

COUNCIL AGENDA

ORDINARY COUNCIL MEETING

22 November 2023

BOOK 1



You are hereby notified that an **Ordinary Council Meeting** of Liverpool City Council will be held at the **FRANCIS GREENWAY CENTRE, 170 GEORGE STREET, LIVERPOOL** on **Wednesday, 22 November 2023** commencing at 2.00pm. Doors to the Francis Greenway Centre will open at 1.50pm.

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 7493.

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

Hon John Ajaka
CHIEF EXECUTIVE OFFICER

Statement of Ethical Obligations

Oath or Affirmation of Office

In taking the Oath or Affirmation of Office, each Councillor has made a commitment to undertake the duties of the office of councillor in the best interests of the people of Liverpool and Liverpool City Council and that they will faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the Local Government Act 1993 or any other Act to the best of their ability and judgment.

Conflicts of Interest

A councillor who has a conflict of interest in any matter with which the council is concerned, and who is present at a meeting of the council when the matter is being considered, must disclose the interest and the nature of the interest to the meeting as soon as practicable. Both the disclosure and the nature of the interest must be recorded in the minutes of the Council meeting where the conflict of interest arises. Councillors should ensure that they are familiar with Parts 4 and 5 of the Code of Conduct in relation to their obligations to declare and manage conflicts of interests.

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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 Purchase of Lot 3937 DP 1225536 and Dedication of Lot 3935 DP 1225536, Rosedale Circuit, Carnes Hill		
<i>Reason: Item CONF 01 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.</i>		

ORDER OF BUSINESS

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CONF 02 VP3236/ PQ3240- Remediation and Revegetation of Flood Detention Basin at Amalfi Park, Lurnea

Reason: Item CONF 02 is confidential pursuant to the provisions of s10A(2)(d i) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

CONF 03 Liverpool Civic Place Early Childhood Education and Care Leasing Strategy

Reason: Item CONF 03 is confidential pursuant to the provisions of s10A(2)(d ii) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed confer a commercial advantage on a competitor of the Council.

CONF 04 Biochar

Reason: Item CONF 04 is confidential pursuant to the provisions of s10A(2)(d i) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

CONF 05 Exemption to Tender Request - Civic Place In-Building Mobile Telephony

Reason: Item CONF 05 is confidential pursuant to the provisions of s10A(2)(d i) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

CONF 06 Legal Affairs Report - July to September 2023

Reason: Item CONF 06 is confidential pursuant to the provisions of s10A(2)(a) (c) (d i) (g) of the Local Government Act because it contains personal matters concerning particular individuals (other than councillors); AND information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; AND commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it; AND advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

CONF 07 Public Notification outcome of Proposed Road Closure and Potential Future Sale of part of Gurner Avenue, Austral (adjoining No. 5 Gurner Ave)

Reason: Item CONF 07 is confidential pursuant to the provisions of s10A(2)(c) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

CONF 08 2024 Australia Day Awards

Reason: Item CONF 08 is confidential pursuant to the provisions of s10A(2)(a) of the Local Government Act because it contains personal matters concerning particular individuals (other than councillors).

Close



MINUTES OF THE ORDINARY MEETING HELD ON 25 OCTOBER 2023

PRESENT:

Mayor Ned Mannoun (arrived 2.25pm)
 Councillor Ammoun
 Councillor Goodman (online)
 Councillor Green
 Councillor Hadid
 Councillor Hagarty
 Councillor Harle
 Councillor Kaliyanda
 Councillor Karnib (online)
 Councillor Macnaught
 Councillor Rhodes
 Hon John Ajaka, Chief Executive Officer
 Mr Farooq Portelli, Director Corporate Support
 Ms Tina Bono, Director Community & Lifestyle
 Ms Lina Kakish, Director Planning & Compliance
 Ms Michelle McIlvenny, Director Customer & Business Performance
 Mr Shayne Mallard, Director City Futures (online)
 Mr Jason Breton, Director Operations
 Mr David Galpin, General Counsel, Manager Governance, Legal and Procurement
 Mr Vishwa Nadan, Chief Financial Officer
 Mr Charles Wiafe, Principal Transport Planner
 Ms Melissa Wray, Support Officer
 Ms Susan Ranieri, Coordinator Council & Executive Services (minutes)

The meeting commenced at 2.00pm

Cllr Macnaught, as the Deputy Mayor, assumed the Chair in Mayor Mannoun's absence.

STATEMENT REGARDING WEBCASTING OF MEETING

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

The prayer of the Council was read by Father Anthony Morgan from St George and Prince Tadros Coptic Orthodox Church.

NATIONAL ANTHEM

The National Anthem was played at the meeting.

COUNCILLORS ATTENDING REMOTELY

Councillors Karnib and Goodman have requested permission to attend this meeting via MS Teams.

Motion: Moved Clr Kaliyanda **Seconded:** Clr Ammoun

That Councillors Karnib and Goodman be granted permission to attend the meeting via MS Teams.

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

APOLOGIES

Nil.

CONDOLENCES

Motion: **Moved: Clr Ammoun** **Seconded: Clr Kaliyanda**

That Council:

1. Move a condolence motion for the children that have passed since 7th October 2023 in the current conflict; and
2. Hold a one minute silence.

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

A one minute silence was then observed.

MAYORAL MINUTES

1. Yellamundie – The Story Teller
2. Back in Black
3. Vibrancy Reforms
4. Planning Assessment Reforms
5. Ross Whelan
6. Bill Crews Foundation

MAYORAL MINUTE

ITEM: MAYOR 01
SUBJECT: Yellamundie - The Story Teller
REPORT OF: Mayor Ned Mannoun
DATE: 25 October 2023

Story telling is powerful.

Through story we learn, we share, we feel - we do many things.

We tell stories in many ways, through word, through art, around a fire, around a kitchen table.

Our First Nations Brothers and Sisters have been telling stories for tens of thousands of years.

Through each story wisdom is passed on from today's Elder to Tomorrow's elder.

The line continues unbroken, from the first generation, to today's generation, to the end of time.

We must never underestimate the power and importance of telling story.

Today we acknowledge the importance that Liverpool's community places on story.

Representing every nation and culture in the world - our stories are those of humanity combined.

On the 2nd of December we will open our new library named Yellamundie - The Story Teller.

This multi-million dollar investment in this building is a place where our stories will be told because we value stories, we value knowledge, we value learning.

In Yellamundie there is much symbolism in its form and architecture.

Its White symbolises Peace, Purity, and Innocence.

The Oval symbolises rebirth, fertility, and immortality

The Circles represent equality.

The books and stories represent Knowledge and Light.

All these attributes are so needed in our World - not just today, but always.

We constantly see our world engulfed in darkness.

In this darkness we lose innocent human life, in particular the most innocent - our Children.

When Humans fail innocent Children die.

If we ever had one metric that measured the success of humanity, it would be how many innocent children died because the conflicts caused by man.

Our goal as humans is to make this 0.

Children are innocent and we have an obligation to protect them at all costs. There is no distinction between any of them and all are equal.

Unfortunately we keep on failing children.

Today as we speak children are being bombed, killed, orphaned because humans failed.

Innocent children. Rather than surrounding an ice cream truck choosing what ice cream they want got buy, they now lie in that iced cream truck dead - in a body bag - because the morgues are full of dead innocent children.

Their stories need to be told.

We have to be reminded of what we lost.

We have to tell their stories to future generations so they can learn from our mistakes.

Today I move that Yellamundie tell their story - forever.

MAYORAL MINUTE

ITEM: MAYOR 02
SUBJECT: Back in Black
REPORT OF: Mayor Ned Mannoun
DATE: 25 October 2023

In 2021/22, Council posted a deficit net operating result of \$11.9m. The incoming Council set a budget target of an \$8.4m deficit net operating result for 2022-23 with an aim to achieve a surplus position in 3 years.

As Mayor, I have been determined to ensure our Budget is in order. That is why I am proud to share that Council has recorded a surplus operating result for 2022-23, which is well ahead of its target. This is the first time Council has achieved a Surplus Operating Result since 2018/19. In 2023/24, Council has budgeted for a \$3.7m deficit and will work towards achieving another surplus position.

Council has achieved this whilst increasing the quality of our critical services. Given the current economic climate, this has not been an easy task – so I would like to acknowledge the efforts of the Councillors and Council Staff that made this possible. Whilst this achievement is a fantastic step in the right direction, there is still much more work to do.

RECOMMENDATION:

That Council:

1. Notes that Liverpool City Council has achieved a Surplus Operating Result for the first time since 2018/19; and
2. Thanks Councillors and Council Staff for their continued effort to ensure our Budget is in a Surplus Position.

COUNCIL DECISION:

Motion: **Moved: Mayor Mannoun** **Seconded: Clr Ammoun**

That Council:

1. Notes that Liverpool City Council has achieved a Surplus Operating Result for the first time since 2018/19; and
2. Thanks Councillors and Council Staff for their continued effort to ensure our Budget is in a Surplus Position.
3. Continues to work on filling, where there are vacant positions, front line services.

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

Clr Hadid left the Chambers at 3:00pm.

Clr Hadid returned to the Chambers at 3:03pm.

ITEM: MAYOR 03
SUBJECT: Vibrancy Reforms
REPORT OF: Mayor Ned Mannoun
DATE: 25 October 2023

To build Liverpool as the Capital of South West Sydney we need to ensure that the quality of life in Liverpool is of a high standard and as a Council, it is important that we support our local entertainment zones, our live music scene, and our local economy – especially at a time where NSW’s hospitality industry is struggling.

It is for these reasons that I welcome the Minns Government’s proposed Vibrancy Reforms, which will remove red tape across the sector. The Reforms are logical and sensible. For example, there are currently 7 agencies that accept noise complaints (including Councils). The proposed reforms will streamline the process and make Liquor and Gaming NSW the sole manager of noise complaints against licensed venues.

It is worth noting the proposal from the Minister for the Special Minister of State, Minister for Roads, Arts, Music the Night-time Economy, Jobs and Tourism the Hon John Graham, to expand the success of the Enmore Road Special Entertainment Precinct to other areas via a new framework for councils. This concept has been delivered with the intent of making it easier to deliver vibrant, safe going-out destinations supported by adequate and reliable transport and good lighting.

Further to this, I was excited to learn of rule changes to outdoor dining, which will allow venues to make the most of their outdoor space with a quicker, light-touch application process.

I would like to propose that Council invites the Hon John Graham and the 24-Hour Economy Commissioner to Liverpool for a site visit to discuss how Liverpool can maximise the potential of our CBD’s Nighttime Economy in light of the Vibrancy Reforms.

RECOMMENDATION:

That Council:

1. Welcomes the Minns Government’s Vibrancy Reforms;
2. Invites the Hon John Graham, Special Minister of State, Minister for Roads, the Arts, Music, the Night-time Economy, Jobs and Tourism and the 24-Hour Economy Commissioner to Liverpool for a site visit, noting Councils support for the Vibrancy Reforms;

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

1. Council welcomes the Minns Government's Vibrancy Reforms;
2. Council invites the Hon John Graham, Special Minister of State, Minister for Roads, the Arts, Music, the Night-time Economy, Jobs and Tourism and the 24-Hour Economy Commissioner and also invites the local State Representatives within the LGA to Liverpool for a site visit, noting Council's support for the Vibrancy Reforms);
3. The City Economy Unit prepare a report after the visit on the potential for a Nighttime Economy for Liverpool CBD, taking into account our vibrant multiculturalism and our emergence as a University City.

Cllr Ammoun wanted to thank Council staff on their recent successful event, Primavera Latin American Festival, which was held on 20-22 October 2023. He stated he received once again great feedback on another successful event and wanted to congratulate and thank the Director of Community and Lifestyle and Council's events team staff on the success of this event.

MAYORAL MINUTE

ITEM: MAYOR 04
SUBJECT: Planning Assessment Reforms
REPORT OF: Mayor Ned Mannoun
DATE: 25 October 2023

Dear Colleagues,

I am presenting this Mayoral Minute in response to recent reports of excessive time required for the assessment of development applications within our city. The information reported upon was one statistic in isolation and not surprisingly taken out of context with regard to the overall successful reforms and improvements that our Council is delivering lead by our CEO Hon John Ajaka and newly appointed Director of Planning Lina Kakish and her team.

When the new Council was elected and I took over as Mayor the Council's planning assessment system was quite frankly broken. In recognition of the issues particularly the long delays in assessing development applications, the backlog of applications and the difficulty retaining planning staff, our council took proactive steps by restructuring the planning department under the guidance of a new CEO and new director. This reorganization has led to a substantial reduction in the number of development applications, decreasing the backlog inherited from 1100 to 450. It's worth noting that, on average, 60 new applications are lodged each week.

To address the challenges in our assessment system, our initial focus was on the older and more complex outstanding applications. This approach was necessary to clear the backlog and allocate resources to fast tracking complying applications. However, this has inadvertently resulted in a distortion of the average time taken to assess applications and an increase in refusals. We understand the concerns this may raise among applicants and the community at large.

I am pleased to inform the Council that last week, we organized a highly successful Developer Investment Forum. This event saw the active participation of over 120 local stakeholders, including developers and community representatives. The forum provided an invaluable platform for these stakeholders to engage with the Council and openly discuss the challenges we all face. I congratulate the City Economy Team under City Futures Directorate for this successful event.

In conclusion, while we have made substantial progress in addressing the issues related to the assessment of development applications, we acknowledge that there is more work to be done. We must find a balance between expediting assessments and ensuring that our decisions align with the best interests of our community.

MAYORAL MINUTE

ITEM: MAYOR 05
SUBJECT: Thanking Ross Whelan
REPORT OF: Mayor Ned Mannoun
DATE: 25 October 2023

This item was dealt with in Closed Session at the end of meeting pursuant to the provisions of s10A(2)(a) of the Local Government Act because it contains personal matters concerning particular individuals (other than councillors).

MAYORAL MINUTE

ITEM: MAYOR 06
SUBJECT: Bill Crew Foundation – Liverpool
REPORT OF: Mayor Ned Mannoun
DATE: 25 October 2023

The Bill Crews Foundation has provided food, healthcare, social welfare, education, love and compassion to those that need it most for over 30 years.

In our community, they do fantastic work, notably at the Liverpool Uniting Church. Last Thursday I popped down to the Uniting Church to see the team in action as they hosted their Anti-Poverty Week Community Hub BBQ. It was a fantastic initiative and I commend everyone involved in this event.

Whilst visiting, I could not help but notice how heavy their portable BBQ was. It is for this reason that I would like to move that Council donates \$2000.00 to support the Bill Crews Foundation in purchasing a new BBQ and relevant appliances for their charitable efforts. I urge Councillors to support this motion.

RECOMMENDATION:

That Council:

1. Recognises and thanks the Bill Crews foundation for their commitment to social welfare
2. Donates \$2000.00 to assist with the purchasing of a new BBQ and other relevant appliances to assist their charitable efforts.

COUNCIL DECISION:

Motion: **Moved: Mayor Mannoun** **Seconded: Cr Green**

That Council:

1. Recognises and thanks the Bill Crews foundation for their commitment to social welfare
2. Donates \$2000.00 from the General Reserve to assist with the purchasing of a new BBQ and other relevant appliances to assist their charitable efforts.

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

Clr Ammoun left at 3.15pm
Clr Ammoun returned at 3.17pm.

PLANNING & COMPLIANCE REPORTS

ITEM NO: PLAN 01
FILE NO: 282412.2023
SUBJECT: Endorsement to Participate in Non-LED Street Light Replacement Program

COUNCIL DECISION

Motion: **Moved: Clr Hagarty** **Seconded Clr Harle**

That Council:

1. Notes its participation in the Endeavour Energy non-energy efficient street light replacement program.
2. Approves a budget of approximately \$815,000 for additional payments for street light management for this financial year.
3. Notes the participation in the street light replacement program will assist Council in achieving one of its key actions in its adopted climate change action plan.

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

That Council:

- ## COUNCIL DECISION

That Council defers this item to the next Governance Committee meeting for a briefing on what outcomes this Policy has achieved.

That the recommendation be adopted.

On being put to the meeting the motion (moved by Mayor Mannoun) was declared CARRIED and the Foreshadowed motion (moved by Cllr Hagarty) therefore lapsed.

Motion: **Moved: Clr Rhodes** **Seconded: Clr Macnaught**

1. Deem Voluntary Planning Agreement, VPA-44, 5 Melito Court Prestons as complete with no outstanding obligations; and
2. Support the removal of VPA 44 from title.

Chairperson

ITEM NO: PLAN 04
FILE NO: 334271.2023
SUBJECT: Minor Amendment to LLEP 2008 - 15 Stante Close and 430 Cowpasture Road, Middleton Grange

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

1. Receive and note this report.
2. Submit a s3.22 amendment request to the Department of Planning and Environment, to amend the land use zone and development standards at 15 Stante Close and 430 Cowpasture Road, Middleton Grange, as per this report.
3. If the s3.22 amendment request is not supported by the Department of Planning and Environment, submit a planning proposal for a Gateway determination, to amend the land use zone and development standards at 15 Stante Close and 430 Cowpasture Road, Middleton Grange, as per this report.

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

Councillors voted unanimously for this motion.

Note: Clr Ammoun was not in the Chambers when this item was voted on.

ITEM NO: PLAN 05
FILE NO: 336031.2023
SUBJECT: Planned Arterial Road Network for Western Sydney Aerotropolis

COUNCIL DECISION

Motion: **Moved: Mayor Mannoun** **Seconded: Cllr Harle**

That Council:

1. Notes that TfNSW has assessed and identified the arterial road network required to facilitate the rezoned urban development in the Western Sydney Aerotropolis as indicated in the report.
2. Notes that TfNSW has received Federal and State Governments funding to prioritise and prepare strategic business cases for seven arterial roads including six within the Liverpool LGA, to be completed in December 2023.

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

ITEM NO: PLAN 06
FILE NO: 341302.2023
SUBJECT: Quarterly Report - Clause 4.6 Variations to Development Standards

COUNCIL DECISION

Motion: **Moved: Clr Macnaught** **Seconded: Clr Hadid**

That Council receives and notes this report.

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

COUNCIL DECISION

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

ITEM NO: CORP 02
FILE NO: 338890.2023
SUBJECT: Investment Report September 2023

COUNCIL DECISION

Motion: **Moved: Clr Green** **Seconded: Clr Rhodes**

That Council receive and note this report.

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

COUNCIL DECISION

That Council:

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

RECESS

Mayor Mannoun called a recess at 3.39pm.

RESUMPTION OF MEETING

The meeting resumed at 4.05pm in Open Session with all Councillors present.

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

1. Defers adoption of the NSW Government's Wianamatta South Creek (WSC) Flood Study 2020;
2. Undertakes a review of its existing South Creek Flood Study, following completion of the flood mitigation works that are underway within the catchment;
3. Prepares a further report to Council, on the outcomes of the review; and
4. Notifies property owners and residents within the flood affected area, of Council's decision.

Minutes of the Ordinary Council Meeting held on Wednesday, 25 October 2023 and confirmed on Wednesday, 22 November 2023

Chairperson

Motion: **Moved:** Cllr Harle **Seconded:** Cllr Hadid

1. Receives and notes this report
2. Endorses Hopkins Creek Modification Option 1 (without the footpaths) as reported on 30 August 2023 for improvement, existing creek condition, performance, and maintenance requirements.
3. Endorses to proceed with the community consultation on Option 1 with the residents and property owners bordering Hopkins Creek.

1. Receives and notes this report.
2. Endorses Hopkins Creek Modification Option 4 as reported on 30 August 2023 for improvement, existing creek condition, performance, and maintenance requirements.
3. Endorses to proceed with the community consultation on Option 4 with the residents and property owners bordering Hopkins Creek.

Councillors voted for the Amended motion (moved by Cllr Goodman) to be put first and become the motion, which was carried. The Amended motion (moved by Cllr Goodman) then became the motion and on being put to the Council was declared CARRIED.

Clr Harle asked that he be recorded as having voted against the motion.

COMMITTEE REPORTS

ITEM NO: CTTE 01
FILE NO: 331913.2023
SUBJECT: Minutes of the Liverpool Local Traffic meeting held on 20 September 2023

COUNCIL DECISION

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

That Council adopts the following Committee recommendations:

Item 1 - Sarah Hollands Drive, Carnes Hill – Proposed Central Median Island

Approves installation of a central median island, two blister islands and associated signs and line markings in Sarah Holland Drive, between Kurrajong Road and Stonequarry Way, as shown in the Attachment Booklet.

Item 2 – Elizabeth Hills – Proposed Local Area Traffic Management (LATM)

- Notes the proposed treatments outlined in the Elizabeth Hills LATM study report as indicated in the Attachment Booklet.
- Undertakes community consultation and its outcome with detailed designs to be presented in future meeting prior to staged installation.

Item 3 – First Avenue and Nineteenth Avenue Intersection, Hoxton Park - Proposed Road Extension

- Approves implementation of a 5-tonne load limit in Lismore Street, subject to the submission of a Transport Management Plan to TfNSW for its endorsement, prior to implementation.
- Undertakes further community consultation with First Avenue residents prior to reopening of the closed First Avenue and Nineteenth Avenue intersection as shown in the Attachment Booklet.

Item 4 – Nuwarra Road, Moorebank – Proposed 5-Tonne Load Limit

- Approves implementation of a 5-tonne load limit along Nuwarra Road, south of Newbridge Road, subject to the submission of a Transport Management Plan for its endorsement, prior to implementation.

- Undertakes community consultation including placement of Variable Message Boards along at the northern and southern approaches of the road section, prior to implementation.

Item 5 – Liverpool Public School Development – Proposed Traffic Facilities

- Notes the installation of a Children crossing across Lachlan Street and a pedestrian refuge at Lachlan Street/Drummond Street and associated signs and line marking scheme to be approved under delegated authority.
- Undertakes community consultation prior to installations of the traffic facilities.

Item 6 - Yarrunga Street and Kookaburra Road (N), Prestons – Half Road Reconstruction Signs and Linemarking Scheme

Approves installation of two median islands and associated signs and line markings as part of the half road reconstruction as shown in the Attachment Booklet.

Item 7 – Pacific Palms Circuit, Hoxton Park – Request for Raised Threshold

Notes that installation of a raised threshold across the section of Pacific Palms Circuit between White Cliffs Avenue and Tilpa Place, is not warranted at this stage.

Item 8 – Edmondson Avenue Upgrade, Austral - Proposed Signs and Line Marking Scheme

- Notes the Edmondson Avenue Upgrade Stage 1 design and associated signs and line marking, as shown in the Attachment Booklet.
- Notes that the detailed design including a signalised intersection at Edmondson Avenue/Fifth Avenue intersection be submitted to TfNSW for its approval.
- Undertakes community consultation with local residents, businesses and schools, prior to the road upgrade.

Item 9 – Fourth Avenue and Gurner Avenue, Austral – Proposed Traffic Facilities

- Notes installation of an interim roundabout and a Children's crossing at a location east of the College driveway, with required kerb and guttering, to be approved under delegated authority.
- Investigates future upgrade of the interim roundabout to future traffic signals.

Item 10 – Flynn Avenue, Middleton Grange – Request for Raised Pedestrian Crossing

- Notes installation of a raised marked pedestrian crossing facility to be approved under delegated authority.
- Undertakes community consultation including Transit Systems, prior to installation.

Item 11 – Items Approved Under Delegated Authority

Notes the traffic facilities approved under delegated authority in the period between August 2023 and September 2023.

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

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

1. Receives and notes the Minutes of the Aboriginal Consultative Committee Meeting held on 7 September 2023.
2. Endorse the recommendations in the Minutes.

Note: Cllr Rhodes wanted to request that for future more detail be put in to the minutes. She gave an example of page 305 (of the Council Agenda) point 4.1 under the heading, Dual Naming at Civic Place (as shown below):

Committee member Emma Eldrige gave an update on the dual naming of meeting rooms and spaces at Civic Place. Emma has contacted traditional Cabrogal custodians and discussed including the Cabrogal words for the seven seasons as names in the Civic Tower.

.....

Chairperson

ITEM NO: CTTE 03
FILE NO: 336964.2023
SUBJECT: Minutes of the Liverpool Access Committee Meeting held on 14 September 2023

COUNCIL DECISION

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

That Council:

1. Receives and notes the Minutes of the Liverpool Access Committee meeting held on 14 September 2023;
2. Endorse the recommendations in the Minutes.

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

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

1. Receives and notes the Minutes of the Governance Committee meeting held on 10 October 2023; and
2. Endorse the recommendations in the Minutes.

Chairperson

QUESTIONS WITH NOTICE

ITEM NO: QWN 01

FILE NO: 345417.2023

SUBJECT: Question with Notice - Cllr Rhodes - Koala Kill Zone Heathcote Road

Background

Mitigation to help preserve and protect Koala population in the South West Sydney area remains a great responsibility of all South West Sydney Councils including Liverpool and Sutherland, who apart from being home to recently identified colonies, it is recognised that our mutual LGA's are also a known migration path for Koalas from the Campbelltown area through Liverpool and Sutherland and back into Campbelltown LGA.

Studies have shown an alarming increase in Koala Kill zones along Heathcote Road and Liverpool Council has been collaboratively engaged to assist to mitigate the threat of Road kill along this road. The koala kill zone at Deadmans Creek goes from around the bottom of the hill coming down from Pleasure Point to the Deadmans Creek bridge. Koalas have been killed around the quarry also, but the main area they are hit is at the bottom of that hill.

There has been a request from constituents that there is a need for more and or repositioning of Koala road signs and/or speed limits imposed on this section of Heathcote Road.

The below map has identified the additional need for Koala signs on Heathcote Road up to the Pleasure Point intersection, making sure the signs are positioned before you enter the recognised kill zone from both directions not after you have passed the kill zone.



The attached Transport for NSW report shows options to reduce Koala vehicle strike along Heathcote Road, near Deadman's Creek.

Please address the following:

- 1. What mitigation measures are being delivered by any, or each of the collaboration partners, to reduce the koala road kill along Heathcote Road and when they will be delivered?**

Response (Provided by the Operations Directorate)

Transport for NSW (TfNSW) is the principal land manager for Heathcote Road.

Council officers have been actively involved in advocating for increased koala protection within the LGA, including Heathcote Road.

Some of the mitigation measures that have been or are being delivered to increase koala protection along Heathcote Road include:

- Installation of koala warning signs along Heathcote Road to alert drivers that they are entering a 'Koala Zone'. This approach is taking key learnings from other koala hotspot areas in NSW.
- TfNSW in partnership with the NSW Koala Strategy, NSW Environment and Heritage has deployed two temporary trailer mounted variable message signs (VMS) on Heathcote Road facing east and west for 12 weeks during the current peak koala breeding season (from August to February). A further six permanent static signs have been installed at koala vehicle strike hot spots along Heathcote Road to complement the VMS at these hotspots.
- The NSW Koala Strategy and Council sought advice from Campbelltown City Council to gain insights into their trailer-based VMS program. Similar phrasing on the signs for consistency is used across nearby local government areas (e.g. "Koala Breeding Season", "Be Alert Koalas About").
- A fauna underpass has been constructed by the NSW Koala Strategy in partnership with TfNSW along Deadman's Creek, underneath Heathcote Road. The underpass was delivered as part of the Heathcote Road upgrade works, creating a safe passage for koalas to cross. Council staff were involved in consultation on the design and installation of the underpass.
- In response to the report commissioned by TfNSW, *Options to Reduce Koala Vehicle Strike Along Heathcote Road, Near Deadmans Creek*, dated December 2021 prepared by WSP Pty Ltd, TfNSW and the NSW Koala Strategy is planning to install fauna fencing (koala exclusion fencing) along Heathcote Road in the next 18 months.

TfNSW and Defence are discussing the fencing design to address security concerns in relation to Defence land.

- The NSW Koala Strategy will provide funding for Liverpool City Council and Sutherland Shire Council to each purchase a trailer mounted VMS and vehicle activated signs to be deployed when required in their LGAs. The additional two VMS in areas along and around Heathcote Road will complement Campbelltown City Council's VMS. It is anticipated that the funding for the additional two VMS will be available by December 2023.
- TfNSW is undertaking monitoring to assess whether the VMS trailers have any influence on driver behaviour. This will help guide future decisions about the VMS trailers and future koala roadkill mitigation measures.

Council is also involved with related roadkill mitigation communications. A variety of communication channels are used, including but not limited to:

- Council's Sustainable Living newsletters
- Koala Conservation Project's Facebook Page. *The Southwest Sydney Koala Project* can be followed on Facebook: <https://www.facebook.com/swskoalaproject/>
- Council's social media pages
- School newsletters (to target parents/guardians dropping off kids) at the surrounding schools that are in close proximity to the koala population around Heathcote Road. Communication is ongoing and increases during the koala breeding season.

Motion:

Moved: Cllr Rhodes

Seconded: Cllr Macnaught

That:

1. Council continue collaboration with TfNSW, Department of Defence, Department of Planning NSW, Campbelltown and Sutherland Councils and advocate for the Wildlife fencing to be erected as soon as possible to address the Koala breeding seasons threat of road strikes;
2. Council explore opportunities for collaboration with all parties for a combined Koala awareness campaign to address the threat of road strikes in the absence of the wildlife fencing at the time of the Koala breeding season;
3. Council advocate for collaboration with all parties to provide an annual, mutual education program based on promoting Koala awareness during the Koala breeding season each year;
4. Council investigate and replace if necessary the Koala sign that has been taken from Cumberland Avenue;
5. An update be provided to Council on the progress of collaboration and advocacy for the wildlife fence and possible combined awareness programs; and
6. After points 1 to 5 have been undertaken, Council direct the CEO to come back to Council with a report and if there is any financial implications then that would be part of that report.

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

ITEM NO: PLAN 07
FILE NO: 351557.2023
SUBJECT: Draft Aerotropolis S7.12 Contribution Plan - Post Public Exhibition and Ministerial Submission

COUNCIL DECISION

Motion: **Moved: Cllr Rhodes** **Seconded: Cllr Green**

That Council:

1. Notes the post exhibition report of the draft Liverpool City Council s7.12 Aerotropolis Contribution plan fulfilling the requirement of Min179769.2023 (2) *'provide a further report to Council on completion of the public exhibition period'*;
2. Support the minor administrative amendments and changes to the draft Liverpool City Council s7.12 Aerotropolis Contribution Plan and Background report as generally expressed within in this report;
3. Acknowledge the minor levy increase of 0.1% (levy now 4.6%) which captured the increase in land values within the Aerotropolis precinct;
4. In accordance with *Environmental Planning and Assessment Act 1979, section 7.12 (5) and Environmental Planning and Assessment Regulations 2021, section 7.17(1)(d)* forward the final *Draft Liverpool City Council s7.12 Aerotropolis Contribution Plan 2023* to the Department of Planning and Environment for assessment and Ministerial approval; and
5. Receive a further report, post Ministerial assessment and recommendation, of the draft Liverpool City Council s7.12 Aerotropolis Contribution Plan.

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

PRESENTATIONS BY COUNCILLORS

Clr Macnaught made a presentation to Council on the 11th Annual Research Excellence Awards she recently attended by Ingham Institute as follows:

It is with great excitement that I share the exceptional achievements of the 11th Annual Research Excellence Awards, hosted by the Ingham Institute for Applied Medical Research on Thursday, 12th October, which was attended by myself and the CEO. The awards celebrated the outstanding research contributions in South Western Sydney, a testament to our region's commitment to advancing healthcare and research excellence.

Professor Annemarie Hennessy won the Distinguished Researcher Award for her remarkable strides in the field of preeclampsia academia. Her exceptional career spans over two decades, marked by significant research achievements and an impressive track record of mentoring and supervising numerous higher degree students.

Her pioneering work has led to groundbreaking insights into the prevention and treatment of preeclampsia, with her ongoing research poised to have a substantial impact on clinical practice in the coming years.

This is something close to my heart as I have worked in the field of obstetrics for many years, and have cared for numerous women and their unborn babies experiencing complications of preeclampsia, including my own sister.

Dr Zhihong Xu, the recipient of the Early Career Researcher Award, has demonstrated exceptional prowess in his research on pancreatic cancer and chronic pancreatitis.

His innovative studies have not only contributed to international research efforts but have also paved the way for novel therapeutic approaches in the field.

Dr. Xu's groundbreaking discoveries regarding the metastasis of pancreatic cancer cells have drawn significant attention, leading to promising collaborations and potential breakthroughs in treatment strategies.

Heena Sareen, the recipient of the Higher Degree Student Award, has exhibited exemplary dedication and achievement in her research on brain cancer biomarkers. Her thorough investigation and insightful publications have contributed significantly to the understanding and prognosis of brain cancer.

Professor Josephine Chow, recipient of the Excellence in Teaching Award, has demonstrated an unwavering commitment to fostering learning and research development in the South Western Sydney Local Health District. Her innovative approach to education, particularly through the implementation of the Quarantine Research Time Program, has not only inspired numerous students but has also significantly contributed to the advancement of research skills among nurses and midwives.

Kylie Dundas, the recipient of the Best Research Support Award, has exhibited exceptional dedication and contribution to the facilitation and coordination of critical research endeavours within the medical and oncology community. Her extensive knowledge and support have been instrumental in ensuring the smooth execution of research projects, effective collaborations, and the maintenance of ethical standards in clinical trials.

Mr Mayor, in acknowledgement of these achievements, I hereby propose a motion to commend and recognise the exemplary accomplishments of the distinguished awardees:

I urge Councillors to unanimously support this motion to celebrate the exceptional achievements of these esteemed individuals and their invaluable contributions to the South Western Sydney and broader community.

Thank you.

CONFIDENTIAL ITEMS**ITEM NO:** CONF 01**FILE NO:** 318494.2023**SUBJECT:** Liverpool Community Safety & Crime Prevention Advisory Committee Member Nominations 2023 and amendments to the Liverpool Community Safety & Crime Prevention Advisory Committee Charter**COUNCIL DECISION****Motion:****Moved: Cllr Rhodes****Seconded: Cllr Green**

That Council:

1. Endorse the proposed members of the Liverpool Community Safety & Crime Prevention Advisory Committee 2023-2025:

- Liverpool City Police Area Command
- NSW Health including Drug Health and Injury Prevention
- Core Community Services
- Royal Life Saving Society NSW
- Odyssey House NSW
- Lifeline Macarthur and Western Sydney
- MTC Australia
- Hume Community Housing

2. That Council endorses the recommended changes to the Liverpool Community Safety & Crime Prevention Advisory Committee Charter.

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

ITEM NO: CONF 02
FILE NO: 328762.2023
SUBJECT: Acquisition of Lot 15 in DP 1254457, Lot 15 Monoplane Avenue, Middleton Grange

COUNCIL DECISION

Motion: **Moved: Cllr Macnaught** **Seconded: Cllr Rhodes**

That Council:

1. Approves the acquisition of Lot 15 in Deposited Plan 1254457, Lot 15 Monoplane Avenue, Middleton Grange within the terms outlined in this report.
2. Resolves to classify Lot 15 in Deposited Plan 1254457 as “Operational” land in accordance with the *Local Government Act 1993*.
3. Authorises its delegated officer/s to execute any documents, under Power of Attorney, necessary to give effect to this decision.
4. Keeps confidential this report 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 Council is conducting (or proposes to conduct) business.

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

Motion: **Moved:** Clr Rhodes **Seconded:** Clr Macnaught

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

Motion: **Moved: Clr Hadid** **Seconded: Clr Ammoun**

1. Purchase Lot 100 in Plan of Acquisition DP 1284142 (Part Lot D DP 105925), 184 Fifth Avenue, Austral for the price and terms as outlined in this report.
2. Upon settlement classifies Lot 100 in Plan of Acquisition DP 1284142 (Part Lot D DP 105925) as “Operational Land”.
3. Keeps confidential this report pursuant to the provisions of Section 10A(2)(c) of the Local Government Act 1993 as this information would, if disclosed confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business; and
4. Authorises the CEO or delegate to execute any documents necessary to give effect to this decision.

.....

Chairperson

Motion: **Moved: Mayor Mannoun** **Seconded: Clr Macnaught**

1. Receives and notes the report;
2. Approves the draft Masterplan for Hammondville Park for public exhibition for community information and feedback for a period of 28 days;
3. Approves the draft Plan of Management for Hammondville Park for public exhibition for community information and feedback for a period of 28 days and allowing 42 days from the date of public exhibition for submissions, as required by the Local Government Act 1993; and
4. Authorises the CEO to:
 - (a) explore disposal of operational land at Hammondville Park (currently the subject of an offer from Moorebank Sports Club) for best value; and
 - (b) provide a further report will to Council prior to any commitment to proceed to a sale.

Councillors Kaliyanda, Green, Hagarty and Harle asked that they be recorded as having voted against the motion.

Motion: **Moved:** Clr Ammoun **Seconded:** Clr Macnaught

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

Motion: **Moved:** Clr Harle **Seconded:** Clr Karnib

1. Approves borrowing of \$23 million from NSW Treasury Corporation in accordance with the facility outlined in the report.
2. Authorise application of the Common Seal of Council to any document required to be executed under seal to give effect to these resolutions.
3. Authorise the CEO or his delegate to take all necessary steps and execute any documents required to give effect to these resolutions, including:
 - obtaining consent from current lenders to the proposed loan; and
 - amending existing loan agreements for the Liverpool Civic Place project.

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

THE MEETING CLOSED AT 4.44pm.

<Signature>

Name: Ned Mannoun

Title: Mayor

Date: 22 November 2023

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 25 October 2023. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.

PLAN 01	Pre Gateway Exhibition of Planning Proposal to amend the Liverpool Local Environmental Plan 2008 at 93-145 Hoxton Park Road, 51 Maryvale Avenue & 260 Memorial Avenue, Liverpool.
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Strategic Objective	Liveable, Sustainable, Resilient Deliver effective and efficient planning and high-quality design to provide best outcomes for a growing city
File Ref	308129.2023
Report By	Stephen Peterson - Senior Strategic Planner
Approved By	Lina Kakish - Director Planning & Compliance

EXECUTIVE SUMMARY

At the 30 August 2023 Council meeting, the planning proposal seeking to amend the development standards of *Liverpool Local Environmental Plan 2008* (LLEP 2008) at 93-145 Hoxton Park Road, 51 Maryvale Avenue and 260 Memorial Avenue, Liverpool, was presented to Council. The planning proposal sought to increase the maximum height of buildings from 15m to 21m (40% increase), increase the floor space ratio control from 1:1 to 1.5:1 (50% increase), and an additional permitted use to allow for the land use of 'Retail Premises' with a maximum gross floor area of 200m².

Council resolved '*That Council defer this item and direct the CEO to consult with the community*'. In this regard, the planning proposal underwent an initial exhibition period, as follows:

1. Exhibited for the period of 31 days, being 8 September 2023 to 9 October 2023 (extended beyond standard 28 days consultation due to one public holiday);
2. Exhibited on Council's website under 'Liverpool Listens' and 'Public Exhibitions and Notices'; and
3. Exhibited by way of posted letter to 450 properties including to the property and land owners.

As a result of the initial public exhibition, Council received a total of thirty submissions including two submissions which were identical however submitted by different persons. Of the thirty submissions, one submission was relating to a compliance matter on the site, one submission was in support of the planning proposal, one submission was supportive subject to alternative

vehicular access, and twenty seven submissions were objecting to the proposal in its current form.

The key concerns outlined in the submissions include increased traffic, access to/from the site located on Dale Avenue, the width of Dale Avenue, pedestrian safety, waste and emergency vehicle access, lack of on street parking, visitor parking, crime from affordable housing, and privacy concerns of overlooking.

The concerns raised through the submissions received can be adequately assessed throughout the ongoing planning proposal assessment, including by the Design Excellence Panel, the Department of Planning and Environment (DPE), Transport for New South Wales (TfNSW) and further assessment at the development application stage. It is noted that the site is currently zoned R4 High Density Residential which permits the development of a residential flat building.

Should a Gateway determination be issued by DPE, further community consultation by way of public exhibition and external state agency consultation, including with TfNSW regarding traffic and vehicular access options will be undertaken.

In this regard, it is recommended that council notes the submissions received and the advice of the Liverpool Local Planning Panel (LLPP), supports in principle the planning proposal request and submit a planning proposal to DPE seeking a Gateway determination and public exhibition. If Gateway is issued further consultation and input from DPE and TfNSW will be provided before a post-exhibition report and recommendation will be considered by Council at a future meeting.

RECOMMENDATION

That Council:

1. Notes the submissions received from members of the public;
2. Notes the advice of the Liverpool Local Planning Panel;
3. Endorses in principle the planning proposal request to amend development standards on the land at 93-145 Hoxton Park Road, 51 Maryvale Avenue and 260 Memorial Avenue, Liverpool, being to increase the maximum height of buildings to 21m, increase the floor space ratio to 1.5:1, and include an additional permitted use in Schedule 1 to allow '*Retail Premises*' with a maximum gross floor area for each premises of 200m² (not exceeding a combined total of 1,200m²);
4. Delegates to the CEO authority to prepare the formal planning proposal including any typographical or minor amendments if required;

5. Forwards the planning proposal to the Department of Planning and Environment pursuant to Section 3.34 of the *Environmental Planning and Assessment Act 1979*, seeking a Gateway determination;
6. Endorses in principle the draft amendments of the Liverpool Development Control Plan 2008;
7. Delegates to the CEO Authority to negotiate a Voluntary Planning Agreement (VPA) with the proponent, agree the terms of the offer with the proponent, and report back to Council the details of a draft VPA prior to exhibition of the planning proposal, consistent with the Council's Planning Agreements Policy;
8. Subject to Gateway determination and endorsement of the VPA, undertake community consultation for the planning proposal, VPA, and the site-specific Development Control Plan (DCP) in accordance with the conditions of the Gateway determination and the Liverpool Community Participation Plan 2022;
9. As part of the community consultation period, present the site-specific Development Control Plan to the Design Excellence Panel (DEP), in accordance with clause 15 of *Environmental Planning and Assessment Regulations 2021*; and
10. Receives a further report on the outcomes of post-Gateway public exhibition and community consultation period.

REPORT

The Subject Site

In July 2022, Council received planning proposal submitted by Mecone on behalf of ABA Estate Pty Ltd, to amend development standards within the *Liverpool Local Environmental Plan 2008* (LLEP 2008), for land at 93-145 Hoxton Park Road, 51 Maryvale Avenue and 260 Memorial Avenue, Liverpool, to facilitate the development of six residential flat buildings, with a maximum of 6 storeys.

Figure 1 below indicates an aerial view of subject site. The allotments subject to the planning proposal are highlighted blue and the two lots outlined in red form the proposed vehicular access points for a future development on the subject allotments however do not form part of the request to amended development standards.



Figure 1 - Aerial view of subject site. (Source: Nearmap 18 January 2023)

The planning proposal is recommended to proceed as follows:

1. Increase the maximum height of buildings from 15m to 21m (40% increase);
2. Increase the floor space ratio control from 1:1 to 1.5:1 (50% increase) and;
3. An amendment to Schedule 1 to allow for the land use of '*Retail Premises*' with a maximum gross floor area for each premises of 200m² and not exceeding a combined total of 1,200m² on the land.

Background Information

The planning proposal was referred to the 29 May 2023 Local Planning Panel. The Local Planning Panel report is at **Attachment 5** and the meeting minutes are at **Attachment 6**. The Local Planning Panel report and meeting minutes outline a detailed assessment against the relevant strategies and that the planning proposal has strategic and site-specific merit and should proceed to a Gateway determination.

At the 30 August 2023 Council meeting, the subject planning proposal was considered and the Council August meeting report and meeting minutes are at **Attachment 1**. The resolution of the meeting was, '*That Council defer this item and direct the CEO to consult with the community*'.

Community Consultation

The proposal was placed on public exhibition for 31 days, being 8 September 2023 to 9 October 2023. The exhibition period was extended beyond the standard 28-day exhibition period outlined within the Liverpool Community Engagement Strategy and Community Participation Plan 2022, as there was a public holiday within the 28-day exhibition period.

The planning proposal was exhibited on Council's website under 'Liverpool Listens' and 'Public Exhibitions and Notices', which included an overview of the proposal, related documents (Fact sheet, Planning Proposal, Concept Urban Design Plans, Voluntary Planning Agreement Letter of Offer and Draft site specific DCP), with details on how to make a submission.

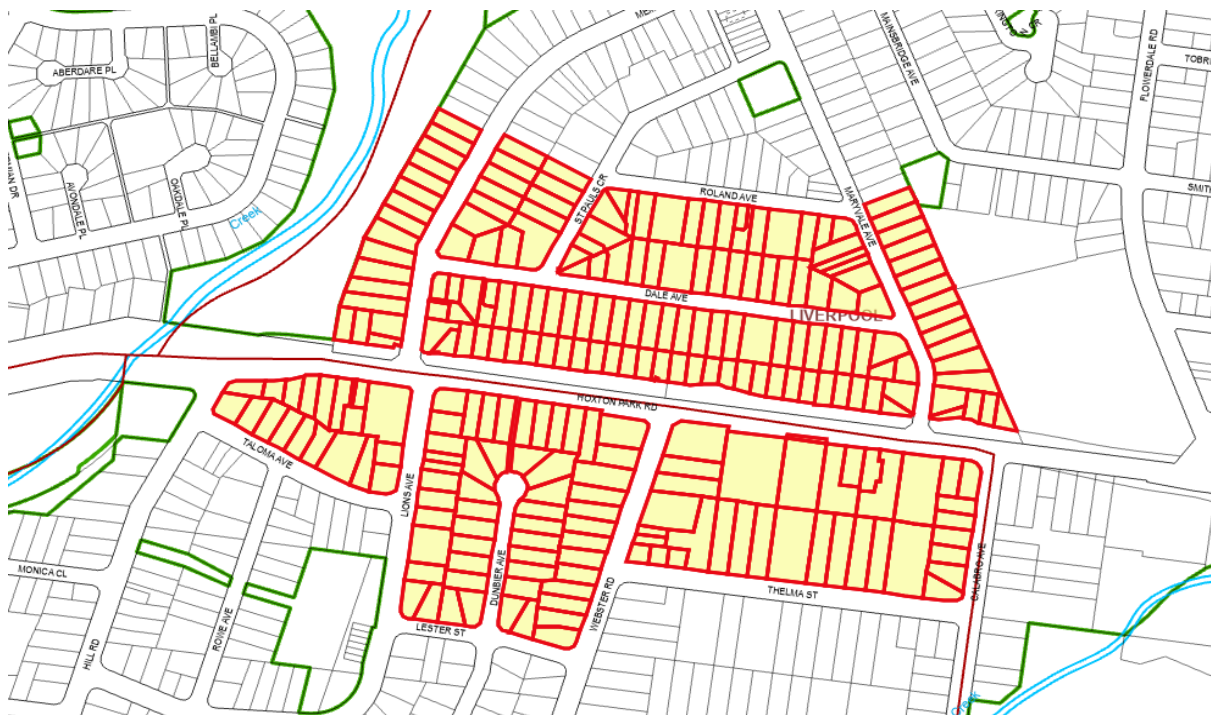


Figure 2 - Aerial view with site notified by way of posted letter highlighted yellow.

Neighbour notification occurred for 450 surrounding properties, including property and land owners (if owner does not reside at the property), as indicated in **Figure 2**.

During the exhibition period, Council received thirty submissions, including two submissions which were identical however submitted by different persons. Of the thirty submissions received during the exhibition period:

- One submission was in support of the planning proposal regarding positive impacts for housing and the local economy;
- One submission was in relation to works being undertaken on the site. This issue was referred to Council's community standards section for action;
- One submission was supportive of the planning proposal subject to amended vehicular access arrangements; and
- Twenty seven submissions were objecting to the planning proposal of which a common theme raised was traffic and parking concerns.

Areas of community concern and the number of items the concern area was raised is indicated by Figure 3. Key matters raised, and responses are detailed below.

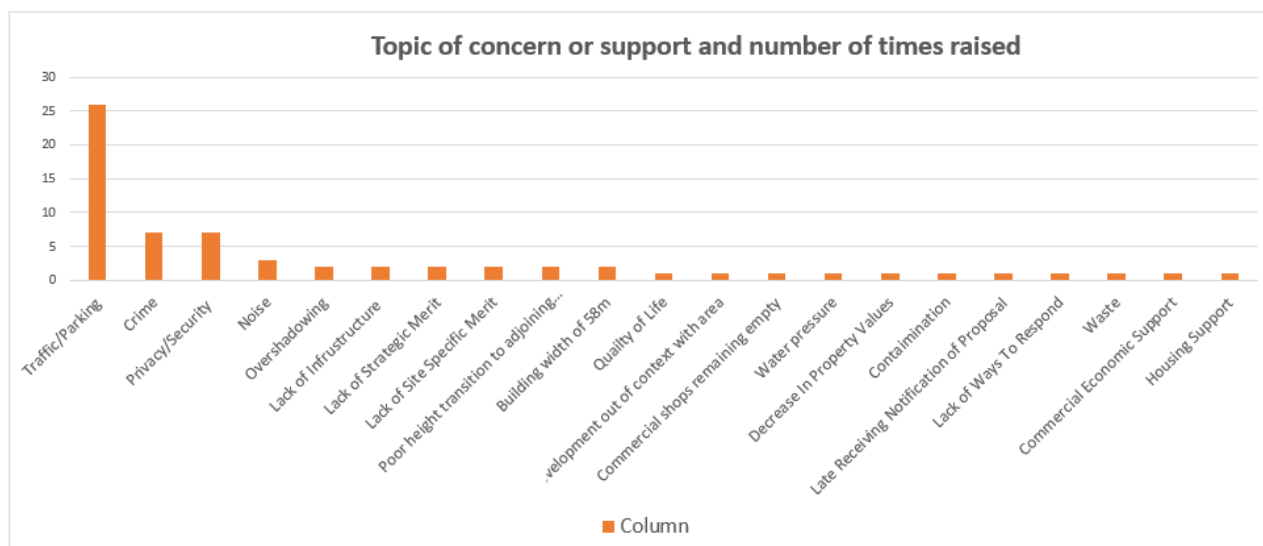


Figure 3 - Area of concern regarding the planning proposal

Support for the Planning Proposal

Key Matters Raised

- Rezoning allows more housing which is supported, particularly with the cost of living.
- The commercial portion of the planning proposal would be positive for the local economy and residents.

Council Response:

The concept design plans demonstrate that the planning proposal would allow approximately 72 additional apartments than what is currently permissible on the site, however this is an indicative figure only and is subject to assessment by way of a future development application.

In this regard, the concept design plans currently demonstrate that the subject site can currently accommodate approximately 240 apartments and the planning proposal would permit the site to accommodate approximately a maximum of 312 apartments (less with commercial space included on site).

The concept urban design plans submitted with the proposal demonstrate 19 commercial premises on the ground floor across the 6 proposed buildings with each commercial premises having a floor area ranging up to 187m². Due to the possible negative economic impacts from 19 commercial premises (out-of-centre development and external trip generation), the planning proposal is recommended to permit small scale retail premises, with each premises

having a maximum gross floor area of 200m² and an overall total maximum commercial retail floor area on the site not exceeding 1200m². This will provide small-scale retail, which will benefit the future residents of the site.

Road, Traffic, Access and Exit Concerns

Key Concerns Raised:

- Difficulty accessing the site due to existing access arrangements from Hoxton Park Road to Memorial and Maryvale Avenues;
- Pedestrian safety from extra vehicles;
- Dale Avenue and the local area including cannot handle the additional traffic;
- Width of Dale Avenue inadequate for additional traffic (Dale Avenue is 3 car widths wide and cars park on both sides of Dale Avenue meaning traffic can only move in one direction at a time forcing a vehicle travelling in one direction to pull over to allow a vehicle travelling in the opposite direction to pass);
- Lack of street parking;
- Needs visitor parking;
- Parking congestion; and
- Lack of road space for waste or emergency vehicles.

Council Response:

The subject site fronts Hoxton Park Road which is identified as a Classified Road in accordance with Transport for New South Wales (TfNSW) Schedule of Classified Roads and Unclassified Regional Roads. *State Environmental Planning Policy (Transport and Infrastructure) 2021*, clause 2.119 (Development with frontage to a classified road) applies to the subject site, as does clause 138 of the *Roads Act 1993*. TfNSW is the public Authority for Hoxton Park Road and concurrence is required from TfNSW. The planning proposal would be referred to TfNSW, and any future development application would be required to be submitted with a Traffic Impact Assessment Report, Traffic Management Plan and further referral and consent from TfNSW.

The proponent undertook two pre-lodgement meetings with Council prior to the formal submission of the planning proposal. During the assessment of both of the pre-lodgement meetings, various access points were discussed including via Dale Avenue, Hoxton Park Road, Memorial Avenue and Maryvale Avenue. It was advised that the proponent is to seek access via Dale Avenue as TfNSW is highly unlikely to support access via Hoxton Park Road or Memorial and Maryvale Avenue due to their close proximity to Hoxton Park Road.

Should a Gateway determination be issued by the Department of Planning and Environment (DPE), consultation would occur with TfNSW, Council and the proponent, prior to the finalisation of the planning proposal, to discuss alternative access points and traffic management options.

Suitable traffic management solutions can be explored in conjunction with TfNSW and the proponent if required, and may include amendments to the Voluntary Planning Agreement letter of offer and the draft site specific Development Control Plan. Potential solutions may include widening the full length of Dale Avenue, including timeframe for works to be completed, kerb and gutter replacement, footpath construction and street tree replacement. Alternative traffic management options to be investigated may include the provision of indented parking bays or the conversion of Dale Avenue to be one way traffic flow only (to facilitate parking more safely on both sides). Further traffic discussions will occur during the planning proposal process.

The subject site provides opportunity for high public transport accessibility with the site being within close proximity to Liverpool CBD and via the existing T-way bus route adjacent to the site on Hoxton Park Road.

Further it is noted that the subject site is already zoned R4 High Density Residential which permits the development of residential flat buildings and a height of buildings of 15m (4 storeys). Any issues regarding points of vehicular access to/from the site remain regardless of the planning proposal. The planning proposal would allow ground floor retail premises use and an additional 2 storeys in height.

Council continues to advocate for infrastructure including traffic and intersection matters however upgrade works to a classified road such as Hoxton Park Road require consent of TfNSW.

Any retail or residential component of any future development on the subject site would be subject to assessment against Council's Development Control Plan parking requirements including minimum number of spaces required, visitor requirements and waste vehicle requirements for both the residential and commercial development.

Crime Concerns

Key Concerns Raised:

- Increased crime from number of apartments and narrow streets with poor lighting
Pedestrian safety from extra vehicles.

Council Response:

Any future residential flat building development application on the subject site may be referred to NSW Police for comment. Further the application would be subject to the design principals of Crime Prevention Through Environmental Design (CPTED) and a future development application on the subject site would be reviewed by Liverpool's Design Excellence Panel.

Privacy Concerns

Key Concerns Raised:

- Privacy issues with having two lots on Dale Avenue not developed;
- Privacy concerns from proposed development including windows, open space and balconies to adjoining allotments; and
- Need trees to obscure privacy.

Council Response:

A site specific Development Control Plan has been developed for the subject site to ensure that the development minimises impact including privacy impacts to adjoining residences and the vicinity. Further the proponent submitted a an architectural plan demonstrating privacy impacts to the residential properties to the north of the site (Dale Avenue) and privacy measures to ensure privacy impacts to the northern properties are mitigated.

A future residential flat building development on the subject site is subject to being designed in accordance with *State Environmental Planning Policy 65*, Apartment Design Guide and Liverpool Development Control Plan, as well as reviewed by the Liverpool Design Excellence Panel. In this regard it is anticipated that a development can be designed on the subject site which mitigates any privacy and/or safety impacts to adjoining residences or the vicinity.

Post Exhibition Assessment

At its meeting on 29 May 2023, the Liverpool LPP considered the planning proposal request and agreed that the proposal demonstrates strategic and site-specific merit and supported the planning proposal proceeding to a Gateway determination subject to recommendations. This included updates to the draft site-specific Development Control Plan to ensure tree retention, amalgamation with the isolated site fronting Maryvale Avenue, and permitting small scale retail and food and drink premises on the site. The draft site specific Development Control Plan has been amended to address the panel's recommendations.

Upon completion of the exhibition period, Council reviewed all submissions received. The submission of support for the planning proposal is noted and the submission for the works being undertaken on site was referred to Council's community standards section for action. All issues raised during are matters for consideration regardless of the planning proposal occurring, as the site is currently zoned R4 High Density Residential, and therefore development for either a Residential Flat Building or Shop Top Housing is already permissible with consent under *Liverpool Local Environmental Plan 2008*.

It is deemed that the topics of issues raised within the received public submissions can be addressed post Gateway determination, and are matters for consideration in negotiating a VPA and at a future development application stage.

As Hoxton Park Road is a classified road, should a Gateway determination be issued by the Department of Planning and Environment, consultation would be undertaken with Transport for New South Wales (TfNSW).

As noted above, traffic management arrangements will be discussed with TfNSW, Council and the proponent to ensure appropriate access and traffic management.

Regarding crime from affordable housing component, affordable housing is a high demand diversity of housing required within the Liverpool Local Government Area. A future development application on the site would be required to demonstrate that the proposed development is designed to incorporate CPTED principals.

It is noted that the affordable housing proposed, being 5% of the total number of apartments within a future development, is within the early stages of assessment and is within a Voluntary Planning Agreement Letter of Offer, and remains under assessment by Council. Further, given the expected cost of works for a future development on the subject site, the development may be subject to the State Government's recent announcement for 30% floor space and height bonuses, where a minimum of 15% of the total gross floor area to affordable housing. This change has not been implemented into legislation, and the planning proposal will continue to be assessed with regards to relevant legislation.

Regarding the issues of noise, decrease in quality of life from the development, overcrowding, reduced privacy and safety, contamination and waste issues, all of these matters would be further assessed at the development application stage once a final development design is lodged for assessment. The planning proposal provides concept design plans only.

A future development application on the subject site for either a residential flat building or shop top housing is subject to assessment against the *Liverpool Local Environmental Plan 2008*, *Liverpool Development Control Plan 2008*, *State Environment Planning Policy 65 - Design Quality of Residential Apartment Development*, *Apartment Design Guide* and internal and external referral advice including from Liverpool Design Excellence Panel. Given the expected cost of works for a future development on the subject site, a development application is expected to be required to be referred to the Sydney Western City Planning Panel.

As advised by the Local Planning Panel, the site demonstrates strategic and site specific merit, and will deliver public benefit through diversity of housing including affordable housing opportunities. The subject site and planning proposal enables a development to be constructed which provides a highly connected transport point to the Liverpool CBD and beyond by being located to the T-way bus service and local bus services. A draft Development Control Plan has also been developed to address site specific issues.

Next Steps

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

Following a Gateway determination in support of the planning proposal, there will be public agency consultation (including Transport for New South Wales) and further community consultation in accordance with the Gateway determination and Councils Community Participation Plan. The Site-Specific DCP and VPA (once endorsed) will also be exhibited alongside the planning proposal. The DCP will also be referred to the Design Excellence Panel in accordance with clause 15 of *Environmental Planning and Assessment Regulations 2021*.

Following consultation, a further report will be prepared for Council prior to proceeding with the making of any amendment to the LLEP 2008, LDCP 2008 and the VPA.

Conclusion

It is considered that concerns raised during the initial pre gateway exhibition period can be mitigated through consultation with Transport for New South Wales, the planning proposal process and assessment of a future development application. The planning proposal has sufficient strategic and site-specific merit to proceed. It is recommended that Council endorses in principle the planning proposal to proceed to a Gateway determination. It is noted that

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	There are no civic leadership and governance considerations.
Legislative	Division 3.4 of <i>Environmental Planning and Assessment Act 1979</i> .
Risk	The risk is deemed to be Low. If Council does not support the planning proposal request, there is a risk that the landowner will seek a review of Council's decision by the Sydney Western City Planning Panel. The risk is considered within Council's risk appetite.

ATTACHMENTS

1. Council Report and Meeting Minutes - 30 August 2023 (Under separate cover)
2. Detailed Submissions (Under separate cover)
3. Submission table by theme (Under separate cover)
4. Planning Proposal (Under separate cover)
5. Local Planning Panel Report 29 May 2023 (Under separate cover)
6. Liverpool Local Planning Panel Determination Minutes - 29th May 2023 (Under separate cover)
7. ASIC (Under separate cover) - **Confidential**

OTHER DOCUMENTS

The following documents are available on Council's Eplanning Portal

(<https://eplanning.liverpool.nsw.gov.au/Pages/XC.Track/SearchApplication.aspx?id=462067>):

- a) Survey Plan
- b) Concept Architectural Plans
- c) Draft Site Specific DCP
- d) VPA Letter of Offer
- e) Arboricultural Impact Assessment
- f) Landscape Design Report
- g) Acoustic Impact Assessment
- h) Traffic Impact Assessment and Green Travel Plan
- i) Proponents Traffic Consultant Response to RFI dated 24 February 2023
- j) Addendum Traffic Statement - Response to LLPP Meeting
- k) Social Impact Assessment
- l) Operational Waste Management Plan
- m) Preliminary Geotechnical Assessment
- n) Preliminary Site Investigation
- o) Desktop Flood Assessment
- p) Quantity Surveyors Report
- q) Privacy Architectural Plan - Submitted 7 November 2023

PLAN 02	Post Exhibition Report to amend the Liverpool Local Environmental Plan: 22 Box Road (Mimosa Park)
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Strategic Objective	Liveable, Sustainable, Resilient Deliver effective and efficient planning and high-quality design to provide best outcomes for a growing city
File Ref	327703.2023
Report By	Brianna Van Zyl - Senior Strategic Planner
Approved By	Lina Kakish - Director Planning & Compliance

EXECUTIVE SUMMARY

At its ordinary meeting on 29 March 2023, Council endorsed a planning proposal for 22 Box Road, Casula (Lot 1103 DP 1051233), locally known as Mimosa Park. The Planning Proposal seeks to amend the *Liverpool Local Environmental Plan 2008* (LLEP 2008) to facilitate the development of one single dwelling on the site.

Specifically, the amendment involves the rezoning of the Council owned site, from RE1 Public Recreation to R2 Low Density Residential, and reclassification from Community to Operational land. Development standards will be applied in accordance with the adjacent R2 Low Density Residential land, including a Height of Building of 8.5m, Floor Space Ratio of 0.6:1, and a minimum Lot Size of 300m².

The subject planning proposal received a Gateway determination on 6 June 2023, and was publicly exhibited for 28 days from 17 July until 14 August 2023. During the public exhibition period, Council received two individual submissions, both of which generally opposed the proposal.

Given the amendment seeks to reclassify the site from Community to Operational Land, Section 29 of the *Local Government Act 1993* requires a public hearing to be held. A public hearing was held on 21 September 2023 at Lurnea Community Hub and was attended by 4 members of the public.

The Gateway determination required the planning proposal be referred to Sydney Water for comment, who raised no significant concerns with the proposal. In addition to the Gateway conditions, the proposal was also referred to Endeavour Energy who raised no significant concern with the proposal.

This report details the feedback received during the exhibition, and outlines Council's response to these issues.

Following the post-exhibition assessment, the planning proposal demonstrates strategic and site-specific merit, and it is therefore recommended that the planning proposal be forwarded to the Department of Planning & Environment to make the amendment, as it is noted Council is not the nominated plan making authority.

RECOMMENDATION

That Council:

1. Notes this report, the Gateway determination dated 6 June 2023 for Liverpool Local Environmental Plan 2008 (Amendment 98), the submissions received from State agencies, members of the public, and the outcome of the public hearing.
2. Proceed with Amendment 98 to rezone 22 Box Road, Casula to R2 Low Density Residential, apply a Floor Space Ratio of 0.6:1, a Height of Building Control of 8.5m, a minimum lot size of 300m², and reclassify the site from Community to Operational land.
3. Delegates authority to the Chief Executive Officer (or his delegate) to forward the planning proposal to the Department of Planning and Environment as the plan making authority for this planning proposal; and
4. Notifies submitters and public hearing attendees of Council decision.

REPORT

Background

On 27 October 2020, Council resolved to investigate options for 22 Box Road, (Mimosa Park) to be embellished as a local park. Following this, a feasibility study, environmental testing and a conceptual development design was undertaken. However, these studies identified several risks in the site's embellishment as a park, including the site's topography, public safety, accessibility, fall heights and maintainability.

Subsequently, at its meeting on 31 August 2022, Council resolved the following (COM01):

"That Council:

1. *"Proceed with an amendment to Liverpool LEP 2008 to seek a rezoning for the property at Box Road, Casula (Lot 1103 DP 1051233) to R2 Low Density Residential and reclassification of the site to "operational" land for potential future sale with the proceeds from any future sale to be allocated for the embellishment of Jardine Park.*

2. *That if a rezoning and reclassification process are approved as part of an amendment to the LEP, that a future report be presented to Council recommending methods of sale and establishing a reserve / minimum price for the property, prior to proceeding with any sale”*

A planning proposal report was subsequently referred to the Liverpool Local Planning Panel on 28 November 2022, who advised that the planning proposal demonstrated both Strategic and Site-Specific Merit.

On 29 March 2023, Council considered the planning proposal and endorsed it to be forwarded to the Department of Planning and Environment (DPE) for Gateway assessment. A Gateway determination was issued on 6 June 2023, and is detailed below. The planning proposal was publicly exhibited from 17 July to 14 August 2023. The results of exhibition are detailed in this report.

Gateway Determination

The Gateway determination was issued on 6 June 2023, and required the LEP to be completed by 28 March 2024 (**Attachment 2**). The Gateway determination required a few minor amendments to the planning proposal document prior to community consultation, all of which were actioned accordingly.

The Gateway required the planning proposal be placed on public exhibition for a minimum of 20 working days, and for the planning proposal report and supporting documents to be publicly available in accordance with the Local Environmental Plan Making Guidelines (DPE 2021).

The Gateway determination also required a public hearing to be held in accordance with the *Local Government Act 1993* and the Departments Practice Note PN 16-001. Details of the public hearing are outlined in the ‘Public Hearing’ section of this report.

Community Consultation

The planning proposal was placed on public exhibition from 17 July until 14 August 2023, in accordance with Council’s Community Participation Plan, and the Local Environmental Plan Making Guidelines (DPE 2021).

During the exhibition period, Council received 2 individual submissions, which are included in **Attachment 5** and are summarised below:

Table 1: Summary of Community Submissions

Issue	Council Response
Community Submission 1	
<p><u>Traffic Congestion and Parking</u></p> <p>The submission did not agree with the change in planning controls. Specifically raising concerns with parking, as the additional new dwelling will contribute to the area being more overcrowded and reduce parking opportunities.</p>	<p>The proposal was referred to Councils Traffic Management team who advised the following:</p> <p>The proposed rezoning to R2 Low Density Residential will generate 1 vehicle trip per hour and will not have a noticeable impact on Box Road.</p> <p>The dwelling will be required to provide onsite car parking, and this will be assessed as part of the Complying Development and/or Development Application stage.</p>
Community Submission 2	
<p><u>Water runoff</u></p> <p>The resident raised concern with this site being developed for residential purposes due to the topography of the site, and their site being located on the lower side of the land.</p> <p>The submission raised concern in regard to water runoff and the potential damage this may cause to the adjoining property. Concern was raised in relation to flooding, soil erosion and potential damage to the dwellings foundation and structural integrity.</p>	<p>The submission was referred to Council Floodplain and Water Management team who advised the following:</p> <p>The residential property is on the lower side of this development site. However, there is an inter allotment drainage easement which benefits 22 Box Road. Therefore, stormwater generated from this site will be connected to the easement.</p> <p>This will be further considered during the Complying Development and/or Development Application stage.</p>

Public Authority Consultation

Council sent out referrals to the relevant State agencies through the NSW Planning Portal. The full submission from both Endeavour Energy, and Sydney Water can be found in **Attachment 6**, and a summary is provided below.

- Endeavour Energy: Comments were provided, however were of the nature of Development Application conditions, therefore not directly relevant to planning proposal. This will be further considered as part of the Complying Development and/or Development Application stage.

- Sydney Water: Detailed servicing requirements will be provided at section 73 stage (i.e Development Application stage). Specifically, the submission listed requirements in relation to provisions of Water and Wastewater services.

Public Hearing

Community land ordinarily comprises of land accessible to the public, such as a park, sporting field and/or community centres. Whereas Operational land would ordinarily comprise of land held as a temporary asset, investment, land which facilitate the carrying out by a Council of its functions, or land which is not open to the general public.

As 22 Box Road, Casula is currently classified as Community land, the site is required to be reclassified to Operational land to facilitate the outcome sought by this planning proposal. Under Section 29 of the *Local Government Act 1993*, a public hearing must be held when 'Community Land' is proposed to be reclassified as 'Operational Land'.

As such, a public hearing was held at Lurnea Community Hub on 21 September 2023 and commenced at 5:30pm. Four members of the public attended the meeting.

Public notice of the public hearing was given after the completion of the public exhibition, via letters to adjoining residents. Three social media post were posted via Council's social media accounts advising the general public of the details of the public hearing.

The public hearing was facilitated by an independent chairperson (Sandy Hoy, from Parkland Planners) as per the requirements in the Gateway determination and the *Local Government Act 1993*.

Three people addressed the public hearing, with one outlining the issues raised in their submission to the planning proposal, and the other 2 addressees outlined general support for the planning proposal.

The public hearing is detailed in the Public Hearing Report at **Attachment 4**, and the specific issues raised are outlined on Page 17 of the attachment. The Public Hearing Report was made available online and at Liverpool Library, as per requirements of a public hearing.

Contamination Report

In August 2023, Council engaged Environmental Earth Science to further investigate and establish if this site was suitable for residential purposes. The soil contamination report found the following:

"In view of the findings of the assessment and the potential development for residential land use, it is recommended that the surficial refuse and anthropogenic material be removed from the site."

Council's Environment team has arranged for the surficial refuse and anthropogenic material (i.e. rubbish) to be removed from the site. Therefore, the site is considered suitable for residential uses. The full report is attached at **Attachment 3**.

88b Instrument

Condition 1d) contained within the Gateway determination, required the planning proposal document to be updated to include details of all the dealings, interests, and easements registered on the title for Lot 1103 DP 1051233. It also sought clarification around what the planning proposal was seeking to extinguish. As the site has been identified as unsuitable to be embellished as a park, the restriction on title requiring "*The land within described is Public Reserve*" is required to be extinguished. This is further detailed in Part 2 of the Planning Proposal Document (**Attachment 1**)

Next Steps

If Council resolve to finalise Amendment 98, as recommended, the planning proposal will be forwarded to DPE to finalise the plan, as Council is not delegated to be the Local Plan Making Authority.

Once finalised, *Liverpool Local Environmental Plan 2008* (Amendment 98) will be notified in the NSW Government Gazette. Council's Property team will then report back to Council regarding the procedures for sale of the site, as per Council's resolution on 31 August 2022.

It is therefore recommended that the planning proposal proceeds to finalisation as the post-exhibition matters have been adequately addressed.

FINANCIAL IMPLICATIONS

There are no financial implications relating to this recommendation. Once this planning proposal is finalised, Council Property team will report back to Council regarding the sale of the subject site.

CONSIDERATIONS

Economic	There are no economic and financial considerations.
Environment	There are no environmental and sustainability considerations.
Social	Deliver high quality services for children and their families.
Civic Leadership	There are no civic leadership and governance considerations.
Legislative	Division 3.4 of <i>Environmental Planning and Assessment Act 1979</i> Section 29 of the <i>Local Government Act 1993</i>

Risk	The risk is deemed to be Low. The risk is considered within Council's risk appetite. A further report detailing the sale of the property will be re-reported to Council after the finalisation of the planning proposal.
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ATTACHMENTS

1. Post Gateway - Planning Proposal Report 22 Box Road (Mimosa Park) (Under separate cover)
2. Gateway Determination - 6 June 2023 (Under separate cover)
3. Soil Contaminated Assessment 22 Box Road (Updated October 2023) (Under separate cover)
4. Public Hearing Report (22 Box Road Casula) (Under separate cover)
5. Combined Community Submissions (Under separate cover)
6. Combined State Agency Submissions (Under separate cover)

PLAN 03

Draft Liverpool Rural Lands Strategy - Post exhibition

Strategic Objective	Liveable, Sustainable, Resilient Protect and enhance our natural environment and increase the city's resilience to the effects of natural hazards, shocks and stresses
File Ref	347302.2023
Report By	Kweku Aikins - Senior Strategic Planner
Approved By	Lina Kakish - Director Planning & Compliance

EXECUTIVE SUMMARY

This report recommends that Council adopts the Liverpool Rural Lands Strategy, as amended, following from public consultation.

On 29 March 2023, Council considered a report on the draft Liverpool Rural Lands Strategy (the Strategy). The purpose of the strategy is to sustain the existing agriculture industry, protect natural landforms, and maintain rural lifestyles in the rural areas of the Liverpool Local Government Area (LGA).

Council resolved to place the Strategy on public exhibition for 60 days. The purpose of this report is to inform Council of the outcome of the public exhibition of the Strategy which occurred between 1 June 2023 – 1 August 2023.

Council received a total of 13 submissions. A summary of each submission and an officer recommendation is provided in Attachment 1. A copy of each submission is included in the Confidential Attachment Booklet (Attachment 2). Submissions were received from landowners and public authorities.

In response to submissions received, changes to the Strategy are proposed. A complete list of recommended changes is noted in Attachment 1 and reflected in the post exhibition version of the Strategy (Attachment 3).

Council strategies require endorsement from Department of Planning and Environment (DPE) so that they can be used to determine the strategic merit of planning proposals. Therefore, it is recommended that Council adopt the Liverpool Rural Lands Strategy and send it to DPE for endorsement.

RECOMMENDATION

That Council:

1. .Adopts the amended Liverpool Rural Lands Strategy;
2. Delegates authority to the CEO to make any minor typographical or editing amendments to the strategy and to forward the amended strategy to the Department of Planning and Environment for endorsement; and
3. Notify submitters of Council's decision

REPORT

Background

On 29 March 2023, Council considered a report on the draft Liverpool Rural Lands Strategy (the Strategy). The purpose of the strategy is to sustain the existing agriculture industry, protect natural landforms, and maintain rural lifestyles in the rural areas of the Liverpool Local Government Area (LGA).

The Strategy provides a review of the current planning and policy context applying to Liverpool's rural and scenic lands and largely relies on findings derived from the Liverpool Rural Lands Study to inform the management and improvement of rural lands. The draft Liverpool Rural Lands Strategy identifies the need to review the Liverpool Local Environmental Plan 2008 (LEP) and Development Control Plan (DCP) provisions for rural land; protect biodiversity values; protect rural heritage; and manage transition to urban land. Council resolved to place the Strategy on public exhibition for 60 days. The post exhibition version of the draft Strategy is provided in Attachment 3 of this report.

Public Exhibition Summary

In accordance with Council's resolution, the Strategy was placed on exhibition for 60 days (1 June 2023 – 1 August 2023).

During the exhibition period:

- A notice was placed on Council's website (On exhibition page & Liverpool Listens);
- Letters were sent to relevant stakeholders and state agencies;
- Copies of the Strategy were made available at local post offices in the western half of the LGA; and
- Notification was sent to regular attendees of the Rural District Forum (online)

Submissions overview

Council received 13 submissions. A summary and consideration of the key issues raised in the submissions, including officer responses, is provided in Table 1 below. A more detailed list and consideration of key issues is provided in Attachment 1. A copy of each submission has been provided to Council in the Confidential Attachment Booklet (Attachment 2).

Table 1 – Summary of key issues raised during public exhibition

Key Issue	Summary	Council officer response
Consultation	Various stakeholders have requested to be consulted as part of any future DCP/LEP amendments and changes in the Western Sydney Aerotropolis.	Relevant stakeholders will be consulted as part of future planning initiatives in the rural lands in accordance with Council's Community Participation Plan (CPP).
	Two landowners have suggested that Council should improve its consultation methods so that broader audiences are made aware of policy changes and Council initiatives.	Exhibition took place in accordance with Council's CPP. The draft strategy was exhibited online for 60 days with hard copies being available at Carnes Hill Shopping Centre and local post offices in Austral, Luddenham, Leppington, Kemps Creek, Bringelly and West Hoxton. The strategy was also emailed to regular attendees of Council's Rural District forums. Contact details for Council staff were provided online, via email and on posters, to ensure that face-to-face appointments could be made if needed. Accordingly, it is considered that maximum effort was made to inform the public of the draft strategy.
Zoning	Landowners in Rossmore have advocated for the retention of the current RU4 zoning, until the suburb is rezoned for urban purpose as part of the Western Sydney Aerotropolis.	The strategy advocates for retention of the RU4 zoning in Rossmore, until the suburb is rezoned by the state government as part of the Western Sydney Aerotropolis.
	One landowner identified potential zoning anomaly regarding the extent of the Environment and Recreation (ENZ) zone in the Western Sydney Aerotropolis.	Any zoning anomalies in the Western Sydney Aerotropolis will need to be investigated and addressed with the input of the Department of Planning & Environment.
	Water NSW identified a potential anomaly regarding the Forest Lawn Memorial Park in Leppington.	The zoning of the Forest Lawn Memorial Park will need to be investigated as part of any future LEP review.
Land uses	Residents in Rossmore have requested that non-conforming or restrictive land uses are not	The strategy provides a 'vision' for Rossmore. The existing character of Rossmore is to be maintained until

	included in the land use table for the RU4 zone.	land is rezoned/released as part of the Aerotropolis. Any restrictions on land uses are to be investigated as part of any future review of the DCP or LEP in accordance with Action 1 of the strategy. Landowners in Rossmore will be consulted as part of any future changes to the DCP or LEP, as per the CPP, to ensure that any land use impacts are accounted for.
Prioritisation of housing supply	<p>One submitter suggested that in light of the current housing crisis, Council should prioritise research into increased housing supply.</p> <p>The submitter also suggested that Council should focus on the future rezoning of Rossmore for urban purposes, instead of focusing on retention of rural land uses in the RU4 zone.</p>	<p>Council is already facilitating housing development in other priority areas, such as the City Centre, Edmondson Park, and Austral. Whilst forward planning is important, it is noted that there is insufficient infrastructure to support release of Rossmore at present, and several other released/rezoned precincts will need to be serviced prior to land at Rossmore being released.</p> <p>The development of a rural land strategy is required in accordance with action 16.1 of the Liverpool Local Strategic Planning Statement (LSPS). Housing delivery is accounted for in the Liverpool Local Housing Strategy which was adopted by Council in 2020.</p> <p>The draft Liverpool Rural Lands Strategy provides a 'vision' for Rossmore. The existing character of Rossmore is to be maintained until land is rezoned/released as part of the Aerotropolis. Accordingly, Council continues to acknowledge the provisions of the Aerotropolis framework as they apply to Rossmore.</p>
Context	<p>Water NSW suggested the following changes to the strategy:</p> <ul style="list-style-type: none"> Clarify whether the strategy is covering a much wider array of land use zones than just 	<p>'Introduction' of strategy has been updated to clarify that it covers a much wider array of land use zones than just 'rural' zoned land and that it applies to Denham Court and suburbs west of Austral.</p>

	<p>'rural' zoned land as suggested by the title of the strategy.</p> <ul style="list-style-type: none"> • Provide a clearer introduction in the 'Rural Precincts' section stating that the strategy encompasses the Denham Court, Rossmore, Kemps Creek, Dwyer Road, Western Rural Lands, Airport/Aerotropolis Core and Agribusiness precincts. • Clarify the relationship of the strategy to those lands covered by the land use and zoning controls of Western Parklands City SEPP. This includes making a clearer distinction between which precincts do and do not reside within the Aerotropolis. • Fragmentation must be limited in rural areas that are earmarked for future urban development. This will maximise the ability of future urban designs to achieve desired social, economic and environmental outcomes. 	<p>'Rural Precincts' section has been amended to include a paragraph stating that the strategy encompasses the Denham Court, Rossmore, Kemps Creek, Dwyer Road, Western Rural Lands, Airport/Aerotropolis Core and Agribusiness Precincts.</p> <p>The descriptions of each precinct already clarify if they are initial or non-initial precincts of the Western Sydney Aerotropolis. The supporting Liverpool Rural Lands Study (2020) already explores how the Liverpool LEP 2008 and Western Sydney Aerotropolis planning controls operate with respect to each precinct (note: the Sydney South West Growth Area is not included in the study or strategy). Kemps Creek is the only precinct that shares a border with the Western Sydney Parklands. Department of Planning and Council will need to liaise with the Western Sydney Parklands Trust regarding any future plans in the Kemps Creek precinct.</p> <p>Rationale of 'Action 9 – Manage transition to urban land' has been updated to mention that fragmentation is to be avoided in rural areas that are earmarked for future urban development.</p>
Action and Delivery Plan	<p>Water NSW suggested the following changes to the Action and Delivery Plan:</p> <ul style="list-style-type: none"> • A new action is needed for the protection of the Rural Landscape character of the RU2 zoned land in the Denham Court Precinct. • Action 7 should be removed from the Denham Court precinct. 	<p>A new action, 'Action 8 - Protection of scenic land' will be added to encompass the Denham Court precinct. <i>Note: subsequent actions will be renumbered to accommodate the new action.</i></p> <p>Action 7 has been amended so that it only applies to the Western Rural Lands precinct.</p> <p>The appropriateness of the RU1 zone to the Forest Lawn Memorial Park will be addressed as part of Action 1 which seeks to review</p>

	<ul style="list-style-type: none"> • A new action is needed to investigate the appropriateness of the RU1 zone to the Forest Lawn Memorial Park. • Consider rewording Action 2 to more specifically state 'Encourage economic use of rural land for rural and related purposes'. • Action 3 proposes to review environmental health provisions for rural land. The rationale explains that noise, odour and sewerage management systems require specific documentation. The rationale for action 3 could be expanded to also mention contaminated land and water pollution risks. 	<p>existing Liverpool Local Environmental Plan (LEP) and Development Control Plan (DCP) provisions for rural land.</p> <p>Action 2 of the strategy will be reworded to - 'Encourage economic use of rural land <i>for rural and related purposes.</i>'</p> <p>Rationale of Action 3 has been expanded to include contaminated land and water pollution risks.</p>
Denham Court Precinct	<p>Water NSW suggested the following changes to the strategy:</p> <ul style="list-style-type: none"> • Describe the range of agricultural and other uses occurring on rural zoned land in the Denham Court precinct. • Clarify whether the 'RU' and 'C' zoned lands in the Denham Court precinct are currently serviced by water and sewer. • Current zoning and development is more intensive to the west of the Upper Canal than east of it. Therefore, amend the statement '<i>urbanised land is largely situated on the eastern side of the Upper Canal with rural land uses situated to the west</i>' to reflect the current situation. 	<p>Description of Denham Court precinct has been updated to clarify that there are no agricultural uses occurring in the precinct.</p> <p>Description of Denham Court precinct has been updated to clarify that the precinct is serviced by Sydney Water.</p> <p>Description of land in relation to the Upper Canal has been amended to reflect reality. All references to land in East Leppington (west of Upper Canal) have been removed from the strategy as this land is largely urbanised.</p> <p>Description of minimum lot sizes do not need to be updated to reflect differences between East Leppington and Denham Court, as all references to land in East Leppington (west of Upper Canal) have been removed from the strategy.</p>

	<ul style="list-style-type: none"> Elaborate on the minimum lot sizes that occur in the Denham Court area under the LEP and how the planning controls fall to the LEP for land east of the Canal and under the <i>SEPP (Precincts- Western Parkland City) 2021</i> for land west of the Canal. This is important in relation to the degree to which Council's LEP, and the proposed Rural Lands Strategy, will be able to influence the future planning controls of the Denham Court precinct. 	
Guiding Criteria	Water NSW requested that any rezoning proposals within proximity of the Upper Canal corridor be referred to them at public exhibition stage.	This request has been incorporated into the updated 'Guiding criteria' section of the strategy.
Riparian buffer zones	<p>NSW Department of Primary Industries (Fisheries) have requested that the following information is incorporated into the Liverpool DCP:</p> <ul style="list-style-type: none"> Riparian buffer zone widths as outlined in DPI Fisheries guidelines Clear delineation of riparian buffer zones Requirement to revegetate disturbed areas with local native species Design requirements for riparian buffer zones to incorporate the maintenance of lateral connectivity between aquatic and riparian habitat. Rehabilitation strategy for riparian zones 	<p>DPI (Fisheries) comments will be incorporated as part of any future DCP review.</p> <p>Rationale of Action 1 has been expanded to include DPI (Fisheries) request.</p>
Land acquisition	One submitter raised concerns regarding compensation for the	Although Council is the current road authority for Fifteenth Avenue,

	acquisition of land for the Fifteenth Avenue Smart Transit corridor.	Transport for New South Wales (TfNSW) is likely to be the land acquisition authority in future. The relevant land acquisition authority will contact landowners to discuss compensation at an appropriate time.
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Conclusion and Next Steps

The draft Liverpool Rural Lands Strategy was publicly exhibited for 60 days from 1 June to 1 August 2023. 13 submissions were received. In response to submissions received, changes to the Strategy are proposed.

Council strategies require endorsement from DPE so that they can be used to determine the strategic merit of planning proposals. Therefore, it is recommended that Council adopt the Liverpool Rural Lands Strategy and delegate to staff to send it to DPE for endorsement.

FINANCIAL IMPLICATIONS

There are no financial implications relating to this recommendation.

CONSIDERATIONS

Economic	<p>Facilitate economic development.</p> <p>Facilitate the development of new tourism based on local attractions, culture and creative industries.</p>
Environment	<p>Manage the environmental health of waterways.</p> <p>Manage air, water, noise and chemical pollution.</p> <p>Retain viable opportunities for local food production while managing land use to meet urban growth.</p> <p>Protect, enhance and maintain areas of endangered ecological communities and high quality bushland as part of an attractive mix of land uses.</p> <p>Raise community awareness and support action in relation to environmental issues.</p>
Social	<p>Preserve and maintain heritage, both landscape and cultural as urban development takes place.</p>

Civic Leadership	<p>Act as an environmental leader in the community.</p> <p>Undertake communication practices with the community and stakeholders across a range of media.</p> <p>Foster neighbourhood pride and a sense of responsibility.</p> <p>Encourage the community to engage in Council initiatives and actions.</p> <p>Provide information about Council's services, roles and decision making processes.</p> <p>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	Council's existing Rural Lands Strategy is out of date. There is a moderate risk of poor outcomes being realised if planning proposals are assessed against an outdated planning framework. This risk can be ameliorated by adopting the new strategy.

ATTACHMENTS

1. Detailed Summary of Submissions (Under separate cover)
2. Submissions (Under separate cover) - **Confidential**
3. Draft Liverpool Rural Lands Strategy - post exhibition changes (Under separate cover)

PLAN 04	Post Exhibition Report - Renaming of Flynn Avenue, Sixteenth Avenue, Hall Circuit and Qantas Boulevard to Flynn Avenue, Middleton Grange
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Strategic Objective	Liveable, Sustainable, Resilient Promote and advocate for an integrated transport network with improved transport options and connectivity
File Ref	349971.2023
Report By	Danielle Hijazi - Strategic Planner
Approved By	Lina Kakish - Director Planning & Compliance

EXECUTIVE SUMMARY

This report seeks a Council resolution on the renaming proposal for the street sections of Flynn Avenue/Hall Circuit/Sixteenth Avenue East/Qantas Boulevard to be rationalised to Flynn Avenue, Middleton Grange.

At its meeting on 30 August 2023, Council resolved to support the renaming and to publicly exhibit the proposal for 28 days. During the exhibition period, one (1) submission was received. The submission provided a suggestion that an alternative name, being Qantas Boulevard, be given consideration for the renaming of the above-mentioned street sections.

It is recommended that Council supports the renaming of the street sections of Flynn Avenue/Hall Circuit/Sixteenth Avenue East/Qantas Boulevard to Flynn Avenue, Middleton Grange, and delegates authority to the Chief Executive Officer to proceed with the process of gazettal.

RECOMMENDATION

That Council:

1. Notes the submission received on the renaming proposal;
2. Supports the renaming of the street sections of Flynn Avenue/Hall Circuit/Sixteenth Avenue East/Qantas Boulevard to Flynn Avenue, Middleton Grange
3. Delegates authority to the Chief Executive Officer to proceed with the process of gazettal.

REPORT

Background

Council received several inquiries from various property owners. They are experiencing significant challenges with essential services including Australia Post, Ambulance and various delivery services due to confusion and difficulty locating their property. The affected properties include those situated between Hall Circuit, Sixteenth Avenue East and Qantas Boulevard, as shown in figures 1 and 2 below.

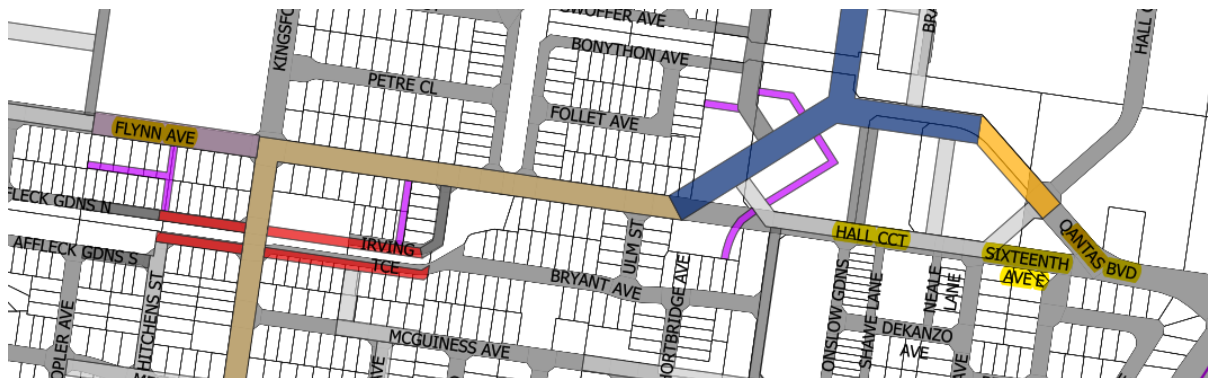


Figure 1: Flynn Avenue/Hall Circuit/Sixteenth Avenue East/Qantas Boulevard Street Sections – (Highlighted in yellow)



Figure 2: Hall Circuit/Sixteenth Avenue East/Qantas Boulevard affected properties (highlighted).

When considering a renaming proposal, staff are bound by Liverpool City Council's own 'Naming Convention Policy', as well as the Geographical Names Board of NSW's (the GNB's) 'NSW Address Policy and User Manual'.

Section 6 of the NSW Address Policy and User Manual states the following principles when considering a renaming request:

6.7.1 Ensuring Public Safety and Service Delivery *Road names shall not risk public and operational safety for emergency response, or cause confusion for transport, communication and mail services. Many emergency responses and other public services (such as mail) are determined by the clarity of road names and road extents, and all road name proposals shall ensure that operations will not be adversely affected.*

The existing Street sections and names all apply to a single contiguous road and are risking public safety and causing confusion for emergency and essential services.

6.7.7 Road Extents *A road name shall apply from one end of the road to the other i.e. the point where the road finishes or intersects with another road or roads. The extent of a named road shall be defined by the formed road, and shall include only one section navigable by vehicles or foot.*

The original plans for this road corridor have been superseded, and the road no longer needs to be split into individual segments. The extent of the existing street sections now start and end at illogical positions along the street, and not at the terminus of the street (via a corner or intersection). It is proposed that renaming the entirety of the street corridor to Flynn Avenue will make the street consistent with this policy direction.

6.7.9 Amending Road Names *Road names are intended to be enduring, and the renaming of roads is discouraged unless there are compelling reasons for a change. Issues that can prompt renaming include the redesign of a road, changed traffic flow, mail or service delivery problems, duplication issues and addressing problems.*

The existing Street sections and names are causing addressing, mail, and service delivery problems for residents.

Public exhibition

At its meeting on 30 August 2023, Council resolved to support the renaming and to publicly exhibit the proposal for 28 days. During the exhibition period, one (1) submission was received. The submission provided a suggestion that an alternative name, being Qantas Boulevard, be given consideration for the renaming of the above-mentioned street sections.

Submission

Agree that the naming of the street sections should be simplified and clarified. However, propose an alternative name to be considered being, Qantas Boulevard.

Justification

Qantas is a more memorable and distinctive name compared to Flynn Avenue and would be more easily remembered as the gateway to Middleton Grange. It may also add a boost to the image of the new development.

The name Flynn Ave may also have ties to the aviation history of Middleton Grange, however, Qantas is more widely recognisable as a historical link.

Response

Council staff considered continuing the Qantas Boulevard name, but there were two reasons why Flynn was preferred; this relates to the name no longer being consistent with GNB policy, and the number of landowners impacted.

- The NSW Addressing Policy User Manual Section 6.7.5 Acceptable Road Names states: *“Commercial and business names shall not be used, particularly where the name can be construed to be promoting the business. However, business names no longer in use and which promote the heritage of an area are acceptable.”*

Qantas is the name of an active Australian airline and is considered to be a commercial and business names. The existing name was approved prior to the GNB's policy advocating against using business names. Given that there are other street names in the suburb which have been in use for some time, which are more consistent with GNB policy, it is considered that the Qantas Street name should not be continued.

- If the street sections were renamed to Qantas Boulevard it would adversely affect approx. eighty-six property owners/residents who would need to change their address details as opposed to seven if Flynn Avenue is used.

The use of Flynn Avenue will cause the least amount of disruption to residents along the corridor. The street numbering starts at 1 at the western end of the street, and as such residents currently addressed to Flynn Avenue will not need to update any details resulting from this change. Residents in the sections of Hall Circuit, Sixteenth Ave East and Qantas Boulevard, seven in total, would be assigned consecutive numbers from where the extent of Flynn Ave currently terminates; these residents (see figure 2) will need to update their address details.

The name Flynn commemorates Reverend John Flynn (1880-1951) an Australian Presbyterian minister who founded the Royal Flying Doctor Service, the world's first air ambulance service. Reverend John Flynn is a significant figure in Australian aviation history.

Following a review of the submission received, it is recommended that Council supports the renaming of the street sections of Flynn Avenue/Hall Circuit/Sixteenth Avenue East/Qantas

Boulevard to Flynn Avenue, Middleton Grange, and delegates authority to the Chief Executive Officer to proceed with the process of gazettal.

Next Steps

If supported by Council, the naming proposal for the renaming of the street sections of Flynn Avenue/Hall Circuit/Sixteenth Avenue East/Qantas Boulevard to Flynn Avenue, Middleton Grange will proceed to gazettal. Council staff will write to residents who need to update their property details notifying them of the change. Street signs, including the estate entry signage to Middleton Grange from Cowpasture Road, will also be scheduled to be replaced.

FINANCIAL IMPLICATIONS

The costs associated with replacing street and estate signs to be named Flynn Ave is estimated at \$3,771.00.

CONSIDERATIONS

Economic	There are no economic and financial considerations.
Environment	There are no environmental and sustainability considerations.
Social	Preserve and maintain heritage, both landscape and cultural as urban development takes place.
Civic Leadership	Foster neighbourhood pride and a sense of responsibility.
Legislative	<p>Roads Act 1993.</p> <p>Roads Regulation 1998.</p> <p>Pursuant to section 162 of the Roads Act, Council may name and number all public roads for which it is the roads authority. Council may only name a road if it has given the Geographical Names Board at least one month's notice of the proposed name.</p> <p>Regulation 7 (<i>Roads Regulation 2018</i>) prescribes a procedure for naming roads, requiring prior publication of a proposal, notification of relevant parties and consideration of submissions. If a relevant party objects, Council may not proceed with the proposal without ministerial approval.</p>
Risk	The risk is deemed to be Low if the street naming process is not delayed.

	<p>There is a risk that if Council fails to support the recommendation that emergency services may be unable to quickly attend to incidents within Middleton Grange.</p> <p>Given the recommendation, the risk is considered within Council's risk appetite.</p>
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ATTACHMENTS

1. Submission (redacted)
2. 30 August Council Report and Minutes

To whom it may concern,

Re: SPN-3/2023

I am writing in regards to the proposed change to the names of certain street sections in Middleton Grange.

We agree that the naming of the streets should be simplified and clarified. However, we would propose that as an alternative, the council consider renaming Fynn Avenue to Qantas Boulevard.

We live on [REDACTED] Qantas Boulevard, Middleton Grange.

We believe Qantas is a more memorable and distinctive name compared to Flynn Avenue, and it would be more easily remembered as the gateway to Middleton Grange. It may also add a boost to the image of the new development.

I believe Fynn Ave may also have ties to the aviation history of Middleton Grange, however, Qantas is more widely recognisable as a historical link.

We have always been proud of the uniqueness of our street name.

Your consideration is appreciated.

Kind Regards

[REDACTED]

Resident

[REDACTED] Qantas Boulevard
Middleton Grange, NSW 2171

PLAN 04	Street Naming - Middleton Grange
Strategic Objective	Liveable, Sustainable, Resilient Promote and advocate for an integrated transport network with improved transport options and connectivity
File Ref	249463.2023
Report By	Danielle Hijazi - Strategic Planner
Approved By	Lina Kakish - Director Planning & Compliance

EXECUTIVE SUMMARY

This report seeks Council endorsement to rename several connecting street sections in Middleton Grange and proposes to create an additional list of street names to be utilised in the forthcoming future Town Centre road network and subdivisions nearing completion that have varied the current Indicative Layout Plan (ILP) of the suburb.

The Street naming theme for the locality is aviation and the proposed names have been assessed using Council's Naming Convention Policy and have been granted pre-approval by the NSW Geographical Names Board (GNB).

RECOMMENDATION

That Council:

1. Supports the renaming of the Street sections Flynn Avenue/Hall Circuit/Sixteenth Avenue East/Qantas Boulevard to Flynn Avenue, Middleton Grange.
2. Endorses staff to write to the affected residents located on the Street sections of Southern Cross Ave/Seventeenth Ave East/Hall Circuit, Middleton Grange with seven options to vote on the renaming of these street sections.
3. Supports the seven additional street names being Boeing Avenue, Jetstream Avenue, Nacelle Street, Pilot Street, Radome Street, Skyport Street and Wirraway Street to be used in the forthcoming future town centre and subdivisions nearing completion that have varied the current ILP of the suburb.
4. Forwards the names to the Geographical Names Board, seeking formal approval;

5. Publicly exhibits the names in accordance with Council's Naming Convention Policy, for a period of 28 days, following formal approval from the GNB; and
6. Authorises the Chief Executive Officer to undertake the process of gazettal, if there are no objections received during public exhibition.

REPORT

Background

In April 2023 Council's rates and property officer received multiple inquiries from Middleton Grange residents regarding property address problems. Council staff have undertaken investigations into the various issues and have detailed each matter below.

Flynn Avenue/Hall Circuit/Sixteenth Avenue East/Qantas Boulevard

Council has received several inquiries from various property owners. They are experiencing significant challenges with essential services including Australia Post, Ambulance and various delivery services due to confusion and difficulty locating their property. The affected properties include those situated between Hall Circuit and Sixteenth Avenue East, as shown in figures 1 and 2 below.

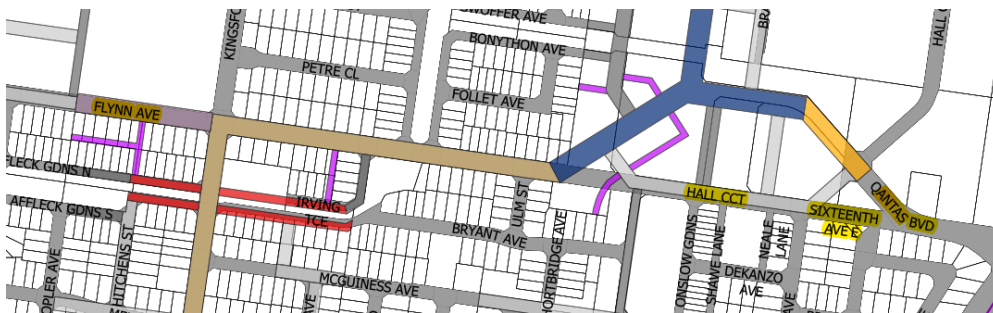


Figure 1: Flynn Avenue/Hall Circuit/Sixteenth Avenue East/Qantas Boulevard Street Sections – (Highlighted in yellow)



Figure 2: Hall Circuit/Sixteenth Avenue East/Qantas Boulevard affected properties (highlighted).

Given the previous planning proposal, and new plans for the town centre, the Indicative Layout Plan, shown in Figure 1 will not be realised. In response, it is proposed to rename the sections of Hall Circuit, Sixteenth Avenue East, and Qantas Boulevard to Flynn Avenue.

When considering a renaming proposal, staff are bound by Liverpool City Council's own 'Naming Convention Policy', as well as the Geographical Names Board of NSW's (the GNB's) 'NSW Address Policy and User Manual'.

Section 6 of the NSW Address Policy and User Manual states the following principles when considering a renaming request:

6.7.1 Ensuring Public Safety and Service Delivery Road names shall not risk public and operational safety for emergency response, or cause confusion for transport, communication and mail services. Many emergency responses and other public services (such as mail) are determined by the clarity of road names and road extents, and all road name proposals shall ensure that operations will not be adversely affected.

The existing Street sections and names all apply to a single contiguous road and are risking public safety and causing confusion for emergency and essential services.

6.7.7 Road Extents A road name shall apply from one end of the road to the other i.e. the point where the road finishes or intersects with another road or roads. The extent of a named road shall be defined by the formed road, and shall include only one section navigable by vehicles or foot.

The original plans for this road corridor have been superseded, and the road no longer needs to be split into individual segments. The extent of the existing street sections now start and end at illogical positions along the street, and not at the terminus of the street (via a corner or

intersection). It is proposed that renaming the entirety of the street corridor to Flynn Avenue will make the street consistent with this policy direction.

6.7.9 Amending Road Names *Road names are intended to be enduring, and the renaming of roads is discouraged unless there are compelling reasons for a change. Issues that can prompt renaming include the redesign of a road, changed traffic flow, mail or service delivery problems, duplication issues and addressing problems.*

The existing Street sections and names are causing addressing, mail, and service delivery problems for residents.

Given that the current configuration of the street sections fails to align with the above mentioned addressing principles, Council staff recommend adopting a rational and systematic approach. It is proposed to rename Flynn Avenue, Hall Circuit, Sixteenth Avenue East, and Qantas Boulevard to a single unified street name, functioning as Flynn Avenue, Middleton Grange.

The use of Flynn Avenue is suggested as this will cause the least amount of disruption to residents along the corridor. The street numbering starts at 1 at the western end of the street, and as such residents currently addressed to Flynn Avenue will not need to update any details resulting from this change. Residents in the sections of Hall Circuit, Sixteenth Ave East and Qantas Boulevard would be assigned consecutive numbers from where the extent of Flynn Ave currently terminates; these residents (see figure 2) will need to update their address details if Council proceeds to rename these street sections.

Southern Cross Avenue/Seventeenth Avenue East/Hall Circuit

Background

Council's rates and property officer has received several inquiries from property owners located around Seventeenth Avenue East, Middleton Grange. Some are experiencing challenges with the *Valuer General Office NSW* not recognising names such as Seventeenth Avenue East as a valid street location. Council's rates and property office has assisted the property owners to rectify the issue, including providing the map data to the *Valuer General Office NSW*, but to date the street addresses are not being recognised. There are also issues with essential services including Australia Post, Ambulance and various delivery services not being able to correctly locate properties.



Figure 3: Southern Cross Avenue/Seventeenth Avenue East/Hall Circuit/Street Sections – (Highlighted in yellow)



Figure 4 Southern Cross Avenue/Seventeenth Avenue East/Hall Circuit/ eighty-four affected properties (highlighted).

When considering a renaming proposal, staff are bound by Liverpool City Council's own 'Naming Convention Policy', as well as the Geographical Names Board of NSW's (the GNB's) 'NSW Address Policy and User Manual'.

Section 6 of the NSW Address Policy and User Manual states the following principles when considering a renaming request:

6.7.1 Ensuring Public Safety and Service Delivery Road names shall not risk public and operational safety for emergency response, or cause confusion for transport, communication and mail services. Many emergency responses and other public

services (such as mail) are determined by the clarity of road names and road extents, and all road name proposals shall ensure that operations will not be adversely affected.

The existing Street sections and names all apply to a single contiguous road and are risking public safety and causing confusion for emergency and essential services.

6.7.7 Road Extents *A road name shall apply from one end of the road to the other i.e. the point where the road finishes or intersects with another road or roads. The extent of a named road shall be defined by the formed road, and shall include only one section navigable by vehicles or foot.*

The extent of the existing Street sections start and end at illogical positions along the street, and not at the terminus of the street (via a corner or intersection). It is proposed that renaming the entirety of the street corridor to one name will make the street consistent with this policy direction.

6.7.9 Amending Road Names *Road names are intended to be enduring, and the renaming of roads is discouraged unless there are compelling reasons for a change. Issues that can prompt renaming include the redesign of a road, changed traffic flow, mail or service delivery problems, duplication issues and addressing problems.*

The existing Street sections and names are causing addressing, mail, and service delivery problems for residents.

If Street sections remain in their current form:

- The current addressing issues will remain.
- Government agencies, legal entities, and public services rely on accurate addressing for their operations. Failing to address the issues can create legal and administrative issues i.e., property being recognised by the Valuer General Office.
- The risk to public safety remains.
- Persistent addressing issues can lead to frustration and dissatisfaction amongst community members. This may be perceived as that Council's inaction is a lack of responsiveness or disregard for their concerns.
- By not addressing the issues, the opportunity to improve the overall addressing system and enhance the efficiency and effectiveness of services may be missed. Taking action to rectify the addressing issues can lead to long-term improvements in navigation, service delivery, and community satisfaction.

- If Council proposes to retain the name Southern Cross Avenue and apply it to the whole corridor, renumbering the existing Southern Cross Avenue properties would need to occur. This is problematic for the reasons detailed below:
 - The numbering of properties located on Southern Cross Avenue starts near the middle of the corridor (at the intersection of Middleton Drive and heads west) see figure 5 below; this means that staff cannot apply the name Southern Cross Drive to properties east of this location as these properties would need negative street address numbers (which are not allowed).
 - Re-numbering may cause further confusion and inconvenience for the existing residents, businesses, and visitors of Southern Cross Avenue as they are familiar with the previous numbering system and may struggle to adjust to the new numbering, leading to difficulties in locating addresses and communicating directions.
 - Re-numbering without changing the street name is highly likely to lead to a situation where an address can be interpreted as applying to two different properties (e.g. the old location and the new renumbered location).

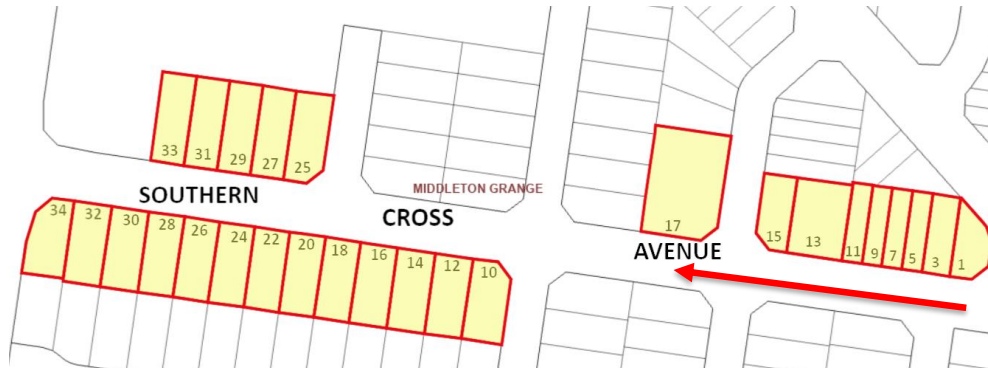


Figure 5: Numbering of properties on Southern Cross Avenue - number 1 starting at the Middleton Drive intersection heading west.

Considering that the current configuration of the street sections fails to align with the aforementioned addressing principles and renumbering properties on Southern Cross Avenue will cause greater confusion, all of the Street sections must be renamed.

Proposed community engagement

Council staff are proposing to write to the affected landowners (Southern Cross Ave / Seventeenth Ave E / Hall Cct) detailing the issues with the current street names, as above, and requesting the landowners vote between the seven proposed street names detailed in the report below. The proposed Street name that receives the highest vote will be formally gazetted and rename the entire street sections of Southern Cross Avenue, Seventeenth Avenue East and Hall Circuit. If any submissions are received a detailed report will be prepared for the next available Council meeting outlining the submissions received and a recommendation based on the community feedback.

Proposed additional Street names

At the 27 July 2022 meeting, Council resolved to *develop a process for first nations naming, renaming and co-naming of places and spaces in Liverpool*. That work is currently underway in conjunction with the Aboriginal Consultative Committee. However, a list of names for Council staff to use has not yet been provided.

It should be noted that the Middleton Grange precinct is developing rapidly, and the list of available names to assign to new streets is exhausted. There are subdivisions near completion and the future town centre road network has been approved. Therefore, it is crucial that new street names are gazetted as a matter of urgency.

Unfortunately, the timeframes for researching new names (of an indigenous origin, figure or thing), agreeing to spelling, and having multiple stakeholders endorse the names via a committee has the potential to impact upon the delivery of subdivisions in the area causing time and financial consequences for prospective homeowners. Furthermore, the proposed names ensure a unified theme is continued for the locality.

The Street naming theme for Middleton Grange is aviation and the proposed names have been assessed using Council's Naming Convention Policy and have been granted pre-approval by the NSW Geographical Names Board (GNB).

The pre-approved aviation themed names are as follows:

- Boeing Avenue
Boeing is one of the world's leading aerospace manufacturers. Boeing designs, manufactures, and sells commercial airplanes, military aircraft, satellites, and other aerospace products. It is a prominent name in the aviation industry and has played a significant role in the development of modern aviation.
- Jetstream Avenue

In aviation terms, a jet stream refers to a high-altitude, fast-flowing air current in the atmosphere. It consists of strong winds that blow from west to east in the Northern Hemisphere and from east to west in the Southern Hemisphere. Jet streams can significantly impact aircraft travel, providing tailwinds for faster flights when flying in the same direction, or headwinds that slow down aircraft when flying against them.

- Nacelle Street

A nacelle refers to an aerodynamic enclosure or structure that surrounds and protects certain components of an aircraft. It is typically found on jet engines, specifically the part that houses the engine itself.

- Pilot Street

A pilot refers to an individual who is trained and licensed to operate an aircraft. Pilots are responsible for safely flying and navigating the aircraft, ensuring the well-being of passengers, and adhering to aviation regulations and procedures.

- Radome Street

A radome refers to a protective enclosure that protects radar equipment installed on an aircraft. It is a specialised structure designed to be transparent to radar signals while providing physical protection to the radar system.

- Skyport Street

A skyport is a specialised landing area for electric vertical takeoff and landing (eVTOL) aircraft or urban air mobility (UAM) vehicles in urban areas. It serves as an infrastructure hub for efficient short-distance aerial transportation, offering facilities like landing pads, charging stations, and passenger boarding areas.

- Wirraway Street

The Wirraway is a World War II aircraft used by the Royal Australian Air Force (RAAF). Initially designed as a trainer, it was also used for combat roles such as reconnaissance, ground attack, and light bombing. It played a significant role in Australia's defense during the early war years. Today, it is preserved as a historical aircraft.

Next Steps

If supported by Council, the renaming of the Street sections Flynn Avenue, Hall Circuit, Sixteenth Avenue East, and Qantas Boulevard to Flynn Avenue, and the seven additional street names being Boeing Avenue, Jetstream Avenue, Nacelle Street, Pilot Street, Radome Street, Skyport Street and Wirraway Street will be placed on public exhibition for 28 days. Council officers will consider all submissions during the public notification period. The following three potential scenarios are likely to arise:

- *No objections received*
The names will be forwarded to the GNB for formal approval and gazettal to the NSW Parliamentary Counsel's Office (PCO) under the delegation of the Chief Executive Officer (or delegate). Relevant stakeholders such as Australia Post, NSW Ambulance, Fire and Rescue NSW, NSW Rural Fire Service, NSW State Emergency Service, NSW Volunteer Rescue Association, Transport for NSW and the NSW Police Force, will be notified.
- *Objections from the relevant agencies*
Council will not proceed with the naming request for the name(s) that received an objection. A report to Council will be prepared for the next available meeting outlining the reason for rejection.
- *Submissions received from the community*
If there is community objection, or reason to reconsider a proposed name, a report will be prepared with a suitable recommendation for the next available Council meeting.

For the renaming of the street sections Southern Cross Avenue, Seventeenth Ave East, and Hall Circuit, Council staff will write to the affected landowners detailing the issues with the current street names as detailed above and requesting the landowners vote between one of the seven proposed street name options. Only affected landowners will be able to vote. The street name with the highest number of votes will be applied to these street sections. If any objections are received, a report will be prepared for the next available Council meeting outlining the submissions received and a recommendation based on the community feedback.

FINANCIAL IMPLICATIONS

There are no costs associated with endorsing and exhibiting Boeing Avenue, Jetstream Avenue, Nacelle Street, Pilot Street, Radome Street, Skyport Street and Wirraway Street. The costs associated with writing letters to affected households and replacing street signs on the street to be named Flynn Ave is estimated at \$771.00. The cost associated with writing letters to affected households and replacing street signs on the street sections to be renamed at Southern Cross Avenue, Seventeenth Avenue East and Hall Circuit is estimated at \$771.00.

CONSIDERATIONS

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

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**LIVERPOOL
CITY
COUNCIL**

**ORDINARY MEETING
30 AUGUST 2023**

PLANNING & COMPLIANCE REPORT

Social	Preserve and maintain heritage, both landscape and cultural as urban development takes place
Civic Leadership	Foster neighbourhood pride and a sense of responsibility
Legislative	<p>Roads Act 1993.</p> <p>Roads Regulation 1998.</p> <p>Pursuant to section 162 of the Roads Act, Council may name and number all public roads for which it is the roads authority. Council may only name a road if it has given the Geographical Names Board at least one month's notice of the proposed name.</p> <p>Regulation 7 (<i>Roads Regulation 2018</i>) prescribes a procedure for naming roads, requiring prior publication of a proposal, notification of relevant parties and consideration of submissions. If a relevant party objects, Council may not proceed with the proposal without ministerial approval.</p>
Risk	<p>The risk is deemed to be Low if the street naming process is not delayed.</p> <p>There is a risk that if Council fails to support the recommendation and these new streets remain unnamed, that emergency services will be unable to attend to incidents within Middleton Grange.</p> <p>Given the recommendation, the risk is considered within Council's risk appetite.</p>

ATTACHMENTS

Nil

ITEM NO: PLAN 04
FILE NO: 249463.2023
SUBJECT: Street Naming - Middleton Grange

COUNCIL DECISION

Motion: **Moved: Clr Rhodes** **Seconded: Clr Green**

That Council:

1. Supports the renaming of the Street sections Flynn Avenue/Hall Circuit/Sixteenth Avenue East/Qantas Boulevard to Flynn Avenue, Middleton Grange.
2. Endorses staff to write to the affected residents located on the Street sections of Southern Cross Ave/Seventeenth Ave East/Hall Circuit, Middleton Grange with seven options to vote on the renaming of these street sections.
3. Supports the seven additional street names being Ansett, Rex, Bonza, Jetstar, Bird- Walten, Pilot and Wirraway Street and/or any other name that is consistent with the Australian Aviation Industry to be used in the forthcoming future town centre and subdivisions nearing completion that have varied the current ILP of the suburb.
4. Forwards the names to the Geographical Names Board, seeking formal approval;
5. Publicly exhibits the names in accordance with Council's Naming Convention Policy, for a period of 28 days, following formal approval from the GNB; and
6. Authorises the Chief Executive Officer to undertake the process of gazettal, if there are no objections received during public exhibition.

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

PLAN 05

Street Naming - Hoxton Park and Edmondson Park

Strategic Objective	Liveable, Sustainable, Resilient Promote and advocate for an integrated transport network with improved transport options and connectivity
File Ref	363127.2023
Report By	Danielle Hijazi - Strategic Planner
Approved By	Lina Kakish - Director Planning & Compliance

EXECUTIVE SUMMARY

This report seeks Council endorsement to proceed with two street naming requests being, Tinonee Street, Hoxton Park and Gula Street, Edmondson Park.

The Street naming theme in Hoxton Park is Northern NSW towns, and Edmondson Park has a military theme.

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

RECOMMENDATION

That Council:

1. Supports the proposed Street names "Tinonee" Street, Hoxton Park and "Gula" Street, Edmondson Park.
2. Forwards the names to the Geographical Names Board, seeking formal approval;
3. Publicly exhibits the names in accordance with Council's Naming Convention Policy, for a period of 28 days, following formal approval from the GNB; and
4. Authorises the Chief Executive Officer to undertake the process of gazettal, if there are no submissions received during public exhibition.

REPORT

Tinonee Street, Hoxton Park

A Street naming proposal was received in September 2023, to name a new road that is currently under construction off Twentieth Avenue, Hoxton Park.

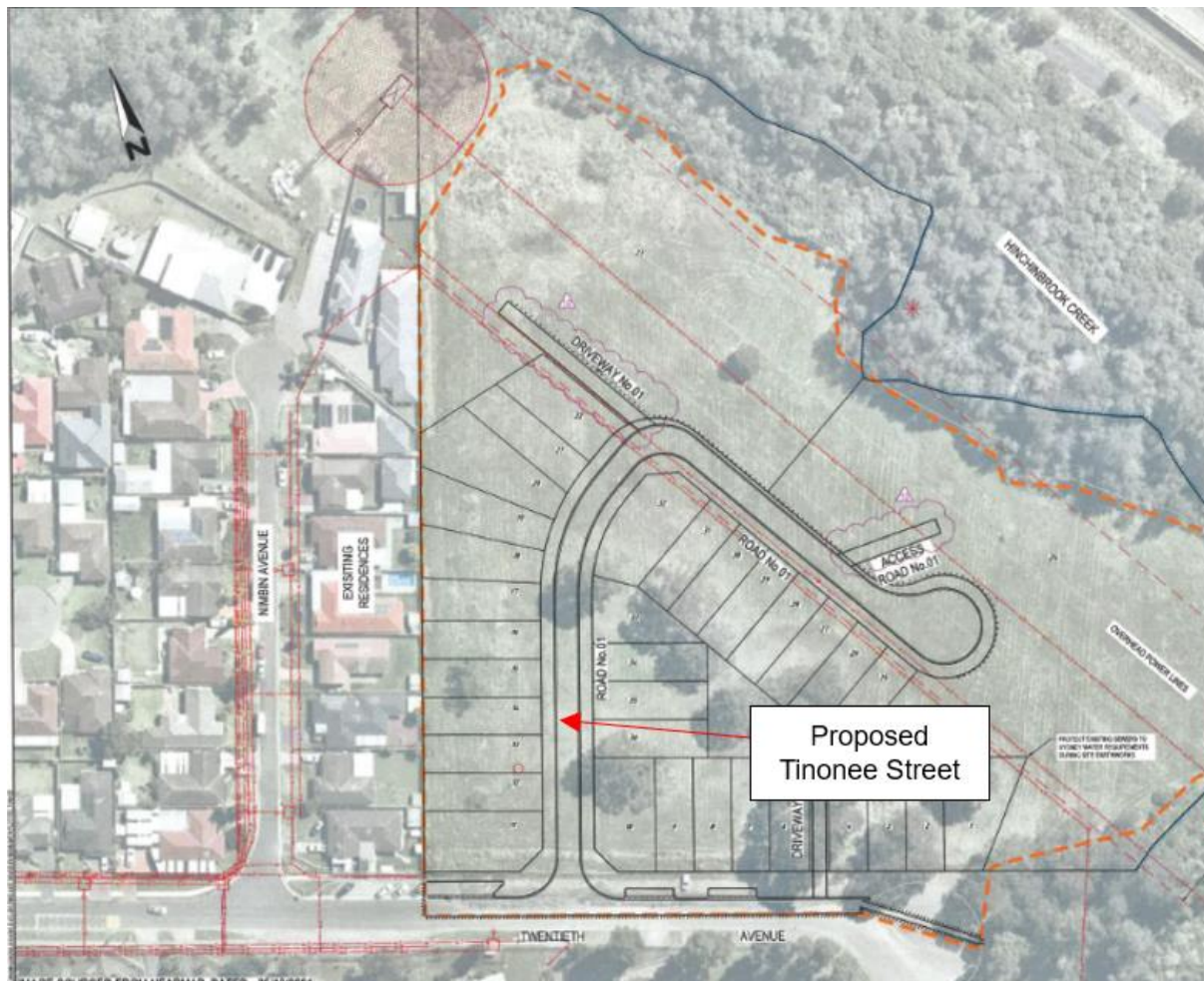


Figure 1: Subdivision plan showing location of proposed Tinonee Street

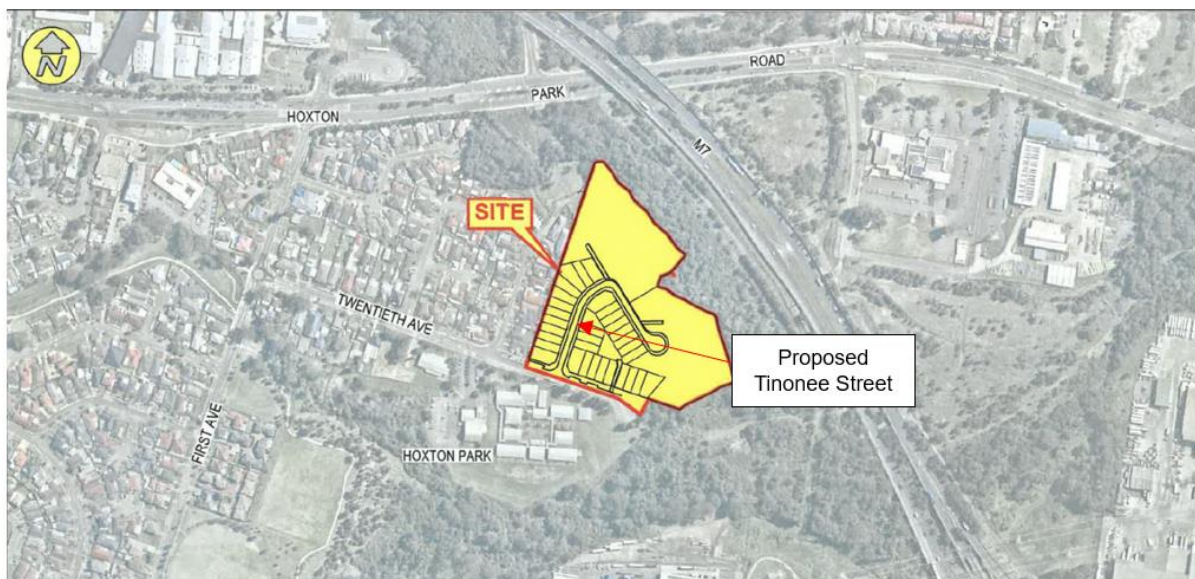


Figure 2: Location of proposed Tinonee Street (aerial view)

The Street naming theme for the locality is Northern NSW towns and the proposed Street name Tinonee, has been assessed using Council's Naming Convention Policy and the Geographical Names Board has granted pre-approval.

Tinonee is a small town located on the banks of the Manning River near Taree on the Mid North Coast of NSW.



Figure 3: Location of suburb Tinonee NSW (source: google maps)

The Manning Valley's earliest inhabitants were the Biripi people.

They lived in an area that was a temperate rainforest containing several hardwood species, cedar trees and fig trees. The rainforest was divided by a deep river which was inhabited by fish and sharks.

The name Tinonee originates from the Gathang language and Biripi dialect “Tinobi”. “Tinobi” has been attributed two meanings, with the meaning that is given most emphasis being “Deep Water with sharks”. The alternative meaning is “Blady Grass”.

Whilst the name Tinonee does not represent a direct association with the Aboriginal heritage of Liverpool, the proposed name serves as a tribute to the indigenous history of New South Wales. Furthermore, the proposed name ensures a unified theme is continued for the locality.

Gula Street, Edmondson Park

A Street naming proposal was received in April 2023, from a consultant working with Transport for New South Wales (TfNSW), to name the access road for the Edmondson Park North Commuter car park.

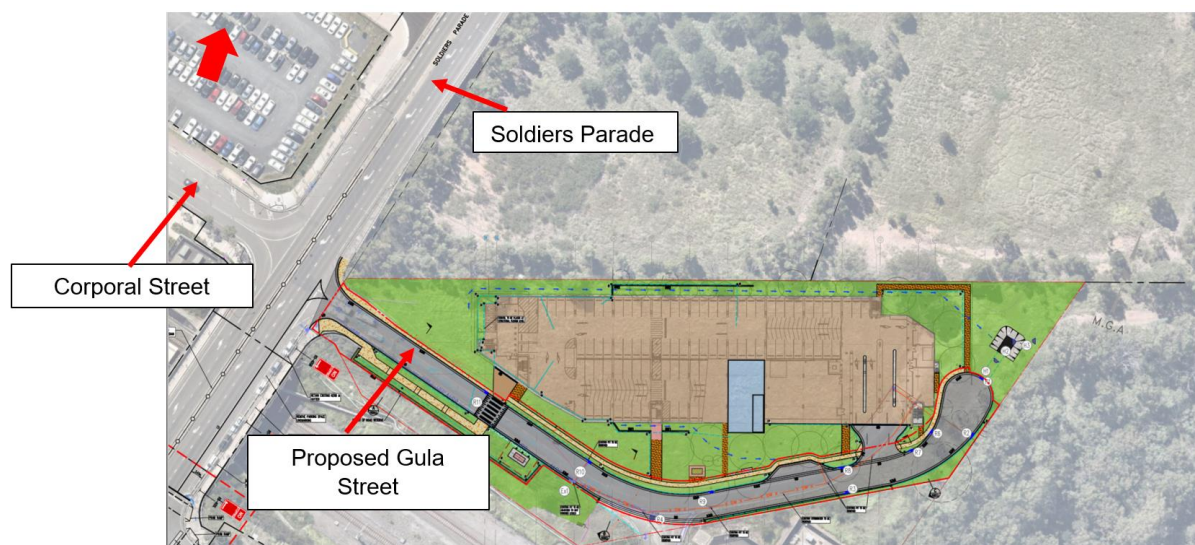


Figure 4: Location of proposed Gula Street (aerial view)

The Street naming theme for the locality is military and the proposed Street name Gula, has been assessed using Council’s Naming Convention Policy and the Geographical Names Board has granted pre-approval.

“Gula” as defined in the Dharawal language, means “killing spear”. Council has received a letter of support from Tharawal Aboriginal Land Council, affirming their endorsement for the use of the name (Attachment 1). Furthermore, the proposed name ensures a unified theme is continued for the locality.

Next Steps

If supported by Council, Tinonee Street, Hoxton Park and Gula Street, Edmondson Park will be placed on public exhibition for 28 days. If no objections are received, the naming requests will be forwarded to the GNB for formal approval and gazettal. Council officers will consider all submissions during the public notification period. The following three potential scenarios are likely to arise:

No objections received

The name will be forwarded to the GNB for formal approval and gazettal to the NSW Parliamentary Counsel's Office (PCO) under the delegation of the Chief Executive Officer (or delegate). Relevant stakeholders such as Australia Post, NSW Ambulance, Fire and Rescue NSW, NSW Rural Fire Service, NSW State Emergency Service, NSW Volunteer Rescue Association, Transport for NSW and the NSW Police Force, will be notified.

Objections from the relevant agencies

Council will not proceed with the naming request. A report to Council will be prepared for the next available meeting outlining the reason for rejection.

Submissions received from the community

If there is community objection, or reason to reconsider the proposed name, a report will be prepared for the next available Council meeting recommending withdrawal of the naming request.

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	Preserve and maintain heritage, both landscape and cultural as urban development takes place.
Civic Leadership	Foster neighbourhood pride and a sense of responsibility.
Legislative	Roads Act 1993. Roads Regulation 1998.

	<p>Pursuant to section 162 of the Roads Act, Council may name and number all public roads for which it is the roads authority. Council may only name a road if it has given the Geographical Names Board at least one month's notice of the proposed name.</p> <p>Regulation 7(Roads Act) prescribes a procedure for naming roads, requiring prior publication of a proposal, notification of relevant parties and consideration of submissions. If a relevant party objects, Council may not proceed with the proposal without ministerial approval.</p>
Risk	<p>The risk is deemed to be Low.</p> <p>The risk is considered within Council's risk appetite.</p>

ATTACHMENTS

1. Letter from Tharawal Aboriginal Land Council – Endorsement for use of Street name Gula.



16th October 2023

To Liverpool Council

Dear Sir / Madam,

Tharawal Local Aboriginal Land Council endorse the name of the road to Edmondson Park carpark to be one from the traditional Dharawal language being "gula" which means killing spear.

If you require any further information, please don't hesitate to contact me at the below. Please forgive me this letter is not personally signed as our printer is currently awaiting a new part.

Kind Regards,

Julie Dannevig | CEO

Tharawal Local Aboriginal Land Council

220 West Parade

Couridjah NSW 2571

Ph: (02) 46810059

M:0400497735

ceo@tharawal.com.au

I acknowledge and pay my respects to the traditional custodians of the land on which I work and live. I pay my respects to my Elders both past and present and thank them for their leadership, guidance and knowledge.

Site: 220 West Parade, COURIDJAH NSW 2571

Mailing address: PO BOX 245, THIRLMERE NSW

Facebook page: www.facebook.com/Tharawal-Local-Aboriginal-Land-Council

PLAN 06

**Amendment S3.22 of LLEP 2008 Middleton
Grange Town Center - Map of Minimum Lot Sizes**

Strategic Objective	Liveable, Sustainable, Resilient Deliver effective and efficient planning and high-quality design to provide best outcomes for a growing city
File Ref	367195.2023
Report By	Liana Pham - Strategic Planner
Approved By	Lina Kakish - Director Planning & Compliance

EXECUTIVE SUMMARY

A minor amendment to the *Liverpool Local Environmental Plan 2008* (LLEP 2008) is requested for the correction of the minimum lot size map as a part of the Amendment 63 Middleton Grange Local Centre, to ensure consistency with other mapping amendments undertaken by Amendment 63 (i.e. other LLEP 2008 maps for the Middleton Grange Local Centre).

On 25 June 2015, a planning proposal request was lodged with Council to amend the *Liverpool Local Environment Plan 2008 (LLEP 2008)* for land at 60-80 Southern Cross Avenue and 45-65 Hall Circuit, Middleton Grange, which forms part of the site for a planned local centre for Middleton Grange. The broad intent of this planning proposal was to facilitate the development of the local centre and reduce the provision of split zoning across the lots.

The final revised planning proposal was sent to the Department of Planning and Environment (DPE), and was gazetted on 27 April 2022, with a deferred commencement date of 1 November 2022 to allow time for the VPA to be finalised. The VPA was formally executed on 24 November 2022.

However, the Lot Size Map was not amended in accordance with the other mapping layers which were amended as part of Amendment 63. The Lot Size Map currently reflects the old local centre configuration and is therefore an error.

On 22 June 2023, Council contacted the DPE seeking advice on how to resolve the issue of erroneous Lot Size Map and received advice on 26 July 2023 to proceed with the lodgement of a s3.22 amendment to rectify this matter.

This report seeks Council's endorsement to progress the lodgement of a s3.22 amendment to the DPE to amend the Lot Size Map to make it consistent with the other map layers updated by Amendment 63 for the Middleton Grange Local Centre.

RECOMMENDATION

That Council:

1. Receive and note this report; and
2. Submit a s3.22 amendment request to the Department of Planning and Environment, to amend the Minimum Lot Size Map for Middleton Grange Local Centre as per this report.

REPORT

Background

On 25 June 2015, a planning proposal request was lodged with Council to amend the *Liverpool Local Environment Plan 2008* (LLEP 2008) for land at 60-80 Southern Cross Avenue and 45-65 Hall Circuit, Middleton Grange, which forms part of the site for a planned local centre for Middleton Grange. The broad intent of this planning proposal was to facilitate the development of the local centre and reduce the provision of split zoning across the lots.

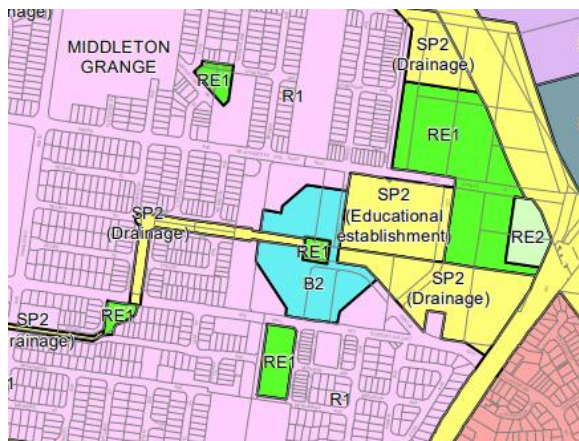
Following extensive review and consultation, the revised planning proposal was forwarded to the Department of Planning & Environment for finalisation, as Council was not the plan making authority. Amendment 63 was gazetted on 27 April 2022, with a deferred commencement date of 1 November 2022. This deferral was granted to allow time for the VPA to be finalised, which was formally executed on 24 November 2022.

Middleton Grange Local Centre - Lot Size Map

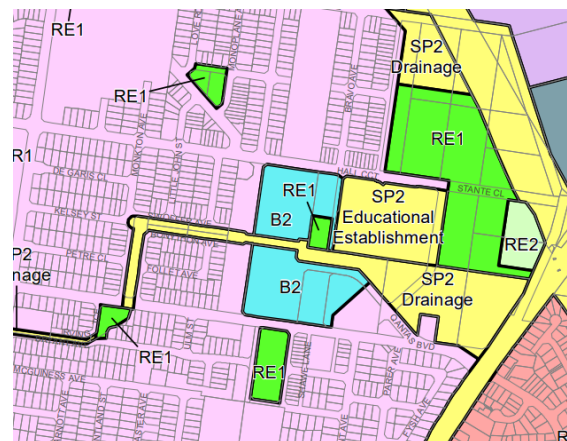
Amendment 63 included a range of map amendments to the LLEP 2008 land use zone and development standard maps, as shown in Table 1 below.

The Minimum Lot Size Map was not updated as part of the finalisation of the planning proposal. Therefore, the current map contains an inconsistent layout with the updated mapping for the centre. Given the significance of the proposed centre, it is prudent to rectify the mapping anomaly.

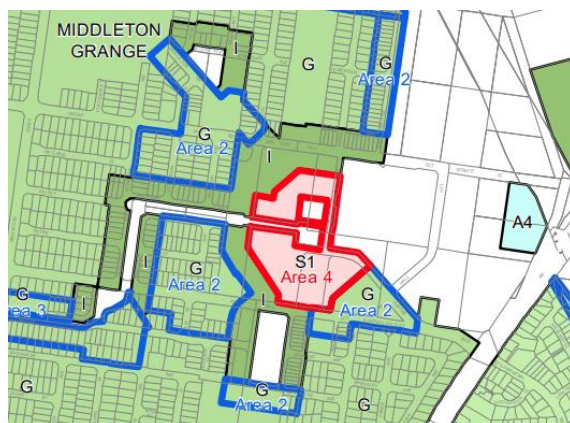
Table 1: Previous and Amended Maps for Middleton Grange Local Centre



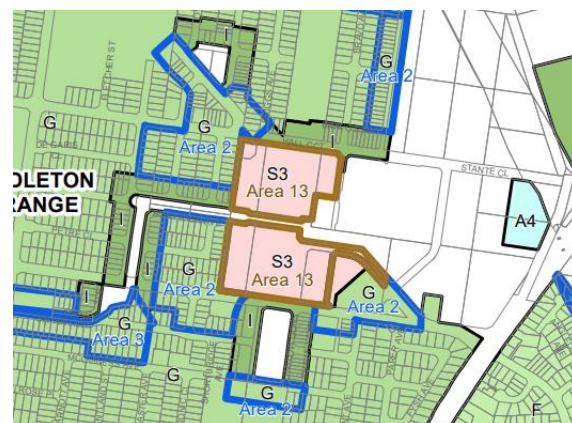
Previous Land Use Map



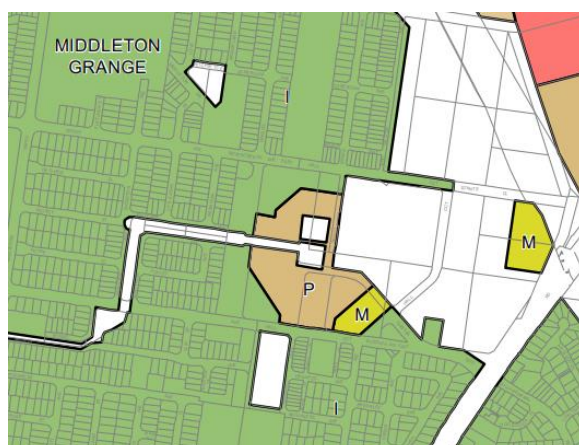
Amended Land Use Map (Amendment 63)



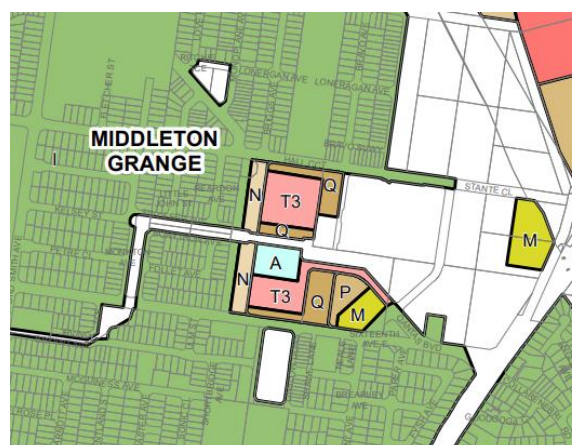
Previous Floor Space Ratio Map



Amended FSR Map (Amendment 63)



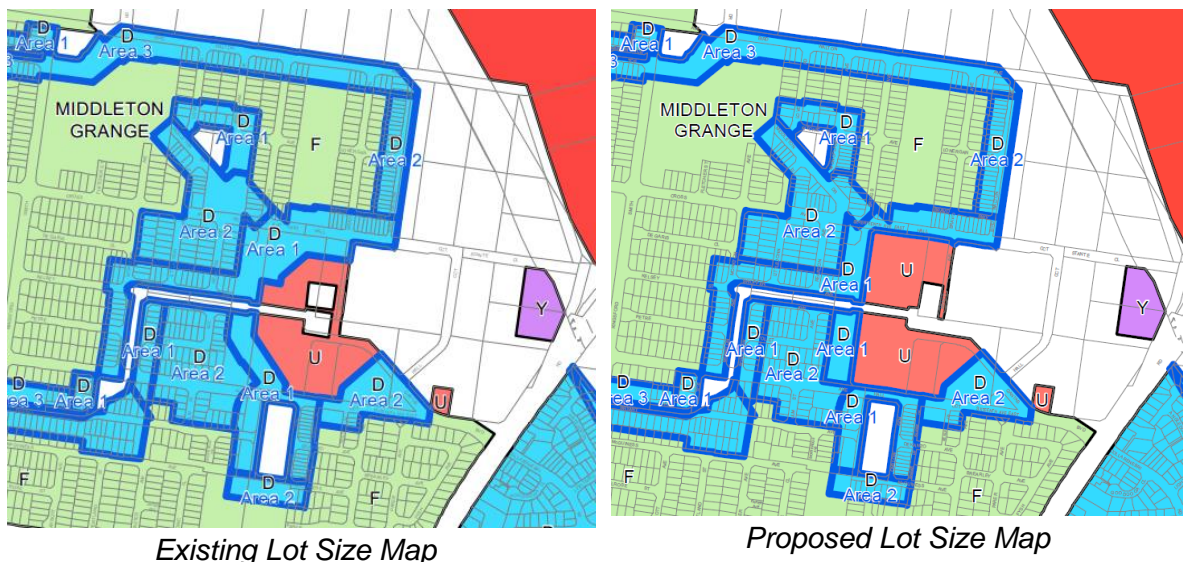
Previous Height of Buildings Map



Amended HOB Map (Amendment 63)

Table 2 below shows the existing and proposed Lot Size Map for the Middleton Grange Local Centre, which aligns with the new centre layout established by Amendment 63.

Table 2: Existing and Proposed Maps for Middleton Grange Local Centre



Section 3.22 Amendment of LLEP 2008

Section 3.22 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) allows for expedited amendments of environmental planning instruments (i.e. the LLEP 2008), where certain criteria can be met. It is intended to apply Section 3.22 (1)(a) to proceed with an expedited amendment to the LLEP 2008. Justification is as follows:

- a) *correct an obvious error in the principal instrument consisting of a misdescription, the inconsistent numbering of provisions, a wrong cross-reference, a spelling error, a grammatical mistake, the insertion of obviously missing words, the removal of obviously unnecessary words or a formatting error,*

The proposed change would correct the obvious error in the Liverpool LEP 2008, as the finalisation of Amendment 63 did not include an amendment to the Minimum Lot Size Map. This would ensure the consistency among the maps for the Middleton Grange Local Centre.

Next Steps

It is recommended to submit a s3.22 amendment request to the Department of Planning and Environment (DPE). If approved, the minor amendment will be made by DPE.

FINANCIAL IMPLICATIONS

There are no financial implications relating to this recommendation.

CONSIDERATIONS

Economic	Facilitate economic development.
Environment	There are no environmental and sustainability considerations.
Social	There are no social considerations.
Civic Leadership	There are no civic leadership and governance considerations.
Legislative	Section 3.22 & 3.36 of the <i>Environmental Planning and Assessment Act 1979</i> .
Risk	The risk is deemed to be Low. The proposed amendment is to correct an error. If the error in the LLEP 2008 is not corrected, there is a risk of delaying future development applications in the affected area.

ATTACHMENTS

Nil

PLAN 07**Draft Compliance and Enforcement Policy**

Strategic Objective	Healthy, Inclusive, Engaging Improve liveability and quality of life for the community by delivering vibrant parks, places and facilities
File Ref	367788.2023
Report By	Noelle Warwar - Manager Community Standards
Approved By	Lina Kakish - Director Planning & Compliance

EXECUTIVE SUMMARY

In late 2015 the NSW Ombudsman issued Enforcement Guidelines and a Model Policy for Councils. The Policy provides structure for consistency and transparency in decision-making regarding compliance and enforcement issues and facilitates a proportional approach to compliance and enforcement based on risk and impact.

The draft Compliance and Enforcement Policy is intended to replace Council's Current Enforcement Policy (adopted on 23 November 2022).

The key changes to the Policy include:

- The title has been changed to include both compliance and enforcement;
- It has been updated to reflect the principles of the NSW Ombudsman's Guidelines and Model Policy for Councils;
- The Policy provides greater clarity on the use of discretion; and
- The Policy proposes a proportionate approach to enforcement and compliance management based on the level of risk in regard the unlawful activity and the resources available.

RECOMMENDATION

That Council:

1. Endorse the draft 'Compliance & Enforcement Policy' for public exhibition for a period of not less than 28 days (Attachment 1).
2. Report back to Council the details of the submissions upon conclusion of the exhibition period.

REPORT

As a regulator, Council is obliged under certain legislation including but not limited to the Local Government Act 1993, Environmental Planning and Assessment Act 1979, Protection of Environment Act 1991, Public Spaces (Unattended Property) Act 2021 and Roads Transport Act 2013 to properly deal with allegations about unlawful activities relating planning, building and construction, environmental and public health, safety, car parking and transport, companion animal management, and public and natural area regulation.

This may also include activities that are prohibited or unauthorised or contrary to the terms of a consent or approval. A failure to properly deal with allegations and compliance can have adverse outcomes for the community and expose Council to liability and subsequent litigation expenses.

The Policy outlines matters for consideration through the various stages of the process from receipt of unlawful activity complaints through to the types of enforcement actions that can be considered, including the use of discretion.

A key aspect of the Policy is the inclusion of a “risk matrix” which provides guidance on how Council will prioritise, and action complaints received, particularly during times where the number of complaints received exceed the available resources dedicated to investigations.

Currently, with the exception of the most serious public safety matters, requests are dealt with in the order they are received and utilising the same investigative process (site visit etc). Given the available Council resources, the current process has resulted in a backlog of more than 700 unactioned requests with wait times far exceeding 12 months.

The Policy is intended to give priority to the high-risk complaints where a full investigation will be conducted. Lower risk complaints may be dealt with via the use of discretion (i.e. no action) or alternatively via “letters of cooperation”. Letters of cooperation will provide information on how the customer may be able to resolve the issue via other means. This may include speaking with their neighbour, seeking the support of the Community Justice Centre (mediation), other requests that may be better dealt with via for example a strata corporation or other agency (such as NSW Police or the NSW Housing).

As staff resources become available, more detailed investigations of complaints other than high risk would be able to occur.

The benefits of this approach include a focus on the more serious matters in our community i.e. where there is a threat to persons, property or the environment and a more timely response to concerns from our community. This approach also provides clear communication and expectations on how Council will respond.

As part of the implementation of a revised Compliance and Enforcement Policy Council will need to make internal administrative changes to its processes to manage the impact of the Policy changes. This includes developing processes and forms / checklists, standard letters used to respond to low risk and impact concerns.

REVIEW BY GOVERNANCE & LEGAL

In preparing the draft policy, feedback was sought from Council's Governance Team and Legal Services Team. The feedback provided has been considered and incorporated into the final draft policy.

FINANCIAL IMPLICATIONS

There are no financial implications relating to this recommendation.

CONSIDERATIONS

Economic	There are no economic and financial considerations.
Environment	<p>Manage the environmental health of waterways.</p> <p>Manage air, water, noise and chemical pollution.</p> <p>Protect, enhance and maintain areas of endangered ecological communities and high quality bushland as part of an attractive mix of land uses.</p> <p>Raise community awareness and support action in relation to environmental issues.</p>
Social	There are no social and cultural considerations.
Civic Leadership	<p>Act as an environmental leader in the community.</p> <p>Undertake communication practices with the community and stakeholders across a range of media.</p> <p>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	Local Government Act 1993.
Risk	<p>The risk is deemed to be Medium.</p> <p>The risk is considered within Council's risk appetite.</p>

ATTACHMENTS

1. Draft Compliance and Enforcement Policy



COMPLIANCE AND ENFORCEMENT POLICY

Adopted: (Current date)

TRIM 281536.2023-008



COMPLIANCE AND ENFORCEMENT POLICY

DIRECTORATE: Planning and Compliance

BUSINESS UNIT: Community Standards

1. PURPOSE/ OBJECTIVES

This Policy provides information for all internal and external stakeholders and interested parties about Council's position on compliance and enforcement matters for Liverpool City.

The purpose of the policy is to provide structure for consistency and transparency in decision making, and to facilitate a proportionate approach to compliance and enforcement. It is also intended to assist Council staff to act promptly, effectively, and consistently in response to allegations of unlawful activity.

This Policy outlines matters to be considered at the various stages of the enforcement process from the receipt and investigation of reports alleging unlawful activity, through to what enforcement options Council will consider and whether to commence criminal or civil proceedings.

In certain circumstances Council will have shared enforcement responsibilities with other regulatory authorities. Advice and guidance are also provided on the role of Council in building and construction compliance matters where there is a private certifier, and the role of Councillors in enforcement.

Responsible Council staff will apply this policy as appropriate in their use of discretion and exercise of official functions. In each case, staff will consider the relevant circumstances and facts and decide what action to take on the merits.

Council's regulatory responsibilities are applicable to threatened or *actual unlawful activity*, as well as a failure to take action (in order to be compliant with certain legal requirements). For simplicity, this policy refers to both an act and/or an omission by an alleged offender as 'unlawful activity'.

2. DEFINITIONS

The Following are the definitions of key terms in this policy:

Enforcement

Actions taken in response to contraventions of laws.

Regulation

Using a variety of tools and strategies to influence and change behaviour to achieve the objectives of an Act, Regulation or other statutory instrument administered by Council.

Report alleging unlawful activity

An expression of concern or a request for service in relation to alleged unlawful activity, where a response or resolution is explicitly expected or legally required.

Unlawful activity

Any activity or work that has been or is being carried out contrary to the below and/or failure to take required action in order to be compliant with:

- Terms or conditions of a development consent, approval, permit or licence
- An environmental planning instrument that regulates the activities or work that can be carried out on particular land
- A legislative provision regulating a particular activity or work
- A required development consent, approval, permission or licence.

3. POLICY STATEMENT

This Policy applies to the investigation of complaints about unlawful activity or failure to comply with the terms or conditions of approvals, consents, notices or orders. It outlines how to assess whether complaints of unlawful activity require investigation, options for dealing with unlawful activities and regulatory breaches, matters for consideration and facilitates a proportionate approach to compliance management.

It is based in the NSW ombudsman “Enforcement Guidelines for Councils” and “Model Policy” (2015).

The Objectives of this policy are:

1. To establish clear guidelines and protocols for Council staff in the managements of Council’s regulatory activities.
2. To provide a framework to facilitate a responsive and risk-based approach to proactive and reactive compliance and enforcement matters.
3. To improve compliance management and reduce the impact of unlawful activity on the community and our environment.

The Policy also provides advice and guidance on the role of the Private Certifiers and the role of Councillors in enforcement.

The Policy applies a risk based approach to compliance management to ensure resources are focussed on those matters posing the biggest risk to the community and environment. This approach is applied to both proactive compliance activities and also in response to reports alleging unlawful activity (reactive compliance). Council will undertake enforcement action where appropriate in accordance with the policy document.

3.1 Compliance and Enforcement Principles

The following are the principles that underpin Council actions relating to compliance and enforcement.

Principle	Actions
Accountable and transparent	<ul style="list-style-type: none"> • Acting in the best interest of public health and safety and in the best interests of the environment. • Ensuring accountability for decisions to take or not take action. • Acting fairly and impartially and without bias or unlawful discrimination. • Providing information about compliance and enforcement priorities and the framework for decisions to improve understanding and certainty and promote trust by the regulated community. • Ensuring meaningful reasons for decisions are given to all relevant parties, particularly when there is a departure from this policy.
Fair and Consistent	<ul style="list-style-type: none"> • Ensuring compliance and enforcement action is implemented consistently. • Encouraging customer reports about possible unlawful activity by acting. • Acting reasonably in response to the circumstances and facts of each matter.
Proportionate	<ul style="list-style-type: none"> • Ensuring the level of enforcement action is proportionate to the level of risk and seriousness of the breach. • Making cost effective decisions about enforcement action. • Taking action to address harm and deter future unlawful activity.
Timely	<ul style="list-style-type: none"> • Ensuring responses to reports alleging unlawful activity and decision making in relation to those is timely.

3.2 Risk Based Regulation

Our Community has become more expectant of living in a healthy and liveable city where we value and protect our environment. The number of laws and regulations have increased expanding the scope of necessary enforcement. From time-to-time reports alleging unlawful activity will exceed available resources.

Risk type of compliance action chosen by Council will depend on the degree of risk, and the impact of the non-compliance on Council's ability to achieve its objectives. This risk based approach is a way to target resources where they are most needed and where they will produce the most effective impact.

Council is committed to developing and implementing both proactive and reactive strategies to achieve effective and efficient risk-based compliance enforcement programs. To this end, Council uses intelligence gained from its customer management systems to determine the most appropriate strategy.

Proactive compliance monitoring assists Council in meeting its statutory requirements, respond to common complaints and maintain a positive monitoring presence. The aim of proactive strategies is to reduce the number of reactive incidents requiring a Council response.

Education and awareness raising activities are both proactive approaches to preventing breaches of the law and can be very cost effective in achieving compliance. Providing information to the public through media releases, Council's website, workshops with target groups and brochures/fact sheets together with Incentives e.g. financial/awards, are all strategies Council will explore to determine the best fit for the areas of focus.

Council's risk-based approach involves categorising alleged unlawful activity into low, medium, and high risk, based on the following:

- degree of impact on health, property or the environment;
- seriousness of the offence;
- priority for council and the community.

Council's Risk Category Matrix in Appendix 1 reflects these factors and will be used to guide enforcement action. The colour-coding in Figure 1 indicates how enforcement action may be related to the risk assessment. Council will apply its risk-based approach intelligently and consider the appropriate action in the facts and circumstances of each case.

Periodic reviews of Council's Risk Category Matrix will be undertaken using intelligence collated from its case management systems and other sources. When reviewing the matrix, Council will consider whether systemic or more serious patterns are emerging which warrant re-categorising the risk levels of unlawful activities.

3.3 Responsibility

Council receives information about alleged unlawful activity from members of the public, contact from other government agencies and information gathered by its officers during proactive inspections.

Only Council staff with appropriate delegations from the Chief Executive Officer can undertake investigations, compliance and enforcement action in relation to this policy.

Council staff are required to:

- Treat all relevant parties with courtesy and respect;
- Communicate with all relevant parties and provide feedback on the progress of an investigation and any reasons for delay without compromising the integrity of the investigation;
- Make full and proper records in relation to the assessment and investigation of reports alleging unlawful activity, including reasons for any decisions;
- Provide as much information as possible to all relevant parties about the outcomes of investigations to show that adequate and appropriate action was taken and/or is proposed to be taken in response to a report of alleged unlawful activity; and
- Provide information to all relevant parties about any avenues to seek an internal or external review of a decision.

All reports alleging unlawful activity are to be entered into Council's customer request system and actioned within the appropriate risk-based time frame by the appropriate business unit.

3.4 Submitting Reports of Unlawful Activity

Reports alleging unlawful activity will be recorded in Council's customer request system and will be allocated a unique reference number. The report will be referred to the relevant Council officer to commence any necessary action.

The name, address and contact details of the person submitting the report will also be recorded. This information is critical as Council may need to rely on evidence from the complainant to prove any alleged offence and commence enforcement action. Council will advise any Complainant of the action, if any, taken or the reasons why no action was taken in the circumstances.

As outlined in Council's customer service policy, Council generally seeks to keep confidential any personal information identifying a complainant. Council will comply with the information protection principles in the Privacy and Personal Information Protection Act 1998, but within the scope permitted under that and other legislation may disclose this information in a variety of circumstances including the following:

- When access to the information is permitted under a Council Policy (consistent with legislation)
- Legal proceedings are commenced, and the information is disclosed in evidence served
- When access to the information is permitted under legislation, including the Government Information (Public Access) Act 2009 or the Local Government Act 1993.
- The disclosure is required to comply with the principles of procedural fairness

- The disclosure is necessary to investigate the matter.

In some circumstances, it may be possible to ascertain the identity of the person submitting the report by the nature of the allegation.

3.4.1 What Council expects from people who report allegations of unlawful activity

Council expects that people who report allegations of unlawful activity will cooperate and act in good faith in respect of any investigations conducted by Council. This includes:

- Providing a clear description of the problem (and the resolution sought, if relevant);
- Providing a clear description / account of the impact that the alleged activity is having;
- Giving all available and relevant information to Council, including any new information about the alleged activity that may become known to the person following the making of their report;
- Not giving any information that is intentionally misleading or wrong;
- Cooperating with Council's inquiries and giving timely responses to questions and requests for information; and
- Treating council's staff with courtesy and respect.

3.4.2 Anonymous Reports

Anonymous reports will be recorded and assessed. However, because it is not possible to seek clarification or additional information about a matter, it is more difficult to evaluate the allegations. To provide consistency with Council's Internal Ombudsman's Policy, Council shall not undertake an investigation into an anonymous complaint, unless the issue places public safety at risk and raises a serious matter and there is sufficient information for the officer to undertake the investigation.

3.5 Responding to concerns about Unlawful Activity

Council will record every report alleging unlawful activity.

Not all reports will, can or need to be investigated. A preliminary assessment of all matters will be made to determine the priority for a response, and whether investigation or other action is required.

An investigation of alleged unlawful activity may take a significant amount of time to complete, particularly where the issues are complex. If Council decides to investigate, staff will give the person who reported the alleged unlawful activity regular feedback on the progress of the investigation, and any reasons for delay. This does not mean that the individual can expect to be given details about every aspect of the investigation or information that would compromise the integrity of the investigation.

Decisions about what action should be taken by Council are made at the Council's discretion. This means the objective is that reports alleging unlawful activity will be resolved to the satisfaction of Council, not necessarily the person raising the matter. Council will generally try to resolve matters quickly and informally as possible so as to avoid the need to take formal action.

Council staff will endeavour to manage the expectations of people who report alleged unlawful activity, and in particular explain that in the absence of sufficient evidence of unlawful activity, Council may be unable to take further action. Council does not have unlimited resources and powers to deal with reports alleging unlawful activity.

3.6 Investigating alleged Unlawful Activity

A preliminary assessment of all requests will be made to determine whether investigation or other action is required. Council will prioritise matters based on the Compliance and Enforcement Principles (section 4).

If there is insufficient information in the report to undertake a preliminary assessment, the customer will be advised, and the matter not tasked for investigation.

3.6.1 Circumstances where no regulatory action will be taken

Council will take no further action, if, following a preliminary assessment, it is identified that:

- The Report is not supported with evidence or appears to have no substance.
- Council does not have jurisdiction to investigate or is not the appropriate authority to take action on the issues raised. Where there is another appropriate authority or course of action, Council may bring that matter to the attention of the authority or provide information and contact details to the individual. For example Safework NSW for workplace safety matters, the NSW Environment Protection Authority (EPA) for possible environmental offences and Community Justice Centres NSW for personal disputes.
- The report relates substantially to a matter previously determined by Council and no new or compelling information is presented which would cause Council to change its earlier decision. In this case, staff will acknowledge the report and advise that no further action will be taken as no new information had been provided (other than where the person has previously been advised they would receive no further response).
- The allegations relate to a lawful activity (e.g. where there is an existing approval, or the activity is permissible without Council approval or consent being required).

The relevant Coordinator, Manager, Director, or CEO may use discretion in determining that an investigation or further regulatory action isn't required.

Examples of circumstances where regulatory action may be determined not be required include where:

- a. The Investigation revealed that approval is likely to be achieved.
- b. It is not a safety concern.
- c. There is no amenity impact to the community.
- d. The complaint is made anonymously, relates to low-risk activity as defined by Councils 'Risk Category Matrix' and is without supporting evidence.
- e. The complaint relates to a known neighbourhood dispute.
- f. It is not in the public interest as the outcome will not justify the expenditure of resources.

3.6.2 Relevant factors guiding decisions as to whether to take regulatory action

When deciding whether to investigate, Council will consider factors relevant to the circumstances of the case, which may include whether:

- The activity is having a significant detrimental effect on the environment, or it constitutes a risk to public safety.
- The report is premature as it relates to some unfinished aspect of work that is still in progress.
- The activity or work is permissible with or without permission.
- All conditions of consent are being complied with.
- Much time has elapsed since the events, the subject of the report, took place.
- Another body is a more appropriate agency to investigate and deal with the matter.
- It appears there is a pattern of conduct or evidence of a possible widespread problem.
- The person or organisation reported has been the subject of previous reports.
- The report raises matters of special significance in terms of the Council's existing priorities.
- There are significant resource implications in relation to an investigation and any subsequent enforcement action.
- It is in the public interest to investigate the report.
- The activity is having an amenity impact to the community.

The above factors for Council to consider and weigh in making a determination. Council staff are not limited in their use of discretion by these considerations and may decide to investigate based on these and other factors.

The Objective of the processes Council staff use when investigating incidents of alleged unlawful activity, is to:

- Determine the cause of the incident;
- Determine if there has been a contravention of law, policy or standards;

- Gather evidence to the required standard to support any required enforcement action; and
- Determine any necessary action to mitigate the possibility of reoccurrence of similar incident.

Any decision not to investigate an allegation of unlawful activity will be recorded and the reasons for that decision clearly stated.

3.7 Deciding whether or not to take enforcement action

When deciding whether to take enforcement action in relation to a confirmed case of unlawful activity, Council will consider the full circumstances and facts of the matter and the public interest. The following general considerations will assist Council staff in determining the most appropriate response in the public interest:

3.7.1 Considerations about the alleged offence and impact:

- The nature, extent and severity of the unlawful activity, including whether the activity is continuing.
- The harm or potential harm to the environment or public health, safety or amenity caused by the unlawful activity.
- The seriousness of the breach, including whether the breach is merely technical, inconsequential or minor in nature.
- The time period that has lapsed since the date of the unlawful activity.

3.7.2 Considerations about the alleged offender:

- Any prior warnings, cautions, instructions, advice that was issued to the person or organisation reported or previous enforcement action taken against them.
- Whether the offence was committed with intent.
- Whether the person or organisation reported has been proactive in the resolution of the matter and assisted with any Council requirements and instructions.
- Any mitigating or aggravating circumstances demonstrated by the alleged offender.
- Any particular circumstances of hardship affecting the person or organisation reported.
- The youth, age, maturity, intelligence, physical health, mental health or special disability or infirmity of the alleged offender, a witness or a victim.
- The willingness of the alleged offender to cooperate in the investigation and prosecution of others.

3.7.3 Considerations about the impact of any enforcement action:

- The prevalence of the alleged offence or breach and the need for deterrence.
- Whether an educative approach would be more appropriate than a coercive approach in resolving the matter.

- The prospect of success if the proposed enforcement action was challenged in court.
- The costs and benefits of taking formal enforcement action as opposed to taking informal or no action.
- What action would be proportionate and reasonable in response to the unlawful activity.
- Whether Council's prior advice or actions have been relied upon by the alleged offender such as to create a form of estoppel.

3.7.4 Consideration about the potential for remedy:

- Whether the breach can be easily remedied.
- Whether it is likely consent would have been given for the activity if it had been sought.
- Whether there is a draft planning instrument on exhibition that would make the unauthorised use legal.

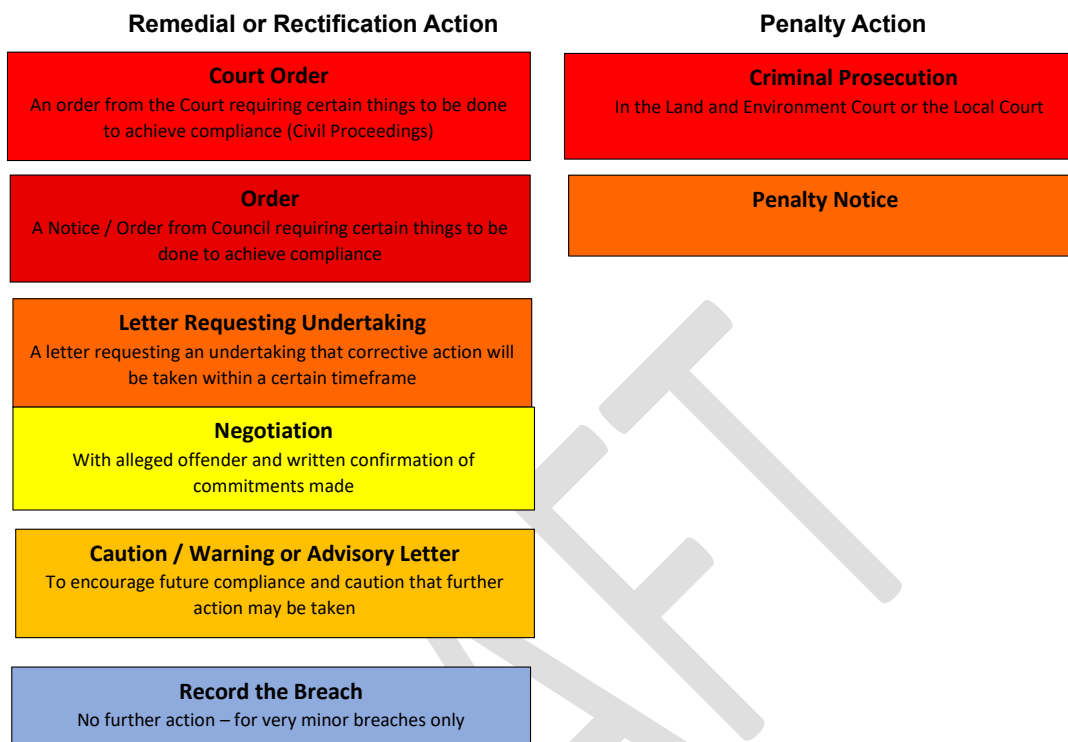
3.8 Options for dealing with Confirmed cases of Unlawful Activity

There is a range of enforcement action available as illustrated below in Figure 1. The examples given in Figure 1 have been ranked from highest formality at the top to lowest formality at the bottom.

In deciding what enforcement action to take, Council will:

- use discretion to determine the most appropriate response to confirmed cases of unlawful activity;
- take a risk-based approach;
- choose the least formal option likely to achieve its enforcement objectives;
- consider the circumstances and facts of each case and decide on the merits of the case.

Council may use more than one enforcement approach in a case. Enforcement options are not necessarily mutually exclusive: for example, in some circumstances it may be appropriate to simultaneously issue an Order and a penalty Notice. It is also important to note that the following is a guide only and each case must be assessed on the particular facts.

Figure 1: Enforcement actions available to Council

Note that it may be appropriate to use more than one enforcement option in some cases. If initial enforcement action does not achieve a satisfactory outcome, it may be necessary to proceed to a higher level of enforcement response. For example, if a warning letter or notice of intention does not achieve the desired response, it may be appropriate to give an Order; or if an Order is not complied with, it may be appropriate to bring enforcement or prosecution proceedings.

3.9 Offences when penalty notice can be issued

For certain offences a penalty notice can be issued as the appropriate regulatory action, even for these certain offences, Council officers have the authority to use discretion and issue a caution in place of a monetary fine. The circumstances for which a council officer may use discretion are clearly outlined as guidelines in section 19A (3) of the *Fines Act 1996*.

<https://dcj.nsw.gov.au/justice/policy-reform-and-legislation/publications/guidelines.html> Following up enforcement action

All enforcement action will be reviewed and monitored to ensure compliance with any undertakings given by the subject of enforcement action or advise, directions or orders issued by council. Reports alleging continuing unlawful activity will be assessed and further action taken if necessary. If the unlawful activity has ceased or the work has

been rectified, the matter will be resubmitted for follow up action to ensure compliance outcomes are met. Should initial enforcement action be found to have been ineffective, Council staff will consider other enforcement options.

3.10 Taking Legal Action

Council and delegated staff will be guided by legal advice in deciding whether to commence criminal or civil proceedings and will consider the following:

- Whether there is sufficient evidence to establish a case to the required standard of proof;
- Whether there is reasonable prospect of success before a Court; and
- Whether the public interest warrants legal action being pursued.

The same considerations apply to whether Council should continue with proceedings. Council will act reasonably in response to new material.

Whether there is sufficient evidence to establish a case to the required standard of proof

Council considers the decision to take legal action a serious matter, and as such will only initiate and continue proceedings once it has been established that there is admissible, substantial and reliable evidence to the required standard of proof.

The basic requirement of any **criminal** prosecution is that the available evidence establishes a prima facie case.

The Prosecutor is required to prove the elements of the offence beyond reasonable doubt.

In **civil** enforcement proceedings, Council will require sufficient evidence to satisfy the court that an actual or threatened breach has occurred on the balance of probabilities.

Whether there is a reasonable prospect of success before a Court

Given the expense of legal action Council will not take legal action unless there is a reasonable prospect of success before a court. In making this assessment, council staff will consider the availability, competence and credibility of witnesses, the admissibility of the evidence, all potential defences, and any other factors which could affect the likelihood of a successful outcome.

Whether the public interest requires legal action to be pursued

The principal consideration in deciding whether to commence legal proceedings is whether to do so is in the public interest. In making this determination, the same factors to be considered when taking enforcement action apply.

The following considerations relate more specifically to the decision to commence legal proceedings and may also assist Council and its delegated staff in making the determination:

- Whether the applicable law is obsolete or obscure
- Whether proceedings may be counter-productive and bring the law into disrepute
- The availability of any effective alternatives to proceedings
- Whether an urgent resolution is required (court proceedings may take some time)
- The possible length and expense of court proceedings
- What sentencing options are available to the court in the event of conviction
- Whether the proceedings or the consequences of any resulting conviction would be unduly harsh or oppressive
- The alleged offender's degree of culpability
- The attitude of the victim and possibly material witnesses
- Whether a precedent will be set by instituting proceedings.

Council will consider discretionary factors to the extent applicable to the facts and circumstances of the case and will give them appropriate weight.

Time within which to commence proceedings

Council staff must be aware of legislative time limits in which enforcement proceedings must be commenced. Sometimes legal action will be statute barred despite good evidence that unlawful activity has occurred.

3.11 Shared Enforcement Responsibilities

Some reports will raise matters involving shared regulatory responsibilities between Council and other authorities including the Environment Protection Authority, NSW Police, NSW Department of Planning and Environment, NSW Liquor and Gaming, NSW Fair Trading, NSW Food Authority and Crown Lands.

Council Recognises that collaboration and cooperation between authorities to address issues of shared regulatory responsibility is the best approach. To this end, where there are shared legislative responsibilities, Council staff will work with relevant authorities to establish:

- Which authority will take the leading role on any joint investigation
- Which activities each authority will carry out
- Responsibilities for updating an individual where relevant

- Protocols for exchanging confidential information between the relevant authorities.

Council will reasonably endeavour to respond to requests for information or assistance on joint regulatory matters in a timely manner.

3.12 Role of Council Where a Private Certifier Has Been Nominated as the Principal Certifier

Where the Private Certifier has been appointed as the Principal Certifier the council recognises that the Private Certifier is the authority responsible for ensuring compliance with the conditions of development consent.

Private Certifiers have limited enforcement powers. They can issue a Written Directions Notice (WDN) to the owner or builder to comply with the conditions of consent or rectify any breaches. A copy of any WDN issued by a Private Certifier must be provided to Council for assessment as to whether Council will consider enforcement action.

Persons making complaints regarding a site where the PCA is private will be advised to contact the Private Certifier in the first instance. This will give the Private Certifier an opportunity to address the issues and take appropriate action.

Should the Private Certifier fail to use their enforcement powers to address the issue raised within a reasonable timeframe, Council will give consideration to investigate the matter dependent upon the specific circumstances and whether there is a serious threat to persons and/or property.

It must be noted that Council is not the regulator of private Certifiers and any complaints about the conduct of Private Certifiers must be directed to NSW Fair Trading.

Council will endeavour to work with private Certifiers to resolve any issues when they arise to achieve compliance with the development consent or complying development certificate. Council staff will take steps to ensure individuals are clear about which agency performs which role

3.13 Review and Appeal Processes

Any order issued by Council (as a proposed order) (unless issued in an emergency) will have a notice period allowing representations to be made (generally up to 21 days). Representations should be made in writing to the attention of the relevant section manager.

Fines issued by Council under a range of legislation have a review process that is managed by Revenue NSW. Information on how to request a review of a fine can be found at www.revenue.nsw.gov.au.

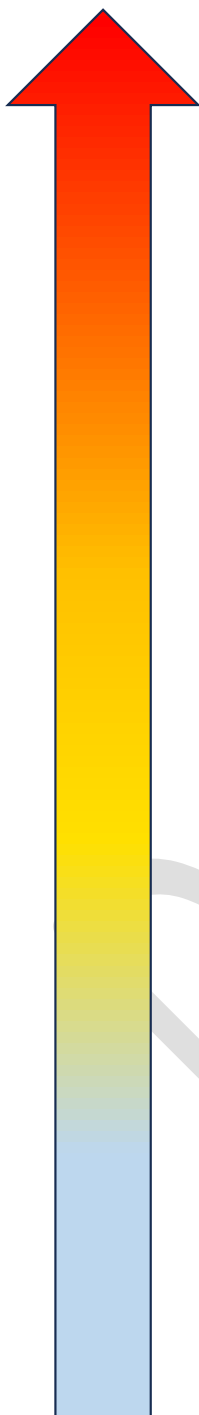
3.14 Role of Councillors in Enforcement

Compliance and enforcement matters are sensitive and easily susceptible to allegations of impropriety, bias or inconsistency. In order to manage those risk, and consistent with Councils Code of Conduct, Councillors do not attend on-site meetings with Council staff, the complainants, or persons the subject of investigation or enforcement action, or direct staff in relation to particular outcomes relating to investigations or enforcement options or actions.

Councillors can help individuals who raise concerns with them by referring them to the relevant team for the appropriate action to take place as outlined in this Policy.

4. RELEVANT LEGISLATIVE REQUIREMENTS *(where applicable)*

This policy is based in the NSW Ombudsman "Enforcement Guidelines for Councils" and "Model Policy" (2015).

APPENDIX 1**RISK CATEGORY MATRIX**

Including but not limited to:

High Risk

- Large scale / significant pollution incidents
- Dog attacks, straying stock and roaming dogs
- Large scale vegetation clearing
- Unattended/Illegally parked vehicles in unsafe locations
- Collapsed or unsafe building works adjacent to public areas
- Poor sediment control on building sites
- Swimming pool barrier fencing
- Fire safety matters
- Domestic sewage surcharge

Medium Risk

- Abandoned motor vehicles
- Minor pollution incidents
- Breaches of tree preservation orders
- Commercial & industrial air/noise complaints (criteria)
- Food/beauty/Skin penetration and other health related premises complaints
- Significant unauthorised/non-complying building works
- Building works where a Private Certifier appointed
- Land filling
- Rubbish dumping
- Parking
- Footpath obstructions
- Onsite Sewage management systems
- Illegal Boarding houses/multi occupancies/dual occupancies

Low Risk

- Animal registration / general companion animal enquiries
- Barking Dogs
- Domestic air noise complaints (power tools, air conditioners, pool pumps, amplified music)
- All other animal related enquiries
- Overgrown land (criteria)
- Home business / home occupation
- Minor unauthorised / non-complying building works (criteria)
- Overland stormwater flow (criteria)
- Smoke nuisance from domestic wood heaters, outdoor BBQ's, burning prohibited items
- Keeping of roosters, rooster noise, including poultry and fowl houses
- Strata issues where NSW Civil and Administrative Tribunal (NCAT) is appropriate authority

The action undertaken by Council in response to a request will be proportionate the quantum of resources available at the time. For example, where the number of requests exceeds the number of resources available, requests may be actioned using compliance through voluntary action (letter of cooperation). Conversely, when resources are available, more detailed investigations may be conducted.

RELATED POLICIES & PROCEDURE REFERENCES

This Policy has been developed in consultation with Wollongong City Council. Liverpool Council acknowledges the Wollongong City Council Compliance and Enforcement Policy in the creation of this document.

AUTHORISED BY

Council Resolution

EFFECTIVE FROM

This date is the date the policy is adopted by Council resolution.

REVIEW DATE

The policy must be reviewed every two years or more frequently depending on its category or if legislative or policy changes occur.

VERSIONS

The current and previous version of the policy should be set out in the following table.

Version	Amended by	Changes made	Date	TRIM Number
1	New Policy	Compliance		281536.2023-008

PLAN 08

**Amendment S3.22 of SEPP - Sydney Region
Growth Centre - Zoning Map**

Strategic Objective	Evolving, Prosperous, Innovative Implement planning controls and best practice urban design to create high-quality, inclusive urban environments
File Ref	382945.2023
Report By	Talia Saad - Assistant Strategic Planner
Approved By	Lina Kakish - Director Planning & Compliance

EXECUTIVE SUMMARY

A minor amendment to the *State Environmental Planning Policy (Precincts – Western Parkland City) 2021* is requested for the correction of the zoning map concerning a SP2 Infrastructure (Local Drainage) zone anomaly. This is to ensure that the drainage channel better reflects the existing path of the watercourse and avoids any acquisition of the existing dwelling on the associated property.

On 18 October 2023, a referral was sent to Strategic Planning for the land concerning 110 Eighteenth Avenue, Austral, NSW 2179 as the current owner of property 110 Eighteenth Avenue has been waiting for Council to acquire his property as per the acquisition layer. However, after examining the historical imagery of the creek's transition overtime, it is evident that the creek channel does not traverse through the existing dwelling.

To counter this acquisition burden on the owner, Strategic Planning and relevant internal stakeholders including Floodplain Engineer, Environmental Management and Property Manager unanimously agreed to reach out to the Department of Planning and Environment (DPE) to amend the zoning map so as to remove the SP2 Infrastructure zone from the owner's land, hence removing the land acquisition burden on council.

This report seeks Council's endorsement to progress the lodgement of a s3.22 amendment to the DPE to amend the Zoning Map to amend the creek line and remove the acquisition burden from the property owner's existing dwelling.

RECOMMENDATION

That Council:

1. Receive and note this report; and
2. Submit a s3.22 amendment request to the Department of Planning and Environment, to amend the Zoning Map for 110 Eighteenth Avenue, Austral 2179 as per this report.

REPORT

Amendment to the Growth Centre SEPP Zoning Map

Presently, the adjoining property to the east has an existing waterway running parallel to the eastern side property boundary, then bends west at road verge, refer to Figure 1.

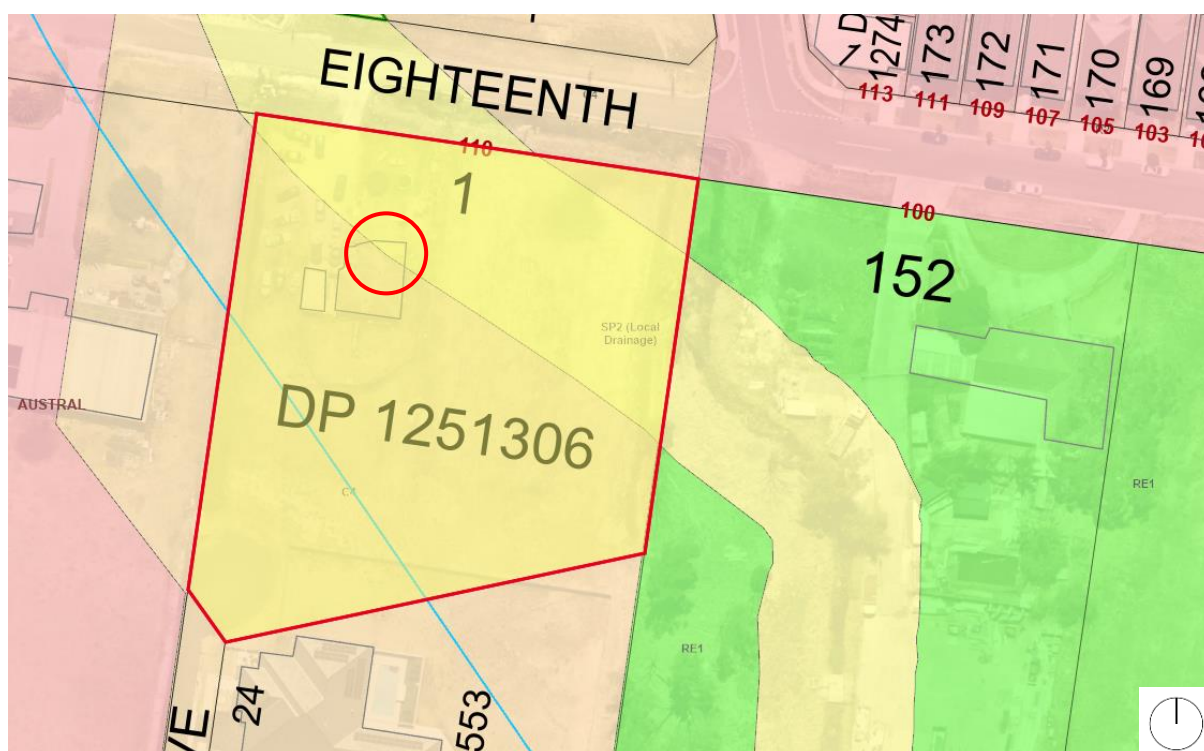


Figure 1: Current zoning at 100 -110 Eighteenth Avenue, Austral.

Retaining the placement of the SP2 (Local Drainage) layer would have a significant impact on the current property owner, as Council would need to acquire the residential dwelling which is currently impacted by the SP2 zoning as identified in Figure 1. Further, from a hydraulic perspective, the conveyance capacity of the current channel is very low and hence floods in frequent storm events. However, the upgraded channel shall have sufficient conveyance capacity and will provide a more natural watercourse as illustrated in Figures 2 and 3.

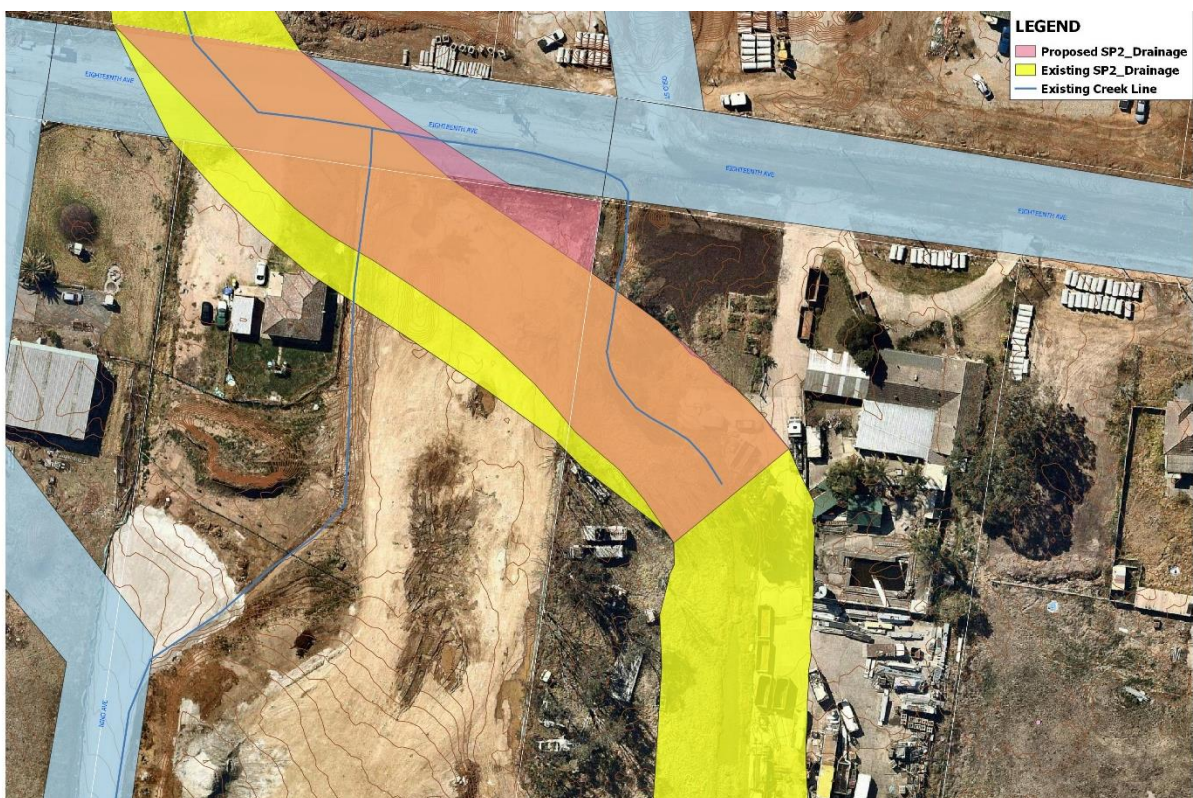


Figure 2: Proposed SP2 drainage and existing creek line at 100 -110 Eighteenth Avenue,

Austral.

Figure 3: Existing and proposed zoning at 100 -110 Eighteenth Avenue, Austral.

The following are reasons to upgrade the drainage reserve at 110 Eighteenth Avenue:

- Upgraded waterway to have sufficient conveyance capacity,
- Avoid sharp bend and provide transition at culverts,
- Move away from road verge to prevent road reserve from flooding,
- Avoid acquisition of the existing dwelling, and
- Providing relief for the existing land owner.

The zoning map was not updated in line with the existing creek line. The current map is associated with a number of issues which are currently affecting both Council and the land owner. Due to the significance of pressure and constant back and forth communication between the land owner and Council about acquiring their land, it is prudent to rectify the mapping anomaly.

Section 3.22 Amendment of Growth Centre SEPP

Section 3.22 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) allows for expedited amendments of environmental planning instruments (i.e. Growth Centre SEPP), where certain criteria can be met. It is intended to apply Section 3.22 (1)(a) to proceed with an expedited amendment to the *State Environmental Planning Policy (Precincts – Western Parkland City) 2021*. Justification is as follows:

- a) *correct an obvious error in the principal instrument consisting of a misdescription, the inconsistent numbering of provisions, a wrong cross-reference, a spelling error, a grammatical mistake, the insertion of obviously missing words, the removal of obviously unnecessary words or a formatting error,*

The proposed change would correct the obvious error in the *State Environmental Planning Policy (Precincts – Western Parkland City) 2021*. This would ensure there is no acquisition burden on the land owner and the creek anomaly is altered to suit better informed study of the creek line.

Next Steps

It is recommended to submit a s3.22 amendment request to the DPE. If approved, the minor amendment will be made by DPE.

FINANCIAL IMPLICATIONS

There are no financial implications relating to this recommendation.

CONSIDERATIONS

Economic	There are no economic and financial considerations.
Environment	Manage the environmental health of waterways. Protect, enhance, and maintain areas of endangered ecological communities and high-quality bushland as part of an attractive mix of land uses.
Social	There are no social and cultural considerations.
Civic Leadership	Act as an environmental leader in the community.
Legislative	Section 3.22 & 3.36 of the <i>Environmental Planning and Assessment Act 1979</i> .
Risk	The risk is deemed to be Low. The proposed amendment is to correct an error. If the error in the State Environmental Planning Policy (Precincts – Western Parkland City) 2021 is not corrected, there is a risk.

ATTACHMENTS

Nil

COM 01

**Grants Donations and Community Sponsorship
Report**

Strategic Objective	Healthy, Inclusive, Engaging Promote a harmonious community that celebrates its diversity
File Ref	356560.2023
Report By	Jacqueline Newsome - Coordinator Community Development
Approved By	Tina Bono - Director Community & Lifestyle

EXECUTIVE SUMMARY

Council is committed to building strong and resilient communities in the Liverpool Local Government Area (LGA) and 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.

This report provides a recommendation for endorsement of funding totalling **\$14,244** from the Community Grants Program and the Matching Grant Program.

RECOMMENDATION

That Council:

1. Endorses the funding recommendation of **\$8,500** (GST exclusive) under the **Community Grant Program** for the following projects:

Applicant	Project	Recommended
CORE Youth Services	BBQ in the Park – Youth Outreach Program	\$3,500
Non-Resident Nepali Association (NRNA)	Empowering Women's Health and Safety Awareness Program	\$5,000

2. Endorses the funding recommendation of **\$5,744** (GST exclusive) under the **Matching Grant Program** for the following project:

Applicant	Project	Recommended
The City of Liverpool & District Historical Society	Collection Storage	\$5,744

REPORT

Community Grant Program

The Community Grant Program received two applications which met the eligibility criteria and are recommended for funding as follows:

Applicant	CORE Youth Services		
Project	Outreach BBQs		
Amount Requested	\$3,500	Total Project Cost	\$7,500
Location	Bigge Park, Liverpool 2170	Date	November 2023 to June 2024
About the Applicant	<p>Serving the Liverpool LGA for over 40 years, CORE Youth Services is a part of CORE Community Services, focusing on youth support services. A not-for-profit organisation, CORE provides a wide range of services, activities and programs for aged & disability care, children's services, multicultural communities, and youth services.</p> <p>CORE Youth Services are seeking funding opportunities to deliver programs that support young people and connect them to appropriate services and activities.</p>		
Description	<p>Objectives:</p> <p>The Outreach BBQ program will provide a soft entry point for young people to access services that meet their needs and promote activities and events that target young people.</p> <p>The BBQ program aims to:</p>		

	<ul style="list-style-type: none"> • Provide a safe space for young people to socialise, access support services and interact with trained staff. • Provide an opportunity for young people to give feedback and inform future activities and events in the Liverpool LGA; and • Improve collaboration and coordination of community support and services. <p>Funding will be used to purchase weekly BBQ materials such as meat and bread, cooking supplies and a BBQ stand.</p> <p>Outcomes:</p> <ul style="list-style-type: none"> • Improved access to information and support services for young people. • Increased participation of young people in community activities and programs; and • Increased number of young people feeling a sense of safety and inclusivity while building connections in their community.
Beneficiaries	<ul style="list-style-type: none"> • Youth community, local services, and support groups.
Assessment	<p>Recommended for Funding - \$3,500</p> <p>The project aligns with the Community Strategic Plan <i>Objective 1 - Healthy, Inclusive, Engaging, Objective 3 - Evolving, Prosperous, Innovative, Objective 4 - Visionary, Leading, Responsible</i>, and meets the Community Grants Program's funding priorities.</p> <p>Expected program outcomes 7.4.1 a) b) and d)</p>

Applicant	Non-Resident Nepali Association (NRNA)		
Project	Empowering Women's Health and Safety Awareness Program		
Amount Requested	\$5,000	Total Project Cost	\$5000
Location	Liverpool CBD, 2170 NSW	Date	November 2023

About the Applicant	Non-Resident Nepali Association (NRNA) Australia is a not-for-profit organisation uniting the Nepali community through inclusive events that focus on health, wellbeing, assimilating in Australia whilst promoting the Nepalese culture and embracing multiculturalism in Australia. The NRNA recognises the large number of Nepalese migrants, particularly women that are living in the Liverpool LGA whom need intervention and education programs that focus on women's health and safety.
Description	<p>Objectives:</p> <p>The Empowering Women's Health and Safety Awareness campaign is a free program aimed at raising awareness and providing valuable information on three critical issues that affect women's lives: breast cancer, menopause, and domestic violence. Through a multifaceted event in the Liverpool CBD with professional guest speakers, this initiative will combine education, outreach, and support, to empower women to take control of their health and well-being. This event will equip guests with:</p> <ul style="list-style-type: none"> • Breast cancer resources and information on local screening sites, early detection procedures, and support networks available to women. • Medical information on menopause from bi-lingual guest speakers; and • Information on Australian Law around domestic violence and resources on breaking the stigma of reporting violence at home. <p>Outcomes:</p> <ul style="list-style-type: none"> • Increase participation of CALD women in community health activities. • Improved access to information, resources and networks that address domestic violence; and • Strengthened social and physical wellbeing for women through early intervention programs centred around menopause and breast cancer detection and screening.
Beneficiaries	<ul style="list-style-type: none"> • CALD Women, local women's health networks, and DV support groups.
Assessment	<p>Recommended for Funding - \$5,000</p> <p>The project aligns with the Community Strategic Plan <i>Objective 1 - Healthy, Inclusive, Engaging, and Objective 4 - Visionary, Leading, Responsible</i>, and meets the Community Grants Program's funding priorities.</p> <p>Expected program outcomes 7.4.1 a) b) and c)</p>

Matching Grant Program

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

Applicant	The City of Liverpool & District Historical Society		
Project	Collection Storage		
Amount Requested	\$5,744	Total Project Cost	\$11,487.40
Location	Hilda M Davis Centre, Liverpool 2170 NSW	Date	November 2023
About the Applicant	<p>The City of Liverpool & District Historical Society Incorporated is a not-for-profit community organisation established in 1959. Society is dedicated to the research and promotion of local history, and committed to the conservation, preservation and restoration of local objects and photographs.</p> <p>This year in November, the Liverpool & District Historical Society will permanently relocate from Liverpool Library to the Hilda M Davis Senior Citizens Centre.</p>		
Description	<p>Objectives:</p> <p>The City of Liverpool & District Historical Society is the custodian of many significant artifacts, portraits and artworks dating back to the 1800s. Due to the relocation to the Hilda M Davis Senior Citizens Centre, a more efficient storage system is required to accommodate the collection. Funding is required for the purchase and installation of a Compactus storage system to ensure the artefacts are preserved for future generations to appreciate.</p> <p>Outcomes:</p> <ul style="list-style-type: none"> • Strengthen, promote, and preserve community connection to local heritage; and • Increase the number of residents engaged in Liverpool's History through an accessible records system. 		
Beneficiaries	<ul style="list-style-type: none"> • Liverpool residents and future generations of Liverpool, Historical research groups, and The City of Liverpool & District Historical Society. 		

Assessment	<p>Recommended for Funding - \$5,744</p> <p>The project aligns with the Community Strategic Plan <i>Objective 1 - Healthy, Inclusive, Engaging, and Objective 4 - Visionary, Leading, Responsible</i>, and meets the Matching Grants Program's funding priorities.</p> <p>Expected program outcomes 7.6.2 a) b) and e)</p>
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FINANCIAL IMPLICATIONS

Costs associated with this recommendation have been included in Council's budget for the current year and long-term financial plan. A full breakdown of operating budget is included below.

COMMUNITY SPONSORSHIP			
Budget	Balance	<i>Recommended for funding in this report</i>	Remaining
\$100,000	20,971	<i>Nil</i>	20,971
COMMUNITY GRANTS			
Budget	Balance	<i>Recommended funding in this report</i>	Remaining
\$102,000	\$47,739	<i>\$8,500</i>	\$39,239
MATCHING GRANTS			
Budget	Balance	<i>Recommended funding in this report</i>	Remaining
\$200,000	\$185,200	<i>\$5,744</i>	\$179,456
SUSTAINABLE ENVIRONMENT GRANTS*			
Budget	Balance	<i>Recommended funding in this report</i>	Remaining
\$75,000	\$70,000	<i>Nil</i>	\$70,000
COMBINED FUNDING BALANCE			
Combined Budget	Combined Balance	<i>Total recommended funding in this report</i>	Remaining
\$477,000	\$323,910	<i>\$14,244</i>	\$309,666

CONSIDERATIONS

Economic	The financial impacts are outlined in the report above.
Environment	Raise community awareness and support action in relation to environmental issues.
Social	Support community organisations, groups, and volunteers to deliver coordinated services to the community.
Civic Leadership	Foster neighborhood pride and a sense of responsibility. Operate a well-developed governance system that demonstrates accountability, transparency, and ethical conduct.
Legislative	Local Government Act 1993, including sections 24 and 356. The council may by resolution contribute money or otherwise grant financial assistance to people for the purpose of exercising its functions. Council's grant programs are targeted to ensure a lawful and consistent approach to its contributions and financial assistance. Key functions that are supported are Council's functions of providing goods, services, and facilities, and conducting activities, appropriate to the current and future needs within the Liverpool local community and of the wider public, subject to the Local Government Act, the regulations, and any other law.
Risk	There is no risk associated with this report.

ATTACHMENTS

Nil

COM 02

**Council Meeting Dates - January to December
2024**

Strategic Objective	Visionary, Leading, Responsible Demonstrate a high standard of transparency and accountability through a comprehensive governance framework
File Ref	315241.2023
Report By	Susan Ranieri - Council & Executive Services Coordinator
Approved By	Tina Bono - Director Community & Lifestyle

EXECUTIVE SUMMARY

The purpose of this report is to confirm the Council meeting schedule and Governance Committee meetings for the 2024 calendar year.

It is proposed that:

- Council meetings for the 2024 calendar year continue be held monthly commencing at 2.00pm;
- Council meetings to be held on the fourth Tuesday of the month, and
- Governance Committee meetings be held monthly commencing at 10:00am and be held on the second Tuesday of every month.

Exceptions will be accommodated as required.

RECOMMENDATION

That Council:

1. Confirms the Council meeting time as 2.00pm and Council meeting dates for the 2024 calendar year as follows:
 - 6 February 2024
 - 27 February 2024
 - 26 March 2024
 - 23 April 2024
 - 28 May 2024
 - 25 June 2024
 - 23 July 2024
 - 27 August 2024
 - 22 October 2024
 - 19 November 2024
 - 10 December 2024

2. Confirms the Governance Committee meeting time as 10am, and meeting dates for the 2024 calendar year as follows:
 - 13 February 2024
 - 12 March 2024
 - 9 April 2024
 - 14 May 2024
 - 11 June 2024
 - 9 July 2024
 - 13 August 2024
 - 8 October 2024
 - 12 November 2024

3. Advertises the Council meeting dates and commencing times of Council meetings for the 2024 calendar year.

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.

To assist in meeting statutory requirements and provide reporting consistency, it is proposed that the Council meetings for the 2024 calendar year remain on a monthly cycle. Council meetings be held on the fourth Tuesday of each month commencing at 2.00pm. Exceptions may be accommodated where required:

- As in previous years, a meeting in early February 2024 is recommended to be held to deal with business accumulated since 13 December 2023 which will be the last meeting of the year.
- Due to the Local Government elections, there is no Council meeting scheduled for September 2024.
- The November meeting is recommended to be held on the third Tuesday of November to allow for even more spacing of meetings at the end of the year.
- The December meeting is recommended to be held on the second Tuesday, to allow time for resolutions to be actioned (where possible) before the Christmas break.

Additional meetings can be called at any time, if necessary, subject to appropriate notice provisions.

It is recommended that the Council adopts the meeting dates for the 2024 calendar year as outlined in Table 1.

Table 1 – Proposed Council meeting dates 2024

Meeting date	Comments
6 February 2024	First meeting since the 13/12/2023 meeting to deal with accumulated business.
27 February 2024	Fourth Tuesday of the month.
26 March 2024	Fourth Tuesday of the month.
23 April 2024	Fourth Tuesday of the month.
28 May 2024	Fourth Tuesday of the month.
25 June 2024	Fourth Tuesday of the month.
23 July 2024	Fourth Tuesday of the month.
27 August 2024	Fourth Tuesday of the month.
<i>No Council meeting in September due to the Local Government Election</i>	
22 October 2024	First meeting of the new Council. Fourth Tuesday of the month.
19 November 2024	Third (second last) Tuesday of the month.
10 December 2024	Second Tuesday of the month.

Table 2 – Proposed Governance meeting dates 2024

Meeting date	Comments
13 February 2024	Second Tuesday of the month.
12 March 2024	Second Tuesday of the month.
9 April 2024	Second Tuesday of the month.
14 May 2024	Second Tuesday of the month.
11 June 2024	Second Tuesday of the month.
9 July 2024	Second Tuesday of the month.
13 August 2024	Second Tuesday of the month.
<i>No Council meeting in September due to the Local Government Election</i>	
8 October 2024	Second Tuesday of the month.
12 November 2024	Second Tuesday of the month.

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	<p>Undertake communication practices with the community and stakeholders across a range of media.</p> <p>Encourage the community to engage in Council initiatives and actions.</p> <p>Provide information about Council's services, roles, and decision-making processes.</p> <p>Deliver services that are customer focused.</p> <p>Operate a well-developed governance system that demonstrates accountability, transparency, and ethical conduct.</p>
Legislative	<p>Local Government Act 1993, sections 360 and 365</p> <p>Local Government (General) Regulation 2021, section 232</p> <p>Code of Meeting Practice, paragraph 3.1; The Council shall, by resolution, set the frequency, time and date of its ordinary meetings.</p>
Risk	There is no risk associated with this report.

ATTACHMENTS

Nil

CORP 01

2023/24 - Quarter 1, Budget Review

Strategic Direction	Generating Opportunity Meet the challenges of Liverpool's growing population
File Ref	376983.2023
Report By	Vishwa Nadan - Chief Financial Officer
Approved By	Farooq Portelli - Director Corporate Support

EXECUTIVE SUMMARY

Operating budget

The table below provides a summary of Council's original 2023-24 operating budget and the revised operating budget as at 30 September 2023 (Q1).

	2023-24 Original Budget (\$m)	2023-24 Revotes (\$m)	2023-24 Resolution (\$m)	2023-24 Q1 Request (\$m)	2023-24 Revised budget (\$m)	Original - Revised Budget favourable / (unfavourable) movement (\$m)
Rates	170.1	-	-	-	170.1	-
Other operating revenue	77.0	-	-	0.9	77.9	0.9
Capital grants and contributions	132.2	8.1	-	(2.5)	137.8	5.6
Expenditure	(250.8)	-	(0.1)	(5.3)	(256.2)	(5.3)
Operating result	128.5	8.1	(0.1)	(6.9)	129.6	1.2
Less: capital grants and contributions	(132.2)	(8.1)	-	2.5	(137.8)	(5.6)
Net operating result excluding capital grants and contributions	(3.7)	-	(0.1)	(4.4)	(8.2)	(4.4)

In June 2023 the 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.

The proposed budget changes as part of Quarter 1 review will result in a \$8.2 million net operating deficit before grants and contributions for capital purposes. Details of budget adjustments are provided (Refer attachments 1 and 2 – Note D).

These projections were compiled after extensive consultation with key staff across the Council and are based on Council resolutions, program initiatives and market trends available at the time of reporting. The following significant assumptions include:

- Higher market interest rates and cash holdings due to unspent Liverpool Civic Place loan funds (in early months of 2023/24) is expected to yield additional \$3 million interest earnings.
- Council's inability to fulfill conditions precedent (TNSW approval for road closure/ reallocation of services etc) for sale of 24 Scott Street has delayed realisation of \$1.9 million expected gain on sale.
- Additional funds of \$0.9 million required to carry out emergency and preventative road repair works and to clear the backlog of concrete maintenance works.
- On-going review of resource requirements to achieve corporate initiatives has resulted in an investment in additional unbudgeted positions and program costs. The \$1.8 million cost associated with engagement of additional staff resources is expected to be absorbed by salary savings from current vacancies and deferred recruitment across the Council. Program costs in the order of \$0.9 million are estimated.
- Inclusion of \$0.8 million cost for replacement of non-energy efficient streetlights that is expected to reduce electricity costs in forward years. Endeavor Energy will also issue resaleable energy credits that can be sold in forward years.
- Additional funds of \$0.6 million required for VPAs consultancy costs, LEP review study and planning proposal studies and peer reviews.
- Additional \$23 million loan for the Liverpool Civic Place is expected to be drawn down in November 2023 and will increase borrowing costs by \$0.6 million in FY 2023/24.
- \$0.5 million higher than budgeted cost of insurance premium for the current year.
- Inclusion of other changes (detailed below) which will unfavourably impact budget by \$1.2 million.

Capital budget

The table below provides a summary of Council's original 2023/24 capital budget and the new revised capital budget as at 30 September 2023 (Q1).

	2023-24 Original Budget (\$m)	2023-24 Revotes (\$m)	2023-24 Resolution (\$m)	2023-24 Q1 Request (\$m)	2023-24 Revised budget (\$m)	Original - Revised Budget favourable / (unfavourable) movement (\$m)
Operations	125.8	15.2	0.6	(23.3)	118.3	(7.5)
Corporate Support	64.4	-	18.7	19.9	103.0	38.6
Planning & Compliance	25.2	-	-	3.4	28.6	3.4
Other	12.2	55.5	-	24.7	92.4	80.2
Capital expenditure	227.6	70.7	19.3	24.7	342.3	114.7

The current Q1 review has resulted in a \$24.7 million overall increase to \$342.3 million budget inclusive of \$90 million carryover and resolutions (Refer attachment 3 – Note E).

Unrestricted cash

On 1 July 2023, Council had an unrestricted cash balance of \$25.6 million. This is projected to be \$31.5 million by 30 June 2023 (Refer attachment 6).

Key financial indicators (refer attachment 7)

The table below provides a summary of Council's key financial indicators.

KPI	Indicator	Comment
Operating performance ratio		No material change. Requires Council to achieve a balanced budget before capital grants and contributions
Own source operating ratio		Council's 57% is close to the benchmark of 60%
Debt service ratio		

RECOMMENDATION

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

REPORT

Legislative requirements

Section 203(1) of the *Local Government (General) Regulation 2021* requires the Responsible Accounting Officer to provide a quarterly budget review not later than two months after each quarter's end. This report provides an overview of the results on the financial review for the quarter ended 31 March 2023 (Q3).

Operating budget

In June 2023 the Council adopted its 2023-24 operating budget with projected 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.

A comprehensive budget review conducted for the quarter ending 30 September 2023 (Q1) has resulted in \$8.2 million net operating deficit before grants and contributions for capital purposes. A summary of the required adjustments is detailed in **Attachment 2**.

As part of the budget review, managers have conducted a review of their programs with a view to providing a revised forecast for the financial year ending 30 June 2024. Managers took into consideration events that have occurred to date and/or information that has become available since the adoption of the original budget and the impact of which provides the basis for the budget adjustments.

The following significant assumptions include:

- Higher market interest rates and cash holdings due to unspent Liverpool Civic Place loan funds (in early months of 2023/24) is expected to yield additional \$3 million interest earnings.
- Council's inability to fulfill conditions precedent (TNSW approval for road closure/ reallocation of services etc) for sale of 24 Scott Street has delayed realisation of \$1.9 million expected gain on sale.
- Additional funds of \$0.9 million required to carry out emergency and preventative road repair works and to clear the backlog of concrete maintenance works.
- On-going review of resource requirements to achieve corporate initiatives has resulted in an investment in additional unbudgeted positions and program costs. The \$1.8 million cost associated with engagement of additional staff resources is expected to be absorbed by salary savings from current vacancies and deferred recruitment across the Council. Program costs in the order of \$0.9 million are estimated.
- Inclusion of \$0.8 million cost for replacement of non-energy efficient streetlights that is expected to reduce electricity costs in forward years. Endeavor Energy will also issue resaleable energy credits that can be sold in forward years.
- Additional funds of \$0.6 million required for VPAs consultancy costs, LEP review study and planning proposal studies and peer reviews.
- Additional \$23 million loan for the Liverpool Civic Place is expected to be drawn down in November 2023 and will increase borrowing costs by \$0.6 million in FY 2023/24.
- \$0.5 million higher than budgeted cost of insurance premium for the current year.
- Inclusion of other changes which will unfavourably impact budget by \$1.2 million:
 - \$ 250k additional costs to clean Warren Service way carpark
 - \$217k reduction in operating grants (Better Waste program ceased)
 - \$200k additional legal expenses relating to court action taken against Canterbury/ Bankstown Council on Voyager Point Footbridge matter
 - \$170k various works on flood study, dam safety and water quality
 - \$132k reduction of on-street and Bathurst carpark revenue
 - \$110k After hours on-call services
 - \$100k additional cost related to integrated pest management policy as resolved by Council.

Capital budget

As at 30 September 2023, Council has a capital expenditure program of \$342.3 million as detailed in **Attachment 3**.

The Q1 budget review has resulted in a \$24.7 million increase to Council's capital expenditure program (Refer attachment 1 – Note E). The budget adjustments include the following:

New requests:

- + \$22.3 million land acquisition of 600 Cowpasture Road settled in July 2023;

Deferred projects:

- - \$4.0 million construction of Flood Detention Basin 29 at Austral deferred due to ongoing land acquisition;
- - \$4.0 million Sinozich Park design and construction deferred to future program year due to review of Council's program of priority projects;
- - \$2.4 million upgrade of various regional road and culvert deferred to next financial year;
- - \$2.0 million Carnes Hill Outdoor Sporting and Recreation Facilities to be deferred to next financial year;
- - \$1.7 million construction of Edmondson Park raingarden D13 and D14 deferred to future program year to coincide with future works undertaken in the area;
- - \$1.0 million construction of Flood Detention Basin 11 deferred to future program year due to review of Council's program of priority projects;

Budget variations:

- + \$24.0 million Fit out for Liverpool Civic Place;
- - \$3.8 million Lighthorse Park Redevelopment – car park to be delivered as per the revised deed from Liveability grant program;
- - \$2.0 million upgrade of Kurrajong Road / Lyn Pde intersection timeframe extended due to major service relocation works required;
- - \$1.5 million construction of Lighthorse Park Play Area and Open Space based on WestInvest deed funding realignment;
- - \$1.1 million Lighthorse Park Community Hub design component and documentation to commence later than originally anticipated;
- - \$1.2 million Bernera Road upgrade at Yarrunga St / Yato Rd project timeframe extended due to major service relocation works required;
- - \$4.6 million Gov Macquarie Drive upgrade – Munday St to ATC access project will not be completed this program year.

The year-to-date capital expenditure to 30 September 2023 was \$56.5 million.

Details of the proposed budget changes are provided in the following attachments:

- **Attachment 1 – Summary Financial Results (Consolidated) – Q1 Budget Review Summary (QBRs):** This report presents a summary of Council's budgeted financial position at end of the quarter.

- **Attachment 2 – Operating Budget Adjustments:** This report provides details of operating budget adjustments
- **Attachment 3 – Capital Budget Adjustments:** This report provides details of capital budget adjustments
- **Attachments 4 & 5 – Grants Status Reports:** This has two components: 1. listing all annual grant submissions; 2. listing all grants that have been applied for during the quarter detailing the project title, amount sought, funding body and status of the application.
- **Attachment 6 – Forecast Cash and Investments:** Providing a reconciliation of restricted and unrestricted funds held as at 30 September 2023.
- **Attachment 7 – Key Performance Indicators**
- **Attachment 8 - Consultancy and Legal Expenses**
- **Attachment 9 – Contracts:** Contracts entered into during the quarter
- **Attachment 10 - City Development Fund and Environment Levy**

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

CONSIDERATIONS

Economic	The revised budget net operating result before Grants and Contributions following Quarter 1 Budget Review and Council resolutions to 30 September 2023 will be a deficit of \$8.2 million.
Environment	There are no environmental and sustainability considerations.
Social	There are no social and cultural considerations.
Civic Leadership	Deliver services that are customer focused. Operate a well-developed governance system that demonstrates accountability, transparency and ethical conduct.
Legislative	Local Government (General) Regulation 2021, section 203 Local Government Code of Accounting Practice and Financial Reporting The responsible accounting officer (RAO) is required to provide a budget review statement complying with the Code not later than two months after each quarter's end, including –

CORPORATE SUPPORT REPORT

	<ul style="list-style-type: none"> revised estimate of income and expenditure for the year by reference to the statement of Council's revenue policy in the operational plan; RAO's report on whether the Council's financial position is satisfactory, having regard to the original estimate; and remedial action if the position is not satisfactory.
Risk	<p>The risk is deemed to be low.</p> <p>The risk is considered within Council's risk appetite.</p>

ATTACHMENTS

1. Consolidated Variance Report
2. Operating Budget Adjustments
3. Capital Budget Adjustments
4. Grant Status Report - Applications
5. Grant Status Report - Received
6. Reserve Movement Report
7. Key Performance Indicators
8. Consultancy and Legal Expenses Budget Review Statement
9. Contracts and Other Expenses Statements
10. City Development Fund and Environment Levy Reserves

Liverpool City Council
Summary Financial Results - Consolidated
For the period 1 July 2023 to 30 June 2024

Attachment 1

	2022-23 Annual Actual	2023-24 Original Budget	2023-24 Revotes	2023-24 Resolutions	2023-24 Revised Budget	2023-24 Quarter 1 Request	2023-24 Proposed Budget
Net Operating Results Before Grants & Contributions for Capital Purposes	532,296	(3,743,183)	0	(110,496)	(3,853,679)	(4,329,027)	(8,182,706)
Revenue							
Rates & Annual Charges	156,678,212	170,067,438	0	0	170,067,438	0	170,067,438
User Charges & Fees	15,799,906	18,900,354	0	0	18,900,354	(132,000)	18,768,354
Interest & Investment Revenue	13,687,423	11,433,224	0	0	11,433,224	3,000,000	14,433,224
Grants & Contributions - Operating	31,685,306	28,323,585	0	0	28,323,585	(31,809)	28,291,776
Grants & Contributions - Capital (Others) *	85,488,202	82,227,319	8,148,946	0	90,376,265	(2,469,465)	87,906,800
Grants & Contributions - Capital (s711) *	59,842,631	50,000,000	0	0	50,000,000	0	50,000,000
Other Revenues	10,615,804	10,825,636	0	0	10,825,636	0	10,825,636
Rental Income	4,525,820	5,644,057	0	0	5,644,057	5,875	5,649,932
Net Gain from the Disposal of Assets	0	1,900,000	0	0	1,900,000	(1,900,000)	0
Fair value increment on Investments	631,159	0	0	0	0	0	0
Total Revenue	378,954,465	379,321,613	8,148,946	0	387,470,559	(1,527,399) A	385,943,160
Expenses							
Employee Costs	80,440,146	94,043,486	0	100,496	94,143,982	0	94,143,982
Borrowing Costs	1,173,624	2,496,009	0	0	2,496,009	623,148	3,119,157
Materials & Sewrvices - Tipping & Waste Services	33,149,238	35,649,100	0	0	35,649,100	0	35,649,100
Materials & Services - Other	61,392,853	61,432,690	0	10,000	61,442,690	3,533,904	64,976,594
Legal Costs	2,121,517	1,447,945	0	0	1,447,945	199,669	1,647,614
Consultants	1,616,171	840,054	0	0	840,054	691,142	1,531,196
Depreciation	47,162,769	47,390,706	0	0	47,390,706	0	47,390,706
Other Expenses	3,335,121	5,037,487	0	0	5,037,487	223,230	5,260,717
Net Loss from the Disposal of Assets	2,699,896	2,500,000	0	0	2,500,000	0	2,500,000
Revaluation decrement / impairment of IPP&E	0	0	0	0	0	0	0
Total Expenses	233,091,335	250,837,477	0	110,496	250,947,973	5,271,093 B	256,219,066
Net Operating Result	145,863,129	128,484,136	8,148,946	(110,496)	136,522,586	(6,798,492)	129,724,094
Less: Grants & Contributions for Capital Purposes *	145,330,834	132,227,319	8,148,946	0	140,376,265	(2,469,465)	137,906,800
Net Operating Results Before Grants & Contributions for Capital Purposes	532,296	(3,743,183)	0	(110,496)	(3,853,679)	(4,329,027) C	(8,182,706) D

Liverpool City Council
Summary Financial Results - Consolidated
For the period 1 July 2023 to 30 June 2024

Attachment 1

	2022-23 Annual Actual	2023-24 Original Budget	2023-24 Revotes	2023-24 Resolutions	2023-24 Revised Budget	2023-24 Quarter 1 Request	2023-24 Proposed Budget
Add back: Grants & Contributions - Capital (s711)	59,842,631	50,000,000	0	0	50,000,000	0	50,000,000
Add back: Depreciation	47,162,769	47,390,706	0	0	47,390,706	0	47,390,706
Add back: Non-cash Borrowing Costs	0	0	0	0	0	0	0
Add back: Net Accrual of revenue & expenses	(18,616,083)	0	0	0	0	0	0
Add back: Asset Write-off / Revaluation decrement	3,680,741	2,500,000	0	0	2,500,000	0	2,500,000
Net changes in Operating Reserves	(148,577,565)	(65,810,556)	0	0	(65,810,556)	(1,973,557)	(67,784,113)
Surplus operating funds	(55,975,210)	30,336,967	0	(110,496)	30,226,471	(6,302,584)	23,923,887
Add back: Grants & Contributions - Capital (Others)	85,488,202	82,227,319	8,148,946	0	90,376,265	(2,469,465)	87,906,800
Net changes in Capital Reserves	154,217,603	110,301,498	43,008,272	18,705,000	172,014,770	6,209,837	178,224,607
Surplus operating and capital funds	183,730,596	222,865,784	51,157,218	18,594,504	292,617,506	(2,562,212)	290,055,294
Capital Expenditure							
Operations	52,397,950	125,793,097	15,246,290	567,000	141,606,387	(23,287,547)	118,318,840
Planning & Compliance	2,179,140	25,170,283	0	0	25,170,283	3,417,233	28,587,516
Community & Lifestyles	859,930	1,089,500	34,000	0	1,123,500	161,280	1,284,780
Corporate Support	128,377,216	64,431,300	0	18,705,000	83,136,300	19,874,295	103,010,595
Office of the CEO	0	0	0	0	0	0	0
City Futures	101,038,042	7,978,608	55,429,600	0	63,408,208	24,472,400	87,880,608
Customer & Business Performance	1,195,620	3,120,000	63,600	0	3,183,600	65,000	3,248,600
Capital Works Program	286,047,898	227,582,788	70,773,490	19,272,000	317,628,278	24,702,661	342,330,939
Principal Loan Repayment	14,012,200	15,351,801	0	0	15,351,801	2,020,654	17,372,455
Borrowings	(74,600,000)	0	0	0	0	(24,500,000)	(24,500,000)
Book Value of Assets Disposed	(63)	(3,009,500)	0	0	(3,009,500)	2,600,000	(409,500)
Total Capital Expenditure	225,460,035	239,925,089	70,773,490	19,272,000	329,970,579	4,823,315	334,793,894
Net changes in cash reserves	(41,729,439)	(17,059,305)	(19,616,272)	(677,496)	(37,353,073)	(7,385,527)	(44,738,600)

Liverpool City Council
Operating Budget Adjustments
For the period 1 July 2023 to 30 June 2024

Attachment 2

Summary	Original Budget	Revised Budget	Post Budget Resolutions	New Grants Expense	New Grants Revenue	Transfers	New Requests	Total Request	Proposed Budget
Operations	(23,639,000)	(15,670,050)	7,968,950	(208,000)	208,000	0	(7,692,061)	(7,692,061)	(23,362,111)
Planning & Compliance	70,920,939	70,920,939	0	(48,163)	48,163	(500,000)	2,094,224	1,594,224	72,515,163
Community & Lifestyles	(21,227,552)	(21,237,552)	(10,000)	(60,932)	60,932	103,787	(232,344)	(128,557)	(21,366,109)
Corporate Support	11,160,529	11,160,529	0	0	0	644,355	837,263	1,481,618	12,642,147
Office of the CEO	(1,855,521)	(1,855,521)	0	0	0	50,000	0	50,000	(1,805,521)
City Futures	(7,178,220)	(7,098,720)	79,500	(572,000)	572,000	(298,142)	(1,192,573)	(1,490,715)	(8,589,435)
Customer & Business Performance	100,302,961	100,302,961	0	0	0	0	(613,000)	(613,000)	99,689,961
Net Operating Results	128,484,136	136,522,586	8,038,450	(889,095)	889,095	0	(6,798,492)	(6,798,492)	129,724,094
Less: Grants & Contributions for Capital Purposes	82,227,319	90,376,265	8,148,946	(792,000)	792,000	0	(2,469,465)	(2,469,465)	87,906,800
Net Operating Results before Grants & Contribution for Capital Purposes	46,256,817	46,146,321	(110,496)	(97,095)	97,095	0	(4,329,027)	(4,329,027) C	41,817,294 D

Operating Budget Adjustments
For the period 1 July 2023 to 30 June 2024

Attachment 2

				FUNDING				
Project	Project_Description	Comments	Total Request	Grants & Contributions	External Reserves	Internal Reserves	General Fund	Total Funding
User Charges & Fees			(132,000)	0	0	(132,000)	0	(132,000)
200533	Bathurst Street Carpark	Reduction in income due to WFH and economic downturn	(36,000)	0	0	(36,000)	0	(36,000)
201106	On-street Parking	Reduction in income due to WFH and economic downturn	(96,000)	0	0	(96,000)	0	(96,000)
Interest & Investment Revenue			3,000,000	0	1,913,784	0	1,086,216	3,000,000
301001	Accounting Administration	Higher than anticipated interest on investment holdings	1,086,216	0	0	0	1,086,216	1,086,216
301161	CDF Fund Admin	Higher than anticipated interest on investment holdings	952	0	952	0	0	952
301056	Drainage and Floodplain	Higher than anticipated interest on investment holdings	8,085	0	8,085	0	0	8,085
301144	Waste Planning & Policy	Higher than anticipated interest on investment holdings	97,619	0	97,619	0	0	97,619
301153	Natural Environment Implementation	Higher than anticipated interest on investment holdings	41,614	0	41,614	0	0	41,614
301121	S7.11 Admin	Higher than anticipated interest on investment holdings	1,765,514	0	1,765,514	0	0	1,765,514
Grants & Contributions - Operating			(31,809)	(31,809)	0	0	0	(31,809)
201726	Railway Street Shared Spaces Demonstration	Temporary installations such as parklets, outdoor dining areas to activate street and help increase economic activity	24,348	24,348	0	0	0	24,348
201279	2168 Strong Children and Families	Funds required for Environmental sustainability. This is to be funded from deferred grants.	10,000	10,000	0	0	0	10,000
201740	Robyn Cauglan	Grant from Department of Premier and Cabinet	2,919	2,919	0	0	0	2,919
201741	Flight	Grant from Department of Premier and Cabinet	16,922	16,922	0	0	0	16,922
201742	Creative Hybrids Lab	Grant from Department of Premier and Cabinet	15,689	15,689	0	0	0	15,689
201743	Artist in Residency	Grant from Department of Premier and Cabinet	12,145	12,145	0	0	0	12,145
201744	Artist Development - Generator	Grant from Department of Premier and Cabinet	1,896	1,896	0	0	0	1,896
201745	Critical Disability Aesthetics	Grant from Department of Premier and Cabinet	4,100	4,100	0	0	0	4,100
201758	Katy B Plummer	Grant from Department of Premier and Cabinet	292	292	0	0	0	292
201788	Quality & Participation - Hinchinbrook Early Education Centr	Department of Education funding for environment projects	7,607	7,607	0	0	0	7,607
201789	Quality & Participation - Holsworthy Early Education Centre	Department of Education funding for environment projects	8,325	8,325	0	0	0	8,325
201790	Quality & Participation - Cecil Hills Early Education Centre	Department of Education funding for environment projects	15,000	15,000	0	0	0	15,000
201540	Cabramatta Creek Flood Study	Grant from Department of Planning and Environment	18,000	18,000	0	0	0	18,000
301263	Better Waste Management	Better waste program ceased	(217,215)	(217,215)	0	0	0	(217,215)
201716	Metropolitan Rural Land Strategy	Contribution from member councils	48,163	48,163	0	0	0	48,163
Grants & Contributions - Capital (Others)			(2,469,465)	(2,469,465)	0	0	0	(2,469,465)
103734	Lighting Upgrades and Public Art at Bigge Park	Budget removed due to project being duplicated	(100,000)	(100,000)	0	0	0	(100,000)
103796	Cycleway Design for Moore Street and George Street	Transport for NSW funding for Design work	572,000	572,000	0	0	0	572,000
103206	Synthetic Cricket Wicket Construction	Grant from Australian Cricket Infrastructure	35,640	35,640	0	0	0	35,640
103800	Installation and upgrade of Cricket Wicket	Communities grant from Department of Infrastructure, Transport, Regional Development, Communications and Arts	30,000	30,000	0	0	0	30,000
102006	Men's Shed Relocation		4,446	4,446	0	0	0	4,446
100740	Collingwood House Restoration	Grant from Heritage NSW	30,000	30,000	0	0	0	30,000
102434	Lighthorse Park Redevelopment – Design	Liveability grant claimed in FY 2022/23	(38,795)	(38,795)	0	0	0	(38,795)
102606	Kurrajong Road / Lyn Pde Intersection Upgrade - Design	Grant adjustment due to extended project timeframe	(2,000,000)	(2,000,000)	0	0	0	(2,000,000)
102983	Devonshire Road, Kemps Creek - 15th to Gurners	Cancellation of Road Repair Grant by TfNSW	(300,000)	(300,000)	0	0	0	(300,000)
103060	Denham Court Road Upgrade	Grant from Department of Planning	50,000	50,000	0	0	0	50,000
103062	Liverpool City Centre Traffic Calming Proposal	Grant from TfNSW	400,000	400,000	0	0	0	400,000
103086	Heritage Conservation Program - Liverpool Court House	Grant from Heritage NSW	90,000	90,000	0	0	0	90,000
103089	Lighthorse Park Play Area and Open Space Construction	Based on WestInvest deed instalment funding realignment	(1,531,700)	(1,531,700)	0	0	0	(1,531,700)
103231	Lighthorse Park Community Hub	Based on WestInvest deed instalment funding realignment	(1,137,000)	(1,137,000)	0	0	0	(1,137,000)
103274	Gurner Avenue - Fourth to Lee and Clark	Grant from LRCI Phase 4	825,269	825,269	0	0	0	825,269
103280	Gabo Crescent, Sadleir - Bungulla to Bobin	Roads to Recovery grant	117,000	117,000	0	0	0	117,000
103329	Governor Macquarie Dr Upgrade - Munday Street to ATC Access	Reversal of grant from TfNSW as project will not be completed this financial year	(4,630,000)	(4,630,000)	0	0	0	(4,630,000)
103746	Parking Sensor for Accessible Car Spaces	Grant from Department of Customer Service	79,575	79,575	0	0	0	79,575
103787	Traffic Calming Device - Miller Shopping Precinct	Grant from TfNSW under the High Pedestrian Activity program	720,000	720,000	0	0	0	720,000
103788	Traffic Calming Device - Edmondson Park Shopping Precinct	Grant from TfNSW under the High Pedestrian Activity program	200,000	200,000	0	0	0	200,000
103789	Traffic Calming Device - Carnes Hill Shopping Precinct	Grant from TfNSW under the High Pedestrian Activity program	760,000	760,000	0	0	0	760,000
103790	Traffic Safety Upgrades - Denham Court Rd	Grant from TfNSW under the Black Spot Program	700,500	700,500	0	0	0	700,500
103791	Traffic Safety Upgrades - Reilly Street & Webster Road, Lurn	Grant from TfNSW under the Black Spot Program	70,000	70,000	0	0	0	70,000
103792	Traffic Safety Upgrades - North Liverpool Rd & Wilson Rd	Grant from TfNSW under the Black Spot Program	130,400	130,400	0	0	0	130,400
103793	Traffic Safety Upgrades - South Liverpool Rd & Whitford Rd	Grant from TfNSW under the Black Spot Program	60,000	60,000	0	0	0	60,000
103794	Traffic Safety Upgrades - South Liverpool Rd & St Johns Rd	Grant from TfNSW under the Black Spot Program	165,175	165,175	0	0	0	165,175
103799	Whitlam Oval 2 Facilities Upgrade	Grant from the Department of Infrastructure, Transport, Regional Development, Communications and Arts	70,000	70,000	0	0	0	70,000
102500	Kurrajong Road / Lyn Parade Design Investigation	Grant from TfNSW under the round 4 of WSIP grants program	50,000	50,000	0	0	0	50,000
102516	Trunk Drainage Channel – DC47 - Austral	Drainage works undertaken as part of WIK agreement associated with DA-301/2021	314,464	314,464	0	0	0	314,464
103342	Bernera Road Upgrade at Yarrowa Street	Grant from TfNSW under the round 4 of WSIP grants program	750,000	750,000	0	0	0	750,000
103343	Governor Macquarie Drive Upgrade - Munday Street to ATC Acce	Grant from TfNSW under the round 4 of WSIP grants program	200,000	200,000	0	0	0	200,000
103344	Governor Macquarie Drive Upgrade at Alfred Road and Childs R	Grant from TfNSW under the round 4 of WSIP grants program	150,000	150,000	0	0	0	150,000
103342	Bernera Road Upgrade at Yarrowa Street	Grant from TfNSW under the round 4 of WSIP grants program	600,000	600,000	0	0	0	600,000
103748	Local Road -LR74-Austral	Road works undertaken as part of WIK agreement associated with DA-144/2021	33,561	33,561	0	0	0	33,561
103760	Gross Pollutant Trap @ 38 Oslo St, Austral	Drainage works undertaken as part of WIK agreement associated with DA-1273/2016	60,000	60,000	0	0	0	60,000

Operating Budget Adjustments
For the period 1 July 2023 to 30 June 2024

Attachment 2

				FUNDING				
Project	Project_Description	Comments	Total Request	Grants & Contributions	External Reserves	Internal Reserves	General Fund	Total Funding
Rental Income			5,875	0	0	0	5,875	5,875
201731	Tunza Pty Ltd (Café)-Lurnea Hub	Rental rebate from July 2023 to Dec 2023 (Wonderwood Eatery)	(8,125)	0	0	0	(8,125)	(8,125)
301272	West Invest Construction Office	Motor vehicle lease	14,000	0	0	0	14,000	14,000
Net Gain from the Disposal of Assets			(1,900,000)	0	0	(1,900,000)	0	(1,900,000)
301001	Accounting Administration	Sale of asset deferred to next financial year	(1,900,000)	0	0	(1,900,000)	0	(1,900,000)
Total Revenue			(1,527,399)	(2,501,274)	1,913,784	(2,032,000)	1,092,091	(1,527,399)
Employee Costs			0	0	0	0	0	0
201535	Liverpool Innovation Precinct	Car allowance adjustment to match award increase	3,000	0	0	0	3,000	3,000
301223	City Design and Public Domain	Reinstatement of 2 Temporary Heritage Staff	322,058	0	0	0	322,058	322,058
301271	Engagement and Community	Deletion of Community Engagement Officer to create Intern program	(105,035)	0	0	0	(105,035)	(105,035)
301323	City Futures Office	Estimated salaries for City Futures directorate	445,553	0	0	0	445,553	445,553
301378	Infrastructure Planning & Design	Manager Infrastructure Planning & Design (9 months)	204,066	0	0	0	204,066	204,066
301072	Holsworthy CCC	Additional 0.5 FTE for Childcare Assistant	34,555	0	0	0	34,555	34,555
301143	Warwick Farm CCC	Deletion of Pos 1893 Childcare Assistant (as per team structure)	(33,730)	0	0	0	(33,730)	(33,730)
301146	Wattle Grove CCC	1 additional FTE - Trainee Childcare Wattle Grove	34,682	0	0	0	34,682	34,682
301177	Events	1 additional FTE - Major Events Producer - 9 months	78,408	0	0	0	78,408	78,408
301253	Recreation and Community Outcomes Management	1 additional FTE - Key Venues Coordinator	130,949	0	0	0	130,949	130,949
301264	Edmondson Park Preschool	0.6 additional FTE - Childcare Assistant	39,120	0	0	0	39,120	39,120
201437	Corporate Training - Ombudsman	Reversal of budget due to restructure of Internal Ombudsman unit	(4,129)	0	0	0	(4,129)	(4,129)
301043	Corporate Governance- Admin	Transfer of position (COR51 Complaints & Investigations Lead) due to restructure of Internal Ombudsman unit & regrade of position (1056 Access to Info Officer)	145,395	0	0	0	145,395	145,395
301064	Financial Reporting and Internal Control	Estimated salary savings Sep 23	(2,400,600)	0	0	0	(2,400,600)	(2,400,600)
301073	Human Resources	Transfer of position (2467 People Business Partner) due to restructure of Operations unit	171,872	0	0	0	171,872	171,872
301100	Planning and Budgeting	Adjustment to car allowance	1,500	0	0	0	1,500	1,500
301104	Procurement - Admin	Reversal of budget due to restructure of Procurement unit	(152,816)	0	0	0	(152,816)	(152,816)
301163	Corporate Planning & Reporting	Additional budget for new position due to restructure of Corporate Planning & Reporting unit	165,966	0	0	0	165,966	165,966
301234	Ombudsman Admin	Reversal of budget due to restructure of internal ombudsman unit	(328,030)	0	0	0	(328,030)	(328,030)
301122	Safety Programme	Car allowance adjustment	3,000	0	0	0	3,000	3,000
200536	Restoration	Car allowance adjustment	1,500	0	0	0	1,500	1,500
200552	Reactive Maintenance	Car allowance adjustment	3,000	0	0	0	3,000	3,000
201297	Waste Remediation	Car allowance adjustment	1,500	0	0	0	1,500	1,500
301007	Asset Planning & Management	Employee costs for 6 proposed new positions	262,904	0	0	0	262,904	262,904
301028	Civil Maintenance Admin	Car allowance adjustment	3,000	0	0	0	3,000	3,000
301050	Investigations & Design	Net employee costs for 3 proposed new positions offset by capitalised labour	34,145	0	0	0	34,145	34,145
301083	Litter and Waste Removal	Car allowance adjustment	3,000	0	0	0	3,000	3,000
301085	Mechanical Services	Employee cost for 6 months for the proposed new position of Trainer and Assessor	60,000	0	0	0	60,000	60,000
301144	Waste Planning & Policy	Car allowance adjustment	1,500	0	0	0	1,500	1,500
301153	Natural Environment Implementation	Car allowance adjustment	1,500	0	0	0	1,500	1,500
301166	Litter and Waste Removal-Household Rubbish Collection	4 new FTEs - Waste Services Operative	175,364	0	0	0	175,364	175,364
301194	City Centre Parking	Car allowance adjustment	1,500	0	0	0	1,500	1,500
301213	Floodplain & Water Management	Car allowance adjustment	96,940	0	0	0	96,940	96,940
301261	Facilities Management	7 new FTEs for Facilities Management	405,562	0	0	0	405,562	405,562
301303	Operations Office	Property Officer position transferred from Corporate Support	(170,372)	0	0	0	(170,372)	(170,372)
201172	Development Assessment Process Reform	People Business Partner position transferred to Corporate Support	1,500	0	0	0	1,500	1,500
201787	Austral Delivery	Restructure 1 FTE - Manager Austral Delivery Unit	171,079	0	0	0	171,079	171,079
301005	Animal Control	Car allowance adjustment	1,500	0	0	0	1,500	1,500
301010	Building - Approval and Development Compliance	Car allowance adjustment	6,000	0	0	0	6,000	6,000
301052	Development Application Assessment	Restructure - deletion of Senior Development Planner	(90,330)	0	0	0	(90,330)	(90,330)
301069	Health Inspections	Car allowance adjustment	1,500	0	0	0	1,500	1,500
301134	Strategic Planning	Car allowance adjustment	9,000	0	0	0	9,000	9,000
301140	Traffic Planning and Policy	Additional budget for traffic planning restructure	84,346	0	0	0	84,346	84,346
301156	Fire Safety	Car allowance adjustment	1,500	0	0	0	1,500	1,500
301187	Land Development	Car allowance adjustment	6,000	0	0	0	6,000	6,000
301376	Development Engineering	Restructure 1 FTE - Manager Development Engineering	171,079	0	0	0	171,079	171,079
Borrowing Costs			623,148	0	0	0	623,148	623,148
201506	Civic Place Borrowings	Interest expense for additional loan of \$23M expected to be drawn in second quarter	590,452	0	0	0	590,452	590,452
201664	Basin 14 Loan Borrowings	Additional interest for Basin 14 loan expected to be drawn in FY 2023-24	1,593	0	0	0	1,593	1,593
201753	Cowpasture Road Borrowings	Additional interest for Cowpasture Road borrowings	31,103	0	0	0	31,103	31,103
Materials & Services - Other			3,533,903	181,406	0	0	3,352,497	3,533,903
201189	Business Events	Additional program costs for City Futures	200,000	0	0	0	200,000	200,000
201724	Strategic Urban Tree Management Framework	Additional funds required for Tree Management Strategy and Guidelines	40,800	0	0	0	40,800	40,800
201726	Railway Street Shared Spaces Demonstration	Funds required towards landscaping works.	24,348	24,348	0	0	0	24,348

Operating Budget Adjustments
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				FUNDING				
Project	Project_Description	Comments	Total Request	Grants & Contributions	External Reserves	Internal Reserves	General Fund	Total Funding
201798	Designing With Country	Additional funding to engage a consultant for designing with Country Framework project.	37,901	0	0	0	37,901	37,901
301191	City Economy	Additional program costs for City Futures and additional membership	310,000	0	0	0	310,000	310,000
201279	2168 Strong Children and Families	Funds required for Environmental sustainability.	10,000	10,000	0	0	0	10,000
201740	Robyn Cauglan	Funds towards artist materials	2,919	2,919	0	0	0	2,919
201741	Flight	Funds towards artists fees	16,922	16,922	0	0	0	16,922
201742	Creative Hybrids Lab	Funds towards artists fees	15,689	15,689	0	0	0	15,689
201743	Artist in Residency	Funds towards workshop materials, facilitators and speakers	12,145	12,145	0	0	0	12,145
201744	Artist Development - Generator	Funds towards workshop materials, facilitators and speakers	1,896	1,896	0	0	0	1,896
201745	Critical Disability Aesthetics	Funds towards workshop materials, facilitators and speakers	4,100	4,100	0	0	0	4,100
201758	Katy B Plummer	Funds towards artist fees	292	292	0	0	0	292
201788	Quality & Participation - Hinchinbrook Early Education Centr	Funds towards installation of a cubby house	7,607	7,607	0	0	0	7,607
201789	Quality & Participation - Holsworthy Early Education Centre	Funds towards installation of a chicken coop	8,325	8,325	0	0	0	8,325
201790	Quality & Participation - Cecil Hills Early Education Centre	Funds towards childcare environmental upgrade	15,000	15,000	0	0	0	15,000
200050	Collingwood Cottage	Funds towards cleaning contractor	3,000	0	0	0	3,000	3,000
201559	Car Park - UBI Park System	Additional budget for Preventative Maintenance & Remote Room Monitoring & Licence Fee and Hosting & SIP Intercom Fee	31,262	0	0	0	31,262	31,262
301234	Ombudsman Admin	Reversal of budget due to restructure of internal ombudsman unit	4,664	0	0	0	4,664	4,664
301116	Risk Management	Increase in insurance premium for FY 2023-24	500,000	0	0	0	500,000	500,000
301240	Customer Experience	Funding for after hour call services	110,000	0	0	0	110,000	110,000
200190	Warren Service Way Car Park	Funds towards cleaning contractor	250,000	0	0	0	250,000	250,000
200511	Parks General	Funds towards equipment maintenance and repairs	18,000	0	0	0	18,000	18,000
200557	Footpath, Cycle ways and Kerb & Gutter	Additional funds required to clear the backlog of concrete maintenance works	300,000	0	0	0	300,000	300,000
200560	Roads & Road Associated Structures	Additional funds to carry out emergency and preventive road repair works	600,000	0	0	0	600,000	600,000
201106	On-street Parking	Solar conversion for signage	7,870	0	0	0	7,870	7,870
301272	West Invest Construction Office	Staff motor vehicle	14,000	14,000	0	0	0	14,000
201203	Public Street Lighting Management	Streetlights upgrade to LED	815,000	0	0	0	815,000	815,000
201716	Metropolitan Rural Land Strategy	Report on ecosystem services, natural capital approach to Western Parkland City's rural areas and economic futures study	48,163	48,163	0	0	0	48,163
301134	Strategic Planning	Studies and peer reviews as a result of Council resolutions or planning proposals and Strategic Planning projects being presented to the Design Excellence Panel	115,000	0	0	0	115,000	115,000
301134	Strategic Planning	enable IT software subscription to support internal design and assessments, particularly with the LEP/DCP review and postage costs due to increased neighbour notification in the Community Participation Plan	9,000	0	0	0	9,000	9,000
Legal Costs			199,669	0	0	0	199,669	199,669
301080	Legal Services	Legal costs	200,000	0	0	0	200,000	200,000
301234	Ombudsman Admin	Reversal of budget due to restructure of Internal Ombudsman unit	(331)	0	0	0	(331)	(331)
Consultants			691,142	18,000	202,000	0	471,142	691,142
201540	Cabramatta Creek Flood Study	Works involve extensive investigation and modelling	40,000	18,000	22,000	0	0	40,000
201589	Review of Dam Safety Emergency Plan and O&M Manual of	Works involve extensive investigation and modelling	50,000	0	50,000	0	0	50,000
201712	Water Quality Modelling for Liverpool City Centre	Works involve extensive investigation and modelling	30,000	0	30,000	0	0	30,000
301090	Sustainable Environment	Ongoing program to manage the ibis population at Cecil Hills lake and potentially expanded to other sites	50,000	0	0	0	50,000	50,000
201594	LEP Review and DCP Review - Phase 2	Principal planning proposal for the creation of a new Liverpool Local Environmental Plan	321,142	0	0	0	321,142	321,142
301051	Developer Contributions Planning and Policy	Planning proposal reviews and peer studies	200,000	0	100,000	0	100,000	200,000
Other Expenses			223,230	0	0	0	223,230	223,230
301029	Communications	Funds towards Aquatopia passes for Year 6 students	20,230	0	0	0	20,230	20,230
301191	City Economy	Additional program costs for City Futures	200,000	0	0	0	200,000	200,000
200050	Collingwood Cottage	Grants and Contributions budget transferred to Cleaning Contractor	(3,000)	0	0	0	(3,000)	(3,000)
301134	Strategic Planning	Council contribution under S7.42 EPA Act 1979 for 2023-24 adjustment	6,000	0	0	0	6,000	6,000
Total Expenses			5,271,093	199,406	202,000	0	4,869,687	5,271,093
Net Operating Results			(6,798,492)	(2,700,680)	1,711,784	(2,032,000)	(3,777,596)	(6,798,492)
Less: Grants & Contributions for Capital Purposes			(2,469,465)	(2,469,465)	0	0	0	(2,469,465)
Net Operating Results Before Grants & Contributions for Capital Purposes			(4,329,027)	(231,215)	1,711,784	(2,032,000)	(3,777,596)	(4,329,027)

Liverpool City Council
Capital Budget Adjustments
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Attachment 3

Summary	Original Budget	Revised Budget	Post Budget Resolutions	Deferred to 2024/25	Project Brought Forward	Budget Variations	New Grants / Contribution	Transfers	New Requests	Total Request	Proposed Budget
Operations	125,793,097	141,606,387	15,813,290	(15,234,369)	0	(13,707,968)	3,592,650	(26,400)	2,088,540	(23,287,547)	118,318,840
Planning & Compliance	25,170,283	25,170,283	0	0	0	0	1,000,000	0	2,417,233	3,417,233	28,587,516
Community & Lifestyles	1,089,500	1,123,500	34,000	0	0	0	30,000	26,400	104,880	161,280	1,284,780
Corporate Support	64,431,300	83,136,300	18,705,000	0	0	(2,489,300)	4,446	0	22,359,149	19,874,295	103,010,595
Office of the CEO	0	0	0	0	0	0	0	0	0	0	0
City Futures	7,978,608	63,408,208	55,429,600	0	0	23,900,000	572,400	0	0	24,472,400	87,880,608
Customer & Business Performance	3,120,000	3,183,600	63,600	0	0	65,000	0	0	0	65,000	3,248,600
Capital Expenditure before Loans & Disposal of Assets	227,582,788	317,628,278	90,045,490	(15,234,369)	0	7,767,732	5,199,496	0	26,969,802	24,702,661	342,330,939
Loan Principal	15,351,801	15,351,801	0						(520,024)	(520,024)	17,372,455
Borrowings	0	0	0						(11,800,000)	(11,800,000)	(23,000,000)
Book Value of Assets Disposed	(3,009,500)	(3,009,500)	0						2,600,000	2,600,000	(409,500)
Total Capital Expenditure	239,925,089	329,970,579	90,045,490	(15,234,369)	0	7,767,732	5,199,496	0	17,249,778	14,982,637	336,293,894

Capital Budget Adjustments
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Summary	Project	Project Description	Comment		Requests	Transfers	FUNDING					
							Grants & Contribution	S7.11	External Reserves	Internal Reserves	General Fund	Total Funding
Budget variation	101751	Construction of Liverpool Civic Place	Funds towards fit out		24,000,000			1,000,000		23,000,000		24,000,000
Transfers	103233	Miller Masterplan	Project will not be delivered. Budget transferred to CP.103361 - Hammondville Masterplan			(220,000)					(220,000)	(220,000)
Transfers	103361	Hammondville Sporting Precinct Master Plan	Consultancy costs towards master planning. Budget transferred from CP.103233 - Miller Masterplan			220,000					220,000	220,000
Budget variation	103734	Lighting Upgrades and Public Art at Bigge Park	Reversal of duplicate budget under CP.103742 Bigge Park Liverpool Graffiti Management		(100,000)		(100,000)					(100,000)
New Grants / Contributions	103796	Cycleway Design for Moore Street and George Street	Funds towards Traffic and Parking Management study, site survey, service investigation, concept design, Road Safety Audit report and project management costs.		572,400		572,400					572,400
New Requests	102073	Anzac Public Art Memorial, Holsworthy Barracks 100yrs of WW1	Funds towards artist's fees		60,000						60,000	60,000
New Requests	103206	Synthetic Cricket Wicket Construction	Funds towards construction of cricket wickets.		44,880		35,640				9,240	44,880
Transfers	103206	Synthetic Cricket Wicket Construction	Funds towards construction of cricket wickets. Budget transferred from CP.102382 Stante Reserve - Local Park Construction			26,400					26,400	26,400
New Grants / Contributions	103800	Installation and upgrade of Cricket Wicket	Installation and upgrade of cricket wickets		30,000		30,000					30,000
New Grants / Contributions	102006	Men's Shed Relocation	Supply and installation of new alarm system		4,446	0	4,446					4,446
New Requests	102006	Men's Shed Relocation	Supply and installation of new alarm system		9,149	0	0				9,149	9,149
New Requests	102403	EWIS - 33 Moore St	Upgrade of electrical wiring interconnection system		60,000					60,000		60,000
New Requests	103207	Acquisition of 600 Cowpasture Road	Land acquisition settled in July 2023		22,290,000				20,000,000	2,290,000		22,290,000
Budget variation	102394	Corporate Application Strategy	Funds towards Requisitions Module		65,000						65,000	65,000
New Grants / Contributions	100740	Collingwood House Restoration	Renewal and restoration works at Collingwood House		30,000		30,000					30,000
Transfers	100740	Collingwood House Restoration	Renewal and restoration works at Collingwood House			30,000					30,000	30,000
Transfers	100905	Water & Energy Conservation Delivery Program	Funds towards urgent repairs of HVAC at Casula Library			200,000					200,000	200,000
Budget variation	101392	Purchase of New Plant	Reduction of expenditure to match grant funding		(710,000)						(710,000)	(710,000)
Transfers	101546	Leisure Centre Upgrade Program - Michael Wenden	Program for upgrade works at Michael Wenden Leisure Centre under review due to reassessment of Council priority projects list. Transfer to CP.100905 - Water & Energy Conservation Delivery Program			(200,000)					(200,000)	(200,000)
Transfers	101546	Leisure Centre Upgrade Program - Michael Wenden	Program for upgrade works at Michael Wenden Leisure Centre under review due to reassessment of Council priority projects list. Transfer to CP.100740 - Collingwood House Restoration			(30,000)					(30,000)	(30,000)
Transfers	101546	Leisure Centre Upgrade Program - Michael Wenden	Program for upgrade works at Michael Wenden Leisure Centre under review due to reassessment of Council priority projects list. Transfer to CP103786 - Georges River Continuous Shared Path			(570,000)					(570,000)	(570,000)
Transfers	101546	Leisure Centre Upgrade Program - Michael Wenden	Program for upgrade works at Michael Wenden Leisure Centre under review due to reassessment of Council priority projects list. Transfer to CP103730 - Shared Path Camden Valley Way, Edmondson Park			(300,000)					(300,000)	(300,000)
Transfers	101546	Leisure Centre Upgrade Program - Michael Wenden	Program for upgrade works at Michael Wenden Leisure Centre under review due to reassessment of Council priority projects list. Transfer to CP103086 - Heritage Conservation program - Liverpool Court House			(100,000)					(100,000)	(100,000)
Transfers	101546	Leisure Centre Upgrade Program - Michael Wenden	Program for upgrade works at Michael Wenden Leisure Centre under review due to reassessment of Council priority projects list. Transfer to CP103785 - Suburb Garden Upgrade Program			(500,000)					(500,000)	(500,000)
Budget variation	101965	Edmondson Ave - Detailed Design	Capitalised labour for proposed new positions in Infrastructure Planning		50,000				50,000			50,000
Transfers	102382	Stante Reserve - Local Park Construction	Delivery of synthetic cricket wickets transferred to CP.103206 under Community & Lifestyles			(26,400)					(26,400)	(26,400)
Transfers	102432	CPAC Air Conditioning Upgrade - Switch Gallery	Project deferred while Council reassesses commercial options for the CPAC facility. Transfer to CP.103781 - Rose St Depot Operational Upgrades			(472,500)					(472,500)	(472,500)
Transfers	102432	CPAC Air Conditioning Upgrade - Switch Gallery	Project deferred while Council reassesses commercial options for the CPAC facility. Transfer to CP.103782 - Chipping Norton Homestead Restoration			(196,450)					(196,450)	(196,450)
Transfers	102432	CPAC Air Conditioning Upgrade - Switch Gallery	Project deferred while Council reassesses commercial options for the CPAC facility. Transfer to CP.102783 - CPAC Kitchenette Installation			(40,000)					(40,000)	(40,000)
Transfers	102432	CPAC Air Conditioning Upgrade - Switch Gallery	Project deferred while Council reassesses commercial options for the CPAC facility. Transfer to CP.103784 - Casula Library Air Conditioning Replacement			(335,000)					(335,000)	(335,000)
Transfers	102432	CPAC Air Conditioning Upgrade - Switch Gallery	Project deferred while Council reassesses commercial options for the CPAC facility. Transfer to CP.102961 - Stormwater Drainage Improvement Works - Western Depot			(472,500)					(472,500)	(472,500)
Budget variation	102434	Lighthorse Park Redevelopment – Design	Car park to be delivered as per the revised deed from Liveability grant program		(3,832,652)		(38,795)	(3,793,857)				(3,832,652)
New Requests	102447	Parking Metres Upgrades	Upgrade of software and card readers to 4G network		320,040					320,040		320,040
Deferred Projects	102521	Flood Detention Basin 29 - Austral - Construction (staged)	Project commencement deferred due to ongoing land acquisition and finalisation. Component of budget retained for planning and design finalisation and preliminary site works ahead of construction commencement. Budget to be deferred to FY 2024-25.		(4,000,000)		(4,000,000)					(4,000,000)
Budget variation	102606	Kurrajong Road / Lyn Pde Intersection Upgrade - Design	Project timeframe extended due to major service relocation works required. Remaining budget to be utilised for planning and design finalisation this program year.		(2,000,000)		(2,000,000)					(2,000,000)
Transfers	102961	Stormwater Drainage Improvement Works - Western Depot	Additional funds required to meet intended project scope due to latent conditions identified on site. Budget transferred from CP.102432 - CPAC Air Conditioning Upgrade - Switch Gallery.			472,500					472,500	472,500
Budget variation	102983	Devonshire Road, Kemps Creek - 15th to Gurners	Budget adjustment due to cancellation of Road Repair grant by TfNSW.		(300,000)		(300,000)					(300,000)
New Requests	103026	Design of channel improvement works in Hinchinbrook	Funds required towards the design of Hopkins Creek modification		95,000				95,000			95,000
Transfers	103028	Flood Detention Basin 14 Edmondson Park - Construction	Budget transferred from CP.103339			3,200,000	960,000	2,240,000				3,200,000
Budget variation	103060	Denham Court Road Upgrade	Capitalised labour for proposed new positions in Infrastructure Planning		50,000		50,000					50,000

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Summary	Project	Project Description	Comment		Requests	Transfers	FUNDING					
							Grants & Contribution	S7.11	External Reserves	Internal Reserves	General Fund	Total Funding
New Grants / Contributions	103062	Liverpool City Centre Traffic Calming Proposal	Construction of raised threshold traffic calming device in Bigge Street.		400,000		400,000					400,000
New Grants / Contributions	103086	Heritage Conservation Program - Liverpool Court House	Funds required towards conservation and restoration works at the Liverpool Court House.		90,000		90,000					90,000
Transfers	103086	Heritage Conservation Program - Liverpool Court House	Funds required towards conservation and restoration works at the Liverpool Court House. Budget transferred from CP.101546 Leisure Centre Upgrade Program - Michael Wenden			100,000					100,000	100,000
Budget variation	103089	Lighthorse Park Play Area and Open Space Construction	Budget adjustment based on WestInvest deed funding realignment.		(1,531,700)		(1,531,700)					(1,531,700)
Budget variation	103231	Lighthorse Park Community Hub	Community hub design component and documentation to commence later than originally anticipated.		(1,137,000)		(1,137,000)					(1,137,000)
New Requests	103267	Scott Memorial Park – Sports Park Upgrade	Delivery of inclusive play space and supporting infrastructure		750,000		750,000					750,000
Budget variation	103274	Gurner Avenue - Fourth to Lee and Clark	Road rehabilitation works along Gurner Ave from Fourth Ave to Lee & Clark Rd		825,269		825,269					825,269
Transfers	103274	Gurner Avenue - Fourth to Lee and Clark	Road rehabilitation works along Gurner Ave from Fourth Ave to Lee & Clark Rd. Budget transferred to CP.103327 - Overett Ave - Western Rd - End			(488,500)	(488,500)					(488,500)
Transfers	103274	Gurner Avenue - Fourth to Lee and Clark	Road rehabilitation works along Gurner Ave from Fourth Ave to Lee & Clark Rd. Budget transferred to CP.103280 - Gabo Crescent, Sadleir - Bungulla to Bobin			(251,000)	(251,000)					(251,000)
Transfers	103278	Campbell Street, Liverpool - George to Macquarie	Project deferred to FY 2024-25 program year. Budget transferred to CP.103279 - Celebration Road, Sadleir - Sadleir to Bobin			(295,000)					(295,000)	(295,000)
Transfers	103279	Celebration Road, Sadleir - Sadleir to Bobin	Road reconstruction and resurfacing. Budget transferred from CP.103278 - Campbell Street, Liverpool - George to Macquarie			295,000					295,000	295,000
Transfers	103279	Celebration Road, Sadleir - Sadleir to Bobin	Road reconstruction and resurfacing. Budget transferred from CP.103305 - Cartwright Avenue, Miller - Creek to Maxwell			190,000					190,000	190,000
Transfers	103280	Gabo Crescent, Sadleir - Bungulla to Bobin	Road reconstruction and resurfacing. Budget transferred from CP.103274 - Gurner Avenue - Fourth to Lee and Clark			251,000	251,000					251,000
New Grants / Contributions	103280	Gabo Crescent, Sadleir - Bungulla to Bobin	Road reconstruction and resurfacing.		117,000		117,000					117,000
Transfers	103305	Cartwright Avenue, Miller - Creek to Maxwell	Project deferred to FY 2024-25 program year. Budget transfer to CP.103279 - Celebration Road,			(190,000)					(190,000)	(190,000)
Deferred Projects	103311	Edmondson Park - Raingarden D13 and D14 - Construction (stag	Project deferred to future program year to coincide with future works undertaken in the area.		(1,744,000)			(1,744,000)				(1,744,000)
Budget variation	103312	Austral / Leppington North - Basin 8 - Design	Capitalised labour for proposed new positions in Infrastructure Planning		58,115			58,115				58,115
Budget variation	103315	Bernera Road upgrade at Yarrunga St/Yato Rd	Project timeframe extended due to major service relocation works required. Remaining budget to be utilised for planning and design finalisation this program year.		(1,200,000)			(1,200,000)				(1,200,000)
Budget variation	103326	Lyn Pd - Jemma to Enterprise	Road resurfacing works.		650,000						650,000	650,000
Transfers	103327	Overett Ave - Western Rd - End	Road reconstruction and resurfacing works.			488,500	488,500					488,500
Budget variation	103329	Governor Macquarie Dr Upgrade - Munday Street to ATC Access	Project will not be completed this program year. Remaining budget to be utilised for planning and design finalisation this program year.		(4,630,000)		(4,630,000)					(4,630,000)
Deferred Projects	103332	Flood Detention Basin 11 - Construction	Project deferred to future program year due to review of Council's program of priority projects.		(1,000,000)			(1,000,000)				(1,000,000)
Deferred Projects	103333	Various Regional Road and Culvert Upgrades - Design	Project to take place over several program years. Component of budget retained for investigation, planning and design commencement this financial year. Budget to be deferred to FY 2024-25		(2,428,136)			(2,428,136)				(2,428,136)
Deferred Projects	103338	Sinozich Park - Design and Construction	Project deferred to future program year due to review of Council's program of priority projects.		(4,000,000)			(4,000,000)				(4,000,000)
Transfers	103339	Flood Detention Basin 14 Edmondson Park - Construction	Duplicate project with CP.103028			(3,200,000)	(960,000)	(2,240,000)				(3,200,000)
Deferred Projects	103357	Carnes Hill Outdoor Sporting and Recreation Facilities	Project to take place over several program years. Component of budget retained for investigation, planning and design commencement this financial year. Budget to be deferred to FY 2024-25		(2,062,233)			(2,062,233)				(2,062,233)
Transfers	103730	Shared Path Camden Valley Way, Edmondson Park	Construction of shared path along Camden Valley Way.			300,000					300,000	300,000
New Requests	103746	Parking Sensor for Accessible Car Spaces	Installation of parking sensors in accessible parking spaces		79,575					79,575		79,575
New Requests	103778	Detailed Design of Constructed Channel in Austral	Detailed design of hybrid trunk drainage channel system in Austral and Leppington North.		100,000			100,000				100,000
New Requests	103779	Topological Survey Equipment	Acquisition of survey equipment		91,200						91,200	91,200
Transfers	103781	Rose St Depot Operational Upgrades	Funds required to undertake facility upgrade works at Rose St Depot to improve safety, accessibility and effectiveness of day to day operations. Budget transferred from CP.102432 - CPAC Air Conditioning Upgrade.			472,500					472,500	472,500
Transfers	103782	Chipping Norton Homestead Restoration	Funds required to undertake urgent renewal and restoration works at Chipping Norton Homestead. Budget transferred from CP102432 - CPAC Air Conditioning Upgrade - Switch Gallery.			196,450					196,450	196,450
Transfers	103783	CPAC Kitchenette Installation	Funds required for the installation of a new kitchenette at CPAC to improve commercial viability when seeking prospective tenants. Budget transferred from CP. 102432 - CPAC Air Conditioning Upgrade - Switch Gallery.			40,000					40,000	40,000
Transfers	103784	Casula Library Air Conditioning Replacement	Funds towards urgent replacement of the air-conditioning system at Casula Library. Budget transferred from CP102432 - CPAC Air Conditioning Upgrade - Switch Gallery.			335,000					335,000	335,000
Transfers	103785	Suburb Garden Upgrade Program	Installation and upgrade of suburb markers and gardens across Liverpool LGA			500,000					500,000	500,000
Transfers	103786	Georges River Continuous Shared Path	Planning and delivery of a continuous shared path along the Georges River			570,000					570,000	570,000
New Grants / Contributions	103787	Traffic Calming Device - Miller Shopping Precinct	Construction of traffic calming device at the Miller Shopping Precinct.		720,000		720,000					720,000
New Grants / Contributions	103788	Traffic Calming Device - Edmondson Park Shopping Precinct	Construction of traffic calming device at the Edmondson Park Shopping Precinct.		200,000		200,000					200,000
New Grants / Contributions	103789	Traffic Calming Device - Carnes Hill Shopping Precinct	Construction of traffic calming device at the Carnes Hill Shopping Precinct		760,000		760,000					760,000

Capital Budget Adjustments
For the period 1 July 2023 to 30 June 2024

Attachment 3

Summary	Project	Project Description	Comment		Requests	Transfers	FUNDING					
							Grants & Contribution	S7.11	External Reserves	Internal Reserves	General Fund	Total Funding
New Grants / Contributions	103790	Traffic Safety Upgrades - Denham Court Rd	Installation of guideposts with reflectors, install retro-reflective pavement markers on centre or edge lines, install 1.5m wide sealed shoulder on both sides along Denham Court Rd - Campbelltown Rd & Fox Valley Rd in Denham Court		700,500		700,500					700,500
New Grants / Contributions	103791	Traffic Safety Upgrades - Reilly Street & Webster Road, Lurn	Upgrade existing roundabout, install slow point, raised threshold / horizontal deviation at mid-block location and conflict points at Reilly St & Webster Rd in Lurnea		70,000		70,000					70,000
New Grants / Contributions	103792	Traffic Safety Upgrades - North Liverpool Rd & Wilson Rd	Upgrade existing roundabout, install slow point, raised threshold / horizontal deviation at mid-block location and conflict points at North Liverpool Rd & Wilson Road in Green Valley		130,400		130,400					130,400
New Grants / Contributions	103793	Traffic Safety Upgrades - South Liverpool Rd & Whitford Rd	Upgrade existing roundabout, install slow point, raised threshold / horizontal deviation at mid-block location and conflict points at South Liverpool Rd & Whitford Rd in Hinchinbrook		60,000		60,000					60,000
New Grants / Contributions	103794	Traffic Safety Upgrades - South Liverpool Rd & St Johns Rd	Upgrade existing roundabout, install slow point, raised threshold / horizontal deviation at mid-block location and conflict points at South Liverpool Rd & St Johns Rd in Busby		165,175		165,175					165,175
New Requests	103795	Homestead Park - Picnic Facility - Design	Design required to allow delivery of new project, proposal to upgrade community picnic facilities at the Chipping Norton Lakes		180,000			180,000				180,000
New Requests	103797	Stormwater Culvert - Seventeenth Ave	Design and construction of stormwater culvert to improve drainage along Seventeenth Avenue near Trojan Avenue in Austral		200,000			200,000				200,000
New Requests	103798	People Key Scanners	Acquisition of 3 Peoplekey finger scanners with time and attendance software.		67,300						67,300	67,300
New Grants / Contributions	103799	Whitlam Oval 2 Facilities Upgrade	Funds required towards upgrade of canteen facilities		70,000		70,000					70,000
New Requests	103801	Bathurst Street Car Park Lighting Upgrades	Design, supply and installation of solar lights		285,000					285,000		285,000
New Requests	102516	Trunk Drainage Channel – DC47 - Austral	Works-in-kind for drainage channel undertaken by developer earlier than anticipated		314,464			314,464				314,464
New Requests	103209	Local Collector Road -CR1-Austral	Land acquisition settled earlier than anticipated		867,100			867,100				867,100
New Requests	103210	Local Road -LR35-Austral	Developer's claim towards road works		122,920			122,920				122,920
New Requests	103342	Bernera Road Upgrade at Yarrowa Street	Funds towards land acquisition		750,000		750,000					750,000
New Requests	103748	Local Road -LR74-Austral	Developer's claim towards road works and land acquisition		162,486			162,486				162,486
New Requests	103760	Gross Pollutant Trap 38 Oslo St, Austral	Drainage works for gross pollutant trap		200,263		60,000	140,263				200,263
New Grants / Contributions	102500	Kurrajong Road / Lyn Parade Design Investigation	Kurrajong Road upgrade design		50,000		50,000					50,000
New Grants / Contributions	103343	Governor Macquarie Drive Upgrade - Munday Street to ATC Acce	Road upgrade works at Governor Macquarie Drive - Munday Stree to ATC Access		200,000		200,000					200,000
New Grants / Contributions	103344	Governor Macquarie Drive Upgrade at Alfred Road and Childs R	Road upgrade works at Governor Macquarie Drive at Alfred Road and Childs Road Chipping Norton		150,000		150,000					150,000
New Grants / Contributions	103345	Kurrajong Road Intersection Upgrade at Beech Rd and Lyn Pde	Intersection upgrade works at Beech Road and Lyn Parade		600,000		600,000					600,000
												0
												0
												0
Capital Expenditure before Loans & Disposal of Assets					E 27,191,961	0	(6,146,665)	(13,082,878)	20,145,000	26,034,615	241,889	27,191,961
Budget Variation	101592	Road Closure 24 Scott Street Liverpool	Sale delayed and expected in FY 2024-25.		(2,489,300)			0	0	(2,489,300)	0	(2,489,300)
Total Book Value of Assets Disposed					(2,489,300)	0	0	0	0	(2,489,300)	0	(2,489,300)
												0
												0
												0
												0
												0
												0
Total Loan Borrowings & Repayments					0	0	0	0	0	0	0	0
Total Capital Expenditure					24,702,661	0	(6,146,665)	(13,082,878)	20,145,000	23,545,315	241,889	24,702,661
Summary:												
Budget variation					7,767,732	0						
Deferred Projects					(15,234,369)	0						
New Grants / Contributions					5,119,921	0						
New Requests					27,049,377	0						
Project brought forward					0	0						
Transfers					0	0						
Works in kind					0	0						
Total Requests					24,702,661	0						

LIVERPOOL CITY COUNCIL GRANT / FUNDING APPLICATIONS
July 2023 - June 2024
Attachment 4

Group	Service Delivery Unit	Project	Program	Funding Source	Funding Agency	Grant Sought (\$)	September Status
Community & Lifestyles	Recreation & Community Outcomes	Deliver up to \$30,000 to Liverpool Council towards access pathway improvement and minor spectator shelters/seating at Greenway Park, West	LSCA Program - Leppington — LSCA386	State	Premier's Department	\$30,000	Pending
Community & Lifestyles	Recreation & Community Outcomes	Deliver up to \$250,000 to Liverpool Council's Hammondville Sporting Precinct Water Tank Repair.	LSCA Program - Holsworthy — LSCA366	State	Premier's Department	\$250,000	Pending
Operations	City Works	Werriwa Parks Project, which will include improvements to Cillo Oval, Scott Memorial Park, Winnall Reserve, Blamfield Oval, and Whillam Oval No. 2	Investing in Our Communities Grant	Federal	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	\$200,000	Successful
Community & Lifestyles	Recreation	\$2,255,985, which is comprised of \$1,430,716 for local roads and community infrastructure projects and \$825,269 for road projects in regional, rural and outer-urban areas	Local Roads and Community Infrastructure Grant	Federal	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	\$2,255,985	Successful
Total						\$2,735,985	

Total Grants applied for \$2,735,985

Grant Status:

Successful	\$2,455,985
Pending	\$280,000
Unsuccessful	\$0
Total Grants applied for	\$2,735,985

LIVERPOOL CITY COUNCIL GRANTS RECEIVED
July 2023 - June 2024

Group	Service Delivery Unit	Project	Program	Funding Source	Funding Agency	Received as at 30/09/2023 (\$)
City Futures	Infrastructure Planning	Heritage Conservation	Community Heritage Program	State	Department of Planning and Environment	\$25,000
City Futures	Infrastructure Planning	Collingwood Visitation Precinct Masterplan	Metropolitan Greenspace Program	State	Department of Planning and Environment	\$32,430
City Futures	Infrastructure Planning	Liverpool Pioneers Memorial Park War Graves Archaeological I		Federal	Department of Veterans Affairs	\$15,312
City Futures	Infrastructure Planning	Strategic Urban Tree Management Framework	Greener Neighbour	State	Department of Planning and Environment	\$14,050
City Futures	Infrastructure Planning	Railway Street Shared Spaces Demonstration		State	Department of Planning and Environment	\$28,015
City Futures	Infrastructure Planning	City Design and Public Domain	Senior Healthy Places	Other	South Western Sydney Local Health District	\$3,870
Community and Lifestyles	Children's Services	Inclusion Support - Hinchinbrook CCC		Federal	Department of Education, Skills & Employment	\$4,600
Community and Lifestyles	Children's Services	Inclusion Support - Holsworthy CCC		Federal	Department of Education, Skills & Employment	\$7,314
Community and Lifestyles	Children's Services	Inclusion Support - Prestons CCC		Federal	Department of Education, Skills & Employment	\$4,807
Community and Lifestyles	Children's Services	Inclusion Support - Warwick Farm CCC		Federal	Department of Education, Skills and Employment	\$11,960
Community and Lifestyles	Children's Services	Inclusion Support - Wattle Grove CCC		Federal	Department of Education, Skills and Employment	\$4,600
Community and Lifestyles	Children's Services	Inclusion Support - Casula Preschool		Federal	Department of Education, Skills and Employment	\$7,281
Community and Lifestyles	Children's Services	Start Strong for LDC - Holsworthy Early Education and Care		State	NSW Department of Education	\$39,048
Community and Lifestyles	Children's Services	Start Strong for LDC - Cecil Hill Early Education and Care		State	NSW Department of Education	\$17,030
Community and Lifestyles	Children's Services	Quality & Participation - Hinchinbrook Early Education Centre		State	NSW Department of Education	\$22,607

Attachment 5

LIVERPOOL CITY COUNCIL GRANTS RECEIVED
July 2023 - June 2024

Group	Service Delivery Unit	Project	Program	Funding Source	Funding Agency	Received as at 30/09/2023 (\$)
Community and Lifestyles	Children's Services	Quality & Participation - Holsworthy Early Education Centre		State	NSW Department of Education	\$8,325
Community and Lifestyles	Children's Services	Cecil Hills CCC	Childcare Benefits	Federal	Department of Education, Skills and Employment	\$180,264
Community and Lifestyles	Children's Services	Cecil Hills CCC	Subsidies	State	NSW Department of Education	\$16,353
Community and Lifestyles	Children's Services	Early Childhood Management		Federal	Department of Education, Skills and Employment	-\$84,500
Community and Lifestyles	Children's Services	Hinchinbrook CCC	Childcare Benefit	Federal	Department of Education, Skills and Employment	\$275,618
Community and Lifestyles	Children's Services	Hinchinbrook CCC	Subsidies	State	NSW Department of Education and Training	\$16,353
Community and Lifestyles	Children's Services	Holsworthy CCC	Childcare Benefit	Federal	Department of Education, Skills and Employment	\$179,284
Community and Lifestyles	Children's Services	Holsworthy CCC	Subsidies	State	NSW Department of Education and Training	\$12,660
Community and Lifestyles	Children's Services	Prestons CCC	Childcare Benefit	Federal	Department of Education, Skills and Employment	\$176,839
Community and Lifestyles	Children's Services	Prestons CCC	Subsidies	State	NSW Department of Education and Training	\$12,660
Community and Lifestyles	Children's Services	Warwick Farm CCC	Childcare Benefit	Federal	Department of Education, Skills and Employment	\$191,445
Community and Lifestyles	Children's Services	Warwick Farm CCC	Subsidies	State	NSW Department of Education and Training	\$10,023
Community and Lifestyles	Children's Services	Wattle Grove CCC	Childcare Benefit	Federal	Department of Education, Skills and Employment	\$248,273
Community and Lifestyles	Children's Services	Wattle Grove CCC	Subsidies	State	NSW Department of Education and Training	\$14,243
Community and Lifestyles	Children's Services	Casula Preschool	Early Childhood Educational and Care Grants Program	State	NSW Department of Education and Training	\$128,785

Attachment 5

LIVERPOOL CITY COUNCIL GRANTS RECEIVED
July 2023 - June 2024

Group	Service Delivery Unit	Project	Program	Funding Source	Funding Agency	Received as at 30/09/2023 (\$)
Community and Lifestyles	Recreation and Community Outcomes	Strong Children and Families		Other	Mission Australia	\$32,098
Community and Lifestyles	Recreation and Community Outcomes	Community Hubs		Other	Community Hubs Australia	\$28,684
Community and Lifestyles	Recreation and Community Outcomes	Community Development & Planning Admin	Subsidies	State	NSW Department of Communities and Justice	\$10,432
Community and Lifestyles	Casula Powerhouse Arts Centre	Culture Up Late		Federal	Department of Premier and Cabinet	\$15,628
Community and Lifestyles	Casula Powerhouse Arts Centre	Flight		Federal	Department of Premier and Cabinet	\$8,105
Community and Lifestyles	Casula Powerhouse Arts Centre	Creative Hybrids Lab		Federal	Department of Premier and Cabinet	\$15,689
Community and Lifestyles	Casula Powerhouse Arts Centre	Artist in Residency		Federal	Department of Premier and Cabinet	\$9,790
Community and Lifestyles	Casula Powerhouse Arts Centre	Artist Development - Generator		Federal	Department of Premier and Cabinet	\$1,472
Community and Lifestyles	Casula Powerhouse Arts Centre	Critical Disability Aesthetics		Federal	Department of Premier and Cabinet	\$1,764
Community and Lifestyles	Recreation and Community Outcomes	Synthetic Cricket Wicket Construction		Other	NSW Cricket Association	\$19,636
Community and Lifestyles	Recreation and Community Outcomes	Active Fest		State	Office of Sports	\$4,676
Community and Lifestyles	Strategic Events	Pacific Summer		State	Multicultural NSW	\$6,100
Corporate Support	Property Services	Chipping Norton Homestead	Community Heritage Program	State	Department of Planning and Environment	\$10,000
Corporate Support	Financial Management	Civic Place Borrowings	Low Cost Loans Initiative	State	Department of Planning and Environment	\$157,783
Corporate Support	Financial Management	LIRS Round2 Borrowings	Local Infrastructure Renewal Scheme Subsidy	State	NSW Office of Local Government	\$20,117

Attachment 5

LIVERPOOL CITY COUNCIL GRANTS RECEIVED
July 2023 - June 2024

Group	Service Delivery Unit	Project	Program	Funding Source	Funding Agency	Received as at 30/09/2023 (\$)
Corporate Support	Financial Management	Accounting Administration	Local Infrastructure Renewal Scheme Subsidy	State	NSW Office of Local Government	\$6,035
Corporate Support	Financial Management	Financial Reporting and Internal Control	Financial Assistance Grants - General purpose (80%)	Federal	Department of Planning and Environment	\$17,566
Corporate Support	Financial Management	Financial Reporting and Internal Control	Financial Assistance Grants - Road component (20%)	Federal	Department of Planning and Environment	\$37,239
Corporate Support	Financial Management	Revenue and Treasury Operations	Low Cost Loans Initiative	State	Department of Planning and Environment	\$21,578
Corporate Support	Property Services	Men's Shed Relocation		State	NSW State Emergency Service	\$4,446
Customer and Business Performance	Information and Communication Technology	Cyber Security		Other	CivicRisk Mutual Limited	\$30,995
Operations	City Environment	Harris Creek Reserve Fairy Glen Garden		Federal	Department of Planning and Environment	\$21,398
Operations	Operational Support	Parking Sensor for Accessible Car Spaces		State	NSW Department of Customer Service	\$79,575
Operations	Project Delivery	Collingwood House Restoration	Community Heritage Program	State	Department of Planning and Environment	\$15,000
Operations	Project Delivery	Governor Macquarie Drive & Hume Highway Intersection	Western Sydney Infrastructure Plan	State	Transport for NSW	\$258,500
Operations	Project Delivery	Pye Hill Reserve - Key Suburb Park Program	Local Roads and Community Infrastructure Round 3 (LRCI - R3) project	State	NSW Department of Infrastructure, Transport, Regional Development, Communications and the Arts	\$318,861
Operations	Project Delivery	Heritage Conservation Program - Liverpool Court House	Community Heritage Program	State	Department of Planning and Environment	\$45,000
Operations	Project Delivery	Thomas Moore Reserve Retaining Wall - Chipping Norton		State	Department of Planning and Environment (Crown Lands)	\$195,000
Operations	Project Delivery	Cabramatta Avenue, Miller - Cartwright to Morgan (R2R)		State	NSW Department of Infrastructure, Transport, Regional Development, Communications and the Arts	\$543,210
Operations	West Invest Project Delivery	Lighthouse Park Play Area and Open Space Construction	West Invest	State	Department of Regional NSW	\$3,248,600

Attachment 5

LIVERPOOL CITY COUNCIL GRANTS RECEIVED
July 2023 - June 2024

Group	Service Delivery Unit	Project	Program	Funding Source	Funding Agency	Received as at 30/09/2023 (\$)
Operations	West Invest Project Delivery	Lighthorse Park Community Hub	West Invest	State	Department of Regional NSW	\$362,856
Operations	Project Delivery	Gurner Avenue - Fourth to Lee and Clark		State	NSW Department of Infrastructure, Transport, Regional Development, Communications and the Arts	-\$10,427
Operations	Project Delivery	Wilson Road, Hinchinbrook - Flinders to Shops		State	NSW Department of Infrastructure, Transport, Regional Development, Communications and the Arts	\$1,057
Operations	City Environment	Species Hlibertia sp		State	Department of Planning and Environment	\$10,986
Operations	City Works - Civil Operations	Road Repairs - Regional and Local Roads Repair Program		State	Transport for NSW	\$4,738,862
Operations	City Works - Open Spaces	Noxious Weeds and Waterways		Other	Local Land Services	\$61,437
Operations	Project Delivery	Macquarie Street Streetscape Improvements - Moore to Scott		State	Department of Planning and Environment	\$242,401
Operations	Project Delivery	Phillimona Gardens - Public Spaces Legacy Program	Public Spaces Legacy Program	State	Department of Planning and Environment	\$71,713
Operations	Project Delivery	Liverpool City Centre Traffic Calming Proposal	Liverpool CBD HPAA	State	Transport for NSW	\$39,976
Operations	Project Delivery	North Liverpool Road - Elizabeth to Meadows		State	Transport for NSW	\$22,418
Operations	Project Delivery	Sodbury Street - Flood Mitigation	Storm and Floods Local Recovery	State	NSW Government	\$4,276
Operations	Project Delivery	Pye Hill Reserve - Public Spaces Legacy Program		State	Department of Planning and Environment	\$4,200
Operations	Project Delivery	Shared Path Camden Valley Way, Edmondson Park		State	Department of Planning and Environment	\$1,253
Planning and Compliance	City Planning	Carnes Hill Shopping Precinct, Traffic Study & Detailed Design		Other	Fowler Homes Pty Ltd	\$7,850
Planning and Compliance	City Planning	Bernera Road Upgrade at Yarrawa Street	Western Sydney Infrastructure Plan	State	Transport for NSW	\$60,000

Attachment 5

LIVERPOOL CITY COUNCIL GRANTS RECEIVED
July 2023 - June 2024

Group	Service Delivery Unit	Project	Program	Funding Source	Funding Agency	Received as at 30/09/2023 (\$)
Planning and Compliance	City Planning	Governor Macquarie Drive Upgrade - Munday Street to ATC Acce	Western Sydney Infrastructure Plan	State	Transport for NSW	\$30,000
Planning and Compliance	City Planning	Governor Macquarie Drive Upgrade at Alfred Road and Childs R	Western Sydney Infrastructure Plan	State	Transport for NSW	\$35,000
Planning and Compliance	City Planning	Kurrajong Road Intersection Upgrade at Beech Rd and Lyn Pde	Western Sydney Infrastructure Plan	State	Transport for NSW	\$125,000
Planning and Compliance	Western Sydney Planning Partnership	Western Sydney Planning Partnership		State	Department of Planning, Industry and Environment	\$150,000
Planning and Compliance	Western Sydney Planning Partnership	Western Sydney Planning Partnership		Other	Member Councils	\$74,640
Planning and Compliance	Western Sydney Planning Partnership	Metropolitan Rural Land Strategy		Other	Member Councils	\$15,587
Planning and Compliance	Western Sydney Planning Partnership	Affordable Housing Strategy		Other	Member Councils	\$5,260
Planning and Compliance	City Planning	Miller Shopping Precinct, Traffic Study & Detailed Design		State	Transport for NSW	\$22,418
				Total Grants Received		\$12,886,285

Grants Received \$12,886,285
Add Works in Kind \$408,025
Grants and Contributions 31 March 2023 \$13,294,310

Liverpool City Council
Quarter 1 Review 2023/24
For the period 1 July 2023 to 30 June 2024
Forecast Cash and Investments

Attachment 6

	1 July 2023 Opening Balance	Projected Movements			30 June 2024 Projected Closing Balance
		Transfers IN	Transfers OUT	Net Transfers	
Externally Restricted					
S7.11 Contributions	280,969,884	58,052,643	(105,195,430)	(47,142,787)	233,827,097
City Development Fund	379,285	1,477,910	(1,857,195)	(379,285)	(0)
Domestic Waste Reserve	1,324,273	46,926,115	(46,875,129)	50,986	1,375,259
Environment Levy	5,928,977	2,213,129	(2,479,529)	(266,400)	5,662,577
Stormwater Reserve	868,572	1,767,978	(2,599,500)	(831,522)	37,050
Edmondson Park Reserve	2,859,276	77,776	0	77,776	2,937,052
Contribution Reserve	3,340,407	0	0	0	3,340,407
Grants Reserve	11,538,211	0	(5,029,000)	(5,029,000)	6,509,211
Better Waste & Recycling Reserve	1,861	0	0	0	1,861
Grants Reserve - Operating	413,756	0	0	0	413,756
Deferred Grants Reserve - Capital	36,932,973	0	(19,942,473)	(19,942,473)	16,990,500
Deferred Grants Reserve - Operating	7,169,256	0	(2,434,289)	(2,434,289)	4,734,967
Total Externally Restricted	351,726,732	110,515,551	(186,412,545)	(75,896,994)	275,829,738
Internally Restricted					
Employee Leave Entitlement Reserve	4,484,000	0	0	0	4,484,000
Insurance Reserve	1,796,043	604,000	0	604,000	2,400,043
Parking Strategy Reserve	2,578,921	1,508,394	(3,624,782)	(2,116,388)	462,533
General Property Reserve	7,164,084	3,424,342	(4,538,071)	(1,113,729)	6,050,355
Loan Reserve	54,208,072	24,500,000	(78,708,072)	(54,208,072)	0
Carnes Hill Stage 2 Precinct Development Reserve	4,290,076	0	(160,800)	(160,800)	4,129,276
Moorebank Intermodal Company Ltd	524,796	1,396,897	(1,322,170)	74,727	599,523
Total Internally Restricted	75,045,990	31,433,633	(88,353,895)	(56,920,262)	18,125,728
Total Restricted	426,772,722	141,949,184	(274,766,440)	(132,817,256)	293,955,466
Unrestricted Cash	25,640,191			5,908,774	31,548,965
Total Cash and Investments	452,412,913				325,504,431

Attachment 7

Key Performance Indicators Budget Review Statement

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

Current and targeted benchmarks are:

	Performance Indicator	2022/23 Actual	2023/24 Original Budget	2023/24 Budget Review September	Benchmark	Description
1	Operating Performance Ratio Benchmark: Greater than or equal to 0%	1.2%	-1.3%	-2.3%	≥0%	The Operating Performance Ratio measures Council's achievement of containing operating expenditure within operating revenue.
2	Own Source Operating Ratio Benchmark: Greater than 60%	53.2%	57.5%	57.0%	>60%	This ratio measures fiscal flexibility. It is the degree of reliance on external funding sources such as operating grants and contributions.
3	Building and Infrastructure Renewals Ratio Benchmark: Greater than 100%	60%	103%	103%	>100%	This indicator is used to assess the rate at which these assets are being renewed relative to the rate at which they are depreciating.
4	Infrastructure Backlog Ratio Benchmark: Less than 2%	2.1%	1.5%	1.5%	<2%	This ratio shows what proportion the backlog is against the total value of a Council's infrastructure.

	Performance Indicator	2022/23 Actual	2023/24 Original Budget	2023/24 Budget Review September	Benchmark	Description
5	Asset Maintenance Ratio Benchmark: Greater than 100%	112%	88%	88%	>100%	This ratio compares actual against required annual asset maintenance. A ratio above 1.0 indicates Council is investing enough funds to stop the Infrastructure backlog growing.
6	Debt Service Ratio Benchmark: Greater than 0% and less than or equal to 20%	6.5%	7.3%	8.3%	>0% & ≤20%	This ratio measures the availability of operating cash to service debt including interest, principal, and lease payments.

Liverpool City Council
Quarterly Budget Review Statement
For the period 01/07/23 to 30/09/23
Consultancy & Legal Expenses

Attachment 8

Expense	YTD Expenditure (Actual Dollars)	Budgeted (Y/N)
Consultancies	234,170	Y
Legal Fees	412,818	Y

Definition of a consultant:

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

Comments

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

Details

Review and analysis of market and Council's strategies, directions and NSW EPA direction on waste, organics and bulky waste processing	20,105
Installation and operation of new mattress shredding mobile equipment at Rose Street Depot	5,000
Total	25,105

Attachment 9

Liverpool City Council

Contracts Budget Review Statement

For the period 01/07/2023 to 30/09/2023

Contracts Listing - contracts entered into during the quarter

Contractor Awarded To	Contract detail & purpose Summary	Contract Value	Start Date Awarded	Duration of Contract Duration	Budgeted (Y/N)	Budgeted	Comments
Newsound Fire Services Pty Ltd	ST3204 Fire Protection Equipment - Servicing Testing and Repairs	\$900,000.00	18/07/2023	3 year + 2 year option	Y		Schedule of rates - Price from RIT
Civica Pty Ltd	ST3230 Library Management System for Liverpool City Libraries	\$1,700,000.00	19/09/2023	5 + 5 years	Y		
Growth Civil Landscapes Pty Ltd	WT3238 Design and Construct Stante Reserve Viewing Platform	\$269,238.20	03/08/2023	68 weeks	Y		
Mecone Group Pty Ltd	ST3248 Liverpool LEP Review Phase 2 Investigations	\$300,000.00	28/07/2023	2-3 months	Y		
Dalacom Systems (AU) Pty Ltd	VP3249 Microsoft Licensing using SCM0020	\$1,900,000.00	14/07/2023	3 years	Y		
Limonta Sports Australia Pty Ltd	WT3265 Hammondville Park - Synthetic Turf Soccer Ovals	\$2,444,111.00	25/09/2023	12 months	Y		
A Space Australia Pty Ltd	VP3275 Design and Construction of Outdoor Fitness Gym at Grimson Park	\$121,000.00	13/09/2023	34 Weeks	Y		
Complete Urban Pty Ltd	VP3260 Provision of Environment Impact Statement	\$338,417.00	01/09/2023	12 Months	Y		
Complete Urban Pty Ltd	PQ3251 Landscape Architectural Services - Pye Hill Reserve - Regional Trails and Lookout Design	\$69,300.00	11/07/2023	20 Weeks	Y		
Construction Consultants (QS) Pty Ltd	PQ3264 Independent Quantity Surveyor - Civic Place	\$18,590.00	13/07/2023	3 Weeks	Y		

1. Contracts listed are those entered into during the quarter being reported.
2. Contracts for employment are not required to be included.

Attachment 10

Liverpool City Council
Quarter 1 Review 2023/24
For the period 1 July 2023 to 30 June 2024
Detail Reserve Movement

	2023-24 Original Budget	2023-24 Revised Budget	2023-24 Current Review	2023-24 Proposed Budget
City Development Fund				
Opening Balance				
<i>Operating</i>	379,285	379,285		379,285
<i>Revenue</i>	1,477,910	1,477,910	0	1,477,910
City Development Fund Receipts/Interest	1,477,910	1,477,910	-	1,477,910
<i>Expenditure</i>	321,179	321,179	(23,475)	297,704
Facade Upgrade	30,000	30,000	-	30,000
CBD CCTV Operation & Maintenance	30,000	30,000	-	30,000
Christmas Tree Lighting	70,000	70,000	-	70,000
LIRS Round2 Borrowings	91,179	91,179	-	91,179
Most Blessed Nights	100,000	100,000	(23,475)	76,525
<i>Capital Expenditure</i>	1,559,491	1,559,491	0	1,559,491
LIRS Round2 Borrowings	1,111,491	1,111,491	-	1,111,491
Macquarie Mall Repayments	448,000	448,000	-	448,000
Projected Closing Balance	(23,475)	(23,475)	23,475	(0)

Attachment 10

Liverpool City Council
Quarter 1 Review 2023/24
For the period 1 July 2023 to 30 June 2024
Detail Reserve Movement

	Original Budget	Revised Budget	Current Review	Proposed Budget
Environment Levy				
Opening Balance				
<i>Operating</i>	5,928,977	5,928,977		5,928,977
<i>Revenue</i>	2,171,515	2,171,515	41,614	2,213,129
Environment Levy Receipts/Interest	2,171,515	2,171,515	41,614	2,213,129
<i>Expenditure</i>	1,708,029	1,708,029	1,500	1,709,529
Bush Regeneration	741,095	741,095	-	741,095
Water Quality Monitoring	100,000	100,000	-	100,000
Natural Environment Implementation	719,830	719,830	1,500	721,330
Floodplain & Water Management	96,518	96,518	-	96,518
Environment Restoration Plan Delivery	50,586	50,586	-	50,586
Capital Expenditure	770,000	770,000	0	770,000
Bush Regeneration Program	770,000	770,000	-	770,000
Projected Closing Balance	5,622,463	5,622,463	40,114	5,662,577

CORP 02

Investment Report October 2023

Strategic Objective	Visionary, Leading, Responsible Ensure Council is accountable and financially sustainable through the strategic management of assets and resources
File Ref	377699.2023
Report By	Vishwa Nadan - Chief Financial Officer
Approved By	Farooq Portelli - Director Corporate Support

EXECUTIVE SUMMARY

This report details Council's investment portfolio and its performance at 31 October 2023. Key highlights include:

- Council held investments with a market value of \$386 million.
- The Reserve Bank of Australia (RBA)'s official cash rate is at 4.35 per cent.
- The portfolio yield (for the year to October 2023) was 8 basis points above the benchmark (AusBond Bank Bill Index)

	AusBond Bank Bill Index (ABBI)
Benchmark	3.66%
Portfolio yield	3.74%
Performance above benchmark	0.08%

- The current ABBI benchmark reflects recent RBA actions to lift the cash rate. The portfolio performance is expected to be below ABBI benchmark in coming months and this trend will continue until such time low-yielding investments mature.
- Year-to-date, Council's investment income was \$1.73 million higher than the original budget. This is due to a combination of increase in market interest rates and unrealised gain in fair value of Floating Rate Notes (FRNs).
- Year-to-date, Council's investment in mortgage-backed securities (MBSs) is valued at \$381 thousand below face value. Council's investment advisor continues to review

Council's investment in MBSs and recommends Council continue to hold its investments in the Class A and both Class C securities. There is significant uncertainty associated with these investments, however presently the investment advisor believes there is, on balance, more upside opportunity than downside risk. This is subject to ongoing regular review. MBSs are no longer rated.

- Council's investments and reporting obligations fully complied with the requirements of section 625 of the *Local Government Act 1993* and section 212 of the *Local Government (General) Regulation 2021*.
- Council's portfolio also fully complied with limits set out in its current Investment Policy, noting the exception applicable to MBSs (as investment in them pre-dates the current Investment Policy).
- Council is committed to NSW TCorp's balanced investment framework and held 18.98 per cent of its portfolio in ADIs rated BBB and below.

RECOMMENDATION

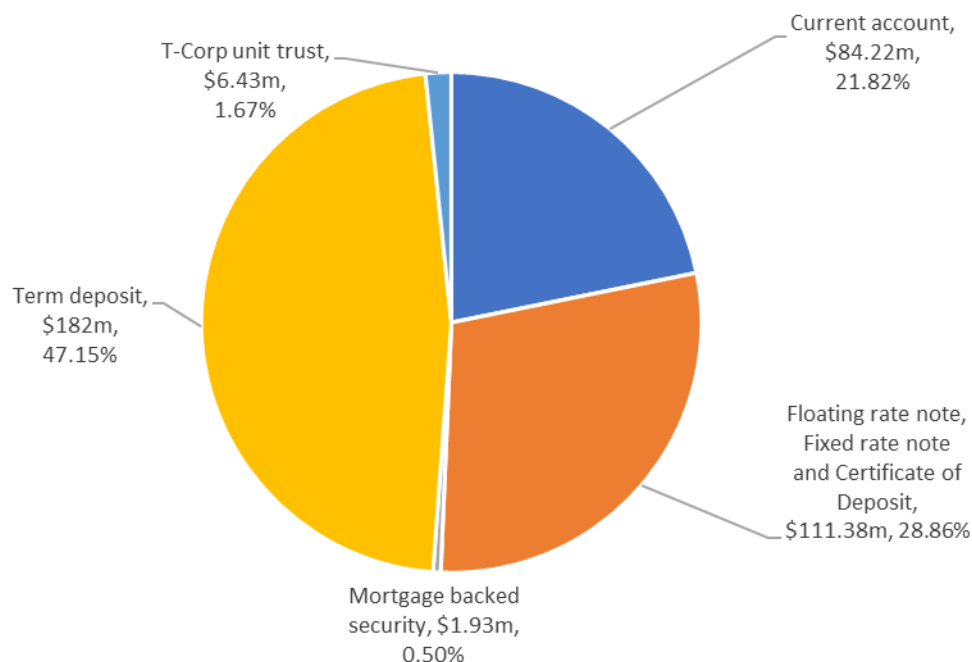
That Council receive and note this report.

REPORT

Section 212 of the *Local Government (General) Regulation 2021* requires that the Responsible Accounting Officer must provide Council with a written report setting out details of all money that Council has invested under section 625 of the *Local Government Act 1993*.

Council's portfolio

At 31 October 2023, Council held investments with a market value of \$386 million. Council's investment register detailing all its investments is provided as an attachment to this report. In summary, Council's portfolio consisted of investments in:



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

Asset class	Oct-23	Sep-23	Jun-23
Senior debts (FRNs ,TCDs & FRBs)*	97.92%	98.33%	98.25%
MBS (Reverse mortgage-backed securities)	83.53%	82.97%	82.02%
T-Corp unit trusts	104.96%	106.46%	107.38%

***Definition of terms**

- *FRN - Floating Rate Note - returns an aggregate of a fixed margin and a variable benchmark (usually the Bank Bill Swap Rate).*
- *FRB - Fixed Rate Bond – returns a fixed coupon (interest) rate and is tradeable before maturity.*
- *TCD - Transferrable Certificate of Deposit - 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-day Bank Bill Swap Rate).*

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 18.98 per cent of its portfolio in ADIs rated BBB and below.

Mortgaged-backed securities

Council's investment advisor regularly reviews investments in grandfathered mortgage-backed securities (MBSs) and continues to recommend "hold" position on investments in Class A and both Class C securities.

There is significant uncertainty associated with these investments, however presently the investment advisors believe there is, on balance, more upside opportunity than downside risk. Notwithstanding this recommendation, the investment advisors 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 in the future. Fitch Rating Agency has decided to withdraw its rating on MBSs and as a result, Council's investments in these securities are now classed as non-rated. Year-to-date, Council's investment in MBSs are valued at \$381 thousand below face value.

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	84,223,619	21.82%			
Term deposits < 1 year	106,000,000	27.46%			
T-Corp unit trust	6,428,857	1.67%			
Tradeable securities	111,379,542	28.86%			
Portfolio % < 1 year (Short term liquidity)	308,032,018	79.81%	30%	100%	Yes
Term deposit > 1 year < 3 years	76,000,000	19.69%	0%	70%	Yes
Grand fathered securities	1,933,977	0.50%	N/A	N/A	Yes
Portfolio % (Medium term liquidity)	77,933,977	20.19%			Yes
Total portfolio	385,965,995	100.00%			

Counterparty policy limit compliance

Issuer	Security rating	Market value	% Total value	Maximum Institutional policy limit % holdings	Complies to Investment policy "Yes/No"
AMP Bank Ltd	BBB	17,123,570	4.44%	15%	Yes
ANZ Banking Group Ltd	AA-	32,727,912	8.48%	35%	Yes
Auswide Bank	BBB+	3,000,000	0.78%	15%	Yes
Bendigo & Adelaide Bank Ltd	BBB+	2,659,558	0.69%	15%	Yes
Bank of Queensland Ltd	BBB+	19,127,258	4.96%	15%	Yes
Citibank Australia Ltd	A+	1,000,994	0.26%	25%	Yes
Commonwealth Bank of Australia Ltd	AA-	113,127,883	29.31%	35%	Yes
Emerald Reverse Mortgage Trust (Class A)	Unrated	750,638	0.19%	5%	Yes
Emerald Reverse Mortgage Trust (Class C)	Unrated	1,183,339	0.31%	5%	Yes
Great Southern Bank	BBB	8,502,135	2.20%	15%	Yes
G&C Mutual Bank	BBB	3,000,000	0.78%	15%	Yes
HSBC Sydney Branch	AA-	5,010,000	1.30%	35%	Yes
ING Direct	A	19,000,000	4.92%	25%	Yes
ING Direct	AAA	1,599,800	0.41%	35%	Yes
Macquarie Bank	A+	15,979,139	4.14%	25%	Yes
Members Equity Bank Ltd	BBB	5,000,000	1.30%	15%	Yes
National Australia Bank Ltd	AA-	38,174,852	9.89%	35%	Yes
Northern Territory Treasury	AA-	15,000,000	3.89%	35%	Yes
NSW Treasury Corporation	Unrated	6,428,857	1.67%	5%	Yes
P&N Bank	BBB	5,000,000	1.30%	15%	Yes
Rabobank Australia Ltd	A+	4,192,904	1.09%	25%	Yes
RACQ Bank	BBB+	1,498,244	0.39%	15%	Yes
Sumitomo Mitsui Banking	A	8,980,127	2.33%	25%	Yes
Suncorp Bank	A+	9,085,019	2.35%	25%	Yes
UBS AG	A+	2,293,355	0.59%	25%	Yes
Westpac Banking Corporation Ltd	AA-	46,520,412	12.05%	35%	Yes
Portfolio Total		385,965,995	100.00%		

Credit rating policy limit compliance

Credit rating	Market value	% Portfolio	Maximum policy limit	Complies to Investment policy "Yes/No"
AAA Category	1,599,800	0.41%	100%	Yes
AA Category	250,561,058	64.92%	100%	Yes
A Category	60,531,538	15.68%	60%	Yes
BBB Category	64,910,764	16.82%	45%	Yes
Unrated	8,362,834	2.17%	10%	Yes
Total Portfolio	385,965,995	100.00%		

Compliance with Investment policy – In summary

Legislative requirements	✓	Fully compliant, noting exception applicable to grandfathered mortgaged-backed investments.
Portfolio credit rating limit	✓	Fully compliant
Institutional exposure limits	✓	Fully compliant
Overall portfolio credit limits	✓	Fully compliant
Term to maturity limits	✓	Fully compliant

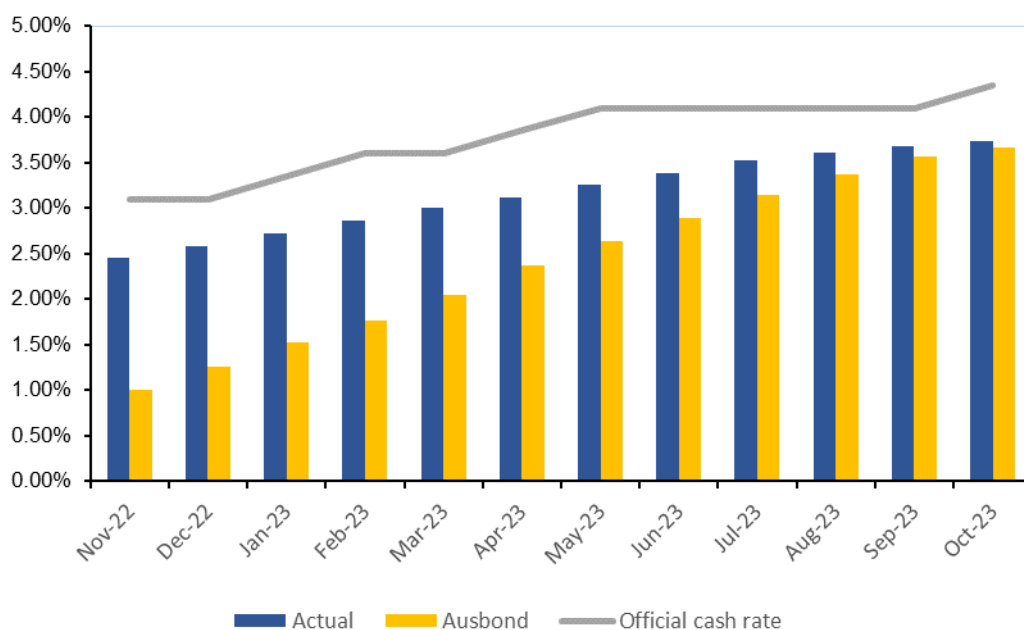
Portfolio performance against relevant market benchmark

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 current ABBI benchmark reflects recent RBA actions to lift the cash rate. The portfolio performance is expected to be below ABBI benchmark in coming months and this trend will continue until such time low-yielding investments mature.

The portfolio yield for the year to October 2023 exceeded the ABBI index by 8 basis points (portfolio yield: 3.74%; ABBI: 3.66%).

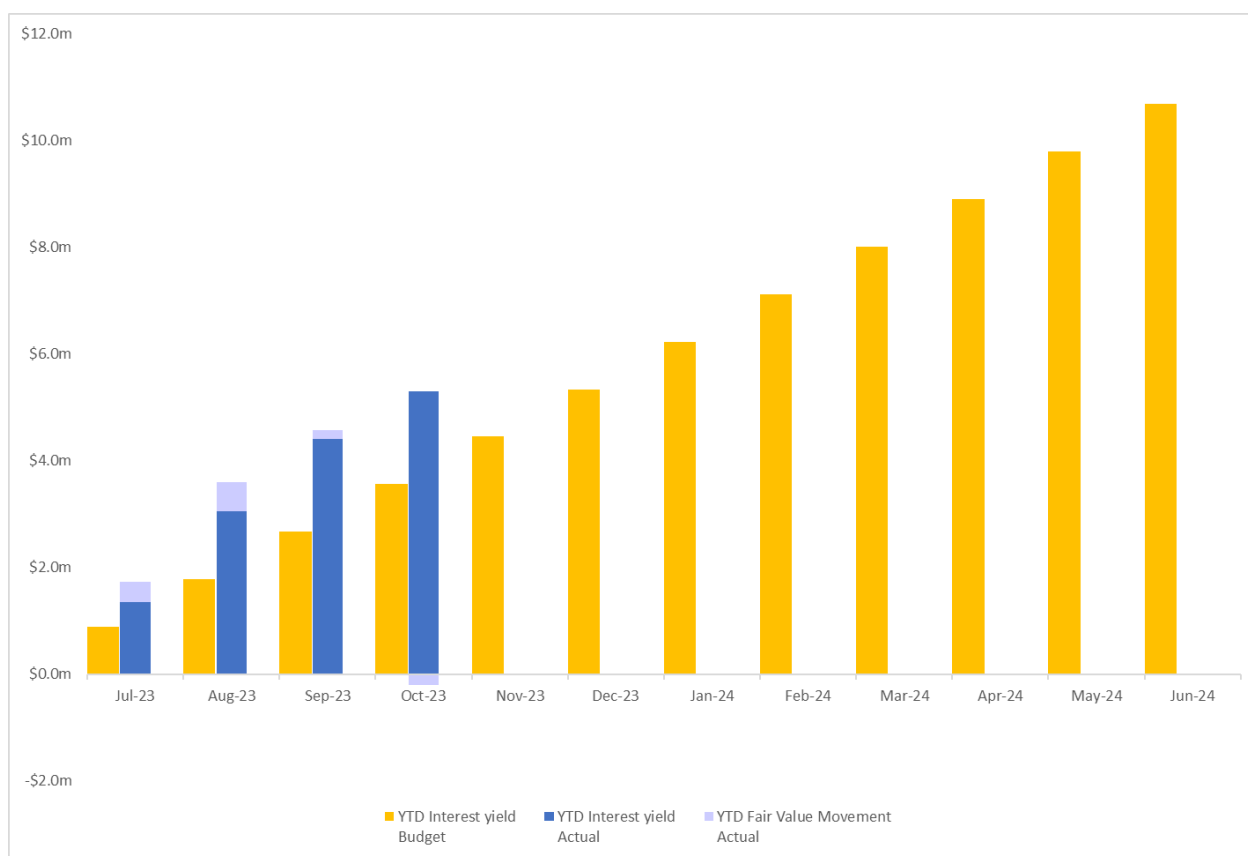
Comparative yields for the previous months are charted below:



Performance of portfolio returns against budget

Year-to-date, Council's investment income was \$1.73 million higher than the original budget. This is due to a combination of increase in market interest rate and unrealised gain in fair value of Floating Rate Notes (FRNs).

	YTD Budget	YTD Actuals	Budget Variance
Interest yield on cash holdings	\$3.56m	\$5.48m	\$1.92m
Fair value market movement	\$0.00m	-\$0.19m	-\$0.19m
Total	\$3.56m	\$5.29m	\$1.73m



Economic outlook – Reserve Bank of Australia

The Reserve Bank of Australia has increased the official cash rate to 4.35 per cent in its meeting on 7 November 2023.

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*, section 212 of the *Local Government (General) Regulation 2021* 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 income was \$1.73 million higher than the original budget at 31 October 2023.
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	Local Government Act 1993, section 625 Local Government (General) Regulation 2021, section 212 As required by the Local Government Act, Council is fully compliant with the ministerial requirements specified in the <i>Local Government Act 1993 – Investment Order</i> (relating to investments by councils) and with reporting requirements under section 212 of the <i>Local Government (General) Regulation 2021</i> .
Risk	The capital value and return-on-investment is subject to market risks. Investment limits prescribed in Council's policy framework is aimed to mitigate these risks.

ATTACHMENTS

1. Investment Portfolio October 2023



Portfolio Valuation As At 31 October 2023

Fixed Interest Security	Maturity Date	Rating	Current	Market Value	Total	Yield
Current Account						
CBA Business Saver		AA-	67,791,707.11	67,791,707.11	17.56%	4.20%
CBA General Account		AA-	1,278,066.28	1,278,066.28	0.33%	0.00%
AMP Business Saver		BBB	15,114,770.81	15,114,770.81	3.92%	2.65%
AMP Notice Account		BBB	8,799.17	8,799.17	0.00%	4.70%
Macquarie Bank Accelerator Account		A+	1,577.90	1,577.90	0.00%	3.91%
Macquarie Bank Account		A+	28,697.27	28,697.27	0.01%	3.91%
			84,223,618.54	84,223,618.54	21.81%	
Fixed Rate Bond						
Commonwealth Bank	14/01/2027	AA-	5,000,000.00	4,556,125.00	1.18%	2.40%
Bank of Queensland	29/10/2025	BBB+	4,000,000.00	3,872,740.00	1.00%	4.00%
Bank of Queensland	27/10/2026	BBB+	4,750,000.00	4,254,518.00	1.10%	2.10%
Bendigo & Adelaide Bank	17/03/2025	BBB+	2,750,000.00	2,659,558.00	0.69%	3.00%
UBS AG	26/02/2026	A+	2,550,000.00	2,293,355.25	0.59%	1.10%
ING Direct	19/08/2026	A	1,800,000.00	1,599,800.40	0.41%	1.10%
Macquarie Bank	14/09/2026	A+	4,200,000.00	4,141,704.00	1.07%	4.95%
NAB	25/02/2027	AA-	4,500,000.00	4,154,283.00	1.08%	2.90%
Suncorp	25/01/2027	A+	4,500,000.00	4,080,298.50	1.06%	2.50%
			34,050,000.00	31,612,382.15	8.19%	
Floating Rate Note						
ANZ Bank	29/08/2024	AA-	5,000,000.00	5,011,685.00	1.30%	4.91%
ANZ Bank	16/01/2025	AA-	3,000,000.00	3,006,852.00	0.78%	4.91%
ANZ Bank	31/03/2028	AA-	2,500,000.00	2,513,377.50	0.65%	5.21%
ANZ Bank	11/09/2028	AA-	4,200,000.00	4,195,997.40	1.09%	5.06%
Citibank, N.A.	14/11/2024	A+	1,000,000.00	1,000,994.00	0.26%	5.05%
Commonwealth Bank	17/08/2028	AA-	3,500,000.00	3,501,984.50	0.91%	5.11%
Credit Union Australia	24/10/2024	BBB	2,500,000.00	2,502,135.00	0.65%	5.35%
HSBC	27/09/2024	AA-	3,000,000.00	3,006,000.00	0.78%	4.97%
HSBC	27/09/2024	AA-	2,000,000.00	2,004,000.00	0.52%	4.97%
Macquarie Bank	07/08/2024	A+	4,000,000.00	4,007,288.00	1.04%	4.98%
Macquarie Bank	12/02/2025	A+	3,000,000.00	3,006,078.00	0.78%	5.01%
Macquarie Bank	14/09/2026	A+	4,800,000.00	4,793,793.60	1.24%	4.97%
NAB	26/02/2024	AA-	5,000,000.00	5,009,485.00	1.30%	5.18%
NAB	19/06/2024	AA-	4,000,000.00	4,011,084.00	1.04%	5.05%
Rabobank Australia Branch	27/01/2027	A+	2,700,000.00	2,684,402.10	0.70%	5.04%
Rabobank Australia Branch	19/01/2028	A+	1,500,000.00	1,508,502.00	0.39%	5.40%
RACQ Bank	24/02/2026	BBB+	1,500,000.00	1,498,243.50	0.39%	5.64%
Suncorp	30/07/2024	A+	3,000,000.00	3,002,832.00	0.78%	5.12%
Suncorp	30/07/2024	A+	2,000,000.00	2,001,888.00	0.52%	5.12%
Sumitomo Mitsui Banking	23/10/2026	A	5,000,000.00	4,998,875.00	1.30%	5.11%
Sumitomo Mitsui Banking	20/01/2027	A	4,000,000.00	3,981,252.00	1.03%	5.00%
Westpac	16/11/2023	AA-	6,000,000.00	5,999,940.00	1.55%	5.10%
Westpac	24/04/2024	AA-	4,000,000.00	4,012,544.00	1.04%	5.37%
Westpac	16/08/2024	AA-	2,500,000.00	2,507,927.50	0.65%	5.03%
			79,700,000.00	79,767,160.10	20.67%	

Mortgage Backed Security

EmeraldMBS2006-1A	21/08/2051	Unrated	815,308.94	750,637.82	0.00194483	0.045943
EmeraldMBS2006-1C	21/08/2056	Unrated	1,000,000.00	807,794.00	0.21%	5.34%
EmeraldMBS2007-1C	23/07/2057	Unrated	500,000.00	375,545.00	0.10%	5.16%
			2,315,308.94	1,933,976.82	0.50%	

Term Deposit

AMP	45264	BBB	2,000,000.00	2,000,000.00	0.0051818	0.033
ANZ	30/04/2024	AA-	5,000,000.00	5,000,000.00	1.30%	5.09%
ANZ	01/07/2024	AA-	5,000,000.00	5,000,000.00	1.30%	5.13%
ANZ	30/07/2024	AA-	5,000,000.00	5,000,000.00	1.30%	5.15%
ANZ	26/10/2026	AA-	3,000,000.00	3,000,000.00	0.78%	5.35%
Auswide Bank	07/02/2024	BBB	3,000,000.00	3,000,000.00	0.78%	5.45%
Bank of Queensland	22/12/2023	BBB+	5,000,000.00	5,000,000.00	1.30%	1.20%
Bank of Queensland	28/03/2024	BBB+	3,000,000.00	3,000,000.00	0.78%	2.40%
Bank of Queensland	31/05/2024	BBB+	3,000,000.00	3,000,000.00	0.78%	3.72%
Commonwealth Bank	22/11/2023	AA-	5,000,000.00	5,000,000.00	1.30%	4.19%
Commonwealth Bank	28/03/2024	AA-	3,000,000.00	3,000,000.00	0.78%	2.43%
Commonwealth Bank	15/08/2024	AA-	3,000,000.00	3,000,000.00	0.78%	5.57%
Commonwealth Bank	12/12/2024	AA-	10,000,000.00	10,000,000.00	2.59%	4.63%
Commonwealth Bank	13/01/2025	AA-	5,000,000.00	5,000,000.00	1.30%	4.63%
Commonwealth Bank	27/11/2025	AA-	10,000,000.00	10,000,000.00	2.59%	4.60%
ING Bank	05/08/2025	A	3,000,000.00	3,000,000.00	0.78%	5.30%
ING Bank	01/09/2025	A	3,000,000.00	3,000,000.00	0.78%	5.37%
ING Bank	24/09/2025	A	5,000,000.00	5,000,000.00	1.30%	5.20%
ING Bank	25/09/2026	A	5,000,000.00	5,000,000.00	1.30%	5.15%
ING Bank	10/10/2028	A	3,000,000.00	3,000,000.00	0.78%	5.30%
G & C Mutual Bank	17/09/2025	BBB	3,000,000.00	3,000,000.00	0.78%	5.20%
Great Southern Bank	23/04/2024	BBB	3,000,000.00	3,000,000.00	0.78%	5.12%
Great Southern Bank	29/07/2024	BBB	3,000,000.00	3,000,000.00	0.78%	5.24%
Members Equity Bank	22/12/2023	BBB	5,000,000.00	5,000,000.00	1.30%	1.20%
NAB	30/05/2024	AA-	5,000,000.00	5,000,000.00	1.30%	5.02%
NAB	30/05/2024	AA-	5,000,000.00	5,000,000.00	1.30%	3.49%
NAB	25/06/2024	AA-	5,000,000.00	5,000,000.00	1.30%	5.20%
NAB	13/09/2024	AA-	5,000,000.00	5,000,000.00	1.30%	1.10%
NAB	08/09/2025	AA-	5,000,000.00	5,000,000.00	1.30%	0.82%
Northern Territory Treasury	16/12/2024	AA-	5,000,000.00	5,000,000.00	1.30%	1.00%
Northern Territory Treasury	15/12/2025	AA-	5,000,000.00	5,000,000.00	1.30%	1.20%
Northern Territory Treasury	15/12/2026	AA-	5,000,000.00	5,000,000.00	1.30%	1.50%
P&N Bank	22/12/2023	BBB	5,000,000.00	5,000,000.00	1.30%	1.20%
Westpac	22/12/2023	AA-	10,000,000.00	10,000,000.00	2.59%	1.25%
Westpac	20/11/2023	AA-	10,000,000.00	10,000,000.00	2.59%	4.60%
Westpac	25/03/2024	AA-	3,000,000.00	3,000,000.00	0.78%	2.39%
Westpac	31/05/2024	AA-	5,000,000.00	5,000,000.00	1.30%	3.54%
Westpac	28/10/2024	AA-	3,000,000.00	3,000,000.00	0.78%	5.42%
Westpac	27/10/2025	AA-	3,000,000.00	3,000,000.00	0.78%	5.37%
			182,000,000.00	182,000,000.00	45.60%	
Total			382,288,927.48	379,537,137.61	96.77%	

T-Corp

NSWTC IM Long Term Growth Fund	Unrated	6,125,337.88	6,428,857.27	0.01665654	
		6,125,337.88	6,428,857.27	1.67%	
Total		382,288,927.48	379,537,137.61	96.77%	
Portfolio Total		388,414,265.36	385,965,994.88	98.44%	

BUS 01**Audit, Risk and Improvement Committee Charter**

Strategic Objective	Visionary, Leading, Responsible Demonstrate a high standard of transparency and accountability through a comprehensive governance framework
File Ref	379576.2023
Report By	George Hampouris - Head of Audit, Risk and Improvement
Approved By	Michelle Mcilvenny - Director Customer & Business Performance

EXECUTIVE SUMMARY

The Audit Risk and Improvement (ARIC) Committee - Charter has been reviewed as required by 30 June 2023 and is broadly in line with the model ARIC Terms of Reference (ToR) provided by the Office of Local Government. This has been endorsed by the ARIC Committee at its meeting on the 13 October.

RECOMMENDATION

That Council adopts the Audit, Risk and Improvement Committee Charter

REPORT

The objective of the Audit, Risk and Improvement Committee is to provide independent assistance to Liverpool City Council by monitoring, reviewing and providing advice about the organisation's governance processes, risk management and control frameworks. For consistency with Council's naming conventions even through the Office of Local Government (OLG) refer to it as ToR, Council will be re-naming it to "Charter".

The Local Government Regulations (upon enactment) will stipulate that that all Councils will be required to adopt the model ToR for Audit, Risk and Improvement Committees by 1 July 2024. The model ToR is made available by OLG on their website.

The Liverpool Council Audit Risk and Improvement Committee Charter (At-1) was developed in line with the model template provided by the OLG and broadly consistent with the duties and functions of ARIC as per the OLG Guidelines for Risk Management and Internal Audit for Local Government in NSW.

CUSTOMER & BUSINESS PERFORMANCE REPORT

One exception to this should be noted- the attached ARIC Charter indicates that the number of Councillors on the Council's ARIC will remain as the status quo. i.e. 5 members in total which includes 2 non-independent (1 Councillor and 1 Deputy Mayor).

The new model ToR, which is required to be adopted in full by the 1 July 2024, stipulates that only one Councillor should be on the Committee as a "non-voting member". The ARIC believed that until required, the Councillor representation on the ARIC should be maintained. This is consistent with Councils submission to OLG on the guidelines whereby Liverpool Council clearly expressed that Councillor representation and membership is vital on the ARIC Committee to provide a community lens on matters tabled.

CONSIDERATIONS

Economic	There are no economic and financial considerations. The report proposes maintaining the current amount of independent Committee members with no change to the fee structure. As such there is no budget impact.
Environment	There are no environmental and sustainability considerations.
Social	There are no social and cultural considerations.
Civic Leadership	Provide information about Council's services, roles, and decision-making processes. Operate a well-developed governance system that demonstrates accountability, transparency, and ethical conduct.
Legislative	Local Government Act 1993, sections 428A and 428B Local Government (General) Regulation 2021, Section (TBC)
Risk	Low

ATTACHMENTS

1. Audit Risk and Improvement Committee - Charter (Terms of Reference)



**CHARTER (TERMS OF REFERENCE)
LIVERPOOL CITY COUNCIL AUDIT, RISK AND
IMPROVEMENT ARIC COMMITTEE**

Adopted: *(Current date)*

TRIM *(Number)*



CHARTER (TERMS OF REFERENCE) - LIVERPOOL CITY COUNCIL AUDIT, RISK AND IMPROVEMENT ARIC COMMITTEE

DIRECTORATE: Customer and Business Performance

BUSINESS UNIT: Audit Risk & Improvement

Liverpool City Council (LCC) has established an Audit, Risk and Improvement ARIC committee (ARIC committee) in compliance with section 428A of the *Local Government Act 1993*, section (TBC) of the *Local Government (General) Regulation 2021* and the Departmental Chief Executive's Guidelines for risk management and internal audit for local government in NSW. This Charter sets out the ARIC committee's objectives, authority, composition and tenure, roles and responsibilities, reporting and administrative arrangements.

1. OBJECTIVE

The objective of LCC's ARIC committee is to provide advice to Council by monitoring, reviewing and providing advice about LCC's governance processes, compliance, risk management and control frameworks, external accountability obligations and overall performance.

2. INDEPENDENCE

The ARIC committee is to be majority independent to ensure it has no real or perceived bias or conflicts of interest that may interfere with its ability to act independently and to provide LCC with robust, objective and unbiased advice.

The ARIC committee is to have an advisory role only and is to exercise no administrative functions, delegated financial responsibilities or any management functions of LCC. The ARIC committee will provide independent advice to Council that is informed by LCC's internal audit and risk management activities and information, and advice provided by staff, relevant external bodies and subject matter experts.

The ARIC committee must always ensure it maintains a direct reporting line to and from LCC's internal audit function and act as a mechanism for internal audit to report to Council and the Chief Executive Officer on matters affecting the performance of the internal audit function.

3. AUTHORITY

Council authorises the ARIC committee, for the purposes of exercising its responsibilities, to:

- access any information it needs from Council.
- use any LCC resources it needs
- have direct and unrestricted access to the Chief Executive Officer and senior management of LCC
- seek the Chief Executive Officer's permission to meet with any other LCC staff member or contractor.
- discuss any matters with the external auditor or other external parties.
- request the attendance of any employee at ARIC committee meetings, and
- obtain external legal or other professional advice in line with LCC's procurement policies.

Information and documents pertaining to the ARIC committee are confidential and are not to be made publicly available. The ARIC committee may only release LCC information to external parties that are assisting the ARIC committee to fulfil its responsibilities with the approval of the Chief Executive Officer, except where it is being provided to an external investigative or oversight agency for the purpose of informing that agency of a matter that may warrant its attention.

4. COMPOSITION AND TENURE

The ARIC committee consists of an independent chair, two independent members and two councillors.

Council is to appoint the chair and members of the ARIC committee.
ARIC committee members are:

Andrew Mcleod	Independent chair
Sheridan Dudley	Independent member
Robert Lagaida	Independent member
To be determined via a resolution of Council annually	Councillor member
To be determined via a resolution of Council annually	Deputy Mayor

All independent ARIC committee members must meet the independence and eligibility criteria prescribed in the *Guidelines for risk management and internal audit for local government in NSW*.

Independent members will be appointed for up to a four-year term. Members can be reappointed for one further term, but the total period of continuous membership cannot exceed eight years. This includes any term as chair of the ARIC committee. Members who have served an eight-year term (either as a member or as chair) must have a two-year break from serving on the ARIC committee before being appointed again. To preserve the ARIC committee's knowledge of LCC, ideally, no more than one member should retire from the ARIC committee because of rotation in any one year.

The terms and conditions of each independent member's appointment to the ARIC committee are to be set out in a letter of appointment. New members will be thoroughly inducted to their role and receive relevant information and briefings on their appointment to assist them to meet their responsibilities.

Prior to approving the reappointment or extension of the Chair's or an independent member's term, Council is to undertake an assessment of the Chair's or ARIC committee member's performance. Reappointment of the Chair or an ARIC committee member is also to be subject to that person still meeting the independence and eligibility requirements.

Independent members of the ARIC committee must possess and maintain a broad range of skills, knowledge and experience relevant to the operations, governance and financial management of LCC, the environment in which LCC operates, and the contribution that the ARIC committee makes to the LCC. At least one member of the ARIC committee must have accounting or related financial management experience with an understanding of accounting and auditing standards in a local government environment. All members should have sufficient understanding of LCC's financial reporting responsibilities to be able to contribute to the ARIC committee's consideration of LCC's annual financial statements.

The Council member/ Deputy mayor will be elected by Council on the 30 September each year to the ARIC Committee for a period of 12-months.

5. ROLE

As required under section 428A of the *Local Government Act 1993* (the Act), the role of the ARIC committee is to review and provide independent advice to Council regarding the following aspects of the LCC's operations:

- compliance
- risk management
- fraud control
- financial management
- governance
- implementation of the strategic plan, delivery program and strategies

- service reviews
- collection of performance measurement data by LCC, and
- internal audit.

The ARIC committee must also provide information to Council for the purpose of improving Council's performance of its functions.

The ARIC committee's specific audit, risk and improvement responsibilities under section 428A of the Act are outlined in Schedule 1 to this charter.

The ARIC committee will act as a forum for consideration of LCC's internal audit function and oversee its planning, monitoring and reporting to ensure it operates effectively.

The ARIC committee has no power to direct external audit or the way it is planned and undertaken but will act as a forum for the consideration of external audit findings.

The ARIC committee is directly responsible and accountable to Council for the exercise of its responsibilities. In carrying out its responsibilities, the ARIC committee must at all times recognise that primary responsibility for management of the LCC rests with Council and the Chief Executive Officer.

The responsibilities of the ARIC committee may be revised or expanded in consultation with, or as requested by, Council from time to time.

6. RESPONSIBILITIES OF MEMBERS

Independent members

The chair and members of the ARIC committee are expected to understand and observe the requirements of the *Guidelines for risk management and internal audit for local government in NSW*. Members are also expected to:

- make themselves available as required to attend and participate in meetings
- contribute the time needed to review and understand information provided to it
- apply good analytical skills, objectivity and judgement
- act in the best interests of LCC
- have the personal courage to raise and deal with tough issues, express opinions frankly, ask questions that go to the fundamental core of the issue and pursue independent lines of inquiry
- maintain effective working relationships with LCC
- have strong leadership qualities (chair)
- lead effective ARIC committee meetings (chair), and
- oversee LCC's internal audit function (chair).

Councillor membership (non-independent members)

The membership composition for the non-independent members are a Councillor and the Deputy Mayor (referred to as Councillor members).

The role of Councillor members is to:

- relay to the ARIC committee any concerns they may have regarding LCC and issues being considered by the ARIC committee
- provide insights into local issues and the strategic priorities of LCC that would add value to the ARIC committee's consideration of agenda items
- advise Council (as necessary) of the work of the ARIC committee and any issues arising from it, and
- assist Council to review the performance of the ARIC committee.

Issues or information Councillor members raise with or provides to the ARIC committee must relate to the matters listed in Schedule 1 and issues being considered by the ARIC committee.

The Councillor members of the ARIC committee must conduct themselves in a non-partisan and professional manner. The Councillor member of the ARIC committee must not engage in any conduct that seeks to politicise the activities of the ARIC committee or the internal audit function or that could be seen to do so.

If the Councillor members of the ARIC committee engages in such conduct or in any other conduct that may bring the ARIC committee and its work into disrepute, the chair of the ARIC committee may recommend to Council, that the Councillor member/s be removed from membership of the ARIC committee. Where Council does not resolve to support the ARIC committee chair's recommendation, reasons for its decision must be provided in writing to the chair.

Conduct

Independent ARIC committee members are required to comply with LCC's code of conduct.

Complaints alleging breaches of LCC's code of conduct by an independent ARIC committee member are to be dealt with in accordance with the *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW*. The Chief Executive Officer must consult with Council before taking any disciplinary action against an independent ARIC committee member in response to a breach of LCC's code of conduct.

Conflicts of interest

Once a year, Independent ARIC committee members must provide written declarations to LCC stating that they do not have any conflicts of interest that would preclude them from being members of the ARIC committee. Independent ARIC committee members are 'designated persons' for the purposes of LCC's code of conduct and must also complete and submit returns of their interests.

ARIC committee members and observers must declare any pecuniary or non-pecuniary conflicts of interest they may have in a matter being considered at the meeting at the start of each meeting or as soon as they become aware of the conflict of interest. Where an ARIC committee member or observer declares a pecuniary or a significant non-pecuniary conflict of interest, they must remove themselves from deliberations on the issue. Details of conflicts of interest declared at meetings must be appropriately minuted.

7. WORK PLANS

The work of the ARIC committee is to be thoroughly planned and executed. The ARIC committee must develop a four-year strategic work plan to ensure that the matters listed in Schedule 1 are reviewed by the ARIC committee and considered by the internal audit function when developing their risk-based program of internal audits. The strategic work plan must be reviewed at least annually to ensure it remains appropriate.

The ARIC committee may, in consultation with Council, vary the strategic work plan at any time to address new or emerging risks. Council may also, by resolution, request the ARIC committee to approve a variation to the strategic work plan. Any decision to vary the strategic work plan must be made by the ARIC committee.

The ARIC committee must also develop an annual work plan to guide its work, and the work of the internal audit function over the forward year.

The ARIC committee may, in consultation with Council, vary the annual work plan to address new or emerging risks. Council may also, by resolution, request the ARIC committee to approve a variation to the annual work plan. Any decision to vary the annual work plan must be made by the ARIC committee.

When considering whether to vary the strategic or annual work plans, the ARIC committee must consider the impact of the variation on the internal audit function's existing workload and the completion of pre-existing priorities and activities identified under the work plan.

8. REPORTING

The ARIC committee must regularly report to LCC to ensure that it is kept informed of matters considered by the ARIC committee and any emerging issues that may influence the strategic direction of LCC or the achievement of LCC's goals and objectives.

The ARIC committee will provide an update to Council and the Chief Executive Officer of its activities and opinions after every ARIC committee meeting through the provision of the meeting minutes.

The ARIC committee will provide an annual assessment to Council and the Chief Executive Officer on the ARIC committee's work and its opinion on how LCC is performing.

The ARIC committee will provide a comprehensive assessment every council term of the matters listed in Schedule 1 to Council and the Chief Executive Officer.

The ARIC committee may at any time report to Council or the Chief Executive Officer on any other matter it deems of sufficient importance to warrant their attention. The Mayor and the chair of the ARIC committee may also meet at any time to discuss issues relating to the work of the ARIC committee.

Should Council require additional information, a request for the information may be made to the chair by resolution. The chair is only required to provide the information requested by Council where the chair is satisfied that it is reasonably necessary for Council to receive the information for the purposes of performing its functions under the Local Government Act. Individual Councillors are not entitled to request or receive information from the ARIC committee.

9. ADMINISTRATIVE ARRANGEMENTS

Meetings

The ARIC committee will meet at least a minimum 4 times per year. Dependant on timing and agenda volume an additional special meeting to review LCC's financial statements can be convened.

In addition, the ARIC committee can hold additional meetings when significant unexpected issues arise, or if the chair is asked to hold an additional meeting by an ARIC committee member, the Chief Executive Officer or Council.

ARIC committee meetings can be held in person, by telephone or videoconference (or a combination of all 3). Proxies are not permitted to form part of the membership compositions if an ARIC committee member cannot attend.

A quorum will consist of at least 2 independent voting members. Where the vote is tied, the chair has the casting vote. The meeting agenda will derive from the approved workplan and action items and other matters approved by the chair. A committee member, upon approval by the chair, can at any time request via the Head of Audit, Risk and Improvement that a matter be put on the upcoming agenda (contingent upon reasonable notice provided for the necessary information to be drafted and circulated).

Each ARIC committee meeting is to be minuted to preserve a record of the issues considered and the actions and decisions taken by the ARIC committee. Meetings can be recorded however this should be done for the purposes of minute taking. The recording should be destroyed upon the approval of those minutes.

Councillors are given an open invite to attend the meeting as observers.

The Chief Executive Officer and the Head of Audit, Risk and Improvement should attend ARIC committee meetings as non-voting observers. The Director Customer and Business Performance will service as a proxy to the Chief Executive Officer. The external auditor (or their representative) is to be invited to each ARIC committee meeting as an independent observer. The chair can request LCC's Chief Financial Officer and/or Directors, any Councillors, any employee/contractor of Council and any subject matter expert to attend ARIC committee meetings. Where requested to attend a meeting, persons must attend the meeting where possible and provide any information requested. Observers have no voting rights and can be excluded from a meeting by the chair at any time.

The ARIC committee can hold closed meetings whenever it needs to discuss confidential or sensitive issues with only voting members of the ARIC committee present.

The ARIC committee must meet separately with the Head Audit Risk and Improvement and LCC's external auditor at least once each year.

Dispute resolution

Members of the ARIC committee and LCC's management should maintain an effective working relationship and seek to resolve any differences they may have in an amicable and professional way by discussion and negotiation.

In the event of a disagreement between the ARIC committee and the Chief Executive Officer or other senior staff, the dispute is to be resolved by Council.

Unresolved disputes regarding compliance with statutory or other requirements are to be referred to the Departmental Chief Executive in writing.

Secretariat

The Chief Executive Officer will nominate a staff member to provide secretariat support to the ARIC committee. The secretariat will ensure the agenda for each meeting and supporting papers are circulated after approval from the Chair at least 1 week before the meeting and ensure that minutes of meetings are prepared and maintained. Minutes will be circulated to the independent members of the ARIC committee for feedback before they are circulated to Council. The ARIC committee will formally endorse those minutes at the subsequent meeting.

Resignation and dismissal of members

Where the chair or an ARIC committee member is unable to complete their term or does not intend to seek reappointment after the expiry of their term, they should give 3 months' notice to the chair and Council prior to their resignation to allow LCC to ensure a smooth transition to a new chair or ARIC committee member.

Council can, by resolution, terminate the appointment of the chair or an independent ARIC committee member before the expiry of their term where that person has:

- breached Council's code of conduct
- performed unsatisfactorily or not to expectations
- declared, or is found to be in, a position of a conflict of interest which is unresolvable
- been declared bankrupt or found to be insolvent
- experienced an adverse change in business status
- been charged with a serious criminal offence
- been proven to be in serious breach of their obligations under any legislation, or
- experienced an adverse change in capacity or capability.

The position of a Councillor member on the ARIC committee can be terminated at any time by Council by resolution.

Review arrangements

At least once every council term, Council must review or arrange for an external review of the effectiveness of the ARIC committee.

This Charter must be reviewed annually by the ARIC committee and once each council term by Council. Any substantive changes are to be approved by Council.

10. FURTHER INFORMATION

For further information on LCC's ARIC committee, contact George Hampouris on hampourisg@liverpool.nsw.gov.au or by phone 8711 7776

Reviewed by Chair of the Audit, Risk and Improvement committee

[signed]

[date]

Approved via a resolution of Council dated [date] reference number XXX

Next review date: [date]

Schedule 1 –ARIC committee responsibilities

Audit

Internal audit

- Provide overall strategic oversight of internal audit activities
- Act as a forum for communication between Council, Chief Executive Officer, senior management, the internal audit function and external audit
- Coordinate, as far as is practicable, the work programs of internal audit and other assurance and review functions
- Review and advise LCC:
 - on whether LCC is providing the resources necessary to successfully deliver the internal audit function
 - if LCC is complying with internal audit requirements, including conformance with the International Professional Practices Framework
 - if LCC's internal audit charter is appropriate and whether the internal audit policies and procedures and audit/risk methodologies used by LCC are suitable
 - of the strategic four-year work plan and annual work plan of internal audits to be undertaken by LCC's internal audit function
 - if LCC's internal audit activities are effective, including the performance of the head of the internal audit function and the internal audit function
 - of the findings and recommendations of internal audits conducted, and corrective actions needed to address issues raised
 - of the implementation by LCC of these corrective actions
 - on the appointment of the head of the internal audit function and external providers, and
 - if the internal audit function is structured appropriately and has sufficient skills and expertise to meet its responsibilities

External audit

- Act as a forum for communication between Council, Chief Executive Officer, senior management, the internal audit function and external audit
- Coordinate as far as is practicable, the work programs of internal audit and external audit
- Provide input and feedback on the financial statement and performance audit coverage proposed by external audit and provide feedback on the audit services provided
- Review all external plans and reports in respect of planned or completed audits and monitor council's implementation of audit recommendations
- Provide advice to Council and/or the Chief Executive Officer on action taken on significant issues raised in relevant external audit reports and better practice guides

Risk

Risk management

Review and advise LCC:

- if LCC's has in place a current and appropriate risk management framework that is consistent with the Australian risk management standard
- whether LCC is providing the resources necessary to successfully implement its risk management framework
- whether LCC's risk management framework is adequate and effective for identifying and managing the risks LCC faces, including those associated with individual projects, programs and other activities
- if risk management is integrated across all levels of LCC and across all processes, operations, services, decision-making, functions and reporting
- of the adequacy of risk reports and documentation, for example, LCC's risk register and risk profile
- whether a sound approach has been followed in developing risk management plans for major projects or undertakings
- whether appropriate policies and procedures are in place for the management and exercise of delegations
- if LCC has taken steps to embed a culture which is committed to ethical and lawful behaviour
- if there is a positive risk culture within LCC and strong leadership that supports effective risk management
- of the adequacy of staff training and induction in risk management
- how LCC's risk management approach impacts on LCC's insurance arrangements
- of the effectiveness of LCC's management of its assets, and
- of the effectiveness of business continuity arrangements, including business continuity plans, disaster recovery plans and the periodic testing of these plans.

Internal controls

Review and advise LCC:

- whether LCC's approach to maintaining an effective internal audit framework, including over external parties such as contractors and advisors, is sound and effective
- whether LCC has in place relevant policies and procedures and that these are periodically reviewed and updated
- whether appropriate policies and procedures are in place for the management and exercise of delegations
- whether staff are informed of their responsibilities and processes and procedures to implement controls are complied with
- if LCC's monitoring and review of controls is sufficient, and

- if internal and external audit recommendations to correct internal control weaknesses are implemented appropriately

Compliance

Review and advise LCC of the adequacy and effectiveness of LCC's compliance framework, including:

- if LCC has appropriately considered legal and compliance risks as part of LCC's risk management framework
- how LCC manages its compliance with applicable laws, regulations, policies, procedures, codes, and contractual arrangements, and
- whether appropriate processes are in place to assess compliance.

Fraud and corruption

Review and advise LCC of the adequacy and effectiveness of LCC's fraud and corruption prevention framework and activities, including whether LCC has appropriate processes and systems in place to capture and effectively investigate fraud-related information.

Financial management

Review and advise LCC:

- if LCC is complying with accounting standards and external accountability requirements
- of the appropriateness of LCC's accounting policies and disclosures
- of the implications for LCC of the findings of external audits and performance audits and LCC's responses and implementation of recommendations
- whether LCC's financial statement preparation procedures and timelines are sound
- the accuracy of LCC's annual financial statements prior to external audit, including:
 - management compliance/representations
 - significant accounting and reporting issues
 - the methods used by LCC to account for significant or unusual transactions and areas of significant estimates or judgements
 - appropriate management signoff on the statements
- if effective processes are in place to ensure financial information included in LCC's annual report is consistent with signed financial statements
- if LCC's financial management processes are adequate
- the adequacy of cash management policies and procedures
- if there are adequate controls over financial processes, for example:
 - appropriate authorisation and approval of payments and transactions
 - adequate segregation of duties
 - timely reconciliation of accounts and balances
 - review of unusual and high value purchases

- if policies and procedures for management review and consideration of the financial position and performance of LCC are adequate
- if LCC's grants and tied funding policies and procedures are sound.

Governance

Review and advise LCC regarding its governance framework, including LCC's:

- decision-making processes
- implementation of governance policies and procedures
- reporting lines and accountability
- assignment of key roles and responsibilities
- ARIC committee structure
- management oversight responsibilities
- human resources and performance management activities
- reporting and communication activities
- information and communications technology (ICT) governance, and
- management and governance of the use of data, information and knowledge

Improvement

Strategic planning

Review and advise LCC:

- of the adequacy and effectiveness of LCC's integrated, planning and reporting (IP&R) processes
- if appropriate reporting and monitoring mechanisms are in place to measure progress against objectives, and
- whether LCC is successfully implementing and achieving its IP&R objectives and strategies.

Service reviews and business improvement

- Act as a forum for communication and monitoring of any audits conducted by external bodies and the implementation of corrective actions (for example, NSW government agencies, Commonwealth government agencies, insurance bodies)
- Review and advise LCC:
 - if LCC has robust systems to set objectives and goals to determine and deliver appropriate levels of service to the community and business performance
 - if appropriate reporting and monitoring mechanisms are in place to measure service delivery to the community and overall performance, and
 - how LCC can improve its service delivery and LCC's performance of its business and functions generally
 - with regards to LCC's service review program including the extent on how these inform measures to improve overall service effectiveness and efficiency.

Performance data and measurement

Review and advise LCC:

- if LCC has a robust system to determine appropriate performance indicators to measure the achievement of its strategic objectives
- if the performance indicators LCC uses are effective, and
- of the adequacy of performance data collection and reporting.

CFD 01

2022-2023 Annual Report

Strategic Objective	Visionary, Leading, Responsible Demonstrate a high standard of transparency and accountability through a comprehensive governance framework
File Ref	348197.2023
Report By	Hiba Soueid - Manager City Strategy and Performance Vishwa Nadan - Chief Financial Officer
Approved By	Shayne Mallard - Director City Futures Farooq Portelli – Director Corporate Support

EXECUTIVE SUMMARY

The purpose of this report is to seek Council endorsement of the 2022-2023 Annual Report and Audited Financial Statements.

Council is required to present its Annual Report and Audited Financial Statements to the Office of Local Government within five months of the end of the financial year in accordance with Section 428 of the *Local Government Act 1993*.

The Annual Report is a comprehensive report to the community on the work undertaken by Council to deliver on the commitments of the Delivery Program via that year's Operational Plan. In addition, the report includes the statutory requirements and Audited Financial Statements (under a separate cover) as specified by relevant pieces of legislation.

At its meeting on 25 October 2023, Council authorised the issue and public exhibition of the 2022-2023 Audited Financial Statements in accordance with Section 417(5) of the *Local Government Act 1993*.

The financial statements together with the audit certificate were placed on public exhibition and lodged with the Office of Local Government.

Submissions closed on 3 November 2023. Council did not receive any submissions.

RECOMMENDATION

That Council receives and endorses the Annual Report and Audited Financial Statements for 2022-2023.

REPORT

The Annual Report for the 2022-23 financial year provides a comprehensive report to the community on Council's financial and operational progress. It also includes the statutory information required by different pieces of legislation and Council's Audited Financial Statements which have been prepared in accordance with the *Code of Accounting Practice and Financial Reporting*.

The Annual Report is a key piece of the Council's reporting and accountability to the community and stakeholders.

The report presents progress towards the outcomes of the Community Strategic Plan 2027, projects and actions in the Delivery Program 2017-22 and Operational Plan 2021-22, as well as key financial and statutory data.

The report is structured to effectively communicate Council's vision and commitment to the community, showcase its ability to lead and deliver on promises, and profile Council's activities and achievements. Additionally, it recognises and celebrates the significant contributions of staff members.

To comply with the Local Government (general) Regulation, the Annual Report and Audited Financial Statements must be endorsed by Council within five months of the end of the financial year, published on Council's website, and provided to the Minister for Local Government.

At its meeting on 25 October 2023, Council authorised the issue of the 2022-2023 audited financial statements.

The financial statements together with the audit certificate were lodged with the Office of Local Government in accordance with Section 417 of the *Local Government Act 1993* (The Act).

The audited financial statements were placed on public exhibition and members of the community were invited to make submissions as per Section 420 of The Act. Submissions closed on 3 November 2023.

The Act also requires Council to refer all submissions to its auditor. Should any submission include matters of significant omissions and/or misstatements in the financial statements, appropriate steps prescribed by the Office of Local Government will be taken to amend the financial statements. Council did not receive any submissions.

It is recommended that Council endorses the Annual Report and Audited Financial Statements for 2022-2023.

FINANCIAL IMPLICATIONS

There are no financial implications relating to this recommendation.

CONSIDERATIONS

Economic	The audited financial results for the ended 30 June 2023 are contained and presented in this report.
Civic Leadership	The Annual Report sets the direction for Council's strategic agenda, including all economic, environmental, social and civic leadership requirements.
Legislative	<p>The Annual Report has been developed in line with the <i>Local Government Act 1993</i>.</p> <p>In particular, Section 428 of the <i>Local Government Act</i> states:</p> <ul style="list-style-type: none"> • "The council must prepare an annual report within 5 months of the end of the financial year." • "The report will outline the council's achievements in implementing its Delivery Program through that year's Operational Plan, and report on the effectiveness of the principal activities undertaken to achieve the objectives in that year." • The report must contain the council's audited financial statements and notes and any information or material required by the Regulation or the Guidelines. <p>The Annual Report also provides the statutory information required by other pieces of legislation which are relevant to Council.</p>
Risk	<p>The risk is deemed to be High. Failure to provide regular progress reports to the council may result in non-compliance with the above legislation and may result in enforceable action by the Office of Local Government, Planning Policy.</p> <p>Financial risk management issues are included in the financial statements.</p>

ATTACHMENTS

Nil

OPER 01

**LHP Kayak Launch Facility Procurement
Exemption**

Strategic Objective	Healthy, Inclusive, Engaging Improve liveability and quality of life for the community by delivering vibrant parks, places and facilities
File Ref	336127.2023
Report By	Jason Breton - Director Operations
Approved By	Jason Breton - Director Operations

EXECUTIVE SUMMARY

The WestInvest Project Team are delivering the Lighthorse Park Project commencing 2023. One of the early works packages in the program is the construction of a Kayak Launch Facility.

To date, the Project Team have had little to no success in attracting a constructor via the established procurement approach.

The Project Team are seeking approval to identify and negotiate directly to meet Project timelines.

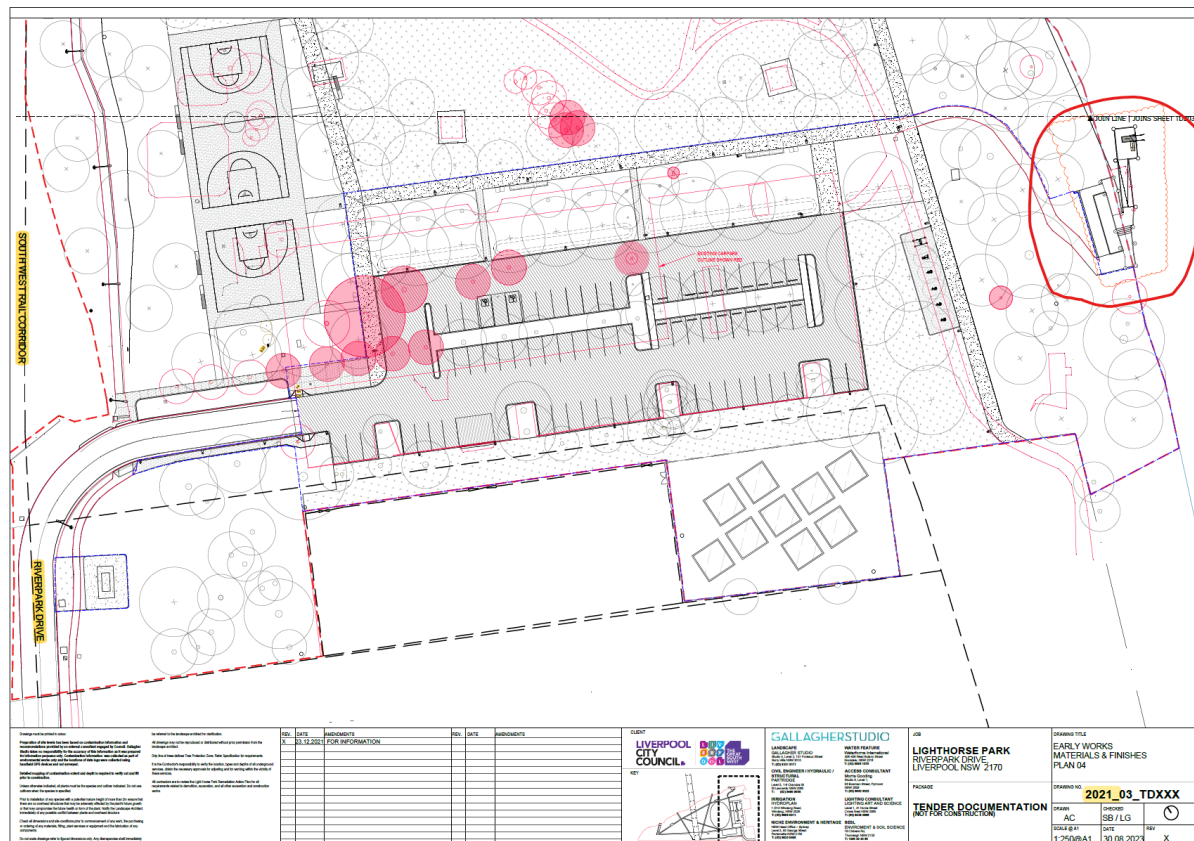
RECOMMENDATION

That Council approve the procurement exemption to enable the WestInvest Project Team to engage and negotiate directly with suitable subcontractors for the delivery of the Kayak Launch Facility.

REPORT

During September 2023, the WestInvest project Team established a Prescribed Agency arrangement with Councils Procurement Team. An RfT was developed and released to market for works at an estimated value of \$690k incl. GST.

The RfT was advertised between 1 September 2023 – 29 September 2023 and included a mandatory requirement for potential suppliers to visit the site of works (depicted below).



This site visit was scheduled for 21 September 2023 and five (5) potential suppliers registered to attend. On the morning of the site visit, three (3) companies withdrew from the RfT process.

The remaining two companies did not show up to the site. On this basis an addendum was issued for two additional conditions:

- Remove mandatory site visit requirements.
- Extension of tender submission date to 12 October 2023.

The WestInvest Project Team now seek Council approval to identify, engage and negotiate directly with suitable subcontractors for the delivery of the Kayak Launch Facility to meet Project deadlines.

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	There are no legislative considerations relating to this report.
Risk	There is no risk associated with this report.

ATTACHMENTS

Nil

OPER 02

**Carnes Hill Recreational Precinct Stage 2
(CHRPS2) - Amended Masterplan**

Strategic Objective	Healthy, Inclusive, Engaging Improve liveability and quality of life for the community by delivering vibrant parks, places and facilities
File Ref	363604.2023
Report By	Iqra Hoda - Project Officer, Community Planning
Approved By	Jason Breton - Director Operations

EXECUTIVE SUMMARY

This report seeks Council's endorsement for a revision to the Carnes Hill Recreation Precinct Stage 2 Masterplan to manage construction around high-voltage electricity cables through the centre of the site.

In 2022 Council endorsed a masterplan designed on the assumption that undergrounding the cables was within the budget of the project. Since then, Carnes Hill was announced as a recipient of WestInvest funds with a requirement to deliver the project by June 2027.

The project is now under way and recent investigations with TransGrid found that undergrounding the cables would cost \$12.7 million (24 per cent of the budget) and take up to four years to complete. The cost would have a significant impact on the project budget and the timeline risking delivery of the project within the terms of the WestInvest funding agreement.

To ensure the project is delivered on time and on budget, this report is seeking a masterplan revision which designs the project in line with TransGrid's requirements for the electricity cables.

RECOMMENDATION

That Council adopts the amended master plan for the Carnes Hill Aquatic and Recreational Precinct.

REPORT

BACKGROUND

In November 2018 Council resolved to investigate a suitable use for the site known as Carnes Hill Recreation Precinct Stage 2 (CHRPS2).

In 2019 Council commenced the development of a Masterplan for CHRPS2 which it adopted on 25 November 2020 (see Figure 1 below). The endorsed master plan from 2020 divided the precinct into two sections. The 'North Site' features two sporting fields with spectator seating areas, open-air sports courts, and associated car parking. The 'South Site' incorporates the new aquatic centre with a 50m indoor swimming pool, an outdoor splash park, a children's playground, and its corresponding car parking facilities.

LANDSCAPE MASTERPLAN



Figure 1: Endorsed Concept Plan 2020

During the initial 2020 master planning phase, the architect (COOP) considered the physical site constraints, including the presence of high voltage powerlines running diagonally through the site. The quantity survey at the time estimated it would cost \$5m to underground the powerlines. The 2020 masterplan was used as the basis for the WestInvest funding application for the Carnes Hill Aquatic Centre in mid-2022.

In 2022 Council completed an analysis of the LGA's aquatic requirements to guide strategy and design for aquatic and leisure offerings in the future. The Aquatic Leisure Centre Provision Implementation and Priority Plan (the Aquatic Plan) adopted in 2022 forecasted the increased

demand for hydrotherapy, aqua aerobics and swim school programs and a decline in demand for traditional 50m lap swimming facilities.

The CHRPS2 masterplan was updated and adopted 14 December 2022 to incorporate the findings of the Aquatic Plan (including reducing the pool from 50m to 25m) and integrating the new facilities within the site's natural landscape setting, on the assumption that relocating the overhead powerlines underground was feasible. The costs associated with undergrounding the powerlines were escalated to \$6m in 2022 (See Figure 2).

21 November 2022				
Carnes Hill Aquatic Facility - Order of Probable Cost Comparison				
Option	A 2020 Masterplan [current endorsed]	B North Site Option	C South Site Option [Michael Clarke]	Notes
Aquatic Centre				
Lower Level Building Works	\$0	\$0	\$4,689,041	
Upper Level Building Works	\$19,600,154	\$19,546,356	\$19,546,356	
Aquatic Works	\$11,370,480	\$5,845,800	\$7,720,800	Opt A has greatest pool volume, Opt B sim to C but without Warm Water pool
Extra Over for Suspended Pools			\$1,277,000	
External Works and Services	\$3,554,201	\$3,554,201	\$7,720,800	
Aquatic Centre Subtotal	\$34,524,835	\$28,946,357	\$40,953,997	
Associated Costs				
Power Lines UnderGround	\$0	\$6,000,000		\$0 The cost provided to move the power lines underground in 2020 was approx. \$5M, have added with escalation
Play Ground Relocation	\$0	\$0	\$1,338,868	
Tennis Court Relocation	\$0	\$0	\$400,000	
Associated Costs Subtotal	\$0	\$6,000,000	\$1,738,868	
Subtotal - Trade Works	\$34,524,835	\$34,946,357	\$42,692,865	
Escalation (5% pa to December 2023)	\$2,589,363	\$2,620,977	\$3,201,965	3 years applied to Opt A, 1.5 years applied to Opt B and C
Design Contingency (20%)	\$6,904,967	\$6,989,271	\$8,538,573	
Construction Contingency (10%)	\$3,452,484	\$3,494,636	\$4,269,287	
Prelims and Margins (15%)	\$5,178,725	\$5,241,954	\$7,684,716	18% applied to Opt C due to increased construction management requirements during construction on 'live' site
Total	\$52,650,374	\$53,293,195	\$66,387,405	

Figure 2: 2022 Cost comparison with escalation.



Figure 3: 2022 Master plan.

In February 2023 Council was advised the WestInvest funding application was successful and would proceed to a Deed of Agreement. The funding would provide \$53.4 million to deliver the aquatic and recreational centre on site.

Because the application was based on the original 50m pool, a report went back to Council in March 2023 to update the latest master plan to include the 50m pool.

Since the commencement of the detailed design phase for the Development Application (DA) in July 2023, a series of early works investigations were undertaken.

This included communication with the utility provider TransGrid, who own and manage the High Voltage transmission lines that cross the site. Upon review of the endorsed master plan, they advised that the proposal to underground the 330KV powerlines was both cost and time prohibitive, given the grant funded schedule and tight program.

Council has received the following advice from TransGrid in response to their review of the 2022 Masterplan:

“Regardless of the alignment of the transmission line, the current plans will require significant changes to meet the easement guidelines so it may be more practical to re-assess the design taking proper account of the easement before looking into a realignment

of the transmission line easement. This would, for example, include repositioning or redesigning the Gymnastics, Health and Fitness area.” Received 26 September 2023.

“Undergrounding a small (1-2 spans) section of a high voltage 330kV transmission line is not possible as its cost/time prohibitive, there are also requirements for extensive underground cable and transition station easements and the need for large transition stations (similar to substations) at either end of the underground cable as well as extensive exclusion zones (outside of these cable easement/transition stations areas) to mitigate Earth Potential Rise risk. Typical costs for undergrounding would be \$20m per km.

“Please also note that modifying TransGrid’s transmission network to meet the individual needs of proponents is a significant task. Extensive planning, coordination, engineering and construction activities are required. The costs for all of these activities are borne by the party requesting the change including any prefeasibility consultancy work, scoping study and actual design/construction activities. Typical timeframe are 3-4 years of planning, design and construction.” Received 25 October 2023.

Based on TransGrid’s advice the cost of relocating 465m (approximate length) of cables underground is estimated at \$9.3m plus additional expenses related to the transmission stations and consultancies. This equates to 24% of the WestInvest budget.

The 4-year planning timeframe would provide a substantial obstacle to delivering the project on time as construction of the aquatic centre would be delayed beyond the grant timeframe due to the extensive planning, coordination, engineering and construction works required. The cost and time associated with environmental and development approvals as well as community consultation and property acquisition will also be borne by Liverpool City Council.

Therefore, purpose of this report is to seek Council approval for the amended masterplan for Carnes Hill Aquatic and Recreational Centre as shown in Figure 4. The amended design eliminates the risks involved with the relocation of the high voltage transmission lines, while maintaining the same design outcomes for the precinct.

NEARBY

- 01. Hoxton Park Public School
- 02. Carnes Hill Marketplace
- 03. Kurrajong Road
- 04. Cowpasture Road
- 05. Pacific Palms Curcuit
- 06. Beard Creek

STAGE 1

- 07. Stage 1 Recreation & Community Facilities
- 08. Carnes Hill Library
- 09. Michael Clarke Recreation Centre
- 10. Outdoor Sports Courts
- 11. Community Playground
- 12. Skate Park

STAGE 2

- 13. Gymnastics, Health & Fitness
- 14. Indoor Aquatics Centre
- 15. Outdoor Splash Pads & Wetlands
- 16. Water Slides
- 17. Climbing Adventure Facility
- 18. Cafe and Outdoor Seating
- 19. Community Exercise Equipment
- 20. Community Table Tennis
- 21. Picnic Facilities
- 22. Sports Courts
- 23. Sports Court Change and Amenities
- 24. 2 Synthetic Sports Fields
- 25. Community Playground
- 26. Above Ground & Basement Parking
- 27. Amenities Block and Sports Store
- 28. Community Operated Learning Garden
- 29. HV Power Lines



Figure 4: 2023 Amended master plan. (see attached for higher resolution and scale version)

The revised design has been amended to adhere to TransGrid's 'Easement Guidelines' to prevent any potential design-related issues during the Development Application (DA) or Construction Certificate (CC) stages. Additional design refinements may be necessary as the project progresses through the DA process.

FINANCIAL IMPLICATIONS

It is estimated that it would cost Council approximately \$12.7m to underground the powerlines. This estimate is based on advice from TransGrid and a memo provided by quantity surveyors Turner and Townsend. The WestInvest funding application was based on the 2020 master plan which had no budget allocated in the grant funds to underground the cables. As a result, Council would need to allocate an additional \$12.7m to the project.

TransGrid has advised planning and construction of underground cables will take up to four years. This carries considerable risk to the project timeline as the construction schedule of the aquatic centre would have to be revised around TransGrid's work schedule and resources available.

If Council adopts the recommended masterplan, the cost and time delay risks associated with the TransGrid powerlines will be avoided.

CONSIDERATIONS

Economic	The financial impacts are outlined in the report above.
Environment	Protect, enhance and maintain areas of endangered ecological communities and high-quality bushland as part of an attractive mix of land uses.
Social	Deliver high quality services for children and their families.
Civic Leadership	Foster neighbourhood pride and a sense of responsibility. Deliver services that are customer focused.
Legislative	Local Government Act. 1993
Risk	The risk to the project is considered Low if Council adopts the revised masterplan. The risk to the project would be High if Council delays adoption or does not adopt the revised masterplan.

ATTACHMENTS

1. Carnes Hill Aquatic and Recreational Precinct Amended Master plan 2023
2. Review of HDV Costs

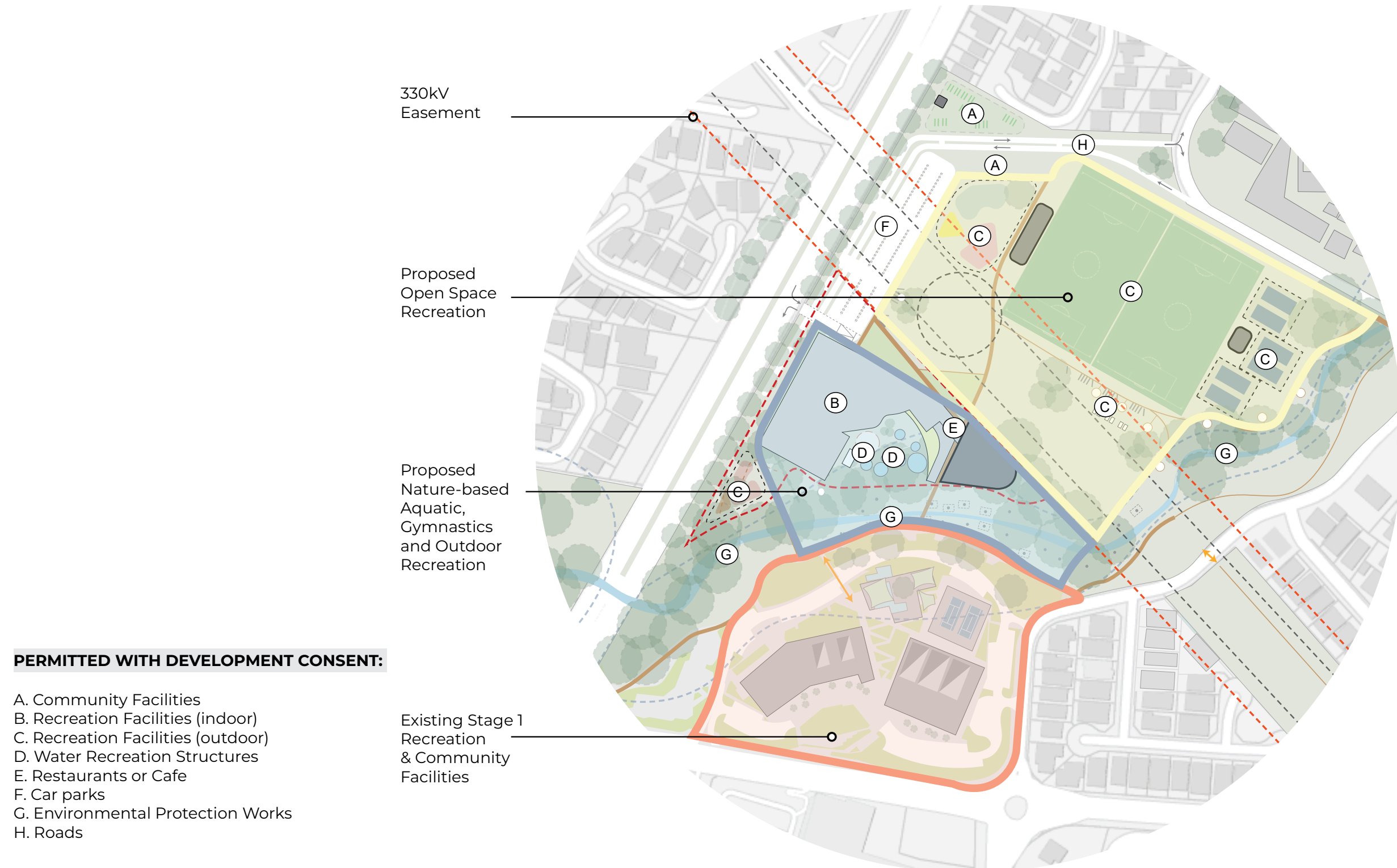
PREFERRED SITE CIRCULATION STRATEGY

PENDING TRAFFIC ENGINEERING FEEDBACK



RE1 PUBLIC RECREATION

PROPOSED LAND USES



REVISED MASTERPLAN 2023

VERSION A

NEARBY

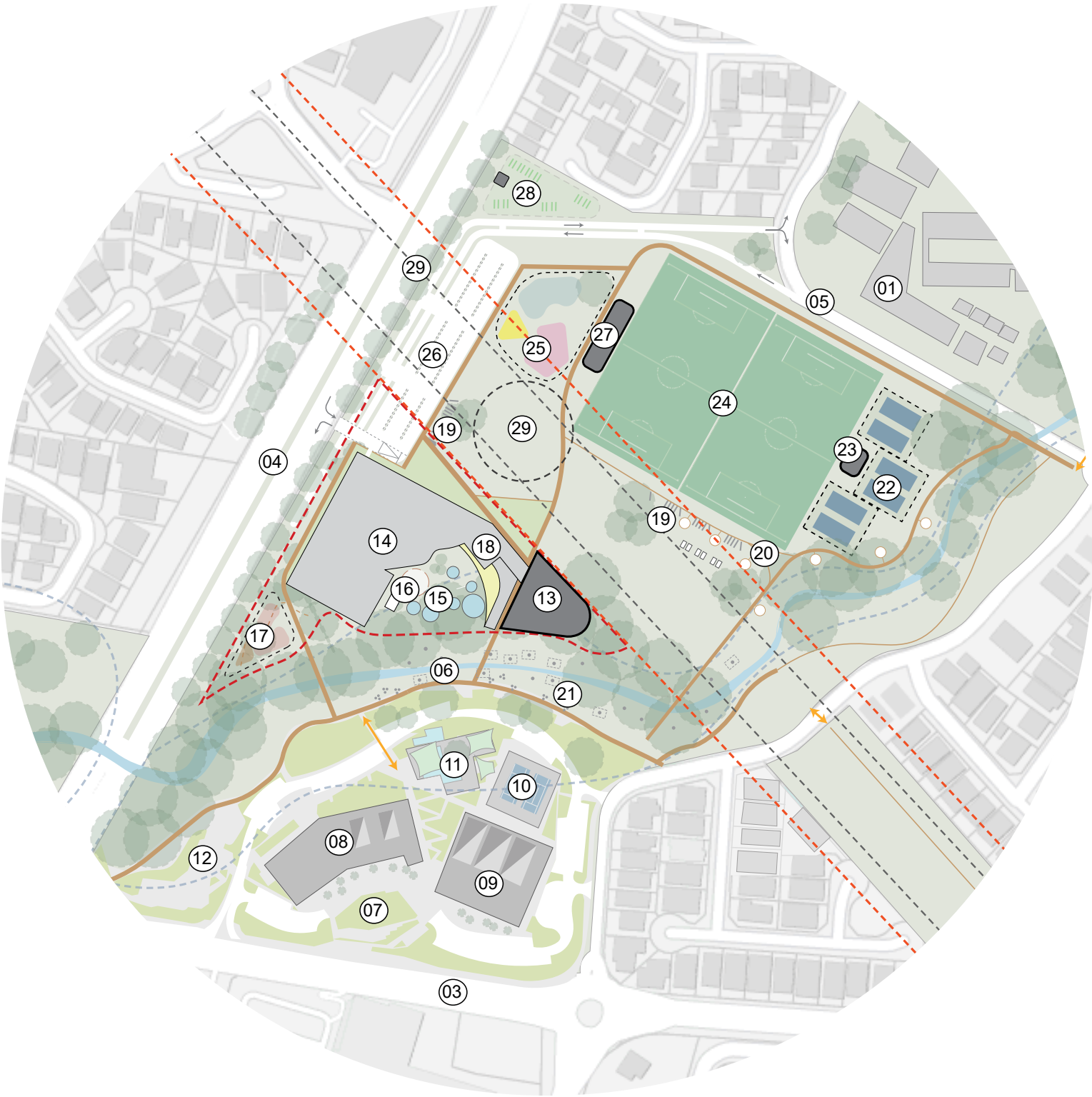
- 01. Hoxton Park Public School
- 02. Carnes Hill Marketplace
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STAGE 1

- 07. Stage 1 Recreation & Community Facilities
- 08. Carnes Hill Library
- 09. Michael Clarke Recreation Centre
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STAGE 2

- 13. Gymnastics, Health & Fitness
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- 15. Outdoor Splash Pads & Wetlands
- 16. Water Slides
- 17. Climbing Adventure Facility
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AQUATICS LAYOUT VERSION A

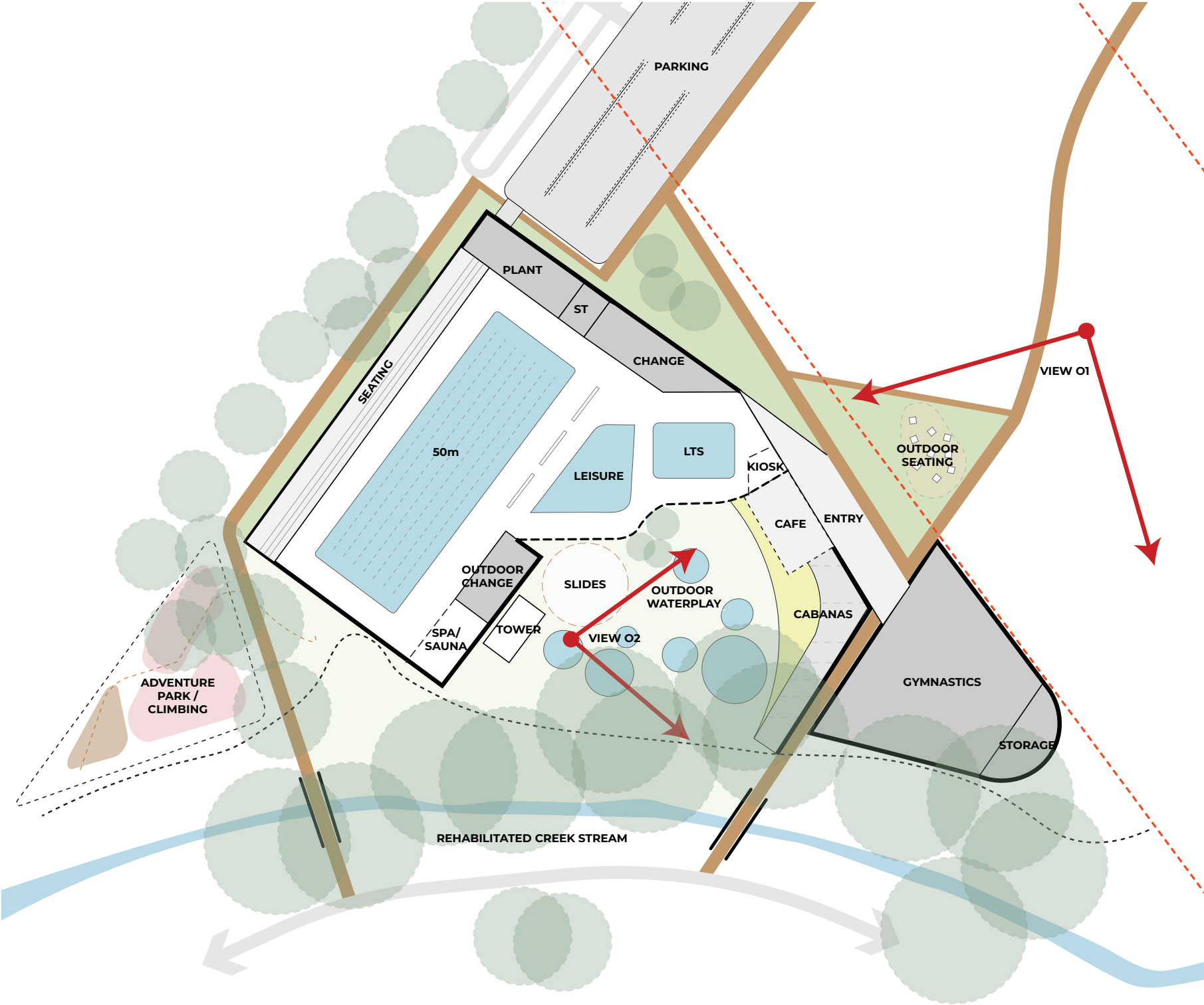
FOR DISCUSSION

CONCEPT

- 'Low Impact' aquatic facilities built into the landscape, relies on outdoor pools
- Form creates threshold and sheltered oasis screened from remainder of site by landscape mounds and built form
- Larger components such as 'Function' and 'Gymnastics' co-located, will require review of design language

FUNCTIONAL

- Aquatic components shown similar to previous concept when attached to Michael Clarke, no warm water pool
- Indoor 8 lane 50m pool
- Change Rooms & Amenities
- Slides and waterplay seek to connect indoor facilities and creek
- 'Cabanas' available for bookings
- Board Walk crosses creek connecting north and south
- Plant room access separate from pedestrian entry



AQUATICS LAYOUT VERSION A

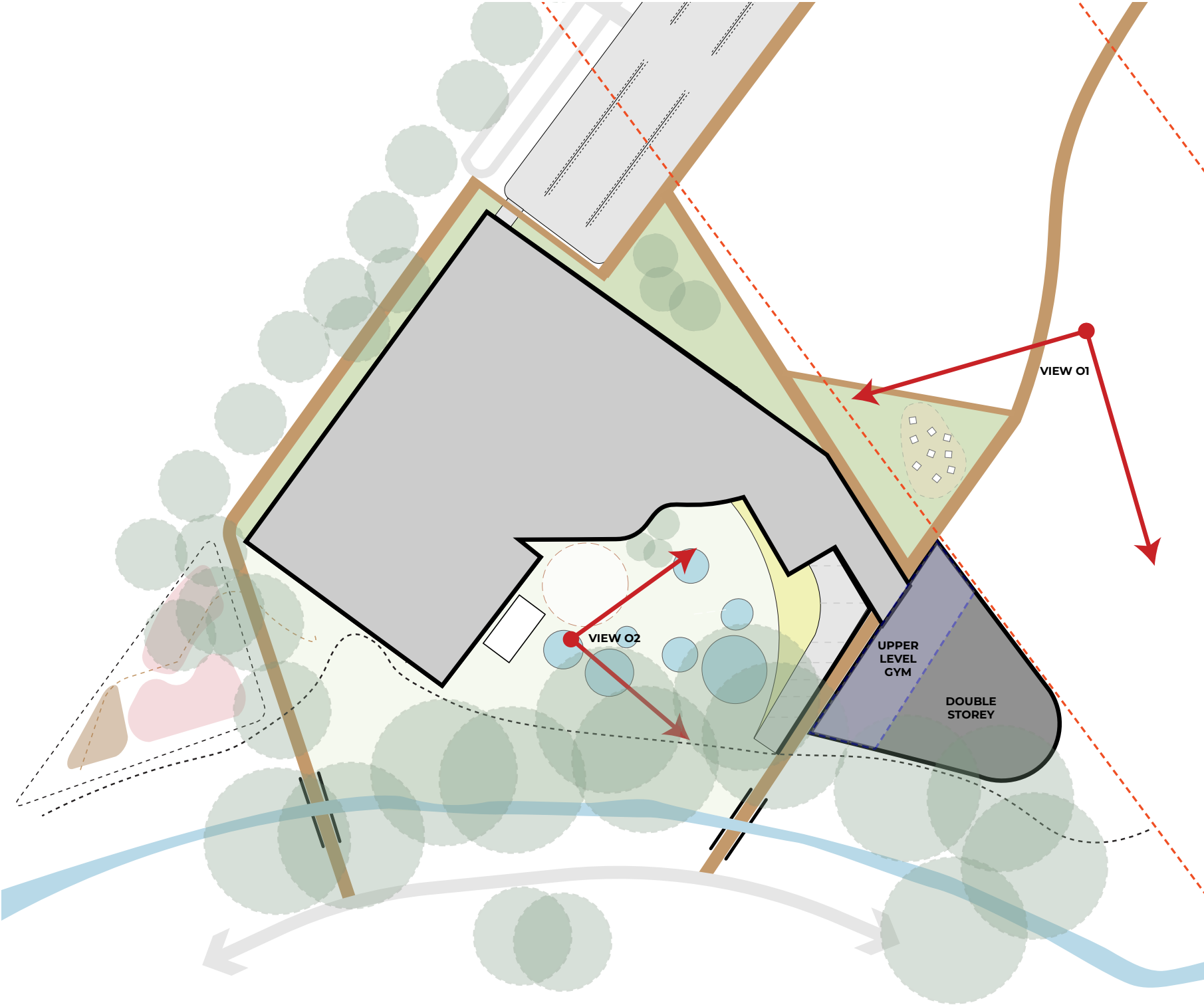
FOR DISCUSSION

CONCEPT

- 'Low Impact' aquatic facilities built into the landscape, relies on outdoor pools
- Form creates threshold and sheltered oasis screened from remainder of site by landscape mounds and built form
- Larger components such as 'Function' and 'Gymnastics' co-located, will require review of design language

FUNCTIONAL

- Other activities discussed previously such as high ropes tower, casual outdoor courts, bouldering, ninja course, zip line, fitness track/equipment, climbing walls/frames, maze, cable ski located near larger built form



RENDERS



Client Confidential



Turner & Townsend

Memorandum

From: Nana Yaw Osei-Owusu**To:** Iqra Hoda**Date:** 6 November 2023**Copy:** Jason Flentjar

High Level Estimate for HV Underground Transmission Lines

Hi Iqra,

We have reviewed the emails and documents issued by yourself to us on Tuesday; 31st October and Friday; 3rd November via outlook and have estimated at high level the below costs.

1. Demolish the overhead lines and poles, incl. disconnection, decommissioning: - \$630,000
2. Transition Stations (2 each), Cabling, Conduiting: - \$7,800,000
3. Excavation/ Trenching (incl. 10% allowance of Trenching volume for Rock Removal due to the depth): - \$1,500,000
4. Preliminaries and Contingency: - \$2,800,000.
5. Total: - \$12,730,000

The above costs are:

6. Based on 500m run of cable
7. Exclusive of removal of contaminated soil/ materials
8. High level based on the information provided to us.
9. Exclusive of GST.
10. Exclusive of Design Fees, Geotech Investigations.

Please let us know if there are any queries.

OPER 03

Early Introduction of Mattress Processing - Fees and Charges

Strategic Objective	Liveable, Sustainable, Resilient Manage waste effectively and maximise recycling opportunities
File Ref	372238.2023
Report By	Tim Pasley - Manager Resource Recovery
Approved By	Jason Breton - Director Operations

EXECUTIVE SUMMARY

On September 27, 2023, Council was presented with a report, titled CONF 07 Circular Economy Project (CEP) 1. This report unveiled Council's strategic business plan for initiating mattress shredding operations and offering fee-for-service solutions to other Councils, with the intended implementation in the upcoming financial year 2024/2025.

On October 13, 2023, Council received official approval to commence operations at the Rose Street depot. This approval grants Council the valuable opportunity to expedite its operational timeline beyond the initial expectations.

Within this report, two crucial fees and charges are outlined for Council's consideration. The introduction of these new charges not only facilitates the expansion of mattress processing services to other Councils but also accelerates the timeline for doing so, contingent upon Council's available capacity. This proactive approach underscores Council's commitment to sustainable waste management and the circular economy and its role as a service provider to neighbouring Councils in the region.

RECOMMENDATION

That Council endorses the fees and charges in this report pending a thirty-day public exhibition period.

REPORT

On 27th September Council resolved under CONF 07 that fees and charges be introduced, as per resolution below,

3. Note that the agreed service charge will be included as part of the Fees and Charges setting process 2024/2025

As part of this resolution, it was agreed that the service charge would be included in the Fees and Charges setting process for the 2024/2025 fiscal year. However, due to growing interest from other Councils and the potential for an earlier start date for this mattress processing operation, there is a need to adopt these fees and charges sooner pending Public exhibition.

Following endorsement The new fees and charges outlined will be presented on public exhibition for thirty days.

The specifics of these new fees and charges are as follows:

#	Fee and Charges	Amount Including GST	Description
1	Mattress Processing Fee – Delivered at Liverpool City Council Depot	\$30	This fee structure is established on a per-mattress basis, applicable to each mattress delivered to and processed at the designated Liverpool City Council facility. This fee is charged on the basis of cost recovery.
2	Mattress Cage Collection & Processing Fee – Collected from Metro Sydney Council Depot	\$40	This fee is structured as a per-mattress rate, collected from a metropolitan Sydney Council, and subsequently processed at the designated Liverpool City Council facility. This fee is charged on the basis of cost recovery.

FINANCIAL IMPLICATIONS

There are no financial implications relating to this recommendation.

CONSIDERATIONS

Economic	Facilitate economic development.
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	Include any relevant legislation and section here. There are no legislative considerations relating to this report.
Risk	There is no risk associated with this report.

ATTACHMENTS

Nil

CTTE 01

**Minutes of the Companion Animals Advisory
Committee Meeting held on 5 September 2023**

Strategic Objective	Healthy, Inclusive, Engaging Communicate, listen, engage and respond to the community by encouraging community participation
File Ref	358199.2023
Report By	Noelle Warwar - Manager Community Standards
Approved By	Lina Kakish - Director Planning & Compliance

EXECUTIVE SUMMARY

This report is tabled in order to present the Minutes of the Companion Animals Advisory Committee Meeting held on 5 September 2023.

RECOMMENDATION

That Council receives and notes the Minutes of the Companion Animals Advisory Committee Meeting held on 5 September 2023.

REPORT

The Minutes of the Companion Animals Advisory Committee held on 5 September 2023 are attached for the information of Council.

The Committee also passed the following motion at the meeting:

Motion: Committee recommends that Council staff investigate opportunities for fostering dogs from the Liverpool Animal Shelter based on procedures from the RSPCA and provide information on a general costing and any other issues with providing this service.

On being put to the meeting, the motion was declared carried.

FINANCIAL IMPLICATIONS

None of the actions contained in the minutes will have a financial impact on Council.

CONSIDERATIONS

Economic	There are no economic and financial considerations.
Environment	There are no environmental and sustainability considerations.
Social	Support community organisations, groups and volunteers to deliver coordinated services to the community.
Civic Leadership	Facilitate the development of community leaders. Encourage the community to engage in Council initiatives and actions. Provide information about Council's services, roles and decision making processes.
Legislative	There are no legislative considerations relating to this report.
Risk	There is no risk associated with this report.

ATTACHMENTS

1. Minutes from Companion Animals Advisory Committee Meeting on 5 September 2023



This meeting was recorded for minute taking purposes
This meeting occurred on MS Teams

MINUTES FROM COMPANION ANIMALS ADVISORY COMMITTEE MEETING 5 SEPTEMBER 2023

COUNCILLORS:

Karress Rhodes
Councillor Macnaught
Councillor Harle (online)

Committee Member

COMMITTEE MEMBERS:

Stephen Dobell-Brown
Rosalyn Faddy
Edward Humphries
Claudia Jones (online)

Community Member
Community Member
Veterinary
RSPCA, Welfare

COUNCIL ATTENDEES:

David Day
Noelle Warwar
Belinda Navas

A/Manager Community Standards
A/Coordinator Regulatory Services
Companion Animal Liaison Officer

APOLOGIES:

Nathan McCredie
Leanne Bourne

Dog Gone Mad, Behavioural & Training Specialist
Business Support Officer



OPEN

Meeting opened at 4:39 pm.

1. WELCOME, ATTENDANCE AND APOLOGIES

Clr Rhodes opened the meeting, d noted the apologies.

2. DECLARATIONS OF INTEREST

Nil

3. PREVIOUS MINUTES

The Committee was informed of the completed actions from the previous minutes.

Motion: That the minutes from the previous meeting held on 6 June 2023 be endorsed by the Committee.

Moved: Stephen Dobell-Brown

Seconded: Rosalyn Faddy

On being put to the meeting, the motion was declared carried.

Actions from Previous Minutes

Stephen Dobell-Brown queried from **(xiv)** in the Minutes from 6 June 2023 what other vet could assist Council with the desexing program. **Response: A/Coordinator advised the vet concerned was Liverpool Vet Hospital next to the Collingwood Hotel on the Hume Highway.**

Clr Rhodes asked if all animals released from the Liverpool Animal Shelter are desexed.

A/Coordinator Regulatory Services advised all animals adopted through the Liverpool Animal Shelter are desexed prior to being adopted by new owners.

Queries & Discussion

- i. Stephen Dobell Brown stated that in the Council papers it mentioned the Liverpool Animal Shelter project and questioned the progress of the animal shelter and any grants for it.

Clr Rhodes mentioned ongoing discussions with Animal Welfare League regarding the Liverpool Animal Shelter but no plans in place at this stage.

Clr Rhodes stated that Council applies for any grant that is available.

Clr Rhodes mentioned the last microchipping and vaccination day was in Warwick Farm in August and was well attended. This was also attended by a volunteer group giving away goodies. These groups included the RSPCA and its vets, an animal rescue cooperative stall and Vets Beyond Border. The next day is planned for March 2024 in a different location.



- ii. Cllr Rhodes asked if Council provided desexing of companion animals to residents?

Companion Animal Liaison Officer advised that Council has a desexing subsidy program running 365 days a year for pension cardholders. This is when pensioners have your pet desexed, microchipped and registered they can then apply for up to \$100 rebate towards the cost of desexing. Council also have a cat desexing program which is open to all residents.

- iii. Rosalyn Faddy queried if there has ever been a program in built up areas for feral cats that get caught and are not able to be rehomed.

Cllr Rhodes advised that there was a motion at the last Council meeting with Liverpool City Council joining with other Councils advocating for funding from the State Government for the purposes of capturing and then releasing cats after desexing them also for educating cat owners.

Claudia Jones stated that some Councils are targeting cat carers with the Keeping Cats Safe at Home project in conjunction with the RSPCA. The RSPCA is very flexible with the carers and happy to assist them especially in the Canterbury Bankstown area. This is an area where Councils can assist to encourage and make it more affordable for cat carers and remove the barrier for the registration fund. City of Sydney Council have been doing this for a while.

Action: Cllr Rhodes asked to bring to the Committee some information on what City of Sydney Council is doing and how it is funded.

Claudia Jones advised that the Mayor of City of Sydney is very generous in funding towards animal health programs and have two huge pet days each year.

- iv. Cllr Rhodes queried in the previous minutes that two cats ended up at the Liverpool Animal Shelter due to a breach of legislation and asked what legislation was breached?

The Companion Animals Liaison Officer advised she would take the question on Notice and advise further. A breach of legislation may be for a cat to be within certain distance of a public food consumption area ie. at the local park near the barbecue facilities or an attack. Officers would need to have a statement from the person concerned and provide the evidence. Simply wandering around is not an offence. Also, under the legislation, there are wildlife protection areas, but we do not have any in the Liverpool LGA.

- v. Cllr Rhodes stated that she was told about an incident on a development site in which a cat came into their shed and took someone's sandwich. Would Council pick up the cat in this instance?

Companion Animals Liaison advised Council would not collect the cat as it has not committed an offence under the legislation.

- vi. Rosalyn Faddy queried whether in a situation when a cat was found injured and had been picked up would that cat be taken to Council's Shelter?



Companion Animals Liaison Officer advised Council would not collect an injured animal.

- vii. Cllr Rhodes stated that the RSPCA adopts out (fosters) pets and has Liverpool Council ever considered to do this.

A/Manager Community Standards advised Council would not organise to foster animals as there is an issue concerning ownership of the animals.

Claudia Jones stated that there is a legal requirement for animals to be held by Council for seven days if the animal is not microchipped, and for fourteen days if it is microchipped. After this period, the animal becomes Council property or RSPCA property and may be fostered out. However, if you take on foster care in your organisation, it will need two or three people to manage this. RSPCA has a huge number of animals compared to Liverpool Council and there may be other issues around having the animals in outside homes.

Motion: Committee recommends that Council staff investigate opportunities for fostering dogs from the Liverpool Animal Shelter based on procedures from the RSPCA and provide information on a general costing and any other issues with providing this service.

Moved: Ted Humphries

Seconded: Rosalyn Faddy

4. URBAN CAT MANAGEMENT PLAN

Companion Animals Liaison Officer provided an update on Council's Urban Cat Management Plan.

Council is discussing a big desexing day with the RSPCA in October where 40 animals can be desexed on the day. Also, talking with Rossmore Vet and Liverpool Vet to be involved. This program will be ongoing. Ten animals (including cats) per week will be going through Rossmore Vet. The aim of this program is responsible pet ownership so looking at including vaccination as well.

5. STATISTICS

The quarterly statistics for the period April to June 2023 were discussed with the Committee. The statistics attached to the agenda were discussed regarding the dogs entering the Shelter from 30 June 2022 and the outcomes. The statistics provide a useful summary and are very transparent for the community.

- viii. Cllr Rhodes queried if there is more opportunity to send dogs to Rescue Organisations.

Companion Animals Liaison Officer advised that unfortunately most Rescue Organisations are at capacity and cannot take any more dogs.

- ix. Cllr Rhodes stated if photographs could be provided for offending animals or could reoffending animals on the list be identified as we might be returning dogs to owners and then the same dogs are being impounded again.

Ted Humphries advised there are not many animals in this category.



A/Manager Community Standards advised that Council has other ways to keep track of repeat offenders, as there is a history on record and Council can issue notices and penalty notices.

- x. Cllr Rhodes asked about the dog Peanut who does not have anything next to his name but was in for a total of five days. Also, Kotiro and Murphy are not stated to be either reclaimed or rehomed.

Action: Companion Animals Liaison Officer to confirm status of the dogs that do not have rehomed or reclaimed entered on the list.

- xi. Rosalyn Faddy enquired about the breed Bull Arab not being allowed to roam and needing to be penned or does that apply to the American Pitbull?

Companion Animals Liaison Officer advised that a Bull Arab is not a restricted breed under the legislation, and the American Pitbull is a restricted breed.

- xii Stephen Dobell-Brown queried a Cane Corso.

Ted Humphries stated that it is an Italian breed and is a very big dog.

- xiii Cllr Rhodes asked about the reclaimed (86) dogs being a burden on Council as the dogs are getting out and Council is picking them up.

Companion Animals Liaison Officer stated that the first 24 hours are free unless the registration has not been paid. After that penalties apply.

- xiv. Cllr Rhodes asked if Council investigates the premises where animals are to be rehomed?

Companion Animals Liaison Officer stated that our Rehoming Officer is very good and takes care to assess that the dog is rehomed to a suitable home.

- xv. Cllr Rhodes asked about the availability of stats for repeat offenders for the period 1 January 2023 to present?

A/Manager Community Standards stated Council has a legislative ability but realistically cannot inspect properties. Council's first objective is to return dogs back to their owners and officers can look at the premises at this time if any issues are detected and provide any education if necessary.

Action: Council to provide data on repeat offenders and dogs that are returned to their owner without going to the Shelter for the period 1 January 2023 to present.

6. GENERAL BUSINESS

- xvi. Stephen Dobell-Brown mentioned that several Councils are liaising with the State Government to give more power to Council's regarding cats.



Clr Rhodes stated that Liverpool Council prepared a motion trying to change the legislation (along with other Councils) so cats are considered in the same way as dogs ie. dogs must be on a lead or kept inside.

xvii.Clr Rhodes asked about the membership requirements for this Committee and when was the last time Council sent out expressions of interest?

Stephen Dobell-Brown stated the membership of the Committee lasted for the term of the elected Council, and that this Committee had only just started so it was decided to continue with its current membership for the term of the current Council.

Response: The Terms of Reference document is attached and provides for a term of four (4) years that is to be dissolved/renewed in line with the electoral term of Council. Community participation is to have five (5) community members (which will include a representative of the veterinary industry, one animal welfare representative, one animal behaviourist and two residents.

CLOSE

Meeting closed at 6.02 pm.

CTTE 02

**Minutes of the Intermodal Committee Meeting
held 3 October 2023**

Strategic Objective	Evolving, Prosperous, Innovative Maintain strong relationships with agencies, stakeholders and businesses to achieve beneficial outcomes for the city
File Ref	371327.2023
Report By	Susana Freitas - Visitor Economy Officer
Approved By	Shayne Mallard - Director City Futures

EXECUTIVE SUMMARY

This report is tabled to present the Minutes of the Intermodal Committee Meeting held on 3 October 2023.

RECOMMENDATION

That Council:

1. Receives and notes the Minutes of the Intermodal Committee Meeting held on 3 October 2023.
2. Endorse the recommendations in the Minutes.

REPORT

The Minutes of the Intermodal Committee held on 3 October are attached for the information of Council.

The minutes contain the following actions or Committee recommendations:

- Mr North to put in writing questions regarding truck movement for LOGOS to provide feedback at next meeting.
- National Intermodal to share biobanking pictures with Coordinator Business Development to share at the next committee meeting.
- Mr North to provide questions regarding biodiversity in writing and NI to provide update regarding upgrades at the next committee meeting.

- Principal Transport Manager to look further into the Moorebank Road upgrade and provide feedback to the committee.

FINANCIAL IMPLICATIONS

None of the actions contained in the minutes will have a financial impact on Council.

CONSIDERATIONS

Economic	Deliver a high-quality local road system including provision and maintenance of infrastructure and management of traffic issues. Facilitate economic development.
Environment	Raise community awareness and support action in relation to environmental issues.
Social	There are no social and cultural considerations.
Civic Leadership	Foster neighborhood pride and a sense of responsibility. Encourage the community to engage in Council initiatives and actions.
Legislative	There are no legislative considerations relating to this report.
Risk	There is no risk associated with this report.

ATTACHMENTS

1. Intermodal Committee Minutes 3 October 2023



Minutes

MINUTES OF INTERMODAL PRECINCT COMMITTEE MEETING 3 OCTOBER 2023

COUNCILLORS:

Karress Rhodes
Fiona Macnaught

Councillor (Chair)
Deputy Mayor

COMMITTEE MEMBERS:

Eric North
Ellie Robertson
Dianne Wills

Community representative
Community representative
Community representative

COUNCIL STAFF:

Susana Freitas
Charles Wiafe

Acting Coordinator Business Development
Principal Transport Manager

GUEST ATTENDEES:

Rob Stendrup
Julia Lefort

LOGOS
National Intermodal

OBSERVERS:

Peter Harle

Councillor

APOLOGIES:

Carlo Di Giulio

Community representative



Minutes

OPEN

Meeting opened at 6:00pm

AGENDA

1. WELCOME, ATTENDANCE, APOLOGIES AND OPENING

Councillor Rhodes welcomed the Committee and opened the meeting. Acknowledgements were made to the traditional custodians of the land.

2. DECLARATIONS OF INTEREST

NIL

3. CONFIRMATION OF PREVIOUS MINUTES

Motion: That this Committee endorse the previous minutes from the meeting held on 7 August 2023.

On being put to the meeting, the motion was declared carried

4. TRANSPORT AND TRAFFIC UPDATE

National Intermodal and LOGOS provided an update

4.1. There is a draft precinct agreement that LOGOS is responsible covering truck driver and movement code of conduct. National Intermodal (NI) is developing a business plan and looking at internal traffic and road users behaviour.

4.1.1 Councillor Rhodes queried if Council can help with truck tracking. National Intermodal advised it is the responsibility of tenants such as CUBE, Mainfreight and Woolworths and Council cannot assist, it needs a broad network response. NI and LOGOS are part of the Australian Logistics Council and are working to get more accurate data on heavy vehicle movement.

4.1.2. Mr North suggested that the National Heavy Vehicle Regulator work with NI to ensure the site has the right level of safety.

4.1.3. LOGOS advised that dated reports such as the 'FIRE Report', are superseded by current planning approvals, and all contractors and drivers need to comply with local road movement restrictions.

4.1.4. Principal Transport Manager advised that NSW Police is responsible for enforcement of traffic movement. Anzac Road, Wattle Grove has a tonnage limit and should have no truck movement. Council is working on a tonnage limit for Nuwarra Road, Moorebank and the limit should come into effect in 2024.



Minutes

4.1.5. Mr North highlighted that trucks are currently turning onto Anzac Road and Delphin Drive, Wattle Grove despite the tonnage limit.

NI noted that they will consider Mr North's suggestion for truck bollards on Anzac Road, Wattle Grove and will provide an update at the next meeting.

Principal Transport Manager advised Anzac Road, Wattle Grove is owned by the Department of Defence and they do not carry out road maintenance. There are discussions for road ownership to be transferred to Council.

4.1.6. Councillor Rhodes requested that Council enter discussions with Transport NSW regarding Anzac Road and truck movement along local roads to avoid tolls.

Principal Transport Manager advised state government is going through a toll review and highlighted that there are broader issues of transport arrangement and distribution rather than just tolls.

4.1.7. Councillor Rhodes is advocating for cameras on local roads to capture vehicles above weight limits and for the income for fines to go towards fixing local roads.

4.1.8. Mr North queried that there is a missing report on the NI website. Mr North queried that according to previous reports, trucks cannot move east from the Intermodal. Mr North queried how is LOGOS monitoring movement of trucks moving east.

NI took the question on notice and will update at the next meeting.

Councillor Rhodes advised the committee is concerned about local air quality and traffic volumes.

Action: Mr North to put in writing questions for LOGOS to provide feedback at next meeting.

4.1.9. Councillor Rhodes queried if NI can share pictures of the biobanking with the committee.

Action: NI to share the pictures with Coordinator Business Development to share at the next committee meeting.

5. PRINCIPAL TRANSPORT MANAGER UPDATE

5.1. Road Limit on Nuwarra Road, Moorebank

5.1.1. Nuwarra Road previously was a b-double route and was a connecting route between Newbridge Road and Heathcote Road. National Heavy Vehicle Regulator and Council decided that heavy vehicles should not be allowed on Nuwarra Road. Transport for NSW has advised Council to do community consultation ahead of placing tonnage limits on Nuwarra Road. Project to be completed by February 2024.



Minutes

5.2. M5 West upgrades

5.2.1. Council has been advised by Transport for NSW that the westbound M5 merge is a priority. The project costs approximately \$150 million. Council will be advised once design is completed when construction will commence. Traffic modelling will be shared with Council once available.

5.3. Moorebank Road upgrade

5.3.1. Moorebank Road will be aligned. Council did not receive enough requests from the community regarding this project. Council requires representation and support from residents regarding the realignment to get sufficient noise walls to mitigate impacts on residents. Currently there are ongoing debates about the ownership of the road and maintenance. There are infrastructure upgrades currently occurring on the westbound turning lane from Moorebank Avenue and the M5.

5.3.2. Councillor Rhodes, Deputy Mayor Macnaught and Mr North congratulated and thanked Principal Transport Manager for the traffic modelling for Liverpool during the last seven years.

5.3.3. Principal Transport Manager clarified there will be three turning lanes onto Moorebank Avenue to accommodate increased heavy vehicles movement. There will be safety audits and safety tests prior to opening of the upgrade.

5.3.4. Principal Transport Manager advised that Council has looked at cost implications on the eastern bypass or eastern bound movements, there could be other solutions that could be looked at. West bound will be completed first.

5.3.5. Councillor Harle queried who is doing the traffic report

Principal Transport Manager advised there are two separate models and transport reports. Most of the modelling work was done by consultants. Transport NSW is responsible for fixing the issues with the traffic road network and potential traffic congestions.

5.3.6. Mr North queried Modification 5 of Moorebank Precinct East (MPE) stage 2 which is upgrades to Moorebank Avenue North and Heathcote Road intersection. Mr North highlighted that designs for the roads are currently outstanding and will be completed by 2026.

LOGOS advised Modification 5 relates to a number of road upgrades on MPE. Moorebank Avenue where it currently sits will be closed, it will become an access to the terminal and safe turning point.

5.3.7. Mr North queried how NI is meeting the biodiversity requirements whilst not preventing connectivity.



Minutes

Action: Mr North to provide questions regarding biodiversity in writing and NI to provide update regarding upgrades at the next meeting

Action: Principal Transport Manager to look further into the upgrade and provide feedback to the committee.

5.3.8. Mr North queried if LOGOS can provide architectural drawings of the current plans and opportunities available for sale and queried if NSW Fire can become a tenant of the intermodal. LOGOS advised there is only concept designs for MPW South. LOGOS is looking at a mix of users for the site, including retail ground floor and a small hotel for a large population of truck drivers that come and go through the estate. LOGOS is currently in discussion with Health Head who are a charity that looks after the mental health of infrastructure workers and truck drivers.

6. CLOSE

Meeting closed at 7:30pm.

CTTE 03

**Minutes of the Civic Advisory Committee
meeting held on 31 October 2023**

Strategic Objective	Healthy, Inclusive, Engaging Promote a harmonious community that celebrates its diversity
File Ref	373489.2023
Report By	Susan Ranieri - Council & Executive Services Coordinator
Approved By	Tina Bono - Director Community & Lifestyle

EXECUTIVE SUMMARY

This report is tabled to present the Minutes of the Civic Advisory Committee meeting held on 31 October 2023.

The report also contains amended minutes of the Civic Advisory Committee meeting held on 17 August 2023 to reflect an interest that was not noted in the minutes that had been endorsed by Council at its meeting on 27 September 2023.

RECOMMENDATION

That Council:

1. Receive and note the amended minutes of the Civic Advisory Committee meeting held on 17 August 2023.
2. Receive and note the Minutes of the Civic Advisory Committee meeting held on 31 October 2023.
3. Endorse the actions in the Minutes.

REPORT

The amended Minutes of the Civic Advisory Committee meeting held on 17 August 2023 were endorsed by Council at the 27 September 2023 Council meeting. However, an interest from a committee member was not recorded in these minutes. These minutes have now been amended to include the interest, which is shown in red and is attached to this report as **attachment 1**.

The minutes of the Civic Advisory Committee meeting held on 31 October 2023 are attached for the information of Council as **attachment 2**.

The minutes of the 31 October 2023 contain the following actions or Committee recommendations:

Item 04 – Update on Status of Resolutions from Previous Meeting

i. John Edmondson VC Statue

Action item:

- This item be tabled at the next meeting.

ii. Maria Locke Award

Action items:

- That staff circulate the research material to all Committee members.
- That the Maria Locke Award be placed on the agenda for the next meeting for further discussion.

Civic Awards Policy and Charter

Action Items:

- A member of the Governance Team at Council be invited to present to the Committee on managing interests.
- That Council staff check with the Ethics Centre around best practice framework to guide decision making.

- This item be tabled at the next Civic Advisory Committee meeting.

Item 05 – Australia Day Awards

A separate report is included in the confidential section of the 22 November 2023 Council agenda in relation to recommended recipients to receive an Australia Day Award which was also discussed at the Committee meeting on 31 October 2023. As that part of the minutes contains personal information regarding recommended recipients to receive an Australia Day award, it has been excluded from the attached minutes.

Motion:

That the highest scoring person be the person the Committee nominates for the award.

Moton:

That Council staff compile a list of appropriate associations for each category for the Australia Day Awards and that a report come back on a best communications strategy on the Australia Awards including the possibility of inclusion in the rate notice.

Action Items:

- Council staff to draft a short one-page reference sheet guideline on how to complete a nomination form and to bring back to the Civic Advisory Committee for further consideration. The guide to include age for Young Citizen of the Year and Senior Citizen Awards.
- Council staff to amend the nomination forms (including online forms) and bring back to a Civic Advisory Committee meeting for consideration and endorsement.
- Council staff to prepare a list of contacts of all local appropriate Liverpool Council Committees, sporting organisations, associations, schools, hospitals, Youth Council, and cultural arts organisations in the Liverpool LGA so that the Committee may circulate the information in relation to nominating individuals for awards.

FINANCIAL IMPLICATIONS

None of the actions contained in the minutes will have a financial impact on Council.

CONSIDERATIONS

Economic	There are no economic and financial considerations.
Environment	There are no environmental and sustainability considerations.
Social	There are no social and cultural considerations.
Civic Leadership	<p>Encourage the community to engage in Council initiatives and actions.</p> <p>Provide information about Council's services, roles, and decision-making processes.</p> <p>Deliver services that are customer focused.</p> <p>Operate a well-developed governance system that demonstrates accountability, transparency, and ethical conduct.</p>
Legislative	There are no legislative considerations relating to this report.
Risk	The risk is deemed to be low and is within Council's risk appetite.

ATTACHMENTS

1. Civic Advisory Committee Minutes from 17 August 2023 - excluding item 3
2. Civic Advisory Committee Minutes held on 31 October 2023 - excluding item 5



MINUTES FROM CIVIC ADVISORY COMMITTEE MEETING

17 August 2023

COUNCILLORS:

Deputy Mayor Hadid
Councillor Rhodes
Councillor Harle
Councillor Hagarty
Councillor Green

Chairperson
Councillor
Councillor
Councillor
Councillor

COMMITTEE MEMBERS:

Colin Harrington
Stephen Dobell-Brown
Bob Brassell
June Young
Beryl Lucas
Alf Vella
Ellie Robertson

Former Mayor
Former Councillor
Former Civic Officer
Community Member
Liverpool Quota Inc.
Former Councillor
Community Member

COUNCIL ATTENDEES:

Jessica Saliba
Melissa Wray

Acting Manager Council & Executive Services
Committee Officer

APOLOGIES:

Margaret Favelle
Karen McMenamin
Dean Bradshaw
Alyson Infanti

Rotary International
General Manager Liverpool Hospital
Base Manager Holsworthy Barracks
Civic Citizenship Coordinator



OPEN

Meeting opened at 2pm.

1. WELCOME, ATTENDANCE AND APOLOGIES

Deputy Mayor Hadid opened the meeting and apologies were noted.

2. DECLARATIONS OF INTEREST

Mrs June Young OAM declared a conflict of interest with regard to the Order of Liverpool item.

Mr Alf Vella declared a conflict of interest with regard to the Order of Liverpool item.

3. ORDER OF LIVERPOOL AWARDS

The Committee was provided with a scoresheet of the average scores of the Order of Liverpool Award nominees.

Before considering the individual nominations, following discussion on the overall nomination process, the following motion was moved:

Motion: **Moved: Deputy Mayor** **Seconded: Bob Brassell**

The Committee recommends;

1. For the 2024 form for the Order of Liverpool Awards be amended so that nominators identify the number of years of voluntary service and the years of employment the nominee has done. This will make it clear when looking at the eligibility criteria for future nominations.
2. To leave the nomination forms (hard copy) for the Order of Liverpool Awards and the Australia Day Awards at the library and council facilities.

On being put to the meeting, the motion was declared carried.

Note:

As the remaining part of this section 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 27 September 2023 Council meeting in the Confidential Book regarding the Order of Liverpool Awards, which contains this section of the minutes.



4. UPDATE ON STATUS OF RESOLUTIONS FROM PREVIOUS MEETING

Maria Locke Award

Mr Dobell- Brown suggested having a Maria Locke award within Council's Order of Liverpool Awards (or Australia Day Awards).

Committee members disagreed as best not to single out a women's award and if a new award was to be added, to make it in memory of Maria Locke.

Request was made from a committee member that staff gather and provide research material for the above item.

Action

Stephen Dobell-Brown would need to add this item onto the agenda to allow council staff to gather information. Staff to research and gather information on this item and report back to the next committee meeting.

John Edmondson VC Statue

Colin Harrington requested an update on the following matter which was discussed at the last Committee meeting in March 2023. The information is shown below:

Update: Staff have advised that they have been unable to find any information in relation to the status of the statue but will be liaising with the Council Officer who is responsible for the management and oversight of the Edmondson Park VPA.

Action: Staff will provide an update on this matter at the next meeting.

5. GENERAL BUSINESS

Councillor Harle raised in general business that councillors receive the Due Length of Services Awards from the Local Government Association of NSW.

The process is that the CEO writes to the Local Government Association of NSW and nominates the eligible councillors for these awards for the next local government conference.

Nominations for these awards closes on the 12 September 2023.

CLOSE

Meeting closed at 3.34pm



MINUTES FROM CIVIC ADVISORY COMMITTEE MEETING

31 October 2023

COUNCILLORS:

Deputy Mayor Macnaught
Councillor Rhodes
Councillor Harle
Councillor Green

Chairperson
Councillor
Councillor
Councillor

COMMITTEE MEMBERS:

Colin Harrington
Stephen Dobell-Brown
Bob Brassell
Beryl Lucas
Alf Vella
Ellie Robertson

Former Mayor
Former Councillor
Former Civic Officer
Liverpool Quota Inc.
Former Councillor
Community Member

COUNCIL ATTENDEES:

Melissa Wray
Susan Ranieri

Council and Executive Support Officer
Council and Executive Services Coordinator

APOLOGIES:

Margaret Favelle
Karen McMenamin
Dean Bradshaw
Alyson Infanti
June Young

Rotary International
General Manager Liverpool Hospital
Base Manager Holsworthy Barracks
Civic Citizenship Coordinator
Community Member



OPEN

Meeting opened at 1.04pm.

1. WELCOME, ATTENDANCE AND APOLOGIES

Deputy Mayor Macnaught opened the meeting by acknowledging the traditional custodians of the land and apologies were noted.

2. DECLARATIONS OF INTEREST

Mr Colin Harrington declared a non-pecuniary, less than significant interest in the following item:

Item 5 Australia Day Awards, Senior Citizen Award .

Reason: Mr Harrington knows the nominees.

Mr Harrington did not score or vote on this award.

Mr Alf Vella declared an interest in the following item:

Item 5 Australia Day Awards, Senior Citizen Award.

Mr Vella did not score or vote on this award.

Councillor Rhodes declared an interest in the following item:

Item 5 Australia Day Awards – Small Business Award

Cllr Rhodes did not score or vote on this award.

Deputy Mayor Macnaught declared a non-pecuniary, less than significant interest in the following item:

Item 5 Australia Day Awards – Sports Award

Deputy Mayor Macnaught nominated two people for the sports award. Deputy Mayor Macnaught did not vote for this award.



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

Item 5 Australia Day Awards, Fraser Environment Award.

Reason: Councillor Green has worked closely with an organisation nominated.

Clr Green did not score or vote for this award.

3. CONFIRMATION OF PREVIOUS MINUTES

Motion: **Moved: Stephen Dobell-Brown Seconded: Colin Harrington**

That the minutes of the Ordinary Meeting held on 17 August 2023 be confirmed as a true record of that meeting.

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

4. UPDATE ON STATUS OF RESOLUTIONS FROM PREVIOUS MEETING

i. John Edmondson VC Statue

Colin Harrington requested an update on the following matter which was discussed at the Committee meeting in March 2023. The information is shown below:

Staff have advised that they have been unable to find any information in relation to the status of the statue but will be liaising with the Council Officer who is responsible for the management and oversight of the Edmondson Park VPA.

Update: The proposed statue is an item in the proposed agreement with Frasers, however this agreement has not been finalised. Until Fraser and Council agree on the Voluntary Planning Agreement (VPA), the statue cannot be delivered.

Action item: Deputy Mayor asked that this item be tabled at the next meeting.



ii. Maria Locke Award

Background

At the previous Civic Advisory Committee meeting, Mr Dobell-Brown suggested having a Maria Locke award within Council's Order of Liverpool Awards or Australia Day Awards. Committee members disagreed as best not to single out a women's award and if a new award was to be added, to make it in memory of Maria Locke.

A request at that meeting was made from a committee member that staff gather and provide research material for the above item and report back to the next committee meeting.

Update: Council staff sought advice from Blacktown and Canterbury Council as they have a woman's award. Only Blacktown Council came back to Council staff a day prior to the meeting. Blacktown Council provided their External Nomination form, their e-invite and their International Woman Day annual booklet. This material was presented to the Committee members at this meeting.

A member of the Committee requested that this information and any other material that may be received, be circulated electronically to the Committee and this item be tabled for the next Civic Advisory meeting for further discussion. The Committee wish to further discuss, for example;

- if the Committee recommends Council does indeed include an award or not;
- Budget;
- where it would be fit into the civic schedule; and
- whether it should be incorporated into International Women's Day as has been done elsewhere.

It was agreed to discuss this at the next meeting after review of material.

Action items:

- That staff circulate the research material to all Committee members.
- That the Maria Locke Award be placed on the agenda for the next meeting for further discussion.

Motion: **Moved: Deputy Mayor Macnaught Seconded: Stephen Dobell-Brown**

That this item be tabled at the next Civic Advisory Committee meeting until further consideration of the material received has been undertaken.

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



iii. Civic Awards Policy and Charter

At the 25 October 2023 Council meeting, Council resolved the following resolution:

That Council:

- 1. Endorse the award recipients as recommended by the Civic Advisory Committee at its meeting on 17 August 2023;*
- 2. Amend the Policy and the Charter to allow people who work, volunteer or serve the City of Liverpool to qualify for this;*
- 3. Undertake proper checks on people nominated;*
- 4. Review the process to ensure that it's a more appropriate one;*
- 5. That the nominees (that have been excluded) be reconsidered based on the above at a future date;*
- 6. If a member of the committee nominates someone for an award they should not be scoring or voting on that award but that the Policy is amended to allow Councillors to nominate people but still participate;*
- 7. When nominations are made, that it is stipulated what award they are being nominated for;*
- 8. Notes that two of the candidates being recommended for the Member of Order of Liverpool award are honorary as they do not reside in Liverpool; and*
- 9. A report to come back to Council with an updated Policy and Charter.*

A draft copy of the Civic Advisory Committee Policy and Charter with the resolution incorporated was then circulated to the Committee for feedback.

A member of the Committee asked for this item to be tabled at the next Civic Advisory Committee meeting as some members wanted to seek further clarification with regards to point 6 of the resolution and wanted to view the Council meeting discussion on the webcast.

Deputy Mayor Macnaught asked that everyone look at the Policy and Charter and provide comments or any feedback at the next Civic Advisory Committee meeting.



It was agreed that a member of staff from the Governance team at Council be invited to present to the Committee on declaring an interest. Further guidance is sought for example, with regards to:

1. When they know someone too much that they cannot participate in voting, or whether through their association; and
2. Whether they can nominate someone and still participate in voting and scoring.

The Committee wanted to explore the opportunity to have more discussion around governance and conflicts of interest, guidelines and a framework for acknowledging nominees and gaining their support.

A committee member also suggested that perhaps a letter should be sent to a nominee to confirm their acceptance of being nominated or perhaps a nominator should seek the nominee's permission first before nominating them. The Committee suggested that this could be explored further at the next Civic Advisory Committee meeting.

Action items:

- A member of the Governance team at Council be invited to present to the Committee on managing interests.
- That Council staff check with the Ethics Centre around best practice framework to guide decision making.
- This item be tabled at the next Civic Advisory Committee meeting.

Motion:

Moved: Cllr Green

Seconded: Alf Vella

That the Committee:

1. Be provided with more guidance in relation to declaring interests; and
2. Continue to consider this item and table at the next Civic Advisory Committee meeting to continue the conversation.

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



5. AUSTRALIA DAY AWARDS

Motion: **Moved: Deputy Mayor Macnaught** **Seconded: Cllr Green**

That the highest scored person be the person the Committee nominate for the award.

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

The Committee was provided with a scoresheet of the average scores of the Australia Day Award nominees.

The Committee discussed the scores and voted on the nominees. Nominees with the highest score were recommended. The Committee voted on the nominees where the score was tied in accordance with the Policy.

The recommended award recipients are not listed in these minutes as the item is confidential pursuant to the provisions of s10A(2)(a) of the Local Government Act 1993 because it contains personal matters concerning particular individuals (other than councillors).

Discussion

A member of the Committee sought clarification on the age that someone can be nominated for a Young Citizen of the Year Award or Senior Citizen Award.

It was agreed that the Committee wish to ensure the Guidelines state that to be nominated for a Young Citizen of the Year Award the nominee must be under the age 23 years or under on 26 January (of the year of the Australia Day Award presented) be included on the nomination form (including the online). The nomination form to also include the nominee's age.

It was agreed that the Committee wish to ensure the Guidelines state that for a nomination for the Senior Citizen Award, the nominee must be 60 years or older on 26 January (of the year of the Australia Day Award presented) and this must be included on the nomination form (including the online nomination form). The nomination form to also include the nominee's age.

A member of the Committee suggested perhaps a tick box confirmation should also be on the form, so that the nominator confirms the nominee's age complies with the Guidelines.

A member of the Committee questioned if the date of birth was indicated on the nomination form and asked that a section on the form be included where a nominator must state the person's age.



It was suggested that a communications strategy be further explored, that a list be compiled with details of all sporting associations, schools, environment committee etc within the Liverpool LGA be provided to the Committee and that these associations or committees be provided with information about nominating a person for an award.

With regards to assisting with voting, a Committee member suggested that a person from the Sports Committee for example, nominate and if they cannot attend the meeting to vote, they provide a recommendation. Councillor Rhodes suggested that for the business award, the Chamber of Commerce needs to be engaged more. Deputy Mayor Macnaught added that for the Environment Award the Environment Committee could be engaged for input. Length of service would be helpful for determining voting as well.

A member of the Committee also suggested that perhaps a nominator could also speak to their nomination at a Civic Advisory Committee meeting to expand on their nomination, rather than having to write out a long nomination form, which may also deter people from nominating someone.

The Committee agreed that nomination forms should be sent earlier in the year. They agreed that it would be best to send nomination forms perhaps by April, so that people will have sufficient time to gather information and prepare the nomination form.

A Committee member suggested the nomination form to be sent to the school's advisor when submitting the form to the school. The Committee agreed to look at a communications strategy.

A Committee member suggested perhaps a nomination form could be included in a rate notice.

Motion: Moved: Cllr Rhodes **Seconded:** Bob Brassell

That Council staff compile a list of appropriate associations for each category for the Australia Day Awards and that a report come back on a best communications strategy on the Australia Awards including the possibility of inclusion in the rate notice.

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

Action items:

- Council staff to draft a short one page reference sheet guideline on how to complete a nomination form and to bring back to the Civic Advisory Committee for further consideration. The guide to include age for Young Citizen of the Year and Senior Citizen Awards.
- Council staff to amend the nomination forms (including online forms) and bring back to a Civic Advisory Committee meeting for consideration and endorsement.
- Council staff to prepare a list of contacts of all local appropriate Liverpool Council Committees, sporting organisations, associations, schools, hospitals, Youth Council



and cultural arts organisations in the Liverpool LGA so that the Committee may circulate the information in relation to nominating individuals for awards.

6. GENERAL BUSINESS

Nil

CLOSE

Meeting closed at 2.26pm

CTTE 04

**Audit, Risk and Improvement Committee minutes
13 October and 24 October 2023**

Strategic Objective	Visionary, Leading, Responsible Demonstrate a high standard of transparency and accountability through a comprehensive governance framework
File Ref	370418.2023
Report By	George Hampouris - Head of Audit, Risk and Improvement
Approved By	Michelle Mcilvenny - Director Customer & Business Performance

EXECUTIVE SUMMARY

This report is tabled to present the Minutes of the Audit, Risk and Improvement Committee Meetings held on 13 October 2023 and 24 October.

RECOMMENDATION

That Council approves the Minutes of the Audit, Risk and Improvement Committee Meeting held on 13 October 2023 and 24 October 2023

REPORT

The Minutes of the Audit, Risk and Improvement Committee held on 13 October 2023 and special meeting held on 24 October 2023 are attached for the approval of Council.

The committee endorsed the revised ARIC Charter for Council's approval at the meeting held on the 13 October. The ARIC Charter is included under separate cover for adoption by Council.

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	Provide information about Council's services, roles, and decision-making processes. Operate a well-developed governance system that demonstrates accountability, transparency, and ethical conduct.
Legislative	Local Government Act 1993, sections 428A and 428B Local Government (General) Regulation 2021, Section (TBC)
Risk	The committee reviewed several reports, including Council's Top 10 strategic risks, full risk register, chain of responsibility audit findings, Liverpool Civic Place, and the IP&R performance update.

ATTACHMENTS

1. ARIC minutes - 13 October 2023
2. ARIC Special Meeting - 24 October 2023



Audit, Risk and Improvement Committee Minutes

13 October 2023 - Level 6 Boardroom, 35 Scott Street, Liverpool - 9.30am-12.30pm

Committee Members Present:

Andrew McLeod	Chairperson, Independent Member
Sheridan Dudley	Independent Member
Robert Lagaida	Independent Member
Fiona Macnaught	Deputy Mayor (online)
Karress Rhodes	Councillor

Attendees:

Peter Harle	Councillor (online)
John Ajaka	Chief Executive Officer
George Hampouris	Head of Audit, Risk and Improvement
Hany Kamel	Audit & Risk Coordinator
Farooq Portelli	Director Corporate Support
Shayne Mallard	Director City Futures
Lina Kakish	Director Planning and Compliance
Hiba Soueid	Manager Corporate Strategy and Performance (online)
Tim Gavin	Strategic Property Consultant (online)
David Galpin	General Counsel, Governance and Legal (online)
Vishwa Nadan	Chief Financial Officer
John Hanlon	Chief Information Officer
Betty Boustani	Senior Advisor
Lawrissa Chan	NSW Audit Office, Director, Financial Audit Services
Craig Thomason	PWC, Audit Partner
Alexio Chibika	PWC, Senior Audit Manager (online)
Penelope Corkill	Centium, Director Audit and Assurance (online)

1. WELCOME / OPENING

The Chairperson welcomed attendees and opened the meeting at 9.35am.

2. APOLOGIES

Michelle Mcilvenny, Director Customer and Business Performance.

3. DECLARATIONS OF INTEREST

Nil

4. CONFIRMATION OF PREVIOUS MINUTES

That the minutes of the Audit, Risk & Improvement Committee Meeting held on 21 July 2023 were confirmed as a true record of that meeting.

6. FINANCIAL & PERFORMANCE MANAGEMENT

6.2 Annual Financial Statements 2022-23 (Late Paper)

Note: This item was brought forward to facilitate the availability of external auditors who were presenting to this item.

There were no items tabled as the NSW Audit Office advised that the financial statements 2022-23 have not been finalised.

The NSW Audit Office (NSWAO), Director, Financial Audit Services provided a verbal update on the audit status of the financial statements. The NSWAO Director, Financial Audit Services advised that the Audit was unable to be finalised primarily due to the NSWAO unable to gain comfort over the valuation of infrastructure assets such as roads, bridges, footpaths etc. As a workaround, Council can apply the indexation method to its assets however this would mean that a full comprehensive valuation would need to be completed again next year. The NSWAO Director, Financial Audit Services confirmed that the valuation conducted this year was not undertaken in a way which would be deemed as sufficient audit evidence by the NSWAO.

The Director Corporate Support expressed concerns that the full comprehensive valuation was undertaken this year and would need to be undertaken again next year which will result in additional time and cost to Council.

The Committee suggested that this could potentially be a contract management issue. Liverpool Council paid a fee for service, to conduct a valuation that would be accepted by the Audit Office as audit evidence. This matter should be raised directly with the Valuer. The CEO agreed with that approach. The CEO advised that management will write to the Audit Office expressing concern that an additional valuation is required unnecessarily and also negotiate with the valuer to amend the valuation in a way which the NSWAO can rely upon.

In relation to the Financial Statements, the Committee advised that a special ARIC meeting will need to be convened prior to the next Council meeting. Anytime between the 23rd or 24th

October would be appropriate. The NSWAO committed to having the financial statements and the engagement closing report finalised prior to close of business on the 19th October to allow the committee a few days to consider the draft financial statements prior to the special ARIC meeting.

For practical and timeliness reasons, the Committee suggested that the financial reports should still proceed to Council and a verbal update on the outcomes of the ARIC can be provided at the Council meeting

ARIC RESOLUTION

That the Audit, Risk & Improvement Committee note the progress of audit on the draft 2022/23 financial statements

4a SPECIAL AGENDA ITEMS

4a. CEO organisational update

The CEO provided an update on the functional design changes of Council. This included all the movements of functional areas within established Directorates to create improved synergies.

The CEO identified the re-structure of Urban Design and Communication functions are still a work in progress. The CEO noted the importance of staff and Union consultation as part of this process.

As a broad observation, the CEO noted a positive change to Council's culture since he has become the CEO.

The CEO advised that staff vacancies are a key area of concern. In addition the CEO has expressed optimism towards the Liverpool Civic Place project due to both being almost finalised and the interest in tenancy looking positive.

ARIC RESOLUTION

That the Audit, Risk & Improvement Committee receives a verbal organisational quarterly update from the CEO.

Robert Lagaida left the room at 9:57am

5. ACTION TRACKING FROM MINUTES

5.1 Reconciliation of work plan to agenda

The Committee advised that the whole ARIC work plan should be presented over the course of the year. That way the Committee can gauge visibility of upcoming reports and topics in addition to the reconciliation of items at the current meeting at question.

ARIC RESOLUTION

As a standing item, the Audit, Risk & Improvement Committee be presented with both a reconciliation of the agenda to the work plan and visibility of the ARIC work plan covering a 12 month forward period.

5.2 ARIC action tracking and improvement register

The Committee asked why the items which are closed off and overdue are still on the register. It was clarified that currently all completed items are retained for a year before they are deleted.

ARIC Action: the Committee suggested that actions should be retained for one meeting after completion, after which they should be deleted.

In addition, to show the actions movements within the register- Council should consider developing a graph which shows all the incoming and outgoing actions over a period of time.

ARIC RESOLUTION

The Audit, Risk & Improvement Committee receive a graphical representation of incoming and outgoing actions;

6. FINANCIAL & PERFORMANCE MANAGEMENT

6.1 Biannual Progress Report January-June 2023

The Committee commended staff on the biannual report. The Committee expressed that this is a very useful report which is concise and is constructed in a way which provides clarity and focus which is relevant to the community.

ARIC RESOLUTION

That the Audit, Risk and Improvement Committee notes and receives the Biannual Progress Report for period January-June 2023.

6.3 Credit card policy

The CFO advised that a cyber security risk was identified with relation to the storage of credit card data. The policy will be amended accordingly.

The Committee suggested that there is an opportunities to expand the usage of credit cards.

Management Action: Council should identify opportunities where petty cash and purchase orders could be replaced with credit cards on small expenditure items. This needs to be overlayed with good governance and monitoring processes. This would save a significant amount of transaction costs.

ARIC RESOLUTION

That the Audit, Risk & Improvement Committee receive and note this report.

6.4 Updated Long Term Financial Plan 2023

The CEO noted that the cash buffer of \$20m is maintained over the life of the Plan.

The Committee expressed concern that the operational and infrastructure and renewals ratios are below target levels. The Committee will like to be provided with greater insight in the next version of the LTFP in relation to how Council will achieve improved measures and sustainability. This could be reflected better through a pessimistic and optimistic lens. The CFO expressed optimism that a 2022/23 operating surplus result will be posted. This operating surplus would surpass the LTFP modelling and therefore Council has exceeded expectation in this regard.

The CEO advised that there has been a strong interest with the banks and T-Corp wanting to lend the additional \$23m for the Civic Place project.

ARIC RESOLUTION

That the Audit, Risk & Improvement Committee receives and notes this report.

7. GOVERNANCE, COMPLIANCE AND INTERNAL CONTROL

7.1 LCC Insurance Coverage

The Committee observed that even though Council's insurance costs have increased, this increase is far smaller with comparison to the insurance premium increases of those Councils not self-insured.

HARI noted that one of the benefits of self-insurance is that there are a number of risk events where the market does not offer an insurance product and which can be insured

through pooling funds within the mutual. As such being self-insured provides council with greater protection against these risks.

ARIC RESOLUTION

That the Audit, Risk & Improvement Committee receive and note this report.

7.2 Legal Affairs Report

The General Counsel provided the Committee with an overview of the legal teams workflow and matters still pending.

The Committee identified there is an increase in local court prosecutions where the defendant opted to contest the matter on Court. The General Counsel could not explain why there was an increase however did note that these were predominantly traffic matters. Better understanding the data and the root cause of why there is an increase should be explored further by management.

Management action: The Committee suggested that there may be an opportunity to provide a late notice opportunity to the defendants to settle the matter out of Court. This would be a good administrative and financial outcome to Council. Management have committed to explore this approach further.

ARIC RESOLUTION

That the Audit, Risk & Improvement Committee receives and notes report.

Robert Lagaida entered the room 10.49am.

8. RISK MANAGEMENT

8.1 Cyber Security Gap Analysis

The Committee provided an overview of the outcomes of the Cyber Security Gap analysis report. This report provides a number of positive outcomes however identified a number of opportunities for improvement. The CIO provided a plan on how these matters are proposed to be remediated.

The CIO advised that being new, he could not find any evidence that a number of past IT report recommendations on cyber security were implemented. The CIO will work with the HARI to put a mechanism to track these items through to completion. The Committee have expressed concern that this is another example where management have previously communicated that they are adequately managing cyber security risk and now there are a number of cyber security control gaps identified by the independent cyber security gap analysis. It is critical that management track this every quarter.

The Committee expressed concern the cyber security gap analysis which highlights vulnerabilities could be a risk if it didn't remain highly confidential. This was noted by management.

The Committee highlighted that there are a number of items to remediate which may carry over multiple years. The Committee suggested that this translates into a multi year workplan with each year's actions being tabled annually.

ARIC RESOLUTIONS

That the Audit, Risk & Improvement Committee:

1. Notes the report from Kaon Security;
2. Notes that Council is accessing a Chief Information Security Officer from The Parks, Sydney Parklands Council;
3. recommends a strategic plan of works overlayed with an annual action plan with relation to cyber Security be developed and presented to ARIC on a regular basis.

8.2 Business Continuity Plan (BCP) update

HARI noted that there is urgency around the review of the BCP. The main reasons are the level of awareness of its practical use is currently low given the recent turnover of executive staff and the second element is that the BCP in its current form it is convoluted. There are a number of sub-plans and documents which complement the BCP however there is no overarching framework which clarifies explicitly how these interrelate

The Committee advised that a BCP often doesn't meet its intention during a crisis event as most of the management team do not know how to use it and they would not have time to go through a lengthy document during a crisis.

Management action: A targeted BCP cheat sheet should be developed which provides 3 clear things each staff member needs to know in a crisis event in respect to their area.

ARIC RESOLUTION

That the Audit, Risk & Improvement Committee note the current status and receive the updated Plan as a future report.

8.3 Liverpool Council Risk Policy, Risk Strategy and Risk Appetite Statement

The HARI reported the progress of Council's risks register review and implementation of the risk module within the CAMMS module.

The Committee commended the comprehensiveness of the Risk Policy document and the Risk Appetite Statement.

Management action: A cheat sheet on how to apply risk management within each operation be developed with 4 simple steps shown as a quadrant.

This provides management with a simple approach to risk management. It is acknowledged that the risk strategy is a very long document and it is unlikely management will use it in its current form within their day to day operations.

ARIC RESOLUTIONS

That the Audit, Risk & Improvement Committee;

1. Endorse the risk policy and strategy and note Council's current risk appetite statement
2. Receive a Risk capability and maturity plan at the first meeting in the 2024 calendar year;
3. Receive risk registers and risk reporting data (including risk action plans) at the first meeting in the 2024 calendar year.

9. INTERNAL AUDIT

9.1 Internal Audit Report

The Director Audit and Assurance at Centium provided an overview of the outcomes of the return to work audit. The Committee supported the view in the report that the return to work and workers compensation functions should be structurally separated. The Committee questioned why each management action has a generic date of 30 June 2024 no matter whether it is high or low risk. The HARI advised the Committee that a generic date of 30 June 2024 was input as the substantive manager was on leave when due dates were assigned. It was confirmed that these will be amended before they are input into the CAMMS system.

The report also covered various dashboard reporting pertaining to overdue and completed audit actions.

Management action: The Committee expressed that the quarterly log review of superusers does not need to be tabled to the Committee in future as this should just be considered a business as usual activity.

Management Action: In relation to the leave and overtime report, the Committee suggested that this is of little use to management or the Committee in its current form. The report needs to supplement the leave and overtime data with an analysis of issues and trends as well as operational insights and recommendations. These recommendations should include a management response.

ARIC RESOLUTION

That the Audit, Risk & Improvement Committee notes the audit activities report and outcomes from audits undertaken.

10. SERVICE REVIEWS & IMPROVEMENT

10.1 Service Review Progress Update

In accordance with the Office of Local Government Integrated Planning and Reporting guidelines, Council is required to identify in its Delivery Program the areas of services it will review during its term of office. Council has committed to the review of the following service areas;

- Development Assessment function to improve assessment times;
- Children's Services with an aim to increase capacity;
- Provision of services at Council's libraries; and
- Maintenance of parks, sports and open spaces.

The Committee commended the quality of the Development Assessment Service Review report. The Committee observed that this appears more of a performance review rather than a service review and expressed its surprise that this report had not previously been presented to it, given the problems that have been arising in relation to the issue of DA processing.

The Director Planning and Compliance advised that many of the recommendations in the report have already been implemented. However this report doesn't provide the Committee with a management response to the report's recommendations or the progress that has been made in implementing them.

The Committee noted that service reviews and audits are not mutually exclusive and suggested that the scope of works for service reviews should be circulated out of session for input to be given.

The HARI advised that currently the service review model is each accountable Director for the service at question outsources and contract manages the review. The longer term model for conducting the service review (ie the continuation of using external consultant) is still being investigated.

ARIC RESOLUTIONS

That the Audit, Risk and Improvement Committee;

1. note the delivery of the Development Assessment Review and progress on remaining service areas.
2. receive a further report which includes management's response and status update to the Development Assessment Review's recommendations.
3. receive Service review scope of works out of session for input prior to commencement.

11. ARIC SUPPORT

11.1 2024 ARIC Meeting Dates

The dated of meetings proposed are as follows;

- 2 February 2024
- 12 April 2024
- 19 July 2024
- 11 October 2024 (endorsing of the draft Annual Financial Statements).

ARIC RESOLUTION

That the Audit, Risk & Improvement Committee endorse the 2024 ARIC meeting dates.

11.2 Draft Liverpool Council ARIC Committee Terms of Reference

HARI noted that based on the ARIC Terms of Reference, the composition of Councillors on its membership will retain status quo. i.e. 5 members in total which includes 2 non-independent (1 Councillor and 1 Deputy Mayor). The Draft OLG Guidelines do not come into effect until the 1 July 2024, and may be amended before then. Until such time, it was determined that Councillor representation on the Committee should be maintained. This is consistent with Councils submission to OLG on the guidelines whereby Liverpool Council clearly expressed that Councillor representation is vital on ARIC Committee to provide a community lens on matters tabled.

ARIC RESOLUTION

That the Audit, Risk & Improvement Committee endorse the Liverpool Council Audit, Risk and Improvement Committee ToR for resolution of Council.

11.3 Draft Liverpool Council Internal Audit Charter

ARIC RESOLUTION

That the Audit, Risk & Improvement Committee endorse the Liverpool Council Internal Audit Charter.

11.4 Liverpool Council Annual ARIC report 2022/23

The Committee noted that there were amendments proposed which will be input out of session.

ARIC RESOLUTION

That the Audit, Risk & Improvement Committee endorse the ARIC annual report subject to the amendments provided to management.

12. General Business

12.1 Liverpool Civic Place Project Update

The CEO provided an overview of the project status. The practical completion is scheduled for February/March 2024. The CEO noted that the risk levels of the project have dropped.

The only high risk that remains is the leasing of the floor space. In relation to leasing the commercial floor spaces, the Strategic Property Consultant provided optimism given the progress to date on lease negotiations on most commercial spaces currently underway with multiple parties. The project is now focusing on defect identification and rectification.

The Committee reflected on the hours of conversations pertaining to this project over the years at ARIC meetings. The Committee expressed satisfaction that the project is heading towards finalisation.

ARIC RESOLUTION

That the Audit, Risk & Improvement Committee receive and note the LCP project update.

14 CLOSE

The Chairperson closed the meeting at 11.45am

15 NEXT MEETING

A special ARIC meeting will be scheduled on the week commencing 23rd October.



Audit, Risk and Improvement Committee Minutes

24 October 2023 – Online meeting (Teams) – 12.30pm-2pm

Committee Members Present:

Andrew McLeod	Chairperson, Independent Member
Sheridan Dudley	Independent Member
Robert Lagaida	Independent Member
Fiona Macnaught	Deputy Mayor
Karress Rhodes	Councillor

Attendees:

Ned Mannoun	Mayor
Peter Harle	Councillor
Betty Green	Councillor
John Ajaka	Chief Executive Officer
George Hampouris	Head of Audit, Risk and Improvement
Hany Kamel	Audit & Risk Coordinator
Farooq Portelli	Director Corporate Support
Shayne Mallard	Director City Futures
Michelle Mcilvenny	Michelle Mcilvenny
Vishwa Nadan	Chief Financial Officer
Lawrissa Chan	NSW Audit Office, Director, Financial Audit Services
Craig Thomason	PWC, Audit Partner
Alexio Chibika	PWC, Senior Audit Manager

1. WELCOME / OPENING

The Chairperson welcomed attendees and opened the meeting at 12.37pm.

2. APOLOGIES

Nil

3. DECLARATIONS OF INTEREST

Nil

4. CONFIRMATION OF PREVIOUS MINUTES

That the minutes of the Audit, Risk & Improvement Committee Meeting held on 13 October 2023 be confirmed as a true record of that meeting with one minor amendment.

Item 6.4- Updated long Term Financial Plan 2023 states "the CEO noted that the cash buffer of \$20m is maintained over the life of the Plan". It was clarified that these comments were made by the CFO.

5 SPECIAL AGENDA ITEMS

5.1. Draft Financial statement 2022/23

The CFO provided a status of the financial statements including changes which were made since the draft financial statements were circulated to the Committee on Friday 20th October.

The two changes were to note G3-1 Events occurring after the reporting date. The borrowing of an additional \$23m to complete the Civic Place Project will now be disclosed under this note. The other change relates to capital commitments. The figures are still under review. The Audit Office's view is that only contractually committed costs should be included rather than all expected costs.

The CFO advised that a net budget deficit of \$8.6m was expected. The final result was a surplus of \$0.5m. This was due to a number of movements compared to the budget i.e. mainly additional interest revenue due to unused loan funds, FAG paid in advance, salary savings and additional operating grants.

The CFO noted that 4 out of the 6 financial performance indicator benchmarks were met.

The CFO highlighted that there was a material error of accumulated depreciation not being indexed which has resulted in a \$36 million prior year adjustment to the financial statements.

The Committee commended management for their sound financial management and noted that it appears Council is in a strong financial position. The Committee acknowledged that the long term financial forecast previously presented to the Committee did not anticipate a surplus result until 2025 and therefore this year's result has surpassed expectations. The Committee noted that the unrestricted cash buffer remains healthy and also noted the increase in incoming capital and operational grants compared to the prior year.

Council noted that there was a drop in user charges and fees. The CFO advised that this drop was predominately due to a compliance levy from state government budgeted for which did not eventuate. In addition, DA revenue cannot be recognised until the DA is approved. This resulted in DA fees received which could not be recognised in the 2022/23 financial year.

The Committee noted the lengthy discussion at the 13 October meeting relating to the Audit Office not accepting the valuation which was conducted by Council on its assets as sufficient audit evidence. The PWC Audit Partner confirmed that the valuer has submitted additional audit evidence which was requested and this has now been accepted. The PWC Audit Partner confirmed that as a result a valuation does not require to be undertaken next year by Council. The Director Corporate Support acknowledged that Council should be more explicit in its expectations towards documentation and standards required to be met when they engage a valuation service in the future.

The Committee raised questions with relation to the below notes contained within the financial statements;

Note B2-1 p18- pensioner rebates could be split out between mandatory rebates and rebates relating to Council policy. It was clarified that pensioner rebates which go beyond mandatory requirements did exist however were phased out. If any portion of the cost still exists on this "grandfather policy" it will be immaterial.

Note B3-2 p31- materials and services. Within this note there is an item titled "contractor costs". The committee asked why this cost (\$198million) goes through the operating account prior to it being capitalised. If it were capitalised immediately, this will avoid a large year end adjustment. The CFO will consider addressing this matter for future years.

Note B3-4 p32 – building depreciation. The committee noted that there was a significant reduction of depreciation from \$10.8m (prior year) to \$5.2 (current year). The CFO confirmed that the movement was due to the regrouping of building infrastructure into long life and short life assets resulting in lower depreciation

Note C3-1 p56- the Committee sought clarity on the \$17m accrual of "other expenses". The CFO clarified that this was an accrual amount for payment to Built (Liverpool Civic Place builder)

C3-5 p62- other provisions- the Committee sought clarity on the breakdown of \$3.164m. This was taken on notice however subsequent to the meeting it was clarified that \$3.164m mainly included:

- \$2.2m final settlement amount for acquisition of land
- \$0.5m provision for staff redundancy.

The Committee noted there was an 18% increase to materials and services compared to the prior year. The CFO advised that there was an \$8m grant received for pothole repairs. This item is the main driver for the movement compared to the prior year.

ARIC RESOLUTION

That the Audit, Risk & Improvement Committee endorses the 2022/23 Financial Statements

5.2. Engagement closing report

The NSW Audit Office, Director confirmed that an unqualified opinion is expected to be issued. This opinion will be signed when a few minor outstanding issues are resolved.

The PWC Audit Partner provided the Committee with a summary overview of the engagement closing report.

The Committee asked whether a prior year management point in relation to the Aurion system access controls has been addressed. The Director Corporate Support confirmed that this recommendation was accepted however took on notice the status of its progress.

The Committee noted its concern that the audit fee adjustment increase due to the additional time to resolve the asset valuation matter would be unfair. This matter would result in a delay to the audit rather than additional substantive work required. The Committee noted that the high audit fee compounded with the year on year increase is unreasonable. The Committee conveyed their frustration on the basis that Council is unable to seek value for money when engaging an external audit service due to government policy monopolising this service.

ARIC RESOLUTION

That the Audit, Risk & Improvement Committee notes the engagement closing report.

5.3. Report on the conduct of Audit

No further comments were provided by the Audits Office as these were already addressed by the CFO in his presentation of the financial statements.

The Committee questioned why the report was titled "conduct of the audit" when this is a report on the financial performance of Council. The NSW Audit Office, Director confirmed that this was the word used by legislation and on that basis sought consistency in the terminology.

ARIC RESOLUTION

That the Audit, Risk & Improvement Committee notes the report on the conduct of audit.

6. General Business

Nil

7 CLOSE

The Chairperson closed the meeting at 1.22pm

8 NEXT MEETING

The next meeting to be held on 2 February 2024

QWN 01

**Question with Notice - Cllr Harle - Lieutenant
Cantello Reserve, Access Road Solar Lighting.**

Strategic Objective	Liveable, Sustainable, Resilient Deliver effective and efficient planning and high-quality design to provide best outcomes for a growing city
File Ref	382389.2023

QUESTION WITH NOTICE

When this matter came to Council previously, I expressed reservations about the use of Solar lighting along the road leading to the reserve with densely populated tall trees impeding sunlight to the Solar Panels.

Please address the following:

1. What factors determined the use of Solar Lighting compared to installing conventional LED street lighting, connected to the existing street lighting in the area, and considering the difficulty of providing adequate sunlight in an area consisting of relatively dense bushland and tall trees shading the solar panels?
2. If not answered above, what was the total cost of the lighting project and how does that compare to installing conventional LED street lighting to the reserve, either via underground cabling or aerial cabling?
3. If not answered above, what is the expected maintenance cost of the solar lighting along the bush road? And,
4. What is the expected life of the solar lighting compared to conventional LED street lighting?

Response (provided by Operations Directorate)

1. ***What factors determined the use of Solar Lighting compared to installing conventional LED street lighting, connected to the existing street lighting in the area, and considering the difficulty of providing adequate sunlight in an area consisting of relatively dense bushland and tall trees shading the solar panels?***

The following factors were considered to determine the use of solar lighting, instead of conventional lighting, at Lt Cantello Reserve:

Cost-Effectiveness - Solar lights do not rely on grid electricity, offering substantial savings on electricity bills. This makes them a financially prudent choice, especially over the long term. They also have

Environmental - By opting for solar lighting, the carbon footprint is significantly reduced. These lights do not result in the emission of greenhouse gases during operation, aligning with our commitment to environmental sustainability.

Efficiency - Solar lights employ LEDs which are superior in energy efficiency, longevity, and colour quality compared to traditional lighting technologies. Additionally, smart technology integration allows for precise control and monitoring, enhancing operational efficiency.

Installation and Maintenance - The installation of solar lights is simpler and faster, requiring no trenching for power lines. Their standalone nature and design, incorporating solar panels, batteries, and control modules, minimises the need for regular and ongoing maintenance.

High Risk Utilities - The presence of a high-pressure gas line at Lt Cantello Reserve poses significant risks with conventional lighting installation due to the need for excavation and trenching. Solar lights, utilising ground screws for installation, eliminate this risk and ensure safety for all involved.

2. ***If not answered above, what was the total cost of the lighting project and how does that compare to installing conventional LED street lighting to the reserve, either via underground cabling or aerial cabling?***

Total Cost - The total expenditure for installing solar lights at Lt Cantello Reserve was \$85,195.

Cost Comparison - Installing conventional LED street lighting, either via underground or aerial cabling, would have cost at least two to three times more than the solar lighting project. This significant cost differential is primarily due to the extensive infrastructure required for conventional lighting, including trenching for cables and connection to external power feeds.

3. ***If not answered above, what is the expected maintenance cost of the solar lighting along the bush road? And,***

Maintenance Cost – The expected ongoing maintenance cost for solar lighting is minimal due to their self-sufficient nature, which does not rely on external power sources to operate.

4. *What is the expected life of the solar lighting compared to conventional LED street lighting?*

Expected Lifespan – Solar lights are self-contained units which have a longer lifespan than conventional lighting solutions as they do not require bulbs to be replaced or wiring to be checked. They are also more durable than conventional lights as they do not have any fragile components that can break or malfunction. The batteries in solar lights have a minimum operating life span of 5-7 years with current technology.

ATTACHMENTS

Nil

NOM 01

Temporary Asphalt Footpaths

Strategic Objective	Evolving, Prosperous, Innovative Continue to invest in improving and maintaining Liverpool's road networks and infrastructure
File Ref	382512.2023
Author	Nathan Hagarty - Councillor

BACKGROUND

In July I brought a Question with Notice to Council on temporary asphalt footpaths:

Council has previously laid asphalt footpaths in growing suburbs and Camden Council have recently laid several kilometres in Leppington North.

These provide a satisfactory temporary solution for residents to walk or ride to school, shops, parks and public transport stops safely until permanent footpaths are constructed.

At a recent Austral community forum residents raised safety concerns with the lack of footpaths in Austral and an appetite for a temporary solution.

My own discussions with Camden Council reveal that asphalt footpaths are less than 1/10th the cost of traditional footpaths.

NOTICE OF MOTION

That Council:

1. Allocate funds towards the construction of temporary footpaths in Austral; and
2. Prioritise missing links to major pedestrian areas such as Leppington Station, local schools, shops and parks.

CHIEF EXECUTIVE OFFICER'S COMMENT

Council has a dedicated footpath construction component as part of the Annual Infrastructure Capital Works Program. A portion of this budget can be allocated towards installation of temporary asphalt footpaths in the Austral and new release areas as part of the program.

FINANCIAL IMPLICATIONS

Costs associated with this recommendation have been included in Council's budget for the current year and long-term financial plan.

ATTACHMENTS

Nil