

COUNCIL AGENDA

ORDINARY COUNCIL MEETING

24 July 2024



You are hereby notified that an **Ordinary Council Meeting** of Liverpool City Council will be held at the **LIVERPOOL CIVIC PLACE COUNCIL CHAMBERS , LEVEL 1, 52 SCOTT STREET, LIVERPOOL NSW 2170** on **Wednesday, 24 July 2024** 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 7441.

A handwritten signature in black ink, appearing to read "Jason Breton".

Mr Jason Breton

ACTING 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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Presentations by Councillors

Notices of Motion

NIL

Council in Closed Session

The following items are listed for consideration by Council in Closed Session with the public excluded, in accordance with the provisions of the Local Government Act 1993 as listed below:

CONF 01	Proposed Acquisition of Lot 4 in Plan of Acquisition DP 1289743, Part 2-10 Yarrunga Street, Prestons for road widening purposes
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Reason: Item CONF 01 is confidential pursuant to the provisions of s10(A)(2)(c) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

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- CONF 02 Proposed Acquisition of Lot 9 in Plan of Acquisition DP 1289743, Pt 28 Bernera Road, Prestons for road widening purposes
- Reason: Item CONF 02 is confidential pursuant to the provisions of s10(A)(2)(c) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*
- CONF 03 Proposed Acquisition and/or Dedication of Pt Lot 217 DP 2475, 53 Seventeenth Avenue, Austral for road purposes
- Reason: Item CONF 03 is confidential pursuant to the provisions of s10(A)(2)(c) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*
- CONF 04 Compulsory Acquisition of a Drainage Easement from 40 Sixteenth Avenue, Austral for Basin 29 Austral
- Reason: Item CONF 04 is confidential pursuant to the provisions of s10(A)(2)(c) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*
- CONF 05 Compulsory Acquisition of part of 240 Governor Macquarie Drive, Warwick Farm for road widening upgrade works
- Reason: Item CONF 05 is confidential pursuant to the provisions of s10(A)(2)(c) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*
- CONF 06 Hammondville Park - Proposed Land Sale - Probity and Consultation Update
- Reason: Item CONF 06 is confidential pursuant to the provisions of s10(A)(2)(d ii) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed confer a commercial advantage on a competitor of the Council.*
- CONF 07 Solus Library App provision for seven years
- Reason: Item CONF 07 is confidential pursuant to the provisions of s10(A)(2)(d i) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.*
- CONF 08 Exemption from Tender - Leander Business Consulting (Pathway UX Upgrade)
- Reason: Item CONF 08 is confidential pursuant to the provisions of s10(A)(2)(c) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*

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CONF 09 Liverpool Local Planning Panel (LLPP) - Engagement of Additional Independent Experts and Alternate Members

Reason: Item CONF 09 is confidential pursuant to the provisions of s10(A)(2)(a) of the Local Government Act because it contains personal matters concerning particular individuals (other than councillors).

CONF 10 Legal Affairs Report

Reason: Item CONF 10 is confidential pursuant to the provisions of s10(A)(2)(a) (c) (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 advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

CONF 11 Appointment of the Audit, Risk and Improvement Committee Chair

Reason: Item CONF 11 is confidential pursuant to the provisions of s10(A)(2)(a) of the Local Government Act because it contains personal matters concerning particular individuals (other than councillors).

CONF 12 RCL3320 - Supply contract for Austral Black Granite pavers and Bluestone kerb and gutter for various streetscape works in Liverpool's CBD

Reason: Item CONF 12 is confidential pursuant to the provisions of s10(A)(2)(d i) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

CONF 13 Request for Tender – Leisure Centre Management Services

Reason: Item CONF 13 is confidential pursuant to the provisions of s10(A)(2)(d i) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.
(to be provided in the Addendum Book later in the week)

CONF 14 RCL 3233 – Professional Services Consultants

Reason: Item CONF 14 is confidential pursuant to the provisions of s10(A)(2)(d i) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.
(to be provided in the Addendum Book later in the week)

Close



MINUTES OF THE ORDINARY MEETING HELD ON 26 JUNE 2024

PRESENT:

Mayor Ned Mannoun
 Councillor Ammoun
 Councillor Goodman
 Councillor Dr Green
 Councillor Hadid OAM
 Councillor Harle
 Councillor Kaliyanda
 Councillor Karnib (online)
 Councillor Macnaught
 Councillor Rhodes
 Mr Jason Breton, Acting 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 Experience & Business Performance
 Mr Shayne Mallard, Director City Futures
 Mr Peter Scicluna, Acting Director Operations
 Mr David Galpin, General Counsel, Manager Governance, Legal and Procurement
 Mr Luke Oste, Coordinator Strategic Planning
 Mr Vishwa Nadan, Chief Financial Officer
 Ms M'Leigh Brunetta, Manager Civic and Executive Services
 Ms Melissa Wray, Councillor Executive and Support Officer
 Ms Susan Ranieri, Coordinator Council and Executive Services

The meeting commenced at 2.05pm.

STATEMENT REGARDING WEBCASTING OF MEETING

The Mayor reminded everyone that in accordance with Council's Code of Meeting Practice (other than the Public Forum Section), the meeting is being livestreamed and recording was not permitted.

The prayer of the Council was read by Pastor Steve Riethmuller from Cartwright Gospel Chapel.

NATIONAL ANTHEM

The National Anthem was played at the meeting.

COUNCILLORS ATTENDING REMOTELY

Clr Karnib has requested permission to attend this meeting via MS Teams.

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

That Clr Karnib be granted permission to attend the meeting via MS Teams.

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

APOLOGIES

NIL.

CONDOLENCES

NIL.

CONFIRMATION OF MINUTES

Motion: **Moved: Cllr Macnaught** **Seconded: Cllr Hadid**

That the minutes of the Ordinary Meeting held on 29 May 2024 be confirmed as a true record of that meeting.

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

DECLARATIONS OF INTEREST

Clr Kaliyanda declared a non-pecuniary but significant interest in the following item:

Item: CFD 01 - Mayoral Minute: Liverpool Innovation Precinct

Reason: The motion specifically refers to lobbying the State Government, which would include Clr Kaliyanda in her capacity as the local MP.

Mayor Mannoun declared a pecuniary interest in the following item:

Item: PLAN 04 - Planning Proposal - 60 Gurner Avenue, Austral

Reason: Mayor Mannoun worked as a commercial real estate agent prior to becoming a Mayor and acted as an agent concerning this lot and other surrounding lots in Austral.

Mayor Mannoun left the Chambers for the duration of this item.

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

Item: CFD 02 – Adoption of the Draft Delivery Program 2022-2026 and Operational Plan and Budget 2024-2025, Statement of Revenue Pricing Policy (Fees and Charges) and Long-Term Financial Plan 2025-2034

Reason: Clr Kaliyanda has recently been appointed Parliamentary Secretary for Emergency Services which covers SES in her role as a Member for Parliament. The item considers and potentially impacts the State Emergency Services (SES) which is part of her portfolio as Parliamentary Secretary.

Clr Kaliyanda left the Chambers when she declared her interest.

PUBLIC FORUM

Presentation – items not on agenda

1. **Mr Michael Russell** will address Council on the following item:

Casula Station Access / CPAC Solar Lighting.

An extension of time was granted to Mr Russell.

Representation – items on agenda

1. **Mr Brendan Gregory** addressed Council on the following item:

Item: CFD 02 - Adoption of the Draft Delivery Program 2022-2026 and Operational Plan and Budget 2024-2025, Statement of Revenue Pricing Policy (Fees and Charges) and Long-Term Financial Plan 2025-2024.

Mayor Mannoun left the meeting at 2.26pm and Cllr Macnaught, as the Deputy Mayor became the Chairperson.

2. **Mr Peter Ristevski** would like to address Council on the following item:

Item: CFD 02 - Adoption of the Draft Delivery Program 2022-2026 and Operational Plan and Budget 2024-2025, Statement of Revenue Pricing Policy (Fees and Charges) and Long-Term Financial Plan 2025-2024.

An extension of time was granted to Mr Ristevski.

Mayor Mannoun returned to the Chambers at 2:31pm.

3. **Ms Maria Kneipp** addressed Council on the following item:

Item: CFD 02 - Adoption of the Draft Delivery Program 2022-2026 and Operational Plan and Budget 2024-2025, Statement of Revenue Pricing Policy (Fees and Charges) and Long-Term Financial Plan 2025-2024 and access to Rose Street

MAYORAL MINUTES

MAYOR 01 - 2024 King's Birthday Honours. This item was dealt with later in the meeting before the confidential items.

MOTION OF URGENCY

Clr Rhodes requested the Chair consider an urgency motion with regards to item NOMR 01 - Notice of Motion of Rescission for MAYOR 01 - Staffing Matter from the 29 May 2024 Council meeting.

Clr Rhodes stated urgency on the matter as;

- It is on today's Agenda;
- Compliance of the Code of Meeting Practice 2022 section 3 (3.11), 3 (3.12) and 3 (3.20) due to legal, strategic, policy and financial implications relating to both the NOMR 01 and MAYOR 01;
- Compliance of the Guidelines for the Appointment and Oversight of General Managers Pages 15 -17;
- Possible escalation to the Supreme Court;
- The opportunity for Council to consider the independent investigation findings; and
- Legal and due diligence.

Clr Rhodes requested to move the below motion:

That Council:

1. Withdraw item NOMR 01 from 26 June 2024 Council meeting to enable the Acting CEO time to consider the legality of item MAYOR 01 from 29 May 2024 Council meeting as a motion;
2. Directs the Acting CEO to confirm Council's obligations under Liverpool Council Code of Meeting Practice 2022 section 3 (3.11), 3 (3.12) and 3 (3.20);
3. Consider the recently supplied findings from the independent investigation into the same matter;
4. Consider the findings from the OLG investigation when they are made available;
5. Consider Council's obligations in accordance with the Guidelines for the Appointment and Oversight of General Managers Pages 15 -17; and
6. Direct the A/CEO to provide a report back to the July Council meeting that confirms Council has met all of its legal obligations that substantiates Mayor 1 as a legal motion that enables Council to be fully informed in order to consider the rescission motion (NOMR 01).

In accordance with Clause 9.3 of Council's Code of Meeting Practice, Mayor Mannoun ruled the above matter as not urgent and stated that it should be dealt with as part of the Notice of Motion of Rescission (NOMR 01) as an alternate motion.

Due to the Mayor's ruling the motion above was not voted on.

NOTICES OF MOTION OF RESCISSION

ITEM NO: NOMR 01

FILE NO: 182916.2024

SUBJECT: Notice of Motion of Rescission for MAYOR 01 - Staffing Matter from the 29 May 2024 Council meeting

NOTICE OF MOTION OF RESCISSION

(submitted by Cllrs Green, Kaliyanda, Harle and Rhodes)

We the undersigned move a rescission motion to rescind the resolution relating to item MAYOR 01 – Staffing Matter that was passed at the Ordinary Council meeting held on Wednesday 29 May 2024 (as shown below).

That Council:

1. *Pursuant to clause 10.4 of the Employment Contract, the Council terminate the employment of John Ajaka as Chief Executive Officer of the Council without notice and with immediate effect.*
2. *That Council writes to John Ajaka informing him of the Council's decision and issues him with the attached letter without delay.*

Should the rescission motion be ADOPTED we give notice that it is our intention to move the following motion:

That Council:

1. *Uphold the principles of due process and procedural fairness in relation to the independent investigation of matters raised on April 24 Council meeting via Confidential Mayoral Minute 01.*
2. *Take no further action until the final report is received and tabled to Council.*

Signed:

Clr Dr Betty Green

Clr Charishma Kaliyanda

Clr Peter Harle

Clr Karress Rhodes

*Please note: Mayoral Minute – Staffing Matter, resolution item 3 was not detailed in the 'Motion to Rescind Resolution' however is detailed below for reference only.

3. Mr Jason Breton continue as acting Chief Executive Officer in higher duties for up to 12 months.

Council moved back into Open Session at 4.23pm with all Councillors present.

Mayor Mannoun advised that the Rescission Motion, which was dealt with in Closed Session was LOST and the resolution for item MAYOR 01 – Staffing Matter from 29 May 2024 Council meeting stands.

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

That CFD 02 - Adoption of the Draft Delivery Program 2022-2026 and Operational Plan and Budget 2024-2025, Statement of Revenue Pricing Policy (Fees and Charges) and Long-Term Financial Plan 2025-2034 be brought forward and dealt with now.

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

ITEM NO: CFD 02
FILE NO: 183684.2024
SUBJECT: Adoption of the Draft Delivery Program 2022-2026 and Operational Plan and Budget 2024-2025, Statement of Revenue Pricing Policy (Fees and Charges) and Long-Term Financial Plan 2025-2034

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

That Council:

1. Notes submissions received during the public exhibition period;
2. Approve internal submissions including the redistribution of funding for the Building Capital Works Program as tabled in Attachment No.4 and additional funding to deliver three (3) Council initiatives as tabled in the report;
3. Authorise the amendment to the draft Statement of Revenue and Pricing Policy (Fees and Charges) as tabled for the fees chargeable under the Section 10.7 Planning Certificates and Private Certifier Registration of Certificates fees, for CPI as legislated in the Environment & Planning Regulation 2021;

4. Adopt the Delivery Program 2022-2026 and Operational Plan 2024-2025 including Statement of Revenue Pricing Policy (Fees and Charges) and Long-Term Financial Plan 2025-2034 incorporating the amendments outlined in this report;
5. Allocate a sum of \$620,000 for the suburb of Austral to deliver safety measures including temporary roundabouts, signage to the following intersections, but not limited to:
 - (a) Fourth & Fifth Ave
 - (b) Fourth & Sixth Ave
 - (c) Fourth & Eleventh Ave
 - (d) Edmondson & Tenth Ave
 - (e) Edmondson & Eleventh Ave
 - (f) Fifteenth & Craik Ave
 - (g) Fifteenth & Twenty Eighth Ave
 - (h) Fifteenth & Twenty Second Ave
6. Design and deliver traffic calming devices and relevant signage at, but not limited to, the following intersections leading into Fourth Avenue:
 - (a) Haybale St
 - (b) Seventh Ave (Western Side)
 - (c) Broadacre St
 - (d) Eighth Ave
 - (e) Ninth Ave
 - (f) Tenth Ave
 - (g) Twelfth Ave
 - (h) Thirteenth Ave
 - (i) Fourteenth Ave
7. Design and deliver traffic calming devices and relevant signage at, but not limited to, the following intersections leading into Edmondson Avenue
 - (a) Fifth Ave
 - (b) Sixth Ave
 - (c) Seventh Ave
 - (d) Eighth Ave
 - (e) Ninth Ave
 - (f) Twelfth Ave
 - (g) Thirteenth Ave
 - (h) Fourteenth Ave
8. Seek the endorsement of the Liverpool Local Traffic Committee;
9. Give special consideration of temporary traffic lights on Fifteenth Avenue and Craik Avenue;

10. Allocate a sum of \$250,000 for the tourism ecosystem including, but not limited to, web, electronic direct mail (EDM), social, print including Sari Street;
11. Allocate a sum of \$100,000 for public art in Bigge Park;
12. Allocate a sum of \$250,000 for a pump track at Lieutenant Cantello Reserve;
13. Allocate a sum of \$1,000,000 for women's change rooms and general change rooms improvements for our sporting facilities to be divided over twenty different facilities;
14. Allocate a sum of \$50,000 for South Park Charlton Avenue for funding of a pavilion and awning upgrade; and
15. Increase civic program budget by \$100,000 to deliver the following events; Gift of Time, Civic reception, 'Building the new Liverpool' and for park openings/capital works.

During discussion of this item Cllr Kaliyanda declared a non-pecuniary but significant interest.

Cllr Kaliyanda stated that she has a declaration of interest as one of the properties mentioned in the budget houses the SES. Cllr Kaliyanda has recently been appointed Parliamentary Secretary for Emergency Services which covers SES in her role as a Member for Parliament. Councillor Kaliyanda stated that she will withdraw from further discussion and voting on this item as it will impact the SES and conflicts with her role as Parliamentary Secretary.

Cllr Kaliyanda left the Chambers at 4.49pm.

Cllr Hadid left the Chambers at 5:02pm.

Cllr Hadid returned to the Chambers at 5:06pm.

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

Vote for: Mayor Mannoun, Cllr Ammoun, Cllr Goodman, Cllr Hadid, Cllr Macnaught and Cllr Rhodes.

Vote against: Cllr Harle and Cllr Karnib and Cllr Green

Note: Cllr Kaliyanda was not in the Chambers when this item was voted on.

ITEM NO: PLAN 01
FILE NO: 438902.2023
SUBJECT: Post Exhibition Report - Amendments to Liverpool Development Control Plan
2008 - Family Friendly Apartments and Apartment Design Guide Update

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

1. Receives and notes this Report.
2. Endorses the amendments to Part 3.7 Residential Flat Buildings (Outside Liverpool City Centre) and Part 4 (Development in Liverpool City Centre) of the Liverpool Development Control Plan 2008 as detailed in Attachments 4 and 6 of this Report; and
3. Delegates authority to the CEO (or delegate) to make minor or typographical changes to the DCP prior to publication on Council's website. That the recommendation be adopted.

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

Councillors voted unanimously for this motion.

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

1. Endorse the modified 'Parking Enforcement Policy' (Attachment 1).
2. Note that locations within the Liverpool Local Government Area (LGA) with rolled kerbing do not qualify for a parking permit system in accordance with the TfNSW Permit Scheme Guidelines.
3. Modify the diagram contained within the Parking Enforcement Policy as follows to reduce ambiguity;
 - 3.1 Indicate that the rules apply in the same way where the side of the street has no footpath;
 - 3.2 Indicate that a vehicle cannot park fully on the nature strip even if the footpath is not being blocked; and
 - 3.3 Indicate that a vehicle will still be able to legally park fully on the road.
4. Direct the Acting CEO to conduct a mailout to all the households notifying residents of the changes and to be funded from General Funds
5. Allow for a template signage for residents asking for people not to park on the lawn.

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

SUBJECT: Adoption of the IPART reviewed Liverpool Contributions Plan 2021 - East Leppington

Motion: Moved: Clr Rhodes **Seconded:** Clr Ammoun

That Council:

1. Adopts the IPART-reviewed *Liverpool Contributions Plan 2021 – East Leppington* as provided in **Attachment 3**.
2. Notes that the adoption of the *Liverpool Contributions Plan 2021 – East Leppington* repeals the *Liverpool Contributions Plan 2014 – East Leppington* in accordance with Clause 215(2)(a) of the *Environmental Planning and Assessment Regulation 2021*.
3. Provides public notification of the decision to adopt the IPART-reviewed *Liverpool Contributions Plan 2021 – East Leppington* and repeal the *Liverpool Contributions Plan 2014 – East Leppington* on Council's website for a period of 14 days.
4. Publishes the IPART-reviewed *Liverpool Contributions Plan 2021 – East Leppington* on Council's website following completion of the 14-day public notification period for the Plan to take effect.
5. Acknowledges the IPART recommendation to regularly review all works costs in the *Liverpool Contributions Plan 2021 – East Leppington* as plan implementation progresses.

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

Councillors voted unanimously for this motion.

Note: Mayor Mannoun was not in the chambers when this item was voted on.

ITEM NO: PLAN 04
FILE NO: 176172.2024
SUBJECT: Planning Proposal - 60 Gurner Avenue, Austral

COUNCIL DECISION

Motion: **Moved: Cllr Harle** **Seconded: Cllr Ammoun**

That Council:

1. Notes the advice of the Liverpool Local Planning Panel.
2. Endorses in principle the Planning Proposal request to amend the *State Environmental Planning Policy (Precincts—Western Parkland City) 2021* as follows in relation to the site known as 60 Gurner Avenue, Austral (Lot 3 DP 1243352):
 - a) *Amend the zone from SP2 Educational Establishment to R2 Low Density Residential;*
 - b) *Amend the Land Reservation Acquisition Map by removing the yellow colouring and Educational Establishment notation;*
 - c) *Amend the 'Height of Buildings Map' from 12 metres to 9 metres; and*
 - d) *Amend the minimum dwelling density from 25 to 15 dwellings per hectare.*
3. Forwards the Planning Proposal to the Department of Planning, Housing and Infrastructure (DPHI), pursuant to Section 3.33 of the *Environmental Planning and Assessment Act 1979* seeking Gateway determination.
4. Subject to a Gateway determination, undertakes public exhibition and community consultation in accordance with the conditions of the Gateway determination and the Liverpool Community Participation Plan 2022.
5. Receives a further Report on the outcomes of the public exhibition period.
6. Delegates to the CEO (or delegate) to amend the draft Planning Proposal and attachments for any typographical and other minor errors / amendments if required.
7. Write to the Minister for Education, Ms Prue Car, reaffirming Council's commitment to public education.
8. Work with School Infrastructure NSW to ensure that parents in that area are given the choice to send their children to a public school and enquire what land areas that they will acquire to achieve this.

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

Councillors voted unanimously for this motion.

COMMUNITY & LIFESTYLE REPORTS

ITEM NO: COM 01
FILE NO: 168442.2024
SUBJECT: Grants Donations and Community Sponsorship Report

COUNCIL DECISION

Motion: **Moved: Cllr Green** **Seconded: Cllr Hadid**

That Council:

1. Endorses the funding recommendation of **\$19,300** (GST exclusive) under the **Community Grant Program** for the following projects:

Applicant	Project	Recommended
Liverpool Genealogy Society Inc	Improved resource storage	\$10,000
Sydney School of Entrepreneurship Limited	Invest In Yourself - Exploring Money and Self-Employment Program	\$9,300

2. Endorses the funding recommendation of \$11,300 (GST exclusive) under the Matching Grants Program for the following project:

Applicant	Project	Recommended
Sumer Association for culture and Arts Inc	Sound of Terra 2024	\$11,300

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

COUNCIL DECISION

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

Motion: **Moved: Clr Green** **Seconded: Clr Harle**

1. Receives and notes the Annual Determination;
2. Agrees to set the fees payable to the Mayor and Councillors for the period 1 July 2024 to 30 June 2025 to an amount equal to the maximum allowable under the Annual Determination as set out in the body of the report.

Chairperson

Motion: **Moved: Cllr Green** **Seconded: Cllr Goodman**

That the Committees be moved as a whole.

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

COMMITTEE REPORTS

ITEM NO: CTTE 01

FILE NO: 163513.2024

SUBJECT: Minutes of Intermodal Precinct Committee Meeting 08 April 2024

COUNCIL DECISION

Motion: **Moved: Cllr Harle** **Seconded: Cllr Goodman**

That Council receives and notes the Minutes of the Moorebank Intermodal Committee Meeting held on 08 April 2024.

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

Motion: **Moved:** Clr Harle **Seconded:** Clr Goodman

Item 1 - Wonga Road, in front of St Francis Xavier Primary School, Lurnea - Request for Raised Marked Pedestrian Crossing

Item 2 – Sanderling Street, Hinchinbrook – Request for Traffic Calming Device

Council to investigate options for installation of either chicanes or asphaltic concrete speed humps at the proposed locations and present a design layout, with cost estimates and prioritisation, to the July 2024 Meeting.

Item 3 – Bardia Parade and Village Way intersection, Holsworthy – Proposed Roundabout

- Approves in-principle installation of a roundabout at the Bardia Parade and Village Way intersection, Holsworthy, as shown in the Attachment Booklet.
- Detailed design is to be submitted to TfNSW for their review prior to installation.

Item 4 – Craik Avenue and Sixteenth Avenue intersection, Austral – Proposed Roundabout

- Approves installation of a roundabout at the intersection of Craik Avenue and Sixteenth Avenue intersection, as shown in the Attachment Booklet.
- A copy of the detailed design is to be submitted to TfNSW for their review prior to installation.

Item 5 – Mill Road and Nagle Street, Liverpool - Proposed Intersection Treatment

- Installation of interim treatment involving:

- Replacement of the existing Give-Way control across Nagle Street approaches with Stop Control.
 - Increase parking restriction along the Mill Road approaches from 10m to 15m.
 - Installation of edge lines along the Mill Road approaches, as shown in the Attachment Booklet.
- Detailed design of a single lane roundabout is to ensure appropriate height and the existing intersection on Mill Road to be repaired. The design is to be submitted to a future meeting.

Item 6 - Muir Road, Edmondson Park – Request for Speed Humps

Approves installation of an asphalt speed humps across the section of the street at the common property boundary in front of House Nos. 29/31.

Item 7 – Minor Traffic Facilities Applications in the Local Government Area

- Approves Installation of a Bus Zone in front of the 307 Wilson Road, Green Valley
- Approves Relocation of a Bus Zone from in front of House No. 95 to House No. 93 in Ingham Drive, Casula
- Council to notify the affected residents, prior to installations.

Item 8 – Ascot Drive, Chipping Norton - Request for Traffic Calming Device

Council to investigate options for installation of either chicanes or concrete raised thresholds (accommodating bus movements) in front of House Nos. 41/50 and present a layout, with cost estimates and prioritisation, to the July 2024 Meeting.

Item 9 – Items Approved Under Delegated Authority

Notes the above Delegated Authority applications approved by the NSW Police Force and TfNSW representatives between April 2024 and May 2024.

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

PRESENTATIONS BY COUNCILLORS

Nil.

NOTICES OF MOTION

ITEM NO: NOM 01
FILE NO: 193648.2024
SUBJECT: Elected Official Training and Development Plan

BACKGROUND

The Local Government Elections are to be held on the 14 September 2023.

As Elected Officials we understand the importance of knowledge, training and understanding of Government Legislation, Regulations Policies and Procedures that provide the framework for well informed decision making, vision and strategy that benefit our City growth and local community.

It is anticipated that several current serving Councillors will retire, and several first-time candidates may be elected in the upcoming elections.

To ensure preparation of Councillors, and the continuation of sound decision making, it is imperative that suitable training and development is provided to Councillors within the Council Orientation and Development Plan, once elected and throughout the Council term.

As legislation, policies and procedures continue to evolve it is important that all elected officials continue development and training, regardless of their current term length, to ensure compliance, growth, and to support our role to serve our local communities.

This motion will ensure the incorporation of OLG induction course 'Hit the Ground Running' (or comparative orientation course name) in Councils Elected Officials Orientation/Term Training and Development Plan within the first 6 months of being elected and/or re-elected.

This motion supports good Governance of Liverpool Council now and into the future.

NOTICE OF MOTION (submitted by Cllr Rhodes)

That Council:

1. Incorporates in the Councillor Orientation/Term Training and Development Plan that all Elected Officials (Mayor and Councillors) must attend the Office of Local

Government induction course, currently named 'Hit the Ground Running' or comparative course available and

- a. Enrolment to be within the first 6 months of being elected to Council.
 - b. Must be attended by all elected officials, Mayor and Councillors, including first time, re-elected, and/or regardless of any previous time already served.
2. Associated course costs be incorporated into the existing Councillor Orientation/Term Training and Development Plan operational budget.

COUNCIL DECISION

Motion: **Moved:** Clr Rhodes **Seconded:** Clr Hadid

That the recommendation be adopted.

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

The Community Café in Sadleir provides vital support to Liverpool community members through the provision of free and low-cost meals, groceries, and other essential items. Serving more than 200 people every day and engaging local community volunteers to deliver a community pantry six days a week, Community Café Inc not only provides essential items, but also a place for locals to gather, connect and engage with one another and with community services.

The Community Café approached Council for sponsorship of this event in November 2023 however; in the hectic time of planning and delivering their event, alongside continuing their day-to-day operations; were unable to finalise the application in time to be considered for community sponsorship under the Grants, Donations and Community Sponsorship Policy. To support the Community Café to recoup the funds expended from delivering this event, I propose a motion to provide \$10,000 from Council's General Reserve to Community Café Inc as a gesture of goodwill and to acknowledge the vital service Community Café provides to the residents of Liverpool.

NOTICE OF MOTION (submitted by Clr Ammoun)

COUNCIL DECISION

That the recommendation be adopted.

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

Motion: **Moved:** Clr Hadid **Seconded:** Clr Green

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

Councillors voted unanimously for this motion.

Prior to dealing with the Confidential items, Cllr Kaliyanda raised a Motion of Urgency relating to Liverpool City Council's former Mayor, Ms Wendy Waller, receiving an OAM at the recent King's Birthday Honours, which was received after the Notice of Motion deadline.

In accordance with Clause 9.3 of Council's Code of Meeting Practice, Mayor Mannoun ruled the above matter as not urgent due to not meeting the Urgency requirement as it could be tabled at the next meeting, however advised that a Mayoral Minute has been completed on this matter and could be tabled immediately.

Clr Kaliyanda withdrew the urgency motion and the Mayoral Minute was tabled.

ITEM: MAYOR 01
SUBJECT: 2024 King's Birthday Honours
REPORT OF: Mayor Ned Mannoun
DATE: 26 June 2024

The King's Birthday Honours recognises and celebrates those who make a difference, and those who achieve their best and those who serve others.

On behalf of Liverpool City Council, I would like to extend congratulations to the following members of our community who were honoured in the 2024 King's Birthday Honours:

- **Ms Wendy Jean Waller**, former Mayor of Liverpool City Council, was awarded the Medal of the Order of Australia for her service to local government, and to the community of Liverpool.
- **Mr Paul Howard Warren**, awarded the Medal of the Order of Australia for his service to the community of South West Sydney.

Motion: Mayor Mannoun

- Extend a letter of congratulations to the City of Liverpool recipients who were honoured in the 2024 King's Birthday Honours.
- Host a Civic Reception/engagement to honour recipients fund from the Civic Program budget.

Councillors voted unanimously for this motion.

Motion: **Moved:** Clr Hadid **Seconded:** Clr Green

1. Delegates authority to the Chief Executive Officer, after receiving legal advice, to settle Council's dispute with Canterbury Bankstown on the basis set out in the body of the report.
2. Agrees that General Counsel may execute all documents necessary to give effect to this resolution and any settlement authorised by the Chief Executive Officer.

Chairperson

ITEM NO: CONF 04
FILE NO: 197927.2024
SUBJECT: Liverpool Local Planning Panel (LLPP) - Engagement of Additional Independent Experts and Alternate Members

COUNCIL DECISION

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

That this item be deferred for staff to advise whether this is in line with previous Council resolutions regarding whether it was a decision of the Councillors or CEO.

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

Councillors voted unanimously for this matter.

THE MEETING CLOSED AT 6.00pm.

<Signature>

Name: Ned Mannoun

Title: Mayor

Date: 24 July 2024

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 26 June 2024. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.

PLAN 01**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	189312.2024
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 appropriate exercise of discretion by Council; 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.

The Policy was placed on public exhibition from 9 May 2024 to 12 June 2024. Council received one submission providing detailed feedback and recommendations on the wording of the Policy. A response to the submission is provided in Attachment 2.

RECOMMENDATION

That Council:

1. Note the Post Exhibition Report; and
2. Endorse the draft 'Compliance & Enforcement Policy' (Attachment 1).

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 The Policy was placed on public exhibition from 9 May 2024 to 12 June 2024. Council received one submission containing recommendations around wording throughout the policy. 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 considerations made when using 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, particularity 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 generally dealt with in the order they are received and utilising the same investigative process (site visit etc).

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).

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.

The Policy was placed on public exhibition from 9 May 2024 to 12 June 2024.

Council received one submission containing recommendations around inclusion of the word 'discretion' used throughout the Policy. Concerns raised have been addressed in the Post Exhibition Report attached.

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 Post Exhibition
2. Post Exhibition Report



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 about Council's position on compliance and enforcement matters for Liverpool City.

The purpose of the Policy is to provide structure, 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 all available information.

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'.

The Policy is supported by a culture that puts the "Customer at the Centre", our "People at the Heart" of what we do, removes the red tape and gets us back to delivering the basics. The culture provides our customers with seamless quality experiences by understanding and prioritising their needs, while engaging meaningfully and delivering service, operational and planning excellence.

2. DEFINITIONS

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

Enforcement

Actions taken in response to contraventions of laws.

Regulation

A legal instrument made under an Act of the Parliament of New South Wales. In this Policy, the term Regulation refers to Rules, Regulation or other statutory instruments 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 customer complaints about unlawful activity or failure to comply with the terms or conditions of Approvals, Consents, Notices or Orders. It outlines how to prioritise action based on impact by determining 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.

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 impartial, 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 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 expects to live 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 based approach to 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 request system 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 based on impact.

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-assessing the risk exposure 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.

Where enforcement action is taken, Council staff are required to:

- Deliver seamless quality experiences by understanding and prioritising relevant parties needs, while engaging meaningfully and delivering service excellence;
- 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;
- Maintain 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 demonstrate 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 progress and outcome/s of the investigation.

As outlined in Privacy Information Statement | Liverpool City Council (nsw.gov.au)

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 outcome 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 enquiries and providing timely responses to questions and requests for information; and
- Treating Council's staff with courtesy and respect.

3.4.2 Anonymous Reports

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.

A preliminary assessment of all matters will be made to determine the priority for a response, and whether investigation or other action is required, in line with the principles above.

An investigation of alleged unlawful activity may take a significant amount of time to complete, particularly where the issues are complex. If an investigation is required by Council, staff will give the person who reported the alleged unlawful activity regular feedback on the progress of the investigation, and any reasons for delay. Feedback provided would not include 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 in accordance with this Policy. This means the objective is that reports alleging unlawful activity will be resolved based on the best outcome for the community as a whole and in-line with relevant legislation and benchmarks.

Council staff will endeavour to manage the expectations of people who report alleged unlawful activity, in particular where there is an absence of sufficient evidence of unlawful activity and Council is unable to take further action.

Council has limited resources and powers to deal with reports alleging unlawful activity.

Council will prioritise understanding any allegations raised and endeavour to respond in a timely manner. This will include regular updating of all parties involved, where appropriate, completing investigations and actions within a reasonable timeframe. Actions taken will always be based on the best outcome for the community as a whole and in-line with relevant legislation and benchmarks.

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 complaint is not supported with evidence, or appears to have no substance,
- Council does not have 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 and has no substance.
- 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 but not restricted to 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.
- Significant 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 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 or statute of limitation 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, intellectual capability, 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.

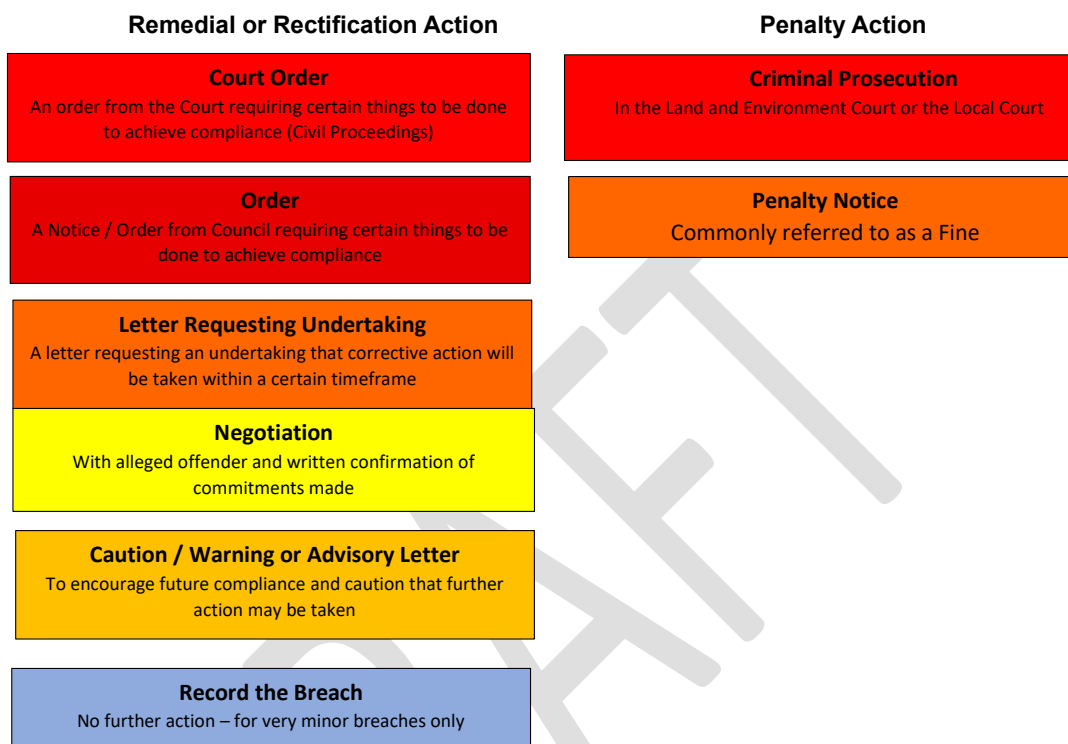
3.8 Options for dealing with Confirmed cases of Unlawful Activity

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:

- determine the most appropriate response to confirmed cases of unlawful activity in accordance with this Policy;
- 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. Council officers also 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*.

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
- 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 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.

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 staff will take steps to ensure individuals are clear about which agency performs which role.

Persons making complaints regarding a site where the PCA is private certifier, the person 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.

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.

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.

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

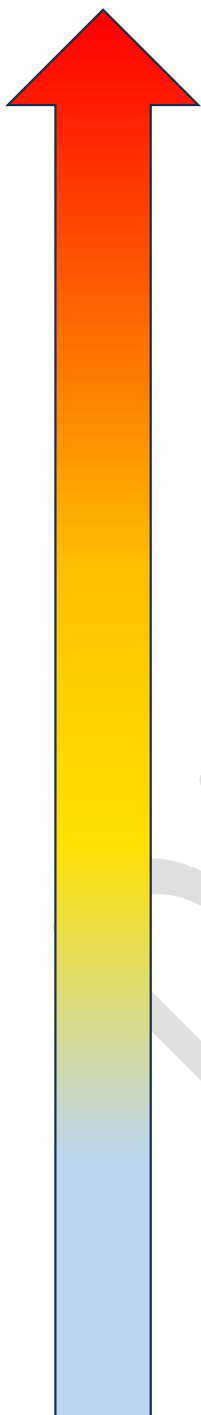
Compliance and enforcement matters are sensitive and easily susceptible to allegations of impropriety, bias or inconsistency. In order to manage those risk, and consistent with Council's Code of Conduct, Councillors do not attend on-site meetings

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

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		281536.2023-016

Post Exhibition Report

The Post exhibition report provides a summary of submissions received during public exhibition of the draft 'Compliance and Enforcement Policy'.

The Policy was placed on public exhibition from 9 May 2024 to 12 June 2024.

In this time Council received one (1) submission from Councillor Rhodes.

Tabled below is a summary of the submissions received.

Feedback method	Number of submissions
Submissions emailed to Council	1
Submissions received through Councils Customer Request portal	0
Total	1

A copy of the submission is contained within the report. Refer Appendix A.

Each of the items raised in the submission have been addressed by Council. Refer Appendix B.

Appendix A – Submission

PLAN 03 Draft Compliance and Enforcement Policy

RECOMMENDATION

That Council:

1. Receives and notes this Report;
2. Endorses the public exhibition of the draft 'Compliance and Enforcement Policy' for a period of no less than 28 days; and
3. Notes that a Post-Exhibition Report will be brought back to a future Ordinary Meeting of Council for Council consideration.

Questions

Has the amended Policy internal administrative changes been costed and are they in the budget.

Council keeps referring to it discretion in this policy, Is there any opportunity for Council to have discretion outside of all the conditions and definitions outlined in this policy?

What is an example?

If all the opportunities for Council to show discretion are outlined as conditions within this policy, is there any necessity to keep referring to a special Council discretion suggesting that despite all conditions and definitions contained in this policy Council can ignore the policy and implement discretion.?

Is by Council having discretion over and above this policy, could that not be perceived by the public that this policy is not worth the paper it is written on, because despite the policy, Council still has discretion...what confidence is offered to the public to be able to rely on this policy?

If all the opportunities for Council to show discretion have been conditioned into this policy would it not make sense for Council not refer to Councils Discretion but to refer to in accordance with this policy?

Page 83

4th Par to 5th Par.

Can Council please explain the Council's role regarding Private Certifiers. It is confusing by constituents in one sentence you are saying Council will investigate complaints concerning Private Certifiers and in another sentence you are saying all complaints must be directed to NSW Fair Trading.

Can Council please explain

3.14

Council's Code of Conduct, Councillors do not attend on-site meetings with Council Staff. The complainants or persons the subject of investigation"

I have an amendments to the policy.

Page 70 Par. 5

Delete "in their use of discretion" and replace with "in accordance with this policy"

Page 75 Par 6

Delete "at the Council's discretion" leaving it to read Decisions about what action should be taken are made in accordance with this policy.

Page 75 Par 7

Take out the last line "Council has limited resources and powers to deal with reports alleging unlawful activity."

Page 76 Par.6 after the points

The relevant delete the words **coordinator, manager**, leaving Director, CEO, delete **will use their discretion in determining that** and insert "will determine an investigation or regulatory action is not required".

So that paragraph reads: The relevant Director or CEO will determine if an investigation or further regulatory action is not required.

Page 77 relevant factors

When deciding whether to investigate.....which may include **(insert but not restricted to)** whether.

Page 77

5th point typo **Significant**

Page 77

First paragraph below the points delete the entire paragraph.

Page78

3.7.1 last point

The time period has lapsed? **What is that time period?**

Page 78

3.7.2 last point The youth age maturity **intelligence delete intelligence and replace with the words "intellectual capability"**

Page 79

3.8 first point delete the words, use discretion and replace with the word "will" so it reads "Will determine...."

Page 80

3.9 Offences when penalty notice can be issued

1st par.

For certain ... delete "even for these offences"

Deleted "Officers" replace with Council has the authority to use discretion in accordance with section 19A (3) of the fines act 1993

So the paragraph reads

For certain offences a penalty notice can be issues as the appropriate regulatory action. Council also has the authority to use discretion as set outlined in the guidelines and set out in accordance with Section 19A (3) of the Fines Act 1993

The given link in this policy to [Section 19A \(3\) of the Fines Act 1993](#) does not work.

Page 82

First par after the points delete the paragraph

“Council will consider.....appropriate weight” it is covered by the first two paragraphs before the points.

Page 83

3rd par. Should the private Certifier....delete “and whether there is a serious threat to persons and /or property” and replace with “in accordance with this policy and Council regulations”.

Appendix B – Council response to each item raised in the submission

Submission Questions and/or Comments	Council Response and/or Comment
Has the amended Policy internal administrative changes been costed and are they in the budget.	Internal administration changes have not been costed as the administration duties are not expected to exceed the current capacity of existing admin staff.
Council keeps referring to it discretion in this policy, Is there any opportunity for Council to have discretion outside of all the conditions and definitions outlined in this policy? What is an example?	The policy clearly and carefully outlines the principles that govern the use of discretion. There are no grounds for the application of discretion outside the Policy.
If all the opportunities for Council to show discretion are outlined as conditions within this policy, is there any necessity to keep referring to a special Council discretion suggesting that despite all conditions and definitions contained in this policy Council can ignore the policy and implement discretion.?	Council cannot ignore the Policy when applying discretion. Any reference to the use of discretion is consistently made in association with the Policy.
Is by Council having discretion over and above this policy, could that not be perceived by the public that this policy is not worth the paper it is written on, because despite the policy, Council still has discretion...what confidence is offered to the public to be able to rely on this policy?	See note above
If all the opportunities for Council to show discretion have been conditioned into this policy would it not make sense for Council not refer to Councils Discretion but to refer to in accordance with this policy?	It is important that the Policy explicitly states that the decision-making principles outlined are intended to guide the use of discretion, ensuring a proportionate and reasonable approach is taken in a transparent and consistent manner. Inclusion of the word 'discretion' needs to be included for the sake of clarity and transparency.
Page 83 4 th Par to 5 th Par. Can Council please explain the Council's role regarding Private Certifiers. It is confusing to constituents in one sentence you are saying Council will investigate complaints concerning Private Certifiers and in another sentence you are saying all complaints must be directed to NSW Fair Trading.	This has been revised to provide clarity.
Can Council please explain 3.14	Paragraph 3.14 is made in accordance with the Model Code of Conduct for Local Councils in NSW ("the Model Code of

Council's Code of Conduct, Councillors do not attend on-site meetings with Council Staff. The complainants or persons the subject of investigation"	Conduct") is made under section 440 of the Local Government Act 1993 ("LGA") and the Local Government (General) Regulation 2021 ("the Regulation").
I have an amendments to the policy. Page 70 Par. 5 Delete "in their use of discretion" and replace with "in accordance with this policy".	The amendment is not required as the sentence states that discretion will be applied in accordance with the Policy. There is no inference to suggest that discretion goes beyond the provisions of the policy. <i>"Responsible Council staff will apply this Policy as appropriate in their use of discretion and exercise of official functions."</i>
Page 75 Par 6 Delete "at the Council's discretion" leaving it to read Decisions about what action should be taken are made in accordance with this policy.	Again, amendment is not recommended as the sentence states that discretion is made in accordance with the Policy.
Page 75 Par 7 Take out the last line "Council has limited resources and powers to deal with reports alleging unlawful activity."	This aspect of the Policy is crucial as it explains one of the reasons for its development.
Page 76 Par.6 after the points The relevant delete the words coordinator, manager, leaving Director, CEO, delete will use their discretion in determining that and insert "will determine an investigation or regulatory action is not required". So that paragraph reads: The relevant Director or CEO will determine if an investigation or further regulatory action is not required.	The Policy is designed to be applied by Coordinators and Managers at the operational level.
Page 77 relevant factors When deciding whether to investigate.....which may include (insert but not restricted to) whether.	Revised
Page 77 5th point typo Significant	Fixed
Page 77 First paragraph below the points delete the entire paragraph.	Revised to state "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."
Page78 3.7.1 last point The time period has lapsed? What is that time period?	This refers to the Statute of Limitations on a matter. Sentence revised to include the reference are included for clarity.

<p>Page 78</p> <p>3.7.2 last point The youth age maturity intelligence delete intelligence and replace with the words "intellectual capability"</p>	Revised
<p>Page 79</p> <p>3.8 first point delete the words, use discretion and replace with the word "will" so it reads "Will determine...."</p>	Revised
<p>Page 80</p> <p>3.9 Offences when penalty notice can be issued</p> <p>1st par.</p> <p>For certain ... delete "even for these offences"</p> <p>Deleted "Officers" replace with Council has the authority to use discretion in accordance with section 19A (3) of the fines act 1993</p> <p>So the paragraph reads</p> <p>For certain offences a penalty notice can be issues as the appropriate regulatory action. Council also has the authority to use discretion as set outlined in the guidelines and set out in accordance with Section 19A (3) of the Fines Act 1993</p>	Revised
<p>The given link in this policy to Section 19A (3) of the Fines Act 1993 does not work.</p>	Deleted as links are subject to change. The relevant section of the act can be searched.
<p>Page 82</p> <p>First par after the points delete the paragraph "Council will consider.....appropriate weight" it is covered by the first two paragraphs before the points.</p>	Revised to read 'Council will consider the extent applicable to the facts and circumstances of the case and will give them appropriate weight.'
<p>Page 83</p> <p>3rd par. Should the private Certifier....delete "and whether there is a serious threat to persons and /or property" and replace with "in accordance with this policy and Council regulations".</p>	This is a key consideration in Council deciding whether it will intervene on matters under the authority of private certifiers.

PLAN 02

Street Naming - Casula

Strategic Objective	Liveable, Sustainable, Resilient Deliver effective and efficient planning and high-quality design to provide best outcomes for a growing city
File Ref	193916.2024
Report By	Nadia Rad - Assistant Strategic Planner
Approved By	Lina Kakish - Director Planning & Compliance

EXECUTIVE SUMMARY

This Report seeks Council endorsement to bank a list of future street names to be used to inform development of new subdivisions proposed for Casula.

The street naming theme for Casula is flora and fauna and the proposed names reflect this theme – namely Cactus, Calendula, Guava, Peony, Periwinkle, Saffron and Snapdragon.

The proposed street names have been assessed using both Council's Naming Convention Policy and the NSW Government's NSW Address Policy and have been granted pre-approval by the NSW Geographical Names Board (GNB).

Following endorsement, the proposed street names will be publicly exhibited for a period of 28 days, before seeking formal approval from the GNB.

RECOMMENDATION

That Council:

1. Endorses the list of future street names – namely Cactus, Calendula, Guava, Peony, Periwinkle, Saffron and Snapdragon – to be used to inform development of new subdivisions proposed for Casula;
2. Publicly exhibits the names in accordance with Council's Naming Convention Policy for a period of 28 days;
3. Following public exhibition, forwards the proposed street names to the NSW Geographical Names Board seeking formal approval; and
4. Authorises the Chief Executive Officer to undertake the process of gazettal, if there are no objections received during public exhibition.

REPORT

Despite Casula being a predominantly established area, the suburb still comprises larger lots with potential for future subdivision. Future subdivisions will require new streets, and thus new street names to be assigned.

In order for the streets to be named in an efficient manner, Council staff have compiled a list of names that comply with the NSW Government's NSW Address Policy, as well as the flora and fauna street naming theme that applies to Casula. A list of these future street names presented below.

Cactus

A cactus plant is known for its ability to thrive in arid environments due to its water-storing capabilities. In Australia, cacti were introduced to establish a cochineal industry. Cochineal insects, which feed on specific cacti, produce a scarlet dye historically used to dye British soldiers' red coats.

Calendula

A calendula, commonly known as marigold, is a flowering plant well-known for its bright yellow to orange blossoms. Native to southern Europe, calendula is widely cultivated for its ornamental beauty and medicinal properties and is also used in culinary applications.

Guava

A guava is an oval shaped tropical fruit, native to Central America. The fruit has light green or yellow skin and is known for its sweet and tangy flavor. Additionally, guava leaves are used in traditional medicine for their anti-inflammatory and antimicrobial properties.

Peony

A peony is a perennial flowering plant known for its large, fragrant, and often double-blooming flowers in shades of pink, red, white, and yellow. Native to Asia, Europe, and North America, peonies are highly valued in horticulture for their beauty and long-lasting blooms.

Periwinkle

Periwinkle is an evergreen perennial flowering plant native to Europe, Northwest Africa, and Southwest Asia. They are renowned for their attractive, star-shaped flowers in hues of blue, purple, pink, and white, and glossy green foliage. They are commonly used as ground cover in gardens due to their hardy nature and ability to thrive in a variety of conditions, including shaded areas.

Saffron

Saffron, native to Southwest Asia, is a spice derived from the *Crocus sativus* flower and is known specifically for its vibrant red stigmas, unique flavor, rich golden-yellow hue, and medicinal properties. Saffron is widely used in culinary applications and has been used in traditional medicine for its potential health benefits.

Snapdragon

Snapdragon is a genus of flowering plants, native to Europe, the US, and North Africa. Known for their vibrant, dragon-shaped blooms in colors like red, pink, yellow, and white, they are popular in gardens and floral arrangements. Snapdragons attract pollinators and are prized for their unique appearance and easy cultivation.

Next Steps

If supported by Council the proposed street names will be placed on public exhibition for 28 days. Following public exhibition, if no objections are received, the proposed street 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).

If during the public exhibition Council does receive objections to the proposed street names, or reason to reconsider the proposed names, from either community representatives or relevant Government Agencies, Council staff will consider the scale of the objections to determine whether to proceed. If it is determined not to proceed with the proposed street names, a Report will be prepared for the next available Ordinary Meeting of Council to seek Council endorsement to formally withdraw the naming request.

Should Council proceed with the proposed street names, relevant stakeholders such as Australia Post, NSW Police, NSW Ambulance, Fire and Rescue NSW, NSW Rural Fire Service, NSW State Emergency Service, NSW Volunteer Rescue Association, and Transport for NSW will be notified.

Once a subdivision is near completion and requires a new Street name, Council staff will work with the proponent to allocate a street name from the endorsed list.

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	There are no civic leadership and governance considerations.
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 NSW 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	There is no risk associated with this Report.

ATTACHMENTS

Nil

PLAN 03

**Warwick Farm Precinct - Issues and Options
Paper**

Strategic Objective	Evolving, Prosperous, Innovative Implement planning controls and best practice urban design to create high-quality, inclusive urban environments
File Ref	185306.2024
Report By	Brianna Van Zyl - Senior Strategic Planner
Approved By	Lina Kakish - Director Planning & Compliance

EXECUTIVE SUMMARY

The Warwick Farm Structure Plan (**Attachment 1**), developed by Council in 2020 and 2021 for the Warwick Farm horse training area, has been on hold since 24 November 2021 when Council deferred the matter until:

- *‘Council is provided with the information that allows Council to make a fully informed and fully educated decision on this matter, including the finalised regional flood evacuation study’.*

Council worked with Molino Stewart to prepare the Georges River Regional Flood Evacuation Study that was finalised in March 2022 (**Attachment 2**). Additionally, the NSW Government published the NSW Flood Inquiry following various significant flood events across NSW. The NSW Flood Inquiry findings included recommendations that affected the Georges River Catchment (which includes the Warwick Farm Precinct), which was identified as one of four priority high-risk catchments.

On 9 April 2024, an Issues and Options Paper for the Warwick Farm Precinct was presented to Council for consideration at the April Governance Committee Meeting. A copy of the Paper is provided in **Attachment 3**. The Paper presented the following three (3) options as potential circuit breakers to revitalise the Precinct:

- **Option 1** – Proceed with the existing Precinct Plan (November 2021);
- **Option 2** – Conduct further investigations to rezone the Precinct to an Industrial / Innovation Precinct; or
- **Option 3** – Retain the existing zoning and development standards.

In addition, at the April Governance Committee there was significant discussions about flooding and the associated risk to life and property in the area. Consequently, this Report outlines additional information relating to flooding, and aims to establish clear next steps for the Precinct.

The Report also recommends Council proceed with Option 2 for the Precinct as it would provide the best balance between managing existing land uses and environmental constraints, as well as provides opportunity for renewal in a way that complements the nearby Liverpool City Centre. An Industrial / Innovation Precinct would also enable the existing horse training and stabling establishments to remain within the Precinct.

Should the recommendation to proceed with Option 2 be endorsed by Council, Council staff will commence work to further investigate how best to deliver an Industrial / Innovation Precinct for Warwick Farm. The investigation findings would then be subsequently reported to a future Ordinary Meeting of Council for Council consideration before proceeding further.

RECOMMENDATION

That Council:

1. Receives and notes this Report;
2. Endorses further investigation into how best to deliver an Industrial / Innovation Precinct for Warwick Farm (Option 2); and
3. Receives a Report at a future Ordinary Meeting of Council detailing how to deliver an Industrial / Innovation Precinct for Warwick Farm (Option 2) including associated budgetary needs and indicative timeframes.

REPORT

Background

At the Ordinary Meeting of Council on 11 December 2019, Council (Item EGROW 02) resolved to:

“...allocate funding from the general funds and to prepare a structure plan for the Warwick Farm Racing precinct and a planning proposal to support a rezoning of the Warwick Farm Precinct from Scrivener Street to Hume Highway to Governor Macquarie Drive relevant to B4 with mixed business noting that zoning is consistent with the State Governments planning advice to maximise densities close to rail stations...”

Following the Resolution, Council appointed a multi-disciplinary team led by Conybeare Morrison to prepare the supporting investigations to inform a Precinct Plan, including a Draft Contributions Framework for the provision of new infrastructure to support the Precinct.

The study area for the Precinct Plan, presented in **Figure 1**, comprises a total site area of approximately 25.5 hectares (including roads) and is bounded by the Hume Highway and Governor Macquarie Drive to the north, Shore Street and Rosedale Oval to the east, Priddle Street to the south, and the Cumberland Line rail corridor to the west.

The study area is located approximately 1-1.5km north-east of the Liverpool CBD, and is predominately residential in nature, interspersed with horse training and stabling establishments.



Figure 1 – Project Study Area (Source: CM+)

In July 2020, the draft Precinct Plan, Planning Proposal and associated studies were presented to the Liverpool Local Planning Panel (LPP) for consideration. The LPP did not support the Planning Proposal proceeding to a Gateway determination and requested:

- further updates to the flood impact assessment;
- further analysis on the potential environmental impact of the truck bypass; and
- a report in relation to the cap of 18,800 additional dwellings for the Liverpool Collaboration Area.

At the Ordinary Meeting of Council on 26 August 2020, Council noted the advice of the LPP and resolved to place the draft Precinct Plan, Planning Proposal and Local Contributions Plan on public exhibition for a period of 28 days (Item EGROW 01).

The draft Precinct Plan, Planning Proposal and Local Contributions Plan were publicly exhibited between 14 September 2020 and 12 October 2020, with the outcomes of the exhibition subsequently referred to Council for consideration at the Ordinary Meeting of Council on 28 April 2021 (Item EGROW 04).

At the Meeting, Council resolved for several changes to be made to the Precinct Plan, Planning Proposal and Contributions Plan including the inclusion of 240 Governor Macquarie Drive in the Precinct Plan, additional flooding considerations, and an Economic Review of the resultant Gross Floor Areas (GFAs) achieved across the site to determine feasibility.

The updated planning package for Warwick Farm was tabled at the Ordinary Meeting of Council on 29 September 2021 (Item PLAN 06) for Council consideration. At the Meeting, Council resolved to place the updated planning package on public exhibition for 28 days.

The updated planning package was subsequently placed on public exhibition between 8 October 2020 and 7 November 2021, with the outcomes of exhibition tabled for Council consideration at the Ordinary Meeting of Council on 24 November 2021 (Item PLAN 05). At the Meeting, Council resolved to:

“That Council defer this matter until Council is provided with information that allows Council to make fully informed and fully educated decisions on this matter, including the finalised Regional Flood Evacuation Study.”

NSW Flood Inquiry

In March 2022, the NSW Government commissioned an independent expert inquiry into the preparation for, causes of, response to and recovery from the 2022 catastrophic flood event across the state of NSW.

Completed in July 2022, the Inquiry made several recommendations that relate to the Georges River catchment, which was considered a high-risk catchment along with the Hawkesbury-Nepean, Wilsons, and Tweed River catchments. This has added an additional layer of complexity to the Precinct.

Following the release of the Inquiry findings, Council staff have sought direction and clarity from the Department of Planning, Housing and Infrastructure (DPHI) on how to proceed with proposals in high and medium flood risk areas.

In September 2023, Council received a response from the DPHI on behalf of the Hon. Paul Scully, Minister for Planning and Public Spaces, which identified the need to move to a risk-based approach to managing potential floods. The letter stated that the level of assessment undertaken for planning or development proposals are proportionate, and must include balanced consideration on the merits, risks and impacts.

Governance Committee Meeting – 9 April 2024

An Issues and Options Paper for the Warwick Farm Precinct was presented to Council for consideration at the April Governance Committee Meeting on 9 April 2024. A copy of the Paper is provided in **Attachment 3**. The Paper presented the following three (3) options as potential circuit breakers to revitalise the Precinct:

- **Option 1** – Proceed with the existing Precinct Plan (November 2021);
- **Option 2** – Conduct further investigations to rezone the Precinct to an Industrial / Innovation Precinct; or
- **Option 3** – Retain the existing zoning and development standards.

At the Meeting, there was discussion around flood risk in the Precinct, and specifically the evacuation of residents during a flood event.

Following the preparation of a Flooding Assessment, WMA Water identified that shelter-in-place was not appropriate for the Precinct. Therefore, evacuation access must be available from every building in flood events larger than 1% Annual Exceedance Probability (AEP) (1-in-100 flood event). To achieve this, significant infrastructure investment is required, including the raising of all Precinct roads, to enable evacuation out of the Precinct during a flood event.

Flooding issue are detailed further in **Attachment 3**, however additional information has been provided in relation to the matters below, which is itemised by discussion point:

Recent floods in the Precinct

Eight participating Council's share the catchment of the Georges River including Liverpool, Bankstown, Fairfield, Campbelltown and Sutherland. These Councils collectively developed the Georges River Floodplain Risk Management Study and Plan in 2004.

In terms of recent flood events, flooding in 1986 and 1988 are the largest floods to have occurred over the last 40 years and are both estimated to be 1-in-20 year flood events. The flood in 1956 was about one metre higher than the 1986 and 1988 floods throughout much of the river but was still estimated to be less than the 1-in-100 year flood event.

As per the adopted flood mapping, the Warwick Farm Precinct would be inundated by a 1-in-100 year flood event, an event that has not been experienced since the establishment of the suburb.

Georges River, downstream of Liverpool Weir, is tidal

The Georges River catchment, downstream of the Liverpool Weir (east), is tidal in nature. The tidal impact has been both considered and accounted for in flood modelling undertaken for the catchment.

Whilst tidal effects alone do not flood the subject area, it does exacerbate flooding in large events.

Existing building stock being built above the Flood Planning Level

At the April 2024 Governance Committee Meeting, there was discussion about the number of existing properties built above the Flood Planning Level.

Currently the DCP requires all habitable flood levels to be equal to, or greater than, the 1% Annual Exceedance Probability (AEP) flood level plus 500mm freeboard ("Flood Planning Level"). The Warwick Farm Precinct Plan echoes this requirement, and all floor levels are to be between RL 8.80m AHD to RL 9.10m AHD, depending on the location. Essentially, this means all buildings should be built approximately 1m above existing ground levels.

On 4 June 2024, Council staff carried out a ground-truthing exercise to ascertain the number of properties within the Precinct built approximately 1m above existing ground levels. Although the exercise was carried out from the road corridor – given the inability for staff to access private property – the investigation established the Precinct currently comprises approximately 60 lots (some properties span over multiple lots). Of those 60 lots, only seven (7) were observed to be constructed above the Flood Planning Level.

Figure 2 provides a summary of the properties observed to be constructed above the Flood Planning Level, while **Figure 3** highlights a property within the Precinct built in accordance with the controls.

The existing Warwick Farm Precinct Plan, which was publicly exhibited in October-November 2021, proposed for the subject area to be re-developed. The Plan proposed significant up-lift across the Precinct, which if delivered in full would likely result in most of the existing building stock being knocked-down, replaced and constructed above the Flood Planning Level.

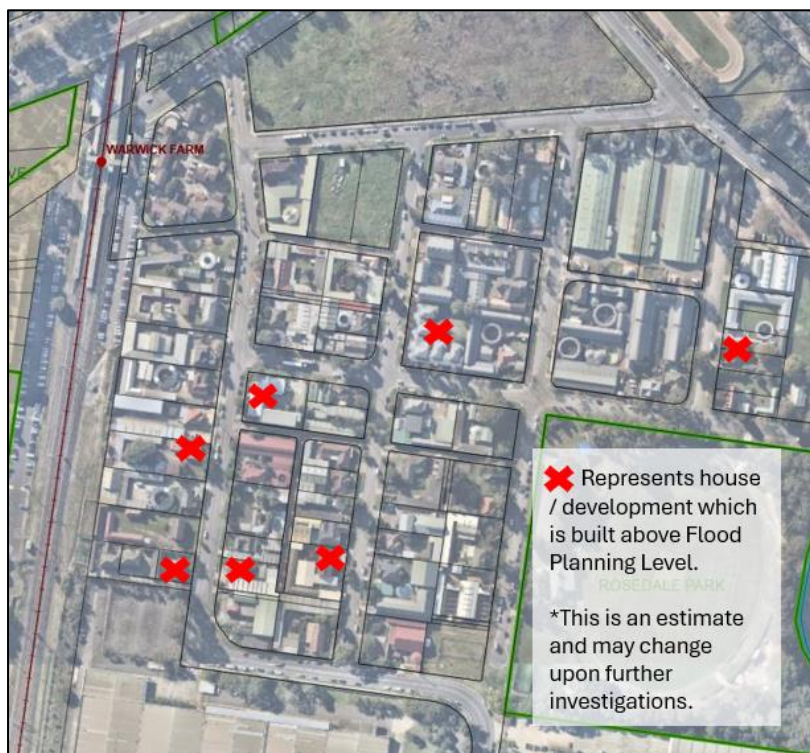


Figure 2 – Precinct properties that appear to be built above the Flood Planning Level



Figure 3 – Example of development within the Precinct that appears to be built above Flood Planning Level

Options for Warwick Farm Precinct

The update planning package for the Warwick Farm Precinct tabled for Council consideration at the Ordinary Meeting of Council on 24 November 2021 (Item PLAN 05) has been on hold since this time. Various issues, including flooding, traffic, development feasibility and land fragmentation, has made it difficult to progress further with the original Precinct Plan.

The outcomes of the NSW Flood Inquiry, released by the NSW Government in July 2022, has only added to the complexity of urban renewal projects on established flood plains.

On 5 June 2023, Council wrote to the Hon. Paul Scully, Minister of Planning and Public Spaces, which sought further clarity around how Council should proceed with the assessment of Planning Proposals like the Warwick Farm Precinct Plan and land uses policies within the Georges River Catchment.

On 22 September 2023, Council received a response from the DPHI, on behalf of the Hon. Paul Scully, which reiterated the need for a risk-based approach to managing floods, stating the level of assessment undertaken for Planning Proposals and Development Applications must include a balanced consideration of all the risks and impacts. Therefore, proceeding with the current approach no longer appears viable and is unlikely to demonstrate both strategic and site-specific merit.

To provide a potential circuit breaker to the current approach, Council staff tabled the following three (3) options for consideration at the April 2024 Governance Committee Meeting:

- **Option 1** – Proceed with the existing Precinct Plan (November 2021);
- **Option 2** – Conduct further investigations to rezone the Precinct to an Industrial / Innovation Precinct; or
- **Option 3** – Retain the existing zoning and development standards (i.e. 'Do Nothing').

Detailed analysis of each option is provided in **Attachment 3**, with a summary provided in **Table 1**.

<i>Option No.</i>	<i>Proposal</i>	<i>Comments</i>	<i>Recommendation</i>
1	Proceed with existing Precinct Plan	<p>The study area is significantly constrained, and the subject Precinct Plan aimed to mitigate these constraints. However, this resulted in high costs to develop due to property acquisition and the required infrastructure to mitigate the risks of flooding and evacuation.</p> <p>Given the constraints outlined in Attachment 3, and the density sought by the proposed Precinct Plan is considered unrealistic that it would ever be achieved in full.</p>	Not recommended
2	Investigate potential pivot to an Industrial / Innovation Precinct	<p>Flood planning controls are less stringent for industrial and business land uses, and given the flooding and evacuation constraints, non-residential uses may be better suited to the area.</p> <p>By rezoning the majority of this area to non-residential use, the odour buffer would no longer be a significant constraint, thereby providing additional flexibility for Precinct renewal.</p>	Recommended
3	'Do Nothing'	<p>The current land uses within the precinct complement the Warwick Farm Racecourse and are of local economic importance. This option would allow for development under the existing zoning, and not require the significant infrastructure investment to support it.</p>	Not recommended

Table 1 – Summary of potential land use options for Warwick Farm Precinct

Due to the significant existing constraints within the Precinct and associated issues with proceeding with Option 1, Council staff are recommending investigating Option 2. This would provide the best balance between managing existing land uses and environmental constraints, as well as provides opportunity for renewal in a way that complements the nearby Liverpool City Centre. An Industrial / Innovation Precinct would also enable the existing horse training and stabling establishments to remain within the Precinct.

Option 3 is not considered viable as it does not adequately address the existing flood risk experienced across the Precinct.

Next Steps

Should the recommendation to proceed with Option 2 be endorsed by Council, Council staff will commence work to further investigate how best to deliver an Industrial / Innovation Precinct for Warwick Farm.

Preliminary master planning would be undertaken to determine future uses, development yield, and the key constraints that need to be addressed. The investigation findings would then be subsequently reported to a future Ordinary Meeting of Council for Council consideration, including associated budgetary needs and indicative timeframes, before proceeding further.

FINANCIAL IMPLICATIONS

There are no financial implications associated with the Report however Council should note the following indicative financial implications associated with the three proposed options:

- Option 1 would require various issues to be resolved, requiring further investigations. So far approximately \$300,000 has been spent. Due to the constraints of the Precinct, it is highly unlikely this option would be progressed to the point of practicable implementation, even with further funding allocated;
- Option 2 provides a new vision for the Precinct and requires new studies to ensure the vision is viable. As an immediate next step, Council staff could draft a high-level Master Plan which includes potential development standards, and associated infrastructure needs. Once this was completed and endorsed by Council, further investigations to support a Planning Proposal could occur (e.g. Precinct Plan, Transport Impact Assessment, Economic Testing, Feasibility Studies, Detailed Flood Assessment, Open Space Needs Analysis, Contributions Plan and site-specific Development Control Plan). This would be outside the existing budget allocations for City Planning, and therefore require further funding. It is estimated approximately \$500,000 may be required to progress this option; and
- Option 3 would have no associated financial implications.

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	Section 3.31 to 3.37 of the <i>Environmental Planning and Assessment Act 1979</i> .
Risk	This project is currently at the investigation stage, so considered to be low risk, and within Councils appetite. There is a risk of growing community frustration if an option for the redevelopment of the Precinct is not progressed.

ATTACHMENTS

1. Attachment 1 - Warwick Farm Structure Plan (Under separate cover)
2. Attachment 2 - Georges River Flood Evacuation Modelling Report (Under separate cover)
3. Attachment 3 - Warwick Farm Issue and Option Report - Governance Committee Meeting - 9 April 2024 (Under separate cover)

The most recent Warwick Farm draft Precinct Plan, draft Planning Proposal, draft Contribution Plan, Summary Fact Sheet, Flood Assessment, Traffic Assessment and Fact Sheet on Property Acquisition can be found through this link:

https://liverpool.infocouncil.biz/Open/2021/11/CO_20211124_AGN_439_AT_SUP_WEB.htm

PLAN 04**Development Assessment Policy**

Strategic Objective	Liveable, Sustainable, Resilient Deliver effective and efficient planning and high-quality design to provide best outcomes for a growing city
File Ref	209936.2024
Report By	Laura Mehew - Project Officer Planning
Approved By	William Attard - Manager Development Assessment

EXECUTIVE SUMMARY

In March 2017, the Department of Planning and Environment (now Department of Planning, Housing and Infrastructure – DPHI) released the Development Assessment Best Practice Guide (the Guide) to promote best practice principles to assist Council's with the management of development applications.

To build on the success of the Guide, a draft Development Assessment Policy (the draft DA Policy) for Liverpool City Council (Council) has been prepared. The draft DA Policy aligns with the principles outlined in the Guide and specifies how development applications lodged with Council will be assessed and determined.

The draft DA Policy aims to:

- Support the management of development applications by establishing a clear and consistent approach;
- Establish clear directions and expectations for Applicants to provide well-made, assessment ready applications;
- Improve community and customer satisfaction; and
- Improve assessment times.

RECOMMENDATION

That Council:

1. Endorse the draft 'Development Assessment Policy' for public exhibition for a period of not less than 28 days.
2. Delegate to Council's A/Chief Executive Officer or delegate to finalise the Draft Development Assessment Policy if no submissions are received during public exhibition, and allow administrative amendments to be made.
3. Note that any submissions on the proposed policy will be reported to a subsequent meeting of Council.

REPORT

1. Background

Development Assessment in NSW is carried out under the provisions of the *Environmental Planning & Assessment Act 1979 (EP&A Act)* and the *Environmental Planning & Assessment Regulation 2021 (EP&A Regs)* and their associated instruments.

To build on the success of the Guide, a draft DA Policy for Council has been prepared and is provided at **Attachments 1 and 2**. The draft DA Policy aligns with the principles outlined in the Guide provided at **Attachment 3** and specifies how development applications lodged with Council will be assessed and determined.

The draft DA Policy includes best practice principles that assist in the timely determination of development applications, including the following:

- Focus on pre-lodgement services to ensure better responses to policy and planning requirements;
- Lodgement of 'assessment ready' applications, allowing the assessment officer to focus on assessing and determining the applications; and
- Corporate accountability for assessment timeframes in the form of key performance indicators.

The draft DA Policy was tabled at the Council Meeting held 13th December 2023, whereby Council resolved the following:

1. *Adopts the Development Assessment Best Practice Guide March 2017; and*
2. *Format it into a Policy and bring it back to Council for approval before putting it out on Council exhibition.*

Following this meeting, the draft DA Policy has been amended to demonstrate a stronger alignment with the principles and objectives outlined in the Guide, as well as the addition of Key Performance Indicators (KPIs) set by the *Environmental Planning and Assessment (Statement of Expectations) Order 2024*.

Additionally, the amended Draft Development Assessment Policy was tabled at the Governance Committee Meeting 11th June, and is now tabled at Council, following discussions with Council's Governance Team and following receipt of the updated *Environmental Planning and Assessment (Statement of Expectations) Order 2024*, dated 1 July 2024.

2. About the Policy

To deliver a customer-focused Development Assessment service within reasonable timeframes, Applicants must furnish well-made, assessment ready applications, at the time of submission via the NSW Planning Portal. The onus is on the Applicant to ensure the information submitted is complete, accurate, and ready for assessment.

This policy will apply to all stages of the development application process, including:

- Pre-lodgement;
- Lodgement;
- Assessment;
- Determination; and
- Post Determination options.

3. Council Resolution

The Guide was developed in 2017 and was designed as a resource to assist Council's in the management of the Development Assessment process.

Since the publication of the Guide, planning has evolved to now include use of external portals such as the NSW Planning Portal and the complexity of what is required in a planning assessment has also changed. Additionally, the bulk of the content in the Guide is managed at an operational level via Development Assessment processes and procedures, the contents of which are not appropriate in a high-level policy document.

The draft DA policy has therefore been prepared to provide the structure and rules around the management of development applications specific to Council, thus providing clarity for Council, Applicants and the Community.

4. Amended Policy

Council has amended the draft DA Policy to create a stronger alignment with the Guide, with the addition of:

- Alignment to guiding principals referenced in the Guide;
- Key objectives;
- Addition of overall determination timeframes; and
- Changes to Processes and Procedures.

4(i). Alignment to Guiding Principles Referenced in the Guide

The draft DA Policy includes the following best practice principles from the Guide:

- Provision of targeted Pre-DA and Duty Planning Services;
- Efficient lodgement and triage processes;
- Corporate accountability for assessment timeframes via Key Performance Indicators (KPIs); and
- Delegations that support a consistent, targeted and efficient decision-making process.

4(ii). Key Objectives

Key objectives have been included within the draft DA policy, to provide clear outcomes for Applicants at each stage of the application lifecycle.

4(iii). Addition of Overall Determination Timeframes

In the Guide, DPHI outlined that Councils should adopt KPIs in line with the Premier's Priority Target to achieve 90% of development applications determined within 40 days.

Whilst this timeframe target is no longer a Premier's Priority, the Minister for Planning & Public spaces has issued an updated *Environmental Planning and Assessment (Statement of Expectations) Order 2024 dated 1 July 2024*, under the *EP&A Act*.

Relevant Development Assessment KPIs for Council are adopted within the draft DA Policy, as per the new order-

Updated Statement of Ministerial Expectations

- *The Ministerial Statement of Expectations establishes the expectations of the Minister for Planning and Public Spaces in terms of planning assessment performance. The updated Statement includes the expectation for Councils to:*
 - *Lodge DAs as soon as practical and within an average of:*
 - *14 days from submission, from 1 July 2024 to 30 June 2025.*
 - *7 days from submission, from 1 July 2025 onwards.*
 - *Determine DAs as soon as practical and whichever is the lesser of Council's previous financial year average, or an average of:*
 - *115 days from lodgement, from 1 July 2024 to 30 June 2025.*
 - *105 days from lodgement, from 1 July 2025 to 30 June 2026.*
 - *95 days from lodgement, from 1 July 2026 to 30 June 2027.*
 - *85 days from lodgement, from 1 July 2027 onwards.*
 - *Assess Regionally Significant DAs and refer them to the relevant planning panel for determination as soon as practical and within an average of 250 days from lodgement.*

The following additional KPIs have been adopted within Council's DPOP relevant to Development Assessment:

- *Determine development applications of a minor nature (dwellings, secondary dwellings, ancillary residential structures) within 40 business days, for 90% of applications.*
- *Provide Pre-Lodgement meeting minutes to applicants within 10 business days of meeting date, for 90% of applications.*

Additional time frames for each assessment stage reflected within the Guide, are managed at an operational level via Development Assessment processes and procedures, which are outside the scope of the draft DA Policy.

4(iv). Changes to Processes and Procedures

As part of the implementation of a DA Policy, Council will make internal administrative changes to its process and procedure documentation, to ensure consistency and alignment.

The principles referenced in the Guide which are implemented operationally, include:

- Investment in the pre-lodgement stage;
- Standardisation of processes and procedures; and
- Continuous improvement programs, including business systems and technology.

Additionally, to support alignment with the best practice guiding principles, a review of Council's publicly available guides and information relating to development applications is currently being reviewed and updated as a part of Council's Website and Intranet Improvement Project, led by the Communications, Marketing and Brand Department.

5. Conclusion

The adoption of the draft DA Policy will support Council Officers in delivering efficient and improved services, by ensuring Applicants are supported through Pre-Lodgement and Planning Advisory services, ensuring that applications submitted are well-made, and assessment ready.

CONSULTATION

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

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. Deliver services that are customer focused. Operate a well-developed governance system that demonstrates accountability, transparency, and ethical conduct.
Legislative	<i>Environmental Planning & Assessment Act 1979; and Environmental Planning & Assessment Regulation 2021.</i>

Risk	The risk is deemed to be Low
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ATTACHMENTS

1. Draft - Development Assessment Policy 2024 - July Clean (Under separate cover)
2. Draft - Development Assessment Policy 2024 - July Tracked Changes (Under separate cover)
3. Development Assessment Best Practice Guide 2017 (Under separate cover)

PLAN 05**Street Naming - Horningsea Park**

Strategic Objective	Liveable, Sustainable, Resilient Deliver effective and efficient planning and high-quality design to provide best outcomes for a growing city
File Ref	210370.2024
Report By	Danielle Hijazi - Strategic Planner
Approved By	Lina Kakish - Director Planning & Compliance

EXECUTIVE SUMMARY

This Report seeks Council endorsement to proceed with a street naming request to name two (2) new streets created as a result of an approved subdivision located at 1895 Camden Valley Way, Horningsea Park.

The proposed street names, Solomon and Landa Crescents, commemorate two historical figures who were impactful in the preservation of the Horningsea Park Estate.

Vaiben Solomon purchased the Estate around 1855 and lived in Horningsea Park House with his family until 1872. Meanwhile, the Hon. Paul Landa, as NSW Minister for Planning and Environment in the late 1970s and early 1980s, was instrumental in the heritage conservation of Horningsea Park House

The proposed street names have been assessed using both Council's Naming Convention Policy and the NSW Government's NSW Address Policy, and have been granted pre-approval by the NSW Geographical Names Board (GNB). Following endorsement, the proposed street names will be publicly exhibited for a period of 28 days, before seeking formal approval from the GNB.

RECOMMENDATION

That Council:

1. Endorses the proposed street names "Landa Crescent" and "Solomon Crescent", Horningsea Park;
2. Publicly exhibits the proposed streets names in accordance with Council's Naming Convention Policy for a period of 28 days;

3. Following public exhibition, forwards the proposed street names to the NSW Geographical Names Board seeking formal approval; and
4. Authorises the Chief Executive Officer to undertake the process of gazettal, if there are no objections received during public exhibition.

REPORT

In April 2024, Council received a street naming request from the Proponent finalising a subdivision development (see Figure 1 and 2) at 1895 Camden Valley Way, Horningsea Park. The subdivision has created two new streets in Horningsea Park that must be named prior to the issue of a subdivision certificate.

Of the multiple names submitted by the Proponent, only two names – “Landa” and “Solomon” – were consistent with the principles for road naming in the NSW Government’s NSW Address Policy.

Uniqueness is the most essential quality to be sought in proposing a new road name. A road name will be regarded as a duplicate if it is the same or similar in spelling or sound to an existing name, regardless of the road type.



Figure 1 – Aerial image of new subdivision at 1895 Camden Valley Way, Horningsea Park

Proposed Street NamesLanda Crescent

The Hon. Paul Landa was an influential figure connected to the preservation of Horningsea Park House. As the NSW Minister for Planning and Environment in the late 1970s and early 1980s, Paul played a crucial role in the conservation of heritage sites across the state, including the Horningsea Park House.

Horningsea Park House, a heritage-listed property, faced significant threats of demolition in the 1970s due to neglect and development pressures. The house, originally built by Joshua John Moore and later owned by the Solomon family, had fallen into disrepair. Vandals had stripped many of its internal fittings, and demolition had already begun when a preservation order was placed over the property in 1983.

Paul Landa's intervention was pivotal in saving Horningsea Park House from complete destruction. His efforts, along with those of Liverpool City Council, led to the property's stabilisation, extensive reconstruction, and recognition as a heritage item. The house underwent significant restoration and was listed on the New South Wales State Heritage Register in 1999.

Today, Horningsea Park House stands as a testament to early colonial architecture and history, largely preserved due to the efforts of Paul Landa.

Solomon Crescent

Vaiben Solomon, a significant figure in the history of Horningsea Park, purchased the grand house built by Joshua John Moore in the 1830s (Horningsea Park House) around 1855. Solomon, along with his family, lived and managed the Estate until 1872. The original house still stands today on Horningsea Park Drive and is listed on the New South Wales State Heritage Register.

Next Steps

If supported by Council the proposed street names will be placed on public exhibition for 28 days. Following public exhibition, if no objections are received, the proposed street 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).

If during the public exhibition Council does receive objections to the proposed street names, or reason to reconsider the proposed names, from either community representatives or relevant Government Agencies, Council staff will consider the scale of the objections to determine whether to proceed. If it is determined not to proceed with the proposed street

names, a Report will be prepared for the next available Ordinary Meeting of Council to seek Council endorsement to formally withdraw the naming request.

Should Council proceed with the proposed street names, relevant stakeholders such as Australia Post, NSW Police, NSW Ambulance, Fire and Rescue NSW, NSW Rural Fire Service, NSW State Emergency Service, NSW Volunteer Rescue Association, and Transport for NSW will be notified.

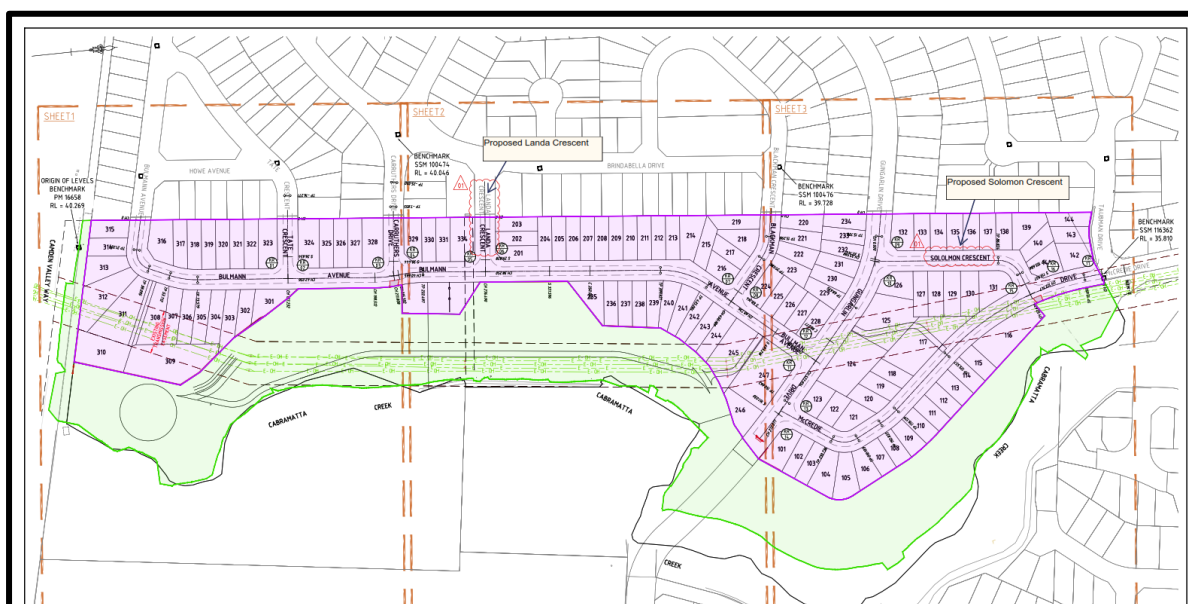


Figure 2 – Proposed locations of Landa and Solomon Crescents within the new subdivision at 1895 Camden Valley Way, Horningsea Park

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	There are no civic leadership and governance considerations.
Legislative	Roads Act 1993.

	<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 NSW 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	There is no risk associated with this Report.

ATTACHMENTS

Nil

PLAN 06**Quarterly Report - Clause 4.6 Variations to
Development Standards**

Strategic Objective	Liveable, Sustainable, Resilient Deliver effective and efficient planning and high-quality design to provide best outcomes for a growing city
File Ref	214500.2024
Report By	William Attard - Manager Development Assessment
Approved By	Lina Kakish - Director Planning & Compliance

EXECUTIVE SUMMARY

The Department of Planning and Environment (DPE) Planning Circular PS 20-002 requires a quarterly report be tabled at a Council meeting for information only, which outlines Development Applications that have been determined by the Sydney Western City Planning, the Liverpool Local Planning Panel, or by planning officers under delegated authority; where there was a variation to a Development Standard pursuant to Clause 4.6 of the respective Environmental Planning Instrument.

Council also simultaneously publishes the variations to Council's website. There was one (1) development applications approved in the last reporting quarter with a Clause 4.6 variation.

RECOMMENDATION

That Council receives and notes this report.

REPORT

Clause 4.6 of the Standard Instrument permits a consent authority to consider Development Applications that do not comply with specified Development Standards contained within the Liverpool Local Environmental Plan 2008 (LEP) or other Environmental Planning Instruments, such as State Environmental Planning Policies. This is a common rule that applies to all Councils across NSW.

Generally, a Development Standard is a requirement of an Environmental Planning Instrument that has a numerical value. Common development standards include Height of Building, Minimum Lot Size and Floor Space Ratio. Development Control Plan numerical values are not development standards.

Clause 4.6 is common to all standard instrument LEPs across all NSW Councils. The objectives of the Clause are:

- To provide an appropriate degree of flexibility in applying certain Development Standards to development, and
- To achieve better outcomes for and from development by allowing flexibility in particular circumstances.

Planning Circular PS20-002 specifies how Councils throughout NSW can use and interpret the Clause. The Circular also contains information about reporting requirements. For example, Council is required to report its (or the Local or Regional Panel's) use of Clause 4.6 on Council's website on a quarterly basis. To ensure transparency and integrity in the planning framework, and consistency with Planning Circular PS 20-002, quarterly reporting to a Council meeting is also required.

The Clause 4.6 Variation Register for the quarter between April to June 2024 is provided within **Attachment 1** for the information of the Council and community.

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	This report fulfils Council's obligation with Planning Circular PS 20-002.
Risk	There is no risk associated with this report.

ATTACHMENTS

1. Clause 4.6 Variation Register

ITEM 1 – DA-360/2023 – 195 Fifth Avenue Austral

DA Number:	DA-360/2023
Property Address:	195 Fifth Avenue Austral Lot 1 in DP 1199136
Development Category:	Residential
Description:	Demolition of existing structures, tree removal, remediation of land, site civil works, landscaping, drainage, installation of services and bulk earthworks including construction of one new local road and subdivision of the existing lot of land into 16 Torrens Title allotments, construction of two x two storey semi-detached dwellings on proposed Lots 1301 and 1302, construction of one x two storey detached dwelling on proposed Lot 14 over three stages including one residue lot containing a temporary on-site stormwater detention (OSD) basin on proposed Lot 3.
Environmental Planning Instrument:	Liverpool LEP 2008
Zoning of Land:	R3 Medium Density Residential under State Environmental Planning Policy (SEPP) (Precincts—Western Parkland City (WPC)) 2021
Development Standard Varied:	Clause 4.1B Residential Density
Justification of Variation:	<p>The proposed variation to the minimum dwelling density development standard was considered acceptable in this instance as strict compliance was unreasonable or unnecessary in the circumstances. The proposed subdivision is for an existing lot of land subdivided into 16 Torrens Title allotments. The development enables a subdivision pattern that is in the context of the area and is consistent with the minimum lot size and width requirements. The development proposed residential lots that can accommodate dwellings and achieve an appropriate amenity based on full compliance with the relevant state and local policies.</p> <p>The objectives of Clause 4.1B as well as the R3 Medium Density Residential under State Environmental Planning Policy (SEPP) (Precincts—Western Parkland City (WPC)) 2021 were upheld because of the proposed development and the proposal was in the public interest.</p> <p>The minimum dwelling density prescribed for the site is 25 dwellings per hectare (dw/ha). The application proposed a dwelling density of 24.24 dwellings over the assessable area, which results in a numerical variation of 0.76 dw/ha or 3.03%.</p>
Extent of Variation:	0.76dw/ha / 3.03% variation
Concurring Authority:	Council via assumed concurrence
Date Determined:	26 June 2023

PLAN 07

Proposed Heritage Listing for Lot 17 Leacocks Lane, Casula

Strategic Objective	Healthy, Inclusive, Engaging Embrace the city's heritage and history
File Ref	212223.2024
Report By	Thomas Wheeler - Heritage Officer
Approved By	Lina Kakish - Director Planning & Compliance

EXECUTIVE SUMMARY

At the Ordinary Meeting of Council on 28 February 2024, a Motion of Urgency (MOU 01) was tabled, and subsequently endorsed by Council, seeking an immediate Interim Heritage Order be placed on Lot 17 Leacocks Lane, Casula known as "Mt Omei" (to be referred to as "Mt Omei" in this Report). A copy of the Council Resolution is provided in **Attachment 1**.

As a result of the Council Resolution, an Interim Heritage Order (NSW Government Gazette No.103) was gazetted on 22 March 2024 for "Mt Omei". The IHO prevents the demolition or unsympathetic alteration of the site for up to six (6) months from the gazettal date. A copy of the gazettal is provided in **Attachment 2**.

The Interim Heritage Order (IHO) provided Council time to determine whether the property is of heritage significance and should therefore be listed under Schedule 5 of the *Liverpool Local Environmental Plan 2008* (LLEP 2008).

On 1 May 2024, Council engaged an independent Heritage Consultant, Bronwyn Hanna History & Heritage, to undertake a detailed Heritage Significance Assessment and provide clear recommendations as to whether the property should be heritage listed.

On 3 May 2024, Council's A/CEO wrote to the NSW National Parks and Wildlife Service (NPWS) to inform them of the IHO gazettal. A copy of the correspondence is provided in **Attachment 3**.

Council received a copy of the draft Heritage Significance Assessment on 17 June 2024 (see **Attachment 4**) which concluded that the "Mt Omei" property – including the house, gallery and lookout area – is of local heritage significance under all seven (7) criteria of the Heritage Council of NSW. The draft Assessment also recommends that this part of the property be listed in the *Liverpool Local Environmental Plan 2008* (LLEP 2008) as an item of local

significance. A copy of the draft Heritage Significance Assessment was forwarded to the NPWS for their consideration on 2 July 2024.

This Report reflects the history of this matter and in line with the draft Heritage Significance Assessment, recommends Council commences work to prepare a Planning Proposal to list Lot 17 Leacocks Lane, Casula ("Mt Omei") as an item of heritage significance in the LLEP 2008.

RECOMMENDATION

That Council:

1. Receives and notes this Report.
2. Prepares a Planning Proposal to amend Schedule 5 of the *Liverpool Local Environmental Plan 2008* to include Lot 17 Leacocks Lane, Casula ("Mt Omei") as an item of local heritage significance.
3. Writes to the NSW National Parks and Wildlife Service to inform the Agency that Council will prepare a Planning Proposal to amend Schedule 5 of the *Liverpool Local Environmental Plan 2008* to include Lot 17 Leacocks Lane, Casula ("Mt Omei") as an item of local heritage significance.

REPORT

Background

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Assessment of Significance

Assessing heritage significance is an inquiry-based process that results in the compilation of various types of evidence (tangible, intangible or both) that is then used to determine the heritage significance of a place or object. This assessment is integral to being able to make good decisions about important places and objects.

To establish heritage significance in NSW, the following seven (7) criteria presented in **Table 1** are applied.

Table 1 – Criteria used in NSW to establish heritage significance (Source: Assessing Heritage Significance – Guidelines for assessing places and objects against the Heritage Council of NSW criteria, Department of Planning and Environment, May 2023)

<i>Criteria</i>	<i>Definition</i>
Criterion (a) – Historic Significance	An item is important in the course, or pattern, of NSW’s cultural or natural history (or the cultural or natural history of the local area).
Criterion (b) – Historical Association	An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW’s cultural or natural history (or the cultural or natural history of the local area).
Criterion (c) – Aesthetic / Creative / Technical Achievement	An item is important in demonstrating aesthetic characteristics and/ or a high degree of creative or technical achievement in NSW (or the local area).
Criterion (d) – Social, Cultural, Spiritual	An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural, or spiritual reasons.
Criterion (e) – Research Potential	An item has potential to yield information that will contribute to an understanding of NSW’s cultural or natural history (or the cultural or natural history of the local area).
Criterion (f) – Rare	An item possesses uncommon, rare, or endangered aspects of NSW’s cultural or natural history (or the cultural or natural history of the local area).
Criterion (g) – Representative	An item is important in demonstrating the principal characteristics of a class of NSW’s cultural or natural places; or cultural or natural environments (or a class of the local area’s cultural or natural places; or cultural or natural environments).

The assessment of significance was prepared by Bronwyn Hanna History & Heritage following the *Assessing Heritage Significance Guidelines* issued by the Heritage Council of NSW, as well as the heritage approach advocated by the Australian ICOMOS *Burra Charter 2013* and James Semple Kerr's, *The Conservation Plan*, 7th ed., 2013.

A summary of the assessment against the seven (7) criteria presented in **Table 1** is provided in **Table 2**.

Table 2 – Heritage Significance Assessment for “Mt Omei”

<i>Criteria</i>	<i>Evidence</i>
Criterion (a) – Historic Significance	<p>The Mt Omei property in Casula has local historical significance for Liverpool for demonstrating typical early phases of urban development in Sydney. Mt Omei was part of the original grant that formed Charles Thorsby's (iconic) colonial Glenfield Estate in 1810.</p> <p>After being used for dairy farming for over a century, it was subdivided from the estate in 1946 as part of the breaking up of the farmland by James Leacock, resulting in the formation of the suburb of Casula.</p> <p>The Mt Omei phase of urban development under the ownership of Wolf and Alice Klaphake since 1946 was, by contrast, exceptional. Mt Omei was one of a small number of properties across the peri-urban hinterland of Sydney in the post-war era made by, and for, people with artistic and alternative ideas.</p> <p>The Mt Omei 'Klaphake house / gallery / lookout area' has local historical significance as an attractive group of vernacular buildings that were largely owner-designed in inexpensive materials, set in a bushland setting they largely planted themselves, for their domestic, scientific, artistic and social activities.</p> <p>The Mt Omei 'Klaphake house / gallery / lookout area' has local historical significance for the 'Modern Art Gallery' run by Alice Klaphake from 1976 to 1984, as well as exhibiting occasionally since then under the custodianship of Van Klaphake. The gallery fostered the local arts community and has been described as 'the centre of the art scene in Sydney's south-west'.</p>

<p>Criterion (b) – Historical Association</p>	<p>The Mt Omei property in Casula has local historical associations with the following people:</p> <ol style="list-style-type: none"> 1. Dr Charles Throsby (1777-1928), a well-known colonial surgeon, magistrate and explorer who was formally granted the land on which Mt Omei is situated in 1810, and who built the large and successful dairy farm known as Glenfield. 2. James Leacock (d. 1974), acquired Glenfield in the early 1920s and was an innovative dairy farmer and entrepreneur who embraced interests ranging from organic farming and land cooperatives to Aboriginal rights. In the 1950s he established the first Aboriginal heritage museum in Sydney, known as the 'Austro-Asian Cultural Centre'. Leacock subdivided and sold off large swathes of the estate throughout his tenure, including the Mt Omei property, resulting in the formation of the suburb of Casula. 3. Dr Wolf Klaphake (1900-1967), an industrial chemist and inventor who, with his wife Alice, bought the newly subdivided property in 1946, named it Mt Omei and lived and worked in the home and laboratory they purpose-built there, until he died in 1967. Wolf migrated to Australia from Germany in 1935 but was interned as an enemy alien for four years during World War II). 4. Alice Klaphake (1909-2004, nee Lardi, m. Wilton), who studied drama and acted with the Melbourne Repertoire Theatre in the 1920s, worked as a journalist and wrote poetry before marrying Wolf Klaphake and buying the Mt Omei property. During the 1960s she studied painting with John Olson and became a successful abstract artist, winning the Camden Art Prize in 1975. She was good friends with other prominent artists such as Margot and Gerard Lewers, Lenore Rays and Tom Bass, and the Wedderburn artists at Campbelltown. Her privately owned Modern Art Gallery at Mt Omei, run from 1976 to 1984, was described as 'the centre of the art scene in Sydney's south-west' (NAA, 2024). Her memory has been honoured by the Casula Powerhouse Arts Centre. 5. Van Klaphake, son of Wolf and Alice, who has lived at Mt Omei for much of his life and been its custodian for the last 20 years. An expert in Australian botany, he has self-published a series of
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	<p>authoritative books on native flora, focusing on eucalypts, sedges, grasses and rainforest species. His figures of native birds carved from local timbers have been exhibited in gallery shows at the Mt Omei gallery.</p> <p>6. Artists who exhibited their work at the Mt Omei Modern Art Gallery between 1976 and the present day, including: Bob Baker, James Baker, Juanita Bailey, Lenore Bass, Tom Bass, Fonika Booth, Fred Braat, Joan Brassil, Raymond Coles, Elisabeth Cummings, Gray Dunreath-Cooper, Greg Fawley, Philip Grienke, Hanna Juskovic, Arpad Kinka, Alice Klaphake, Van Klaphake, Gerard Lewers, Margo Lewers, Darryl Lock, Lorraine Maggs, Daphne Miller, John Paice, Carl Plate, Barbara Romalis, Nick Romalis, Colleen Shaliapin, Robyn Smith, Brian Stratton, Robert Sugden, Vince Vozzo and Georgina Worth.</p>
<p>Criterion (c) – Aesthetic / Creative / Technical Achievement</p>	<p>The Mt Omei ‘Klaphake house / gallery / lookout area’, an approximately one-hectare precinct at the top of the hill. The precinct features five (5) buildings set amongst trees and gardens, and linked by gravel pathways, which has local aesthetic significance.</p> <p>Designed and largely owner-built by Alice and Wolf Klaphake in the mid-twentieth century, the buildings are modest, single-storey, vernacular structures constructed in brick and fibro with metal roofing, white painted exteriors with black trim, and generously proportioned interior rooms which provided a functional and attractive place for the Klaphakes’ scientific, artistic and social activities.</p> <p>Although simply constructed in inexpensive materials without professional design input, they are thoughtfully proportioned and oriented with each other, the weather and the bushland setting, making an attractive precinct sometimes nick-named ‘Alice’s Wonderland’.</p>
<p>Criterion (d) – Social, Cultural, Spiritual</p>	<p>The one-hectare ‘Klaphake house / gallery / lookout area’ of Mt Omei, developed by Alice and Wolf Klaphake in the mid-twentieth century, has local social significance for its associations with the local artistic community in Casula, Liverpool and Western Sydney.</p> <p>Alice Klaphake’s Modern Art Gallery ran from Mt Omei in the 1970s and 1980s, and was described as ‘the centre of the art scene in Sydney’s south-west’.</p>

	<p>Although officially closed in 1984 when Alice was 75, exhibitions have continued to be held there occasionally, which has resulted in the place remaining widely known and appreciated by the local arts community.</p> <p>The Casula Powerhouse Arts Centre (CPAC), located nearby, has demonstrated its special regard for Mt Omei by:</p> <ul style="list-style-type: none"> • dedicating an amphitheatre on the banks of the Georges River in Alice Klaphake's name in 2001; • holding a memorial service in her honour after she died in 2004; • keeping a collection of about 50 moveable heritage items and artworks associated with Mt Omei, called the 'Klaphake Collection'; and • proposing, in 2003 that CPAC be given management of the Mt Omei property to manage as a community resource and include in a 'Georges River Cultural Corridor'. <p>The local social significance of the place was recently attested by the Liverpool Member for Parliament, Charishma Kaliyanda MP, who told the NSW Legislative Assembly on 19 March 2024 that artists, friends and others who have benefitted from its legacy have been rallying in support of Mt Omei since 2016 when concerns were first raised about its future.</p> <p>Dozens of local newspaper articles have been published about the place since the 1970s. Another demonstration of local regard was the making of an Interim Heritage Order over the place by Liverpool City Council in 2024.</p>
Criterion (e) – Research Potential	<p>Mary Dallas' archaeological investigation of the entirety of Leacock Park in 1988 and 1999 found just one Aboriginal campsite, which was not located at Mt Omei. Dallas nonetheless concluded that the park, including Mt Omei, contained 'considerable Aboriginal value and educational potential' (NPWS, 2016, pp11-12).</p> <p>The identification of historic geographical features associated with the Glenfield Estate by Ashley Built Heritage in 2016, such as fence posts and buried cisterns, suggests that the Mt Omei property has historic archaeological potential, at least at the local level.</p>
Criterion (f) – Rare	<p>The one-hectare 'Klaphake house / gallery / lookout area' of Mt Omei, developed by Alice and Wolf Klaphake in the mid-twentieth century, is rare at the local level in Liverpool as a domestic precinct with modern</p>

	<p>buildings which, although simple and vernacular, share attributes with post-war regional styles such as the 'Sydney School'.</p> <p>The house, former laboratory and ancillary buildings were thoughtfully designed and situated in a recovered bushland setting to create a functional and inviting place for scientific, artistic and social activities, sometimes nick-named 'Alice's Wonderland'.</p> <p>The use of the former laboratory building as a privately-run art gallery, on and off since 1976, is rare in the local context, and has resulted in the place being widely known and appreciated by the local community.</p>
Criterion (g) – Representative	<p>The one-hectare 'Klaphake house / gallery / lookout area' of Mt Omei, developed by Alice and Wolf Klaphake in the mid-twentieth century, has representative significance at the local level in Liverpool as a place associated with artistic activities, largely because of the Mt Omei art gallery run by Alice Klaphake 1976-1984, which has continued to be the site of occasional art exhibitions.</p> <p>Mt Omei is also representative of places associated with alternative lifestyles in western Sydney in the post-war period.</p>

This Heritage Significance Assessment recommends Council commences work to prepare a Planning Proposal to list the "built precinct" of Lot 17 Leacocks Lane, Casula ("Mt Omei") – namely the Klaphake house / gallery / lookout area – as an item of local heritage significance in the LLEP 2008.

Next Steps

Should Council endorse the Report recommendations, work will commence to prepare a Planning Proposal to amend Schedule 5 of the *Liverpool Local Environmental Plan 2008* to include the "built precinct" of Lot 17 Leacocks Lane, Casula ("Mt Omei") as an item of local heritage significance.

Council staff will also write to the NPWS to inform the Agency of the impending local heritage significance listing.

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	There are no civic leadership and governance considerations.
Legislative	Include any relevant legislation and section here. <ul style="list-style-type: none"> - Section 25, Heritage Act 1977 - Environmental Planning and Assessment Act 1979
Risk	The risk is deemed to be Low.

ATTACHMENTS

1. Attachment 1 - Council Resolution - Motion Of Urgency 01 - Mt Omei - 28 February 2024 (Under separate cover)
2. Attachment 2 - "Mt Omei" - Interim Heritage Order Gazettal - 22 March 2024 (Under separate cover)
3. Attachment 3 - "Mt Omei" IHO Notification - NPWS - 30 April 2024 (Under separate cover)
4. Attachment 4 - Draft Heritage Significance Assessment - "Mt Omei" - Bronwyn Hanna History & Heritage - 14 June 2024 (Under separate cover)

COM 01

**Grants Donations and Community Sponsorship
Report**

Strategic Objective	Healthy, Inclusive, Engaging Promote a harmonious community that celebrates its diversity
File Ref	221289.2024
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 **\$69,477** from the Community Grant Program, Matching Grants Program, and the Community Sponsorship Program.

RECOMMENDATION

That Council:

1. Endorses the funding recommendation of **\$29,670** (GST exclusive) under the **Community Grant Program** for the following projects:

Applicant	Project	Recommended
NSW Service for the Treatment and Rehabilitation of Torture and Trauma Survivors (STARTTS)	Mama Africa Sewing Project	\$7,670
National Zakat Foundation Incorporated	Respectful Relationships Education Program for Liverpool Muslim Students	\$10,000

Taste Cultural Food Tours Inc	Liverpool School Tours	\$4,500
Diversity Arts Australia	Echo 8 Trilogy: Screen Action Series and Workshops	\$7,500

2. Endorses the funding recommendation of **\$29,807** (GST exclusive) under the **Matching Grants Program** for the following project:

Applicant	Project	Recommended
Autism Advisory and Support Service	Somewhere Nice - Opportunity Shop and Café; Inclusive Training Program	\$15,000
Paint the Town Read	First Nations Book Launch at Ashcroft School	\$14,807

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

Applicant	Project	Recommended
Friends of India	Ganeshotsava	\$10,000

REPORT

Community Grant Program

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

Applicant	NSW Service for the Treatment and Rehabilitation of Torture and Trauma Survivors (STARTTS) on behalf of Multicultural African Community Network.		
Project	Mama Africa Sewing Project		
Amount Requested	\$7,670	Total Project Cost	\$7,670
Location	Whitlam Leisure Centre, 90A Memorial Ave, Liverpool NSW 2170	Date	August 2024 to June 2025
About the Applicant	<p>STARTTS is a not-for-profit organisation that was established in 1988. The organisation provides culturally relevant psychological treatment and support to help people and communities heal the scars of torture and refugee trauma. Through community interventions, STARTTS helps refugee groups rebuild their lives in Australia.</p> <p>Please note, STARTTS is applying on funding on behalf of Multicultural African Community Network, a local group of volunteers delivering community activities that foster social cohesion and boost community engagement in trauma affected refugee groups.</p>		
Description	<p>Objectives:</p> <p>Mama Africa Sewing Project is an initiative targeting refugee African women experiencing social isolation, language barriers and financial constraints. The program is designed to help women navigate life in Australia through a culturally safe and trauma-informed education program that is attached to the sewing sessions. Weekly guest speakers will address topics such as health and wellbeing, nutrition and healthy eating habit, social services and support networks, along with a 'everyday English' language program.</p> <p>Outcomes:</p> <ul style="list-style-type: none"> • Improve social, physical, and mental wellbeing through prevention and early intervention health and safety programs; 		

	<ul style="list-style-type: none"> • Increase participation of people in community health and wellbeing activities and programs, including members of the community who are experiencing social disadvantage; and • Facilitate inclusion and access to facilities, services, open spaces, and activities.
Beneficiaries	<ul style="list-style-type: none"> • Liverpool African refugee community • Support services and community networks
Assessment	<p>Recommended for Funding - \$7,670</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) c) d) and e).</p>

Applicant	The National Zakat Foundation		
Project	Respectful Relationships Education Program for Liverpool Muslim Students		
Amount Requested	\$10,000	Total Project Cost	\$12,000
Location	Liverpool LGA Schools	Date	August 2024
About the Applicant	<p>The National Zakat Foundation (NZF) is a renowned charity organisation addressing socio-economic challenges and empowering individuals and communities in need. Over the past few years, NZF has assisted 500 individuals and families experiencing domestic violence to exit their situations.</p> <p>The NZF aims to launch the Respectful Relationships Education Program (RREP) to the Australian Muslim community in Liverpool. The program focuses on youth engagement and teaches students how to establish and maintain healthy boundaries, recognise signs of unhealthy relationship dynamics, and understand the impact of domestic violence on individuals and communities within the Australian Muslim perspective. NZF is working closely with five Islamic local schools to deliver this program.</p>		
Description	Objectives:		

	<p>The RREP is a culturally sensitive program tailored for Australian Muslim students in Liverpool. Through partnerships with local participating schools, the program will actively engage students in discussions, group activities, and self-reflection exercises. The program consists of three interactive sessions:</p> <ol style="list-style-type: none"> 1. Respecting Oneself and The People Around Them 2. Why Boundaries are Important 3. What Domestic and Family Violence Looks Like <p>Outcomes:</p> <ul style="list-style-type: none"> • Encouraging students from a young age to build healthy and respectful relationships promotes a sense of belonging, empathy, and positive social interactions; and • Improve community wellbeing through prevention and early intervention safety programs that address family and domestic violence.
Beneficiaries	<ul style="list-style-type: none"> • Liverpool residents and broader communities • Family and Domestic Violence Support Groups
Assessment	<p>Recommended for Funding - \$10,000</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 b) and c).</p>

Applicant	Taste Cultural Food Tours Inc		
Project	Taste of Migration - Liverpool School Tours		
Amount Requested	\$4,500	Total Project Cost	\$8,000
Location	Liverpool LGA Schools	Date	August to December 2024
About the Applicant	<p>Taste Cultural Food Tours (TCFT) is a social enterprise organisation, successfully operating as a not-for-profit charity. TCFT designs local food tours that celebrate diversity and build understanding across cultures through food experiences. TCFT has successfully delivered food tour programs in culturally rich areas such as Bankstown and Cabramatta and are keen to expand their program to Liverpool by designing a tour for local schools to experience the 'Taste of Migration'. Liverpool's strong connection to the CALD community and accessible CBD infrastructure makes it an ideal location to introduce street food tours.</p>		
Description	<p>Objectives: TCFC is seeking funding towards developing and trialing the 'Taste of Migration' program, a culinary tour showcasing the best food experiences in the Liverpool CBD. The delivery of the program includes partnering with 10 local independent businesses to curate a food tour around Liverpool that include visits to these businesses to taste quality food from a range of cultures. The tours are designed to support local school students who are studying food technology and migration and culture, with an intention to further expand the tours to encourage broader community participation.</p> <p>Outcomes:</p> <ul style="list-style-type: none"> • Promote social cohesion through cross-cultural experiences; • Build long term partnerships with local schools and businesses and promote investment into the local economy; • Improve access to new skills and experiences for local school students; and • Enhance Liverpool's reputation as a great place to live, visit and invest. 		
Beneficiaries	<ul style="list-style-type: none"> • Independent/ Small businesses in the Liverpool CBD • Local students • Visitors to the Liverpool CBD • Liverpool City Council 		

Assessment	<p>Recommended for Funding - \$4,500</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) e) and h).</p>
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Applicant	Diversity Arts Australia On behalf of Phoenix Eye Films		
Project	Echo 8 Trilogy: Screen Action Series and Workshops		
Amount Requested	\$4,500	Total Project Cost	\$18,700
Location	Liverpool LGA / Casula Powerhouse & Art Centre	Date	July 2024 to March 2025
About the Applicant	Phoenix Eye Films (PEF) is a talented female-led film and art production company operating in Western Sydney since 2017. PEF has produced over 200 videos, short films and feature films that showcase local talent at national film festivals as well as global viewing platforms such as YouTube and Amazon Prime. In partnership with Diversity Arts Australia, PEF provides a platform for underrepresented voices and creates immersive experiences that foster community connections and dialogue. The team also engages CALD communities with workshops that delve into film production across Western Sydney.		
Description	<p>Objectives:</p> <p>The 'Echo 8 Trilogy' project will enable PEF to engage local CALD communities and provide comprehensive training and project development sessions that equip participants with technical skills in various aspects of film production. Workshops will focus on storytelling, casting and acting, stunt choreography, camera operations, and most importantly authentic display of CALD character representative and delivery of dialogue.</p> <p>The 'Echo 8 Trilogy: Screen Action Series' will engage 80 local participants and is scheduled for release on Amazon Prime in late 2025.</p> <p>Outcomes:</p> <p>Through the program, PEF aims to:</p> <ul style="list-style-type: none"> Produce a high-quality feature film, "Echo 8 Trilogy," reflecting southwest Sydney community diversity and creativity; 		

	<ul style="list-style-type: none"> • Foster a collaborative and inclusive environment for individuals of all backgrounds and experience levels to learn new skills and engage actively in the program; and • Promote creative art programs and initiatives that encourage self-expression and promote community place-making and artistic endeavours.
Beneficiaries	<ul style="list-style-type: none"> • Local film making and digital art industry • Amateur/youth film makers • Film enthusiasts • Liverpool City Council (through media release and film promotion and viewing opportunity)
Assessment	<p>Recommended for Funding - \$7,500</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 b) d) and h).</p>

Matching Grants Program

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

Applicant	Autism Advisory and Support Services		
Project	Somewhere Nice - Opportunity Shop and Café; Inclusive Training Program		
Amount Requested	\$15,000	Total Project Cost	\$114,000
Location	Somewhere Nice – Opportunity Shop and Café 36 Railway St, Liverpool NSW 2170	Date	July 2024 – June 2025
About the Applicant	Autism Advisory and Support Service (AASS) is a local not-for-profit charity organisation empowering children and adults with autism and their families through knowledge and support. Since 2007, AASS has provided support services including advocacy, family support, support coordination and therapies		

	<p>that are essential to ensuring individuals with autism receive the necessary assistance, understanding, and resources to thrive.</p> <p>This year, the Opportunity Shop and Café has enabled AASS to expand their employment readiness programs by engaging volunteers from the local community, with an aim to create connections and reduce isolation. The shop also provides employment opportunities for people with a disability with a carefully curated skill development and training program.</p>
Description	<p>Objective</p> <p>‘Somewhere Nice’ is a social enterprise that combines the concept of an opportunity shop with a cafe and a job training program. Its primary social goal is to provide job training and employment opportunities for individuals facing barriers to entering the workforce due to disability. The job training program will focus on developing essential job skills such as customer service, retail management, barista skills, inventory management, and teamwork.</p> <p>The program also engages many local volunteers with and without a disability, providing volunteers with much needed connection and work experience that can potentially lead to paid work.</p> <p>AASS is seeking funding to support the job readiness program in partnership with Liverpool TAFE and specialist trainers. The program aims to enhance youth engagement with a focus on increasing the ability of young people with disabilities to obtain skills and qualifications, to ultimately increase their active participation within the community.</p> <p>Outcomes</p> <ul style="list-style-type: none"> • Increased opportunities for community members to acquire or develop new skills and/or employment. • Increased opportunities for young people and people living with disability to socially engage and actively participate in community activities; and • Improved sense of belonging and strengthening self confidence in people living with a disability.
Beneficiaries	<ul style="list-style-type: none"> • Liverpool residents living with a disability (Autism) • Autism support groups / disability employment groups • Local businesses
Assessment	<p>Recommended for Funding - \$15,000</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></p> <p>Expected Matching Grant Program Outcomes 7.6.2 a), b), and d).</p>

Applicant	Paint the Town Read		
Project	Launch Indigenous Storybook		
Amount Requested	\$14,807	Total Project Cost	\$14,807
Location	Yellamundie, Liverpool Library	Date	July 2024 – June 2025
About the Applicant	<p>Paint the Town Read is an early literacy movement that encourages people to read with children from birth, so each child starts school ready to learn. Paint Liverpool Read commenced in 2012 and falls under the umbrella organisation of Paint the Town Read. This working group is a partnership of local services including Liverpool Library and Mission Australia 2168 Communities for Children. The program promotes the importance of developing early literacy skills to parents by sharing stories, talking, singing, reading, and playing with their children from birth. Paint Liverpool Read and GoGo the Gecko (mascot) regularly attend community events, playgroups, schools, and early learning centres to promote this message and engage with local young families.</p>		
Description	<p>Objective</p> <p>Paint Liverpool Read is seeking funding towards launch events to promote a storybook with an Indigenous focus, encouraging young families to read together. The book is written in both English and Darug languages, and was developed in consultation with local Aboriginal Elders, professionals, and the community. The book incorporates the Aboriginal 8 Ways of Learning and will be printed in several formats, including a board-book format to engage children with additional needs. Launch events include introducing the book across a range of platforms to maximize engagement and exposure to local children and families.</p> <p>Outcomes</p> <ul style="list-style-type: none"> • Build community capacity to respect and acknowledge First Nations culture and strengthen awareness of local heritage; • Improve access to early intervention and school readiness programs that promote successful transition to school for children; and • Increased number of people connecting to local communities and experiencing sense of belonging through literary and creative programs. 		
Beneficiaries	<ul style="list-style-type: none"> • Young children and families in Liverpool • First Nation families and communities • Teaching staff and early education support groups 		

Assessment	<p>Recommended for Funding - \$14,807</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></p> <p>Expected Matching Grant Program Outcomes 7.6.2 a), b), and d).</p>
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Community Sponsorship Program

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

Applicant	Friends of India Australia Incorporated		
Project	Ganeshotsava		
Amount Requested	\$10,000	Amount Requested	\$46,000
Location	Whitlam Leisure Centre Liverpool	Date	21 September 2024
About the Applicant	<p>Friends of India Australia (FOIA) is a voluntary non-profit organisation established in 1996. Their mission is to unite all walks of life; to help the community, nurture the environment, educate, and celebrate Indian culture through various inclusive community-based events.</p>		
Description	<p>Objectives:</p> <p>Ganeshotsava is a large event that attracts visitors to the Liverpool LGA. This multicultural event celebrates traditions and culture through various activities and a musical extravaganza over two days in October. The event brings together community members from all backgrounds to share knowledge and culture.</p> <p>Outcomes:</p> <ul style="list-style-type: none"> • Celebrate diversity and promote inclusion; • Delivers economic benefit to the Liverpool LGA; • Promote tourism through regional, national, and international visitors; • Provides promotional and publicity opportunities to the Liverpool LGA; and • Promotes Liverpool's reputational as a great place to live, work, and invest. 		
Beneficiaries	<ul style="list-style-type: none"> • 10,000 visitors 		

	<ul style="list-style-type: none"> Local CALD communities Local businesses/ Hotels/ Event suppliers Liverpool Council through promotional opportunities and over 10,000 visitors to Liverpool.
Assessment	<p>Recommended for Funding - \$10,000</p> <p>The project aligns with the Community Strategic Plan Objective 1 - <i>Healthy, Inclusive, Engaging</i>, Objective 2 - <i>Livable, Sustainable, Resilient</i>, and meets the Community Sponsorship funding priorities.</p> <p>Expected program outcomes 7.7.1 a), b), c), d) and e).</p>

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
\$150,000	\$149,000	\$10,000	\$139,000
COMMUNITY GRANTS			
Budget	Balance	<i>Recommended funding in this report</i>	Remaining
\$152,000	\$152,000	\$29,670	\$122,330
MATCHING GRANTS			
Budget	Balance	<i>Recommended funding in this report</i>	Remaining
\$100,000	\$100,000	\$29,807	\$70,193
SUSTAINABLE ENVIRONMENT GRANTS*			
Budget	Balance	<i>Recommended funding in this report</i>	Remaining
\$75,000	75,000	<i>Nil</i>	\$75,000
COMBINED FUNDING BALANCE			
Combined Budget	Combined Balance	<i>Total recommended funding in this report</i>	Remaining
\$477,000	476,000	\$69,477	\$406,523

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

CORP 01

Investment Report June 2024

Strategic Objective	Visionary, Leading, Responsible Ensure Council is accountable and financially sustainable through the strategic management of assets and resources
File Ref	214059.2024
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 30 June 2024. Key highlights include:

- Council held investments with a market value of \$360 million.
- The Reserve Bank of Australia (RBA)'s official cash rate remains at 4.35 per cent.
- The portfolio yield (for the year to June 2024) was 14 basis points below the benchmark (AusBond Bank Bill Index)

	AusBond Bank Bill Index (ABBI)
Benchmark	4.37%
Portfolio yield	4.23%
Performance below benchmark	-0.14%

- The current ABBI benchmark reflects RBA aggressive action to lift the cash rate. The portfolio performance, as expected, is below ABBI benchmark and this trend will continue until such time low-yielding investments mature.
- Year-to-date, Council's investment income was \$7.57 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 \$376 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 Council's 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 11.06 per cent of its portfolio in ADIs rated BBB and below.

RECOMMENDATION

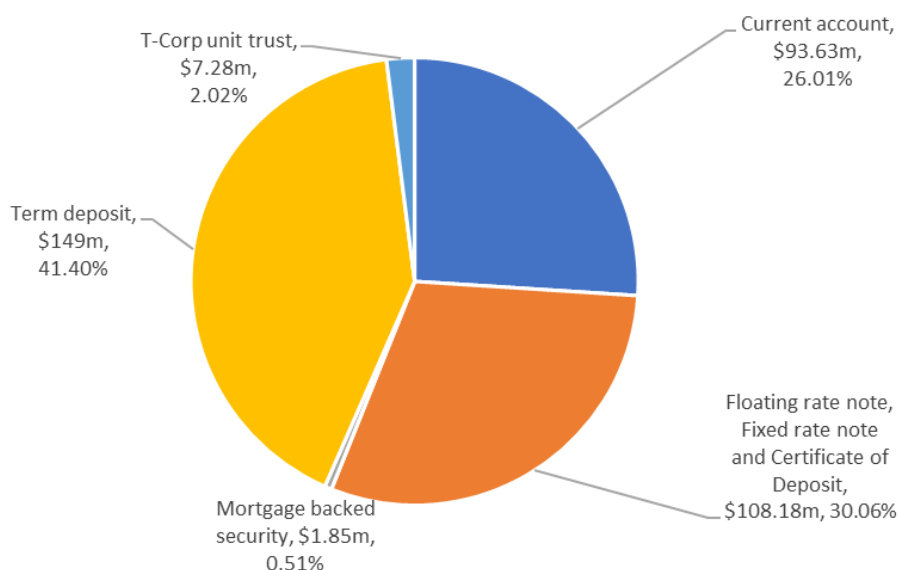
That the Council receives and notes this report.

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 30 June 2024, Council held investments with a market value of \$360 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	Jun-24	May-24	Jun-23
Senior debts (FRNs ,TCDs & FRBs)*	98.79%	98.78%	98.25%
MBS (Reverse mortgage-backed securities)	83.07%	83.11%	82.02%
T-Corp unit trusts	118.80%	117.63%	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 11.06 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, Council's investment advisor 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 is valued at \$376 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	93,630,288	26.01%			
Term deposits < 1 year	82,000,000	22.78%			
T-Corp unit trust	7,276,904	2.02%			
Tradeable securities	108,179,003	30.06%			
Portfolio % < 1 year (Short term liquidity)	291,086,195	80.87%	30%	100%	Yes
Term deposit > 1 year < 3 years	67,000,000	18.61%	0%	70%	Yes
Grand fathered securities	1,845,027	0.51%	N/A	N/A	Yes
Portfolio % (Medium term liquidity)	68,845,027	19.13%			Yes
Total portfolio	359,931,221	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	17,712,097	4.92%	15%	Yes
ANZ Banking Group Ltd	AA-	23,759,108	6.60%	35%	Yes
Bendigo & Adelaide Bank Ltd	BBB+	4,408,969	1.22%	15%	Yes
Bank Australia	BBB	1,359,289	0.38%	15%	Yes
Bank of Queensland Ltd	BBB+	15,448,737	4.29%	15%	Yes
Citibank Australia Ltd	A+	1,000,966	0.28%	25%	Yes
Commonwealth Bank of Australia Ltd	AA-	112,103,376	31.15%	35%	Yes
Emerald Reverse Mortgage Trust (Class A)	Unrated	667,110	0.19%	5%	Yes
Emerald Reverse Mortgage Trust (Class C)	Unrated	1,177,917	0.33%	5%	Yes
Great Southern Bank	BBB	5,501,375	1.53%	15%	Yes
G&C Mutual Bank	BBB	3,000,000	0.83%	15%	Yes
HSBC Sydney Branch	AA-	5,003,940	1.39%	35%	Yes
ING Bank	A	40,663,891	11.30%	25%	Yes
Macquarie Bank	A+	12,037,959	3.34%	25%	Yes
Mizuho Bank	A	3,510,787	0.98%	25%	Yes
National Australia Bank Ltd	AA-	32,778,795	9.11%	35%	Yes
Newcastle Greater Mutual Group Ltd	BBB	609,782	0.17%	15%	Yes
Northern Territory Treasury	AA-	15,000,000	4.17%	35%	Yes
NSW Treasury Corporation	Unrated	7,276,904	2.02%	5%	Yes
Rabobank Australia Ltd	A+	7,224,750	2.01%	25%	Yes
Rabobank Australia Limited	A	11,000,000	3.06%	25%	Yes
RACQ Bank	BBB+	1,507,731	0.42%	15%	Yes
Sumitomo Mitsui Banking	A	9,029,129	2.51%	25%	Yes
Suncorp Bank	A+	11,728,073	3.26%	25%	Yes
Teachers Mutual Bank	BBB+	999,898	0.28%	15%	Yes
UBS AG	A+	4,420,639	1.23%	25%	Yes
Westpac Banking Corporation Ltd	AA-	11,000,000	3.06%	35%	Yes
Portfolio Total		359,931,221	100.00%		

Credit rating policy limit compliance

Credit rating	Market value	% Portfolio	Maximum policy limit	Complies to Investment policy "Yes/No"
AAA Category	1,658,651	0.46%	100%	Yes
AA Category	199,645,218	55.47%	100%	Yes
A Category	118,815,249	33.01%	60%	Yes
BBB+ Category	30,690,173	8.53%	45%	Yes
Unrated	9,121,930	2.53%	10%	Yes
Total Portfolio	359,931,221	100.00%		

Compliance with Investment policy – In summary

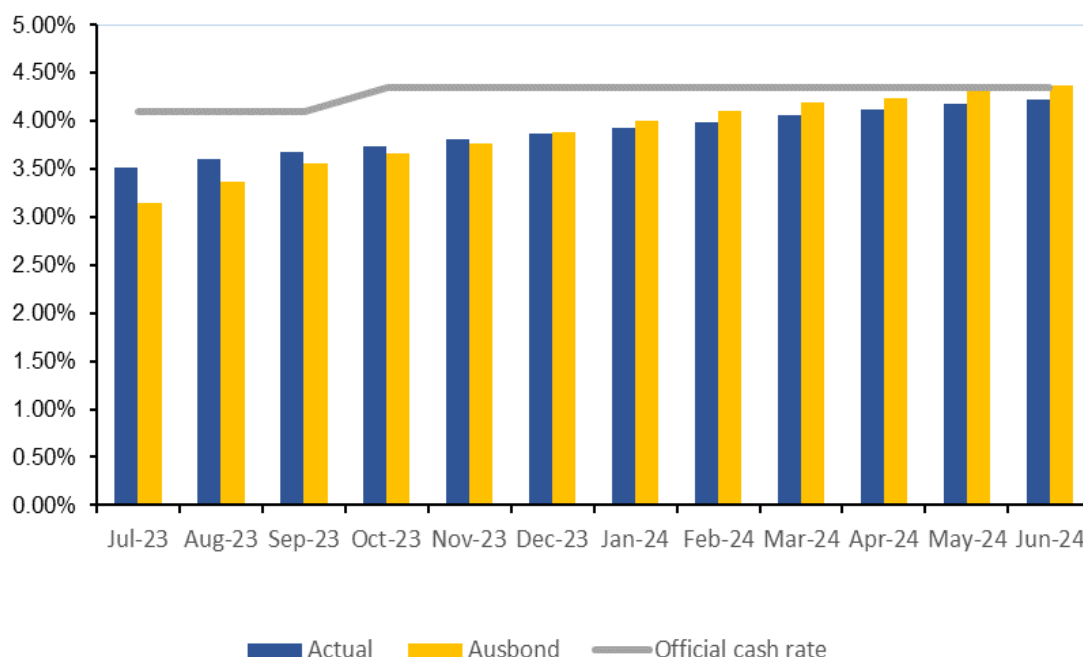
Legislative requirements	✓	Fully compliant, noting exception applicable to grandfathered mortgaged-backed investments.
Portfolio credit rating limit	✓	Fully compliant
Institutional exposure limits	✓	Fully compliant
Overall portfolio credit limits	✓	Fully compliant
Term to maturity limits	✓	Fully compliant

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 RBA actions to aggressively 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.

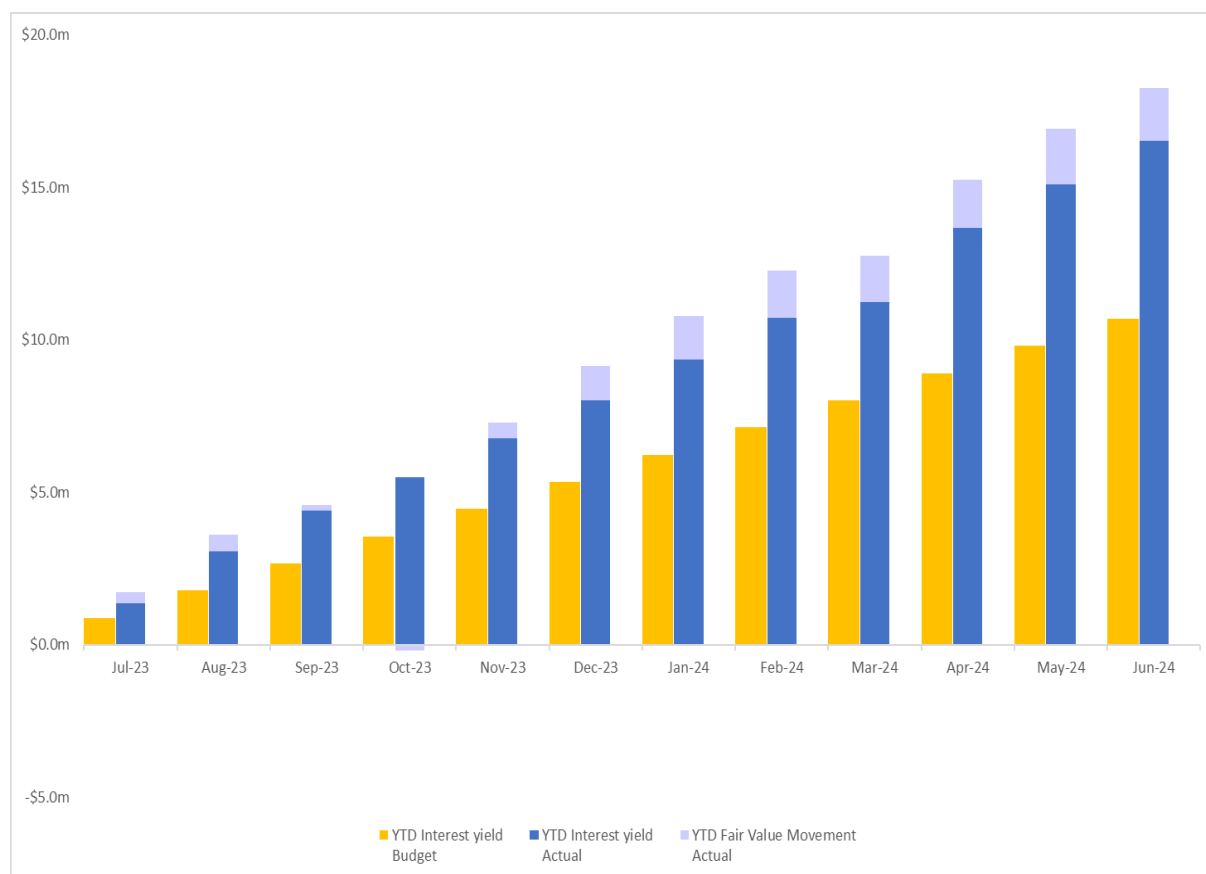
The portfolio yield for the year to June 2024 was below the ABBI index by 14 basis points (portfolio yield: 4.23%; ABBI: 4.37%). Comparative yields for the previous months are charted below:



Performance of portfolio returns against budget

Year-to-date, Council's investment income was \$7.57 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	\$10.68m	\$16.51m	\$5.83m
Fair value market movement	\$0.00m	\$1.74m	\$1.74m
Total	\$10.68m	\$18.25m	\$7.57m



Economic outlook – Reserve Bank of Australia

The Reserve Bank of Australia has remained the official cash rate to 4.35 per cent in its meeting on 18 June 2024.

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 \$7.57 million higher than the original budget at 30 June 2024.
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 June 2024



Portfolio Valuation As At 30 June 2024

Fixed Interest Security	Maturity Date	Rating	Current	Market Value	Total	Yield
Current Account						
CBA Business Saver		AA-	65,936,395.31	65,936,395.31	18.32%	4.35%
CBA General Account		AA-	9,950,594.68	9,950,594.68	2.76%	0.00%
AMP Business Saver		BBB	2,074,841.99	2,074,841.99	0.58%	3.30%
AMP Notice Account		BBB	15,637,255.14	15,637,255.14	4.34%	5.20%
Macquarie Bank Accelerator Account		A+	29,592.73	29,592.73	0.01%	3.91%
Macquarie Bank Account		A+	1,608.25	1,608.25	0.00%	3.91%
			93,630,288.10	93,630,288.10	26.01%	
Fixed Rate Bond						
Commonwealth Bank	14/01/2027	AA-	5,000,000.00	4,696,485.00	1.30%	2.40%
Bank of Queensland	29/10/2025	BBB+	4,000,000.00	3,926,840.00	1.09%	4.00%
Bank of Queensland	27/10/2026	BBB+	4,750,000.00	4,405,169.00	1.22%	2.10%
Bendigo & Adelaide Bank	17/03/2025	BBB+	2,750,000.00	2,706,962.50	0.75%	3.00%
UBS AG	26/02/2026	A+	2,550,000.00	2,386,386.90	0.66%	1.10%
ING Direct	19/08/2026	A	1,800,000.00	1,658,651.40	0.46%	1.10%
Macquarie Bank	14/09/2026	A+	4,200,000.00	4,187,866.20	1.16%	4.95%
NAB	25/02/2027	AA-	4,500,000.00	4,268,529.00	1.19%	2.90%
Suncorp	25/01/2027	A+	4,500,000.00	4,222,188.00	1.17%	2.50%
			34,050,000.00	32,459,078.00	9.02%	
Floating Rate Note						
ANZ Bank	16/01/2025	AA-	3,000,000.00	3,006,300.00	0.84%	5.12%
ANZ Bank	31/03/2028	AA-	2,500,000.00	2,526,025.00	0.70%	5.51%
ANZ Bank	11/09/2028	AA-	4,200,000.00	4,221,327.60	1.17%	5.29%
ANZ Bank	05/02/2029	AA-	1,000,000.00	1,005,455.00	0.28%	5.37%
Bank Australia	21/02/2028	BBB	1,350,000.00	1,359,289.35	0.38%	6.04%
Bank of Queensland	30/04/2029	A-	4,100,000.00	4,116,728.00	1.14%	5.69%
Bendigo and Adelaide	14/05/2027	A-	1,700,000.00	1,702,006.00	0.47%	5.37%
Citibank, N.A.	14/11/2024	A+	1,000,000.00	1,000,966.00	0.28%	5.25%
Commonwealth Bank	17/08/2028	AA-	3,500,000.00	3,519,901.00	0.98%	5.30%
Credit Union Australia	24/10/2024	BBB	2,500,000.00	2,501,375.00	0.69%	5.49%
HSBC	27/09/2024	AA-	3,000,000.00	3,002,364.00	0.83%	5.29%
HSBC	27/09/2024	AA-	2,000,000.00	2,001,576.00	0.56%	5.29%
ING Bank	22/03/2027	A+	2,000,000.00	2,005,240.00	0.56%	5.34%
Macquarie Bank	12/02/2025	A+	3,000,000.00	3,006,057.00	0.84%	5.21%
Macquarie Bank	14/09/2026	A+	4,800,000.00	4,812,835.20	1.34%	5.22%
Mizuho Bank	18/01/2027	A	3,500,000.00	3,510,787.00	0.98%	5.24%
NAB	22/03/2029	AA-	3,500,000.00	3,510,265.50	0.98%	5.29%
Newcastle Greater Mutual Group Ltd	14/02/2029	BBB	600,000.00	609,782.40	0.17%	6.22%
Rabobank Australia Branch	27/01/2027	A+	2,700,000.00	2,698,177.50	0.75%	5.14%
Rabobank Australia Branch	19/01/2028	A+	1,500,000.00	1,515,985.50	0.42%	5.54%
Rabobank Australia Branch	26/02/2029	A	3,000,000.00	3,010,587.00	0.84%	5.37%
RACQ Bank	24/02/2026	BBB+	1,500,000.00	1,507,731.00	0.42%	5.84%
Suncorp	30/07/2024	A+	3,000,000.00	2,999,781.00	0.83%	5.19%
Suncorp	30/07/2024	A+	2,000,000.00	1,999,854.00	0.56%	5.19%

Suncorp	19/03/2029	A+	2,500,000.00	2,506,250.00	0.70%	5.36%
Sumitomo Mitsui Banking	23/10/2026	A	5,000,000.00	5,022,345.00	1.40%	5.27%
Sumitomo Mitsui Banking	20/01/2027	A	4,000,000.00	4,006,784.00	1.11%	5.15%
Teachers Mutual Bank	21/06/2027	BBB+	1,000,000.00	999,898.00	0.28%	5.71%
UBS AG	24/11/2028	A+	2,000,000.00	2,034,252.00	0.57%	5.79%
			75,450,000.00	75,719,925.05	21.04%	

Mortgage Backed Security

EmeraldMBS2006-1A	21/08/2051	Unrated	721,171.27	667,110.11	0.19%	4.79%
EmeraldMBS2006-1C	21/08/2056	Unrated	1,000,000.00	803,395.00	0.22%	5.54%
EmeraldMBS2007-1C	23/07/2057	Unrated	500,000.00	374,521.50	0.10%	5.32%
			2,221,171.27	1,845,026.61	0.51%	

Term Deposit

ANZ	01/07/2024	AA-	5,000,000.00	5,000,000.00	1.39%	5.13%
ANZ	30/07/2024	AA-	5,000,000.00	5,000,000.00	1.39%	5.15%
ANZ	26/10/2026	AA-	3,000,000.00	3,000,000.00	0.83%	5.35%
Bank of Queensland	30/09/2024	BBB+	3,000,000.00	3,000,000.00	0.83%	5.10%
Commonwealth Bank	15/08/2024	AA-	3,000,000.00	3,000,000.00	0.83%	5.57%
Commonwealth Bank	12/12/2024	AA-	10,000,000.00	10,000,000.00	2.78%	4.63%
Commonwealth Bank	13/01/2025	AA-	5,000,000.00	5,000,000.00	1.39%	4.63%
Commonwealth Bank	27/11/2025	AA-	10,000,000.00	10,000,000.00	2.78%	4.60%
ING Bank	15/01/2025	A	5,000,000.00	5,000,000.00	1.39%	5.26%
ING Bank	18/02/2025	A	5,000,000.00	5,000,000.00	1.39%	5.18%
ING Bank	05/08/2025	A	3,000,000.00	3,000,000.00	0.83%	5.30%
ING Bank	01/09/2025	A	3,000,000.00	3,000,000.00	0.83%	5.37%
ING Bank	24/09/2025	A	5,000,000.00	5,000,000.00	1.39%	5.20%
ING Bank	15/01/2026	A	5,000,000.00	5,000,000.00	1.39%	5.04%
ING Bank	25/09/2026	A	5,000,000.00	5,000,000.00	1.39%	5.15%
ING Bank	10/10/2028	A	3,000,000.00	3,000,000.00	0.83%	5.30%
ING Bank	20/11/2028	A	3,000,000.00	3,000,000.00	0.83%	5.40%
G & C Mutual Bank	17/09/2025	BBB	3,000,000.00	3,000,000.00	0.83%	5.20%
Great Southern Bank	29/07/2024	BBB	3,000,000.00	3,000,000.00	0.83%	5.24%
NAB	19/08/2024	AA-	5,000,000.00	5,000,000.00	1.39%	5.17%
NAB	28/08/2024	AA-	5,000,000.00	5,000,000.00	1.39%	5.16%
NAB	13/09/2024	AA-	5,000,000.00	5,000,000.00	1.39%	1.10%
NAB	30/09/2024	AA-	5,000,000.00	5,000,000.00	1.39%	5.14%
NAB	08/09/2025	AA-	5,000,000.00	5,000,000.00	1.39%	0.82%
Northern Territory Treasury	16/12/2024	AA-	5,000,000.00	5,000,000.00	1.39%	1.00%
Northern Territory Treasury	15/12/2025	AA-	5,000,000.00	5,000,000.00	1.39%	1.20%
Northern Territory Treasury	15/12/2026	AA-	5,000,000.00	5,000,000.00	1.39%	1.50%
Rabobank Australia Limited	29/05/2025	A	5,000,000.00	5,000,000.00	1.39%	5.33%
Rabobank Australia Limited	18/02/2028	A	3,000,000.00	3,000,000.00	0.83%	5.06%
Rabobank Australia Limited	20/02/2029	A	3,000,000.00	3,000,000.00	0.83%	5.19%
Westpac	28/10/2024	AA-	3,000,000.00	3,000,000.00	0.83%	5.42%
Westpac	28/02/2025	AA-	5,000,000.00	5,000,000.00	1.39%	5.16%
Westpac	27/10/2025	AA-	3,000,000.00	3,000,000.00	0.83%	5.37%
			149,000,000.00	149,000,000.00	41.40%	
Total			354,351,459.37	352,654,317.76	97.98%	

T-Corp

NSWTC IM Long Term Growth Fund	Unrated	6,125,337.88	7,276,903.61	2.02%	
		6,125,337.88	7,276,903.61	2.02%	
Total		354,351,459.37	352,654,317.76	97.98%	
Portfolio Total		360,476,797.25	359,931,221.37	100.00%	

CORP 02**Ethical Conduct Policies**

Strategic Objective	Visionary, Leading, Responsible Demonstrate a high standard of transparency and accountability through a comprehensive governance framework
File Ref	216324.2024
Report By	David Day - Head of Governance
Approved By	Farooq Portelli - Director Corporate Support

EXECUTIVE SUMMARY

Council has four policies that support behaviours in line with Council's Code of Conduct:

- Gifts and Benefits Policy,
- Conflicts of Interest Policy,
- Secondary Employment Policy, and
- Fraud and Corruption Prevention Policy.

The policies have been reviewed and are considered to remain broadly fit for purpose. Some minor amendments are proposed, which are tracked in the attached versions of the policies and described in the body of the report. Council is recommended to endorse the updated policies for public exhibition.

RECOMMENDATION

That Council:

1. Endorse the Draft Gifts and Benefits Policy, Conflicts of Interest Policy, Secondary Employment Policy, and Fraud and Corruption Prevention Policy for public exhibition for a period of not less than 28 days.
2. Agree that Council's Chief Executive Officer or delegate may finalise the Draft Gifts and Benefits Policy, Conflicts of Interest Policy, Secondary Employment Policy, and Fraud and Corruption Prevention Policy if no representations are received during public exhibition and to make non-significant amendments to the policies.

3. Require a further report to Council in relation to any representations received during public exhibition of the Gifts and Benefits Policy, Conflicts of Interest Policy, Secondary Employment Policy, and Fraud and Corruption Prevention Policy.

REPORT

Council has four policies that support behaviours in line with the Code of Conduct. Together they aim to enhance the reputation of Council as an organisation with the highest standards of ethical governance.

- The **Gifts and Benefits Policy** guides Council officials in identifying, assessing and managing offers of gifts or benefits in accordance with Council's Code of Conduct and statutory requirements.
- The **Conflicts of Interest Policy** provides a framework that supplements the Code of Conduct and assists Council officials to identify and deal with conflicts of interest.
- The **Secondary Employment Policy** addresses the specific conflicts of interest that may arise from staff engaging in employment or business outside of their role with Council. It sets out the process for notifying, approving, prohibiting and reviewing secondary employment.
- The **Fraud and Corruption Prevention Policy** draws attention to the suite of internal control mechanisms that have been implemented by Council to prevent fraud and corruption, centred around prevention, detection and response.

The four ethical conduct policies have been reviewed and found to be generally fit for purpose. Changes have been proposed to:

- better align with language used in the Code of Conduct,
- remove duplication,
- update references to policies and legislation, and
- make minor corrections to correct errors and increase clarity.

Input was sought from all Council teams and from unions.

Following internal feedback, it is proposed to amend the Gifts and Benefits Policy at Clause 4.31 to raise the amount that the CEO or a Director may approve for a gift of flowers or fruit from \$100 to \$150. This change partly reflects inflation and partly our experience of the gifts that can be purchased at the permitted price point.

Feedback was received from one union in relation to the Secondary Employment Policy which recommended that Council completely redraft the policy. The response drew attention to the operation of section 353 of the Local Government Act 1993 and raised several concerns, which have been summarized and responded to in the table below.

Issue	Response
Section 353 of the Local Government Act 1993 refers to “other work” not “secondary employment”.	It is correct that the heading to section 353 refers to “other work”. The body of the section refers to “private employment or contract work outside the service of the council”. Council’s policy appropriately cites the full text of section 353 of the Act. By using the term “secondary employment” Council has emphasized that its own work is considered to have primacy, while still dealing with how other work should be managed in a manner consistent with the Act.
Section 353 does not prohibit doing work which relates to or conflicts with an employee’s job but allows the general manager to refuse an application if the risks can’t be properly managed.	Section 353 permits the general manager to prohibit a member of staff from engaging in private employment or contract work outside the service of Council that relates to the business of Council or that might conflict with the staff members Council duties. The policy does not go beyond the circumstances that the Act identifies in which other work may be prohibited but helpfully identifies situations in which conflict may arise.
There are nine conflict considerations that must be considered under paragraph 2.6 of the policy which are not the same as the six examples in paragraph 6.1 of circumstances in which unauthorized secondary employment will warrant swift action.	The two paragraphs are intentionally different. One provides guidance as to when a conflict may arise. The other identifies some of the consequences that may result from a conflict. Both are considered helpful.
The policy is too long.	The guidance the policy provides is considered to be helpful and in line with Council’s commitment to ethical conduct.

For the reasons given in the table, it is not considered necessary to completely redraft the Secondary Employment Policy.

The draft amended policies are attached with the proposed changes tracked. Council is requested to agree to the policies being publicly exhibited.

FINANCIAL IMPLICATIONS

There will be an annual staff cost of implementing, monitoring and raising awareness of the policies. This cost is expected to be met from Council's budget for the current year and long-term financial plan and is estimated at \$33,000 of staff time from those involved in governance and management roles.

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	Operate a well-developed governance system that demonstrates accountability, transparency and ethical conduct.
Legislative	<p>Local Government Act 1993</p> <p>The general principles applying to the exercise of Council's functions under section 8A of the Local Government Act 1993 include that Council should act fairly, ethically and without bias in the interests of the community. Pursuant to section 8B of the Local Government Act 1993, Council should have effective financial and assessment management, including sound policies and processes for risk management.</p> <p>Section 440 of the Local Government Act 1993 requires Council to adopt a Code of Conduct which incorporates the provisions of the model code. Councillors, members of staff and delegates of Council must comply with the Code of Conduct, except to the extent of any inconsistency with the model code.</p> <p>Section 353 of the Local Government Act 1993 prevents general manager from engaging, for remuneration, in private employment or contract work outside Council's service (outside work) without the approval of Council's governing body. Staff are prevented from engaging in outside work that is relates to Council's business or that may conflict with their Council duties unless they have notified the general manager in writing. The general manager may prohibit such outside work.</p> <p>Other relevant legislative provisions are identified in the policies.</p>
Risk	The risk is deemed to be Medium, however the risk can be adequately managed through the preparation, adoption,

	implementation and awareness raising of a robust Ethical Governance framework.
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ATTACHMENTS

1. Draft Conflicts of Interest Policy (Under separate cover)
2. Draft Gifts and Benefits Policy (Under separate cover)
3. Draft Secondary Employment Policy (Under separate cover)
4. Draft Fraud and Corruption Prevention Policy (Under separate cover)

CFD 01**Public Art Program for Bigge Park, Liverpool**

Strategic Objective	Healthy, Inclusive, Engaging Improve liveability and quality of life for the community by delivering vibrant parks, places and facilities
File Ref	174820.2024
Report By	Clare Cochrane - Public Arts Officer
Approved By	Shayne Mallard - Director City Futures

EXECUTIVE SUMMARY

At the Ordinary Meeting of Council on 30 August 2023 (MAYOR 04), Council resolved to investigate and implement a Public Art Program for Bigge Park, Liverpool. A copy of the Council Resolution is provided in **Attachment 3**.

Following the Resolution, Council's Public Art Officer tabled an Interim Report (IPC 01) at the November Governance Committee Meeting on 15 November 2023. The Interim Report outlined the initial investigations and methodologies to capture various themes, narratives, and outcomes that could be explored as part of a Public Art Program for Bigge Park. A copy of the Interim Report is provided in **Attachment 4**.

This Report seeks formal approval from Council to proceed with delivery of the Public Art Program for Bigge Park in line with previous Council Resolutions and recommended budget requirements.

RECOMMENDATION

That Council:

1. Notes and receives this Report.
2. To support delivery of the Public Art Program for Bigge Park, approves dedicated funding (from general funds) for the next six consecutive financial years (2024/25 to 2029/30) with additional funding towards project implementation and delivery costs.
3. Notes that a further Report will be brought back to Council providing an update on the location and typology of public art being delivered as part of the Program.

REPORT

Established under the 1810 town plans for Liverpool, Bigge Park is an iconic green space accessed by residents, workers, and visitors within the Liverpool CBD. The Bigge Park Public Art Program, initiated by a Council Resolution on 30 August 2023 (MAYOR 04), focuses on connections and benefits that could be provided to Liverpool Hospital staff, patients, and their families.

The addition of public art within the public open space provides opportunities for reflection of our shared humanity, experiences, and narratives. During the initial research, the broad range of park users and audiences reflected the diversity of Liverpool as a suburb, and that of the greater communities within our Local Government Area (LGA). As such, the delivery of a Public Art Program for Bigge Park provides Council with the opportunity to acknowledge, celebrate, challenge, and embody shared experiences and find common ground.

From this research and site investigations, suitable forms and locations for public art within Bigge Park have been identified (see **Attachment 1**). Bigge Park's kaleidoscope of users and audiences have informed the need for public art to be meaningful, relevant, accessible, and intergenerational.

The proposed forms and locations have been identified to support nighttime activation, increase perceptions of safety, activate existing users, engage new audiences, and account for existing and future events and park activation programs (see **Attachment 2**).

Public Art

Public art instils meaning into the public domain. It humanises the built environment and provides a sense of identity, curiosity and understanding. Council's Public Art Policy identifies that public art is an investment for and of the communities.

Public art increases economic visitation and illustrates Council's commitment to narratives of culture, accessibility, diversity, heritage, and shared aspirations. Public art must be sanctioned by Council and provide meaningful, inclusive, and relevant holding value or benefit for the wider community. Public art should be accessible and explore concepts and narratives which benefit communities and users of the public space.

Public art is a one-of-a-kind original artwork designed and/or fabricated by an artist in a publicly accessible or viewable space. As an artwork within the public domain, it is essential that there are:

1. Public processes – formally or informally, the public must sanction the work as public art. Public art is planned, commissioned, designed, fabricated, installed and/or

maintained through public processes and / or funding. It is delivered in line with Council's Public Art Policy and community engagement.

2. Accessibility – the public must be able to physically experience it. Public art is physically and / or visually accessible from the public domain.
3. Aesthetic quality – it must have artistic significance and provide a positive addition to the public domain.

Council Resolution – 30 August 2023

At the Ordinary Meeting of Council on 30 August 2023 (MAYOR 04), Council resolved to:

1. *Investigates and implements a Public Art program at Bigge Park.*
2. *Collaborates with local artists, community members, and relevant stakeholders to ensure that the artistic interventions are culturally respectful and sensitive to the needs of our diverse community.*
3. *Considers as part of the investigation process the appropriate placement of artistic installations within the park, considering the flow of foot traffic, natural elements, accessibility and activation be considered as part of this.*
4. *Evaluates potential funding sources, including grants and community contributions, to support the development and maintenance of the Public Art Program.*
5. *A report will be brought back to Council.*

The Council Resolution identified that the Bigge Park Public Art Program would provide a space of solace, reflection and healing, a copy of the Council Resolution is provided in **Attachment 3**.

Governance Committee Interim Report – 15 November 2023

Following the Resolution, Council's Public Art Officer tabled an Interim Report (IPC 01) at the November Governance Committee Meeting on 15 November 2023. The Interim Report (see **Attachment 4**) outlined the initial investigations and methodologies to capture various themes, narratives, and outcomes that could be explored as part of a Public Art Program for Bigge Park.

At the Meeting, Council resolved to:

1. *Notes this Interim Report related to a comprehensive investigation into a Public Art program at Bigge Park;*
2. *That the CEO is to commence an immediate process looking at art and any other necessary lighting and infrastructure within Bigge Park;*

3. *Open an Expression of Interest (EOI) process with artists;*
4. *Prepare a report to come back to Council in April 2024; and*
5. *To activate the creating of the concept of a circular walkway and to examine the concept.*

A copy of the Resolution from the November 2023 Governance Committee Meeting is provided in **Attachment 5**.

Next Steps

Should Council endorse this Report and its associated recommendations, work will commence on securing delivery of the Public Art Program for Bigge Park, including:

1. Preparation and delivery of community and stakeholder engagement;
2. Development of a draft delivery program for identified public art elements;
3. Undertake required artist EOI's and Agreements; and
4. Delivery of the Bigge Park Public Art Program.

FINANCIAL IMPLICATIONS

Costs associated with this recommendation are outside of Council's current budget and Long-Term Financial Plan (LTFP). The impact on the budget and the LTFP are outlined in the following tables.

Public Art Program Benchmarking Summary

Delivery of the Public Art Program for Bigge Park will necessitate the allocation of funding (from general funds) for the next six consecutive financial years (i.e. 2024/25 FY to 2029/30 FY). This includes \$250,000 per year for the artwork and \$80,000 per year for project implementation and delivery costs associated with the Program.

Program Project Costs – 2024/25 to 2029/30

Public Art Program for Bigge Park		
Large / Major Commission	Suspended sculptural artwork	\$880,000
Medium Scale Commission*	Soundscape	\$77,000
	Lighting / Digital	\$77,000
Art Built into the public Domain*	Text Contemplation Walk	\$27,500
	Shade Structure	\$120,000

	Benches & seating	\$132,000
	Amphitheatre seating	\$22,000
	Storage Shed	\$65,500
Temporary Art Projects and Activations	Artists workshops, film screenings	\$99,000
Total		\$1,500,000

Project Implementation and Delivery Cost – 2024/25 to 2029/30

Project implementation and delivery costs are estimated to be around \$80,000 per year which includes resourcing, consultancy and any other costs associated with the delivery of the program.

Total Costs associated with Bigge Park Public Art Program – 2024/25 to 2029/30

Year	24 / 25 FY	25 / 26 FY	26 / 27 FY	27 / 28 FY	28 / 29 FY	29 / 30 FY	Total
Public Art Program	\$250,000	\$250,000	\$250,000	\$250,000	\$250,000	\$250,000	\$1,500,000
Imp. & Delivery Cost	\$80,000	\$80,000	\$80,000	\$80,000	\$80,000	\$80,000	\$480,000
Totals	\$330,000	\$330,000	\$330,000	\$330,000	\$330,000	\$330,000	\$1,980,000

CONSIDERATIONS

Economic	Facilitate the development of new tourism based on local attractions, culture and creative industries.
Environment	Raise community awareness and support action in relation to environmental issues.
Social	Provide cultural centres and activities for the enjoyment of the arts. Support policies and plans that prevent crime. Promote community harmony and address discrimination.

Civic Leadership	<p>Foster neighbourhood pride and a sense of responsibility.</p> <p>Facilitate the development of community leaders.</p> <p>Encourage the community to engage in Council initiatives and actions.</p>
Legislative	There are no legislative considerations relating to this report.
Risk	The risk is deemed to be Low.

ATTACHMENTS

1. Bigge Park Public Art Program Proposed Sites & Examples (Under separate cover)
2. Bigge Park Public Art Program: Proposed Locations (Under separate cover)
3. Council Resolution - 30 August 2023 (Under separate cover)
4. Governance Committee Bigge Park Public Art Program Interim Report (Under separate cover)
5. Governance Resolution ITEM 01 (Under separate cover)

CFD 02

The Parks Governance Review

Strategic Objective	Visionary, Leading, Responsible Demonstrate a high standard of transparency and accountability through a comprehensive governance framework
File Ref	218532.2024
Report By	Hiba Soueid - Manager City Strategy and Performance
Approved By	Shayne Mallard - Director City Futures

EXECUTIVE SUMMARY

The purpose of this report is to seek Council's endorsement of an updated governance structure for The Parks (previously known as City Deal), an alliance of the eight Councils that make up the Western Parkland City and endorse its application to be a Section 358 entity under the *Local Government Act 1993* constituted as an incorporated association under the *Associations Incorporation Act 2020*.

Council has had a longstanding relationship with the Western Sydney City Deal, being one of the founding member councils and signing the initial agreement in 2018. Since then, the Western Sydney City Deal has evolved into The Parks to better reflect the collaborative efforts and shared identity of the eight councils within the Western Parkland City.

Recently, a review was undertaken of the current governance model to improve the effectiveness of the alliance and maximise benefits for the member councils and their communities. This review, including independent options analysis and advice, engagement with all councils and consultation with the Minister for Local Government, identified that the existing governance model for The Parks be recommended to change

This updated governance model significantly lifts the potential of the alliance to deliver benefits for its member councils and the region, with no additional financial costs to members.

At its meeting on 29 May 2024 Council endorsed its continued membership of The Parks as a key strategic ally which offers benefits in collective advocacy, profiling and branding and shared networking. The proposed entity is in line with the advocacy and government relations strategic framework that was also endorsed at the May Council Meeting.

This report seeks Council's endorsement of the updated governance model. Included in the report is the draft Constitution that would govern the organisation and provides all relevant

information for Council to consider, including a report on Policy and Governance Implications and the Western Parkland Council's Delivery Program.

The new governance model and recommendation to create an incorporated association has now been endorsed by all seven of the partner councils. Upon Council approval, the next steps involve seeking formal approval from the Minister for Local Government for the establishment of the entity, as required under the Act.

RECOMMENDATION

That Council:

1. Receive and note the report on the governance model for The Parks', the strategic alliance of the eight Councils of the Western Parkland City led by the Mayors, and the need to update the governance model to increase effectiveness.
2. Note that this updated governance model retains the autonomy of all member Councils and brings with it no additional financial costs on members.
3. Receives a further report outlining the application to the Minister, including proposed governance and service level arrangements between Council and the new entity.
4. Endorses:
 - i) that the existing governance model for The Parks' be updated to a Section 358 entity under the *Local Government Act 1993* constituted as an incorporated association under the *Associations Incorporation Act 2020* with primary responsibility for conducting research and gathering evidence to advocate effectively for the residents, businesses and visitors of the Western Parkland City and implement programs and initiatives that bring regional benefits.
 - ii) the attached Constitution as the Constitution for this organisation, to be known as the 'The Parks' Councils Organisation.
5. Subject to Ministerial consent, authorises the Mayor and General Manager to work with the other Councils' Mayors and General Managers to establish the entity as per Section 358 of the *Local Government Act 1993* and the OLG's Guidelines for the Formation of Corporations and Entities (s358).

REPORT

Background – Western Sydney City Deal and The Parks alliance

The Western Sydney City Deal was signed by the Prime Minister, the Premier of NSW and the Mayors of the eight City Deal councils on 4 March 2018. A significant level of cooperation has developed amongst the councils since signing the City Deal. This collaboration has seen the successful completion of several commitments, as well as establishing effective relationships and collective advocacy between the councils.

Since then, the Western Sydney City Deal evolved into The Parks to better reflect the collaborative efforts and shared identity of the eight councils within the Western Parkland City. The name "The Parks" embodies the natural environment and green spaces that define the Western Parkland City. This transformation signified a commitment to a more cohesive and cooperative approach, aligning the councils' efforts towards common goals and regional development. By rebranding as The Parks and building on the foundation laid by the Western Sydney City Deal, the alliance aims to strengthen its position as a leading advocate for the residents and businesses in the region with a focus on sustainable growth, improved infrastructure, and enhanced community services.

A Relationship Framework for the Councils of the Western Parkland City and the subsequent Memorandum of Understanding (MoU) was signed in February 2019 to confirm the intention of each council to continue to investigate the feasibility and potential mechanisms to establish a formal alliance or partnership for the 8 councils of the Western Parkland Region, this resulted in the establishment of The Parks as an alliance.

The Parks is an alliance of the eight Councils (hosted by Campbelltown Council) that make up the Western Parkland City: Blue Mountains, Camden, Campbelltown, Fairfield, Hawkesbury, Liverpool, Penrith, and Wollondilly. The Mayors of these Councils agreed to form the alliance in 2018 to collaboratively deliver the City Deal. This alliance was established as an s355 committee under the Local Government Act and is currently hosted by Campbelltown City Council.

Governance Review

Over the past six years, it has become evident that many of the challenging issues faced by the Western Parkland City communities, such as public transport connectivity, health and education services, digital connectivity, environmental emergencies, and economic development, are not confined within individual LGA boundaries. The inability to access WestInvest grant funding due to the office being hosted by Campbelltown City Council triggered further discussions regarding the establishment of a new entity for the alliance.

To improve the effectiveness of the alliance and maximise benefits for the member Councils and their communities, the Mayoral Forum initiated a review of the governance model.

Morrison and Low were engaged to provide an unbiased and evidence-based recommendation regarding the best governance structure. Following desk research and interviews, they presented a comprehensive table of possible entities (Appendix B), recommending an s358 entity under the *Local Government Act 1993* as the most suitable option.

On October 5, 2023, the Mayoral Forum endorsed updating the existing governance model to an s358 entity constituted as an Incorporated Association. This model was preferred over a Joint Organisation (s4000) due to the additional regulatory restrictions and financial costs associated with Joint Organisations.

The updated governance model retains the autonomy of all member Councils and imposes no additional financial costs on members. It significantly enhances the potential of the alliance to deliver benefits for its member Councils and the region.

Ministerial Consultation

A delegation of Mayors met with the Minister for Local Government, The Hon. Ron Hoenig MP, on February 26 to discuss the establishment of an s358 entity. The Minister was complimentary of The Parks' achievements to date, understood the objectives, and offered to consider the proposal following the preparation of a draft Constitution that sets out clear and transparent governance principles (Attachment C).

Proposed Governance Structure

The organisation will continue to have eight members, namely the eight Councils of the Western Parkland City: Blue Mountains City Council, Camden Council, Campbelltown City Council, Fairfield City Council, Hawkesbury City Council, Liverpool City Council, Penrith City Council, and Wollondilly Shire Council. Each Council would appoint one delegate to the Board of the organisation, and from those members, one President would be elected.

The Board would support the development and endorsement of the delivery program, operational plan, and financial budgets for the organisation and provide oversight of these plans and budgets. The delivery program and operational plan would be informed by detailed three-year financial projections.

This report includes the draft Constitution that will govern the organisation and seeks Council endorsement for the updated governance model to enhance the alliance's effectiveness in delivering regional benefits.

Next Steps

This report seeks Council endorsement of the updated governance model. Subject to Council approval, the next steps would involve seeking formal approval from the Minister for Local Government for the establishment of the entity, as required under the Act. Following Council and Ministerial approval, the new incorporated association would be registered with the Australian Securities and Investments Commission (ASIC) and as a charity.

The Executive Director of The Parks will prepare the application for the Office of Local Government based on the requirements set out in *Formation of Corporations and Entities (s358) Guidelines* dated January 2022 (Attachment F). The draft application will be tabled at a Council meeting and will address each of the aspects outlined in the Guidelines, including proposed governance and service level agreement arrangements between Council and the new entity.

A copy of the minutes showing that Council resolved to make an application to the Minister for approval, as well as a copy of the report must be supplied as part of the application.

Council also needs to complete the self-assessment questionnaire for submission to OLG (Attachment F) and Council's Acting Chief Executive Officer must certify that the self-assessment and other documents have been prepared in accordance with the Guidelines.

The application to the Minister will include the Organisation's Constitution (Attachment C), which outlines oversight mechanisms, the structure and requirements of the Board, purposes for which the Organisation is established, its operational structure and approval processes.

The transition of The Parks' operating model from being hosted by Campbelltown City Council to an s358 entity would enable The Parks to lead initiatives that benefit all residents, businesses, and visitors in the Western Parkland City. This ensures that Council is optimally positioned to capitalise on the economic and social benefits stemming from the construction of the Western Sydney International Airport. Additionally, The Parks will play a crucial role in advocating for local government interests to State and Commonwealth governments, ensuring that Liverpool Council's needs and concerns are more effectively addressed. This strategic shift aims to enhance collaboration, improve governance efficiency, and maximise outcomes for the entire region.

FINANCIAL IMPLICATIONS

It is proposed that the organisation continue to receive base funding from Council (at the same rate as hitherto), but actively pursue other sources of financial support including grants to enhance its program offerings and its contribution to the community and lessen the financial burden on council.

CONSIDERATIONS

Economic	The transition of The Parks' operating model from being hosted by Campbelltown City Council to an s358 entity would ensure that Council is positioned to capitalise on the economic and social benefits stemming from the construction of the Western Sydney International Airport.
Environment	The transition will allow the Parks to further build on improving environmental outcomes for the city, especially in the areas of sustainable land planning and development as well as promoting healthy built environments.
Social	The proposal has a multitude of social benefits for council, including its ability to partner with councils across the region on priorities that cross local government boundaries.
Civic Leadership	The proposal aims to improve Council's civic leadership, including its ability to represent the region via tripartite forums and collective advocacy and networking.
Legislative	<p>Section 358 of the <i>Local Government Act 1993</i> requires Ministerial consent prior to the establishment of an incorporated association.</p> <p>Section 377 (1)(s) of the <i>Local Government Act 1993</i> requires Council to approve the making of an application to the Minister.</p> <p>The Office of Local Government's <i>Formation of Corporations and Entities (Section 358 Guidelines)</i> (Attachment F) sets out the procedures and processes to be followed when councils are considering making an application to the Minister for consent.</p> <p>The <i>Associations Incorporation Act 2020</i> guides the establishment of the incorporated association.</p> <p>The <i>Treasury Laws Amendment (2021 Measures No. 2) Bill 2021</i> requires any non-government not-for-profit organisation be registered as a charity with the Australian Charities and Not-for-Profit Commission to be endorsed as a Deductible Gift Recipient.</p>
Risk	To manage and mitigate against any potential risk to member Councils, a risk management plan has been developed, which identifies and analyses any actual or potential risks associated with the project. (Attachment E)

	In addition, if Council does not endorse the application to become an incorporated organisation it faces significant relationship and reputational risks as it is stepping away from a key strategic alliance.
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ATTACHMENTS

1. Attachment A - Policy and Governance Implications (Under separate cover)
2. Attachment B - Governance and Structure Options Matrix (Under separate cover)
3. Attachment C - The Parks Sydneys Parkland Councils Draft Incorporated Constitution (Under separate cover)
4. Attachment D1 - Proposed Service Deliverables (Under separate cover)
5. Attachment D2 - Western Parkland Councils Delivery Program (Under separate cover)
6. Attachment E - The Parks Risk Management Program (Under separate cover)
7. Attachment F - S358 Guidelines (Under separate cover)

OPER 01

Electric Vehicle (EV) Charging Stations on Public Land Policy

Strategic Objective	Liveable, Sustainable, Resilient Promote and advocate for an integrated transport network with improved transport options and connectivity
File Ref	219257.2024
Report By	Karen Visman - Acting Coordinator Environment Management
Approved By	Peter Scicluna - Acting Director Operations

EXECUTIVE SUMMARY

This report presents the draft Electric Vehicle (EV) Charging Stations on Public Land Policy and seeks endorsement to place the documents on public exhibition.

RECOMMENDATION

That Council:

1. Endorses the draft *Electric Vehicle (EV) Charging Stations on Public Land Policy* to be placed on public exhibition for 28 days; and
2. Receives a further report seeking endorsement of the *Electric Vehicle (EV) Charging Stations on Public Land Policy* following consideration of comments received during the public exhibition.

REPORT**Policy Background**

The Electric Vehicle (EV) Charging Stations on Public Land Policy (the Policy) aims to guide the installation and management of EV charging infrastructure on Council owned and managed land in the Liverpool Local Government Area.

EV uptake is increasing in NSW and Council has received multiple requests from private organisations to install chargers within Liverpool. The Policy is being developed to facilitate the installation of charging infrastructure in a way that is responsible and protects Council from potential risks.

The policy also has a nexus with Council's Climate Change Policy and Liverpool Climate Action Plan, which were endorsed in 2022. These documents include an objective to promote and advocate for an integrated transport network with improved transport options and connectivity.

Policy Intent and Scope

The Policy intends to:

- Establish technical and design requirements for charging infrastructure on Council owned and managed land
- Set the role and obligations of EV charging providers
- Coordinate the rollout to make sure the right chargers are put in the right locations across the LGA
- To increase provider accountability and ensure chargers are provided responsibly.

The Policy aims to inform:

- Assessment and approval of applications from EV charging providers
- Decision-making over financial investment for charging infrastructure
- Council's fleet transition plan
- the use of private chargers on public land

Proposed Role of Council under the Policy

Council will primarily take an assessor role, ensuring the network, technical and design requirements of the Policy are being complied with and that EV charging installations align with other Council policies.

Consultation and Development of the Policy

ARUP was engaged to lead the development of the Policy and supporting resources. The development of the draft Policy involved two technical engagement workshops with staff. A presentation on the draft Policy was made at the Environment Advisory Committee (EAC) meeting held on 15 April 2024 to provide a briefing and seek preliminary feedback. Further feedback will be sought from the EAC during the public exhibition period.

Next Steps

It is now proposed to place the Policy on public exhibition for 28 days to seek feedback from the community. EAC feedback and further input from internal stakeholders will be sought concurrently with the exhibition period.

After consideration of comments received during the exhibition period, it is proposed to report back to Council with a revised Policy to seek endorsement.

FINANCIAL IMPLICATIONS

Financial implications will be the subject of consideration for each installation. The Policy aims to clarify potential financial considerations rather than limiting the procurement approaches available to Council. It is anticipated that the provider will be responsible for the cost of the EV charging infrastructure (including installation, operation, maintenance, and decommissioning) under an agreement with Council.

CONSIDERATIONS

Economic	Transitioning to electric vehicles presents a significant opportunity for community emissions and cost reduction.
Environment	Enabling zero-emission travel for residents who rely on cars, but do not have access to charging at home.
Social	The Policy aims for an equitable roll out of chargers that fills in network gaps, in which all Liverpool residents retain reasonable access to parking and charging infrastructure.
Civic Leadership	Act as an environmental leader in the community.
Legislative	<ul style="list-style-type: none"> • <i>Environmental Planning and Assessment Act 1979 State Environmental Planning Policy (Transport and Infrastructure) 2021 – Subdivision 3 Electric vehicle charging units</i> • <i>Roads Act 1993</i> • <i>Local Government Act 1993</i> • <i>Road Rules 2014</i>
Risk	The Policy will help mitigate risks associated with entering into agreements with charger providers

ATTACHMENTS

1. Draft Electric Vehicle (EV) Charging Stations on Public Land Policy (Under separate cover)
2. Draft Electric Vehicle Charging Stations on Public Land Policy - Overarching Strategy Document (Under separate cover)

CTTE 01	Minutes of the Community Safety & Crime Prevention Advisory Committee Meeting 6 June 2024
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Strategic Objective	Healthy, Inclusive, Engaging Improve liveability and quality of life for the community by delivering vibrant parks, places and facilities
File Ref	203739.2024
Report By	Jacqueline Newsome - Coordinator Community Development
Approved By	Tina Bono - Director Community & Lifestyle

EXECUTIVE SUMMARY

This report is tabled to present the Minutes of the Community Safety & Crime Prevention Advisory Committee Meeting Minutes held on 6 June 2024.

RECOMMENDATION

That Council Receives and notes the Minutes of the Community Safety & Crime Prevention Advisory Committee Meeting Minutes held on 6 June 2024

REPORT

The Minutes of the Community Safety & Crime Prevention Advisory Committee Meeting Minutes held on 6 June 2024 attached for the information of Council.

FINANCIAL IMPLICATIONS

There are no actions contained in the minutes and therefore no financial implications relating to this report.

CONSIDERATIONS

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

ATTACHMENTS

1. Community Safety & Crime Prevention Advisory Committee Minutes 6 June 2024



This meeting was recorded for minute taking purposes

MINUTES OF THE COMMUNITY SAFETY AND CRIME PREVENTION ADVISORY COMMITTEE MEETING

6 June 2024

COUNCILLORS:

Councillor Karress Rhodes
Councillor Peter Harle

Liverpool City Council (**Chairperson**)
Liverpool City Council

COMMITTEE MEMBERS:

Det. Insp. Timothy Liddiard
Chantelle Woodbridge
Jonathan Gooddall
Andrew Miles
Liesa Davis
Brittany Aggett
Ying Fan
Claudia Escarate
Pacifique Ndayisaba

Liverpool City Police Area Command
Hume Housing
Hume Housing
SWSLHD Drug Health Services
Wesley Mission
Wesley Mission
Royal Life Saving
Core Services
Odessey House

COUNCIL ATTENDEES:

Cynthia Death
(Minutes)

Community Development Worker - Safety & Wellbeing

GUEST:

Trish Lemmon

Anglicare

APOLOGIES:

Mayor Ned Mannoun
Councillor Betty Green
Jacqueline Druart
Jessica Marshall

Liverpool City Council
Liverpool City Council
MTC Australia
Lifeline



OPEN

Meeting opened at 10:04 am.

1. WELCOME, ATTENDANCE AND APOLOGIES

Councillor Karress Rhodes opened the meeting and conducted the Acknowledgement of Country.

2. DECLARATIONS OF INTEREST

Nil.

3. CONFIRMATION OF PREVIOUS MINUTES

Moved: Councillor Rhodes

Seconded: Councillor Peter Harle

4. BUSINESS ARISING FROM PREVIOUS MINUTES

4.1 Amendment to minutes from 7 March 2024

There was a minor amendment requested to the minutes from the meeting on 7 March. A spelling error was noticed in the sentence – “Most of the cameras are for operational security which covers protecting Council assets. The remainder are to ensure public safety and Environmental Protection to assist with prevention of illegal (not legal) dumping throughout the LGA”.

5. GENERAL BUSINESS

5.1 Alcohol Free Zones

Council's Alcohol-Free Zones (AFZ) are expiring in September 2024, having last been updated in 2020. AFZs are valid for a maximum period of four years before they must be renewed or cancelled.

To validly establish an alcohol-free zone a council must comply with the procedures in sections 644 to 644C of the *Local Government Act 1993* (NSW) and to consult NSW Police and with Anti-Discrimination New South Wales ADNSW in establishing Alcohol Free Zones. This has been completed and the updated AFZ is now on public exhibition on Council's website for community input.

Exhibition will be held until 8 July 2024. Submissions must be made in writing to the Chief Executive Officer, Locked Bag 7064, Liverpool BC NSW 1871 or by email to lcc@liverpool.nsw.gov.au quoting ref no 2024/2966.



5.2. Liverpool City Police Area Command report

Det. Insp. Timothy Liddiard provided an update on local crime statistics:

- There has been a 25% increase in Domestic Violence assaults. 125 reports were made per month which is more than usual. This is due to more people reporting DV;
- Police resources will be deployed to highway patrol over the long weekend to reduce road trauma. Highway operations target specific locations in Liverpool LGA. Double Demerit points also apply over June long weekend;
- There has been a spike in theft from storage cages in apartment blocks. Residents are encouraged to lock garages. Crime Prevention Officers work with Strata companies to implement safety methods for affected properties;
- Local operations are underway in response to overseas political unrest. Any concerns are being addressed through proactive operations relating to protest activity;
- Liverpool Police personnel will be assisting City of Sydney with Vivid festivals in the city;
- Further crime trends and stats based on specific suburbs can be accessed on BOSCAR website; and
- Residents can report any criminal activity directly to Police via Crime Stoppers online, at their local police station or call 000 in an emergency. If crime is reported to Police consistently, Police will target patrols to these areas.

5.3 Councillors Report

Councillor Karress Rhodes shared the following update:

- The Mayor of Blacktown, Cr Tony Bleasdale OAM has passed away. Tony was a great community leader and a significant part of the community;
- The Heritage Policy was adopted at the last Council meeting. Heritage issues related to the Scout Hall were not approved; and
- The Local Environmental Plan (LEP) was approved with significant changes. The full report is available on Council's website.

Councillor Peter Harle shared that Council budget is currently on Public Exhibition. There is some controversy regarding the sale of public assets.

6. INFORMATION SHARE

6.1 Anglicare Domestic Violence Counselling Program

Trish Lemmon shared that a new Domestic Violence counselling program called 'Supporting Recovery' is available at Anglicare, Liverpool.



Supporting recovery is a program providing access to ongoing, free trauma informed psychological therapies for people who have experienced family, domestic and sexual violence. The program is open to anyone in South Western Sydney who has been impacted by family, domestic and sexual violence.

6.2 Council Programs update

Community Development Worker, Safety & Wellbeing shared the following;

- A Coffee with a Cop event was held at Edmonston Park Shopping Centre on Tuesday 21 May. Residents were able to share concerns of safety to Police over a coffee/tea;
- The Liverpool Community Drug Action Team (CDAT) have been undertaking a community education program with information stalls held at Bigge Park and Miller Hub in May. Information on drug and alcohols services were shared to the community. The event was popular and attracted residents who were keen to hear about the services so that they could share with family members and friends affected by drugs and alcohol;
- Domestic Violence information card and posters have been distributed widely in the community to local libraries, childcare centres and community groups; and
- The Liverpool Domestic Violence Committee has distributed over 200 bags filled with DV information at Council Family Fun Days.

CLOSE

Meeting closed at 11:40 am

Next meeting to be confirmed due to upcoming Council elections.

CTTE 02

**Minutes of the Companion Animals Advisory
Committee Meeting held on 4 June 2024**

Strategic Objective	Healthy, Inclusive, Engaging Communicate, listen, engage and respond to the community by encouraging community participation
File Ref	207496.2024
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 4 June 2024.

RECOMMENDATION

That Council receives and notes the Minutes of the Companion Animals Advisory Committee Meeting held on 4 June 2024.

REPORT

The Minutes of the Companion Animals Advisory Committee held on 4 June 2024 are attached for the information of Council.

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 of the Companion Animals Advisory Committee Meeting held on 4 June 2024



This meeting was recorded for minute taking purposes
This meeting occurred on MS Teams

MINUTES FROM COMPANION ANIMALS ADVISORY COMMITTEE MEETING 4 JUNE 2024

COUNCILLORS:

Councillor Rhodes
Councillor Harle (online)

Chairperson/Committee Member

COMMITTEE MEMBERS:

Ted Humphries
Rosalyn Faddy
Claudia Jones (online)

Rossmore Vet, Vet
Community Member
RSPCA, Welfare

COUNCIL ATTENDEES:

Noelle Warwar
Belinda Navas
Leanne Bourne

Manager Community Standards
A/Coordinator Regulatory Services
Business Support Officer (Minutes)

APOLOGIES:

Deputy Mayor Macnaught
Nathan McCredie
Stephen Dobell-Brown

Dog Gone Mad, Behavioural & Training Specialist
Community Member



OPEN

Meeting opened at 4:38 pm.

1. WELCOME, ATTENDANCE AND APOLOGIES

Clr Rhodes opened the meeting and noted the apologies.

2. DECLARATIONS OF INTEREST

Nil

3. PREVIOUS MINUTES

The Committee was informed of the completed actions from the previous minutes.

The Committee agreed that the minutes from the previous meeting held on 5 March 2024 be acknowledged.

Actions from Previous Minutes

Action: Advise numbers on waiting list for the cat desexing program. 98 cats are on the waiting list.

Action: Council to share social media posts from RSPCA regarding cat containment. All the KCSH resources can be accessed via <https://www.rspcansw.org.au/keeping-cats-safe/resources/>. Resources include topics like what to do if you have found kittens, transitioning your cat to staying indoors, enrichment, children's activities etc. Completed.

Claudia Jones discussed the Keeping Cats Safe at Home program, which has been running for a few years in collaboration with 11 Councils, produced a number of resources and advice in creating human behaviour change around cat ownership and containment.

4. URBAN CAT MANAGEMENT PLAN - Update

A/Coordinator Regulatory Services provided an update on Council's Urban Cat Management Plan.

In Council's desexing program, from October to the present, Council desexed 583 cats. The program has been successful and will continue if funding is available. This program is specifically for owned cats and is assisting to stop uncontrolled breeding where cats are not contained and helps to prevent from roaming.

Council is continuing with the Pet Pantry program which has been well received by the community. Community engagement and food donations are provided at Council family fun days to pet owner residents.



Queries & Discussion

Clr Rhodes asked about surrounding Councils and any statistics in relation to cat desexing programs.

At present, Fairfield Council in conjunction with Cat Protection Society, has a program running to pension holders.

5. STATISTICS

The quarterly statistics for the period January to March 2024 were discussed with the Committee, including the statistics attached to the agenda regarding the dogs entering the Shelter from 28 February 2024 to 29 May 2024 and the outcomes. The statistics provide a useful summary and are very transparent for the community. Rehoming numbers are excellent, and a lot of dogs have also been reclaimed.

Clr Rhodes enquired about the current status of parvo at the shelter?

Edward Humphries stated that the Shelter does not have any current cases and have not had any for a few months.

Clr Rhodes asked about the cost-of-living crisis and the impact on Shelters?

Claudia Jones stated the crisis is still impacting a lot. Dogs are sitting in the shelter for a lot longer, priorities are changing ie. with surrenders or customers may need help with vet care. RSPCA adoption rates are 30% down over the last year and approximately over 700 animals are on the surrender waitlist.

Clr Rhodes asked if we kept a record of contact details of persons calling to surrender their animals?

Manager Community Standards advised that Council does not keep any records of this information as it is an invasion of privacy.

Discussion about the RSPCA fostering program and cost benefit analysis for fostering the longer term dogs at the Shelter.

6. GENERAL BUSINESS

Two items of interest were provided to the Committee from the District Reporter on 22 March 2024 and 19 April 2024.

Clr Rhodes stated that Council's Animal Shelter is progressing.

Manager Community Standards advised that Council has reached out to a few consulting companies that specialise in design and construction plans for shelters and are waiting on quotes based on the scope provided. A Business Plan will be created outlining the cost to Council to have its own Shelter and a Council Report will be prepared.



Manager Community Standards thanked the Committee for their time and valuable input as this is the last Committee meeting as the Council elections are in September.

Cllr Rhodes also thanked committee panel members for their input and staff for their dedication in working together to support the community and improve the welfare of the animals in the Liverpool LGA.

CLOSE

Meeting closed at 5.40 pm.

CTTE 03

**Minutes of the Intermodal Precinct Committee
Meeting 03 June 2024**

Strategic Objective	Evolving, Prosperous, Innovative Maintain strong relationships with agencies, stakeholders and businesses to achieve beneficial outcomes for the city
File Ref	216801.2024
Report By	Jennifer Reynolds - Senior Officer, Business Development
Approved By	Shayne Mallard - Director City Futures

EXECUTIVE SUMMARY

This report is tabled to present the Minutes of the Intermodal Precinct Committee Meeting held on 03 June 2024.

RECOMMENDATION

That Council receives and notes the Minutes of the Intermodal Precinct Committee Meeting held on 03 June 2024.

It is worth noting that the motion to hold an Extraordinary Intermodal Precinct Committee Meeting in July 2024 cannot be achieved due to the timing of the July Council meeting.

REPORT

The Minutes of the Intermodal Precinct Committee Meeting held on 03 June 2024 are attached for the information of Council.

The minutes contain the following actions or Committee recommendations:

Action: National Intermodal to confirm the date of the last valuation for rates purposes and the next scheduled valuation date.

Action: LOGOS to advise the number of warehouses which have been completed this financial year.

Action: LOGOS to confirm the amount of developer contributions which have been paid financial year ending 30 June 2024

Action: Council to provide a report back to the Committee regarding the balance of funds contributed from the National Intermodal and LOGOS in the financial accounts. This report will form the basis of funding should a recommendation for an independent investigation regarding the State Environmental Planning Policy (SEPP) and Explanation of Intended Effect (EIE) March 2024 is endorsed at the August Intermodal Precinct Committee meeting.

Motion: Extraordinary Committee meeting to be held in July 2024 to discuss the report regarding the balance of contributions from National Intermodal and LOGOS and to formulate a brief to fund an independent investigation, ethical, and legal advice to confirm if the modifications to State Environmental Planning Policy (SEPP) and the Explanation of Intended Effect (EIE) were appropriate pathways to undertake proposed planning changes to the Moorebank Intermodal. Due to the timing of the July Council meeting to adopt the June Committee Minutes, the extraordinary meeting cannot be achieved. Extraordinary meeting agenda items will be addressed at the ordinary August Committee meeting.

FINANCIAL IMPLICATIONS

Findings from the report back to the Committee regarding the balance of funds contributed by the National Intermodal and LOGOS, may lead to financial implications should a recommendation for an independent investigation be endorsed.

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

ATTACHMENTS

1. Minutes of the Intermodal Precinct Committee Meeting 03 June 2024



This meeting was recorded for minute taking purposes.
This meeting occurred on MS Teams

Minutes

MINUTES OF INTERMODAL PRECINCT COMMITTEE MEETING

03 JUNE 2024

COMMITTEE MEMBERS PRESENT:

Karress Rhodes Councillor (Chair)

COMMITTEE MEMBERS PRESENT:

Ellie Robertson	Community Representative
Diane Wills	Community Representative
Eric North	Community Representative

GUEST ATTENDEES:

Alison Miller Swan	LOGOS
Westley Owers	National Intermodal (NI)
Taylor Denny	National Intermodal (NI)

COUNCIL STAFF:

Luke Oste	Coordinator Strategic Planning
Jennifer Reynolds	Senior Officer Business Development

APOLOGIES:

Fiona Macnaught	Deputy Mayor
Carlo Di Giulio	Community Representative
Robert Stendrup	LOGOS

OPEN:

Meeting opened at 6.04pm

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.



This meeting was recorded for minute taking purposes.
This meeting occurred on MS Teams

Minutes

3. CONFIRMATION OF PREVIOUS MINUTES

MOTION: That this Committee endorse the previous minutes from the meeting held on 8 April 2024.

4. BUSINESS ARISING FROM PREVIOUS MINUTES

4.1. National Intermodal (NI) to confirm actions that may be taken to stabilise the banks within the Georges River-tributaries offset site

4.1.1. Mr Owers confirmed that the method used to stabilise the banks within the Georges River-tributaries offset site is to retain vegetation (including exotic vegetation). This process involves leaving vegetation as is, thinning of the area and replanting or allowing for it to naturally seed. Unwanted vegetation will be progressively taken away from the banks as other plants start to stabilise until the banks are predominately native.

4.2 NI to provide a list of species/fauna that has been identified in the Georges River tributaries offset area.

4.2.1. Mr Owers advised that the species/fauna within the Georges River-tributaries offset area is extensive and includes ringtail possums, sugar gliders, owlets, koalas, red belly black snakes, foxes feral deer and exotic plant species.

4.3. NI to confirm the percentage of biodiversity being contained in the Liverpool LGA and how much is being purchased outside the LGA.

4.3.1. Mr Owers confirmed that he will aim to provide an answer to the biodiversity action from the previous meeting in the August committee meeting.

4.4. National Intermodal to advise how the payment in lieu of rates will be accommodated within the increase in FSR and proposed SEPP changes.

4.4.1. Mr Owers confirmed that land held by the commonwealth are not required to pay rates, however NI chooses to pay rates voluntarily. The rates are based on a valuation which is conducted periodically.

4.5. LOGOS to provide information on which entity and representative conducts checks on the statistics that LOGOS provides to Transport for NSW

4.5.1. Ms Miller Swan has confirmed that all traffic related monitoring and auditing for the project is conducted by an independent regulator approved specialists and not LOGOS. These statistics are directly provided to Transport for NSW.

5. NATIONAL INTERMODAL (NI) UPDATE

- Mr Owers introduced Taylor Denny from NI's communications team.
- Twenty year five and six students from Wattle Grove Public School were taken on an eco-tour of the bushland to the east of the site. NI is awaiting feedback from the school and hope to hold another eco-tour in the near future.
- NI is responsible for the Moorebank Avenue realignment project. The project has started undertaking site investigations, facilitation works and utility relocations. Road construction of the project is expected to commence in the third quarter of this year. Detailed designs are being



This meeting was recorded for minute taking purposes.
This meeting occurred on MS Teams

Minutes

finalised. All construction environmental management plans have been signed off and are available on the NI website.

- Ms Robertson asked if there is a formal procedure to identify species in the area.
Mr Owers confirmed ecologists and bush regeneration specialists work throughout the bush. LOGOS are also undertaking monitoring throughout the bush as part of the approval requirements.
- Ms Robertson asked who's responsible to identify and count the exact number of different species within the Intermodal.
Mr Owers advised that the number will not be fully known. NI is responsible for the bush regeneration while LOGOS also conducts monitoring. Ecologists tag and monitor the number of plants every year. The process for Fauna is more challenging due to their ability to roam and move.
- Ms Robertson asked how fauna such as koalas are being protected.
Mr Owers advised that koalas are provided with habitat within the site and the ability to roam freely. Feed planting will ensure that koalas have ample food source.
- Cllr Rhodes asked if NI report koala sightings to the relevant bodies and raised concerns that the number of koalas within the Liverpool LGA are higher than reported.
Mr Owers confirmed that NI annual reporting requirements captures the koala sightings and is happy for Cllr Rhodes to share the contact details of the organisations she would like NI to contact.
- In response to the action regarding how NI's payment in lieu, Mr Owers advised that, although not required, NI chooses to pay rates voluntarily.
- Cllr Rhodes asked Mr Owers if he knew the date of when the rates were last looked at and when they will be looked at next.
Mr Owers estimates that it is yearly however will come back to the committee with confirmation.

ACTION: NI to confirm the date of the last valuation for rates purposes and the next scheduled valuation date.

- Mr North asked if there would be an uplift in valuation from the activities onsite.
Mr Owers confirmed that if the value of the land increases, the rates will also increase.



This meeting was recorded for minute taking purposes.
This meeting occurred on MS Teams

Minutes

6. LOGOS UPDATE

- Maersk and Sydney Tools have taken possession of their warehouses in the north of the precinct.
- Construction will commence shortly on the sheds in the south of the precinct. Signify (a global lighting and 3D printing company) will be the tenant for one of the sheds.
- In regards to community engagement, school immersion days (in collaboration with the NSW Department of Education) will commence in September and a partnership program is being discussed with Casula Powerhouse Arts Centre.
- Mr North asked how many warehouses have been completed this financial year.

ACTION: LOGOS to advise the number of warehouses which have been completed this financial year.

- Mr North queried if the interstate terminal was complete.
Ms Miller Swan advised that it is completed, however operations had been delayed due to paperwork. It has now been signed off and should be operating imminently.
- Mr North asked for the amount of developer contributions that have been paid this financial year.

ACTION: LOGOS to confirm the amount of developer contributions have been paid this financial year (2023/2024)

7. PLANNING UPDATE

Coordinator Strategic Planning provided an update on the Department of Planning – public engagement processes regarding changes to the Intermodal.

- Coordinator Strategic Planning provided an overview of Council's submission to the recently exhibited Explanation of Intended Effect (EIE) regarding the Transport and Infrastructure State Environmental Planning Policy (SEPP) and Moorebank Intermodal Precinct.
- Mr North raised a number of concerns in relation to the base approval figures provided within the SEPP for the Gross Floor Area (GFA), building heights and traffic caps. Mr North advised that he believes that the baseline numbers are not correct and are higher than approved and stated. Additionally, Mr North is concerned that there is no requirement for Secretary's Environmental Assessment Requirement (SEARs) nor for the traffic network to be assessed.
- Mr North asked whether the legally appropriate pathway would be a fully integrated modification application or a whole new development application.
Coordinator Strategic Planning advised that he is not able to answer that question given it's a state approved consent, however, have advised that Council, in both the current and previous submissions have raised concerns around the need for traffic, visual impacts, environment impacts to be properly assessed.



Minutes

- Mr North advised that he would like to move a motion for Council to seek an independent investigation and advice on whether the SEPP was the appropriate pathway for NI to seek the proposed changes. Mr North requested that the funding for the investigation be taken from the Intermodal payments in lieu.

Cllr Rhodes advised that Council may not have the funds for an independent investigation. Mr North believes that there are more than sufficient funds available. Cllr Rhodes requested for a report to be provided back to the committee to confirm.

ACTION: Council to provide a report back to the Committee regarding the balance of funds contributed from the National Intermodal and LOGOS in the financial accounts.

MOTION: An Extraordinary Committee Meeting to be held in July 2024 to discuss the report of the balance of contributions from NI and LOGOS and to formulate a brief to fund an independent investigation and legal advice to confirm if the modifications to the SEPP and the EIE were the appropriate pathway.

Moved: Eric North

Seconded: Ellie Robertson

10. CLOSE

Meeting closed at 7:55pm

CTTE 04

**Minutes of the Tourism and CBD Committee
Meeting 18 June 2024**

Strategic Objective	Evolving, Prosperous, Innovative Maintain strong relationships with agencies, stakeholders and businesses to achieve beneficial outcomes for the city
File Ref	217572.2024
Report By	Susana Freitas - Coordinator Innovation, Grants and Partnerships
Approved By	Shayne Mallard - Director City Futures

EXECUTIVE SUMMARY

This report is tabled in order to present the Minutes of the Tourism and CBD Committee Meeting held on 18 June 2024.

RECOMMENDATION

That Council:

1. Receives and notes the Minutes of the Tourism and CBD Committee Meeting held on 18 June 2024.
2. Endorse the recommendations in the Minutes.

REPORT

The Minutes of the Tourism and CBD Committee held on 18 June 2024 are attached for the information of Council.

The minutes contain the following actions or Committee recommendations:

- Council to re-establish the free listings of not-for-profit events on the What's On website and paid advertising for large, ticketed events to contribute to the cost of the website.

FINANCIAL IMPLICATIONS

None of the actions contained in the minutes will have a financial impact on Council.

CONSIDERATIONS

Economic	Facilitate economic development. Facilitate the development of new tourism based on local attractions. Culture and creative industries.
Environment	There are no environmental and sustainability considerations.
Social	Provide cultural centres and activities for the enjoyment of the arts.
Civic Leadership	Facilitate the development of community leaders. Encourage the community to engage in Council initiatives and actions.
Legislative	There are no legislative considerations relating to this report.
Risk	There is no risk associated with this report.

ATTACHMENTS

1. Minutes of the Tourism and CBD Committee Meeting June 2024



This meeting was recorded for minute taking purposes.
This meeting occurred on MS Teams.

Minutes

MINUTES OF TOURISM AND CBD COMMITTEE

18 June 2024

COMMITTEE MEMBERS

Karress Rhodes

Councillor (Chair)

COMMUNITY REPRESENTATION

Jessica Bono

Michelle Caruso

Navid Diwan

Maja Georgievska

Dr Garth Lean

June Young OAM

Nataly Rahme

Liverpool Catholic Club

Community Representative

Diwasons Collection/ Designer Palace

Western Sydney Airport

Western Sydney University

Community Representative

Community Representative

COUNCIL STAFF

Susana Freitas

Luca Cattarin

Natasha Checinski

Jacqueline Boateng

Acting Manager City Economy

Acting Visitor Economy and Place Officer

Acting Strategic Events Lead

Administration Assistant (minutes)

APOLOGIES

Jeff Gibbs

George Khoury

Fiona Macnaught

Moorebank Sports Club

Khourys & Associates

Deputy Mayor

OPEN

Meeting opened at 2:00pm

1. WELCOME, ATTENDANCE, APOLOGIES AND OPENING

Councillor Rhodes opened the meeting and acknowledged the traditional custodians of the land.

2. DECLARATIONS OF INTEREST

NIL

3. CONFIRMATION OF PREVIOUS MINUTES

Motion: That is Committee endorse the previous minutes from the meeting held on 23 April 2024.

4. PRESENTATION

Western Sydney International Airport update provided by Ms Georgievska

4.1 Western Sydney International Airport statistics update

- Sydney is one of the fastest growing populations in Australia and Western Sydney has 9 out of 10 of the fastest growing LGA'S across the state
- The airport will be home to the third largest economy after Sydney and Melbourne
- Western Sydney is home to the largest urban First Nations population and a large multicultural community. The airport aims to represent and showcase to passengers that they're landing on



This meeting was recorded for minute taking purposes.
This meeting occurred on MS Teams.

Minutes

Aboriginal land, the airport will also be selective in terms of retail and restaurants to share diversity and promote culture

- Forty-five percent of the local population was born overseas, indicating a large visiting friend and relatives' market will be coming into Western Sydney. There are 178 ancestries, and more than 100 languages spoken in the region
- Forty percent of the population travel outside of the region for work, the airport brings job growth for people to work closer to home
- Expenditure in Western Sydney per trip is \$1,050 which is the same amount as to the rest of Sydney

4.2 The benefits for Western Sydney and beyond

- Curfew free- 24/7 international and domestic flights
- New flight routes
- Freight precinct - connecting NSW producers with the globe and strengthening Australia's supply chain
- Creating job opportunities in Western Sydney
- Contributing to Australia's GDP - Western Sydney International Airport is predicted to generate an estimated \$24.6 billion direct expenditure by 2060 and contribute \$23.9 billion increase in the nation's GDP

4.3 Western Sydney International Airport is on schedule, the runway has been completed, lights have been installed and is currently being tested, the next milestone is the finalisation of the roof of the terminal. Construction is expected to be concluded by mid-2025, allowing for 12-18 months of testing, before 2026 opening to passengers. The airport is twice the size of Sydney Kingsford Smith Airport and on launch day, it can cater for 10 million passengers and in 25 years, after the second runway is built, the airport will cater to 82 million passengers yearly.

4.4 The toll-free motorway M12 will operate on launch day, connecting the airport to M7 and across the western suburbs. The Northern Road and Bringelly Road have been upgraded for freight access point for the cargo precinct. Carpark is available for both staff and passengers, there will be 4,000 car park spots available at the airport and 2,500 at the business precinct.

4.5 Western Sydney Airport signed an airline deal with Qantas June 2023 for domestic flights.

4.6 The business precinct will have 154 hotel rooms, conference centre, gym, and a cafe.

5. PRESENTATION

Events update provided by Acting Strategic Events Lead

5.1 Events update:

- Family Fun Days is continuing into the financial year and on the first Saturday of each month
- 12 July - Winter blast will be held at the Casula Powerhouse Museum - three day festival component and the ice rink over the school holidays
- 2 - 4 August - Eurofest - European night markets
- 16 - 18 August - Arabian Nights, showcasing the Middle Eastern Culture
- 23 - 25 August - First Nations Festival
- 7 - 8 September - Starry Sari Nights, A South Asian Festival
- 25 - 27 October - Primavera, A Latin American Festival
- 15 - 17 November - Pasifika Summer, A Pacific Islands Festival

5.2 Ms Rahme queried; how do people apply for a stall?



This meeting was recorded for minute taking purposes.
This meeting occurred on MS Teams.

Minutes

Acting Strategic Events Lead, advised the application is through the Council website, or an email can be sent to events@liverpool.nsw.gov.au

5.3 Ms Young queried if grants are being received to fund these functions?

Acting Manager City Economy advised that the events are funded by three core sources, Council funds, grants from the State Government and sponsorship where possible

5.4 Councillor Rhodes, queried how much does sponsorship start at?

Acting Strategic Events Lead, advised that there are multiple packages available, major events start at \$5,000 and if there are companies that have a particular need, a bespoke package would be tailored

6. PRESENTATION

6.1 Little India Liverpool – Sari Street update provided by Acting Visitor Economy and Place Officer

- Little India Liverpool Association (LILA) includes over 50 South Asians businesses that have formed a working group. The aim of the group is to elevate South Asian retail and hospitality on George Street run by the President of the association Mr Diwan
- Liverpool City Council is working together to promote the precinct through marketing, on street placemaking such as banners and public amenity improvements
- The works to be delivered on George Street is currently in consultation and partnership with Little India Association and other George Street businesses.
- Successful grant funding to supports Little India includes the Permit, Plug and Play grant and the Open Streets grant.
- Mr Diwan advised Little India is now thinking on a global level like attracting Bollywood stars and celebrities, which will bring forth exposure and income. George Street will need to have increased vibrancy to attract and entice people from other states in NSW with neon lights, and bright signage.
- Mr Diwan highlighted the potential for Little India Liverpool to attract international students to the local universities, international visitors once the airport opens and contribution to the overnight stays in local hotels.
- Councillor Rhodes advised, the importance of Little India in Liverpool being recognised as an international identity, just as each major city around the world.

7. GENERAL BUSINESS

Councillor Rhodes suggested gondola lifts from swyftcities.com to be modern transport across the LGA. Benefits of the transport system include:

- Alleviating traffic
- Less ground space being taken up and no land acquisitions required
- Economically beneficial
- Attracts tourism due to unique transportation and bird's eye view of the city

Action: Council to re-establish the free listings of not-for-profit events on the What's On website and paid advertising for large, ticketed events to contribute to the cost of the website.

Ms Caruso suggested that Council and community events utilise the Australian Tourism Data Warehouse to also promote events on multiple websites.

CLOSE

Meeting closed at 3:50pm

CTTE 05

**Minutes of the Environment Advisory Committee
Meeting held on 15 April 2024**

Strategic Objective	Healthy, Inclusive, Engaging Communicate, listen, engage and respond to the community by encouraging community participation
File Ref	218327.2024
Report By	Michael Zengovski - Manager City Environment
Approved By	Peter Scicluna - Acting Director Operations

EXECUTIVE SUMMARY

This report is tabled in order to present the Minutes of the Environment Advisory Committee Meeting held on 15 April 2024.

RECOMMENDATION

That Council receives and notes the Minutes of the Environment Advisory Committee Meeting held on 15 April 2024.

REPORT

The Minutes of the Environment Advisory Committee held on 15 April 2024 are attached for the information of Council.

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	<p>Minimise household and commercial waste.</p> <p>Manage the environmental health of waterways.</p> <p>Protect, enhance and maintain areas of endangered ecological communities and high quality bushland as part of an attractive mix of land uses.</p> <p>Raise community awareness and support action in relation to environmental issues.</p>
Social	<p>Raise awareness in the community about the available services and facilities.</p> <p>Preserve and maintain heritage, both landscape and cultural as urban development takes place.</p>
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>Facilitate the development of community leaders.</p> <p>Encourage the community to engage in Council initiatives and actions.</p> <p>Provide information about Council's services, roles and decision making processes.</p> <p>Deliver services that are customer focused.</p> <p>Operate a well developed governance system that demonstrates accountability, transparency and ethical conduct.</p> <p>Actively advocate for federal and state government support, funding and services.</p>
Legislative	There are no legislative considerations relating to this report.
Risk	There is no risk associated with this report.

ATTACHMENTS

1. EAC Minutes_15 April 2024



Minutes

MINUTES OF ENVIRONMENT ADVISORY COMMITTEE (EAC) MEETING (DATE)

COUNCILLOR MEMBERS PRESENT:

Councillor Harle Councillor

COMMITTEE MEMBERS PRESENT:

Robert Storey	Community Member
Stephen Dobell-Brown	Community Member
Signe Westerberg	Community Member
Ellie Robertson (online)	Community Member
Simon Messina	Community Member

COUNCIL ATTENDEES:

Michael Zengovski	Manager City Environment
Michelle Playford (online)	Acting Environmental Restoration Plan Program Leader
Steven Hodosi	Coordinator Environmental Operations
Roshan Khadka (online)	Acting Coordinator Floodplain and Water Management
Karen Visman (online)	Coordinator Environmental Management
Amanda Carroll (online)	Sustainability Planner
Raffaele Catanzariti	Environmental Restoration Plan Bushland Project Officer
Jenny Luu	Operations Support Officer

APOLOGIES:

Councillor Kaliyanda	Councillor (Chairperson)
Councillor Rhodes	Councillor
Rosalyn Faddy	Community Member
Robert Dixon	Industry Representative – Georges Riverkeeper
Scott Sidhom	Manager Infrastructure Planning
Maruf Hossain	Acting Manager Infrastructure Planning
Karl Adderley	Coordinator Resource Recovery

GUESTS:

Alan Murray	Circular Economy Partners
Jason Hoad	ARUP



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AGENDA:

1. WELCOME, ATTENDANCE, APOLOGIES AND OPENING

Meeting opened at 5:42pm.

Manager City Environment welcomed everyone, and apologies were noted.

2. DECLARATIONS OF INTEREST

No declarations of interest were noted.

3. CONFIRMATION OF PREVIOUS MINUTES

Motion: That the minutes from the previous meeting held on the 26 February 2024 be adopted by the committee.

Moved: Signe Westerberg

Seconded: Stephen Dobell-Brown

4. BUSINESS ARISING FROM PREVIOUS MINUTES

4.1. Coopers Paddock

Mr Storey and Ms Westerberg requested a presentation of the ATC about the vision of Coopers Paddock.

Action:

Council will request meeting.

Response: Council has referred request to Compliance and Planning Team.

4.2. Mattress Recycling Shredding Machine

Mr Dobell-Brown requested an update on the progress of the DA application.

Action: This question was taken on notice for Coordinator Resource Recovery to respond to.

Response: Information received by Council during the initial consultation and feedback phase, from the various authorities whose approval is needed, including Transport for NSW, have indicated that there are two issues that will require changes to the plan for the site that was initially produced. The consultants engaged by Council are presently working on adjusting the design in the light of this feedback and will lodge the proposal as soon as that is completed.

5. STANDING AGENDA ITEMS



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5.1. Presentation – Circular Economy Partners (CEP)

Alan Murray from Circular Economy Partners provided a presentation on circular innovation to reduce carbon and waste related to infrastructure construction and operation.

5.2. Presentation – Liverpool EV Charging Stations on Public Land Policy - ARUP

Jason Hoad from ARUP provided a presentation on Council's draft EV policy on Public Land. This will guide the installation and management of EV charging infrastructure on Council owned and managed land in the Liverpool Local Government Area. The scope of the policy is what chargers and where, Council's role and provider's role and Terms of agreement. It is currently in Stage 3 – Feedback and Presentation.

6. GENERAL BUSINESS

6.1. Grove of gum trees – Denham Court & Camden Valley Way

Mr Stephen Dobell-Brown queried a grove of trees on Camden Valley Way and Denham Court road. The outside trees are healthy but the centre trees appear to be dying.

Action: This was taken on notice to advise Parks team.

Response: Council has advised that the grove of trees is not within the Liverpool LGA.

6.2. Waste

Ms Westerberg asked whether bottle caps left on bottles in the recycling bin would negate the load. She also asked if blister packs should go into recycling.

Action:

This was taken on notice for response by Coordinator Resource Recovery.

Response:

The only time you should removed a bottle cap and put it in as a separate item, is if the bottle itself is empty, if the bottle is plastic and the cap is plastic, it is fine to leave them on.

With regards to the questions posed about blister packs, these cannot go into the regular yellow-lid recycling bin, as the destination facility run by Visy has no way of separating and processing these. There is a company called Pharmacycle that does undertake recycling of blister packs, and they offer an item-specific collection service through a number of pharmacies across Australia. You can locate the pharmacies using the link below.

<https://www.pharmacycle.com.au/find-a-location>

Within the Liverpool LGA, Blooms the Chemist at Miller is part of the Pharmacycle collection network. The company is currently trying to grow the number of pharmacies that offer this service.



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6.3. Tree Management Policy

Mr Storey asked if a presentation could be made on Council's Tree Management policy and strategy. Coordinator Environmental Operations advised it is in draft review stage. Ms Robertson asked why the policy and strategies have taken so long and what would be the timeline.

Action: Coordinator Environmental Operations will ask if presentation could be made before going to the public

Response: Council will provide presentation at next EAC meeting in June 2024.

6.4. Austral – grass & vegetation

Mr Messina shared concerns vegetation that is growing quite high and needs to be maintained for safety reasons. It is especially of concern around Fifteenth Avenue going into corner of Cowpasture Road. Mr Storey commented that Council should use contractors if current staff and machines weren't adequate. Ms Westerberg stated that she would prefer if Council didn't use poison like other Councils. Councillor Harle mentioned that grass is overgrown in seconds along Hoxton Park Road and Elizabeth Drive.

Action: Question taken on notice to refer to Manager City Works Parks Sport and Open Spaces.

Response: This has been referred to Manager City Works Parks Sport and Open Spaces.

6.5. Middleton Grange Tree Trimming

Mr Messina requested information around the trimming of street trees in Middleton Grange. Coordinator Environmental Operations advised there is a Council under pruning program in which lifting the canopy is undertaken for line of sight.

Action: Council to take question on notice.

Response: Acting Parks Coordinator Trees advised tree pruning works were undertaken in response to a large number of resident requests. There was a letterbox drop to residents of the works which included formative/maintenance pruning.

6.6. Update on Environmental Centre

Councillor Harle asked for an update on the Environmental Centre as there haven't been any updates for a number of years. Manager City Environment advised that Casula Powerhouse Arts Centre was considered. Other sites were now being looked at and ideas include possibly incorporating it with the Waste Education Centre.

Action: Council to provide an update.



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Response: Council is meeting with technical advisors to discuss new location at Cowpasture Road Depot. A revised business case will be developed.

6.7. Update on Sirius Rd – Illegal Vegetation clearing on private land

Councillor Harle asked for an update regarding 1 Sirius Rd.

Action: Coordinator Environmental Operations and Coordinator Environmental Management advised there was a meeting with Community Standards to discuss this. An update would be provided after this.

Response: Manager Community Standards has advised that recent inspections by Council officers in relation to land clearing has not reveal any unauthorised activity at the subject premises.
Any concerns regarding alleged breaches of development consent and construction certificates, must be referred to the Principal Certifier in the first instance. In the event that a resident is not satisfied with the certifiers response, they may consider lodging a complaint with NSW Fair Trading via <https://www.fairtrading.nsw.gov.au/housing-and-property/building-and-renovating/during-the-building-process/complaints-about-certifier> as they are the agency responsible for overseeing the conduct of accredited certifiers.

6.8. Bicycle Path at Sirius Rd

Councillor Harle expressed residents' concern around a plans for a Bicycle path. Residents have suggested that Council build the path across the road.

Action: Question taken on notice for response from Manager Project Delivery.

Response: Council has received and considered comments from residents along Sirius Rd regarding the proposed shared path at this location. Given the objections received about the proposed alignment of the shared path and number of suggestions for the path to go on the opposite side of Sirius Rd; we are now taking a pause on the project to assess the merits and associated requirements to move the path to the other side of Sirius Rd. No further action will be taken for this shared path until this assessment is completed, after which Council will once again consult with residents regarding any new/updated proposals for their feedback before proceeding with any works.

6.9. Middleton Grange – Qantas Boulevard

Mr Messina expressed concerns around missing footpaths.

Action: Question taken on notice for response from Manager Project Delivery.

Response: Regarding this missing section of footpath, Council understands that there is a significant development occurring on the North Side of Qantas Blvd/Hall



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Cct/ Flynn Avenue which will eventually have a footpath installed as part of these works. Having said this, we understand that there is a missing section of footpath between Onslow Gardens and Ulm St. To facilitate pedestrian access along this section of road, Council will program the installation of temporary asphalt footpath in the 2024-25 FY Program at this location until developers eventually complete the link with concrete footpaths as part of their development works.

6.10. Dumping at Rossmore

Ms Westerberg asked if dumping at Rossmore has been cleared and what the process is.

Response: Manager City Environment advised that illegal dumping (construction waste or asbestos) is cleaned up by a contractor within 48 hours.

6.11. Office update

Manager City Environment advised the EAC Meetings would be moved from Scott Street to Civic Place or Moore Street.

6.12. Audit for Lake Moore

Manager City Environment advised that a consultant has been appointed and findings will most likely be reported in August.

6.13. Stormwater presentations in June

Coordinator Floodplain and Water Management has advised presentations are to be delivered at the next meeting

7. CLOSE

Meeting closed at 7:55pm

CTTE 06

**Minutes of the Liverpool Youth Council Meeting
held on Tuesday 11 June 2024**

Strategic Objective	Healthy, Inclusive, Engaging Communicate, listen, engage and respond to the community by encouraging community participation
File Ref	219245.2024
Report By	Jacqueline Newsome - Coordinator Community Development
Approved By	Tina Bono - Director Community & Lifestyle

EXECUTIVE SUMMARY

This report is tabled to present the Minutes of the Liverpool Youth Council Meeting held on 11 June 2024.

RECOMMENDATION

That Council:

1. Receives and notes the Minutes of the Liverpool Youth Council Meeting held on 11 June 2024.
2. Endorse the recommendations in the Minutes.

REPORT

The Minutes of the Liverpool Youth Council held on 11 June 2024 are attached for the information of Council.

The minutes contain the following actions or Committee recommendations:

- MOTION: The Youth Council members requested a letter to be written to congratulate Wendy Waller (OAM) for receiving the Medal of the Order of Australia and to acknowledge her many years of support to the Liverpool Youth Council.
- MOTION: The position Youth Councillor Tiaan Vamarasi holds, be declared vacant as no responses due to a lack of engagement with Youth Council meetings and activities and non-attendance at meetings; and

- **ACTION:** The Community Development Worker (Youth) to discuss the potential use of the Youth Council TikTok account with Council's Communications team for approval and oversight.

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	Raise awareness in the community about the available services and facilities. 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 of the Liverpool Youth Council meeting held on 11 June 2024.



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MINUTES OF LIVERPOOL YOUTH COUNCIL MEETING

11 June 2024

COUNCILLORS:

Deputy Mayor Fiona Macnaught
Councillor Charishma Kaliyanda

Liverpool City Council
Liverpool City Council

COMMITTEE MEMBERS:

Ethan Chang
Nina Stanimirovic
Janice Rodrigues
Zeina Sawalhi
Emily Organa
Faiza Alhaboub

Secretary (**Minutes**)
Media Representative
Youth Councillor
Youth Councillor
Youth Councillor
Youth Councillor

COUNCIL ATTENDEES:

Derek Tweed

Liverpool City Council

APOLOGIES:

Fariha Dean
Ella-Jay Nutall
David Sweet

President
Media Representative
Youth Councillor

GUESTS:

Dr Amanda Fernando
Eliza Sajo
Keira McEvoy

Liverpool Hospital
Liverpool Hospital
Liverpool Hospital



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1. WELCOME, ATTENDANCE AND APOLOGIES

Youth Council President Fariha Dean sent apologies for the meeting. Youth Councillor Emily Organa acted as meeting President for the duration of the meeting.

Emily opened the meeting at 6.10pm and welcomed everyone to the June meeting for the Liverpool Youth Council. Emily commenced the meeting with an Acknowledgement to Country.

2. DECLARATIONS OF INTEREST

Nil.

3. COUNCILLOR UPDATE

The following update from the Council meeting held on 29 May 2024 was provided:

Councillors Fiona Macnaught and Charishma Kaliyanda informed the Youth Council about various topics of discussion within Council, as well as significant events which had occurred within the Liverpool region recently. This included:

- A possible Cancer Cluster is currently being investigated at the 33 Moore St Liverpool property. NSW Health are conducting an epidemiological study to determine if the cancer contracted by the individuals concerned was linked to the building. Further investigation by a third-party Hygienist is aimed to determine whether there is need for concern, and if there was a link between the building and the contraction of the disease;
- Council is currently discussing issues concerning the leadership of the Council. At the April meeting Council voted to temporarily stand down the current Chief Executive Officer (CEO) of Council. At the May meeting Council voted to terminate the CEO's contract and there is currently an Acting CEO in place;
- Councillors announced that the Local Government elections would occur on the 14 September 2024. In late August, Council will move into a caretaker period until after the election results are confirmed;
- Council has been forced to postpone several events recently due to the weather, such as the Family Funday, which is rescheduled to Saturday 15 June;
- A new exhibition at the Liverpool Regional Museum titled "Exilio" which is translated to 'Exile' in English is highly recommended sharing the journey of the Chilean diaspora in south west Sydney;
- The annual Blake Award is currently on exhibition at Casula Powerhouse Arts Centre. This is a very prestigious art award and a great exhibition for the community to visit; and



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- The former Mayor of Liverpool – Wendy Waller was recently awarded with the Medal of the Order of Australia (OAM) for service to local government, and to the community of Liverpool.

Moved: Emily Organa

Seconded: Zeina Sawalhi

MOTION: The Youth Council members requested a letter to be written to congratulate Wendy Waller (OAM) for receiving the Medal of the Order of Australia and to acknowledge her many years of support to the Liverpool Youth Council.

On being put to the meeting, the motion was declared carried.

4. CONFIRMATION OF PREVIOUS MINUTES

The minutes from the Liverpool Youth Council meeting held on 16 April 2024 were confirmed as a true record of that meeting.

Moved: Faiza Alhaboub

Seconded: Nina Stanimirovic

MOTION: That the information be received and noted.

On being put to the meeting, the motion was declared carried.

5. BUSINESS ARISING FROM PREVIOUS MINUTES

Nil

6. PRESENTATION - Compassionate Communities Initiative

Dr Amanda Fernando, Eliza Sajo and Keira McEvoy are from the Palliative Care team at Liverpool Hospital and presented to the Youth Council on their Compassionate Communities Initiative.

Palliative care is about caring for and maximising the remaining time for those with life threatening (potential for cure) or life limiting (shortened life) illnesses. Helping patients to live happily and healthily for as long as possible.

This includes the care of doctors, nurses, allied health teams and volunteers. Volunteers are welcome across the South West Sydney Local Health District. Volunteering might



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include visiting individuals, taking people on outings, making craft, play music or anything that might help as a small gesture can make a big difference.

The team asked the Youth Council a series of questions about their understanding of death and dying, and how Compassionate Communities could make their services more accessible to young people, such as whether to virtually or physically provide services for them. Young adults aged 15-39 are impacted by terminal illnesses such as cancer that may be curable or terminal, therefore having other young people around can be comforting to the patients who are unwell.

The Compassionate Communities Initiative is an initiative which has two main aims:

1. Compassionate Communities' primary aim is to build conversation around one of life's most confronting topics - death. Compassionate Communities believes that by talking about death, we can develop more comfort around the topic. Moreover, the aim is to provide more literacy around death; and
2. Compassionate Communities provide palliative care services. Compassionate Communities aims to provide these services to people through making sure that patients are cared for in the most appropriate way and best suited to their needs.

Youth Council members were encouraged to consider getting involved in volunteering through utilising their existing skills, which could include playing music, arts and crafts, and assisting palliative care patients with daily tasks. These services can be provided in wards, at patient's homes and clinics.

Moved: Faiza Alhaboub

Seconded: Nina Stanimirovic

MOTION: That the information be received and noted.

On being put to the meeting, the motion was declared carried.

7. CORRESPONDENCE

Secretary Ethan Chang delivered the correspondence which introduced the upcoming NSW Youth Council Conference. The conference will be held at Western Sydney University, Bankstown City Campus on 11-13 October 2024. This three-day event, sponsored by the Department of Communities and Justice (DCJ) and Western Sydney University (WSU), is a fantastic opportunity for young individuals aged 12-25 across



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NSW to come together, engage in meaningful discussions, and contribute to shaping the future of our communities.

The conference will feature insightful workshops, panel discussions, networking opportunities, and much more, all aimed at empowering young voices and fostering leadership skills. It will also include fun and interesting cultural activities unique to south west Sydney for participants to enjoy.

The conference is free for NSW young people aged 12-24 years, and registrations for this conference will open 1 July.

Moved: Janice Rodrigues **Seconded:** Faiza Alhaboub

MOTION: That the information be received and noted.

On being put to the meeting, the motion was declared carried.

8. YOUTH WORKER'S REPORT

The following updates were provided by the Community Development Worker (Youth):

8.1 NSW Youth Council Conference

A grant of \$50,000 has been provided by the Department of Communities and Justice to deliver the NSW Youth Council Conference in October. The Western Sydney University - Bankstown Campus has provided the conference organisers to use their campus venue free of charge. All Youth Council members are encouraged to attend the conference and participate as this is one of the highlights of being a member of the Youth Council committee.

8.2 Office Bearer Roles

The Youth Council Officer bearer roles will be voted on at the August meeting. Please consider volunteering to take on one of the roles and building on your skills.

8.3 Upcoming Workshops for Young People

As discussed at the April meeting of Youth Council, several workshops have been organised to be delivered for local young people sponsored by the Youth Council. Please share these opportunities with your peers, friends and family to participate.

The workshops include:

- The Australian School of Entrepreneurship has two upcoming workshop activities:
 - Starting a Side Hustle



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- Goal Setting and Ideation;
- The Australian Red Cross will provide a First Aid program on Friday 28 June; and
- Youth Mental Health First Aid, which is a comprehensive and nationally recognised course, specifically designed for working with young people.

All of these programs will be delivered in the Yellamundie – Liverpool Library, supported by the Youth Council and will be provided for free to community members.

8.4 Youth Councillor – Non-Attendance at Meetings

Youth Council member Tiaan Vamarasi has missed three consecutive meetings without providing an apology. As per the Youth Council Charter, the Community Development Worker (Youth) has made several attempts to get in contact with Tiaan without success. It is recommended the Youth Council consider declaring the position vacant, and an alternate person from the casual vacancy list attend the next Youth Council meeting with a view of joining the Youth Council for the remainder of the term.

Moved: Nina Stanimirovic

Seconded: Zeina Sawalhi

MOTION: The position of Youth Councillor Tiaan Vamarasi be declared vacant as no responses due to a lack of engagement with Youth Council meetings and activities and non-attendance at meetings.

On being put to the meeting, the motion was declared carried.

9. TREASURER'S REPORT

The current budget expenditure for the Liverpool Youth Council is \$4,051 with a remaining balance of \$7,583.

Moved: Faiza Alhaboub

Seconded: Janice Rodrigues

MOTION: That the information be received and noted.

On being put to the meeting, the motion was declared carried.

10. YOUTH LIAISON REPORT

Report held over to the August meeting.



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11. MEDIA REPRESENTATIVE'S REPORT

Media Representative Nina Stanimirovic has developed a TikTok account for the Liverpool Youth Council which is now ready for use. Youth Council members are in agreement that to get better engagement with the youth demographic, they need to be able to be present on the social media platform of TikTok as most young people are using this channel.

Action: The Community Development Worker (Youth) to discuss the potential use of the Youth Council TikTok account with Council's Communication team for approval and oversight.

Moved: Zeina Sawalhi **Seconded:** Janice Rodrigues

MOTION: That the information be received and noted.

On being put to the meeting, the motion was declared carried.

12. GENERAL BUSINESS

The Community Development Worker (Youth) discussed the "Youth Info Card" that was produced several years ago. The card is now out of date, however Youth Council discussed the idea of re-creating the 'Info' card.

The new card would provide the phone numbers or online platforms to contact different services that might be helpful for young people to access.

Services listed could include - youth centres, transport, services for employment, Aboriginal services, disability support services, mental health support and emergency and crisis support providers.

Action: Youth Councillor Emily Organa is interested to help with the research and design of the new 'Info' card.

Moved: Faiza Alhaboub **Seconded:** Janice Rodrigues

MOTION: That the information be received and noted.

On being put to the meeting, the motion was declared carried.



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13. CLOSE

The meeting closed at 7:45pm.

The next Liverpool Youth Council meeting will be held on Tuesday 13 August, 2024
6:00pm - 7:45pm.

CTTE 07**Minutes of the Governance Committee meeting
held on 9 July 2024**

Strategic Objective	Visionary, Leading, Responsible Position Council as an industry leader that plans and delivers services for a growing city
File Ref	226207.2024
Report By	Melissa Wray - Council and Executive Support Officer
Approved By	Tina Bono - Director Community & Lifestyle

EXECUTIVE SUMMARY

A Governance Committee Meeting was held on 9 July 2024.

This report attaches a copy of the minutes of the meeting for Council endorsement.

RECOMMENDATION

That Council:

1. Receives and notes the Minutes of the Governance Committee meeting held on 9 July 2024; and
2. Endorse the recommendations in the Minutes.

REPORT

The Minutes of the Governance Committee meeting held on 9 July 2024 are attached to this report.

Resolutions requiring endorsement include: -

**ITEM 01 – Infrastructure and Planning Committee – Reform of Council's Contributions
Planning Framework**

1. Receives and notes this Report.
2. Notes the phased approach to the transformation program of Council's Contributions Planning Framework, with the initial phase (Phase 1) focusing on the review and

reform of the Liverpool Contributions Plan 2009, Liverpool Contributions Plan 2018 – Established Areas, and Liverpool Contributions Plan 2018 – Liverpool City Centre.

3. Receives quarterly updates on the progress of the program to transform Council's Contributions Planning Framework.

ITEM 03 – Infrastructure and Planning Committee – Development Assessment

1. Receives and notes the Development Assessment report.
2. Delegates future Development Assessment reports to be tabled as a Councillor Update, noting the Governance Committee Meeting lead in times, and that the data for the report can only be run at the start of the new month.

ITEM 04 – Strategic Priorities Committee – Grants Donations and Sponsorship Program Delivery 2023-2024 FY

1. Notes the successful delivery of the Grants Donations and Community Sponsorship Program and appropriate utilisation of the allocated budget (FY 2023 - 2024) and a congratulations.
2. To investigate and design a promotional awareness piece around matching grants, then bring a report back to the committee.

ITEM 06 – Strategic Performance Committee – Draft Complaints and Compliments Management Policy

1. Considers and comments on the Draft Complaints and Compliments Management Policy
2. Agrees the Draft Complaints and Compliments Management should go forward to Council with a recommendation that:
 - (a) Council agrees the Draft Complaints and Compliments Management Policy be placed on public exhibition for a period of not less than 28 days.
 - (b) Council authorises the CEO to adopt the Draft Complaints and Compliments Management Policy if no representations are received during the period of public exhibition.
 - (c) Council agrees to a further report to be provided to Council.
 - (d) Council authorises the CEO or delegate to make minor changes to the Complaints and Compliments Management Policy.

General Business

Councillor Harle would like to address the issue of illegal truck parking after hours that is starting to become a major issue. Councillor Harle recommended that council commences asemi regular basis in some areas so people are unable to take it for granted that they can park their trucks after hours. Assign the Rangers to the task of a semi regular basis blitz on different days in different areas, but on a regular basis.

An Executive Leadership Team workshop has been scheduled for Monday 29 July 2024.

Bring a report back to council after the workshop with safety being the focus and available options for addressing the growing issue.

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	Provide information about Council's services, roles and decision-making processes. Deliver services that are customer focused. Operate a well-developed governance system that demonstrates accountability, transparency, and ethical conduct.
Legislative	There are no legislative considerations relating to this report.
Risk	The risk is deemed to be low and is within Council's risk appetite.

ATTACHMENTS

1. Minutes of the Governance Committee Meeting held on 9 July 2024



MINUTES OF THE GOVERNANCE COMMITTEE MEETING HELD ON 9 JULY 2024

PRESENT:

Councillor Macnaught
 Councillor Dr Green
 Councillor Harle
 Councillor Rhodes
 Mr Jason Breton, Acting Chief Executive Officer
 Mr Farooq Portelli, Director Corporate Support
 Ms Julie Scott, Acting Director Community & Lifestyle
 Mr Peter Scicluna, Acting Director Operations
 Ms Mark Hannan, Acting Director Planning & Compliance
 Ms Michelle Mcilvenny, Director Customer Experience & Business Performance
 Mr Shayne Mallard, Director City Futures
 Ms Claire Scott, Contributions Reform Project Manager (Online)
 Mr Luke Oste, Coordinator Strategic Planning
 Mr William Attard, Manager Development Assessment
 Mr Jacqueline Newsome, Coordinator Community Development
 Mr Craig Lambeth, Manager Community Recreation
 Ms Javeria Hoda, Community Development Worker Funding and Support
 Mr David Day, Head of Governance
 Mr David Galpin, General Counsel, Manager Governance, Legal and Procurement
 Ms M'Leigh Brunetta, Manager Civic and Executive Services
 Ms Melissa Wray, Councillor Executive and Support Officer

The meeting commenced at 2pm.

2**APOLOGIES**

Mayor Ned Mannoun

Councillor Ammoun

Councillor Goodman

Councillor Hadid OAM

Councillor Kaliyanda

Councillor Karnib

Ms Lina Kakish, Director Planning & Compliance

Ms Tina Bono, Director Community & Lifestyle

DECLARATIONS OF INTEREST

Nil.

INFRASTRUCTURE AND PLANNING COMMITTEE

ITEM NO: ITEM 01
FILE NO: 175188.2024
SUBJECT: Reform of Council's Contributions Planning Framework

COMMITTEE DECISION

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

That the Governance Committee meeting

1. Receives and notes this Report.
2. Notes the phased approach to the transformation program of Council's Contributions Planning Framework, with the initial phase (Phase 1) focusing on the review and reform of the *Liverpool Contributions Plan 2009*, *Liverpool Contributions Plan 2018 – Established Areas*, and *Liverpool Contributions Plan 2018 – Liverpool City Centre*.
3. Receives quarterly updates on the progress of the program to transform Council's Contributions Planning Framework.

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

4

ITEM NO: ITEM 02

FILE NO: 180128.2024

SUBJECT: Principal Planning Proposal to establish a new Liverpool Local Environmental Plan - Report Back on Investigation Findings

COMMITTEE DECISION

Motion:

Moved: Cllr Green

Seconded: Cllr Harle

That the Governance Committee receives and notes this report.

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

5

ITEM NO: ITEM 03
FILE NO: 211514.2024
SUBJECT: Development Assessment

COMMITTEE DECISION

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

That the Governance Committee:

1. Receives and notes the Development Assessment report.
2. Delegates future Development Assessment reports to be tabled as a Councillor Update, noting the Governance Committee Meeting lead in times, and that the data for the report can only be run at the start of the new month.

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

STRATEGIC PRIORITIES COMMITTEE**ITEM NO:** ITEM 04**FILE NO:** 193511.2024**SUBJECT:** Grants Donations and Sponsorship Program Delivery 2023-2024 FY**COMMITTEE DECISION****Motion:** **Moved:** **Clr Harle** **Seconded:** **Clr Green**

That the Governance Committee:

1. Notes the successful delivery of the Grants Donations and Community Sponsorship Program and appropriate utilisation of the allocated budget (FY 2023 - 2024) and a congratulations.
2. To investigate and design a promotional awareness piece around matching grants, then bring a report back to the committee.

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

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ITEM NO: ITEM 05
FILE NO: 195286.2024
SUBJECT: Reconciliation Action Plan 2024 - 2025

COMMITTEE DECISION

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

That the Governance Committee endorse the Reconciliation Action Plan (RAP) August 2024 – August 2025.

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

STRATEGIC PERFORMANCE COMMITTEE

ITEM NO: ITEM 06
FILE NO: 196857.2024
SUBJECT: Draft Complaints and Compliments Management Policy

COMMITTEE DECISION

Motion: **Moved:** **Seconded:**

That the Governance Committee:

1. Considers and comments on the Draft Complaints and Compliments Management Policy
2. Agrees the Draft Complaints and Compliments Management should go forward to Council with a recommendation that:
 - (a) Council agrees the Draft Complaints and Compliments Management Policy be placed on public exhibition for a period of not less than 28 days.
 - (b) Council authorises the CEO to adopt the Draft Complaints and Compliments Management Policy if no representations are received during the period of public exhibition.
 - (c) Council agrees a further report to be provided to Council.
 - (d) Council authorises the CEO or delegate to make minor changes to the Complaints and Compliments Management Policy.

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

GENERAL BUSINESS

Councillor Harle would like to address the issue of illegal truck parking after hours that is starting to become a major issue. Councillor Harle recommended that council commences a semi regular basis in some areas so people are unable to take it for granted that they can park their trucks after hours. Assign the Rangers to the task of a semi regular basis blitz on different days in different areas, but on a regular basis.

An Executive Leadership Team workshop has been scheduled for Monday 29 July 2024.

Bring a report back to council after the workshop with safety being the focus and available options for addressing the growing issue.

THE MEETING CLOSED AT 4PM.

QWN 01	Question with Notice - Cllr Rhodes - Harry Hunt OAM Memorial Plaque
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Strategic Objective	Visionary, Leading, Responsible Place customer satisfaction, innovation and best practice at the centre of all operations
File Ref	225886.2024

QUESTION WITH NOTICE

Background

For 60 years Harry Hunt was known in Liverpool and Macarthur for his iconic hotel opposite the Cross Roads Hotel on the old Hume Highway.

The renaming of the Lurnea Community Hub is a true reflection of the man who did so much for Liverpool, having served for many years as the President of the Liverpool Chamber of Commerce, and founding the South West Sydney Tourism Taskforce. Harry gave so much to the Liverpool Community, that he became known as Mr Liverpool.

On November 30, 2023, Council unveiled a plaque at the Lurnea Sports Precinct in honour of the memory of the Late Harry Hunt OAM.

However the official plaque is still to be placed at the Lurnea Sports Hub in honour of the late Harry Hunt OAM.

Please address the following:

1. Can Council please explain why there has been such a delay in setting the plaque in place?
2. When will the plaque be set in place?

Response (to be provided by Community & Lifestyle)

The change in name of Lurnea Community to the Harry Hunt Community Centre has been reflected in all internal facing communications.

Council apologies for the delay in the official plaque being installed, noting the plaque at the event was only a temporary plaque. A permanent plaque has been ordered and is currently being manufactured (4-6 week casting) and will be installed immediately once available.

ATTACHMENTS

Nil

QWN 02

**Question with Notice - Cllr Rhodes - Animal
Shelter Update**

Strategic Objective	Healthy, Inclusive, Engaging Improve liveability and quality of life for the community by delivering vibrant parks, places and facilities
File Ref	225891.2024

QUESTION WITH NOTICE

The long-awaited Liverpool Animal Shelter is yet to be delivered by Council. Pending a late report to be included in the 24 July 2024 Council meeting agenda which will address the below question, should that late report not be included in the agenda, could Council please address the following:

1. Can Council give an update on the progress of the Shelter?

Response (Provided by City Futures)

A report will be placed on the Agenda for the Council Meeting on 26 July 2024 to provide a progress update on the establishment of a Liverpool Animal Shelter.

ATTACHMENTS

Nil

QWN 03

**Question with Notice - Cllr Macnaught - Council's
Civic Expenses and Facilities Policy**

Strategic Objective	Visionary, Leading, Responsible Ensure Council is accountable and financially sustainable through the strategic management of assets and resources
File Ref	229670.2024

QUESTION WITH NOTICE

At the March 27th, 2024 meeting Council passed a resolution in accordance with Council's Civic Expenses and Facilities Policy to reimburse the Mayor's legal expenses up to a value of \$50,000.

Please address the following:

1. Has the Mayor lodged any claims for reimbursement of legal fees?
2. If yes, please indicate the amount.
3. If yes, when was the reimbursement lodged?

ACTING CHIEF EXECUTIVE OFFICER COMMENTS

There have been no claims lodged or issued for from the Mayor, or on behalf of the Mayor for this matter to date.

Further, there have been no transactions/reimbursements made in the AP ledger on this matter.

There were no claims and/ or payments made to the Mayor or on behalf of the Mayor for this matter to-date.

ATTACHMENTS

Nil