
Total Capital Investment Value (\$)	\$52.6M Capital Investment Value
New Lots Approved	417 Lots
New Homes Approved	72 Homes
DA Fees Released from Trust (\$)	\$273k Fees
Contribution Fees Raised (\$)	\$14.2M Contributions

Development Assessment (DA) Team Vacancy (Technical Officers Only)

Position	Number of Roles	Vacancy
Principal Planner	1	0
Senior DA Planners	10	6 (1x Vacancy filled since June)
Senior Planning Advisory Officers	2	1 (Extended Leave)
DA Planners	14	3 (1x Vacancy filled since June)
Student Planners	4	0
Duty Officers	2	0

The following separate item requested at the Council meeting of 26 July 2023 is noted:

Clause 4.6 Requests Supported in 2023

Council at its meeting of 26 July 2023 requested further discussion take place regarding consideration of 4.6 variations. For context, the following table itemises Clause 4.6 Requests which were supported this year. Council officers can provide additional information in relation to these variations as required:

DA Number / Address	Development Standard Varied	Variation
DA-1305/2021 2-3 Wilga Close, Casula	Liverpool LEP 2008 Clause 4.3 – Height of Buildings	0.6m / 4%
	Liverpool LEP 2008 Clause 7.14 – Minimum Building Street Frontage	2.135m / 8.9%
DA-973/2022 87-93 Box Road, Casula	SEPP (Housing) 2021 Clause 18(2)(j) – Minimum Floor Areas	17.5sqm / 15.2%
DA-756/2022 33 St Johns Road, Busby	Liverpool LEP 2008 Clause 4.3 – Height of Buildings	0.5m / 5.88%
DA-182/2021 Lot 231 Changsha Road, Edmondson Park	Liverpool LEP 2008 Clause 7.11 – Minimum Dwelling Density	26.05dw/ha / 93.04%
DA-221/2021 1 Harvey Avenue and 11 Dredge Avenue, Moorebank	Liverpool LEP 2008 Clause 4.3 – Height of Buildings	2.6m / 14.4%

FINANCIAL IMPLICATIONS

There are no financial implications relating to this recommendation.

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	Undertake communication practices with the community and stakeholders across a range of media. Provide information about Council's services, roles and decision making processes.
Legislative	There are no legislative considerations relating to this report.
Risk	There is no risk associated with this report.

ATTACHMENTS

Nil

ITEM 02

**Family Friendly Apartments - Liverpool DCP 2008
Amendment**

Strategic Objective	Evolving, Prosperous, Innovative Implement planning controls and best practice urban design to create high-quality, inclusive urban environments
File Ref	201090.2023
Report By	Lamiokor Wellington - Assistant Strategic Planner
Approved By	Lina Kakish - Director Planning & Compliance

EXECUTIVE SUMMARY

At its Ordinary Meeting of Council on 31st May 2023, Council resolved to:

1. *Investigate amendments to the Liverpool Development Control Plan 2008 for the Liverpool CBD to better encourage the development of larger, family friendly apartments.*
2. *Investigate improved quality and design requirements that matches the specific needs of families living in apartments in the Liverpool CBD.*
3. *Write to Federal and State Planning Ministers calling for incentives to encourage family friendly apartments.*
4. *That the report be brought to the Governance Committee which further investigates the needs of families with children.*

In response to this resolution, objectives and controls in the Liverpool Development Control Plan 2008 (LDCP 2008) have been reviewed to support a DCP amendment, to facilitate the delivery of family-friendly apartments in Liverpool CBD. The proposed changes will also address Action 11 of the Liverpool Local Housing Strategy, to 'Review apartment mix controls for RFB development in the City Centre, R1 and R4 zones'.

In response to resolution 3, letters were sent from the CEO's Office on 13 June 2023 to The Hon. Julie Collins MP and The Hon. Rose Jackson MLC, regarding this matter (**Attachment 4 and 5**). No response to the letters has been received.

In relation to the Liverpool Development Control Plan (LDCP 2008), the following sections apply to Residential Flat Buildings:

- Part 4 Development in the City Centre
- Part 3.7 Residential Flat Buildings (applies outside of the City Centre)

INFRASTRUCTURE AND PLANNING COMMITTEE REPORT

The following amendments to Part 4 of the DCP “Development in Liverpool City Centre” are proposed:

- Amend Section 4.2.10 ‘Housing Choice and Mix’ to establish new dwelling mix requirements in apartment development. This amendment intends to set a new minimum requirement for three or more bedroom units from 10% of the total mix of units, to 25%. This will increase the availability of larger, family-friendly apartments in Liverpool City Centre, as a result - meeting the needs of families with children residing there.

The following amendments to Part 3.7 of the DCP “Residential Flat Buildings in the R4 Zone” (applying to RFBs out of the City Centre) are proposed:

- Introduce ‘Housing Choice and Mix’ section to include apartment mix controls.
- Amend ‘Ground Floor Dwellings’ to ensure families with children are prioritised in the allocation of ground floor units in apartment development.
- A broader review of this Chapter is proposed, to align with *State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development* (SEPP 65), specifically the Apartment Design Guide (ADG).

It is recommended to present amendments to Liverpool Design Excellence Panel as required by Clause 15 of the *Environmental Planning and Assessment Regulation 2021* (EP&A Regs).

RECOMMENDATION

That the Committee recommends:

That Council:

1. Note proposed draft amendments to the Liverpool Development Control Plan 2008, Part 4 Development in Liverpool City Centre and Part 3.7 Residential Flat Buildings in the R4 Zone, to encourage family friendly apartments.
2. Note further draft amendments will occur to align Part 3.7 Residential Flat Buildings in the R4 Zone with the Apartment Design Guide.
3. Present draft amendments to the Liverpool Design Excellence Panel, as required by Clause 15 of the *Environmental Planning and Assessment Regulation 2021*.
4. Receive a Council report detailing the proposed draft LDCP 2008 amendments, detailing the outcomes of the Design Excellence Panel.

REPORT

Background

On 31st May 2023, Council resolved to:

1. *Investigate amendments to the Liverpool Development Control Plan 2008 for the Liverpool CBD to better encourage the development of larger, family friendly apartments.*
2. *Investigate improved quality and design requirements that matches the specific needs of families living in apartments in the Liverpool CBD.*
3. *Write to Federal and State Planning Ministers calling for incentives to encourage family friendly apartments.*
- 4.—*That the report be brought to the Governance Committee which further investigates the needs of families with children.*

In response to resolution 3, letters were sent from the CEO's office on 13 June 2023 to The Hon. Julie Collins MP and The Hon. Rose Jackson MLC (**Attachment 4** and **5**). No response to the letters has been received.

Planning Priority 7 of the Liverpool Local Strategic Planning Statement (LSPS) acknowledges that "the majority of housing in the city centre is two-bedroom apartments, however there is demand from larger family homes in the city centre with more bedrooms." (page 44).

Action 11 of the Liverpool Local Housing Strategy is to "Review apartment mix controls for RFB development in City Centre, R1 and R4 zones." Additionally, Housing Priority 1 of this Strategy aims to provide "a diverse range of housing options and flexibility of use is provided to ensure the housing needs of the Liverpool community are met" (page 23).

Liverpool Demographics

Australian Bureau of Statistics Census data from 2021 revealed that apartments make up 91.2% of dwelling types in the Liverpool CBD, and that 16% of dwellings consisted of three-bedroom units, and 66.8% consisted of two-bedroom dwellings. ABS data also noted families with children make up 42% of the Liverpool CBD. ABS data also shows that the average number of bedrooms per dwelling in the City Centre is 2.1 and the average number of occupants is about 2.3 persons per household (for reference the average number of bedrooms in Sydney is 3.0, and the average household size is 2.7 persons).

A recent study by University of Wollongong (UOW) (**Attachment 1**) found that 50% of apartments in Liverpool CBD are occupied by families with children, which is twice the average compared to Sydney CBD. Interviews as part of the study found this to be due to families

prioritising large, conveniently located apartments over car-dependent detached dwellings. Another key factor was housing affordability.

The UOW study noted inadequate design requirements to cater for families with children, particularly insufficient storage, and poor configuration of apartment layouts to reduce noise levels associated with families with children.

Apartment Design Guide & Liverpool Development Control Plan

State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development (SEPP 65) refers to the Apartment Design Guide (ADG), which applies to Residential Flat Buildings and Mixed Use development across NSW.

Clause 6A of SEPP 65 notes that Development Control Plans (DCPs) cannot be inconsistent with the requirements of the ADG in regard to the following:

- visual privacy,
- solar and daylight access,
- common circulation and spaces,
- apartment size and layout,
- ceiling heights,
- private open space and balconies,
- natural ventilation,
- storage.

A DCP can specify other controls in addition to those found within the ADG, for example required dwelling mix.

In relation to the Liverpool Development Control Plan (LDCP 2008), the following sections apply to Residential Flat Buildings:

- Part 4 Development in the City Centre
- Part 3.7 Residential Flat Buildings (applies outside of the City Centre)

Part 4 Development in the City Centre

Dwelling Mix

The ADG does not set numerical requirements for Dwelling Mix (i.e. percentage of total dwelling mix). Part 4, Section 4.2.10 of the LDCP 2008 currently requires:

- Studio & 1 bedroom: Minimum 10% of total mix
- Three or more bedrooms: Minimum 10% of total mix
- Dual-key apartments: Maximum 10% of total mix

This provides allowance for a maximum of 80% of the total mix to consist of two-bedroom units. It is noted that other Councils generally contain a range upwards of 10% for three-bedroom units.

Table: Other Councils Minimum Requirements for Three-Bedroom Units

Council	Percentage of Total Dwelling Mix
City of Parramatta (DCP 2011)	Between 10 - 20% of total dwellings
City of Sydney (DCP 2012)	Between 10 - 100% of total dwellings
City of Penrith	Two bedroom apartments are not to be more than 65% of the total mix
Inner West Council (Marrickville DCP 2011)	Between 10 – 45% of total dwellings
The Hills Shire Council (Kellyville, Bella Vista & Showground Station Precincts DCP 2012)	Minimum 20% of total dwellings

Amendments to objectives and controls are proposed to Part 4, Section 4.2.10 of the LDCP 2008 to establish new dwelling mix requirements. The following is proposed:

- Studio & 1 bedroom: Minimum 10% of total dwellings
- Three or more bedrooms: Minimum 25% of total dwellings
- Dual-key apartments: Maximum 10% of total dwellings

This would set a new minimum requirement for three or more bedroom units to 25%. This would adjust the amount of two-bedroom units from up to 80% of the total mix of units, to a maximum of 65% (with 10% being 1 bedroom/studio and 25% being 3+ bedrooms).

Refer to **Attachment 3** for Part 4 Development in the City Centre (proposed draft amendments).

Part 3.7 – Residential Flat Buildings in the R4 Zone

Housing Choice and Mix

Part 3.7 Residential Flat Buildings in the R4 Zone applies to RFBs outside of Liverpool City Centre. It currently does not contain controls for housing choice and dwelling mix. It is proposed to introduce these to extend controls proposed above in Part 4 to the broader Liverpool area in which RFBs are permitted.

Ground Floor Dwellings

Amendments to 'Ground Floor Dwellings' (page 22), within Section 6 'Building Design, Streetscape and Layout' is proposed, to encourage allocation of larger units to the Ground Floor level of apartment developments. This will ensure families with children are prioritised in the allocation process.

Refer to **Attachment 2** for Part 3.7 proposed draft amendments.

Alignment with Apartment Design Guide

This DCP Chapter was developed prior to the establishment of the Apartment Design Guide under *State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development* (SEPP 65). This section refers to void objectives and controls, as they are mandated under the Apartment Design Guide. It is recommended that a review of this DCP Part is undertaken as part of the DCP amendment to ensure duplication of controls is avoided.

Conclusion & Next Steps

There is a need for larger, family-friendly apartments in Liverpool City Centre, as the provision of mostly two-bedroom units is not commensurate with demographic needs. More suitable design requirements that match the needs of families with children are needed. An amendment to the Liverpool Development Control Plan (LDCCP 2008) will facilitate more appropriate housing options for families who prefer apartment-living in Liverpool City Centre as well as in areas outside the City Centre.

A recommendation is made for the Governance Committee to note the report, and for the proposed amendments to be presented to the Liverpool Design Excellence Panel, in accordance with Clause 15 of the EP&A Regulation 2021.

Following this, the draft amendments are to be reported to Council and if endorsed, will proceed to public exhibition for 28 days in accordance with the Liverpool Community Participation Plan and Section 20 of the EP&A Regulation 2021.

FINANCIAL IMPLICATIONS

There are no financial implications relating to this recommendation.

CONSIDERATIONS

Economic	There are no economic and financial considerations.
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. Deliver high quality services for children and their families.
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	Clause 15 of the Environmental Planning and Assessment Regulation 2021, regarding amendments to DCP RFBs to be presented to Design Excellence Panels. Clause 20 of the Environmental Planning and Assessment Regulation 2021, regarding future consultation requirements.
Risk	There is no risk associated with this report.

ATTACHMENTS

1. University Of Wollongong Study (Research Article)
2. LDCP - Part 3.7 Residential Flat Buildings in the R4 Zone (Amended)
3. LDCP - Part 4 Development in Liverpool City Centre (Amended)
4. Letter to Julie Collins MP
5. Letter to Rose Jackson MLC

ResearchGate

See discussions, stats, and author profiles for this publication at: <https://www.researchgate.net/publication/370274259>

Suburban densification: unpacking the misalignment between resident demand and investor-driven supply of multi-unit housing in Sydney, Australia

Article in *Australian Planner* · April 2023

DOI: 10.1080/07293682.2023.2197604

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ITEM 03

Transfer/Dedication to Council as Public Road - various lots along The Northern Road in Luddenham and Bringelly

Strategic Objective	Liveable, Sustainable, Resilient Promote and advocate for an integrated transport network with improved transport options and connectivity
File Ref	204708.2023
Report By	Charles Wiafe - Manager Transport Management
Approved By	Lina Kakish - Director Planning & Compliance

EXECUTIVE SUMMARY

At its meeting on 31 May 2023, Council considered a report on transfer/dedication to council of various lots along sections of The Northern Road in Luddenham and Bringelly, as public road reserve. During the discussion on the item, there was a question taken on notice on the following two issues, with a request that a response be provided by way of a report to the Governance Committee Meeting:

- Which Governance Committee Meeting the transfer / dedication of various lots along sections of The Northern Road in Luddenham and Bringelly, was reported to.
- Quality Assurance - what quality assurance measures are put in place to ensure that the works done on public roads are carried out to Council's satisfaction.

This report provides responses on the two issues raised.

The Northern Road Land Dedication

The Northern Road is a State classified road under the care and control of Transport for NSW (TfNSW). In accordance with the Roads Act, Council is the road authority and owns the land on which the road is constructed.

Over the last five years, TfNSW has upgraded the section of The Northern Road between Camden and Penrith Local Government Areas (LGA's). The upgrade in the Liverpool LGA between Luddenham and Bringelly includes realignment and land acquisitions.

In accordance with the Roads Act, as the road upgrade is completed, TfNSW dedicates lots that are required for the road construction to the relevant Councils, including Liverpool, as

public road reserves. The report considered by Council at its 31 May 2023 meeting provided detailed information for the process of land dedication to Council.

Considering the above process, the dedication and transfer of the various lots making up the public road reserve has not previously been reported to a Governance Committee Meeting.

Quality Assurance for Works-in-Kind Projects

Roadworks handed over to Council as part of Works-in-Kind agreement, or subdivision works need to be carried out in accordance with Council's design and construction requirements.

During construction, Council Staff supervise road works to ensure that appropriate Quality Assurance procedures are followed for any road that is handed over to Council. Documentation submitted as part of the asset transfer to Council is as outlined in the report below.

RECOMMENDATION

That the Committee recommends that Council note the information in the report.

REPORT

At its meeting on 31 May 2023, Council considered a report on transfer / dedication to Council of various lots along sections of The Northern Road in Luddenham and Bringelly, as public road reserve. During the discussion on the item, there was a question taken on notice on the following two issues, with a request that a response be provided by way of a report to the Governance Committee Meeting:

Which Governance Committee Meeting the transfer / dedication of various lots along sections of The Northern Road in Luddenham and Bringelly, was reported to.

Quality Assurance - what quality assurance measures are put in place to ensure that the works done on public roads are carried out to Council's satisfaction.

The Northern Road land dedication

The Northern Road is a State classified road under the care and control of Transport for NSW (TfNSW). In accordance with the Roads Act, Council is the road authority and owns the land on which the road is constructed.

The section of The Northern Road between Camden and Penrith Local Government Areas (LGA's), including the section through the Liverpool LGA has been upgraded in the last five years to a four or six lane road. The upgrade in the Liverpool LGA between Luddenham and

Bringelly includes realignment of the road west of the Western Sydney International Airport site.

As part of the realignment, the Federal Department of Regional Transport, on behalf of the Federal Government, signed the Roads - Memorandum of Understanding (MOU) Western Sydney Airport with Council and the then Roads and Maritime Services in 2017, for the road upgrade and associated transfer of the road reservation to Council after the road is constructed.

The MOU included a process for the road reservation transfer, including the realigned road section to replace the previous public road reserve and dedication to Council. The process used for the land dedication is in accordance with the requirements of the Roads Act. Council is required to maintain the landscaping and the footpath within the footpath reserve while TfNSW maintains the carriageway.

The dedication and transfer of the various lots making up the public road reserve has not previously been reported to a Governance Committee Meeting.

Quality Assurance for Works-in-Kind Projects

Roadworks handed over to Council as part of works in kind agreement, or subdivision works need to be carried out in accordance with Council's design and construction requirements.

During construction, Council Staff supervise road works to ensure that appropriate Quality Assurance procedures are followed. As part of this Quality Assurance process, Council requires the following documentation to be submitted before projects are handed over to Council.

- Work-As-Executed plan (in digital format);
- Pavement design and geotechnical compaction reports;
- Structural certification on any structures (bridges, retaining walls, etc);
- Site walkover/inspection to identify any issues/defects that need to be ratified; and
- Ratification of any identified deficiencies.

FINANCIAL IMPLICATIONS

There are no financial implications relating to this recommendation.

CONSIDERATIONS

Economic	Deliver and maintain a range of transport related infrastructure such as footpaths, bus shelters and bikeways.
Environment	Support the delivery of a range of transport options.
Social	Utilise the Western Sydney City Deal agreement to provide connectivity across the LGA through infrastructure and social initiatives.
Civic Leadership	Actively advocate for federal and state government support, funding and services.
Legislative	Roads Act 1993.
Risk	There is no risk associated with this report.

ATTACHMENTS

Nil

ITEM 04

Comprehensive Heritage Study Report

Strategic Objective	Healthy, Inclusive, Engaging Embrace the city's heritage and history
File Ref	203972.2023
Report By	Agata Calabrese - Senior Heritage Project Officer Supriya Singh - Heritage Project Officer
Approved By	Lina Kakish - Director Planning & Compliance

EXECUTIVE SUMMARY

The Liverpool Local Government Area (LGA) has experienced substantial growth over recent decades, and this has resulted in increased development of heritage sites and the loss of potential heritage items.

For this reason, a major update to Council's existing Heritage Study (initially developed in 1992 and then reviewed in 2005) is required to ensure appropriate heritage protection, to assist in retaining and celebrating the unique character of the Liverpool LGA, whilst allowing ongoing sustainable development. The Liverpool Comprehensive Heritage Study (this Project) is designed to provide a coordinated response to identifying potential gaps in the existing heritage register, to minimise an *ad hoc* approach being taken to identify and protect heritage items across the Liverpool LGA. The study will also inform the comprehensive review of Council's Liverpool Local Environmental Plan (LLEP).

Council staff intend to commence work on the project, shortly. Community consultation will be undertaken as part of the project, and it is noted that there may be concerns raised by the community, in relation to the potential heritage listing of private properties. As such, the purpose of this report is to provide an overview of the project scope and methodology, and to address any questions or concerns raised by the committee, before work commences on the project.

RECOMMENDATION

That the Committee recommends Council receives and notes this report (and attachments) in relation to undertaking the Liverpool Comprehensive Heritage Study.

REPORT

The purpose of this report is to advise that Council staff will soon be undertaking the Liverpool Comprehensive Heritage Study (this Project), provide an overview of the project, and address any questions or concerns raised in relation to the project.

By way of background, the Liverpool Local Government Area (LGA) has experienced substantial growth over recent decades, and this has resulted in increased development of heritage sites and the loss of potential heritage items. The issue became evident in October 2020, when the Council issued Interim Heritage Orders for various properties in Liverpool. This highlighted the deficiencies in the existing research and understanding of the cultural heritage of Liverpool, and the potential gaps within the existing Liverpool heritage register.

For this reason, a major update to Council's existing Heritage Study (initially developed in 1992 and then reviewed in 2005) is required to ensure appropriate heritage protection, to assist in retaining and celebrating the unique character of the Liverpool LGA, whilst allowing ongoing sustainable development. The Liverpool Comprehensive Heritage Study (this Project) is designed to provide a coordinated response to identifying potential gaps in the existing heritage register, to minimise an *ad hoc* approach being taken to identify and protect heritage items across the Liverpool LGA. The study will also inform the comprehensive review of Council's Liverpool Local Environmental Plan (LLEP).

Currently, the Liverpool heritage items listed in statutory listings include 1 Aboriginal Place listed under the National Park and Wildlife Act, 19 heritage items listed under the NSW Heritage Act, and 185 items listed by Local Government and State Agencies (source: State Heritage Inventory). These items need to be reviewed against the NSW Heritage Office Significance Assessment Guidelines, and their inventory forms will be updated accordingly. Liverpool heritage items listed on non-statutory registers will be also reviewed to assess the need for further investigation and potential inclusion in statutory registers. As part of this study, the community will be engaged to review these existing heritage items and to nominate further potential heritage items. The existing and potential heritage items will be presented to Councillors for input and comments before being added to the final report.

The objectives of the Liverpool Comprehensive Heritage Study, are as follows:

- Review the 2005 heritage study;
- Review and update previous thematic history, as necessary;
- Review and assess places included in the existing Heritage Study to determine their current significance;
- Assess heritage sites and localities that have been nominated by the public and/or Mayor and Councillors;

- Undertake further research and site inspections to determine if additional items should be included in the Heritage Study;
- Resulting from the review and assessment, create a database of sites and localities that hold heritage significance for the Liverpool LGA;
- Identify through the review and assessment, items that should be listed for protection (if not already) under the Liverpool Local Environmental Plan (LEP) 2008 and recommend new items;
- Engage a consultant to undertake a detailed land use economics, and land use planning study of the proposed heritage items, to identify any impacts of the proposed listing and identify possible mitigation measures; and
- Provide management and recommendations including incentives for the listing of properties.

The majority of the project (with the exception of the land use economics and land use planning studies) will be completed utilising internal resources, and it is anticipated that it will be completed within a 3-year timeframe. Further information, in relation to the project plan is included in **Attachment A – (Draft) Project Plan**.

Further information, in relation to the scope and methodology for the project, is included in **Attachment B – (Draft) Project Brief** and **Attachment C (Draft) Methodology**.

Community and Stakeholder consultation will be undertaken as part of the project. Further details, in relation to the proposed engagement activities is included in Attachment B – (Draft) Project Brief and Attachment C (Draft) Methodology.

It is noted that there may be concerns raised by the community, in relation to the potential heritage listing of private properties. Detailed information will be provided to the community and property owners, and Q&A sessions will be facilitated. Additionally, as part of this study an Economist and Town Planner will be engaged to assess the financial and development potential of each possible item. The owners/occupiers of existing and potential new listings will be provided with the reports from the Economist and Town Planner. Following completion of the engagement activities, the draft heritage list will be revised with consideration to the recommendations made by the economist and town planning consultants, and feedback received from the community and stakeholders. The draft heritage list and reports from the economist and town planning consultants will be presented to Councillors at the second Councillor Briefing (refer to Attachment B – (Draft) Project Brief), for endorsement. Further information in relation to this, and other identified risks that will be managed, is included in Attachment A – (Draft) Project Plan.

The project team would like to address any questions or concerns raised by the committee. Any respective updates will then be made to the draft Project Brief (and associated documents), before work commences on the project.

FINANCIAL IMPLICATIONS

The majority of the project will be completed utilising internal resources. Consultants will be required to undertake the land use economics and land use planning study components of the project. Budget has already been approved and allocated to fund these activities.

The preliminary assessment of the existing Thematic History (initially developed in 1992 and then reviewed in 2005) has revealed significant gaps that necessitate the engagement of a professional historian. The estimated cost to engage suitably qualified and experienced historian is approximately \$15,000 to \$20,000. Budget will be requested for this component of the work, through Council's quarterly budget process.

CONSIDERATIONS

Economic	Facilitate the development of new tourism based on local attractions, culture and creative industries.
Environment	There are no environmental and sustainability considerations.
Social	Preserve and maintain heritage, both landscape and cultural as urban development takes place.
Civic Leadership	Foster neighbourhood pride and a sense of responsibility. Encourage the community to engage in Council initiatives and actions.
Legislative	Significant places, objects and known or potential archaeological resources are protected under the Environmental Planning and Assessment Act 1979, Heritage Act 1977 and National Parks and Wildlife Act 1974.
Risk	The risk is deemed to be Low to Medium. Details of the risks associated with this project can be found in Attachment A – (Draft) Project Plan. The risk is considered within Council's risk appetite.

ATTACHMENTS

1. Attachment A – (Draft) Project Plan (Under separate cover) - **Confidential**
2. Attachment B – (Draft) Project Brief (Under separate cover) - **Confidential**
3. Attachment C – (Draft) Methodology (Under separate cover) - **Confidential**

ITEM 05

Voluntary Planning Agreement - Monthly Update

Strategic Objective	Evolving, Prosperous, Innovative Implement planning controls and best practice urban design to create high-quality, inclusive urban environments
File Ref	253856.2023
Report By	Claire Scott - Coordinator Contributions Planning
Approved By	Lina Kakish - Director Planning & Compliance

EXECUTIVE SUMMARY

The purpose of this report is to provide a summary of all activity associated with VPAs, including VPA offers under review, VPA negotiations and executed VPA schedule of works, land and contributions.

RECOMMENDATION

That the Committee recommends that Council receive and notes this report.

REPORT

This report is prepared to table the status of Voluntary Planning Agreements (VPAs) for August 2023. The list outlines the status of each VPA, as well as their individual items.

Items that are stricken through resemble matters that are considered no longer outstanding.

Items are still outstanding when the works or land have not commenced, incomplete, under defects, maintenance periods, or deferred for further diligence / investigations.

Currently Council has:

- 1 Letter of offer under review
- 3 under review and/or negotiation (not yet public)
- 18 current executed VPAs

FINANCIAL IMPLICATIONS

There are no financial implications relating to this recommendation.

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	<i>Environmental Planning and Assessment Act Environmental Planning and Assessment Regulation</i>
Risk	There is no risk associated with this report.

ATTACHMENTS

1. Monthly VPA Status Report to Council as at 31 July 2023 pdf

ITEM 06

Strategic Planning Work Program

Strategic Objective	Evolving, Prosperous, Innovative Implement planning controls and best practice urban design to create high-quality, inclusive urban environments
File Ref	262893.2023
Report By	Luke Oste - Coordinator Strategic Planning
Approved By	Lina Kakish - Director Planning & Compliance

EXECUTIVE SUMMARY

This report is prepared to table the Strategic Planning Work Programme for August 2023.

RECOMMENDATION

That the Committee recommends that Council receives and notes this report.

REPORT

This report is prepared to table the Strategic Planning Work Program for August 2023 (**Attachment 1**). The Work Program outlines the status of each planning proposal, as well as broader strategic planning projects.

FINANCIAL IMPLICATIONS

There are no financial implications relating to this recommendation.

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.

INFRASTRUCTURE AND PLANNING COMMITTEE REPORT

Civic Leadership	Provide information about Council's services, roles and decision making processes.
Legislative	There are no legislative considerations relating to this report.
Risk	There is no risk associated with this report.

ATTACHMENTS

1. Strategic Planning Work Program

ITEM 07

**Review of Council's Financial progress,
forecasts and assumptions**

Strategic Objective	Visionary, Leading, Responsible Ensure Council is accountable and financially sustainable through the strategic management of assets and resources
File Ref	247877.2023
Report By	Vishwa Nadan - Chief Financial Officer
Approved By	Farooq Portelli - Director Corporate Support

EXECUTIVE SUMMARY

This report is first of monthly budget performance reports that will be presented to the Governance Committee.

In June 2023 Council adopted its 2023-24 operating budget with estimated revenue of \$379.3 million and expenditure of \$250.8 million. In terms of the net operating result before grants and contributions provided for capital purposes, Council budgeted for an operating deficit of \$3.7 million.

Based on Council resolutions, program initiatives, and market trends up to 31 July 2023, Council is projected to report an operating deficit of \$3.1 million at 30 June 2024. Key points include:

- Higher cash holdings due to unspent Liverpool Civic Place loan funds is yielding additional interest earnings.
- On-going review of resource requirements to achieve corporate initiatives has resulted in an investment in additional positions and program costs. The cost associated with engagement of additional staff resources is expected to be absorbed by salary savings from vacancies and deferred recruitment across the Council.

The report further highlights key risk and opportunities that will potentially impact on the projected result. Key points include:

- Favourable interest markets are expected to generate additional interest income.
- Expected additional borrowings for Liverpool Civic Place will incur more interest expenses.
- Delays in prerequisite road works at 24 Scott Street may further push back income from sale of assets.

- Grants Commission has paid 2023/24 FAG in advance. Any change in their policy will increase budget deficit.

RECOMMENDATION

That the Governance Committee receives and notes the report.

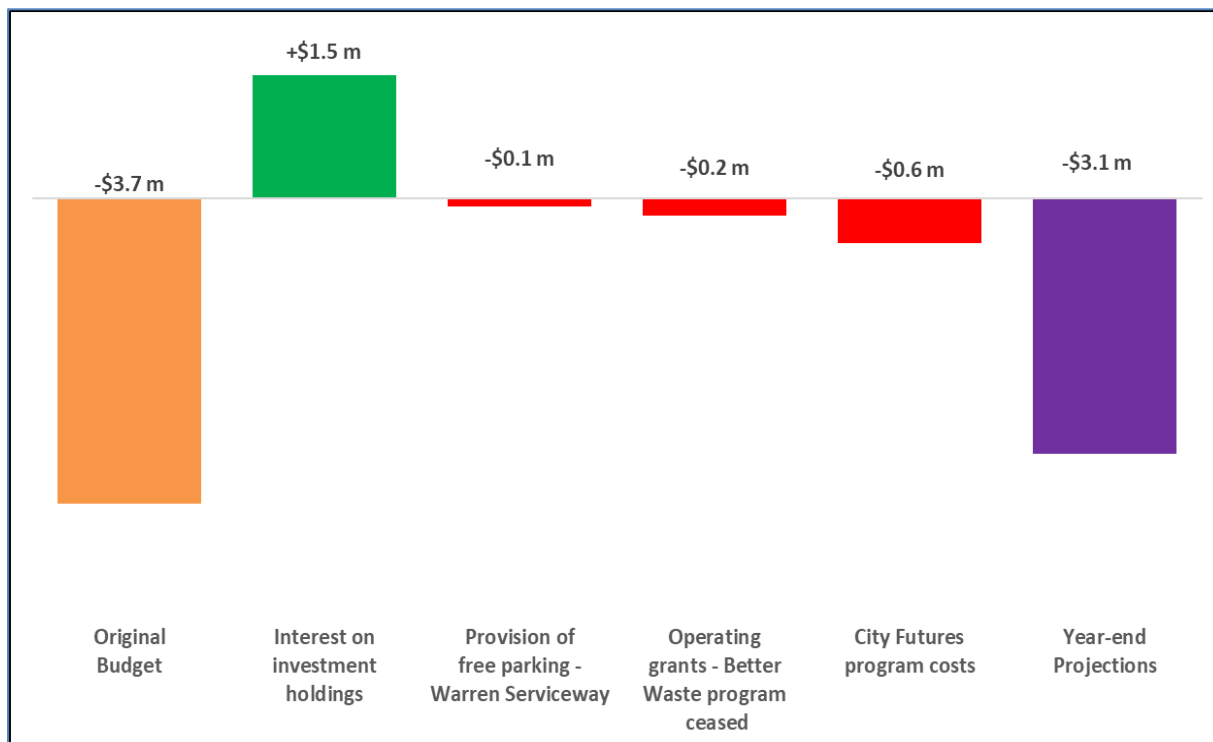
REPORT

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Based on Council resolutions, program initiatives, and market trends up to 31 July 2023, Council is projected to report an operating deficit of \$3.1 million at 30 June 2024.

Key points include:

- Higher cash holdings due to unspent Liverpool Civic Place loan funds is yielding additional interest earnings.
- On-going review of resource requirements to achieve corporate initiatives has resulted in an investment in additional positions and program costs. The cost associated with engagement of additional staff resources is expected to be absorbed by salary savings from vacancies and deferred recruitment across the Council. Program costs in the order of \$600k are estimated.



Operating Revenue

Budget performance of key sources of operating revenue were as follows:

	YTD Budget \$'000	YTD Actual \$'000	FY Budget \$'000	FY Projections \$'000	Indicator
Rates & annual charges	14.172	14.478	170.067	170.067	👍
Other operating grants & subsidies	1.276	(0.180)	14.484	14.267	👍
Interest & investment income	0.953	1.419	11.433	12.933	👍
FAG grants	0.747	0.000	8.968	8.968	👉
Childcare fees & grants	0.710	0.615	8.521	8.521	👍
DA & other building fees	0.569	2.798	6.829	6.829	👍
Property rentals	0.399	0.388	5.644	5.644	👍
Parking fines	0.293	0.310	3.520	3.520	👍
Car parking fees	0.286	0.281	3.437	3.330	👍
Recovery - restoration works	0.203	0.055	2.440	2.440	👉
Ex-gratia income - Intermodal	0.187	0.000	2.245	2.245	👉
Net gain from disposal of assets	0.158	0.000	1.900	1.900	👎
Hire - community & recreational facilities	0.110	0.000	1.323	1.323	👉

Operating Expenditure

Budget performance of key areas of operating expenses were as follows:

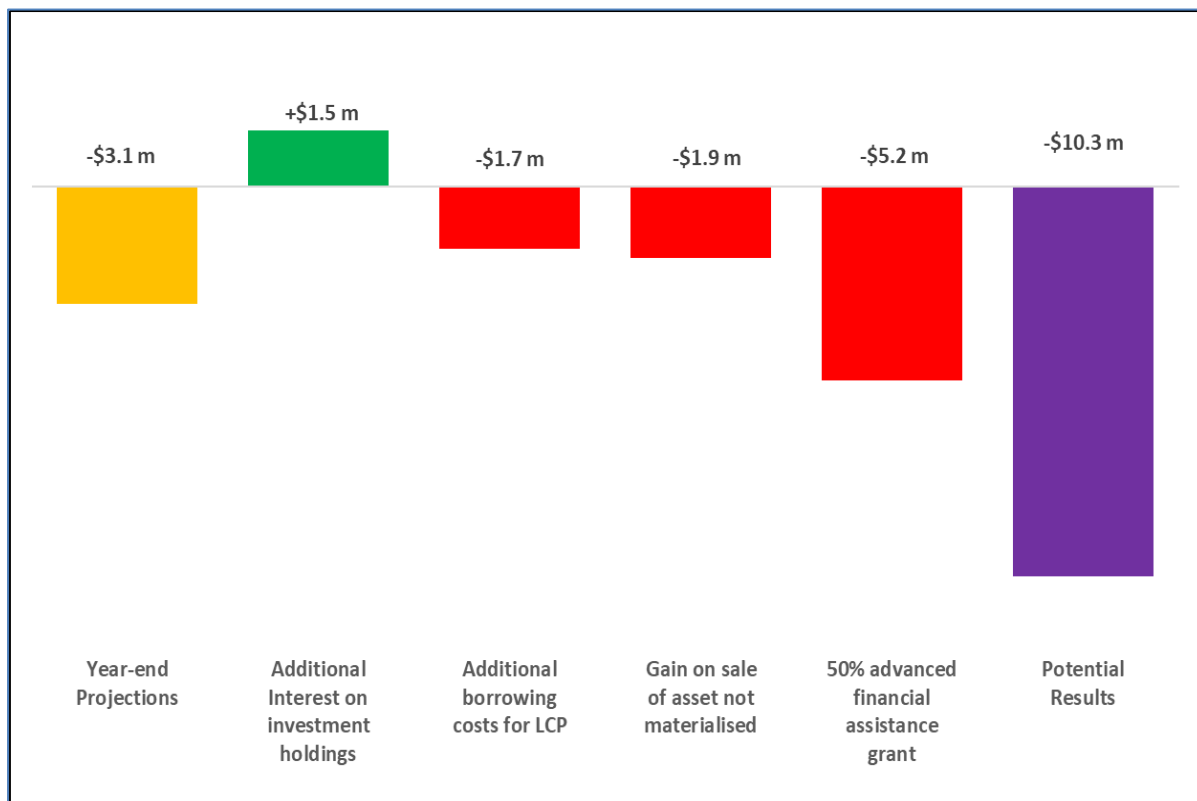
	YTD Budget \$'000	YTD Actual \$'000	FY Budget \$'000	FY Projections \$'000	Indicator
Salaries including superannuation	6.160	5.465	88.871	88.871	👍
Tipping & waste services	2.875	0.127	34.498	34.498	👍
Utilities (electricity / water / gas)	0.596	(0.427)	7.149	7.149	👍
Software licenses	0.336	0.022	4.038	4.038	👍
Contributions - NSW Fire / SES / RFS	0.313	0.000	3.761	3.761	👍
Insurance	0.257	0.012	3.079	3.079	👍
Contracted labour (agency)	0.231	0.080	2.777	2.777	👍
Tipping (hazardous waste)	0.210	0.000	2.520	2.520	👎
Borrowing costs	0.208	(0.034)	2.496	2.496	👎
Professional services	0.333	0.038	2.041	2.221	👍
Workers compensation	0.171	0.034	2.053	2.053	👍
Overtime	0.124	0.130	1.488	1.488	👎
Legal costs	0.121	0.017	1.448	1.448	👍
Internet (data)	0.096	0.000	1.157	1.157	👍
Consultants	0.070	0.041	0.840	0.840	👍

Risks & Opportunities

The following risks and opportunities have been identified with the potential to change the projected budget result for FY 2023/24 to a deficit of \$10.3 million.

- i) Interest on Investments [*Risk Probability: Highly Likely*] – based on current market interest rates and expected cash holdings, Council will further exceed its budget by \$1.5m for interest on investment income.
- ii) Borrowing Cost [*Risk Probability: Highly Likely*] – Cost of complete Liverpool Civic Place is estimated to exceed current estimates by \$23 million. Council does not have sufficient cash in its general reserves and therefore will have to borrow in the short term whilst exploring opportunities to recycle non-economical assets.
- iii) Gain on sale of Assets [*Risk Probability: Highly Likely*] – The sale of 24 Scott Street is subject to RMS approval and road works. At this stage Council has not obtained formal approval for road closure process. In addition, Council needs to seek variation to the option agreement with the adjoining owner. This is unlikely to be finalised by 30 June 2024.

- iv) FAG Operating Grant [*Risk Probability: Low/Moderate*] – The NSW Grants Commission fully paid 2023/24 financial assistance grant in advance. Any change to their position for FY2024/25 is not known at this stage.



Budget FY 2024/25

It is proposed that a complete thorough review of all Council activities (works and services programs) will be undertaken over the financial year with a view to re-examining and determining Council’s commitment to continuing those activities and the extent of investment in them.

To undertake the proposed review, it is proposed that the following timeline be given as a guide for Councillors to deliberate and formulate the 2024/25 operating and capital budget:

Activity	Timelines
1. Discuss timetable and approach	22-Aug-2023
2. Identify range of Council activities / services	22-Aug-2023
3. Classify all services: <ul style="list-style-type: none"> a. Required by legislation. b. Core services c. Non-core services d. Support functions 	12-Sep-2023
4. Develop priority guidelines	Oct-2023 to Feb 2024
5. Review of Services	
6. Prioritise capital works program	
7. Review: <ul style="list-style-type: none"> a. LTFP assumptions b. Projected performance ratio's c. Articulate variations for "pessimistic" and "optimistic" scenarios and action plans 	
8. Draft Budget and LTFP endorsed for public exhibition	Mid Apr-2024
9. Draft Budget and LTFP Public exhibition period	May-2024
10. Council adopts Delivery Plan, Operational Plan and LTFP	26-Jun-2024

ATTACHMENTS

1. 2023-24 Approved Budget - Net Cost of Services

ITEM 08

LGNSW Annual Conference and Board Election

Strategic Direction	Leading through Collaboration Strive for best practice in all Council processes
File Ref	258045.2023
Report By	Jessica Saliba - Acting Manager Council & Executive Services
Approved By	Farooq Portelli - Director Corporate Support

EXECUTIVE SUMMARY

The Local Government NSW (LGNSW) Annual Conference will be held from Sunday 12 to Tuesday 14 November 2023 at Rosehill Gardens Racecourse.

Any Councillors who wish to attend the LGNSW conference are to notify the Councillor Support Officer by 15 September 2023.

RECOMMENDATION

That the Committee recommends that Council:

1. Determines its voting delegates for voting on motions at the conference, noting that Liverpool City Council is entitled to 10 voting delegates for voting on motions;
2. Determines its voting delegations for the LGNSW Board Election noting that Liverpool City Council is entitled to 10 voting delegates for voting on the Board Election; and
3. Receive and note the draft motions as outlined in the report to be submitted to the Local Government NSW 2023 Conference.

REPORT

The LGNSW Annual Conference will be held from Sunday 12 to Tuesday 14 November 2023 at Rosehill Gardens Racecourse.

Attendees, voting delegates and motions for LGNSW Conference

The deadline for motions to be submitted is 15 September 2023. The deadline to advise LGNSW of Council's voting delegates for the Conference is 27 October 2023.

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

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

1. are consistent with the objects of LGNSW;
2. relate to or concern local government as a sector in NSW and/or across Australia;
3. seek to establish or change policy positions of LGNSW and/or improve governance of the Association (noting that the LGNSW Board is responsible for decisions around resourcing any campaigns or operational activities, and any necessary resource allocations will be subject to the LGNSW budgetary process);
4. have a lawful purpose (a motion does not have a lawful purpose if its implementation would require or encourage non-compliance with prevailing laws);
5. are clearly worded and unambiguous in nature; and
6. do not express preference for one or several members over one or several other members.

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

i. Mental Health Services and Accessibility**MOTION**

That LGNSW Government of Association resolve to:

1. Make representation to both Federal and State governments to work cooperatively and collaboratively as a matter of urgency to strengthen, improve and invest in accessible community-based mental and psychological health counselling and therapy that is sensitive to and meets the complex needs of our diverse community.

2. Make representation to the State and Federal government to urgently implement the findings of mental health services and accessibility report of University of Sydney, Western Sydney University and University of Wollongong¹ to:
- Fund the development of more community-based psychosocial, primary and community mental health services, as alternatives to hospital care.
 - Invest in boosting the role and capacity of NGOs and other services providers.

¹. The Integrated Mental Health Atlas of South West Sydney

ii. Medicare Psychology Services

Background

Last December the Federal Government took the decision to slash access to psychology services for our community. This decision went directly against the recommendations of the extensive government-commissioned evaluation of Medicare psychology services, conducted by the University of Melbourne. This, at a time when interest rates and the cost of living pressures are mounting, is an abandonment of our most vulnerable people.

Statistics illustrate that up to 40 percent of people aged 15-24 years report suffering from a mental health condition. The majority of access to Medicare funded psychology services has been provided to young people within the community, particularly young women. Extensive research indicates that 18-20 psychology sessions is required to assist with moderate mental health issues – a far cry from the 10 sessions the government has landed on.

MOTION

That LGNSW Government of Association write to the Federal Health Minister, the Hon Mark Butler MP, expressing its objection in the strongest terms to the slashing of Medicare funded psychology services, and immediately call for the reinstatement of 20 Medicare funded sessions;

We have also provided a list of topics for the committee to consider when preparing draft motions;

- Metro Liverpool to Bankstown Extension
- Climate Change
- Affordable Housing
- Aerotropolis
- Cost of Living
- Infrastructure in Liverpool LGA / Austral
- WestInvest Funding and Grants
- Transport and Tolls

FINANCIAL IMPLICATIONS

Costs are expected to be in the order of \$1,385 per delegate which includes early bird registration and a Conference dinner.

Costs associated with the conference have been included in Council's 2023/24 budget.

CONSIDERATIONS

Economic	<p>Costs are expected to be in the order of \$1,385 per delegate which includes registration and a Conference dinner.</p> <p>Costs associated with the conference have been included in Council's 2023/24 budget.</p>
Environment	Raise community awareness and support action in relation to environmental issues.
Social	Raise awareness in the community about the available services and facilities.
Civic Leadership	<p>Act as an environmental leader in the community.</p> <p>Provide information about Council's services, roles and decision-making processes.</p> <p>Operate a well-developed governance system that demonstrates accountability, transparency, and ethical conduct.</p> <p>Actively advocate for federal and state government support, funding and services.</p>
Legislative	There are no legislative considerations relating to this report.
Risk	The risk is deemed to be low and is within Council's risk appetite.

ATTACHMENTS

1. Guide to submit Motions - LGNSW Conference 2023

