

COUNCIL AGENDA

ORDINARY COUNCIL MEETING

26 July 2023

BOOK 1



You are hereby notified that an **Ordinary Council Meeting** of Liverpool City Council will be held at the **FRANCIS GREENWAY CENTRE, 170 GEORGE STREET, LIVERPOOL** on **Wednesday, 26 July 2023** commencing at 2.00pm. Doors to the Francis Greenway Centre will open at 1.50pm.

Liverpool City Council Meetings are livestreamed onto Council's website and remain on Council's website for a period of 12 months. If you have any enquiries, please contact Council and Executive Services on 8711 7584.

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

Hon John Ajaka

CHIEF EXECUTIVE OFFICER

Statement of Ethical Obligations

Oath or Affirmation of Office

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

Conflicts of Interest

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

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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	Purchase of Lot 1117 DP 2475, 265 Fifth Avenue, Austral for RE1 Public Recreation and SP2 Local Drainage		
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Reason: *Item CONF 01 is confidential pursuant to the provisions of s10A(2)(c) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*

ORDER OF BUSINESS

CONF 02 Acquisition of a Drainage Easement from 275 Fifteenth Avenue, Austral, for Basin 29 Austral

Reason: Item CONF 02 is confidential pursuant to the provisions of s10A(2)(c) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

CONF 03 Proposed Acquisition and/or Dedication of Pt Lot 82 in DP 740973, 85 Boyd Street, Austral for road purposes

Reason: Item CONF 03 is confidential pursuant to the provisions of s10A(2)(c) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

CONF 04 Moorebank Intermodal Precinct Committee - appointments to vacant positions

Reason: Item CONF 04 is confidential pursuant to the provisions of s10A(2)(a) of the Local Government Act because it contains personal matters concerning particular individuals (other than councillors).

CONF 05 Liverpool Civic Place Continuation of Project Director

Reason: Item CONF 05 is confidential pursuant to the provisions of s10A(2)(c) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

CONF 06 Legal Affairs Report - April to June 2023

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

Close



MINUTES OF THE ORDINARY MEETING HELD ON 28 JUNE 2023

PRESENT:

Mayor Ned Mannoun
 Councillor Ammoun
 Councillor Goodman (online)
 Councillor Green
 Councillor Hadid
 Councillor Hagarty (online)
 Councillor Harle
 Councillor Kaliyanda (online)
 Councillor Karnib (online)
 Councillor Macnaught
 Councillor Rhodes
 Hon John Ajaka, Chief Executive Officer
 Mr Farooq Portelli, Director Corporate Support
 Ms Tina Bono, Director Community & Lifestyle
 Ms Lina Kakish, Director Planning & Compliance
 Ms Julie Scott, Acting Director City Futures
 Mr Terry Bilal, Acting Director Operations
 Mr David Galpin, General Counsel, Manager Governance, Legal and Procurement
 Mr Vishwa Nadan, Chief Financial Officer
 Ms Karen Visman, Coordinator Environment Management
 Ms Jessica Saliba, Acting Manager Council and Executive Services
 Ms Susan Ranieri, Coordinator Council and Executive Services (minutes)

The meeting commenced at 2.01pm.

STATEMENT REGARDING WEBCASTING OF MEETING

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

ACKNOWLEDGMENT OF COUNTRY, PRAYER OF COUNCIL AND AFFIRMATION

The prayer of the Council was read by Reverend David Clarke from Hoxton Park Anglican Church.

NATIONAL ANTHEM

The National Anthem was played at the meeting.

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

APOLOGIES

Nil.

SUBJECT: Condolence Motion - Aunty Maggie Neale (read by Mayor Mannoun)

Aunty Maggie was a well-known and respected Elder in the local First Nations community. She was a long-standing member of Gandangara Local Aboriginal Land Council (GLALC) and was a regular fixture at community events and members meetings. Aunty Maggie was a strong advocate for the Aboriginal and Torres Strait Islander community both through her involvement with GLALC and her role on the Liverpool City Council Aboriginal Consultative Committee (ACC). She was passionate about using this platform to support improved outcomes for all local First Nations people.

Maggie was a wonderful woman who loved her community and was very dedicated to her work with GLALC and the Liverpool ACC. Her vibrant personality and cheeky sense of humour endeared her to many. She will be sorely missed by GLALC, the local First Nations community, and all of us here at Council.

I humbly express my deepest condolences to Aunty Maggie's family and friends. Our thoughts and prayers are with her loved ones during this difficult time.

May she rest in peace.

COUNCIL DECISION

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

That Council writes to the family of Aunty Maggie Neale expressing our condolences for their loss.

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

One minute silence was then observed for Aunty Maggie Neale.

CONFIRMATION OF MINUTES

Motion:

Moved: Cllr Green

Seconded: Cllr Hadid

That the minutes of the Ordinary Meeting held on 31 May 2023 be confirmed as a true record of that meeting.

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

DECLARATIONS OF INTEREST

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

Item: COM 01 - Grants Donations and Community Sponsorship Report

Reason: Several recommended recipients for grants are known to Cllr Kaliyanda through her community activities.

Cllr Kaliyanda left the meeting for the duration of this item.

Cllr Hagarty declared a non-pecuniary, less than significant interest in the following item:

Item: COM 01 - Grants Donations and Community Sponsorship Report

Reason: Cllr Hagarty has received a ticket to the 2023 Zest Community Awards. .

Cllr Hagarty left the meeting for the duration of this item.

Mayor Mannoun declared an interest in the following item:

Item: PLAN 01 – Austral Progress Report

Reason: Mayor Mannoun's children attend school in Austral.

Mayor Mannoun left the meeting during discussion of this item.

PUBLIC FORUM

Presentation – items not on agenda

1. **Mr Michael Byrne** (President, East Liverpool Progress Association) addressed Council on the following item:

Matter: Moorebank Intermodal

Motion: **Moved: Mayor Mannoun**

That a three minute extension of time be given to the speaker.

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

Representation – items on agenda

1. **Mr Wayne Gersbach** addressed Council on the following item:

PLAN 02 – Planning Proposal request to amend development standards in the Liverpool Local Environmental Plan 2008 at 368 – 370 Cowpasture Road, Middleton Grange.

MAYORAL MINUTES

1. Liverpool Innovation Precinct (LIP).
2. Aquatopia Passes for Year 6 Graduates in Liverpool LGA.

MAYORAL MINUTE

Item No: MAYOR 01

Subject: Liverpool Innovation Precinct (LIP)

Report of: Mayor Mannoun

The Liverpool Innovation Precinct is more than just a physical precinct of our city centre; it is a catalyst for economic growth and social transformation. It is where businesses focused on medical health and research fields come together centred around the Liverpool Hospital precinct to push boundaries, break barriers, and revolutionise industries collectively. Within the precinct we are cultivating an ecosystem that nurtures innovation, supports startups, and attracts industry leaders.

On the 8 June the Liverpool Innovation Precinct Partnership hosted a launch for the *Investment Prospectus* at the Western Sydney University's Liverpool Campus. The Prospectus, as the name suggests aims to attract investment into the precinct and into Liverpool, was launched by the NSW Treasurer Hon Daniel Mookhey MLC.

The event also included a panel session of three representative companies who are invested into the precinct. Local state members of parliament Mr Nathan Hagarty MP, Ms Charishma Kaliyanda MP, and Mrs Tina Ayyad MP, shared their vision for Liverpool. I also acknowledge Councillors and senior staff who attended the launch.

I particularly would like to acknowledge the exceptional work of two individuals who played pivotal roles in the formation and development of this groundbreaking initiative: Lance Chia and David Borger.

Lance hales from Liverpool as a former school captain of Liverpool Boys High and had the foresight and determination to champion the concept of the Liverpool Innovation Precinct, understanding the potential to transform our city's future. Lance's unwavering commitment to this vision has been instrumental in shaping the direction of the LIP.

David Borger is well known to Council as a respected advocate for urban development and strategic planning for western Sydney and provided invaluable guidance and expertise throughout the formulation of the Liverpool Innovation Precinct.

I propose that Council staff prepare a report into the Liverpool Innovation Precinct area identifying land use changes through planning and place making opportunities to assist the further growth and development of the precinct and to attract more business investment and the best minds and dedicated workers to come to Liverpool.

MAYORAL MINUTE

Item No: MAYOR 02

Subject: Aquatopia Passes for Year 6 Graduates in Liverpool LGA

Report of: Mayor Mannoun

Finishing primary school is a remarkable accomplishment in the lives of our students. It signifies the end of their early education, a period of growth, learning, and personal development. As a community, it is our duty to recognise and celebrate this important moment in their lives.

As Mayor, I propose the allocation of funds to provide discounted Aquatopia passes for all Year 6 students graduating in the Liverpool Local Government Area (LGA) in 2023/24 and 2024/25 periods.

With cost-of-living pressures, this gesture will again allow our young residents to have an unforgettable experience and celebrate the significant milestone of finishing primary schooling. It will also commemorate the achievements of our young students as they transition to secondary education.

By providing discounted passes to Year 6 students, we not only celebrate their accomplishments but also provide an opportunity for them to relax, rejuvenate, and create lasting memories with their friends and families.

The proposed funding for this initiative in 2023 is approximately \$80k. This will allow us to negotiate discounted rates with Fairfield City Council for a specified number of Aquatopia passes. I believe it is crucial to make this opportunity available to all Year 6 graduates, ensuring inclusivity and equal access to this experience.

The benefits of this initiative extend beyond providing recreational opportunities for our youth. It will promote physical well-being, encourage social engagement, and strengthen community ties among our graduating students.

It is important that we acknowledge the hard work, dedication, and growth exhibited by our Year 6 students. They have embraced challenges, acquired new skills, and formed lasting friendships during their primary schooling years. This initiative is a way to express our pride in their achievements and to acknowledge their commitment to education.

I propose that the distribution of the passes be coordinated through the respective schools within the Liverpool LGA as a Civic function. This will ensure efficient administration and equal distribution to all Year 6 graduates.

RECOMMENDATION:

That Council:

1. Approves to purchase discounted Aquatopia passes for all Year 6 students in the Liverpool LGA who will be graduating in 2023 and 2024.
2. Approves the reallocation of \$80k from the surplus in the 2022/23 FY Grants, Donations and Community Sponsorship budget to purchase discounted Aquatopia passes for all Year 6 students in the Liverpool LGA who will be graduating in 2023 and 2024.
3. Coordinate the distribution of the passes to all primary schools in the Liverpool LGA as a Civic function.

COUNCIL DECISION:

Motion: **Moved: Mayor Mannoun**

That Council:

1. Approves to purchase discounted Aquatopia passes for all Year 6 students in the Liverpool LGA who will be graduating in 2023 and 2024.
2. Approves the reallocation of \$80k from the surplus in the 2022/23 FY Grants, Donations and Community Sponsorship budget to purchase discounted Aquatopia passes for all Year 6 students in the Liverpool LGA who will be graduating in 2023 and 2024.
3. Coordinate the distribution of the passes to all primary schools in the Liverpool LGA as a Civic function.
4. Recommend Council endeavours to find a facility within the Liverpool LGA, by the end of the next financial year, should there be a surplus in the grants program.

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

Foreshadowed motion: **Moved: Cllr Kaliyanda** **Seconded: Cllr Hagarty**

That Council allocate 80K from the surplus in the 2022/23 FY Grants, Donations and Community Sponsorship budget into upgrades to the Michael Wenden Aquatic Leisure Centre facility and that Councillors receive a briefing with regards as to what upgrades could be done to that facility.

Division called (for Mayor Mannoun's motion)

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

Vote against: Cllr Goodman*, Cllr Green, Cllr Hagarty, Cllr Kaliyanda and Cllr Karnib.

***Note:** Cllr Goodman's camera was not working. He stated that he was voting for but as his camera must be on and therefore in accordance with Clause 11.4 of Council's Code of Meeting Practice (as shown below), Cllr Goodman is recorded as voting against the motion:

Clause 11.4 - "A councillor who is present at a meeting of the council but who fails to vote on a motion put to the meeting is taken to have voted against the motion."

ITEM NO: PLAN 01
FILE NO: 158900.2023
SUBJECT: Austral Progress Report

That Council

1. Receive and note the report.
2. Immediately commence the acquisition process of properties.
3. That a report comes back to the July Council meeting that details what needs to happen with regards to acquisition.
4. Bring forward the delivery of Scott Memorial Park to the 23/24 financial year.
5. Reaffirms its strong support for:
 - a. public education;
 - b. having enough land zoned for public schools to cater for the future population;
 - c. in the absence of an agreed plan for new public schools to cater for the anticipated population, objecting to any future development applications on land set aside for the purpose for a zoned public school site, unless that development is for the purpose of a public school;
 - d. The construction of public schools to meet the current population and to ensure new schools are delivered in line with population growth in Austral;
 - e. Advocating on behalf of landowners impacted by school zoning and relinquishment letters for a fair, timely, and transparent resolution;
 - f. Advocate that all new schools are required to have onsite pickup and drop off facilities within the development site to ensure the appropriate management of traffic.
6. Writes to the Minister for Education Prue Car and School Infrastructure NSW:

- a. To advocate for the retention of land to be acquired by School Infrastructure NSW for the purpose of constructing public schools in Austral;
- b. To request School Infrastructure NSW to share with Council its current plans to service the growing population of Austral;
- c. To request School Infrastructure NSW identify to Council all land/s acquired and to be acquired for the future construction of public schools in Austral;
- d. To request School Infrastructure NSW to work cooperatively with Council to understand dwelling / population projections, local character, and local planning factors to enable the forward planning and construction of public schools to meet the current and future needs of families in Austral;
- e. To request SINSW consider establishing temporary school(s), as per the north-west growth areas, in Austral to relieve capacity of surrounding schools, relieve some pressure on congested roads, and to ensure that students are able to attend a school closer to home.

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

Councillors voted unanimously for this motion.

Mayor Mannoun returned to the Chambers at 3.07pm and resumed as Chair.

ITEM NO: PLAN 02

FILE NO: 161949.2023

SUBJECT: Planning Proposal request to amend development standards in the Liverpool Local Environmental Plan 2008 at 368-370 Cowpasture Road, Middleton Grange

COUNCIL DECISION

Motion:

Moved: Cllr Hadid

Seconded: Cllr Harle

That Council:

1. Notes this report, and the advice of the Local Planning Panel;
2. Endorses in principle the planning proposal request to amend the land use zoning to E3 Productivity Support, Floor Space Ratio to 0.75:1; Height of Building development standards to 12m and Minimum lot size of 2000sqm in the *Liverpool Local Environmental Plan 2008* at 368-370 Cowpasture Road, Middleton Grange;
3. Delegates the CEO (or delegate) to prepare the formal planning proposal, including any typographical or editing amendments if required;
4. Forwards the planning proposal to Department of Planning and Environment pursuant to Section 3.34 of the *Environmental Planning and Assessment Act 1979*, seeking a Gateway determination;
5. Subject to Gateway Determination, undertake community consultation in accordance with the conditions of the Gateway determination and the Liverpool Community Participation Plan 2022; and
6. Receives a further report on the outcomes of public exhibition and community consultation.

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

Councillors voted unanimously for this motion.

Clr Kaliyanda left the meeting at 3.08pm.

Clr Hagarty declared an interest and left the meeting at 3.08pm.

COMMUNITY & LIFESTYLE REPORTS

ITEM NO: COM 01

FILE NO: 151523.2023

SUBJECT: Grants Donations and Community Sponsorship Report

COUNCIL DECISION

Motion:

Moved: Clr Hadid

Seconded: Clr Harle

That Council:

1. Endorses the funding recommendation of **\$42,896** (GST exclusive) under the **Community Grant Program** for the following projects.

Applicant	Project	Recommended
Lifeline Macarthur and Western Sydney	Lifeline Macarthur & Western Sydney 60th Anniversary Diamond Ball	\$5,000
The Liverpool Meals on Wheels	Oliver 1308 Sealing Machine	\$4,500
Holsworthy Preschool	Indigenous Mural	\$3,500
Usman Khawaja Foundation	Chance to Shine Education and Cricket Program	\$5,000
Liverpool City Robins Football Club	Coaching Clinic	\$5,000
Newbridge Heights Public School Parents and Citizens Association	Breakfast Club	\$4,896
Miracle Babies Foundation	Peer-developed resources for families of premature and sick babies in Liverpool NICU	\$5,000
Canterbury Bankstown Chamber of Commerce Inc.	CEO for a Day!	\$5,000

CORE Community Services	Domestic and Family violence Conference	\$5,000
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2. Endorses the funding recommendation of **\$15,000** (GST exclusive) under the **Matching Grants Program** for the following project.

	Project	Recommended
The Salvation Army, Greater Liverpool	The Salvation Army Liverpool Corps Community Meal Program	\$15,000

3. Endorses the funding recommendation of **\$60,000** (GST exclusive) under the **Community Sponsorship Program** for the following projects.

Applicant	Project	Recommended
Western Sydney Community Forum	2023 ZEST Community Awards	\$10,000
Sydney Malayalee Association Inc	SydMal Carnival 2023	\$10,000
Little Wings Limited	Return and Earn for Aircraft Fuel	\$10,000
Friends of India Australia Incorporated	Ganeshotsava	\$10,000
Thomas Hassall Anglican College	Southwest Festival	\$10,000
Turbans 4 Australia Inc.	Unity Walk Liverpool Birth of Guru Nanak	\$10,000

4. Notes that a grant application previously denied needs to be reassessed and if deemed acceptable will be brought to the July Council meeting for endorsement. Should Council endorse the grant application, that Council conduct a cheque presentation to the recipient.

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

Clr Hagarty returned to the meeting at 3.12pm.

ITEM NO: COM 02

FILE NO: 181112.2023

SUBJECT: Report back to Council - expansion of the 2168 Children's Parliament

COUNCIL DECISION

Motion:

Moved: Clr Hadid

Seconded: Clr Harle

That Council:

1. Receives and notes this report;
2. Recognises the significance of the 2168 Children's Parliament as a key mechanism for Council to build positive community outcomes for children and young people in the Liverpool LGA; and
3. Subject to availability of funding, begins implementation of the expansion of the 2168 Children's Parliament program in up to a further ten (10) schools across Liverpool.

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

ITEM NO: COM 03
FILE NO: 184056.2023
SUBJECT: Report back on amendment of the Grants, Donations and Community Sponsorship Policy

COUNCIL DECISION

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

That:

1. Council receives and notes this report;
2. Council amend the Grants, Donations and Community Sponsorship Policy to allow Council to assess and approve retrospective funding within a one month timeframe of the event;
3. Council place the amended Policy on public exhibition for a period of 28 days subject to the following amendments;
 - a) A further category be added to section 4. Grants Overview. The new category, number 10, to be Community, Health, Education and Arts category and allocate up to 10k for that category;
 - b) Point 7.9.2. relating to sporting donations, that council staff rework the available funds to be more broader and increase the amount for sporting grants to individuals and report back to Council with a recommendation for amounts.
4. If no significant feedback is received, direct the CEO to adopt the amended Policy on behalf of Council;
5. Council Officers to examine a points system to encourage businesses within the Liverpool LGA to open an office/business in the Liverpool LGA and report back to Council.

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

ITEM NO: COM 04
FILE NO: 187285.2023
SUBJECT: Proposed redesign of Liverpool District Forums

COUNCIL DECISION

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

That Council:

1. Receive and note this report;
2. Defer this item until reviewed and continue the district forums in the same current format of delivery as they currently exist, until this matter is resolved by Council; and
3. Values the opinions and information provided by our constituents through the current delivery of the district forums.

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

ITEM NO: COM 05
FILE NO: 192745.2023
SUBJECT: Draft Hammondville Park Leisure Precinct Masterplan Community Consultation & next steps

COUNCIL DECISION

Motion: **Moved: Cllr Macnaught** **Seconded: Cllr Ammoun**

That Council:

1. Receives and notes the report.
2. Supports the masterplan concepts and spatial framing; and
3. Proceeds to a stakeholder consultation including public exhibition roadshow for community information and feedback to inform the development of the overall precinct masterplan.

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

Division called:

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

Vote against: Cllr Goodman*, Cllr Green, Cllr Hagarty, Cllr Harle and Cllr Karnib.

Note: Cllr Kaliyanda was not in the meeting when the motion was voted on.

*Cllr Goodman did not vote for or against the motion. Therefore, in accordance with Clause 11.4 of Council's Code of Meeting Practice (as shown below), Cllr Goodman is recorded as voting against the motion:

Clause 11.4 - "A councillor who is present at a meeting of the council but who fails to vote on a motion put to the meeting is taken to have voted against the motion."

RECESS

Mayor Mannoun called a recess at 3.34pm.

RESUMPTION OF MEETING

The meeting resumed at 3.41pm with all councillors present.

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

1. Notes the associated costs with Warren Serviceway Carpark, and adopts a policy to provide free parking from
 - a. Friday 6pm until Monday 1am
 - b. All day on Public Holidays
2. Maintains the existing fee structure contained in Council's fees and charges policy for weekly and monthly passholders.
3. Investigate the potential for surge pricing across all Council car parks and a report to come back to Council. The report to include scoping for sensors.

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

ITEM NO: OPER 02
FILE NO: 187614.2023
SUBJECT: Integrated Pest Management Policy and Strategy

COUNCIL DECISION

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

That Council endorses the *Integrated Pest Management Policy* and *Integrated Pest Management Strategy*.

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

COMMITTEE REPORTS

ITEM NO: CTTE 01
FILE NO: 173474.2023
SUBJECT: Liverpool Local Traffic meeting held on 17 May 2023

COUNCIL DECISION

Motion: **Moved: Cllr Harle** **Seconded: Cllr Green**

That Council adopts the following Committee recommendations:

Item 1 - First Avenue/ Hoxton Park Road, Hoxton Park – Proposed Extension of Northbound Right Turn Lane

- Extension of the northbound right turn lane between Twentieth Avenue and Hoxton Park Road including installation of lane lines by approximately 100m and,
- Relocation of the existing pram ramp closer to the roundabout at the First Avenue and Twentieth Avenue intersection as indicated in Attachments 1.1 -1.4
- Undertake consultation with the residents along the affected section of First Avenue prior to the extension.

Item 2 – Edmondson Avenue, Austral - Proposed Relocation of Raised Pedestrian Crossing

- Relocation of the existing raised pedestrian crossing approximately 10m south of the existing location across the section of Edmondson Avenue, along Austral Public School.
- Detailed design plans are to be submitted to TfNSW for review prior to installation.
- The Public School principal and community to be advised before the relocation and information about the new crossing to be included in the School's newsletter and/or social media channels.
- The installation work is to be carried out to minimise construction impacts during school holidays.

Item 3 – Miller CBD - 40km/hr High Pedestrian Activity Area Traffic Study Recommendation

- The recommendations of additional traffic facilities to be installed in the Miller Town Centre as indicated in Attachment 3, to establish and support a High Pedestrian Activity Area in the streets surrounding the town centre.
- Community consultation to be undertaken and feedback be included in the detailed design.
- A copy of the detailed designs be sent to TfNSW prior to installation.

Item 4 – Miller Public School, Miller – Proposed Installation of a Raised Pedestrian Crossing

- Supports upgrade to a marked raised pedestrian crossing across the northern section of Miller Public School, as shown in Attachment 4.
- Undertake community consultation with the school and affected residents prior to installation.
- Detailed design to ensure adequate flood lighting and a copy be submitted to TfNSW for review prior to installation.

Item 5 – Kurrajong Road, Lyn Parade to Amity College, Prestons – Revised Lane Configuration

- The proposed carriageway changes as a continuation of the lane configuration for the Kurrajong Road, Lyn Parade, Beech Road intersection upgrade and as shown in the Attachments 5.1 and 5.2.
- Detailed design of the revised lane configuration to be prepared in consultation with TfNSW and M7 Westlink.
- Submit the detailed design to the committee at a future meeting for further consideration.

Item 6 - Lismore Street, Hoxton Park – Request for Improved Traffic Conditions

- Proposed speed hump and entry kerb blister in Lismore Street as shown in Attachment 6.1.
- Undertake community consultation with local residents on possible reopening of First Avenue/Nineteenth Avenue intersection as shown in Attachment 6.2.
- A copy of the detailed design be submitted to TfNSW for review prior to installation.

Item 7 – Henderson Road, Edmondson Park – Request for Installation of Indented Parking Bays

Supports a revised indented bay parking arrangement retaining two or three trees within the road carriageway and two kiss and drop spaces and planter boxes along the section of Henderson Road between Soldiers Parade and Sergeant Street.

Item 8 – Hill Road, Lurnea – Review of Parking Arrangement and Request for Ambulance Parking Space

Investigate speeding along Hill Road to assess whether traffic calming device is required to reduce speed and improve safety of the exit movements from the medical centre.

Item 9 – Request for Indented Parking Bays Along Sections of Esk Avenue and Brunswick Heads Crescent, Hoxton Park

- Installation of 'No Stopping' signs (R5-404) along the southern and eastern sections during school periods, in front of House Nos. 1 – 7 Brunswick Head Crescent.
- Both streets to be added to Council's Priority list for the design of indented parking bays when funding becomes available.

Item 10 – Cecil Hills High School, Cecil Hills – Proposed Traffic Management Changes

Approves the traffic management changes including a second raised pedestrian crossing and associated signs and line marking along sections of Frederick Road and Spencer Road fronting the school.

Revised detailed design drawings to be submitted to TfNSW and Council for approval and installation of the traffic facility.

Item 11 – Items Approved Under Delegated Authority

Notes the approved items under delegated authority.

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

ITEM NO: CTTE 02
FILE NO: 203355.2023
SUBJECT: Minutes of the Governance Committee Meeting held on 20 June 2023

COUNCIL DECISION

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

That Council:

1. Receives and notes the Minutes of the Governance Committee meeting held on 20 June 2023; and
2. Endorse the recommendations in the Minutes.

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

ITEM NO: CORP 03
FILE NO: 188560.2023
SUBJECT: Endorsement of Delivery Program 2022-2026 and Operational Plan and Budget 2023-2024, Statement of Revenue Pricing Policy (fees and charges) and Long-Term Financial Plan 2024-2033.

COUNCIL DECISION

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

That Council:

1. Adopt the Delivery Program 2022-2026 and Operational Plan 2023-2024 including Statement of Revenue Pricing Policy (fees and charges) and Long-Term Financial Plan 2024-2033 incorporating the amendments outlined in this report;
2. Notes submissions received during the public exhibition period and associated recommendations; and
3. Notes the report to Council regarding funding source and costs for the following:
 - Chipping Norton Park amenity upgrades (including river walk)
 - Epsom Road resurfacing
 - Jardine Park upgrade
 - Kemps Creek Hall – repainting
 - Kayak stops - Georges River (Lighthorse to CPAC)
 - Park upgrade - Green Valley
 - Craik Park
 - Scott Memorial Park

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

PRESENTATIONS BY COUNCILLORS

Nil.

CONFIDENTIAL ITEMS

ITEM NO: CONF 01

FILE NO: 140598.2023

SUBJECT: Liverpool Local Planning Panel (LLPP) - Engagement of Additional Panel Members

COUNCIL DECISION

Motion:

Moved: Cllr Hadid

Seconded: Cllr Harle

That Council endorse the engagement of six (6) additional LPP expert and alternate members listed within this report, to meet the mandatory requirement set by the DPE.

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

Councillors voted unanimously for this motion.

ITEM NO: CONF 02
FILE NO: 168161.2023
SUBJECT: Proposed Granting of an Easement to Drain Water over Council's land known as Elouera Bushland Reserve, Lot 1 DP 1050030 Cartwright Avenue, Sadleir

COUNCIL DECISION

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

That Council:

1. Approves entering into a Deed of Agreement and to the grant of an easement to drain water, which is to be constructed within Council's land identified as Lot 1 DP1050030 Cartwright Avenue, Sadleir on the terms outlined in this Confidential Report;
2. Authorises the CEO or his delegated officer to execute any document, under Power of Attorney, necessary to give effect to this decision;
3. Approves the transfer of the compensation amount into the General Property Reserve; and
4. Keeps this report confidential pursuant to the provisions of Section 10A(2)(c) of the *Local Government Act* 1993 as this information would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.

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

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

1. Approves the permanent road closure of part of Hanwell Serviceway, Liverpool and part of Elizabeth Street, Liverpool as outlined in this confidential report;
2. Subject to a successful road closure, classifies the land comprising the closed road areas as “Operational” land pursuant to s.43 of the *Roads Act* 1993, and approves the sale/land swap of the closed road areas to the Applicant on the terms outlined in this confidential report;
3. Keeps confidential this report pursuant to the provisions of Section 10A(2)(c) of the *Local Government Act* 1993 as this information would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business;
4. Approves the transfer of the proceeds of sale into the Roads Reserve; and
5. Authorises the CEO or his delegated officer to execute any document, under Power of Attorney, necessary to give effect to this decision.

Chairperson

ITEM NO: CONF 04
FILE NO: 186339.2023
SUBJECT: Purchase of Lot 18 in Plan of Acquisition DP 1291309 (Part Lot 15 DP 1061935), 41-51 Lyn Parade, Prestons for road widening

COUNCIL DECISION

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

That Council:

1. Purchases Lot 18 in Plan of Acquisition DP 1291309, 41-51 Lyn Parade Prestons for the price and terms as outlined in this report;
2. Upon settlement classifies Lot 18 in Plan of Acquisition DP 1291309 as "Operational Land" to allow dedication as public road;
3. Upon acquisition, dedicates Lot 18 in Plan of Acquisition DP 1291309 as Public Road pursuant to Section 10 of the Roads Act 1993 and proceed with lodgement of a Request document at Land Registry Services to formally dedicate the land as public road;
4. Keeps confidential this report pursuant to the provisions of Section 10A(2)(c) of the Local Government Act 1993 as this information would, if disclosed confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business; and
5. Authorises the CEO or his delegated officer to execute any documents necessary to give effect to this decision.

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

ITEM NO: CONF 05
FILE NO: 179875.2023
SUBJECT: Liverpool Youth Council Member Nominations 2023 and amendments to the Liverpool Youth Council Charter

COUNCIL DECISION

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

1. That Council endorse the proposed members of the Liverpool Youth Council 2023 – 2025:

<u>Name:</u>	<u>Suburb:</u>
Ethan Zhang	Hinchinbrook
Nina Stanimirovic	Liverpool
Ella-Jay Nuttall	West Hoxton
Yohana Assi	Liverpool
David Sweet	Liverpool
Tiaan Vamarasi	Wattle Grove
Faiza Alhaboub	Edmondson Park
Stevanija Rasipanov	Liverpool
Tamirirashe Matara	Edmondson Park
Fariha Dean	Green Valley
Emily Organa	West Hoxton
Janice Rodrigues	Edmondson Park

2. That Council endorse the recommended changes to the Liverpool Youth Council Charter subject to the following amendment:

That the words “(every two months)” be added after the word “bi-monthly” in clause 12.1 in the Charter.

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

THE MEETING CLOSED AT 4.01pm.

<Signature>

Name: Ned Mannoun

Title: Mayor

Date: 26 July 2023

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 28 June 2023. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.

PLAN 01**Collingwood House Activation Plan**

Strategic Objective	Healthy, Inclusive, Engaging Embrace the city's heritage and history
File Ref	363428.2022
Report By	Thomas Wheeler - Heritage Officer
Approved By	Lina Kakish - Director Planning & Compliance

EXECUTIVE SUMMARY

Between 2020 and 2021, Council undertook an extensive restoration of Collingwood House, including the structural repair and stabilisation of various walls, replastering, upgrading of electrical services and repainting.

Collingwood House was built c1801 by Eber Bunker and is recognised as one of the oldest residential properties in New South Wales. The property is state heritage listed for both its European heritage and Aboriginal cultural heritage values and was the first heritage conservation to receive the prestigious Greenway Award by the Australian Institute of Architects in the 1970s.

Following the conservation work, Council engaged City People (Consultants) in 2020 to prepare an Activation Plan (Attachment No. 1), to set the direction for the use of Collingwood House and opportunities for community and third-party partnerships, within the operations of the house.

The Activation Plan was prepared through extensive consultation (Attachment No. 2) with community and hospitality industry stakeholders, including identified representatives from the Aboriginal community, and subject matter experts within Council including workshops with the Property and Commercial Development area, Community and Lifestyle, and City Works Directorates. The final draft plan was provided to each stakeholder for review, prior to accepting the draft plan from the consultant.

The purpose of this report is to present the Activation Plan to Council with the intent of proceeding to public exhibition and community consultation, prior to adoption.

RECOMMENDATION

That Council:

1. Endorses the Draft Collingwood House Activation Plan, to be placed on public exhibition for a period of 28 days;
2. Seek funding opportunities through grant applications for a minimum amount of \$30,000 for the preparation of a Commercial Business Plan for hospitality and other rental operations at Collingwood House, including an analysis of potential revenue benchmarked against similar properties; and
3. Receives a further report including a summary of responses received during the public exhibition period, and the respective updated Final Collingwood House Activation Plan including an implementation plan and business plan, for endorsement.

REPORT

The Collingwood House Activation Plan has been prepared through extensive community and stakeholder engagement and consultation, undertaken by City People (Consultant) on behalf of Council. The consultancy team was led by Dr Michael Cohen, former Creative Producer at Sydney Harbour Foreshore Authority for the Rocks and Darling Harbour, and included Dr Peter Watts AM, former founding Director of Historic Houses Trust of NSW, Venessa Possum and Thelmerie Rudd, Community Engagement Consultants with a family connection to the Darug and Dharawal nations.

The purpose of the Activation Plan is to guide how Council can achieve the following:

- Activate Collingwood House to build awareness and generate interest in the house;
- Provide a source of revenue that can support conservation and maintenance works;
- Better integrate the house into the local community and the Southwest Sydney region; and
- Transform Collingwood House into a tourism destination within the Sydney region and increase visitation to Liverpool.

Museums and Galleries Sector Trends

Underpinning the Activation Plan is the Museums and Galleries NSW 2018 Sector Census survey results which provide a picture of current practice in galleries, museums, and heritage organisations (including house museums), including the following:

- A decline in traditional house museums where displays are static;

- Development of commercial opportunities such as venue hire, filming, retail, food and beverage, and large-scale events to make properties more sustainable; and
- Growing professionalism - in curation, research, presentation, and conservation.

Other trends observed in case studies and comparable facilities, include:

- Active engagement with Indigenous people in developing programs;
- The use of historic sites for place-based contemporary art;
- Gardens are emphasised because they are changing and participatory;
- The use of outdoor spaces as opportunities for larger activities and changing displays;
- The use of new technologies for interpretation, especially where they can be non-intrusive and readily changed; and
- The use of sensory and interactive interventions (e.g., fragrance, lit fires, cooking, interactive databases, music).

Trends in audience and program considerations, include:

- A desire for multiple voices: for example, historic / contemporary; fabric/ideas; upstairs/downstairs; historical curation / contemporary artists;
- Increasing interest in wider historical context, 'downstairs', labour, workforce, pre-colonial etc. - not just principal family; and
- A need to supplement permanent displays with activities relevant to contemporary audiences.

Curatorial Approach

The following is a summary of the findings of City Peoples' analysis of the current curatorial approach to Collingwood House:

- The collection has no direct attribution to Collingwood, thus allowing greater freedom in relation to access and security;
- Following the recent conservation work the property is relatively robust, rather than fragile, and is therefore capable of absorbing substantial visitation and activity;
- Simplifying the garden would make it more historically appropriate and facilitate greater use for outdoor events;
- Most avenues to generating income for Collingwood House will require the installation of a commercial kitchen;

- The governance and management model and the available staffing of Collingwood House will have a significant bearing on the opportunities for, and success of, the activation strategies;
- Access to the first floor is difficult due to the nature of the staircase; and
- There should not be a 'set and forget' approach.

The plan recommends a potential hybrid approach which is neither wholly a museum, commercial venue, community meeting place or cultural venue, but rather a combination of each, building on the theme of 'meeting place', reflecting the Indigenous significance of the Collingwood Parklands.

Directions for Activation

Below is a summary of activation opportunities, identified through consultation with various stakeholders during the preparation of the Activation Plan. These opportunities are organised into three categories: Cabrogal – Indigenous Activations, Educational, and Commercial.

Cabrogal – Indigenous Activations

Activation	Resource Requirement	Potential Partners
Community group engagement and regular use for meetings or events	Venue fixtures and equipment (AV screens, PA, chairs etc.).	<ul style="list-style-type: none"> • Haigh Park Coffee Club • Cabrogal Elders Group • Aboriginal Consultative Committee • Local Aboriginal Land Councils • Miller community weaving group
Bush tucker events	Venue fixtures and equipment (AV screens, PA, chairs etc.), commercial kitchen, business operations and venue management.	<ul style="list-style-type: none"> • Muru Mittigar • Local Tourist Organisations • Local Aboriginal Land Councils • The Welcome Dinner Project • The Royal Botanic Gardens Sydney • Bush to Bowl • Tucker Bush Schools Program • IndigiGrow
Yarning circle and truth-telling events	Venue fixtures and equipment (AV screens, PA, chairs etc.), commercial kitchen, business operations and venue management.	<ul style="list-style-type: none"> • Muru Mittigar • Local Tourist Organisations • Local Aboriginal Land Councils
Integrated landscaping/Aboriginal Art Commission	Nil	<ul style="list-style-type: none"> • Muru Mittigar • Local Aboriginal Land Councils • Darug Custodian Aboriginal Corporation • IndigiGrow

Aboriginal arts and crafts projects	Nil	<ul style="list-style-type: none"> • CPAC • Muru Mittigar • Miller community weaving group • Guntawang Aboriginal Resources
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Educational

Activation	Resource Requirement	Potential Partners
Primary School Program	Development of a Primary Schools Program	<ul style="list-style-type: none"> • Western Sydney University • Macquarie Education Tours • Away We Go Tours • CPAC • Liverpool Regional Museum
First Nations Culture	Development of a Primary Schools Program	<ul style="list-style-type: none"> • Western Sydney University • CPAC • Liverpool Regional Museum • Koormurri Aboriginal Incursions • Jannawi Dance Clan • Muru Mittigar
Aboriginal culture – Digital platforms	Venue fixtures and equipment (AV screens, PA, chairs etc.)	<ul style="list-style-type: none"> • Indigital
Aboriginal education events	Venue fixtures and equipment (AV screens, PA, chairs etc.)	<ul style="list-style-type: none"> • NSW Aboriginal Education Consultative Group • Local Aboriginal Land Councils

Commercial

Activation	Resource Requirement	Potential Partners
Weddings, private functions, conferences, workshops and business meetings	Venue fixtures and equipment (AV screens, PA, chairs etc.) and commercial kitchen.	<ul style="list-style-type: none"> • Event Weddings • Hidden City Secrets • Venue Maestro • Tag Venue • Spacebase
Café/Restaurant	Venue fixtures and equipment (AV screens, PA, chairs etc.) and commercial kitchen.	Options for commercial partners considered at a later stage.

Implementation

Management

The successful implementation of the Activation Plan, and the transformation of Collingwood House to an active venue for the community and for commercial hiring, is predicated on the implementation of an operational structure that reflects the operational requirements of the house. This structure should be considered within the context of future hospitality and hiring opportunities at the Former Liverpool Courthouse and Chipping Norton Homestead which are currently being investigated.

The consultation undertaken by City People found that not one section or role within the Council is directly responsible for Collingwood House. The house does not sit with a department as a core responsibility and historically has been left to Volunteers to manage. However, the consultants state that to gain the best value from the house, professional staff are required to develop and guide the operations of the house, with assistance provided by volunteers.

The formulation of a management committee of internal stakeholders to run the varying aspects of the house is recommended. The house management committee would consist of internal staff specialising in events, tourism, educational/public programming, media and communications and arts/heritage. The committee would develop an annual program of activations and prepare an annual report to Council as to the implementation of the annual program, the level of visitation, and whether any further work is required to facilitate greater activation.

The benefit of running the house by committee is that the implementation of the activation plan draws on the expertise of professionals across Council, ensuring that not one section is solely responsible.

A committee will enable the activation of the house, without requiring the hiring of additional staff in the short to medium term.

The Activation Plan identifies potential funding sources, including NSW Government grant funding programs, that could assist with funding and executing initiatives identified in the Plan.

FINANCIAL IMPLICATIONS

This report does not have any budget implications for the current financial year, as it is only seeking endorsement of the activation plan for public exhibition and does not commit Council to deliver any of the proposed initiatives identified in the plan. The activation plan identifies various projects, initiatives and recommendations; however, it notes that realisation of these will be subject to available resource and funding allocation.

The financial implications of the final plan will be subject to the activation options identified in an implementation strategy developed (subject to funding) after public exhibition of the draft activation plan.

From a financial perspective, Collingwood House is currently underutilised. However, it is noted that realisation of the initiatives identified within the activation plan will generate income for Council.

CONSIDERATIONS

Economic	Facilitate the development of new tourism based on local attractions, culture and creative industries.
Environment	There are no environmental and sustainability considerations.
Social	Provide cultural centres and activities for the enjoyment of the arts. Preserve and maintain heritage, both landscape and cultural as urban development takes place. Support community organisations, groups and volunteers to deliver coordinated services to the community.
Civic Leadership	There are no civic leadership and governance considerations.

Legislative	There are no legislative considerations relating to this report.
Risk	The risk is deemed to be Low. This report does not commit Council to the implementation of the activation plan and is intended to only seek input from the community in finalising the direction for Collingwood House.

ATTACHMENTS

1. Draft Collingwood House Activation Plan. (Under separate cover)
2. External Stakeholder Engagement Plan (Under separate cover)

PLAN 02**Update on the Interim Heritage Order for 124
Moore Street, Liverpool**

Strategic Objective	Healthy, Inclusive, Engaging Embrace the city's heritage and history
File Ref	192504.2023
Report By	Thomas Wheeler - Heritage Officer
Approved By	Lina Kakish - Acting Director Planning & Compliance

EXECUTIVE SUMMARY

At the Council meeting of 26 October 2022, Council resolved to defer the listing of the property located at 124 Moore Street, Liverpool on Schedule 5 – Environmental Heritage of the Liverpool Local Environmental Plan (LLEP) 2008, to enable further consultation with the owner (Scouts NSW).

Consistent with this resolution, further consultation was undertaken with Scouts NSW and the opportunity was provided for Scouts to submit an alternative heritage significance assessment prepared on their behalf for the consideration of Council.

The alternate heritage significance assessment (**Attachment B**) was submitted to Council on 26 April 2023 and reviewed by Council's Heritage Officer.

This report provides a summary of the process in response to the resolution of 26 October 2022 and a summary assessment of the original heritage significance assessment (**Attachment A**), and the alternate assessment.

RECOMMENDATION

That Council:

1. Prepare a planning proposal to amend the Liverpool Local Environmental Plan 2008 to list 124 Moore Street, Liverpool under Schedule 5 – Environmental Heritage; and
2. Notify the owner of Council's decision to continue with the listing of the property and detail future consultation opportunities as part of the planning proposal process.

REPORT

Background

Council resolved at its meetings in November 2020 and February 2021, to issue an Interim Heritage Order (IHO) for the properties located at 122 Atkinson Street, Liverpool and 124 Moore Street, Liverpool. Both IHOs were subsequently gazetted by the NSW Government.

Following the NSW Government guidelines for IHOs, a Preliminary Assessment of Heritage Significance was undertaken for each property, identifying the need to complete a more detailed assessment.

In November 2020, FORM Architects were engaged by Council to prepare an Assessment of Heritage Significance for 122 Atkinson Street, Liverpool. The report concluded that the building is historically and socially significant and therefore meets the threshold for local heritage listing.

Similarly, in March 2021, Edwards Heritage was engaged by Council to prepare an Assessment of Heritage Significance for 124 Moore Street, Liverpool. The report noted that despite the locality evolving, the significance of the building as one of the first scout halls in the area and a purpose-built scout hall had not been undermined. It was concluded that the property holds local heritage significance.

Council subsequently resolved at the 28 April 2021 and 30 June 2021 meetings to prepare a planning proposal to list 122 Atkinson Street, Liverpool and 124 Moore Street, Liverpool in Schedule 5 - Environmental Heritage of the Liverpool Local Environmental Plan (LLEP) 2008.

Consistent with Council's resolution, a planning proposal was prepared to list the properties as well as remove six heritage items from Schedule 5 (Items 4, 5, 27, 36, 57A & 59). The items to be removed are no longer subject to the LLEP and/or have been heavily impacted by previous State Significant Development (SSD) or State Significant Infrastructure (SSI) applications, as detailed in the Planning Proposal Report.

At its meeting on 23 February 2022, Council resolved the following:

That Council:

- 1. Notes the advice of the Liverpool Local Planning Panel;*
- 2. Endorses the planning proposal to amend Schedule 5 – Environmental Heritage of the Liverpool Local Environmental Plan 2008;*
- 3. Delegates to the Acting CEO (or delegate) to make any typographical or other editing amendments to the planning proposal if required;*
- 4. Forwards the planning proposal to the Department of Planning and Environment pursuant to Section 3.34 of the Environmental Planning and Assessment Act 1979, seeking a Gateway determination, with a request that Council be authorised as the local plan-making authority;*

5. *Subject to Gateway determination, undertake public exhibition and community consultation in accordance with the conditions of the Gateway determination and the Liverpool Community Participation Plan;*
6. *Receive a further report on the outcomes of public exhibition and community consultation; and*
7. *Notify the owners of 122 Atkinson Street, Liverpool and 124 Moore Street, Liverpool of the Council's decision to endorse the planning proposal for a Gateway determination and to provide advice on the next steps of the plan-making process.*

The planning proposal was placed on public exhibition between 11 May 2022 to 10 June 2022 in line with the Gateway conditions. No formal submissions were received from the public exhibition. The proposal also was referred to Heritage NSW who raised no objections.

Throughout the planning proposal process, Council staff experienced difficulties contacting the landowner of No. 124 Moore Street, Liverpool. On 27 July 2022, Council received a response from the owner requesting the draft planning proposal be deferred. Council staff have since been engaging with the owner concerning preparing a formal submission for the proposed heritage listing of their property. The landowner had requested six months to engage a heritage consultant to peer review the Heritage Significance Assessment prepared for Council.

To allow a submission to be considered without substantially delaying the planning proposal, the property was removed from Amendment 95 to further consider the property as a part of a new planning process.

The post-exhibition report, outlining the exhibition process and outcomes was tabled at the 26 October 2022 meeting and the following resolution was passed.

That Council:

1. *Notes the Gateway determination for Liverpool Local Environmental Plan 2008 (Amendment 95) and the results of the public authority and community consultation;*
2. *Notes that consultation with the owner of 124 Moore Street, Liverpool is ongoing and removes the property from Amendment 95;*
3. *Proceeds with Amendment 95 (as amended by point 2) and delegates authority to the Acting Chief Executive Officer (or delegate) to liaise with the NSW Parliamentary Counsel's Office and the Department of Planning and Environment to finalize the amendment;*
4. *Notes that the proposed heritage listing of 124 Moore Street, Liverpool in Schedule 5 – Environmental Heritage of the LEP will be progressed as a separate planning proposal or through the LEP Review underway to enable sufficient time for the landowner to engage their own heritage consultant and provide a submission to Council; and*
5. ***Receives a further report and recommendation following further consultation with the owner of 124 Moore Street, Liverpool.***

This report addresses point five (5) of the above resolution. The heritage significance assessment (**Attachment A**) was provided to the owners of 124 Moore Street, Liverpool and they were provided with the opportunity to engage their independent heritage consultant who has provided their assessment for consideration (**Attachment B**).

Assessment of Heritage Significance

The following section of this report compares the original assessment of significance undertaken by Edwards Heritage (**Attachment A**) for Liverpool City Council with the assessment completed by DFP Planning Consultants for Scouts NSW (**Attachment B**). This section of the report goes through each criterion of the accepted Heritage Council of NSW Heritage Significance Criteria, and includes summary comments from Council's Heritage Officer.

CRITERION (A) – HISTORICAL SIGNIFICANCE

An item or place is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area).

EDWARDS HERITAGE

- The subject site contributes to the historical narrative of the subdivision and development of Liverpool. The Scout Hall is located on the former land of John Payne Lloyd, a soldier, businessman, agriculturist, and early settler in Liverpool. He leased the property to the medical practitioner, politician and philanthropist William Bland. However, there is insufficient evidence to suggest that significant historical events occurred at the site during this period.
- A community-based campaign to raise funds for a local Scout Hall began in 1925. Following five years of fundraising, the Scout Hall was opened in 1930 by the then Governor of New South Wales, Sir Philip Game. A large celebration to commemorate the opening which involved Scout groups from across the region.
- The hall served as the venue for countless community events during the twentieth century, including dances, birthdays, wedding receptions, social evenings and fundraising nights.
- During the Second World War, the local Volunteer Defence Corps trained at the hall weekly.
- The Liverpool Scout Hall is connected to multiple historical events and processes that are significant to the local area. Its subdivision pattern and low-scale development reflect early planning in Liverpool. Its construction was the result of a substantial period of fundraising by the local community and its opening was a notable event that involved the Governor of New South Wales and the Mayor of Liverpool, amongst other local leaders. Particularly in the 1930s and 40s, the hall was used for a multitude of charity events and in this way reflects a period when community-based fundraising was highly prevalent in the area. In addition, the hall was directly associated with the town's defence measures during the Second World War as the training venue for the local Volunteer Defence Corps.

DFP PLANNING

Comment: The early history of subdivision and development in the locality has been obscured by twentieth century and early twenty first century development and site amalgamations. Although the present site remains as Lot 1 of the 1925 18-lot subdivision by the Perpetual Trustee Company Limited, comparison between the existing allotment pattern (**Figure 13** and the 1943 pattern (**Figure 14**) in which the 1925 subdivision is clearly shown demonstrates the extent to which the subdivision has been altered by consolidations and development.

The connection of the property with the Scouting movement has been broken for fifteen years. Liverpool Scout Hall demonstrates the type of facility common to the Scouting movement as it expanded throughout metropolitan Sydney and NSW after its establishment by Lord Baden Powell in 1907. As a member of the Scouting movement during the 1950s, the writer is familiar with the typical timber Scout halls up to that period.

In relative terms Liverpool Scout Hall is not assessed as being of interest but not 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 or place 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).

EDWARDS HERITAGE

- The Scout Hall is located on the former land of John Payne Lloyd, a soldier, businessman, agriculturist, and early settler in Liverpool. He leased the property to the medical practitioner, politician and philanthropist William Bland. Nevertheless, neither Lloyd nor Bland is believed to have had strong associations with the site.
- The Liverpool Scouts used the hall continuously from its opening in 1930 until recently and it therefore has a strong association with the Scouts group and movement.
- A range of other local community groups also used the hall frequently during the twentieth century.

DFP PLANNING

Comment: Historic connections with the previous land holders and occupants, John Payne Lloyd, and William Bland, is tenuous. Up to the time the site was purchased by Robert Clyde Rowe, Lawrence Murphy, Edward Pearce and Jamie Pirie in 1926 there is no record of the use of the site.

While William Bland has a colourful history and a tale of redemption becoming a prominent citizen after 1821 there is little to connect the land with his activities. Similarly, Robert Clyde Lloyd's distinguished contribution to local affairs and organisations and success in his career as a pharmacist is not reflected in the physical fabric and use of the site. Transfer of ownership to the Scouting movement in 1929 and construction of the Scout Hall in 1930 was a result of philanthropy and community fund raising. This has been a common way of establishing local Scouting groups. Use of the hall for community activities and fund-raising functions are also common uses for Scout halls. The Scout hall the writer attended in the 1950s hosted film nights, Scottish dancing, Empire nights and community activities as did other Scout halls in the district. However, the link with the Scouting movement has been severed for 15 years.

Liverpool Scout Hall no longer has strong associations with the persons or groups connected with the history of the place and does not meet this criterion.

CRITERION (C) AESTHETIC

An item or place is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area).

EDWARDS HERITAGE

- The Liverpool Scout Hall is a typical example of a 1930s Scouts or community hall. It does not show evidence of technical innovation or achievement but exemplifies the vernacular style of small-scaled timber halls of its time.
- The hall is the only known surviving example of its type in Liverpool and is therefore aesthetically distinctive at a local level.
- As the hall is located on a prominent corner block near the centre of Liverpool and is the only single-storey building dating from the early twentieth century in the vicinity, the hall has landmark qualities.

DFP PLANNING

Comment:

Liverpool Scout Hall now stands in an altered context compared to the Inter War and Post War periods and is of scale that despite its corner location does not present landmark qualities. The simple gable roofed and weatherboard building does not demonstrate any significant aesthetic or technical values. Liverpool Scout Hall does not meet this criterion.

CRITERION (D) SOCIAL

An item or place has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons.

EDWARDS HERITAGE

- The hall has distinct and strong associations with the Scouts movement and specifically, the Liverpool Scouts, being the home of the group from 1930 until c2021, when the Liverpool Scouts group relocated to Lurnea.
- The hall has also served the social needs of the local community for the past 90 years, serving as the venue for a wide variety of community events during the 20th century, including social dances, birthdays, wedding receptions, social evenings and fundraising nights. Such social events have catered for a variety of individuals, families and community groups.
- The building has been the focus of community events from 1930 to c2021.
- During the Second World War, the building was used for the weekly meeting and training venue for the local Volunteer Defence Corps.

DFP PLANNING

Comment: Liverpool Scout Hall's link with the Scouting movement was severed in 2008 when the local Scout group was wound up. It has not had a connection with community or cultural groups for 15 years. It does not meet this criterion.

CRITERION (E) TECHNICAL/RESEARCH

An item or place 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).

EDWARDS HERITAGE

- Although the site was previously owned by John Payne Lloyd and William Bland, it is unlikely that it contained any structures prior to the construction of the current Scout Hall.
- The site has a low potential to yield new or substantial scientific and/or archaeological information.

DFP PLANNING

Comment: The documentary evidence does not indicate any use of the land prior to construction of Liverpool Scout Hall. While assessment of aboriginal archaeological potential is not within the scope of this assessment, should any artifacts be encountered the protocols of the NSW Heritage Act would apply.

CRITERION (F) RARITY

An item or place possess uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area).

EDWARDS HERITAGE

- The Liverpool Scout Hall is the only example of its style and class of building in the Liverpool area and has remained largely unchanged since its construction in c1930.
- The building provides rare evidence of the early Scouts movement in Liverpool.

DFP PLANNING

Comment: Liverpool Scout Hall is typical of the simple vernacular form of Scout halls erected throughout the state during the early to mid-twentieth century and does not meet this criterion.

CRITERION (G) REPRESENTATIVE

An item or place 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).

EDWARDS HERITAGE

- The Liverpool Scout Hall is typical of a 1930s small-scaled timber community hall and remains largely intact, having been little altered externally, with no notable additions to the original building's form or silhouette and retaining many of the original architectural features.
- As the only example of its type in Liverpool, it has outstanding representative value at a local level. It is also associated with other Australian Scout Halls dating from a similar period which collectively illustrate a representative building type.

DFP PLANNING

Comment: Liverpool Scout Hall does have the attributes of the simple form of hall usually built to a budget throughout Sydney. Although some examples of this type of Scout hall have been lost due to dwindling numbers in the scouting movement, several still exist as shown in the comparative analysis. The Scout Hall's ability to demonstrate the principal characteristics of this type of building alone does not lift it to the level of local heritage significance.

SUMMARY COUNCIL RESPONSE

It is acknowledged that the pattern of subdivision and the history associated with the subdivision of the site, while identified by Edwards Heritage, is not a strong argument for heritage listing. The subdivision has been obscured by years of development and re-subdivision, changing the local pattern and connection to historic landforms.

However, it is important to understand from the beginning that the proposal was to heritage list 124 Moore Street, Liverpool as a local heritage item, therefore being of local heritage significance. When considering the property against the heritage significance criteria, the assessment should be based on the local area and not the whole of NSW as the aim is to protect or conserve what is significant to the history and/or people of Liverpool.

References by DFP Planning to the relationship of 124 Moore Street, Liverpool to the wider NSW Scouting Movement or Scouting Halls around NSW, while may be relevant to a broader consideration of State Heritage Significance, are irrelevant when considered at a local heritage significance level.

Further, the weighting placed on the impact of the Scouts not using the building since the early 2000s is not agreed. A building or place may not necessarily retain its original use or occupancy, but it can still provide evidence of that use through its design and built form. Reducing or minimising the significance of a potential heritage item due to no longer being used for its original purpose is not supported.

The subject property, 124 Moore Street, Liverpool retains its external appearance as a Scout Hall and there is documentary evidence from the 1930s which demonstrates this. The building is identifiable as a Scout Hall and despite the cessation of physical scouting use, the physical characteristics of the use through the purpose-built form remain.

Therefore, it is still the opinion of Council's Heritage Officer that the property located at 124 Moore Street, Liverpool demonstrates local heritage significance through its physical form and connection to the local scouting movement and should be listed under Schedule 5, of the Liverpool Local Environmental Plan (LLEP) 2008.

Next Steps

It is therefore recommended that a planning proposal be prepared, which seeks to include 124 Moore Street, Liverpool in Schedule 5 of the Liverpool Local Environmental Plan (LLEP) 2008.

FINANCIAL IMPLICATIONS

There are no financial implications relating to this recommendation.

CONSIDERATIONS

Economic	There are no economic or 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. There are no legislative considerations relating to this report.
Risk	The risk is deemed to be Low. There is no risk associated with this report.

ATTACHMENTS

1. Attachment A - 124 Moore Street - Assessment of Significance - Edwards Heritage. (Under separate cover)
2. Attachment B - Scouts NSW Submission - Heritage Assessment Final V2 (Under separate cover)

PLAN 03**Conservation Zones Study**

Strategic Objective	Liveable, Sustainable, Resilient Protect and enhance our natural environment and increase the city's resilience to the effects of natural hazards, shocks and stresses
File Ref	210054.2023
Report By	Lilyan Abosh - Strategic Planner
Approved By	Lina Kakish - Director Planning & Compliance

EXECUTIVE SUMMARY

At the Ordinary Meeting of Council (OMC) on 26 October 2022, Council resolved (NOM 03) to investigate the rezoning of three properties at Sirius Road, Voyager Point, to a C2 Environmental Conservation zone. An Issues and Options Report (**Attachment 1**) was considered at the 26 April 2023 OMC, which recommended a broader Conservation Zones Study (the Study) be undertaken. At the meeting, Council moved to defer this item to the 31 May 2023 OMC, where the report was again deferred.

A Planning and Infrastructure Governance Committee Meeting Report (**Attachment 2**) was subsequently considered at the 20 June 2023 Committee Meeting, which provided further details on the proposed Study. At the Committee meeting, it was resolved to proceed with a report to Council, seeking endorsement to complete the Study. This report seeks to address this outcome.

The proposed Study is consistent with the Department of Planning and Environment's LEP Practice Note for Conservation Zones (PN 00-002) (**Attachment 3**), which stipulates the need to apply Conservation zones consistently across the Local Government Area (LGA), so as not to diminish their value.

The Study will investigate approximately 40 locations across the LGA, to determine if these properties may be appropriate for the application of a Conservation zone under the *Liverpool Local Environmental Plan 2008* (LLEP 2008). Lots in private ownership have been identified to be investigated for a range of reasons, such as 88B title restrictions or biodiversity arrangements arising from development consents, which already constrain its development.

It is noted that the preparation of a Study does not commit Council to any further obligations to proceed with a rezoning. Should any sites be determined suitable for a rezoning, Council would still then need to endorse the proposed changes as part of the planning proposal process.

Furthermore, the completion of the Study does not guarantee that the identified properties will be deemed suitable for a rezoning. Therefore, consultation prior to establishing a recommendation is not necessary, as it is not known if a site will be recommended for a rezoning prior to undertaking the Study.

Consultation will occur however if Council resolves to proceed with any recommendations from the Study through a planning proposal. It is anticipated that any recommendations of the Study shall be incorporated into the planning proposal for the LEP Review project.

It is a legislative requirement that an engagement period as part of a planning proposal spans a minimum of 28 days. The community engagement period will also incorporate a range of communication methods, and landowners directly affected by future changes would be directly informed, and submissions invited for consideration.

It is recommended that Council supports the undertaking of a Conservation Zones Study. The Study will guide the consistent application of the Conservation zones for the identified sites, with consultation to occur should Council resolve to proceed with any recommendations arising from the Study.

RECOMMENDATION

That Council:

1. Receives and notes this report;
2. Undertakes a Conservation Zones Study as part of the Principal LEP Review project;
3. Allocate funding to the LEP Review budget to complete this Study; and
4. Further investigates the rezoning of 1 Sirius Road, Lot 68 Sirius Road and Lot 75 Sirius Road, Voyager Point along with other identified sites, as part of the broader Conservation Zones Study.

REPORT

BACKGROUND

At the Ordinary meeting of Council on 26 October 2022, Council resolved the following:

That Council:

7. Investigates the rezoning of 1 Sirius Road and lots 68 and 75 Sirius Road, Voyager Point from C3 Environmental Management to C2 Environment Conservation.

8. Consult with the owners of the properties and include their feedback in the report back to Council.

9. Receive a further report back to Council following this investigation for a decision on whether to progress a planning proposal to rezone those sites to Environmental Conservation.

10. Allocate funding from the LEP review budget to complete these investigations.

Consistent with Point 9 of the resolution, a Sirius Road Issues and Options Report (**Attachment 1**) was considered at the 26 April 2023 meeting, which incorporated the feedback of all respective landowners. The report recommended a broader Conservation Zones Study (the Study) be undertaken, which would include the Sirius Road properties as well as various other sites. Council however moved to defer the item until further information regarding development activity on the lots was provided.

A further report to address this motion was subsequently presented at the 31 May 2023 Council meeting, where the item was again deferred.

A Planning and Infrastructure Governance Committee Meeting Report (**Attachment 2**) was then considered at the 20 June 2023 meeting, which provided further details on community engagement required for a Study. At the Committee meeting, it was resolved to proceed with a report to Council, seeking endorsement to complete a Study.

Conservation Zones Study

As detailed in the Sirius Road Issues and Options Report (**Attachment 1**), a Conservation Zones Study (Study) would enable the Sirius Road lots to be considered within a broader, holistic review of the Conservation zones within the *Liverpool Local Environmental Plan 2008* (LLEP 2008). This is consistent with the Department of Planning and Environment's LEP Practice Note for Conservation Zones (PN 00-002), which stipulates the need to apply these zones consistently, so as not to diminish their value through inappropriate application.

The Study will investigate approximately 40 sites, to determine if these properties should be rezoned to a Conservation zone. Publicly owned sites have been identified through the recommendations of the Liverpool Biodiversity Management Plan 2012. Lots which are in private ownership have been identified for a range of reasons (e.g., zoning anomalies, conservation related 88B title restrictions, informal biodiversity arrangements arising from development consents etc.) which constrain the lands' development.

It is noted that the preparation and completion of a Study does not commit Council to any further obligations. Should any sites be determined suitable for a rezoning, Council would still need to endorse the proposed rezoning as part of the planning proposal process. If Council were to endorse any recommendations, the Study would form part of the evidence base required to support a planning proposal.

Community Consultation as part of Study

Notably, the completion of the Study does not guarantee that the subject properties will be determined suitable for rezoning. Therefore, consultation prior to establishing a recommendation is not necessary, as it is not known if a site will be recommended for rezoning prior to the investigation during the Study. Consultation would occur if Council resolves to proceed with any recommendations from the Study through a planning proposal. Consultation

prior to this investigation would result in uncertainty for the residents of earmarked properties, given Council officers would not yet be in a position to provide any information about whether their property would be recommended for a rezoning.

It is anticipated that any rezoning recommendations of the Study (where deemed appropriate by Council staff and endorsed by Council) shall be incorporated into the planning proposal for the Local Environmental Plan (LEP) Review project. Given this, any proposed rezonings will be open to submissions as part of the community engagement period for the LEP Review.

It is a legislative requirement that this engagement period span for a minimum of 28 days. The community engagement period will also incorporate a range of communication methods (e.g., notice on Liverpool Listens webpage, presentations at District Forums etc.). Landowners directly affected by changes in the planning proposal will be directly informed, and submissions invited for consideration.

CONCLUSION

It is recommended that Council supports the undertaking of a Conservation Zones Study. The Study will guide the consistent application of the conservation zones for the identified sites, with consultation to occur should Council resolve to proceed with any recommendations arising from the Study.

FINANCIAL IMPLICATIONS

At its meeting on 26 October 2022. Council resolved to “*Allocate funding from the LEP review budget to complete these investigations.*”

Costs associated with the LEP Review are included in the 2022/2023 budget and the Long Term Financial Plan for Year 1 (2022-23) and Year 2 (2023-24). It should be noted that the actual spending for this financial year has not been as high as budgeted for, due to various delays. The un-spent funds will be carried over into the coming financial year to enable the progression of the project.

201594 – LEP & DCP Review	Year 1 (2022-23)	Year 2 (2023-24)
Employee – LEP Review Staff	\$224,892	\$112,446
Consultants	\$337,608	\$75,054

It is intended to undertake the Conservation Zone Study internally, and any required costs associated with this project can be sourced from the LEP Review budget, if required.

CONSIDERATIONS

Economic	There are no economic and financial considerations.
Environment	Manage the environmental health of waterways. Protect, enhance and maintain areas of endangered ecological communities and high quality bushland as part of an attractive mix of land uses.
Social	Preserve and maintain heritage, both landscape and cultural as urban development takes place.
Civic Leadership	Act as an environmental leader in the community. Actively advocate for federal and state government support, funding and services.
Legislative	Schedule 1 of the <i>Environmental Planning and Assessment Act 1979</i> .
Risk	The risk is deemed to be Low. It is recommended that Council endorse to complete a Conservation Zones Study. The findings of the Study however do not necessarily need to be followed through with a planning proposal. Furthermore, any subsequent planning proposal will include opportunities for comment from the landowners. The risk is considered within Council's risk appetite.

ATTACHMENTS

1. Sirius Road Issues and Options Council Report
2. Deferred Matter Sirius Road Governance Committee Meeting Report
3. LEP Practice Note for Conservation Zones
4. List of Potential Sites for Study (Under separate cover) - **Confidential**

PLAN 03	Issues and Options Report: Sirius Road, Voyager Point
Strategic Objective	Liveable, Sustainable, Resilient Protect and enhance our natural environment and increase the city's resilience to the effects of natural hazards, shocks and stresses
File Ref	084905.2023
Report By	Lilyan Abosh - Strategic Planner
Approved By	Lina Kakish - Acting Director Planning & Compliance

EXECUTIVE SUMMARY

At its Ordinary Meeting of Council on 26 October 2022, Council resolved the following:

That Council:

7. *Investigates the rezoning of 1 Sirius Road and lots 68 and 75 Sirius Road, Voyager Point from C3 Environmental Management to C2 Environment Conservation.*
8. *Consult with the owners of the properties and include their feedback in the report back to Council.*
9. *Receive a further report back to Council following this investigation for a decision on whether to progress a planning proposal to rezone those sites to Environment Conservation.*
10. *Allocate funding from the LEP review budget to complete these investigations.*

This report investigates at a high level the strategic and site-specific merits of rezoning the properties from C3 Environmental Management (C3 zone) to C2 Environmental Conservation (C2 zone). It notes that a rezoning is likely to be consistent with Liverpool's Local Land Use Strategies and Studies, as well as the relevant objectives in the District and Region Plans. With regards to site specific merit, various matters such as the limited development potential of the land, positive social impact on the community and relationship of the sites to the Georges River Cycling Track are addressed in this report.

The Department of Planning and Environment has a Practice Note to guide Council's on the application of the Conservation zones. The Practice Note emphasises the need for a study or strategy to justify the rezoning of any land to the C2 zone. Whilst existing resources indicate

there are biodiversity values present on the land which are likely to be consistent with the C2 zone (such as endangered ecological communities, threatened and migratory species and habitats, and coastal wetlands), Council staff do not have a current, comprehensive biodiversity assessment regarding the consistent application of the Conservation zones.

As per point 8 of the above resolution, a letter was issued to the owners on 23 January 2023 seeking their feedback. All three owners objected to rezoning and/or provided alternative recommendations, such as the partial rezoning of their lots to C2, or acquisition of the land by Council or other authority. Submissions are available at **Attachments 1 - 3**.

The Early Engagement period on the LEP Review indicated the high regard the community has for conservation, with a survey question regarding the protection of waterways, trees and vegetation scoring the highest results. It is recommended that an individual rezoning of 1 Sirius Road and lots 68 and 75 Sirius Road is not undertaken, and instead, a broader study to assess the application of Conservation zones is undertaken as part of the LEP Review.

This would mean that the Sirius Road sites are considered along with other publicly and privately owned land, identified by Council staff through previous studies or planning processes. A copy of the list of potential properties to be investigated for a Conservation zone is within **Attachment 10**.

A study would ensure a consistent approach to the rezoning of land, which would protect the significance of the C2 zone. It would guide the future application of the Conservation zones, by providing the evidence-based study required to support a planning proposal for the rezoning of land. It will also investigate other matters for consideration such as permissible land uses within each zone, as well as any potential financial implications of rezoning land on landowners. If proposed land use zones are deemed to be too restrictive, they will require an acquisition authority to acquire the land, to ensure fair compensation where required. This study will inform recommendations for future planning proposals.

RECOMMENDATION

That Council:

1. Receives and notes the report;
2. Undertakes a broader Conservation Zones Study as part of the Principal LEP Review project;
3. Allocate funding to the LEP Review budget to complete this Study; and
4. Further investigates the rezoning of 1 Sirius Road, Lot 68 Sirius Road and Lot 75 Sirius Road, Voyager Point along with other identified sites, as part of a broader Conservation Zones Study.

REPORT

BACKGROUND

Council Resolutions

At its Ordinary Meeting of Council on 27 October 2021, Council resolved the following:

That Council:

4. *Investigates rezoning 1 Sirius Road and Lots 68 and 75 Sirius Road, Voyager Point from E3 Environmental Management to E2 Environmental Conservation if it's purchased by a public authority;*
5. *Subject to point 4, directs the CEO to prepare a planning proposal to rezone 1 Sirius Road and Lots 68 and 75 Sirius Road, Voyager Point to E2 Environmental Conservation;*

A letter was sent to the Minister for Energy and Environment on 11 November 2021, requesting the NSW Government consider acquiring these properties, and no response was received. The properties were not purchased by a State or Federal authority, and suitable funding sources for Council to acquire the land could not be identified. Therefore, an investigation into the potential rezoning of the properties did not occur. A Notice of Motion (NOM 03) regarding the same land was presented at the Ordinary Meeting of Council on 26 October 2022. At this meeting, Council resolved the following:

That Council:

7. *Investigates the rezoning of 1 Sirius Road and lots 68 and 75 Sirius Road, Voyager Point from C3 Environmental Management to C2 Environment Conservation.*
8. *Consult with the owners of the properties and include their feedback in the report back to Council.*
9. *Receive a further report back to Council following this investigation for a decision on whether to progress a planning proposal to rezone those sites to Environmental Conservation.*
10. *Allocate funding from the LEP review budget to complete these investigations.*
11. *That the report back to Council include how the rezoning of this land would affect the previous resolution about having a continuous bike track along the length of the river and whether this land potentially forms part of that.*

This report addresses point 9 of the above resolution.

Sites and Locality

The subject sites are located at:

- No. 1 Sirius Road, Voyager Point (Lot 72 DP 661069);
- Lot 75 Sirius Road, Voyager Point (Lot 75 DP 752034); and
- Lot 68 Sirius Road, Voyager Point (Lot 68 DP 752034).

The sites are currently zoned C3 Environmental Management (C3) under the *Liverpool Local Environmental Plan 2008* (LLEP 2008). The lots have a total approximate area of 43.8 hectares, and largely comprise of bushland and wetland. There are two dwellings and ancillary structures also located on Lot 68 Sirius Road.

The sites are bound by the Georges River to the north and east, and Voyager Point Bushland Reserve to the west, which is owned by Liverpool City Council. Land south of Sirius Road includes the Voyager Point Community Centre and Park, and low-density housing.

Development History

Council records show no development applications have been lodged for Lot 68 and Lot 75 Sirius Road since 2000. Council received four development applications between 2002 - 2013 for land at 1 Sirius Road, all of which were refused. In 2016, development application (DA-1137/2016) was lodged for 1 Sirius Road, seeking approval for the construction of a single storey dwelling and associated works. The application was refused by Council, however development consent was subsequently granted through agreement by the Land and Environment Court. The dwelling is yet to be constructed.

Unauthorised Land Clearing

In October 2022, Council Officers inspected 1 Sirius Road and identified the unauthorised removal and damage of vegetation. A Notice of Proposed Restore Works Order was served to the owner, and a Bushland Restoration Plan (BRP) was submitted to Council. In February 2023, Council issued a Restore Works Order to carry out the works in the BRP.

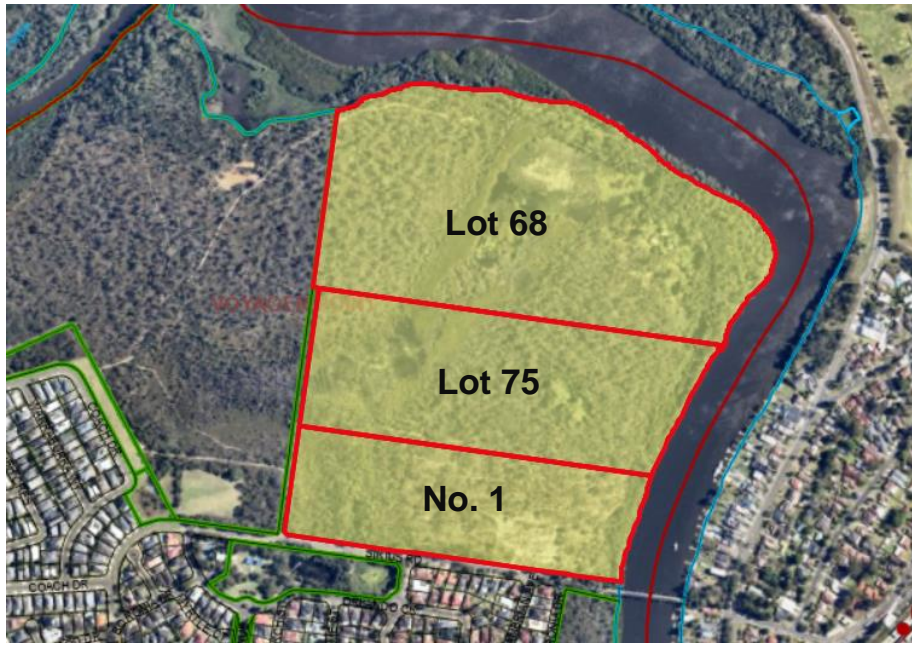


Figure 1 - Aerial Image of the Subject Lots and Locality

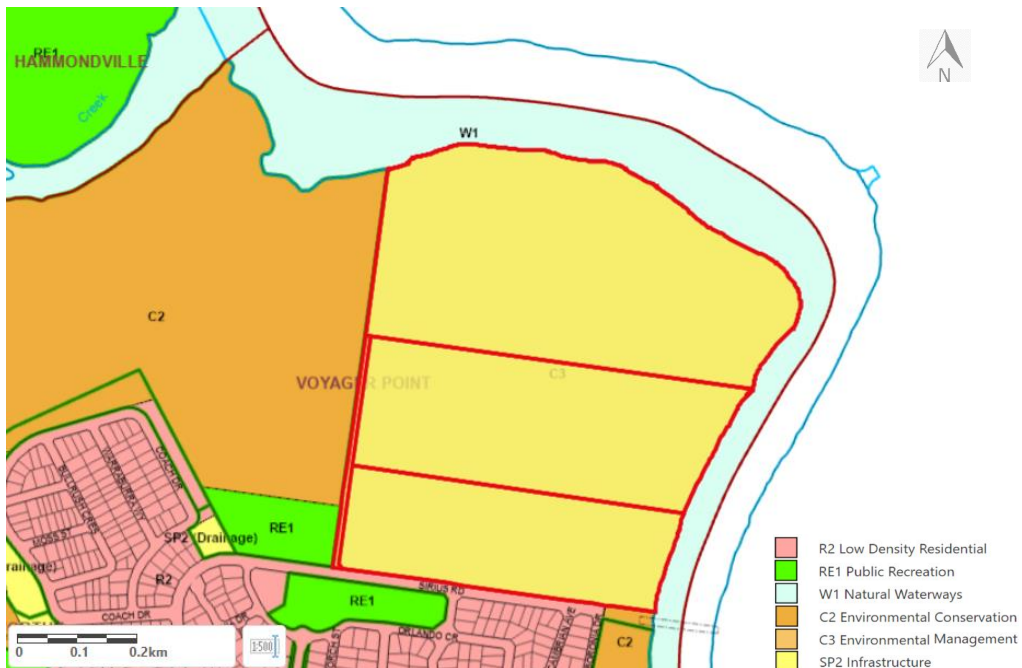


Figure 2 - Zoning of the Subject Lots and Locality under LLEP 2008

STRATEGIC MERIT

Conservation Zones within the LLEP 2008

The LLEP 2008 contains the C1 National Parks and Nature Reserves, C2 Environmental Conservation and C3 Environmental Management zones. Each zone provides different levels of conservation, with C1 being the highest level, and permissible uses vary accordingly. It is noted the C1 zone is only intended for land reserved under the *National Parks and Wildlife Act 1974*.

These zones are intended to facilitate the best conservation outcomes in the long term. Accordingly, the C2 zone is typically prioritised for environmentally significant land owned by Council, State or Federal agencies. This approach is reflected in the use of the C2 zone during the making of LLEP 2008, which was generally applied to publicly owned lots, or lots marked for acquisition. Since then, the C2 zone has also been applied in various instances to privately owned lots (e.g., where 88B restrictions apply). The C3 zone applies to the subject lots, as well as other publicly and privately owned land of environmental value.

Council is currently reviewing the LLEP 2008. Initial public consultation held in late 2022 heard a strong message from the community regarding environmental land. The survey question regarding the protection of waterways, trees and vegetation scored the highest results, with 88% of respondents rating this matter as either 'Highly Important' or 'Important'. Submissions requested retention of trees, bush regeneration and urban heat management. Feedback from the State Government as part of the LEP Review has also led to recommendations for further protective measures, like the application of Conservation zones.

It is therefore recommended that the Sirius Road sites are investigated as part of a broader study into the application of Conservation zoned land in the LEP. This would include a review of other private and Council owned sites, as discussed throughout this report.

Region and District Plans

The rezoning of the subject sites to a higher order Conservation zone would align with several directions in the Greater Sydney Region Plan 'A Metropolis of Three Cities', and the Western City District Plan. This includes protection of waterways (Priority W12 and Objective 25), protection of biodiversity and urban bushland (Priority 14 and Objective 7) and reduced exposure to natural hazards (Priority W20 and Objective 37).

Liverpool Strategies and Studies

The rezoning of the properties is also likely to be consistent with Action 14.2 of the Liverpool Local Strategic Planning Statement 'Connected Liverpool 2040', which relates to the protection of biodiversity, waterway quality, and implementation of the green grid.

Additionally, the Liverpool Biodiversity Study 2019 (the Study) makes recommendations on the future application of the C2 zone, which is summarised in Table 1 below. All three sites meet one of the recommendations in the Study, regarding the presence of state and regionally significant land. Despite this, it is noted that these categories constitute 91% of existing vegetation in the LGA, and rezoning the sites on this basis alone would not be appropriate.

Table 1: Recommended Application of C2 Zone (Source: Liverpool Biodiversity Study 2019)

C2 Application	1 Sirius Road	Lot 75 Sirius Road	Lot 68 Sirius Road
Public Reserves of high biodiversity value	x	x	x
Private land designated as environmental offsets	x	x	x
State Core and Corridor, areas of Regional Core and biocertified land	'State Core and Corridor' and 'Regional Core' land identified.	State Core and Corridor' and 'Regional Core' identified.	'State Core and Corridor' and 'Regional Core' identified.

LEP Practice Note: Environment Protection Zones

The LEP Practice Note for Environment Protection Zones PN 09–002 (now Conservation Zones) is intended to guide Council's on the application of Conservation zones. The LEP Practice Note is at **Attachment 7**, and a detailed assessment of the subject sites against the example attributes of C2 zoned land is found at **Attachment 8**.

Table 2: Review of LEP Practice Note against Subject Sites

LEP Practice Note Summary	Comments Regarding Rezoning of the Sites
The Conservation zones are to be applied consistently, so that their value is not diminished by inappropriate application, or by permitting incompatible uses.	A planning proposal to rezone the subject sites only would not reflect this approach, as the lots would be rezoned in isolation and without consideration of existing C2 zoned lots.
Councils will generally have limited areas displaying the characteristics suitable for the C2 zone.	Noted, in this case a rezoning based solely on the recommendations of the Liverpool Biodiversity Study 2019 is not appropriate.
In most cases, Council's proposal to zone land to C2 needs to be supported by a strategy or study that demonstrates the high status of ecological, scientific, cultural or aesthetic values.	Council currently does not have a specific strategy/study in favour of a rezoning. Should these investigations eventuate into a planning proposal, a study/strategy would be needed to support the planning proposal.

Where Council wishes to acknowledge different land capabilities on a single allotment, it may consider applying more than one zone across the land.	Noted, the application of split zoning is most beneficial where the primary use of the land varies across a single lot. The primary use of the land varies where there is existing residential development on Lot 68 Sirius Road. The same could be said for 1 Sirius Road where an approval for a dwelling exists but has not yet been constructed.
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Section 9.1 Ministerial Directions

Ministerial Direction 3.4 relates to the application of the C2 and C3 Zones in Far North Coast LEP's. These principles however can be used to guide other Council's zoning. The Direction requires consistency with the 'Northern Councils E Zone Review Final Recommendations Report', which considers the primary use of the land (i.e., the main use for which the land has been used for the last 2 years) as the focus when making zoning decisions. The Report recommends the C2 zone be generally applied if the primary use of the land is considered environmental conservation, and if the land has attributes that meet the C2 zone criteria. However, if the land has attributes that meet the C2 zone criteria, but the primary use is not conservation, a Council may apply a C3 zone.

Based off Council's development records and satellite imagery, the primary use for the majority of the subject land appears to be conservation. There are two dwellings located on Lot 68 Sirius Road, and the primary use of the land where these dwellings are located is residential. It may be found appropriate that certain areas used for residential purposes are retained as C3 Environmental Management.

SITE SPECIFIC MERIT

Biodiversity Value of Sirius Road Sites

Ecological Value

When applying the C2 zone, State guidance tools (i.e., the LEP Practice Note and Northern Councils E Zone Review Final Recommendations Report) are consistent on the need to verify that the ecological, scientific, cultural, or aesthetic values of the land are of a high status. Council staff however do not have a current and comprehensive biodiversity assessment covering the entire subject land.

Notwithstanding this, existing resources indicate there are biodiversity values present on the sites that are of conservation significance, and these are likely to be consistent with the attributes referenced in the Practice Note for the C2 zone.

Known features of the land that are identified in the Practice Note include coastal wetlands under the *State Environmental Planning Policy (Resilience and Hazards) 2021* and Endangered Ecological Communities including the River-Flat Eucalypt Forest, Castlereagh Swamp Woodland and Freshwater Wetlands

Additional attributes of the land are also anticipated to contribute to their biodiversity value. The Voyager Point Wetland is located within these properties and is registered as a wetland of national significance in the National Estate and Directory of Important Wetlands in Australia

The sites also include a unique and diverse range of biodiversity and habitats, many of which are not well represented in the Liverpool conservation network. The wetlands and adjacent bushland areas provide habitat for a range of threatened and migratory species, including recent records of the Green and Golden Bell Frog (*Litoria aurea*), Nodding Geebung (*Persoonia nutans*) and the Small-flower Grevillea (*Grevillea parviflora* sp. *Parviflora*).

More broadly, the sites form part of the Georges River (and its tributaries) ecological corridor, which spans from Lieutenant Cantello Reserve in Hammondville to the Holsworthy Military Reserve, and catchment lands further.

Aboriginal Cultural Heritage

There is high potential for Aboriginal Cultural Heritage to be found, as the sites appear to be relatively undisturbed, and are in proximity to a high order watercourse, where opportunities for locating Aboriginal objects or sites are greatly increased. There is evidence that the Cabrogal people, along with the Dharawal, were largely based along the riverbanks and adjacent land for access to materials and food. Through previous investigations, it is also known that there are caves, rock carvings and middens located along the Georges River.

Current Development Potential

A rezoning would reduce the development potential of the lots by further prohibiting certain development (e.g., dwellings). Notwithstanding this, the current development potential of the properties is already considered to be significantly constrained.

Environmental Constraints

All three properties are Category 1 bushfire prone, contain Environmentally Significant Land (ESL) and range in low to moderate salinity and Class 1 – 5 Acid Sulphate Soils. The sites include a foreshore area to the Georges River and are substantially affected by high-risk flooding (i.e., land categorised below the 1% AEP flood). Considering this, flood mitigation works, and compensatory flood excavation would not be considered appropriate, and development would be contained to the portion of land located above the 1% AEP flood.

Existing Development Standards

The Minimum Lot Size applying to each lot is 40 hectares, and further subdivision is not possible. The lots are also subject to certain provisions in the *State Environmental Planning Policy (Biodiversity and Conservation) 2021*, relating to vegetation and the Georges River Catchment. Complying development pathways under various State Environmental Planning Policies are not applicable to these properties due to the abovementioned constraints.



Figure 3: Flood extent



Figure 4: Environmentally Significant Land



Figure 5: Bushfire Risk extent

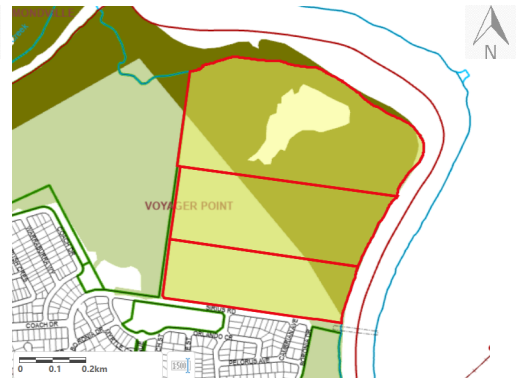


Figure 6: Terrestrial Biodiversity Affectation



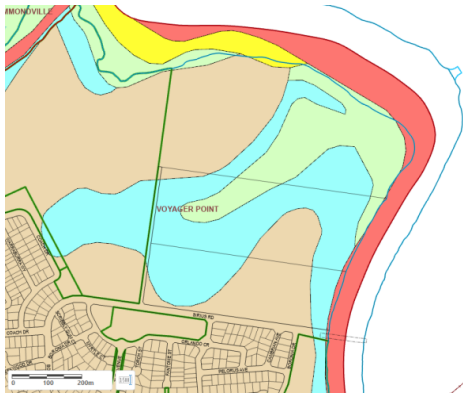


Figure 7: Acid Sulphate Soils



Figure 8: Foreshore Building Line

Social and Economic Considerations

Existing Use Rights

The C2 zone is more restrictive than the C3 zone, and does not permit certain uses, such as dwelling houses. A rezoning from the C3 zone to the C2 zone would not require existing lawful structures to be demolished, however it would mean that new dwellings cannot be approved. Development approved and not yet constructed may also still be constructed (unless the development consent lapses). Existing use rights provisions under the *Environmental Planning and Assessment Regulations 2021* allow an existing use to be enlarged, altered or rebuilt, subject to certain limitations. Existing use rights would need to be demonstrated for these provisions to be used, which usually involves a detailed analysis of the history of uses and historical development consents.

Acquisition Requirements

The Practice Note states that an acquisition authority for C2 zoned land is not required unless the land is expressly set aside for a public purpose, i.e. as a public reserve. However, if the range of permissible uses are too restrictive for the site, the need for acquisition may be triggered. The Practice Note further advises if dwelling houses and other uses were previously permitted, and are then restricted, acquisition of the land may be considered, if a reasonable range of uses are not permitted. The rezoning of these lots to C2 would result in dwellings becoming a prohibited land use, therefore it is likely in this instance acquisition may be warranted, as development potential has been reduced compared to the existing zone.

Although there are several privately owned lots which are zoned C2, these are arising from various circumstances which have not triggered acquisition (e.g. land is burdened by 88B restriction). The Department of Planning and Environment (DPE) may advise there is a requirement for acquisition to occur, as the rezoning would be restricting further development.

The estimated value of the lots if Council were to acquire the three properties is provided at **Attachment 9**.

Social Concern on Locality

There has been strong community response historically in support of protecting land north of Sirius Road. A Change.Org Petition to protect 1 Sirius Road, as referenced in the Council resolution of October 2021, had 1,407 signatures at the time of this report.

Georges River Cycling Track

Point 11 of the Council resolution requires this report to address the potential contribution of these sites to a continuous bike track along the Georges River, which Council committed to in its 100-day plan. In relation to this, a route has been developed which does not traverse through the subject lots. This is due to the ESL and topographical condition of the properties, which does not support cycling. Notwithstanding this, a rezoning would have no impact on the mechanisms available to Council for constructing and obtaining ownership of a cycle path.

LANDOWNER FEEDBACK

A letter was issued on 23 January 2023 to the owners of the three properties, seeking their feedback and submissions were received concerning all three sites. All owners objected to a rezoning and/or provided alternative recommendations, such as the partial rezoning of their lots to C2 where residential development is not to be located, or acquisition of the land by Council or other authority. A meeting was also held with the landowners and representatives of Lot 75 Sirius Road to discuss the concerns in their submission.

These objections were based on concerns relating to the existing environmental protections, financial impact on owners, impact on existing development and future development potential. A summary of the key concerns raised in the submissions is provided below and original copies are included in **Attachments 1 - 3**.

- Previous Council Resolutions**

Summary of Concern	Council Planning Response
No justification for this other than requested by constituents.	The sites are only being investigated. If a planning proposal is progressed, justification through a study is still needed.
Unlike October 2021 resolution, the 2022 resolution does not consider the owners being disadvantaged by a rezoning.	The sites are only being investigated with feedback from the owners being considered. Any financial impacts will be considered further if investigations progress.
Council did not attempt to purchase the land following resolution of October 2021.	Council did not locate a suitable funding source for the purchase of the three lots at the time.
Land should be acquired by a public authority, which would improve green space connections and access to Georges River.	It is noted this is the position of one landowner. Council contacted the State Government to consider acquiring the land and did not receive a response.

- Existing environmental protections are already in place.**

Summary of Concern	Council Planning Response
No environmental advantage of rezoning as owner is actively maintaining the land.	A rezoning would protect the land irrespective of ownership, which can change.
The C3 zone and controls provide high protection and added protection is minimal, as evidenced by the limited development and impacts on the land.	The C3 zone provides a level of protection for these sites. The C2 zone increases this protection, whilst only permitting uses compatible with the zone objectives.

- Recommended Use of the C2 Zone and its Current Application**

Summary of Concern	Council Planning Response
Not supportive of the entire lot being rezoned. However, would like to see C3 zone retained where dwellings are, and remainder rezoned to C2.	It is noted this is the position of one owner. The use of split zoning and retention of the C3 zone where dwellings are located is consistent with State guidance tools.
Willing to have the rear of the site rezoned to C2 where land is considered to have high biodiversity value.	It is noted this is the position of one owner, separate to the above.

Summary of Concern	Council Planning Response
Private ownership of C2 land is not envisaged as the uses are negligible to owner.	A Study would further clarify the suitability of C2 zoned land in private ownership, and if so, whether the land should be acquired.
A review of C2 land in Liverpool shows no situation where it is applied to an entire privately owned site, making it of no use to the owner.	

• **Concerns Regarding Existing Development / Future Restrictions on Development**

Summary of Concern	Council Planning Response
Impact ability to retain the family home or require the family relocate.	The C2 zone will not impact existing structures or necessitate relocation.
Approval for rebuilding and / or renovation of existing dwellings in the C2 zone would be much more difficult and uncertain.	Noted. Any rebuilding and / or renovations to dwellings in the C2 zone can occur if existing use rights are proven.
The owner currently hosts groups to the site to view environmentally sustainable lifestyles. Rezoning may prohibit this venture if in future the owner decides to turn this into a small scale business.	A rezoning would mean uses like dwellings, neighbourhood shops, cellar door premises and aquaculture would become prohibited, whilst 'environment facility' and 'Information and education facility' are permissible and require a DA, which would require further information to support those uses.
Would affect owner of vacant lot most which is an inequitable outcome as owners have paid for land for 40+ years.	Noted.
A dwelling is an appropriate outcome on the subject vacant lot and could reduce likelihood of illegal occupation / activities.	The intent of the investigations is to determine whether the environmental value of the sites is more consistent with the C2 zone, where a dwelling is not considered a suitable use.
Will sterilise and devalue the land, which will have a serious financial burden on the owner.	These concerns are acknowledged and are a matter for consideration. It is noted the development potential is limited due to environmental constraints.

OPTIONS FOR REZONING

Following investigations of the strategic and site specific merit of a rezoning, the options available are as follows:

Option #1 (Recommended) – Develop a Study and Review Multiple Sites across the LGA

It is the preferred recommendation by staff that a wider study is undertaken as part of the LEP Review, to assess various aspects of the Conservation zones and make recommendations on their future application in the new LEP. This would mean that the subject lots are considered within a broader strategic review of the LGA, which would also review public and private owned sites for the application of the Conservation zone. These sites have been identified through the LEP review process, and a copy of the list of potential properties is found at **Attachment 10**. The study would review permissible uses, suitability of C2 for private ownership, and implications on land acquisition requirements.

The option prioritises the consistent application of the Conservation zones in accordance with State guidance tools, by reducing opportunities to rezone land in a piecemeal manner which could undermine the intent of the C2 zone. This option will also provide the evidence-based study required to support a planning proposal for the Sirius Road sites, should they be determined to be suitable to be rezoned by the Study.

Option #2 – Progress a Planning Proposal based on Existing Resources

Option two is to prepare a planning proposal for the three subject lots, based on existing resources. The planning proposal would seek to rezone the areas of land across the lots which have a conservation function and retain the C3 zone where the primary use is residential.

Existing resources may provide sufficient justification for the initial stages of the planning proposal process, however it is anticipated that a Study would be required by the Department of Planning and Environment (DPE) for the planning proposal to progress, as detailed in the LEP Practice Note. The study would have to confirm and justify that the biodiversity value of the land intended to be rezoned is of a high status.

DPE will also likely advise at the Gateway determinate stage whether the *Land Acquisition (Just Terms Compensation) Act 1991* is invoked. It is anticipated that acquisition is likely to be required, due to the change in permissible uses, i.e., ability to develop dwelling houses. This means Council may have the responsibility of having to acquire the lots.

This approach is not recommended as it does not favor the consistent application of the Conservation zones, which is discussed in the Practice Note. The rezoning of these lots in isolation would stray further from attempts to apply the C2 zone consistently, which will diminish its value in the long term. It would also mean proceeding without the required study

supporting the planning proposal. There is also a risk a planning proposal would progress to a draft amendment that would burden the landowners prior to the required study being prepared.

Option #3 – Retain the C3 Environmental Management Zone

An alternative option is to retain the C3 Environmental zone, which already provides a level of environmental protection. This is further assisted by the environmental constraints and development standards applying to the sites. This will also have no financial implications on Council.

Considering there are existing dwellings on Lot 68 Sirius Road, and a dwelling approved to be constructed on 1 Sirius Road, two of the three lots will be built out to capacity shortly. Lot 75 however is not known to have been developed, and land uses like dwellings, neighbourhood shops etc may be proposed on the land in future.

This option would also dismiss certain attributes of the land, which may warrant application of the C2 zone. Like Option 2, this option does not favour the consistent application of Conservation zones, as a comparison of the sites to other Conservation zoned sites has not occurred.

CONCLUSION

It is recommended that Council supports Option 1 and undertakes a Conservation Zone Study. The study will guide the future application of the conservation zones for the subject sites as well as a number of other sites identified.

FINANCIAL IMPLICATIONS

At its meeting on 26 October 2022. Council resolved to: *“Allocate funding from the LEP review budget to complete these investigations.”*

Costs associated with the LEP Review are included in the 2022/2023 budget and the Long-Term Financial Plan for Year 1 (2022-23) and Year 2 (2023-24). Additional funds will be required within the Consultants budget to factor in the Conservation Zone Study, or a Sirius Road Planning Proposal. The additional amount will be determined when one of these options is resolved by Council.

201594 - LEP & DCP Review	Year 1 (2022-23)	Year 2 (2023-24)
Employee - LEP Review Staff	\$224,892	\$112,446
Consultants	\$337,608	\$75,054

CONSIDERATIONS

Economic	There are no economic and financial considerations.
Environment	Manage the environmental health of waterways. Protect, enhance and maintain areas of endangered ecological communities and high quality bushland as part of an attractive mix of land uses.
Social	Preserve and maintain heritage, both landscape and cultural as urban development takes place.
Civic Leadership	Act as an environmental leader in the community. Actively advocate for federal and state government support, funding and services.
Legislative	Sections 3.14 and 4.65 to 4.70 of the <i>Environmental Planning and Assessment Act 1979</i> Sections 162 to 167 of the <i>Environmental Planning and Assessment Regulation 2021</i> Section 21 of the <i>Land Acquisition (Just Terms Compensation) Act 1991</i> may be applicable if acquisition is required.
Risk	The risk is deemed to be Low. It is recommended that a study be undertaken which will assess whether several privately owned parcels of land should be rezoned to a Conservation zone. The findings of the study however do not necessarily need to be followed through with a planning proposal. The risk is considered within Council's risk appetite.

ATTACHMENTS

1. No. 1 Sirius Road Owner Submission (Under separate cover) - **Confidential**
2. Lot 75 Sirius Road Owner Submission (Under separate cover) - **Confidential**
3. Lot 68 Sirius Road Owner Submission (Under separate cover) - **Confidential**
4. Council Resolution October 2021
5. Council Questions with Notice May 2022
6. Council Resolution October 2022
7. LEP Practice Note PN 09-002
8. LEP Practice Note Examples for Application of C2 Zone
9. Estimated Value of Properties (Under separate cover) - **Confidential**
10. List of Potential Sites for Study (Under separate cover) - **Confidential**

ITEM 02	Deferred Matter - Issues and Options Report: Sirius Road, Voyager Point
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Strategic Objective	Liveable, Sustainable, Resilient Protect and enhance our natural environment and increase the city's resilience to the effects of natural hazards, shocks and stresses
File Ref	181047.2023
Report By	Lilyan Abosh - Strategic Planner
Approved By	Lina Kakish - Acting Director Planning & Compliance

EXECUTIVE SUMMARY

At the Ordinary meeting of Council on 26 October 2022 in relation to NOM 03, Council resolved to investigate the rezoning of certain sites at Sirius Road, Voyager Point, to a Conservation zone.

Consistent with Council's resolution, a letter was issued to the landowners of the three properties, seeking their feedback and offering the opportunity to meet with Council staff. A written response was received from all landowners. A meeting was held with the landowners of Lot 75. These comments informed the recommendation to Council at its meetings on 26 April 2023 and 31 May 2023, to complete a wholistic Conservation Zones Study.

The proposed Conservation Zones Study will investigate several privately owned lots and Council owned sites, to determine if there is merit in undertaking a rezoning to Conservation zones. It would require notification of landowners, to enable site access if required.

The undertaking of the investigation does not guarantee that the subject land is suitable for a rezoning, and also does not commit Council to any further obligations to proceed with a rezoning.

It is anticipated that the recommendations of the Study (where deemed appropriate by Council staff) will be incorporated into the LEP Review Principal planning proposal. As such, any proposed rezoning would need to be endorsed by Council as part of the planning proposal, and then be open to comment as part of the community engagement undertaken for the LEP Review. Landowners directly affected by any potential future rezoning, would be directly informed, and submissions will be invited.

This Report recommends that a report is presented to Council seeking endorsement to undertake a Conservation Zones Study. Community consultation prior to any investigation of the environmental values of the site is not required, as it is not known if there are values appropriate for rezoning at this stage.

It is emphasised that the recommendations of a Study do not obligate Council to endorse any findings of the Study, and any future recommendation for rezoning would require endorsement of Council prior to a planning proposal.

RECOMMENDATION

That the Committee recommends:

That Council receives a Council report seeking endorsement to undertake a broader Conservation Zones Study as part of the Principal LEP Review project.

REPORT

Completed Engagement

At the Ordinary meeting of Council on 26 October 2022, Council resolved the following:

That Council:

7. Investigates the rezoning of 1 Sirius Road and lots 68 and 75 Sirius Road, Voyager Point from C3 Environmental Management to C2 Environment Conservation.

8. Consult with the owners of the properties and include their feedback in the report back to Council.

9. Receive a further report back to Council following this investigation for a decision on whether to progress a planning proposal to rezone those sites to Environmental Conservation.

Consistent with Point 8 of the resolution, a letter dated 23 January 2023 was mailed to the landowners of the three properties, seeking their feedback on the potential rezoning of their properties. A written response was received from all landowners with varied recommendations made, which have informed the recommendation to complete a Conservation Zones Study. At their request, an in-person meeting was also held between Council staff, the landowners of Lot 75 Sirius Road and their representatives on 27 March 2023.

Engagement as Part of the Conservation Zones Study

The proposed Conservation Zones Study (the Study) will review several publicly and privately owned lots. Council staff will need to engage the landowners of privately owned lots early in the process, to arrange site access if required. Where ground truthing of a lot is required to confirm the biodiversity values of the site are intact, the landowner will need to consent to staff engaged for the Study accessing the property.

A study does not guarantee that the subject land will be suitable for rezoning, and does not commit Council to any further obligations. If there was environmental values deemed appropriate for rezoning to occur, Council would still need to endorse any proposed rezoning of land as part of the planning proposal process.

Engagement as Part of the LEP Review

It is anticipated that any recommendations of the Study (where deemed appropriate by Council staff) be incorporated into the overall LEP Review project. Given this, any proposed rezonings will be open to comment as part of the community engagement period for the LEP Review.

This engagement period will need to run for a minimum of 28 days and will incorporate a range of communication methods (e.g., notice on Liverpool Listens webpage, drop-in sessions at libraries, presentations at District Forums etc.). Landowners directly affected by changes in the planning proposal (including any potential owners affected by a proposed Conservation Zone) will be directly informed, and submissions invited.

Conclusion

It is recommended that the Study is undertaken to investigate if the sites have environmental potential for a conservation zone. Engagement prior to this information is not necessary, as it is known if the sites will be recommended for rezoning at this point in time. Consultation would occur, if Council resolves to proceed with any recommendations from the Study.

FINANCIAL IMPLICATIONS

At its meeting on 26 October 2022. Council resolved to: *“Allocate funding from the LEP review budget to complete these investigations.”*

Costs associated with the LEP Review are included in the 2022/2023 budget and the Long-Term Financial Plan for Year 1 (2022-23) and Year 2 (2023-24). Additional funds will be required within the Consultants budget to factor in the Conservation Zone Study, or a Sirius Road Planning Proposal. The additional amount will be determined when one of these options is resolved by Council.

201594 - LEP & DCP Review	Year 1 (2022-23)	Year 2 (2023-24)
Employee - LEP Review Staff	\$224,892	\$112,446
Consultants	\$337,608	\$75,054

It should be noted that the actual spending for this financial year has not been as high as budgeted for due to various delays. The un-spent funds will be carried over into the coming financial year to enable the progression of the project.

CONSIDERATIONS

Economic	There are no economic and financial considerations.
Environment	Manage the environmental health of waterways. Protect, enhance and maintain areas of endangered ecological communities and high quality bushland as part of an attractive mix of land uses.
Social	Preserve and maintain heritage, both landscape and cultural as urban development takes place.
Civic Leadership	Act as an environmental leader in the community. Actively advocate for federal and state government support, funding and services.
Legislative	Schedule 1 of the <i>Environmental Planning and Assessment Act 1979</i>
Risk	The risk is deemed to be Low. It is recommended that a Council report proceed, seeking endorsement to complete a Conservation Zones Study. The findings of the Study however do not necessarily need to be followed through with a planning proposal. Furthermore, the Study and any subsequent planning proposal will include ample opportunities for comment from the landowners. The risk is considered within Council's risk appetite.

ATTACHMENTS

Nil

NSW GOVERNMENT
Department of Planning

LEP practice note

STANDARD INSTRUMENT FOR LEPS

Standard zones

Note	PN 09-002
Date	30 April 2009
Related	

Environment Protection Zones

The purpose of this practice note is to provide guidance to councils on the environment protection zones in the standard instrument and how they should be applied in the preparation of local environmental plans.

Overview

The standard instrument for principal local environmental plans (LEPs) contains four environment protection zones specifically for land where the primary focus is the conservation and/or management of environmental values. The zones provide for varying levels of environmental protection from zone E1 to E4:

- **E1 National Parks and Nature Reserves**
This zone is for existing national parks, nature reserves and conservation areas and new areas proposed for reservation that have been identified and agreed by the NSW Government.
- **E2 Environmental Conservation**
This zone is for areas with high ecological, scientific, cultural or aesthetic values outside national parks and nature reserves. The zone provides the highest level of protection, management and restoration for such lands whilst allowing uses compatible with those values.
It is anticipated that many councils will generally have **limited areas** displaying the characteristics suitable for the application of the E2 zone. Areas where a broader range of uses is required (whilst retaining environmental protection) may be more appropriately zoned E3 Environmental Management.
- **E3 Environmental Management**
This zone is for land where there are special ecological, scientific, cultural or aesthetic attributes or environmental hazards/processes that require careful consideration/management and for uses compatible with these values.
- **E4 Environmental Living**
This zone is for land with special environmental

or scenic values, and accommodates low impact residential development.

As with the E3 zone, any development is to be well located and designed so that it does not have an adverse effect on the environmental qualities of the land.

Additional considerations of each zone are located in Attachment 1.

Application of environment protection zones

The environment protection zone E1 is only to be applied to existing areas identified under the *National Parks and Wildlife Act 1974* or areas identified as proposed for national park or nature reserves agreed by the NSW Government.

The environment protection zones E2 through to E4 are applied where the protection of the environmental significance of the land is the primary consideration. Their importance for visitation, tourism and job creation should also be carefully considered.

Prior to applying the relevant zone, the environmental values of the land should be established, preferably on the basis of a strategy or from an environmental study developed from robust data sources and analysis. This is particularly important where land is identified as exhibiting high ecological, scientific, cultural or aesthetic values outside national parks and nature reserves. For example, in most cases, council's proposal to zone land E2 needs to be supported by a strategy or study that demonstrates the high status of these values. Under such a strategy or study, zoning would need to be appropriate and land uses would need to be capable of being sustained.

The application of these zones is also to be consistent with relevant legislation, State and regional planning policies and subregional strategies.

The zones are to be applied consistently so that their value is not diminished by inappropriate application or by permitting incompatible uses.

The detailed zone guide attached to this practice note will assist council's application of the environment protection zones. In selecting additional uses, council is supported by the requirement that these be consistent with the mandatory zone objectives and any mandatory uses.

Supplementary detail

Zones E2 to E4 will generally need to be supplemented by detailed provisions in the development control plan. These would most likely cover the design, construction and management of uses in these zones, particularly with respect to eco-tourism, tourist accommodation and dwellings (where permissible).

Identification of areas for future acquisition

Land to be acquired for certain public purposes

Where council is aware of land to be reserved for future acquisition for certain public purposes, such land will be identified according to its intended future public purpose under the *Environmental Planning and Assessment Act 1979*.

The land reserved for future acquisition is to be identified on the Land Reservation Acquisition Map accompanying the principal LEP and the acquiring authority of the State shown in clause 5.1.2 of the principal LEP. Land listed in clause 5.1.2 requires the relevant authority to consent to the listing.

Other circumstances

The range of uses proposed to be permitted in the E zones is a consideration for council in consultation with the Department of Planning. In determining uses, council should be aware that the range of uses should not be drawn too restrictively as they may, depending on circumstances, invoke the *Land Acquisition (Just Terms Compensation) Act 1991* and the need for the Minister to designate a relevant acquiring authority.

Unless a relevant acquisition authority has been nominated and that authority has agreed to the proposed acquisition, council should ensure, wherever possible, that the range of proposed land uses assists in retaining the land in private ownership.

Use of alternative zones

Where the primary focus is not the conservation and/or management of environmental values, a different zone type should be applied.

Such zones may be applied in conjunction with local environmental provisions and maps in the principal LEP to identify any special considerations.

Local environmental provisions

Local environmental provisions may be applied where zone provisions need to be augmented in order to ensure that special environmental features are considered. For example, rural land that is still principally for agriculture but which contains environmentally sensitive areas may be zoned RU1 or RU2 and the environmental sensitivities managed through a local provision and associated ('overlay') map.

The benefits of this approach include:

- The intended conservation or management outcomes for land can be clearly articulated in the LEP.
- Areas are clearly defined and controls streamlined.
- Sub-zones are not created. (These are not permitted under the standard instrument).

Provisions for environmentally sensitive areas may include multiple natural resource or other features such as acid sulfate soils and riparian land. A local provisions clause may include objectives and, where the sensitivity is a mappable attribute, a map would accompany the provision.

Any local provision will apply in addition to the objectives and land use table for zones. The local provision must be consistent with mandated objectives and permissible or prohibited uses of the relevant zone/s.

Split zone considerations

Where council wishes to acknowledge different land capabilities on a single allotment, council may consider applying more than one zone across the land. For example, this approach may be considered appropriate over an allotment to distinguish between areas of environmental value and areas for agricultural purposes.

In choosing this approach, council needs to consider the implications of such splits. Appropriate minimum lot sizes and development standards are to be selected to support the intent of the zones and identify a suitable scale and intensity of development. Identifying appropriate minimum lot sizes at the same time as zone splitting would reduce the potential for future uncertainty if land is proposed for subdivision at a later stage.

Application of legislation

Council needs to be aware of the following:

- section 117 directions apply, including Direction 1.3—*Mining, petroleum and extractive industries* and Direction 2.1—*Environment protection zones*. Council must check the relevance of all directions and justify any proposed inconsistency
- State and regional environmental planning policies apply and may include other uses that may be permissible in a particular zone. Other uses may be provided in other planning instruments, e.g. State Environmental Planning Policy (Infrastructure) 2007 and State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007.

Further information

A copy of this practice note, the standard instrument, and other specific practice notes and planning circulars on using the standard instrument for principal LEPs, can be accessed on the Department's website at <http://www.planning.nsw.gov.au/planningsystem/localplanning.asp>.

Authorised by:

Sam Haddad
 Director-General

Attachment 1 – Additional zone considerations
 Attachment 2 – Frequently asked questions

Important note

This note does not constitute legal advice. Users are advised to seek professional advice and refer to the relevant legislation, as necessary, before taking action in relation to any matters covered by this note.

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E1

National Parks and Nature Reserves



Application

This zone is for land reserved under the *National Parks and Wildlife Act 1974*, including existing national parks, reserves and conservation areas. This zone is also to be applied to new areas proposed for reservation as identified and agreed by the NSW Government.

This zone is not generally intended to apply to Crown land reserved for conservation purposes under the *Crown Lands Act 1989*.

Objectives and uses

It is not necessary to add any additional objectives or uses to this zone, as the relevant matters are already covered by the standard provisions.

Uses currently authorised under the *National Parks and Wildlife Act 1974* are permitted without consent within the zone.

Other considerations

Land reserved for acquisition for future national park should be identified on the Land Reservation Acquisition Map. The approval of the Department of Environment and Climate Change must be obtained for the reservation of such land.

Waterways within a National Park will also be zoned E1.

E2

Environmental Conservation



Application

Use of the zone will depend on land capabilities and the proposed future uses based on environmental protection values and strategic directions.

The use of the E2 zone needs to be supported by an appropriate assessment of the area meeting the zone objectives of high ecological, scientific, cultural or aesthetic values of this zone.

The following are examples of where the E2 zone should also be applied:

- lands with very high conservation values such as old growth forests, significant wildlife, wetlands or riparian corridors or land containing endangered ecological communities
- high conservation coastal foreshores and land acquired, or proposed for acquisition, under a Coastal Lands Protection Scheme
- some land with a registered BioBanking agreement
- land under the care, control and management of another catchment authority such as the Department of Water and Energy or a council for critical town water supply, aquifer or catchment as appropriate
- land with significant Aboriginal heritage values, if appropriate
- coastal foreshores and land subject to coastal hazards, including climate change effects
- land currently zoned for environmental protection where strict controls on development apply, e.g. steeply sloping escarpment lands, land slip areas.

The section 117 Direction 5.2—*Sydney drinking water catchments* identifies Special Areas (owned or under the care, control and management of the Sydney Catchment Authority). In the hydrological catchments in this direction, an E2 zone is to be applied to those parts of the Special Areas above the full water supply level.

Objectives

The mandatory zone objectives focus on protecting land with high conservation value and preventing development that could destroy, damage or otherwise have an adverse effect on that value.

Local objectives may reflect the particular types of values in the E2 zone within the council area. For example, an LEP might include an additional objective to identify the protection of drinking water catchment lands.

Objectives referring to land uses need to be carefully worded to avoid reducing the conservation focus of the zone. For example objectives such as 'to provide uses compatible with the high ecological, scientific, cultural or aesthetic values of this zone' may be appropriate under carefully controlled conditions.

Uses

There are no mandatory permitted uses for this zone.

Councils should carefully choose uses that protect the high conservation value of the land and avoid adverse effects in relation to natural hazards.

Additional uses that may be suitable (as permitted with consent) depending on location, include, but are not limited to:

- bed and breakfast accommodation
- eco-tourism¹
- environmental facility
- farm stay accommodation
- Information and education facility (environmental information and education)
- water recreation structure
- wetland rehabilitation.

It is important that councils maintain the integrity of the E zones by including only uses consistent with the zone objectives. As well, **councils should, wherever appropriate, retain existing uses that maintain conservation land capabilities.**

In relation to the standard instrument for principal LEPs the following uses are mandatory prohibited uses: business premises, hotel or motel accommodation, industries, multi dwelling housing; recreation facilities (major), residential flat buildings, retail premises, seniors housing,

¹ The draft definition of 'eco-tourism development' means nature-based tourism development with a primary focus on the education, interpretation, cultural understanding and appreciation of the natural environment that is managed to be ecologically sustainable.

service stations, and warehouse or distribution centres.

Councils should be aware that uses should not be drawn too restrictively as they may, depending on circumstances, invoke the *Land Acquisition (Just Terms Compensation) Act 1991* and the need for the Minister to designate a relevant acquiring authority.

In selecting additional uses, the following are unlikely to be suitable in the E2 zone:

- intensive agriculture
- rural industry
- signage (other than as ancillary to environmental facilities).

Where conservation is not the main objective, another zone series is appropriate, e.g. the residential or rural zone series.

Other considerations

Generally an acquisition authority for E2 land would not be identified unless the land is expressly set aside for a public purpose under section 26(1)(c) of the *Environmental Planning and Assessment Act 1979*, e.g. as public open space or a public reserve.

However, depending on circumstances, if the permitted uses are considered to be drawn too restrictively, a relevant acquiring authority may need to be designated.

E3

Environmental Management

Application

The following are examples of where the E3 zone may be applied:

- areas of special ecological, scientific, cultural or aesthetic attributes that require management in conjunction with other low-impact uses, e.g. scenic protection areas, areas with contiguous native vegetation or forest cover.
- as a transition between high conservation value land, e.g. land zoned E1 or E2 and other land such as that zoned rural or residential.
- where rehabilitation and restoration of its special environmental qualities are the primary purpose.
- highly constrained land where elements such as slope, erodible soils or salinity may have a key impact on water quality within a hydrological catchment.

There are instances where environmentally significant land has been zoned rural in the past but has not been used primarily for agriculture. Such lands should be zoned E3.

However, the zone is generally not intended for cleared lands including land used for intensive agriculture.

Objectives

The mandatory zone objectives focus on protecting, managing and restoring areas with special ecological, scientific, cultural or aesthetic values and to provide for a limited range of development that does not have an adverse effect on those values.

Additional local objectives may be applied if they are compatible with the mandatory objectives and uses.

Uses

Mandatory uses

Dwelling houses are a permitted use (with consent) in this zone. Home occupations may be carried out without consent.

In accordance with the direction for this zone, environmental protection works and roads must be permitted with or without consent.



A number of land uses considered to be inappropriate for this zone are listed as mandatory prohibited uses.

Additional uses

Councils can specify additional uses to be permitted in the zone at Items 2 and 3.

Councils may generally (but need not) permit, with consent, home industries, kiosks, cellar door premises, neighbourhood shops and roadside stalls in the zone. All other forms of retail premises and industries are prohibited in the zone.

Councils should choose uses that do not have an adverse effect on the special values of the land. Generally, if intensive forms of agriculture are proposed, a rural zone would be more appropriate (than an E zone). Additional uses that may be suitable (as permitted with consent) depending on location, include, but are not limited to:

- bed and breakfast accommodation
- building/identification signs and business identification signs, e.g. as exempt or complying development
- community facility
- dwelling house
- eco-tourism²
- environmental facility
- farm stay accommodation
- home business, home industry and home-based child care
- information and education facility
- kiosk
- recreation area
- water recreation structure
- wetland rehabilitation.

It is important that councils maintain the integrity of the E zones by including only uses consistent with the zone objectives. As well, **councils should, wherever appropriate, retain existing uses that maintain conservation land capabilities.**

Unless they are existing uses in the zone, the following uses are generally considered to be unsuitable:

² The draft definition of 'eco-tourism development' means nature-based tourism development with a primary focus on the education, interpretation, cultural understanding and appreciation of the natural environment that is managed to be ecologically sustainable.

- intensive plant agriculture and intensive livestock agriculture
- residential accommodation other than detached dwelling houses
- retail premises (excluding neighbourhood shops)
- rural industry
- storage premises.

Councils should be aware that uses should not be drawn too restrictively as they may, depending on circumstances, invoke the *Land Acquisition (Just Terms Compensation) Act 1991* and the need for the Minister to designate a relevant acquiring authority.

Consideration of mining

As part of council's consideration of whether or not to apply the E3 zone, council must take into account the section 117 Direction 1.3—*Mining, petroleum production and extractive industries* in relation to significant resources and Direction 2.1—*Environmental protection zones* and justify any inconsistency.

Under the State Environmental Planning Policy (SEPP) (Mining, Petroleum Production and Extractive Industries) 2007, underground mining can be carried out on any land with development consent. Under this SEPP, surface mining can be carried out with consent on land for which agricultural and industrial uses are permitted (with or without consent).

Where there are mining, petroleum or extractive industries resources identified in a section 117 Direction, and a council proposes to apply the E3 zone, council needs to clarify the permissibility of mining in this zone. Councils are therefore advised to include the following note at the beginning of the E3 land use table:

'Note. State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 may apply to land within this zone.'

E4 Environmental Living

Application

This zone will be typically applied to existing low impact residential development. This may include areas already zoned for rural residential that have special conservation values. Where lands have higher conservation values and fewer intended land uses than the E4 zone, an E2 or E3 zone may be appropriate.

Regional councils should distinguish carefully between the E4 zone, the RU4 Rural Small Holdings and R5 Large Lot Residential zones to address environmental, agricultural and residential land capabilities respectively.

Where small holdings undertake agricultural production such as viticulture or cropping such as growing berries, the RU4 zone should be considered. If there are few environmental considerations, then R5 may be the appropriate zone.

Objectives

The mandatory zone objectives seek to provide for low-impact residential development in areas with special ecological, scientific or aesthetic values and to ensure that residential development does not have an adverse effect on those values.

Any additional objectives should reflect local characteristics and not duplicate the matters covered in the core objectives.

Uses

Mandatory uses

The zone permits dwelling houses (with consent) and home occupations (without consent).

In accordance with the direction for this zone, councils must permit environmental protection works and roads with or without consent in the zone.

Additional uses

Councils can specifically list additional uses to be permitted in the zone at items 2 and 3. The direction for this zone allows home industries to be permitted if desired (they would otherwise be prohibited under the term industries).

Care should be taken to select uses that are in keeping with the special conservation values of the land and complement low impact residential development. Additional uses that may be suitable (as permitted with consent), depending on location, include, but are not limited to:



- bed and breakfast accommodation
- building identification signs and business identification signs
- caravan park
- community facility
- dwelling house
- eco-tourism³
- environmental facility
- home business, home industry and home-based child care
- information and education facility
- kiosk
- recreation area
- secondary dwellings, e.g. attached to the principal dwelling
- tourist and visitor accommodation.

Additional uses that are generally unsuitable in the zone include:

- business premises
- office premises
- residential accommodation (other than dwelling houses and secondary dwellings)
- retail premises
- rural industry
- storage premises.

Other considerations

Where environmental capabilities are the primary concern on land that may be zoned R5 Large Lot Residential, RU4 Rural Small Holdings or E4 Environmental Living, preference should be given to the E4 zone.

³ The draft definition of 'eco-tourism development' means nature-based tourism development with a primary focus on the education, interpretation, cultural understanding and appreciation of the natural environment that is managed to be ecologically sustainable.

Frequently asked questions

Q. How are additional local environmental provisions to be referenced in LEPs?

A. Areas should be mapped and a separate clause included. For example a map identifying scenic protection areas should be referred to as follows:

6.1 Scenic protection

- (1) The objective of this clause is _____.
- (2) This clause applies to land identified as a scenic protection area on the Scenic Protection Map.
- (3) Before granting consent to development to which this clause applies, the consent authority must be satisfied that the development:
 - (a) _____.
 - (b) _____.
- (4) For the purpose of this clause, Scenic Protection Map means the [Name of local government area or other relevant name] Local Environmental Plan [Year] Scenic Protection Map.

It is important that the map clearly identifies 'Scenic protection area' in the legend and is prepared in accordance with the LEP Mapping Requirements.

Q. Is the E2 zone suitable for public open space land that has high conservation value?

A. Public open space principally used for public recreation purposes should be zoned RE1 Public Recreation, as this zone includes the protection of the natural environment among its core objectives. (Where recreational space is to be used for golf courses, registered clubs, caravan parks and the like it should be zoned RE2).

Areas of bushland within a public reserve will be protected under the plan of management required for community land under the *Local Government Act 1993*.

The E2 or E3 zone can be applied to public land such as bushland reserves with very high conservation value if the land meets the criteria for the application of the zone, for example where future land use is restricted for conservation reasons. This may be considered particularly where a bushland park offers recreation on walking trails and in the form of lookouts rather than as sporting fields and children's playgrounds.

Q. How would zone changes affect existing uses?

A. Existing legal land uses will not be affected, providing these remain in use.

Q. Can dwelling houses be prohibited in the E2 zone?

A. Yes, however, this needs to be adequately justified on conservation grounds. Note, if dwelling houses and other uses were previously permitted on this land and uses including dwelling houses are then proposed to be prohibited, the land may be considered to be an acquisition zone if a reasonable range of uses are not permitted.

Q. Council has recent detailed mapping of vegetation that differs from areas identified in SEPP 14 and SEPP 26. Should the new information be used to determine the zone boundaries or should the mapping be based on the SEPP maps?

A. The extent of SEPP lands remains that identified in the relevant SEPP map. Where new information identifies additional land with conservation value assets, these lands may be considered for inclusion in an appropriate environment protection zone, e.g. land including old growth forest.

Q. How should land be zoned which is owned by the Sydney Water Catchment Authority but which lies below the high water mark or is operational land.

A. This land should be zoned SP2 Infrastructure and the uses annotated on the relevant land zone map.

PLAN 04**Display of Goods on Footpaths - Local Approvals Policy**

Strategic Objective	Healthy, Inclusive, Engaging Improve liveability and quality of life for the community by delivering vibrant parks, places and facilities
File Ref	210476.2023
Report By	Robert Bennett - Acting Manager Community Standards
Approved By	Lina Kakish - Director Planning & Compliance

EXECUTIVE SUMMARY

To actively support local businesses, Council has prepared a Display of Goods on Footpaths Local Approvals Policy. The policy sets out the requirements that must be complied with when placing goods on the footpath to ensure the shared use of the public space is balanced and safe.

The Policy was placed on public exhibition until 22 May 2023 and no submissions were received. It is recommended that Council adopt this Policy.

RECOMMENDATION

That Council:

That Council adopt the Display of Goods on Footpaths – Local Approvals Policy.

REPORT

Council endorsed the above draft policy for exhibition at Ordinary Meeting on 29 March 2023. The policy sets out the requirements for placement of goods on footpaths so as not to unduly obstruct pedestrian safety, encourage the fair and equitable use of Council footpaths by all members of the community and ensure that all display areas are visually acceptable.

Exhibition closed on 22 May 2023 with no submissions received.

FINANCIAL IMPLICATIONS

There are no financial implications relating to this recommendation.

CONSIDERATIONS

Economic	Facilitate economic development.
Environment	Facilitate a visually acceptable and safe environment.
Social	Promote community harmony and address discrimination. Support access and services for people with a disability.
Civic Leadership	Foster neighbourhood pride and a sense of responsibility. 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	Local Government Act 1993. Roads Act 1993.
Risk	The risk is deemed to be Low. The risk is considered within Council's risk appetite.

ATTACHMENTS

1. Display of Goods on Footpaths Local Approvals Policy



DISPLAY OF GOODS ON FOOTPATHS LOCAL APPROVALS POLICY

Adopted: xx

045354.2023



DISPLAY OF GOODS ON FOOTPATHS LOCAL APPROVALS POLICY

DIRECTORATE: Planning and Compliance

BUSINESS UNIT: Community Standards

1. PURPOSE OF POLICY

The purpose of this policy is to set out of the requirements under which goods will be allowed to be displayed on footpaths.

2. AIM OF POLICY

- Ensure the safety and enjoyment of all users of public spaces;
- Ensure that access and paths of travel within designated public spaces are maintained particularly with regards to the needs of people with disabilities;
- Ensure that the impact to the environment is minimised; and
- Promote business, growth and opportunities with the local community through the activation and management of public spaces.

3. SCOPE OF POLICY

This policy applies to land covered by the *Roads Act 1993* and/or owned by Council.

4. OPERATION OF THE POLICY

This is a Local Approvals Policy under Section 158 of the *Local Government Act 1993*.

Part 1 - Exempt from Approval

Where the display of goods meets the requirements set out in this Policy, no approval is required from Council.

Part 2 - Criteria for Approvals

Where the display of goods does not meet the requirements as set out in this Policy, the display is not permitted.

Part 3 – Other Matters for Approvals

There are no other matters relating to approvals.

5. ENFORCEMENT OF THE POLICY

Where the display does not comply with the requirements of Part 1, it is not permitted. Council officers may take enforcement action including issuing of fines.

6. REVOKING OF THE POLICY

Under Section 165(4) of the *Local Government Act 1993*, this policy is revoked 12 months after New South Wales (NSW) Local Government elections unless Council resolves to do so earlier.

7. PART 1 REQUIREMENTS TO DISPLAY GOODS

Display of goods on the footpath is only permitted if it meets the following requirements:

Minimum Footpath Width

- A clear and unobstructed pedestrian corridor of 2.0 metres minimum must be maintained; and
- The display area must not extend more than 0.6 metres away from the shop front boundary of the respective business.

Location of Display

- The display of goods must be located outside the shopfront and are not permitted to be displayed away from the shop front, adjacent to the kerb/roadway at any time.
- Goods not to obstruct access into the shop;
- Goods not to obstruct access to any fire exit or fire door;
- Be one metre from any service object including fire hydrant, utility pit, public seat/bike rack, pay phones, rubbish bins and the like;
- Be two metres from the corner of building and street intersections;
- Be three metres from bus zones and taxi stands; and
- Goods are only permitted to be displayed on paved footpath.

Display Structure, Dimensions and Design

- Be no more than 0.6 metres deep;
- Be no less than 0.5 meters high;
- Be no more than 1.2 metres high (including the goods);
- Goods must be displayed on stands that are purpose built and capable of holding the items on display and are safely secured, to ensure stability in wind gusts – all display stands must be fully enclosed down to ground level on all sides to assist pedestrians who may be visually impaired and rely on the use of a walking stick;
- Cardboard, foam or polystyrene boxes, pallets, milk crates, shopping trolleys and other such articles are not deemed suitable for display purposes; and
- Premises with dual street frontages are only permitted to display goods on one street frontage.

Goods on Display

- Are to be of a kind normally found for sale in the shop;
- Not to emit noise or vibration that could cause annoyance, for example operating radios or electronic toys; and
- Are to comply with any legal requirements directed to ensuring the display of items is free from contamination, for example the *Food Act 2003* for displays containing food.

Goods that are not Permitted

- Furniture or white goods;
- Sharp, dangerous, or protruding items (for example, uncovered hardware items);
- Goods that may damage or stain the pavement (for example, oils or dyes);
- Perishable foods (including meat, fish, shellfish, poultry, dairy or cooked rice) other than fresh fruit and vegetables; and
- Goods that may not be lawfully sold or publicly exhibited or which may only be sold subject to restrictions under the Classification (Publications, Films and Computer Games) *Enforcement Act 1995* such as publications classified Category 1 restricted, Category 2 restricted or RC under that Act.

Hours Permitted for the Display

- The display must be removed from the footway outside the approved operating hours of the shop.

Use of Display

The display is not to be used for;

- Conducting sales transactions; and
- Spruiking, broadcasting or amplified sales messages on the footway.

Maintenance of the Display

The display structure:

- Must not be attached to the footway, street furniture or other infrastructure, with metal bolts, padlocks, chains or the like;
- Must not damage the surface of the footway, including when it is being moved at the start and end of trading;
- Is to be kept clean and tidy; and
- Is to be kept in good repair and free of broken elements.

Insurance

- The operator of the display must have a current public liability policy covering the display, with a minimum value of \$20 million;
- The policy must indemnify Liverpool City Council against any public liability claims within the area between the front property boundary of the shop and the kerb line for the full frontage of the shop; and
- Proof of currency must be kept on the premises and produced on demand by any authorised officer.

Removal of Display

A display is not exempt from approval and Council can request the goods display be removed if:

- The conditions of this policy are breached;
- The display is compromising public safety or public access;

- The footway area is needed for public works;
- The footway area is needed for a special event;
- The footway area is needed to manage an increase in pedestrians;
- The footway is needed for the installation of construction hoardings and scaffoldings; or
- The footway is needed to support pedestrian flow.

Attachment A provides an example of a display that meets the clear path of travel and required clearances of this policy.

8. PART 2 - CRITERIA FOR APPROVALS

If a display does not meet the requirements under Part 1, it is not permissible, and no approval will be granted.

9. PART 3 – OTHER MATTERS FOR APPROVALS

There are no other matters relating to approvals.

10. RELEVANT LEGISLATIVE REQUIREMENTS *(where applicable)*

Local Government Act 1993

RELATED POLICIES & PROCEDURE REFERENCES

Goods on Display Guidelines – Cumberland City Council

Commercial use of Footways Guidelines – Canterbury Bankstown Council

Display of Goods on Footway – City of Sydney Council

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
New				

THIS POLICY HAS BEEN DEVELOPED IN CONSULTATION WITH

Governance
Legal
Transport Management
Safety and Insurance

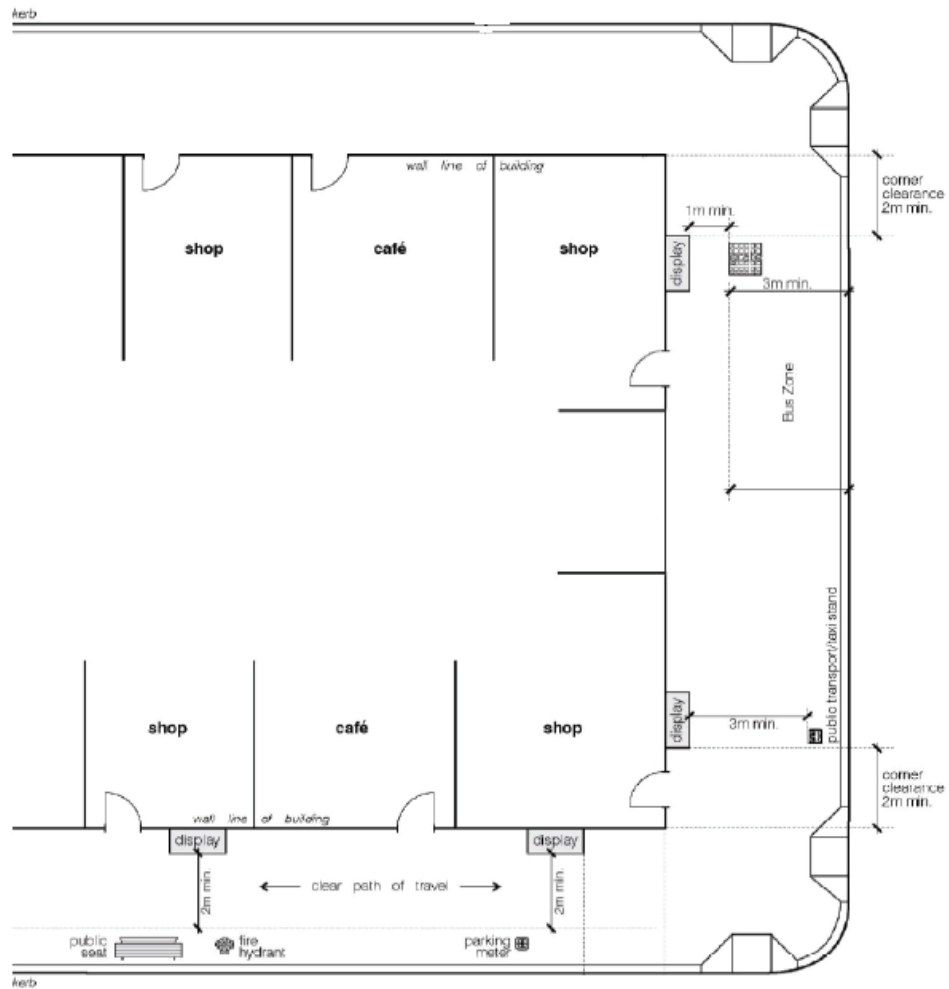
ATTACHMENTS

Appendix
Attachment A - (diagram)

APPENDIX

DRAFT

Attachment A: Example of a clear path of travel and required clearances



PLAN 05

**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	217398.2023
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 provides the quarterly report to DPE and publishes the register on an ongoing basis on Council's website.

There were two (2) 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 to the Department of Planning and Environment 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 January to March 2023 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-182/2021 – Lot 231 Changsha Road, Edmondson Park

DA Number:	DA-182/2021
Property Address:	Lot 231 Changsha Road, Edmondson Park Lot 231 DP 1287558
Development Category:	Residential
Description:	<p>Torrens Title subdivision into two Super-Lots (Lots 201 & 202) of the current Lot 231 Changsha Road, Edmondson Park including:</p> <ul style="list-style-type: none"> • Construction of the southern extension of Arnhem Road to the future intersection of Ardennes Road along the eastern boundary of proposed future Super-Lot 201; and • Construction of Ardennes Road along the southern boundary of future Super-Lots 201 and 202.
Environmental Planning Instrument:	Liverpool LEP 2008
Zoning of Land:	R1 – General Residential & SP2 - Infrastructure
Development Standard Varied:	Clause 7.11 – Minimum Dwelling 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 unlikely to reduce any impacts considered to be unreasonable or unnecessary in the circumstances. The proposed subdivision was for 2 super-lots as well as civil works for roads and drainage, which was designed to facilitate future residential development. In this case, a development application for residential flat buildings has been lodged which allowed for the minimum dwelling density to be achieved. 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 proposes residential lots that can accommodate dwellings and achieve appropriate amenity based on full compliance with relevant state and local policies.</p> <p>The objectives of Clause 7.11 as well as the R1 - General Residential zone were upheld as a result of the proposed development and the proposal was considered to be in the public interest.</p> <p>The minimum dwelling density required is 28dw/ha. The proposed dwelling density as part of this DA is 1.95dw/ha. This equates to a variation of 93.04% to the development standard.</p>
Extent of Variation:	26.05dw/ha / 93.04%
Concurring Authority:	Liverpool LPP under assumed concurrence
Date Determined:	26 June 2023

ITEM 2 – DA-221/2021 – 11 Harvey Avenue and 11 Dredge Avenue, Moorebank

DA Number:	DA-221/2021
Property Address:	1 Harvey Avenue and 11 Dredge Avenue, Moorebank
Development Category:	Residential
Description:	Demolition of existing building structures, tree removal and construction of a five storey residential flat building, two levels of basement parking, and related landscaping and stormwater management.
Environmental Planning Instrument:	Liverpool LEP 2008
Zoning of Land:	R1 – General Residential & SP2 - Infrastructure
Development Standard Varied:	Clause 4.3 Height of Buildings
Justification of Variation:	<p>The proposed variation to the Height of Building was considered to be acceptable in this instance as strict compliance was unreasonable or unnecessary in the circumstances.</p> <p>The proposed construction of a residential flat building is suitable in terms of site context, amenity, character and overall built form, with the height exceedance limited to the lift overrun. The development allows for the provision of additional access to housing within Moorebank.</p> <p>The objectives of Clause 4.3 as well as the R4 – High Density Residential zone were upheld as a result of the proposed development and the proposal was considered to be in the public interest.</p> <p>The maximum prescribed building height applied to the site is 18m. The proposed height of the application is 20.6m. This equates to a variation of 14.4% to the development standard.</p>
Extent of Variation:	2.6m / 14.4%
Concurring Authority:	Liverpool LPP under assumed concurrence
Date Determined:	29 May 2023

PLAN 06

Lot 6 Newbridge Road, Moorebank - Planning Investigations

Strategic Objective	Evolving, Prosperous, Innovative Implement planning controls and best practice urban design to create high-quality, inclusive urban environments
File Ref	221305.2023
Report By	Luke Oste - Coordinator Strategic Planning
Approved By	Lina Kakish - Director Planning & Compliance

EXECUTIVE SUMMARY

An issues and options report was prepared and considered by Council at the 28 September 2022 meeting. The report concluded that:

"It is recommended that out of the two options proposed, further investigation of a business park development is progressed by the proponent, though it should be noted that such a development still has significant strategic merit issues to overcome in relation to competition with the Liverpool City Centre and Innovation Precinct, challenges with integrating transport, and addressing site-specific constraints, such as flood, contamination and biodiversity."

Council resolved the following:

That Council:

- 1. Receives and notes this report;*
- 2. Proceeds with further investigations into Option1, being a place-based retail scenario as outlined in this report, including undertaking all necessary retail and other studies required to meet the strategic merit test required of all planning proposals;*
- 3. Receive a further report back to Council following these investigations;*
- 4. Continues to support the people of Moorebank in their fight against the concrete crushing facility and works to removing trucks from the area by limiting heavy industrial usages; and*
- 5. Holds a community forum with the community and asking them what preference they have for that area.*

SGS Economics and Planning prepared an Economic Impact Assessment (**Attachment 1**). This study concludes that overall, it was found that neither scenario performs well against policy and market tests.

As outlined in previous reports to Council and the assessment against the original planning proposal, the site contains significant constraints in terms of flooding, flood evacuation, contamination, and biodiversity significance. As such, Council has limited ability to play a lead role in planning, as specific and technical site constraints will dictate what is feasible and reasonable in this precinct. It is therefore recommended that Council staff continue to support the proponent in an advisory role as they consider alternate development scenarios that address the following constraints:

- Flooding and evacuation;
- Biodiversity;
- Traffic;
- Contamination; and
- Bushfire.

RECOMMENDATION

That Council:

1. Receives and notes this report and the SGS Economics and Planning to prepare an Economic Impact Assessment (**Attachment 1**).
2. Provides advisory support to the proponent in developing future plans for the subject site that address the following constraints:
 - Flooding and evacuation;
 - Biodiversity;
 - Traffic;
 - Contamination; and
 - Bushfire.

REPORT

Background

On 5 March 2020, Council received a planning proposal request for land at Lot 6 Newbridge Road, Moorebank (EQ Riverside, or Site E) to facilitate the development of residential apartments, community facilities, retail and open space on the site. Council staff and the Liverpool Local Planning Panel (LPP) determined that the proposal did not demonstrate strategic and site-specific merit and was unlikely to receive a Gateway determination from DPE.

The subject site currently has development approval for a concrete recycling facility. The Planning Assessment Commission (as it was then known) issued a development consent on 11 September 2015 for a materials recycling facility on the site, which was confirmed by the Land and Environment Court on 14 July 2017 after Council appealed the approval.

The planning proposal request was reported to Council in December 2020. It was recommended that Council:

That Council:

- 1. Notes the advice of the Liverpool Local Planning Panel;*
- 2. Does not support the planning proposal request proceeding to a Gateway determination for the reasons outlined in the planning assessment report and in the advice of the Liverpool Local Planning Panel;*
- 3. Invite the proponent to consider the planning assessment report and the advice of the Liverpool Local Planning Panel and consider other options for the site that are consistent with the strategic planning framework (including the Regional and District Plans and the LSPS), relevant ministerial directions and site constraints.*

Council resolved to:

- 1. Receive and note this report;*
- 2. Continue to negotiate with the proponent around issues of density, flood mitigation;*
- 3. Note the correspondence from the Department of Planning, Industry and Environment dated 10 December 2020 that Council finalise the Regional Flood Evacuation Study and that the Study informs those planning proposals in the Moorebank East precinct prior to forwarding planning proposals in this precinct to DPIE for a Gateway determination;*
- 4. Invite the proponent to work with Council Officers on an amended planning proposal that also investigate opportunities to collaborate with neighbouring developments, Canterbury Bankstown Council and the State Government for the possible inclusion of a bridge crossing the Georges River;*
- 5. Defer a decision on whether to forward this planning proposal request to the Department of Planning, Industry and Environment for a Gateway determination until after the Regional Flood Evacuation Study and further report to Council regarding issues in (2) above has been completed in April 2021; and*
- 6. Consider options for the design and construction of a fully accessible shared path along the Georges River.*

At its meeting on 29 June 2022, Council resolved the following in relation to NOM01:

1. *Direct the A/CEO to provide a report back to Council at the July 2022 Council meeting following the Council resolution on PLAN03 "Status update on planning proposal request at Lot 6 Newbridge Road, Moorebank" from the 23 February 2022 Council meeting detailing the outcome of the series of round table discussions held with the proponent and Council staff.*
2. *Direct the A/CEO to prepare an issues and options report to the August 2022 Council meeting on the potential rezoning of the site by Council to a suitable employment zone given the constraints for residential development on this site identified in the report (PLAN03) from the 23 February 2022 Council meeting including timeframes, whether there is strategic and site-specific merit in doing so, the views of the landowner and identifying any budgetary impacts.*
3. *Notes its ongoing opposition to construction and operation of a concrete crushing facility on this site.*

Staff convened four workshops with the proponent following Council's resolution. Detail of these workshops was reported to Council on 27 July 2022, where Council further resolved to:

Narrow the scope of the Issues & Options report to investigate two scenarios being:

- i. Place based retail type scenario; and*
- ii. Modern business park type scenario.*

An issues and options report was prepared and considered by Council at the 28 September 2022 meeting. The report concluded that:

"it is recommended that out of the two options proposed, further investigation of a business park development is progressed by the proponent, though it should be noted that such a development still has significant strategic merit issues to overcome in relation to competition with the Liverpool City Centre and Innovation Precinct, challenges with integrating transport, and addressing site-specific constraints, such as flood, contamination and biodiversity."

Council resolved the following:

That Council:

1. *Receives and notes this report;*
2. *Proceeds with further investigations into Option1, being a place-based retail scenario as outlined in this report, including undertaking all necessary retail and other studies required to meet the strategic merit test required of all planning proposals; and*
3. *Receive a further report back to Council following these investigations.*

4. *Continues to support the people of Moorebank in their fight against the concrete crushing facility and works to removing trucks from the area by limiting heavy industrial usages.*
5. *Holds a community forum with the community and asking them what preference they have for that area.*

This report has been prepared in response to Point 3 from Council's resolution.

Place-Based Retail Scenario

Council commissioned SGS Economics and Planning to prepare an Economic Impact Assessment (**Attachment 1**). This study tested retail impacts and suitability of a potential retail development at the subject site, focussing on two scenarios within the broad 'place-based retail scenario' in accordance with the Council resolution:

- **Scenario One** - A specialised/discount retail centre similar to Birkenhead Point in Drummoyne in the Canada Bay LGA (31,300 sqm of retail floorspace, with the majority taken up by clothing and including a supermarket); and
- **Scenario Two** - A bulky goods/homemaker retail precinct (25,500sqm of retail floorspace almost entirely selling bulky household goods).

It was found that a specialised/ discount retail centre with a smaller traditional retail component (scenario one) would have:

- Poor alignment with existing policy;
- Limited demonstrated current or future need; and
- Some externalities in terms of vehicle kilometres travelled.

It is therefore considered to have limited justification from a retail planning policy perspective, with any traditional retailing component of development on the subject site the most poorly aligned and with the most impacts.

A bulky goods/homemaker centre (scenario two) would have:

- Limited demonstrated current or future need;
- Poor (although not as poor as scenario 1) alignment with existing policy; and
- Fewer likely externalities in terms of trade diversion and vehicle kilometres.

Consideration	1. Specialised/ discount retail	2. Bulky goods/ homemaker
Policy support	x	x
Current need	x	x
Future/growth need	x	x
Travel externality	x	?
Trade diversion impact	?	✓

Figure 1 - Summary of SGS Assessments

As a result, it was found that this development would also have limited, although better, justification in terms of retail planning policy. It is noted that the location of bulky goods retailers is less critical from a placemaking and local population services perspective than other retail. However, SGS identified that the incremental development of a new centre at this location with a bulky goods store being an initial anchor should not be encouraged. In this sense a bulky goods retail development may be considered appropriate on the subject site but only if certain conditions are met such as: there are no alternative sites available within existing centres and it would result in an overall net community benefit when other strategic planning considerations are taken into account.

SGS concluded that a homemaker/bulky goods centre (scenario two) is likely to generate a better net community benefit outcome than a specialised/discount retail outlet (scenario one), although retail sites that are closer to where the greatest population growth is expected would be better where possible. Overall, it was found that neither scenario performs well against policy and market tests.

Detailed modelling and impact testing analysis on nearby centres can be found within the study at **Attachment 1**.

Community Forum

Council staff have not yet arranged a community forum given the uncertainty present in the Moorebank East precinct in terms of development occurring. Currently there are four planning proposals active as summarised below:

- **Site A – 146 Newbridge Rd (Georges Cove Village)** – A revised proposal is being prepared for lodgement to Council that reduces the scale of development to retail only (approx. 4000sqm). The proponent is currently working to provide further flooding analysis and justification.
- **Site B – 124 Newbridge Rd (Flower Power)** – The proposal is seeking to facilitate the development of 600 apartments, 167 serviced apartments, and significant commercial floorspace. The proponent is in receipt of an additional information request to address the multiple outstanding issues with their proposal.
- **Site D – Lot 3 Newbridge Rd (Georges Cove Marina)** – The proposal seeks to enable 353 apartments and 21 terraces behind the approved marina development. The proponent is currently working to provide further flooding analysis and justification.
- **Site E – Lot 6 Newbridge Rd (Concrete Crushers Site)** – The site (subject to this report) had a planning proposal lodged which sought to facilitate the development of 2000 dwellings and a small retail component. The proponent is working on alternate scenarios to inform a future planning proposal, in collaboration with Council staff.

Each planning proposal has been on initial consultation already, with further community consultation to occur as each planning proposal progresses (if Gateway's are issued for each). As such, it is recommended that a community forum is not pursued given the collection of private proposals already in motion.

Conclusion

In actioning the Council resolution from September 2022 to investigate a 'place-based retail scenario' on the site, SGS Economics and Planning prepared an Economic Impact Assessment (**Attachment 1**). This study concludes that overall, it was found that neither scenario performs well against policy and market tests.

As outlined in previous reports to Council and the assessment against the original planning proposal, the site contains significant constraints in terms of flooding, flood evacuation, contamination, and biodiversity significance. As such, Council has limited ability to play a lead role in planning, as specific and technical site constraints will dictate what is feasible and reasonable in this precinct. It is therefore recommended that Council staff continue to support the proponent in an advisory role as they consider alternate development scenarios that address the following constraints:

- Flooding and evacuation;

- Biodiversity;
- Traffic;
- Contamination; and
- Bushfire.

FINANCIAL IMPLICATIONS

There are no financial implications relating to this recommendation.

CONSIDERATIONS

Economic	<p>Further develop a commercial centre that accommodates a variety of employment opportunities.</p> <p>Encourage and promote businesses to develop in the hospital health and medical precinct (of the City Centre).</p> <p>Deliver a high quality local road system including provision and maintenance of infrastructure and management of traffic issues.</p> <p>Facilitate economic development.</p> <p>Facilitate the development of new tourism based on local attractions, culture and creative industries.</p>
Environment	<p>Manage the environmental health of waterways.</p> <p>Manage air, water, noise and chemical pollution.</p> <p>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> <p>Promote an integrated and user friendly public transport service.</p>
Social	<p>Regulate for a mix of housing types that responds to different population groups such as young families and older people.</p>
Civic Leadership	<p>Act as an environmental leader in the community.</p> <p>Provide information about Council's services, roles and decision making processes.</p>
Legislative	<p>There are no legislative considerations relating to this report.</p>

Risk	There is no risk associated with this report.
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ATTACHMENTS

1. Economic Impact Assessment (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	203043.2023
Report By	Jacqueline Newsome - Coordinator Community Development
Approved By	Tina Bono - Director Community & Lifestyle

EXECUTIVE SUMMARY

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

This report provides a recommendation for endorsement of funding totalling **\$34,186** from the Community Grants Program and Community Sponsorship Program.

RECOMMENDATION

That Council:

1. Endorses the funding recommendation of **\$17,157** (GST exclusive) under the **Community Grant Program** for the following projects.

Applicant	Project	Recommended
Organisation Of Hindu Malayalees Inc NSW	PA system purchase	\$2,261
Good360 Australia	Bridging the Digital Divide in Liverpool LGA	\$5,000
Melkite Charitable Foundation	Stepping On Program for the Elderly	\$5,000

NSW Service for the Treatment and Rehabilitation of Torture and Trauma Survivors (STARTTS)	Arabic Women's Wellbeing Circle	\$4,896
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2. Endorses the funding recommendation of **\$17,029** (GST exclusive) under the **Community Sponsorship Program** for the following projects.

Applicant	Project	Recommended
Southern District Soccer Football Association Inc	2023 SDSFA Liverpool Knockout Competition	\$7,029
International Sports Karate Association	ISKA World Cup	\$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	Organisation Of Hindu Malayalees Inc NSW		
Project	PA system purchase		
Amount Requested	\$2,261	Total Project Cost	\$2,261
Location	Moorebank, 2170	Date	July 2023
About the Applicant	Organisation of Hindu Malayalees Inc NSW (OHMIN) is a not-for-profit multicultural group delivering cultural activities and skill development programs for the Malayalee community in the Liverpool LGA. The organisation envisions to preserve the Malayalee culture and language through activities that welcome the broader community such as language learning, singing and dancing programs for children and adults.		

Description	<p>Objective: OHMIN is seeking funding to purchase a PA and Microphone System. This will enable the organisation to deliver public speaking workshops for youth in English and Malayalee as well as language preservation workshops for adults. A durable and reliable PA System will facilitate the continuity of future programs in partnership with Local Police and SEWA Australia.</p> <p>Outcomes:</p> <ul style="list-style-type: none"> • Increase community participation by expanding programs and workshops to larger venues and facilities in the Liverpool LGA; and • Develop confidence and interpersonal skill development in youth groups through public speaking workshops (English and Malayalee) and preservation of Malayalee language and heritage through programs for adults.
Beneficiaries	OHMIN members, CALD community in Liverpool LGA, and Malayalee youth community.
Assessment	<p>Recommended for Funding - \$2,261 The project aligns with the Community Strategic Plan <i>Objective 1 - Healthy, Inclusive, Engaging, Objective 3 - Evolving, Prosperous, Innovative, Objective</i> and meets the Community Grant Program funding priorities.</p> <p>Expected program outcomes 7.4.1 a) and d)</p>

Applicant	Good360 Australia		
Project	Bridging the Digital Divide in Liverpool LGA		
Amount Requested	\$5,000	Total Project Cost	\$31,625
Location	Liverpool LGA	Date	July 2023
About the Applicant	<p>Good360 Australia is a not-for-profit community focused organisation determined to connect charities, schools and vulnerable individuals with businesses willing to donate unsold or surplus goods and services.</p> <p>The organisation works with 73 charities and disadvantaged schools in the Liverpool LGA, providing financial and food relief to thousands every month. Good360 aims to invest in a digital literacy program, equipping vulnerable communities with digital skills.</p>		

Description	<p>Objective:</p> <p>Good360 recognises the need to be digitally proficient to fully participate in today's online world. This project will distribute 25 refurbished, high specification, retired corporate devices with access to free data to three of Liverpool most active community services. Kari Foundation, Liverpool Neighborhood Connections, and Liverpool Public School will be equipped to run programs, access online libraries, provide access for clients and service users visiting their organisation, and for distribution to individuals in the community to support their education, training, job search and access to information and services and stay connected in an increasingly online world. Online banking, social media, and many government services are all online, and it may soon be impossible to access these services and social spheres without adequate digital literacy skills and access.</p> <p>Outcomes:</p> <ul style="list-style-type: none"> • Improved digital literacy and knowledge of online platforms that boosts confidence in using technology. • Enhanced sense of independence and self-efficacy. • Improved access to education and training and improved employment pathways which reduce financial insecurity; and • Increased community participation and reduced loneliness and isolation for families and vulnerable individuals.
Beneficiaries	Kari Foundation, Liverpool Neighborhood Connections, and Liverpool Public School.
Assessment	<p>Recommended for Funding - \$5,000</p> <p>The project aligns with the Community Strategic Plan <i>Objective 1 - Healthy, Inclusive, Engaging, Objective 3 - Evolving, Prosperous, Innovative, Objective</i> and meets the Community Grant Program funding priorities.</p> <p>Expected program outcomes 7.4.1 a), b), c), d), e) and f).</p>

Applicant	Melkite Charitable Foundation		
Project	Stepping On Program for the Elderly		
Amount Requested	\$5,000	Total Project Cost	\$5,800
Location	St Rita's Melkite Catholic Church, Liverpool.	Date	September 2023
About the Applicant	Melkite Catholic Welfare Association is a registered charity providing benevolent activities to the local community for over 20 years. The organisation brings together a diverse community from all parts of the Liverpool LGA, particularly seniors and ageing community.		
Description	<p>Objective:</p> <p>'Stepping On' is an eight-month health and wellbeing program targeted towards the ageing community and addresses the restrictions of age and disability in a safe and accessible learning space. The program aims at breaking the barriers of loneliness and depression with monthly sessions inclusive of education, information on new initiatives, and a chance to make friendships and meet others in similar circumstances.</p> <p>Sessions are designed with guest speakers and health care professionals from NSW Health, Catholic Care, and TAFE covering topics in English and Arabic about exercise, moving safely, home hazards, footwear, vision and falls, medication management and mobility experiences.</p> <p>Outcomes:</p> <ul style="list-style-type: none"> • Increased community participation and reduced loneliness and isolation within the elderly community. • Improved access to health and wellbeing resources for seniors; and • Enhanced sense of independence and self-awareness within the elderly, aged and disability community. 		
Beneficiaries	Seniors and ageing community, CALD community, and local health services.		
Assessment	<p>Recommended for Funding - \$5,000</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> and meets the Community Grant Program funding priorities.</p>		

	Expected program outcomes 7.4.1 a), b), c), d), e) and f).		
Applicant	NSW Service for the Treatment and Rehabilitation of Torture and Trauma Survivors (STARTTS)		
Project	Arabic Women's Wellbeing Circle		
Amount Requested	\$4,896	Total Project Cost	\$11,449.40
Location	Liverpool, 2170.	Date	September 2023
About the Applicant	STARTTS is a specialist, not-for-profit organisation established in 1988 and provides culturally relevant psychological treatment and support to help people and communities heal the scars of torture and refugee trauma. STARTTS delivers a range of tailored programs and capacity building initiatives to encourage survivors to rebuild their lives in the Liverpool LGA.		
Description	<p>Objective: Arabic Women's Wellbeing Circle is 12-week wellbeing program for women from Arabic-speaking backgrounds to participate in several supportive and structured physical, mindfulness, and arts-based activities that aim to promote social connection and general health and wellbeing. Activities include:</p> <ul style="list-style-type: none"> Swimming and aqua aerobics activities to increase participation in physical exercises and knowledge in water safety. Yoga and meditation exercise classes to promote physical health and capacity to cope with stress through mindfulness; and Arts-based activities to gain new skills and increase confidence to participate in future arts-based programs. <p>Outcomes:</p> <ul style="list-style-type: none"> Increase participation in physical activities and improved physical and mental health and wellbeing. Increase opportunities to interact with other women with similar lived experiences and enhance sense of belonging through regular interactions. Develop referral pathways by increasing knowledge of key support services and connect trauma survivors with relevant providers. Provide opportunities to gain new skills increase capacity to integrate successfully in their local communities; and 		

	<ul style="list-style-type: none"> • Increase self-confidence and self-esteem to build confidence in accessing other community-based programs.
Beneficiaries	Local refugee trauma survivors, migrant and refugee support services.
Assessment	<p>Recommended for Funding - \$4,896</p> <p>The project aligns with the Community Strategic Plan <i>Objective 1 - Healthy, Inclusive, Engaging, Objective 3 - Evolving, Prosperous, Innovative Objective 4 – Visionary, Leading, Responsible</i> and meets the Community Grant Program funding priorities.</p> <p>Expected program outcomes 7.4.1 a), b), c), d), e) and f).</p>

Community Sponsorship Program

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

Applicant	Southern Districts Soccer Football Association Inc.		
Project	2023 SDSFA Liverpool Knockout Competition		
Amount Requested	\$7,029	Total Project Cost	\$7,029
Location	Ernie Smith Reserve, Moorebank	Date	September 2023
About the Applicant	Southern Districts Soccer Football Association (SDSFA) has been the governing body for Football (Soccer) in the Liverpool LGA since 1946. The organisation encourages all football clubs within the LGA to participate in tournaments and has winter and summer competitions in the local area. SDSFA also runs the annual Liverpool Knockout Competition, a well-attended local event.		
Description	<p>Objectives:</p> <p>Soccer is embraced by many community groups in Liverpool, promoting positive connections within culturally diverse communities. SDSFA aims to host a football knockout competition over a two-day event. Participants will compete in two major divisions: the Liverpool Cup and the Liverpool Shield.</p>		

	<p>Funding will be used to produce participant medals and plaques, featuring Liverpool City Council as the event sponsor, and generating a branding opportunity for the Council.</p> <p>Outcomes:</p> <ul style="list-style-type: none"> • Attract and encourage teams from the Southern District area to participate in the champions knockout activity. • Promotes Liverpool as a strong and skilful football base in the wider Australian community; and • Strengthens community connection and encourages community participation through sporting events.
Beneficiaries	<ul style="list-style-type: none"> • 2,000 attendees over the two-day event (participants, spectators, volunteers, and referees)
Assessment	<p>Recommended for Funding - \$7,029</p> <p>The project aligns with the Community Strategic Plan <i>Objective 1 - Healthy, Inclusive, Engaging</i> and meets the Community Sponsorship Program's funding priorities.</p> <p>Expected program outcome 7.7.2 e).</p>

Applicant	International Sports Karate Association		
Project	ISKA World Cup		
Amount Requested	\$10,000	Total Project Cost	\$52,000
Location	Whitlam Leisure Centre, Liverpool	Date	October 2023
About the Applicant	<p>The International Sport Karate Association (ISKA) is an incorporated sporting body, promoting Martial Arts tournaments in Australia for over 30 years. Since 1989, ISKA has hosted numerous state, national and world championships in Liverpool to showcase and recognise local and global sporting talent.</p>		
Description	<p>Objectives:</p> <p>The ISKA World Cup is a unique international Martial Arts tournament to be held at the Whitlam Leisure Centre. The World Cup is a 3-day event in October with male and female competitors from 3 years of age to 60+ years of age competing in over 20 martial art events. The event will attract thousands of people as</p>		

	<p>competitors, spectators, officials, and volunteers from over 12 countries and will add large economic benefits to the Liverpool area, as well as establishing Liverpool as an international sporting hub for world events.</p> <p>Funding will be used to produce participant and winner title belts, with branding an opportunity to feature Liverpool City Council as the event sponsor.</p> <p>Outcomes:</p> <ul style="list-style-type: none"> • Promotes Liverpool as a strong and skillful martial arts sporting hub in the local and international sporting community. • Generate opportunities for local businesses to grow and create connections through global events in the Liverpool LGA; and • Strengthens community connection and celebrates cultural diversity in Liverpool through increased community participation at international sporting events.
Beneficiaries	<ul style="list-style-type: none"> • 3000 attendees (local and international participants and spectators)
Assessment	<p>Recommended for Funding - \$10,000</p> <p>The project aligns with the Community Strategic Plan <i>Objective 1 - Healthy, Inclusive, Engaging, Objective 3 - Evolving, Prosperous, Innovative, Objective</i> and meets the Community Sponsorship funding priorities.</p> <p>Expected program outcomes 7.7.1 a); b); d); and 7.7.2 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
\$100,000	\$100,000	\$17,029	\$82,971
COMMUNITY GRANTS			
Budget	Balance	<i>Recommended funding in this report and \$1,000 in small grants program to CEO</i>	Remaining
\$102,000	\$102,00	\$18,157	\$83,843
MATCHING GRANTS			
Budget	Balance	<i>Recommended funding in this report</i>	Remaining
\$200,000	\$200,000	<i>Nil</i>	\$200,000
SUSTAINABLE ENVIRONMENT GRANTS*			
Budget	Balance	<i>Recommended funding in this report</i>	Remaining
\$75,000	\$75,000	<i>Nil</i>	\$75,000
COMBINED FUNDING BALANCE			
Combined Budget	Combined Balance	<i>Total recommended funding in this report</i>	Remaining
\$477,000	\$477,000	\$34,186	\$441,814

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. The Council's grant programs are targeted to ensure a lawful and consistent approach to its contributions and financial assistance. Key functions that are supported are Council's functions of providing goods, services, and facilities, and conducting activities, appropriate to the current and future needs within the Liverpool local community and of the wider public, subject to the Local Government Act, the regulations, and any other law.
Risk	There is no risk associated with this report.

ATTACHMENTS

Nil

COM 02

Community Shuttle Bus Service

Strategic Objective	Healthy, Inclusive, Engaging Support an inclusive community by fostering access and equity for all
File Ref	227598.2023
Report By	Craig Lambeth - Acting Manager Community Recreation
Approved By	Tina Bono - Director Community & Lifestyle

EXECUTIVE SUMMARY

In 2010 Council established a Community Shuttle Bus service. The service was originally established to provide transport linkages from Collimore Park and Whitlam Leisure Centre parking for Council staff working in the Moore Street Offices. Later, access to the service was expanded to allow to access any member of the community.

At the September 2022 Council Meeting, Question Without Notice were raised that related to the intention to continue the Community Shuttle Bus service. In response, Council Officers have undertaken investigations to assess the current and predicted value of the shuttle bus service.

Those investigations indicated that the use of the Community Shuttle Bus service was impacted by the COVID-19 pandemic. To assess the current and future value of the shuttle bus services, Council canvassed the opinion of current staff and residents. The results of that survey are contained in the body of this report. The key outcomes of that survey indicated that 77% of the 113 respondents indicated their future intention to utilise the shuttle bus service.

In 2022/23, the recorded number of passenger trips was 12,818. Under the current Agreement, the annual cost to Council is \$118,000 per annum. Council has estimated that this equates to approximate subsidy of \$9.21 per individual passenger trip.

Assessment of passenger trips undertaken, post-Covid indicates some significant recovery in numbers from the previous years.

With the Council relocating its offices to Civic Place in 2024, and the subsequent increase in distance from the main commuter parking station at Collimore Avenue, it is expected that usage of the shuttle bus services will be impacted.

RECOMMENDATION

That Council:

1. That Council receives and notes this Report.
2. That Council supports the continuation of the community shuttle bus service for an additional 24 months; and
3. That a further report is presented to Council in early 2025 outlining usage of the shuttle bus service for further consideration

REPORT

Background

In 2010 Council established its shuttle bus services. While initially intended to support Council staff in the relocation of their workplace from Hoxton Park Rd to Moore Street, the service was expanded to provide public access.

Council outsources the delivery of this service to Big Bus Company. Broadly speaking, the shuttle bus service operates between Whitlam Leisure Centre and the Central CBD of Liverpool during peak commute times. The route of travel connects major commuter parking locations with workplace destinations within the CBD areas (refer below). Four (4) services are offered in the morning (between 7.30am and 9.00am) and between 3-4 services of the afternoon (between 4.00pm and 5.30pm) during weekdays. There are no services operating on weekends or public holidays.

The current bus service timetable and route are indicated below.

MORNING (DEPARTURE TIMES)				
Whitlam Centre, Memorial Ave	7:32	8:02	8:32	9:02
Collimore Park, Moore St	7:40	8:10	8:40	9:10
Liverpool City Council Offices, Moore St	7:44	8:14	8:44	9:14
TAFE, Corner of Bigge and Moore St	7:46	8:16	8:46	9:16
Liverpool Hospital, Elizabeth St	7:48	8:18	8:48	9:18
Westfield, Elizabeth St	7:50	8:20	8:50	9:20
Liverpool City Council Offices, George St	7:52	8:22	8:52	9:22
George St before Scott St (Bus Stop)	7:54	8:24	8:54	9:24
Whitlam Centre, Memorial Ave	8:00	8:30	9:00	9:30

AFTERNOON (DEPARTURE TIMES)				
TAFE, Corner of Bigge and Moore St	-	16:34	17:04	17:34
Liverpool Hospital, Elizabeth St	-	16:36	17:06	17:36
Westfield, Elizabeth St	-	16:38	17:08	17:38
Liverpool City Council Offices, George St	16:10	16:40	17:10	17:40
George St before Scott St (Bus Stop)	16:12	16:42	17:12	17:42
Collimore Park, Moore St	16:16	16:46	17:16	17:46
Whitlam Centre, Memorial Ave	16:18	16:48	17:18	17:48



Current Contract

Council entered the current contract with Big Bus Company in 2020 for an initial twelve (12) months with an additional 12-month option, expiring December 2022. The contract extension was awarded in 2022 to allow for broader community and staff consultation.

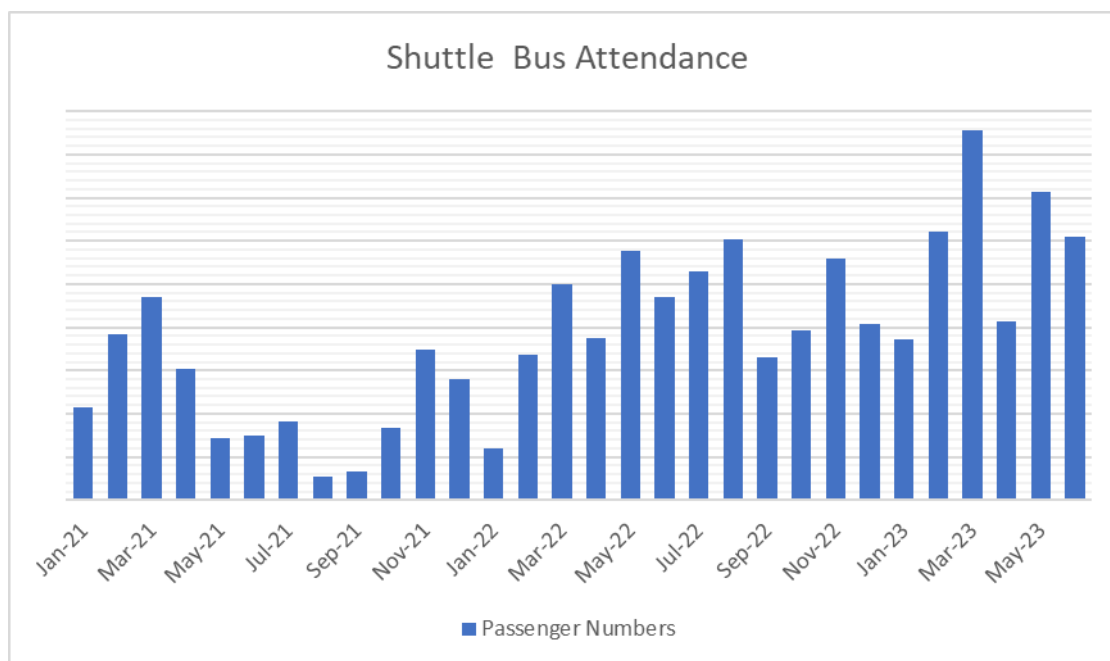
The contract with Big Bus company for shuttle bus services expires in December 2023. Council needs to commence the processes of assessing the value of the community bus services to allow for adequate lead-in time for execution of tendering processes if services are to be continued.

The costs to Council for these services is \$118,000 per year (paid bi-annually).

Usage and Demand

Passenger numbers are reported by the current operator each month. In undertaking an assessment of the uptake of the Shuttle Bus Services since January 2021:

- In the 12 months 2022-23, Big Bus Company have provided passenger reports indicating that 12,818 passengers utilised the service throughout 2022-23 financial year. This is a marked increase from the COVID affected period of 2021-22 that attracted 6,955 passengers.
- There are higher volumes of passenger trips throughout the morning bus timetable than the evening timetable.
- The current typical number of passenger trips is approximately 30 persons per day throughout the morning and 18 throughout the evening.
- The subsidy payable by Council regarding this service is approximately \$9.21 per trip.



In June 2023 Council canvassed internal staff and public opinion on awareness, usage and intended use of the Shuttle Bus Service. The Survey Monkey Survey was live throughout

the Month of June and was published on Council's social media pages, as well as through the Council internal communications directly to staff.

Key findings from the survey results are indicated below:

- 113 responses to the survey were received and reflects a large enough sample size to conclude that the responses are a reasonable reflection of staff and commuters.
- 71% of respondents indicated that they were aware of the shuttle bus service. While this may indicate high levels of awareness of the survey, it may also indicate a bias in respondents to those that have a vested interest in the shuttle bus usage.
- 80% of respondents were aged between 25 and 54 years of age. Only 3% of users were over the age of 65 years. It is not possible to conclude that the responses reflect older residents.
- 75% of respondents identified as being female. This reflects the anecdotal data provided by Big Bus company that indicates greater usage by females than males.
- 7% of respondents identified as having a disability noting that a further 9% did not disclose.
- 80% used the Shuttle bus service to travel to/from work. This likely reflects the substantial bias in responses from Council staff.
- Of the responses received, 48% indicated that they had never used the service, however 38% indicated that they are frequent users of the service (either once per week or greater). Significantly, 23% indicated that every day (or almost every day) use.
- 42% had indicated that they last used the shuttle bus service within the 30 days prior to completing the survey; and
- 77% indicated an intention to continue to use the Shuttle Bus service.

Conclusion:

It is likely that uptake of the community shuttle bus service reflects some continued impact from COVID-19. The continuation of work from home arrangements (either in full or part), and a slow return in consumer confidence in public transport will likely have a long-term impact on demand for shuttle bus services.

While the number of passenger trips has increased substantially from the COVID period of 2021-22 to current (84%), the average cost to Council per passenger trip is approximately \$9.21 (estimated as being approximately \$15.73 per individual commuter).

However, it is anticipated, with the relocation of Council offices in Civic Place planned for January 2024, and the subsequent increase in distance and travel time from Collimore parking, it is likely that an impact on shuttle bus usage will result, the extent to which is not yet known. A subsequent review will be undertaken in 18 months' time with a further report provided for Council consideration.

FINANCIAL IMPLICATIONS

Costs associated with this recommendation have been included in Council's budget for the current year and long-term financial plan.

	2023/24	2024/25	2025/26
Operating budget / LTFP impact	\$118,000	\$124,000	\$131,000

CONSIDERATIONS

Economic	<p>Further develop a commercial centre that accommodates a variety of employment opportunities.</p> <p>Deliver and maintain a range of transport related infrastructure such as footpaths, bus shelters and bikeways.</p> <p>Provide efficient parking for the City Centre.</p>
Environment	<p>Promote an integrated and user-friendly public transport service.</p> <p>Support the delivery of a range of transport options.</p>
Social	<p>Support access and services for people with a disability.</p>
Civic Leadership	<p>There are no civic leadership and governance considerations.</p>
Legislative	<p>Include any relevant legislation and section here.</p> <p>There are no legislative considerations relating to this report.</p>

Risk	There is no risk associated with this report.
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ATTACHMENTS

Nil

COM 03

Proposed redesign of Liverpool District Forums

Strategic Objective	Healthy, Inclusive, Engaging Communicate, listen, engage and respond to the community by encouraging community participation
File Ref	229708.2023
Report By	Jacqueline Newsome - Coordinator Community Development
Approved By	Tina Bono - Director Community & Lifestyle

EXECUTIVE SUMMARY

The Liverpool District Forums (the Forums) are a key consultative mechanism for Council. Currently divided into four districts – 2168, Eastern, New Release/Established and Rural – the forums are intended to provide an opportunity for community members to engage with Council on issues that concern them. Each forum is chaired by a designated Councillor and is attended by relevant Council personnel including Council officers, Managers and Executive staff.

The regular forums in their current format have not been presenting a reasonable return on investment for some time. Forums held between 2021 – 2023 have not been effective in achieving Councillor, Council and resident goals and have not been well attended, either in person or online. For the period February 2021 – present, the regular forums have attracted a total attendance of 343 residents across 41 forums. Moreover, in most cases the same handful of residents are attending each forum, suggesting that the number of actual individual engagements across this period is much lower.

This report outlines a proposed redesign of the Liverpool District Forums to better reflect Council's ongoing commitment to flexible, responsive, and meaningful community engagement.

RECOMMENDATION

That Council:

1. Receive and note this report; and
2. Endorse the proposed redesign of the Liverpool District Forums as outlined in this report to better reflect Council's ongoing commitment to flexible, responsive, and meaningful engagement with the Liverpool community.

REPORT

Background

The Liverpool District Forums (the forums) are a key consultative mechanism for Council. Currently divided into four districts – 2168, Eastern, New Release/Established and Rural – the forums are intended to provide an opportunity for community members to engage with Council on issues that concern them. Each forum is chaired by a designated Councillor and is attended by relevant Council personnel including Council officers, Managers and Executive staff.

The forums were established to provide a consultative mechanism where the Council could engage with the community on key issues and matters which affect them such as local planning decisions and Council programs, initiatives, and services. They also provided an opportunity for external bodies, including state and federal government agencies, to engage with the Liverpool community. Several exemplar forums have been delivered through this process, including:

- Middleton Grange Town Centre planning proposal in 2019 – approximately 600 attendees.
- Aerotropolis planning in the Rural District in 2019 – approximately 400 attendees.
- Edmondson Park information session in 2019 – approximately 300 attendees.
- Moorebank planning in 2020 – approximately 200 attendees; and
- Cecil Hills and Austral Community Forums held in December 2022 that were chaired by the Mayor – approximately 50-70 attendees at each session.

These forums were all driven by community feedback and requests for information about specific issues. They addressed known “hot button” topics for residents based on previous conversations, social media posts and correspondence with Council. As a result, community engagement in these forums was high, which represented an excellent return on investment.

Internal review and evaluation of efficacy

As noted above, the regular forums in their current format have not been presenting a reasonable return on investment for some time. Forums held between February 2021 – present have not been effective in achieving Councillor, Council and resident goals and have not been well attended either in person or online. In contrast to the more specific, exemplar forums noted above, the regular forums have attracted a total attendance of 343 residents across 41 forums. Moreover, in most cases the same handful of residents are attending each forum, suggesting that the number of actual individual engagements across this period is much lower.

An internal review of the current format of the District Forums, conducted by Community Development and Communications, has found that:

- Forums are not well attended, with as few as two and a maximum of 18 resident attendees on each occasion.
- On many occasions, Councillors and Council staff outnumber residents in terms of attendees.
- The forums lack diverse representation, often seeing the same handful of residents attending each forum and failing to attract and represent a broad cross section of the community.
- Forum agendas are often overridden by resolvable issues – potholes, general maintenance and amenity, illegal dumping – which are more attuned to general customer service requests; and
- When considering financial cost factors such as staff time and resources (including the accrual of Time in Lieu/flex leave and/or paid overtime), coordination of venues and catering, and pre- and post-meeting business paper preparation, each forum attracts an average cost of \$3,000 - \$4,000 to deliver.

This review indicates that the current model of delivery for the forums does not represent value for money for the Council and is a source of frustration for Councillors, staff and residents who are not achieving their goals of engagement.

Proposed redesign of Forums

Well-designed forums present an opportunity for meaningful and successful engagement with residents in the community. When effective, they can provide valuable intelligence on community concerns and deliver practical solutions.

It is proposed that the Forums be redesigned in a manner that better reflects the purpose of the engagement – to seek input from residents about community concerns. The objectives of the redesigned forums include:

- Purposeful in meeting the engagement needs of the community and Council.
- Mindful of the diverse stakeholders in Liverpool and the need to reflect that in attendance.
- Accountable in providing genuine feedback to the community on issues raised at forums; and
- Incorporate feedback forms capturing resident concerns and ideas on how to continuously improve the forums and Council engagement more broadly.

To achieve these objectives, the proposed model of delivery includes:

- A shift away from the current “district” model of forums to a North and South Ward format, with four forums held in each Ward annually (total of eight forums per year).
- Forum agendas include critical and strategic-based items, providing an opportunity for consultation with community on broad Council projects and activities.
- Forums are less formal, driven by community feedback and provide an opportunity for residents to raise concerns and issues relevant to their local area; and
- Attendance by relevant Directors and executive staff to support greater responsiveness to issues and more immediate resolution to questions and concerns from residents.

An example of the format for these redesigned forums is:

- A rotating, “quick conversation” opportunity between Council Directors and community stakeholders – 5 minutes per individual for a 30-minute period.
- Presentations by Council and/or other relevant stakeholders (such as Police, planning authorities, development updates) on “hot topics” within the community.
- “Q&A” session with Councillors, Directors, and relevant stakeholders; and
- Networking between community, Councillors and Directors.

These flexible and dynamic forums would form part of Council’s broad community engagement program, which includes social media and other channels (print and digital media, radio and television), community consultation on specific plans and activities (such as the recent consultation on the Delivery Program and Operational Plan), public exhibition processes and surveys, major public events, smaller scale activations such as the upcoming Food Truck Weekends, community events which acknowledge dates of significance such as Sorry Day

and International Day of People with Disability, sector-specific inter-agencies and networks, and ad hoc pop up engagement opportunities.

Promotion of Forums

Council will employ a variety of promotional mechanisms to encourage greater participation by a broader cross section of the community and improve overall resident attendance. Alongside general promotional activities through social media and public advertising channels, an unaddressed mail out/letter box drop will occur, inviting all residents within the Ward to attend prior to each forum. The mailouts will include an overview of agenda items to be discussed at the upcoming forum.

Business unit delivery options

It is anticipated that responsibility for the delivery of Forums would sit with Council's Communications team under a newly designed engagement team, with support from various other departments including Councillor and Executive Services and Community Development. This redesign has been completed as part of phase two of the organisational restructuring.

Conclusion

The Liverpool District Forums are designed to reflect the Council's commitment to engaging with residents to understand their issues and concerns and build a better Liverpool for all community members. However, the current format of the Forums is failing to achieve the desired outcomes and meet this commitment.

By redesigning the forums in a manner that is more flexible, responsive, and meaningful, the Council can be assured that its engagement with the community is effective, represents good value and is supporting continuous improvement.

Recommendation

It is recommended that the Council endorse the proposed redesigned model of Forum delivery as outlined in this report. Should the Council endorse this position, it is envisaged that the redesigned Forums would commence in September/October 2023.

As part of this redesigned model of forum delivery, specific forums and engagement opportunities can be delivered at the request of Councillors.

FINANCIAL IMPLICATIONS

Costs associated with this recommendation have been included in Council's budget for the current year and long-term financial plan.

CONSIDERATIONS

Economic	There are no economic and financial considerations.
Environment	There are no environmental and sustainability considerations.
Social	There are no social and cultural considerations.
Civic Leadership	<p>Undertake communication practices with the community and stakeholders across a range of media.</p> <p>Foster neighborhood pride and a sense of responsibility.</p> <p>Encourage the community to engage in Council initiatives and actions.</p> <p>Provide information about Council's services, roles and decision-making processes.</p> <p>Deliver services that are customer focused.</p>
Legislative	There are no legislative considerations relating to this report.
Risk	There is no risk associated with this report.

ATTACHMENTS

Nil

CORP 01

Investment Report June 2023

Strategic Objective	Visionary, Leading, Responsible Ensure Council is accountable and financially sustainable through the strategic management of assets and resources
File Ref	218837.2023
Report By	Vishwa Nadan - Chief Financial Officer
Approved By	Farooq Portelli - Director Corporate Support

EXECUTIVE SUMMARY

This report details Council's investment portfolio and its performance at 30 June 2023. Key highlights include:

- Council held investments with a market value of \$446 million.
- The Reserve Bank of Australia (RBA)'s official cash rate is at 4.10 per cent.
- The portfolio yield (for the year to June 2023) was 49 basis points above the benchmark (AusBond Bank Bill Index)

	AusBond Bank Bill Index (ABBI)
Benchmark	2.89%
Portfolio yield	3.38%
Performance above benchmark	0.49%

- Year-to-date, Council's investment income was \$9.14 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 \$422 thousand below face value. Council's investment advisor (Amicus Advisory) continues to review Council's investment in MBSs and recommends Council continue to hold its investments in the Class A and both Class C securities. There is significant uncertainty associated with these investments, however presently the investment advisor believes there is, on balance, more upside opportunity than downside risk. This is subject to ongoing regular review. MBSs are no longer rated.

- Council's investments and reporting obligations fully complied with the requirements of section 625 of the *Local Government Act 1993* and section 212 of the *Local Government (General) Regulation 2021*.
- Council's portfolio also fully complied with limits set out in its current Investment Policy, noting the exception applicable to MBSs (as investment in them pre-dates the current Investment Policy).
- Council is committed to NSW TCorp's balanced investment framework and held 19.20 per cent of its portfolio in ADIs rated BBB and below.

RECOMMENDATION

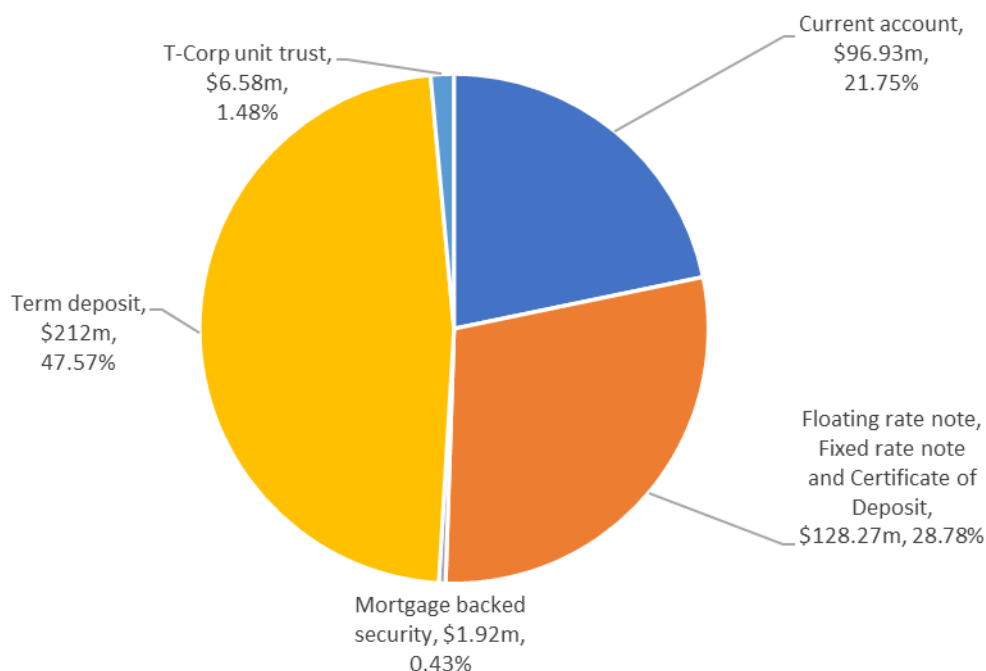
That Council receive and note this report.

REPORT

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

Council's portfolio

At 30 June 2023, Council held investments with a market value of \$446 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:



CORPORATE SUPPORT REPORT

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

Asset class	Jun-23	May-23	Jun-22
Senior debts (FRNs ,TCDs & FRBs)*	98.25%	98.59%	98.62%
MBS (Reverse mortgage-backed securities)	82.02%	81.60%	76.53%
T-Corp unit trusts	107.38%	105.37%	103.12%

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

Mortgaged-backed securities

Council's investment advisor (Amicus Advisory) 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, Amicus has assessed that both Class C securities are likely to eventually default. However, Council will continue to receive interest up until default which is likely to be many years in the future. Fitch Rating Agency has decided to withdraw its rating on MBSs and as a result, Council's investments in these securities are now classed as non-rated. Year-to-date, Council's investment in MBSs are valued at \$422 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	96,930,883	21.75%			
Term deposits < 1 year	162,000,000	36.35%			
T-Corp unit trust	6,577,680	1.48%			
Tradeable securities	128,266,286	28.78%			
Portfolio % < 1 year (Short term liquidity)	393,774,849	88.35%	30%	100%	Yes
Term deposit > 1 year < 3 years	50,000,000	11.22%	0%	70%	Yes
Grand fathered securities	1,926,027	0.43%	N/A	N/A	Yes
Portfolio % (Medium term liquidity)	51,926,027	11.65%			Yes
Total portfolio	445,700,875	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	22,332,520	5.01%	15%	Yes
ANZ Banking Group Ltd	AA-	17,548,048	3.94%	35%	Yes
Australian Unity Bank	BBB+	4,000,000	0.90%	15%	Yes
Bendigo & Adelaide Bank Ltd	BBB+	2,637,446	0.59%	15%	Yes
Bank of Nova Scotia	A+	2,500,548	0.56%	25%	Yes
Bank of Queensland Ltd	BBB+	29,109,247	6.53%	15%	Yes
Citibank Australia Ltd	A+	999,591	0.22%	25%	Yes
Commonwealth Bank of Australia Ltd	AA-	133,819,998	30.02%	35%	Yes
Emerald Reverse Mortgage Trust (Class A)	Unrated	774,700	0.17%	5%	Yes
Emerald Reverse Mortgage Trust (Class C)	Unrated	1,151,327	0.26%	5%	Yes
Great Southern Bank	BBB	5,500,058	1.23%	15%	Yes
HSBC Sydney Branch	AA-	5,007,984	1.12%	35%	Yes
ING Direct	A	1,588,763	0.36%	25%	Yes
Macquarie Bank	A+	17,383,278	3.90%	25%	Yes
Members Equity Bank Ltd	BBB	5,000,000	1.12%	15%	Yes
National Australia Bank Ltd	AA-	85,217,635	19.12%	35%	Yes
Northern Territory Treasury	AA-	15,000,000	3.37%	35%	Yes
NSW Treasury Corporation	Unrated	6,577,680	1.48%	5%	Yes
Police Credit Union	Unrated	2,000,000	0.45%	5%	Yes
P&N Bank	BBB	5,000,000	1.12%	15%	Yes
Rabobank Australia Ltd	A+	4,192,541	0.94%	25%	Yes
RACQ Bank	BBB+	1,494,972	0.34%	15%	Yes
Sumitomo Mitsui Banking	A	3,978,368	0.89%	25%	Yes
Suncorp Bank	A+	9,082,174	2.04%	25%	Yes
UBS AG	A+	2,268,182	0.51%	25%	Yes
Westpac Banking Corporation Ltd	AA-	61,535,815	13.81%	35%	Yes
Portfolio Total		445,700,875	100.00%		

Credit rating policy limit compliance

Credit rating	Market value	% Portfolio	Maximum policy limit	Complies to Investment policy "Yes/No"
AA Category	319,718,242	71.73%	100%	Yes
A Category	40,404,684	9.07%	60%	Yes
BBB Category	75,074,243	16.84%	45%	Yes
Unrated	10,503,707	2.36%	10%	Yes
Total Portfolio	445,700,875	100.00%		

Compliance with Investment policy – In summary

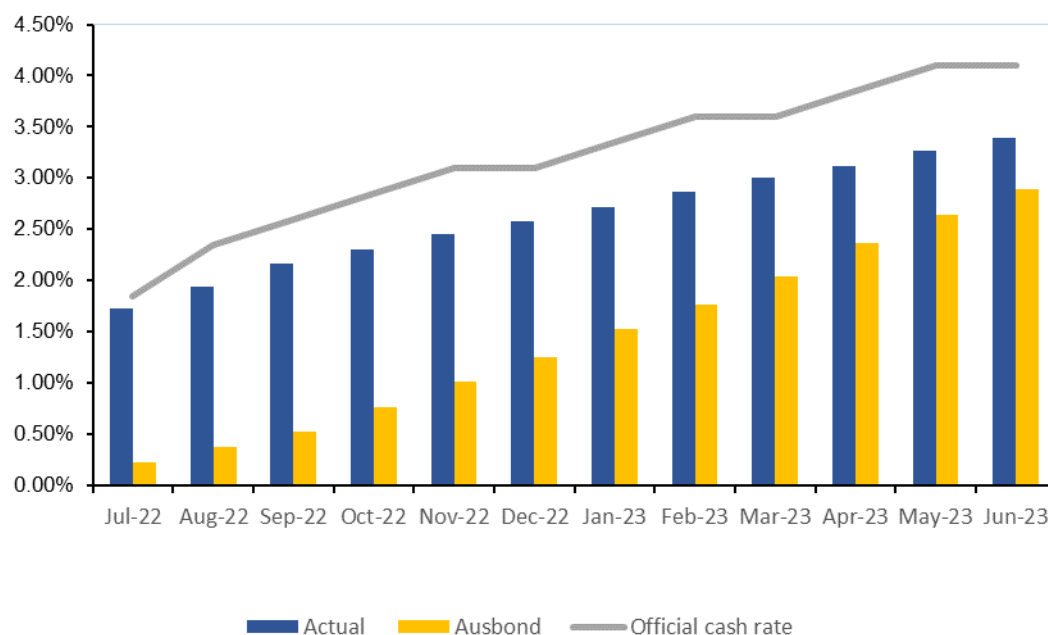
Legislative requirements	✓	Fully compliant, noting exception applicable to grandfathered mortgaged-backed investments.
Portfolio credit rating limit	✓	Fully compliant
Institutional exposure limits	✓	Fully compliant
Overall portfolio credit limits	✓	Fully compliant
Term to maturity limits	✓	Fully compliant

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 portfolio yield for the year to June 2023 exceeded the ABBI index by 49 basis points (portfolio yield: 3.38%; ABBI: 2.89%).

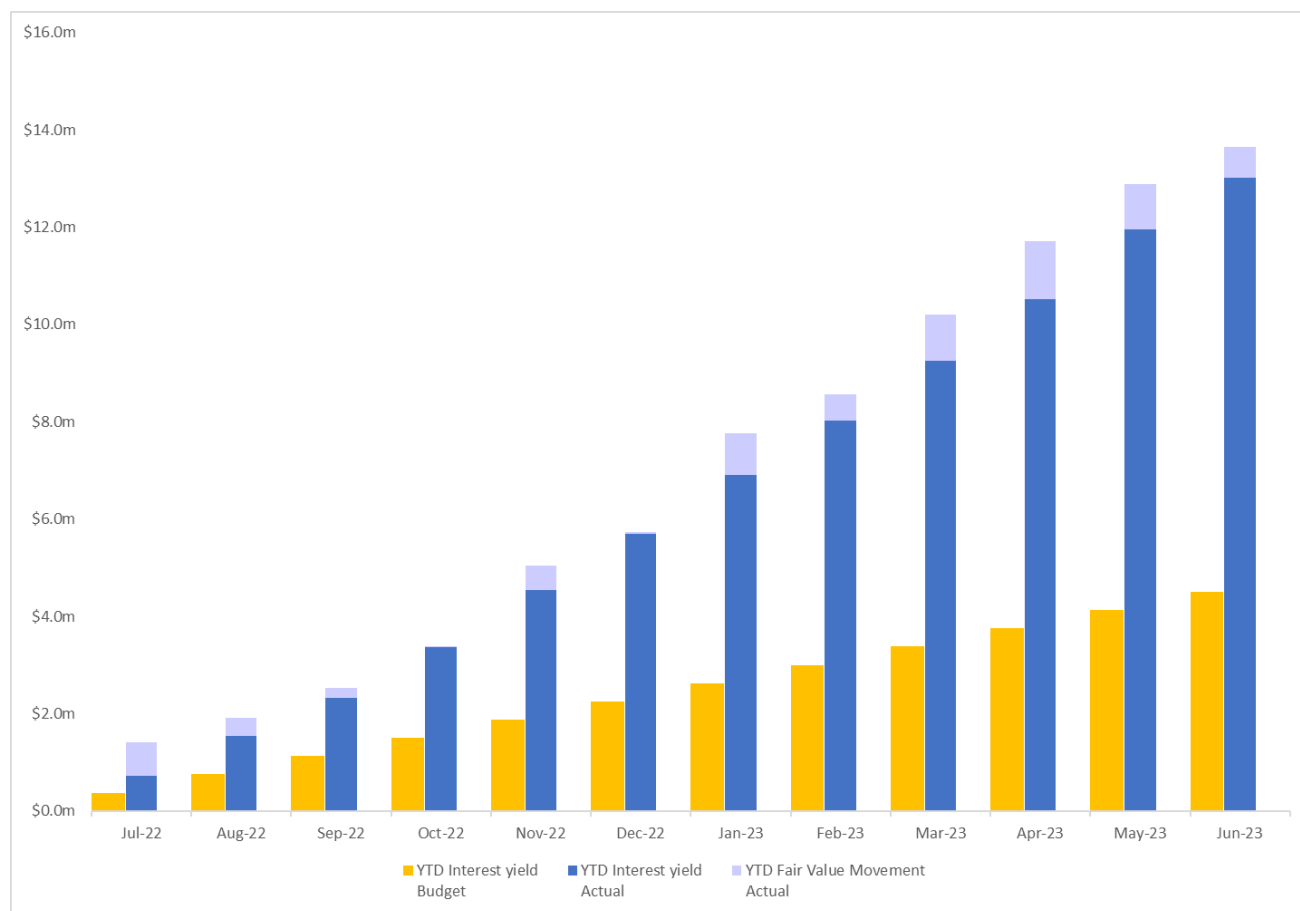
Comparative yields for the previous months are charted below:



Performance of portfolio returns against budget

Year-to-date, Council's investment income was \$9.14 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	\$4.50m	\$13.02m	\$8.52m
Fair value market movement	\$0.00m	\$0.62m	\$0.62m
Total	\$4.50m	\$13.64m	\$9.14m



▪ **Economic outlook – Reserve Bank of Australia**

The Reserve Bank of Australia has increased the official cash rate to 4.10 per cent in its meeting on 04 July 2023.

Certificate of Responsible Accounting Officer

The Chief Financial Officer, as Responsible Accounting Officer, certifies that the investments listed in the attached report have been made in accordance with section 625 of the *Local Government Act 1993*, section 212 of the *Local Government (General) Regulation 2021* and Council's Investment Policy at the time of their placement. The previous investments are covered by the grandfathering clauses of the current investment guidelines issued by the Minister for Local Government.

CONSIDERATIONS

Economic	Council's investment income was \$9.14 million higher than the original budget at 30 June 2023.
Environment	There are no environmental and sustainability considerations.
Social	There are no social and cultural considerations.
Civic Leadership	There are no civic leadership and governance considerations.
Legislative	<p>Local Government Act 1993, section 625</p> <p>Local Government (General) Regulation 2021, section 212</p> <p>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>.</p>
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 2023



Portfolio Valuation As At 30 June 2023

Fixed Interest Security	Maturity Date	Rating	Current	Market Value	Total	Yield
Current Account						
CBA Business Saver		AA-	68,137,724.32	68,137,724.32	15.29%	4.20%
CBA General Account		AA-	1,083,831.75	1,083,831.75	0.24%	0.00%
AMP Business Saver		BBB	2,451,664.45	2,451,664.45	0.55%	2.10%
AMP Notice Account		BBB	14,880,855.65	14,880,855.65	3.34%	4.70%
Macquarie Bank Accelerator Account		A+	10,376,806.65	10,376,806.65	2.33%	3.61%
			96,930,882.82	96,930,882.82	21.75%	
Fixed Rate Bond						
Commonwealth Bank	14/01/2027	AA-	5,000,000.00	4,568,961.55	1.03%	2.40%
Bank of Queensland	27/10/2026	BBB+	4,750,000.00	4,242,400.61	0.95%	2.10%
Bank of Queensland	29/10/2025	BBB+	4,000,000.00	3,866,846.53	0.87%	4.00%
Bendigo & Adelaide Bank	17/03/2025	BBB+	2,750,000.00	2,637,445.64	0.59%	3.00%
UBS AG	26/02/2026	A+	2,550,000.00	2,268,182.31	0.51%	1.10%
ING Direct	19/08/2026	A	1,800,000.00	1,588,762.71	0.36%	1.10%
NAB	25/02/2027	AA-	4,500,000.00	4,175,724.22	0.94%	2.90%
Suncorp	25/01/2027	A+	4,500,000.00	4,081,736.85	0.92%	2.50%
			29,850,000.00	27,430,060.40	6.15%	
Floating Rate Note						
ANZ Bank	06/12/2023	AA-	7,000,000.00	7,013,333.26	1.57%	5.08%
ANZ Bank	29/08/2024	AA-	5,000,000.00	5,011,309.37	1.12%	4.72%
ANZ Bank	16/01/2025	AA-	3,000,000.00	3,008,545.17	0.68%	4.42%
ANZ Bank	31/03/2028	AA-	2,500,000.00	2,514,860.36	0.56%	5.41%
Citibank, N.A.	14/11/2024	A+	1,000,000.00	999,591.40	0.22%	4.78%
Commonwealth Bank	16/08/2023	AA-	7,500,000.00	7,497,436.71	1.68%	4.84%
Commonwealth Bank	11/01/2024	AA-	9,500,000.00	9,532,043.27	2.14%	4.78%
Credit Union Australia	24/10/2024	BBB	2,500,000.00	2,500,058.07	0.56%	4.80%
HSBC	27/09/2024	AA-	3,000,000.00	3,004,790.60	0.67%	5.13%
HSBC	27/09/2024	AA-	2,000,000.00	2,003,193.74	0.45%	5.13%
Macquarie Bank	07/08/2024	A+	4,000,000.00	4,005,229.90	0.90%	4.68%
Macquarie Bank	12/02/2025	A+	3,000,000.00	3,001,241.29	0.67%	4.73%
NAB	26/09/2023	AA-	8,000,000.00	8,006,666.15	1.80%	5.25%
NAB	26/09/2023	AA-	4,000,000.00	4,003,333.08	0.90%	5.25%
NAB	26/02/2024	AA-	5,000,000.00	5,015,880.88	1.13%	4.99%
NAB	19/06/2024	AA-	4,000,000.00	4,016,030.23	0.90%	5.24%
Rabobank Australia Branch	27/01/2027	A+	2,700,000.00	2,682,095.89	0.60%	4.39%
Rabobank Australia Branch	19/01/2028	A+	1,500,000.00	1,510,445.31	0.34%	4.86%
RACQ Bank	24/02/2026	BBB+	1,500,000.00	1,494,971.81	0.34%	5.42%
ScotiaBank	07/09/2023	A+	2,500,000.00	2,500,548.40	0.56%	5.16%
Suncorp	30/07/2024	A+	3,000,000.00	3,000,262.35	0.67%	4.46%
Suncorp	30/07/2024	A+	2,000,000.00	2,000,174.90	0.45%	4.46%
Sumitomo Mitsui Banking	20/01/2027	A	4,000,000.00	3,978,368.43	0.89%	4.47%
Westpac	16/11/2023	AA-	6,000,000.00	6,007,666.20	1.35%	4.86%
Westpac	24/04/2024	AA-	4,000,000.00	4,019,582.73	0.90%	4.82%
Westpac	16/08/2024	AA-	2,500,000.00	2,508,566.18	0.56%	4.79%
			100,700,000.00	100,836,225.65	22.62%	

Mortgage Backed Security

EmeraldMBS2006-1A	21/08/2051	Unrated	848,114.99	774,699.74	0.17%	4.37%
EmeraldMBS2006-1C	21/08/2056	Unrated	1,000,000.00	790,276.43	0.18%	5.12%
EmeraldMBS2007-1C	23/07/2057	Unrated	500,000.00	361,050.61	0.08%	4.63%
			2,348,114.99	1,926,026.78	0.43%	

Term Deposit

AMP	04/12/2023	BBB	2,000,000.00	2,000,000.00	0.45%	3.30%
AMP	17/07/2023	BBB	3,000,000.00	3,000,000.00	0.67%	4.00%
Australian Unity Bank	25/08/2023	BBB	4,000,000.00	4,000,000.00	0.90%	3.40%
Bank of Queensland	22/12/2023	BBB+	5,000,000.00	5,000,000.00	1.12%	1.20%
Bank of Queensland	28/03/2024	BBB+	3,000,000.00	3,000,000.00	0.67%	2.40%
Bank of Queensland	31/05/2024	BBB+	3,000,000.00	3,000,000.00	0.67%	3.72%
Bank of Queensland	17/07/2023	BBB+	10,000,000.00	10,000,000.00	2.24%	4.10%
Commonwealth Bank	17/07/2023	AA-	10,000,000.00	10,000,000.00	2.24%	4.25%
Commonwealth Bank	28/03/2024	AA-	3,000,000.00	3,000,000.00	0.67%	2.43%
Commonwealth Bank	22/11/2023	AA-	5,000,000.00	5,000,000.00	1.12%	4.19%
Commonwealth Bank	12/12/2024	AA-	10,000,000.00	10,000,000.00	2.24%	4.63%
Commonwealth Bank	13/01/2025	AA-	5,000,000.00	5,000,000.00	1.12%	4.63%
Commonwealth Bank	27/11/2025	AA-	10,000,000.00	10,000,000.00	2.24%	4.60%
Great Southern Bank	23/04/2024	BBB	3,000,000.00	3,000,000.00	0.67%	5.12%
Members Equity Bank	22/12/2023	BBB	5,000,000.00	5,000,000.00	1.12%	1.20%
NAB	30/05/2024	AA-	5,000,000.00	5,000,000.00	1.12%	5.02%
NAB	14/07/2023	AA-	5,000,000.00	5,000,000.00	1.12%	4.10%
NAB	20/10/2023	AA-	5,000,000.00	5,000,000.00	1.12%	4.51%
NAB	30/05/2024	AA-	5,000,000.00	5,000,000.00	1.12%	3.49%
NAB	13/09/2024	AA-	5,000,000.00	5,000,000.00	1.12%	1.10%
NAB	08/09/2025	AA-	5,000,000.00	5,000,000.00	1.12%	0.82%
NAB	17/07/2023	AA-	30,000,000.00	30,000,000.00	6.73%	4.10%
Northern Territory Treasury	16/12/2024	AA-	5,000,000.00	5,000,000.00	1.12%	1.00%
Northern Territory Treasury	15/12/2025	AA-	5,000,000.00	5,000,000.00	1.12%	1.20%
Northern Territory Treasury	15/12/2026	AA-	5,000,000.00	5,000,000.00	1.12%	1.50%
Police Credit Union SA	16/08/2023	Unrated	2,000,000.00	2,000,000.00	0.45%	0.65%
P&N Bank	22/12/2023	BBB	5,000,000.00	5,000,000.00	1.12%	1.20%
Westpac	22/12/2023	AA-	10,000,000.00	10,000,000.00	2.24%	1.25%
Westpac	03/10/2023	AA-	2,000,000.00	2,000,000.00	0.45%	4.20%
Westpac	17/10/2023	AA-	5,000,000.00	5,000,000.00	1.12%	4.44%
Westpac	20/10/2023	AA-	8,000,000.00	8,000,000.00	1.79%	4.57%
Westpac	20/11/2023	AA-	10,000,000.00	10,000,000.00	2.24%	4.60%
Westpac	25/03/2024	AA-	3,000,000.00	3,000,000.00	0.67%	2.39%
Westpac	31/05/2024	AA-	5,000,000.00	5,000,000.00	1.12%	3.54%
Westpac	21/08/2023	AA-	6,000,000.00	6,000,000.00	1.35%	3.96%
			212,000,000.00	212,000,000.00	47.57%	
Total			441,828,997.81	439,123,195.65	98.52%	

T-Corp

NSWTC IM Long Term Growth Fund	Unrated	6,125,337.88	6,577,679.84	1.48%
		6,125,337.88	6,577,679.84	1.48%
Total		441,828,997.81	439,123,195.65	98.52%
Portfolio Total		447,954,335.69	445,700,875.49	100.00%

CORP 02

Governance Committee Pilot and Structure

Strategic Objective	Visionary, Leading, Responsible Demonstrate a high standard of transparency and accountability through a comprehensive governance framework
File Ref	219922.2023
Report By	Jessica Saliba - Acting Manager Council & Executive Services
Approved By	Farooq Portelli - Director Corporate Support

EXECUTIVE SUMMARY

On 1 March 2023 Council resolved to pilot a Governance Committee made up of the following;

Infrastructure and Planning;
Budget;
Strategic Priorities; and
Strategic Performance.

These committees were to operate as advisory committees with all recommendations to be deferred to Council for endorsement.

These committees have successfully operated over the last three months.

RECOMMENDATION

That Council:

1. Endorse to continue to operate the Governance Committees in line with the attached charter; and
2. Council determines that the Governance Committees will convene once a month on the third Tuesday of every month and that the minutes go to the following month Council meeting.

REPORT

The first Governance Committee meeting took place in April 2023 with a further two consecutive meetings in May and June. The meetings take place on every third Tuesday of the month.

The committee agenda is published on the council website and the minutes are tabled at the following council meeting. Currently the minutes are being published as an addendum every month. This is not seen as good practice, as all items that need to be considered at a Council meeting should be tabled with the full agenda a week prior to the meeting to allow the councillors with enough time to consider the minutes and recommendations.

To create further efficiencies the Governance Committee and the Councillor Briefing can now be held on the same day in the following manner;

- The Governance Committee commencing at 10am on the third Tuesday of every month with the Council briefing agenda items to follow the last item discussed in the committee;
- The Committee agenda and minutes are published on the Council website to ensure the Council is being transparent; and
- The minutes are tabled at the following month Council meeting to allow the minutes to be included in the full Council agenda giving the Mayor and Councillors sufficient time to review and understand the minutes.

A copy of the adopted Governance Advisory Committee charter has been attached to this report.

As the Committee continues to operate any further feedback or changes that need to be made will be tabled at the next available Council meeting.

The Committee will be reviewed after the next council election being September 2024.

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	Operate a well-developed governance system that demonstrates accountability, transparency and ethical conduct.
Legislative	Code of Meeting Practice
Risk	There is no risk associated with this report.

ATTACHMENTS

1. Governance Committee Charter



GOVERNANCE ADVISORY COMMITTEES CHARTER

Adopted: 1 March 2023

TRIM: 389910.2022-001



Governance Advisory Committees Charter

DIRECTORATE: Office of the CEO

BUSINESS UNIT: Council & Executive Services

1. OBJECTIVES

The objective of the Governance Advisory Committees is to provide a mechanism by which Council, staff or experts can have an active role in the provision of services and overseeing the key functions of Council. This assists Council in providing governance and insights with respect to the delivery and outcomes of its functions.

2. INTERPRETATION

For the purpose of this Charter:

- a) "Act" means the *Local Government Act 1993*
- b) "Charter" means the Governance Advisory Committees Charter
- c) "Committee" means the Governance Advisory Committees
- d) "CEO" means the Chief Executive Officer
- e) "Governing Body" means the elected representatives of Council (Councillors)
- f) "Member" means a voting member of the committee
- g) Governance Committees is the collective word for all the Committees pertaining to this Charter with the exceptions of the Audit, Risk and Improvement Committee which is dealt with separately.

3. STATUS OF COMMITTEE

The Committee is an advisory body tasked with providing advice and recommendations to the Council.

4. FUNCTIONS AND PURPOSE

This Charter covers the following Committees;

Budget Committee

To coordinate the strategic financial planning of Council and to develop the long-term financial plan and operational budgets to support the delivery of infrastructure and services to the community.

Infrastructure and Planning Committee

To oversee Council's Asset and project management this includes but not limited to Councils asset management plan, asset renewals, design and upgrades, Developer contributions expenditure, Asset project and programme Governance and monitoring of major planning projects including the development and changes to its Planning instruments.

Strategic Priorities Committee

To oversee the delivery of Council priorities and special project, areas of economic development and City revitalisation, lobbying efforts by Council, and grant funding efforts.

Strategic Performance Committee

To oversee the setting, progress and realisation of Council's long term strategic direction through KPI monitoring, service and policy review and performance data. In addition to oversee community initiatives through the monitoring of Council's major events, culture, inclusion, support and recognition programs and initiatives.

Audit, Risk and Improvement Committee

Even though the Audit, Risk and Improvement Committee (ARIC) is a Governance Committee it has its own Charter as it is governed by the Act and the model charter from the Office of Local Government.

The function for each committee is defined in their respective schedules attached to this Charter (Schedules 1-4).

5. COMMITTEE SCHEDULING

5.1 The Committee shall meet monthly on a Tuesday. Dates of meetings will be determined annually by the Committee and referred back to Council.

5.2 Extraordinary meetings may be called by the Chairperson of the Committee in consultation with the CEO (or delegate).

5.3 The location, date and starting time for meetings will be advised on the agenda.

5.4 Committee meetings can only be held if three ordinary days' notice has been given to all members and Councillors.

Once all items of business are dealt with, the Chair will immediately commence the next Committee.

The Committees will be dealt with in the following order;

Infrastructure and Planning Committee;
Strategic Priorities;

Budget Committee; and
Strategic Performance.

6 OUTCOMES

The Committee aims to assist Council in achieving the outcomes as defined in their respective schedules attached to this Charter.

7 MEMBERSHIP

7.1 Councillor Representation:

The Mayor and all Councillors are members of the Governance Advisory Committees.

7.2 Council staff representation:

The CEO (or delegate) will be a member of the committees and shall assign relevant executive and other staff to the committees in an observer / advisory capacity.

7.3 Support Staff:

Administration support is provided for the preparation of the agendas, recording of the minutes and distribution of the agenda and business papers.

7.4 Chairperson and Deputy Chairperson:

7.4.1 The Mayor or delegate is to be the chair of the Committees.

7.4.2 The role of the Chairperson is to preside at the meetings of the committees. In the absence of the Chairperson, the delegated chairperson shall preside at the meeting.

7.4.3 If the Chairperson or the delegated Chairperson is not present at the time designated for the commencement of a meeting, the first business of the meeting must be the election of an acting Chairperson to preside at the meeting.

7.4.4 The election of a chairperson, delegated chairperson or acting chairperson must be conducted;

- a) By the CEO or, in his or her absence, an employee of Council designated by the CEO to conduct such an election; or
- b) If neither of them is present at the meeting – by the person who called the meeting or a person acting on his or her behalf.

8 COMMITTEE DELEGATIONS

The Committee has no delegation of authority to make decisions in its own right.

The Committee is able to investigate any activity that is within this charter and is able to seek Council information that relates to the functions of the committees.

9 TERM OF OFFICE

All Councillors will be members of the Governance Advisory Committees during their term of office as Councillors.

Governance Advisory Committees will be reviewed at the beginning of a new Council term.

10 QUORUM AND RECOMMENDATIONS

10.1 The quorum for a meeting of the Governance Advisory Committees will be six (6) Councillors.

10.2 Observers, visitors and non-voting members at the meeting do not form part of the quorum.

10.3 In the absence of a quorum 15 minutes after the advertised start of the meeting, the panel members present may discuss the agenda items although any recommendations made will not become formalised until they have been ratified at the next panel meeting with a quorum present.

10.4 Wherever possible, recommendations of the committee will be made on the basis of consensus, that is, when all members present agree. At the discretion of the chairperson, a vote may be called to resolve a matter. This may occur when consensus cannot be reached or in relation to a matter that is more significant in nature. In such cases, the matter will be resolved by a simple majority of those at the meeting, provided that there is a quorum present. In the event of a tied vote, the chairperson will exercise the deciding vote.

10.5 Committee recommendations are not binding on Council. To obtain Council endorsement, a committee recommendation must be reported to the Council for its decision.

10.6 A Committee member should notify the Committee chairperson of their planned absence from a meeting.

11 MEETINGS AND MEMBERS OF THE PUBLIC

11.1 Meetings of the Committee are normally not open to members of the public because meetings may involve information that would, if disclosed

- a) Confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business;

- b) Reveal commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it, or confer a commercial advantage on a competitor of Council.

11.1 Representatives of organisations or the general community may be invited by the Chairperson to address the Committee on matters on the agenda.

11.2 Relevant experts, stakeholders and community members may be invited to participate in the Committee from time to time, as determined by the Committee.

12 MEETING PRACTICE AND PROCEDURES

12.1 Unless otherwise specified in this charter, Committee meetings must be conducted in accordance with Council's Code of Meeting Practice.

12.2 The Committee must observe the provisions of any other relevant Council policies and procedures.

12.3 Minutes of meetings must be kept in accordance with the procedures set out in Council's Code of Meeting Practice.

12.4 The minutes of each Committee meeting will be submitted to the next available meeting of Council.

12.5 The Committee agenda and minutes are to be published on the Council website.

13 OBSERVING THE CODE OF CONDUCT AND RELEVANT COUNCIL POLICIES

All members of the Committee are required to observe the provisions of Council's Code of Conduct and any other relevant Council policy applicable to the proper functioning of the Panel.

If a member of the charter breaches Council's Code of Conduct or any other relevant Council policy, the matter will be referred to the CEO to be dealt with in accordance with Council's Code of Conduct and Code of Conduct Procedures.

A Committee member has an obligation to declare any conflict of interest they have. Conflict of interests are defined in the Code of Conduct. All conflicts of interests will be dealt with in line with Council's Code of Conduct.

Committee members declaring a conflict of interest, whether pecuniary or non-pecuniary, should complete a Declaration of Interest Form (Councillor) which is to be signed by the CEO and retained by Council in accordance with Council's Code of Conduct and its Conflicts of Interest Policy.

14 CONFIDENTIALITY AND MANAGING PRIVACY

Committee members, through their involvement on the Charter, may come in contact with confidential or personal information retained by Council. Charter members are required to maintain confidentiality and security in relation to any such information and not access, use or remove that information, unless authorised to do so.

The *Privacy and Personal Information Protection Act 1998* and Council's Privacy Policy deal with the collection, holding, use, correction, disclosure and transfer of personal information.

Should a committee member become aware of any breach of security, or misuse of Council's confidential or personal information, they should inform the CEO immediately.

15 DISCIPLINARY ACTION

Should a member of the committee breach the Code of Conduct adopted by Council, the matter will be referred to Council's CEO and will be dealt with in accordance with Council's Code of Conduct and Code of Conduct Procedures.

16 MEDIA PROTOCOL

The Mayor is the only person permitted to speak to the media on behalf of the charter. No other member of the committee is permitted to speak to the media in his or her capacity as a committee member.

AUTHORISED BY

Council Resolution

EFFECTIVE FROM

1 March 2023

REVIEW DATE

The charter must be reviewed every four years or more frequently depending on legislative or policy changes occur.

VERSIONS

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

Version	Amended by	Changes made	Date	TRIM Number
1	Head of Audit, Risk and Improvement	New Charter	1 February 2023	389910.2022
2	Governance	Update Charter	1 March 2023	389910.2022-001

SCHEDULE 1 - BUDGET COMMITTEE

Objective

To coordinate the strategic financial planning of Council and to develop the long-term financial plan and operational budgets to support the delivery of infrastructure and services to the community.

Functions and outcomes:

The functions of the Committee are to:

- Oversee the formulation of council's Operational Plan, Delivery Program and Long-Term Financial Plan;
- Review Council's Capital management plan including its renewal program;
- Draft the annual budget before submitting to Council;
- Monitor Council's performance against the approved annual budget;
- Review the quarterly budget;
- Review Council's Financial progress, forecasts and assumption;
- Review Council's Long Term Financial Plan;
- In relation to the Town Improvement Fund reserves;
 - Consider and approve the fund initiatives and allocations and;
 - monitor its delivery and outcomes
- Monitor the development of financial plans of Council in line with strategic directions;
- Review the optimisation of resources and the financial sustainability in the short, medium and long term;
- Accept tenders that are valued at over \$2 million. Note that any tender that is to be rejected or enter into direct negotiations will need to be recommended to Council for endorsement.

SCHEDULE 2 - INFRASTRUCTURE AND PLANNING COMMITTEE

Objective:

To oversee Council's Asset and project management. This includes but is not limited to Councils asset management plan, asset renewals, design and upgrades, Developer contributions expenditure, Asset project and programme and monitoring of major projects. This Committee will oversee the development and changes to its Planning instruments (unless precluded under s377 of the Act). Such planning instruments and frameworks are as follows.

- Growth precinct infrastructure planning frameworks;
- Contribution plan and Voluntary Planning Agreement administration;
- Social infrastructure sport, park and facility upgrade programs; and
- Major planning projects including:
 - Strategic planning policies and plans
 - New Liverpool Environmental Plan(s), amendments to the Liverpool Local Environmental Plan, or Council initiated amendments to State Environmental Planning Policies
 - New Development Control Plans, or amendments to existing Development Control Plans
 - Council response(s) to major state planning reform (where practical)

Functions:

- Monitor the effective expenditure of Developer contributions;
- Consider and approve Council's property strategy;
- Monitor the progress of Council's property strategy;
- Oversee but not approve the delivery of significant capital projects of Council;
- Monitor the progress, delivery and prioritisation of key capital projects;
- Consider and approve the Major Capital Projects vision and delivery;
- Consider and approve Major asset design;
- Oversee but not approve major asset and land acquisition and disposal;
- Provide input into the development of programs and projects to ensure ongoing serviceability of infrastructure assets and associated services;
- Consider and approve strategies for infrastructure delivery;
- Endorse policies which support active transport infrastructure and public transport infrastructure, such as bicycle paths and bus shelters, through infrastructure plans and strategies;
- Consider and approve key policy initiatives and strategies pertaining to traffic matters;
- Monitor Council's infrastructure performance;
- Evaluate solution-based provision and management of public community infrastructure;
- Oversee and provide input into the implementation and prioritisation of the Liverpool City Centre public domain master plan;

- Consider and approve the development of planning objectives and controls for high-quality design for best outcomes of a growing city;
- Review Planning controls and best practice urban design for inclusive and sustainable, urban environments;
- Consider and approve heritage, history and culture related plans;
- Recommend new or amended Local Environmental Plans, Local Strategic Planning Statements, and Development Control Plans;
- Review policy which addresses key land, housing, employment, and environmental development challenges across the Liverpool LGA;
- Monitor Council's Environmental performance and initiative;
- Consideration and approval of Environmental Advisory Committee recommendations
- Consideration and approval of Traffic Committee recommendations
- Consideration and approval of Heritage Advisory Committee recommendations
- Consideration and approval of Intermodal precinct Committee recommendations

SCHEDULE 3: STRATEGIC PRIORITIES COMMITTEE**Objective:**

To oversee the delivery of Council priorities, special projects, areas of economic development and City revitalisation, lobbying efforts by Council, and grant funding opportunities.

Functions:

- Monitor Council's approach to grants opportunities;
- Advocate for improved public transport infrastructure, including new bus routes, transit lanes, and rail-based infrastructure;
- Advocate for improved active transport infrastructure, including bicycle paths, pedestrian bridges, and improvements to road networks;
- Consider and approve Council submissions on state planning reform, state environmental planning policies, and major state determined developments, such as SSDAs, when practical;
- Promote and advocate for an integrated transport network with improved transport options and connectivity;
- Monitoring the delivery of the 100-day Plan;
- Provide input into Council's stakeholder management approach and initiatives with relation to agencies, stakeholders and businesses to achieve beneficial outcomes for the city;
- Endorse inbound Tourism strategic opportunities and initiatives;
- Monitor economic capacity and development of local businesses and industries;
- Monitor development and delivery of a range of city center revitalisation initiatives, projects and events;
- Development which impacts Liverpool city, including the proposed intermodal at Moorebank and the Badgerys Creek Airport; and
- All other matters pertaining to the strategic direction of Council.

SCHEDULE 4: Strategic Performance Committee**Objective**

To oversee the setting, progress and realisation of Council's long term strategic direction through KPI monitoring, service and policy review and performance data. In addition, to oversee community initiatives through the monitoring of Council's major events, culture, inclusion, support and recognition programs and initiatives.

Functions:

- Strategic performance data including but not limited to Integrated Planning and Reporting data;
- The development, monitoring and performance against economic and social development as articulated in Liverpool's Community Strategic Plan;
- Monitoring Council's structural and technology transformations;
- Consideration and approval of Council Policies that does not require a resolution from the full Council;
- Consideration and approval of external facing service review outcomes and/or service calibration;
- Monitoring the design, strategy and utilisation of parks, places and facilities
- Monitor initiatives and strategies to enhance access, equity, opportunity of people with a disability, and people who are socially isolated within the community
- Consider and approve relevant community grants and donations that do not require a resolution from the full Council;
- Monitor the strategic initiatives and direction of Council's art and culture assets and programs (including CPAC);
- Monitor matters pertaining to the inclusion of people across all sections of Council's diverse community;
- Monitoring the success of Council;
- Consideration and approval of Civic awards, events and recognition of Liverpool's community;
- Monitoring the scheduling, delivery and effectiveness of events and programs and approving amendments as required
- Consideration and approval of Aboriginal Consultative Committee recommendations;
- Consideration and approval of Civic Advisory Committee recommendations;
- Consideration and approval of Community Safety and Crime Prevention Committee recommendations;
- Consideration and approval of the Companion Animal Advisory Committee recommendations
- Consideration and approval of the Liverpool Access committee recommendations
- Consideration and approval of the Liverpool Sports Committee recommendations

CORP 03

Warren Serviceway Car Park - Provision of Free Parking

Strategic Objective	Healthy, Inclusive, Engaging Improve liveability and quality of life for the community by delivering vibrant parks, places and facilities
File Ref	220878.2023
Report By	Alex Helderman - Parking Services Coordinator
Approved By	Farooq Portelli - Director Corporate Support

EXECUTIVE SUMMARY

The Council at its Ordinary Meeting held on Wednesday 28 June 2023 resolved to provide free parking at the Warren Serviceway car park between 6pm Friday to 1am Monday.

By providing free parking till 1am on Monday it impacts pass card holders as the car park's management system synchronises data daily at midnight. Consequently, each pass card must be manually adjusted each week to ensure motorists can access the car park.

Therefore, Council is requested to amend the Council Resolution, CORP 02, No. 1 Part a to read as follows:

1. Notes the associated costs with Warren Serviceway Carpark, and adopt a policy to provide free parking from
 - a. Friday 6pm to Sunday midnight

RECOMMENDATION

That Council:

Provides free parking at Warren Serviceway Car Park each weekend between 6pm Friday and midnight Sunday.

REPORT

Council at its Ordinary Meeting held on Wednesday 28 June 2023 resolved:

That Council;

1. Notes the associated costs with the Warren Serviceway Carpark, and adopts a policy to provide free parking from
 - a. Friday 6pm until Monday 1am
 - b. All day on Public Holidays
2. Maintains the existing fee structure contained in Council's fees and charges policy for weekly and monthly pass card holders.
3. Investigate the potential for surge pricing across all Council car parks and a report to come back to Council. The report to include scoping for sensors.

This report seeks to amend No.1a of the resolution.

The Warren Serviceway car park management system operates on a twenty-four-clock commencing at 00:01 am and ceasing at 23:59 pm. Any required program change needs to adhere with the pre-set time parameters within the system as it impacts pass card holders.

The provision of free parking till 1 am impacts all pass card holders as by rolling over the free parking to the next day it prevents the pass card from synchronising and in turn prevents the pass card holders from accessing the car park at their next visit. Consequently, each pass card has to be manually adjusted each week.

To avoid additional costs and potential inconvenience to existing passcard holders it is recommended that Council approve an amendment to the resolution passed at its previous Ordinary Meeting on 28 June 2023 relating to the item "Warren Serviceway Carpark – Provision of Free Parking, CORP 02, No. 1 Part a to read as follows:

1. Notes the associated costs with Warren Serviceway Carpark, and adopt a policy to provide free parking from
 - a. Friday 6pm to Sunday midnight

The other items of the previous resolution are to remain as previously resolved by Council.

FINANCIAL IMPLICATIONS

There are no financial implications relating to this recommendation.

CONSIDERATIONS

Economic	Facilitate economic development.
Environment	There are no environmental and sustainability considerations.
Social	Support community organisations, groups and volunteers to deliver coordinated services to the community.
Civic Leadership	Deliver services that are customer focused.
Legislative	There are no legislative considerations relating to this report.
Risk	There is no risk associated with this report.

ATTACHMENTS

Nil

CORP 04

LGNSW Annual Conference and Board Election

Strategic Direction	Leading through Collaboration Strive for best practice in all Council processes
File Ref	224356.2023
Report By	Jessica Saliba - Acting Manager Council & Executive Services
Approved By	Farooq Portelli - Director Corporate Support

EXECUTIVE SUMMARY

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

The report provides information in relation to voting delegates which Liverpool City Council will be entitled to for voting at the Board Election and for voting on motions at the Conference and the deadline dates.

A further report will be submitted to the August 2023 Council meeting for Council to consider motions to be submitted to the Conference.

RECOMMENDATION

That:

1. Any Councillors who wish to attend the LGNSW Conference at Rosehill Gardens Racecourse from Sunday 12 to Tuesday 14 November to notify the Councillor Support Officer by 15 September 2023.
2. Council determines its voting delegates for voting on motions at the conference, noting that Liverpool City Council is entitled to 10 voting delegates for voting on motions.
3. Council determines its voting delegations for the LGNSW Board Election noting that Liverpool City Council is entitled to 10 voting delegates for voting on the Board Election.
4. Council receives a further report at the August 2023 Council meeting to consider motions to be submitted to the Conference.

REPORT

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

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

The deadline for motions to be submitted to the Conference is 15 September 2023. A report will be submitted to the August 2023 Council meeting for Council to consider motions it wishes to submit to the November Conference. The proposed motions to be considered for submitting to the Conference will be drawn from recent Council resolutions.

The guide for submitting motions is attached to this report.

This report deals with two components;

1. The Board Election; and
2. LGNSW Annual Conference.

LGNSW Board Election

LGNSW have advised there is a Board Election this year.

The Returning Officer will provide further advice on the lodgment of nominations and procedure of the ballot in due course. We will circulate this information once we receive it.

Members are required to advise LGNSW of the names and postal addresses of their nominated voting delegates for the election by 27 October 2023.

Nominations close for the Board Election on 13 October 2023. Individual Councillors can nominate and this does not require a Council resolution.

Liverpool City Council is entitled to ten (10) voting delegates in the election and the names of the voting delegates are to be determined by Council resolution.

Attendees, voting delegates and motions for LGNSW Conference

The guide for submitting motions is attached to this report.

Member Councils must advise LGNSW of the names of their nominated voting delegates by 27 October. Liverpool City Council is entitled to ten (10) voting delegates.

FINANCIAL IMPLICATIONS

Registration for the Conference will open on Monday 24 July 2023.

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

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

CONSIDERATIONS

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

ATTACHMENTS

1. Guide to submit Motions - LGNSW Conference 2023
2. Notice of LGNSW Annual Conference



LGNSW 2023

Annual Conference

Motion Submission

Guide

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FOR COUNCILS**

[LGNSW.ORG.AU](https://www.lgnsw.org.au)

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MOTION SUBMISSION GUIDE

1. Introduction

Each year, LGNSW members submit a range of motions to the Annual Conference conducted by Local Government NSW (LGNSW). These motions relate to strategic local government issues which affect members state-wide and introduce new or emerging policy issues. They are debated and resolved by Conference delegates, with successful resolutions guiding LGNSW's advocacy priorities for the year ahead.

All LGNSW member councils are invited to submit motions to the Annual Conference, with the following guide outlining the motion development and submission process.

2. Deadlines

- Motion submission will open on **Monday 24 July 2023**.
- Members are encouraged to submit motions [online](#) as early as possible before **15 September 2023**, to allow assessment of the motions and distribution of the Business Paper before the Conference.
- Under LGNSW Rules, the latest date motions can be accepted for inclusion in the Business Paper is **12 midnight (AEDT) on Sunday 15 October 2023** (28 days prior to Conference).

3. Criteria for motion submission

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

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

Before submitting motions for this year's Annual Conference, members are encouraged to review [Action Reports](#) (on the member only pages of the LGNSW website) from previous Conferences and the [LGNSW Policy Platform](#) to ensure the proposed motion wording reflects any recent developments and does not duplicate existing policy positions.

4. How to write a motion

Motions adopted at Conferences inform LGNSW's advocacy actions on behalf of the local government sector. LGNSW includes the exact wording of motions when writing to ministers, departments and agencies post-conference, so it is important that the wording of motions clearly outlines your council's policy intent or objective.

The format of motions, as much as possible, should call on a specific body (e.g. LGNSW, state government, federal government, a specific department or minister) and have a specific outcome that the motion is aiming to achieve. The wording should be unambiguous.

Examples of clearly-worded Annual Conference motions:

Local government representation on National Cabinet

That Local Government NSW lobbies the Australian Government for permanent local government representation on the National Cabinet.

Natural Disaster Funding, Day Labour

That LGNSW requests the Australian and NSW governments reinstate the claimable expense for the use of council staff during their normal working hours to attend to natural disaster relief and recovery funded works and reverse the present policy that effectively requires the mandatory use of contractors for recovery works.

Companion Animal Act matters

That LGNSW advocates that the NSW Government takes the following steps to improve the management of companion animals:

- establish an integrated on-line statewide registration process as an improved service to companion animal owners;
- resolve difficulties with the *Companion Animals Act 1998* definition of an "Authorised Officer", by using the definition contained in the *Impounding Act 1993* as the definition in both Acts, allowing councils choice in the business model for its area; and
- review the dismissal of charges under section 10 of the *Crimes (Sentencing Procedure) Act 1999* in relation to offences under the *Companion Animals Act 1998*.

For more examples see Business Papers from past Conferences on the [LGNSW website](https://www.lgnsw.org.au).

5. Demonstrating evidence of council support for motion

The member submitting the motion must provide accompanying evidence of support for the motion. Such evidence takes the form of an attachment note or extract from the minutes of the council meeting, at which the member council resolved to submit the motion for consideration by the Conference. In the absence of a council meeting, the evidence should be a letter signed by both the Mayor and General Manager.

6. How to submit a motion

LGNSW members are invited to submit motions through an [online portal](#) from **24 July 2023**.

Attachment A provides detailed instructions on how to submit motions via the online portal.

7. How LGNSW manages incoming motions

The LGNSW Board has established a committee and delegated the function of managing incoming motions for the Conference to this committee. The Chief Executive will refer motions to the committee and the committee will assess whether the motion meets or does not meet the Board-endorsed criteria. This assessment forms the final decision on which motions are included in the Conference Business Paper.

Prior to the committee making a final decision, LGNSW may contact the council that submitted the motion to seek clarity on its intent or wording.

Incoming motions which seek to change any long-held [Fundamental Principles](#) (Part A of the Policy Platform), will be highlighted in the Business Paper for members' information at time of voting.

Motions which are consistent with existing LGNSW positions or current LGNSW actions, or that are operational and can be actioned without a Conference resolution, may still be printed in the Business Paper but will not be debated at the Conference.

8. Late motions

Late items are only to be included in the Business paper addendum if, in addition to the above criteria, the late items relate to highly urgent matters that have arisen after the deadline for the motion submission has passed.

In considering whether a late item relates to a highly urgent matter, the Policy Review Working Committee is to have regard to:

- (a) whether the late item has arisen after the deadline for motions has passed, and
- (b) whether the urgency of the matter justifies it being presented to voting delegates with short notice and limited opportunity to review and consider before they are required to vote on the motion.

9. What happens to motions at the LGNSW Annual Conference

Standing orders are outlined at the front of the Business Paper and adopted at the commencement of each Conference. They outline the manner in which the Conference deals with motions. The standing orders adopted at past conferences can be found on our [website](#).

During debate on motions at Conference, the standing orders generally permit councillor delegates to speak in support of or against each motion. Following a vote on a motion, the motion is either carried and becomes a resolution of the Conference, or it is defeated.

10. Post-conference: Updates to the LGNSW Policy Platform

LGNSW's [Policy Platform](#) consolidates the voices of councils across NSW, reflecting the collective positions of local government on issues of importance to the sector. Importantly, the Policy Platform guides LGNSW in its advocacy on behalf of the local government sector.

The Policy Platform consists of two parts: LGNSW's Fundamental Principles, and the more targeted Position Statements.

- **Fundamental Principles** are the enduring and overarching principles that direct LGNSW's response to broad matters of importance to the local government sector. These Fundamental Principles are endorsed (or amended) by LGNSW members at Annual Conferences.
- **Position Statements** contain LGNSW's more detailed positions on specific issues and guide LGNSW's work on, and response to, policy issues of the day. Position Statements are subordinate to LGNSW's Fundamental Principles but are more agile and are targeted at specific policy issues as they arise.

Changing Fundamental Principles

Where a motion conflicts or may conflict with a Fundamental Principle, this will be clearly highlighted for delegates in the Conference Business Paper. If the motion is adopted as a resolution at Conference, then the relevant Fundamental Principle will be changed.

It is expected that changes to the Fundamental Principles will be uncommon, given their broad focus and general acceptance among the local government sector.

Changing Position Statements

Following each Conference, LGNSW will review resolutions of that Conference to determine whether the intent of each resolution is adequately covered by existing Position Statements. Where the Position Statements do not adequately include the intent of a resolution, LGNSW will update an existing Position Statement or draft a new Position Statement for inclusion in the LGNSW Policy Platform.

LGNSW members will be informed of updates to the LGNSW Policy Platform.

11. Post-conference: Determining LGNSW Advocacy Priorities

Following the LGNSW Annual Conference, LGNSW will review the resolutions and identify key areas of focus to guide LGNSW's advocacy for the coming year. These areas of focus are also informed by member feedback, the LGNSW strategic plan, position statements, emerging issues, and Board input.

LGNSW's Advocacy Priorities for the following year are then submitted for endorsement by the LGNSW Board, and communication to members via email.

As LGNSW undertakes advocacy actions on each of the Conference resolutions throughout the year, these actions and their outcomes will be published in LGNSW's Action Report. ([Past Action reports](#) are available on the member only pages of the LGNSW website).

12. Further information

For further information on the motion submission process, please contact Jo Harney, LGNSW Policy Officer at policy@lgnsw.org.au.

13. Frequently Asked Questions

How do I know if my proposed motion is consistent with existing LGNSW policy positions?

The subject matter expert within council is best placed to identify this (for example, if the motion relates to a planning matter, this question should be answered by the Planning Manager). Subject matter experts are encouraged to review LGNSW's [Policy Platform](#) to gain an understanding of LGNSW's position on a particular matter to help identify whether your proposed motion is consistent.

What is the deadline for submitting motions?

Members are encouraged to submit motions [online](#) as soon as possible to allow assessment of the motions and distribution of the Business Paper before the Conference. However, in line with the LGNSW Rules, the latest date motions can be accepted for inclusion in the Conference Business Paper is **12 midnight AEST on Sunday 15 October 2023** (28 days prior to Conference).

LGNSW can receive more than 300 motions for an Annual Conference. Submitting motions as early as possible helps LGNSW to manage the large volume of motions received within a short period of time and allows LGNSW to seek clarification on any motions if required.

However, the LGNSW Rules allow councils to submit motions with less than 28 days' notice and the LGNSW Board may, in some circumstances, allow these to be considered at Conference as a **late item** (but not included in the Business Paper).

I'm unsure which motion category or sub-category I should select in the online portal

If you are unsure, just select the category you think best fits. LGNSW can re-categorise the motion if necessary.

Who should be the council contact for motions?

We recommend the council contact is someone who is available during the months that motions are open, and able to respond promptly to communications between your

council and LGNSW. Some councils have identified the General Manager and others have identified a Governance Manager – it is a decision for each council.

How can I amend my council's motion that I've already submitted?

Once a motion has been submitted it cannot be edited without contacting LGNSW so please review the content carefully before submission. If you need to edit a submitted motion, please contact Jo Harney, Policy Officer at policy@lgnsw.org.au. You may need to provide evidence of support for the change (see section 5).

ATTACHMENT A - STEP BY STEP GUIDE TO LODGING MOTIONS IN THE ONLINE PORTAL

This section provides step-by-step instructions to assist council staff in lodging a motion via our online portal Survey Monkey Apply.

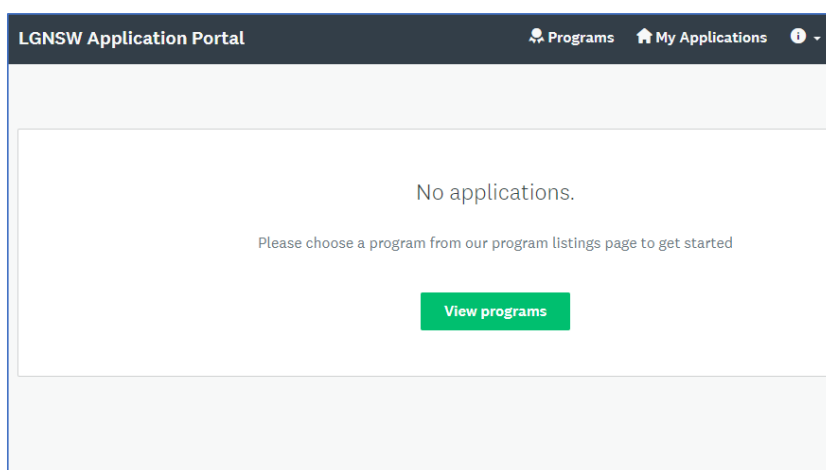
- Member councils are invited to submit motions for the LGNSW Annual Conference via [Survey Monkey Apply](#) from **24 July 2023**.
- Under LGNSW Rules, the latest date motions can be accepted for inclusion in the Business Paper is **12 midnight (AEDT) on Sunday 15 October 2023** (28 days prior to Conference).
- Once a motion has been submitted it cannot be edited without contacting LGNSW, so please review the content carefully before submission.

For further assistance contact Jo Harney, LGNSW Policy Officer at policy@lgnsw.org.au.

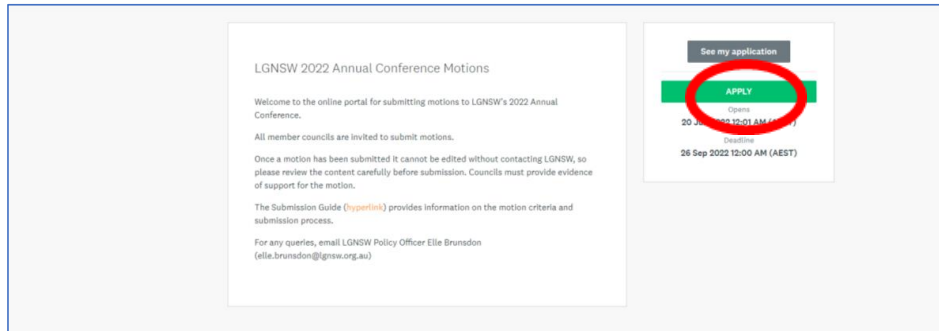
Step 1: Log into [LGNSW's online portal](#) using the same password you use to access the LGNSW member website. If you don't know your password, click "forgot password" to reset your password.

Note: you will need to register if you are logging in for the first time.

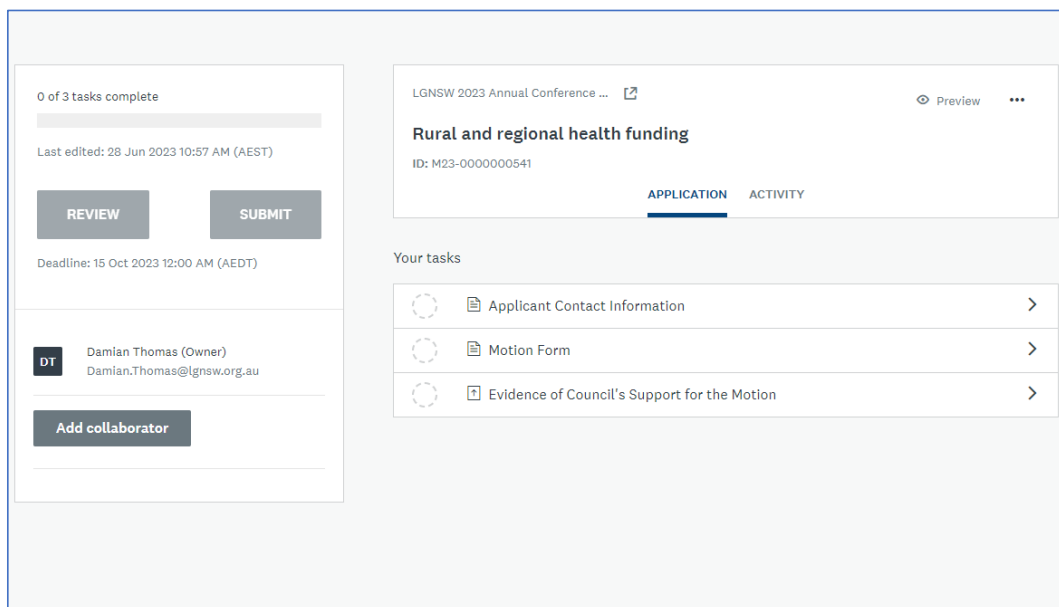
Step 2: Click *View Programs* and then select *LGNSW 2023 Annual Conference Motions*.



Step 3: Click **APPLY**.



Step 4: Add your motion title (a few words). You will then be taken to the landing page which will show three tasks to complete:



Step 5: Click on 'Applicant Contact Information' to add the contact information. This should be the relevant officer within your council who can respond to any questions from LGNSW about the motion promptly. Click **MARK AS COMPLETE** once finished.

< Back to application

LGNSW 2023 Annual Conference Motion...
Rural and regional health funding
ID: M23-0000000541

Applicant Contact Information >

Motion Form

Evidence of Council's Support for the Motion

0 of 3 tasks complete

Last edited: 28 Jun 2023 10:57 AM (AEST)

REVIEW SUBMIT

Deadline: 15 Oct 2023 12:00 AM (AEDT)

Applicant Contact Information

Contact details

Contact Name

Contact Job Title

Contact Email

Contact Phone

SAVE & CONTINUE EDITING MARK AS COMPLETE

Step 6: Click 'Motion Form' to add the motion details.

Motion category and sub-category assists with categorising motions and grouping related motions in the Conference Business Paper.

Motion wording should include a sentence or two which includes the call to action.

Background note should provide a paragraph or two to explain the context and importance of the issue to the local government sector.
Click **MARK AS COMPLETE** once finished.

← Back to application

LGNSW 2023 Annual Conference Motion Form
Rural and regional health funding
ID: M23-0000000541

✓ Applicant Contact Information

✖ Motion Form

✖ Evidence of Council's Support for the Motion

1 of 3 tasks complete

Last edited: 28 Jun 2023 11:02 AM (AEST)

REVIEW SUBMIT

Deadline: 15 Oct 2023 12:00 AM (AEDT)

Motion Form

Council/member name

Motion Category

Motion Title

Rural and regional health funding

Motion Wording

Motion Background
Maximum 1 or 2 paragraphs

SAVE & CONTINUE EDITING MARK AS COMPLETE

Step 7: Click 'Evidence of Council's Support for the Motion' and attach the relevant file. This could be an extract of council meeting minutes. Click **MARK AS COMPLETE** once finished.

Back to application

LGNSW 2023 Annual Conference Moti...
Rural and regional health funding
ID: M23-0000000541

Applicant Contact Information

Motion Form

Evidence of Council's Support for the Motion

2 of 3 tasks complete

Last edited: 28 Jun 2023 11:05 AM (AEST)

REVIEW SUBMIT

Deadline: 15 Oct 2023 12:00 AM (AEDT)

Evidence of Council's Support for the Motion

Task instructions [Hide](#)

Attach evidence of council support for the motion (i.e. extract of the minutes of the meeting at which the member resolved to submit the motion for consideration by the Conference, or in the absence of a council meeting, a letter signed by the Mayor and General Manager)

ATTACH FILE

[Show accepted formats](#)

MARK AS COMPLETE

Step 8: Once you have completed all tasks (a green tick is displayed next to each task), click **SUBMIT**.

Back to application

LGNSW 2023 Annual Conference Moti...
Rural and regional health funding
ID: M23-0000000541

Applicant Contact Information

Motion Form

Evidence of Council's Support for the Motion

3 of 3 tasks complete

Last edited: 28 Jun 2023 11:09 AM (AEST)

REVIEW SUBMIT

Deadline: 15 Oct 2023 12:00 AM (AEDT)

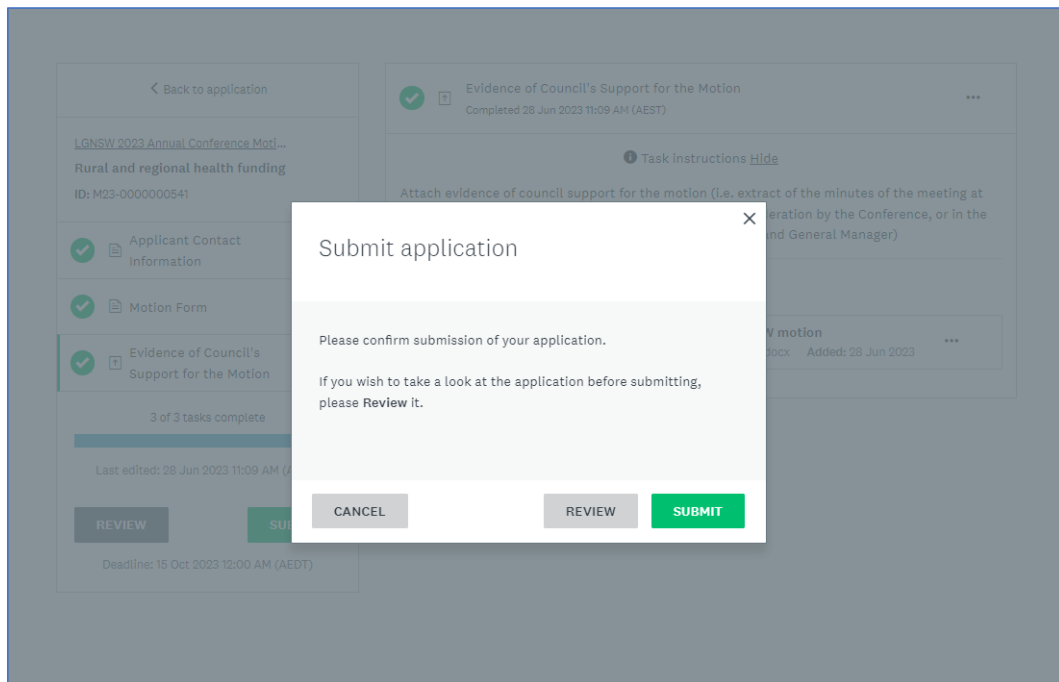
Evidence of Council's Support for the Motion
Completed 28 Jun 2023 11:09 AM (AEST)

Task instructions [Hide](#)

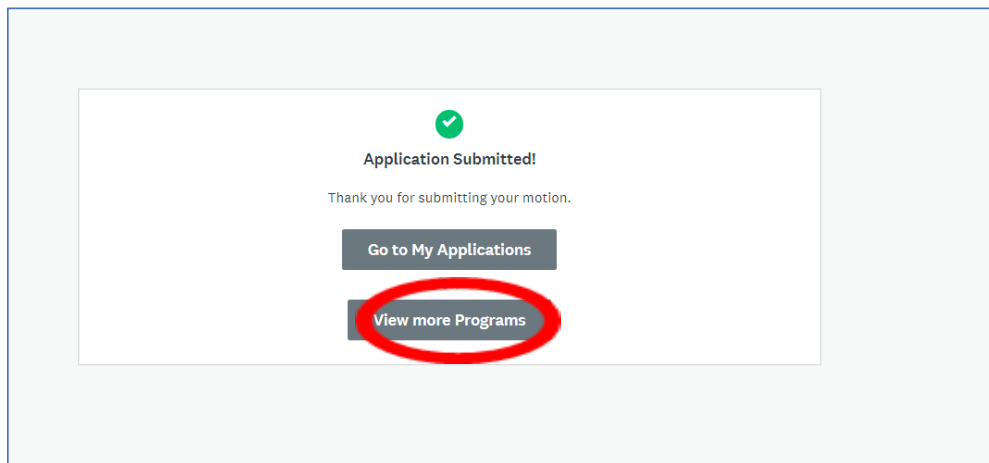
Attach evidence of council support for the motion (i.e. extract of the minutes of the meeting at which the member resolved to submit the motion for consideration by the Conference, or in the absence of a council meeting, a letter signed by the Mayor and General Manager)

Council minutes - Evidence of support for LGNSW motion
Filename: Council_minutes_-_Evidence_of_sup_SZxJApn.docx Added: 28 Jun 2023

Step 9: You will be asked to confirm submission of the motion. There is an option to review the motion before submitting. When you are ready, click **SUBMIT**.










Step 10: If you are submitting multiple motions, click 'View more Programs'. This will take you back to the landing page to submit more motions.




Step 11: An automated confirmation email will be sent to the email address listed in the 'Applicant Contact Information' section.

LGNSW Annual Conference: Motion has been submitted

 noreply@mail.smapply.net
To  Damian Thomas

11:23 AM

 If there are problems with how this message is displayed, click here to view it in a web browser.

CAUTION: This email originated from outside of LGNSW. Do not click links or open attachments unless you recognise the sender and know the content is safe.

LGNSW Application Portal

Your motion to the LGNSW Annual Conference has been submitted.


To submit another motion, visit: <https://lgnsw-grants-portal.smapply.io/saml2/login/>

Once you have logged in, click on 'programs' to submit a motion.

You are receiving this email from [LGNSW Application Portal](#) - Local Government NSW.

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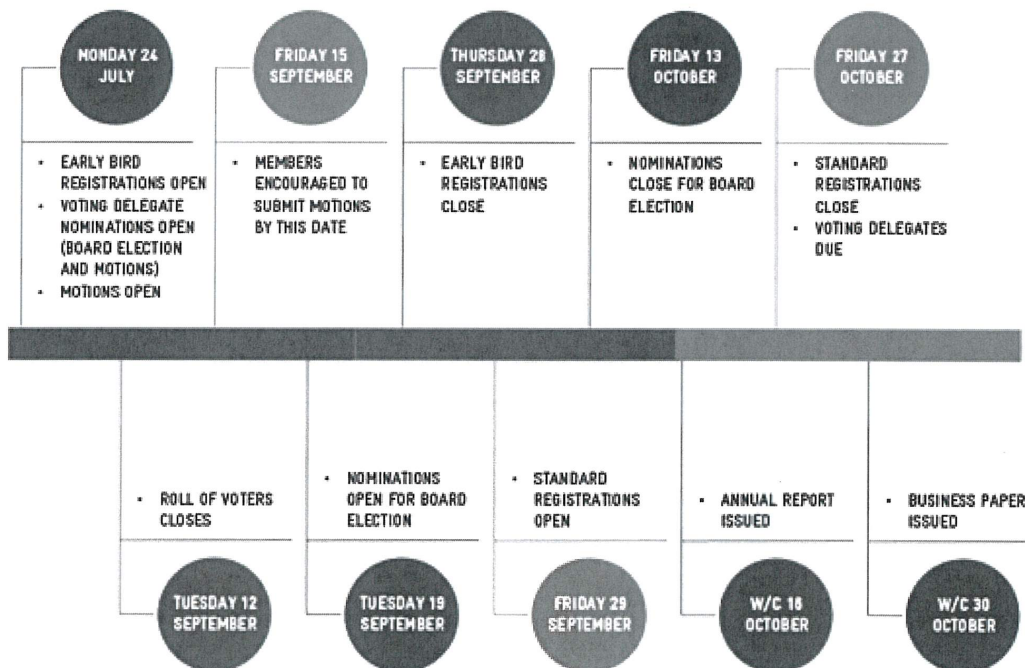


OFFICIAL NOTICE

LGNSW ANNUAL CONFERENCE

12-14 NOVEMBER 2023

📍 ROSEHILL GARDENS RACECOURSE



OPER 01**Carnes Hill Community and Recreation Precinct -
Facility Facade Rectification**

Strategic Objective	Visionary, Leading, Responsible Place customer satisfaction, innovation and best practice at the centre of all operations
File Ref	195943.2023
Report By	John Lac - Manager Infrastructure Delivery
Approved By	Jason Breton - Director Operations

EXECUTIVE SUMMARY

Liverpool City Council has received a referral from the NSW Cladding Task Force following identification from Fire + Rescue NSW for the possibility of combustible cladding at the Carnes Hill Recreation and Community Precinct facility.

This report outlines the steps taken to investigate the referral and makes recommendations following the results of the investigation.

RECOMMENDATION

That Council:

1. Allocate a budget of \$250,000 from General Funds for financial year 2023/24 to replace Aluminium Composite Panels present in the façade of the library and community centre building at the Carnes Hill Community and Recreation Precinct.

REPORT

The Carnes Hill Recreation and Community Precinct, consisting of a library and community centre building, indoor recreation centre building, a skatepark, carparking and open space was completed in July 2016.

Late in 2022, Liverpool City Council received a referral from the NSW Cladding Task Force following identification from Fire + Rescue NSW for the possibility of combustible cladding at Carnes Hill Recreation and Community Precinct.

Accordingly, Council's Community Standard division issued a notice (unofficial fire order) to Council's Facilities Maintenance division to engage the services of an independent certified/accredited fire engineer, to inspect and prepare an assessment report on the external cladding at the Carnes Hill Recreation and Community Precinct having regard to the relevant provisions of the current Building Code of Australia and the Building Products (Safety) Act 2017 and in particular the use of Aluminum Composite Panels (ACP).

Section 9(1) of the Building Products (Safety) Act 2017 prohibits the use of ACP with a core compromised of greater than 30% polyethylene by mass in any external cladding, external wall, external insulation, façade or rendered finish and that any test by mass must be conducted by an Accredited Testing Laboratory.

The ban of ACP with a core of greater than 30% polyethylene came into effect on 15th of August 2018 and remains in effect. An ACP is a flat panel product made up of two thin aluminum sheets with a non-aluminum core. The core is generally made of polyethylene or a combination of polyethylene and other materials.

Council engaged Trevor R Howse Pty Ltd, an accredited Fire Safety Engineer, to inspect and prepare an assessment report on the external cladding at the Carnes Hill Recreation and Community Precinct. The assessment confirmed that ACP is present in the façade of the library and community centre building at the Carnes Hill Recreation and Community Precinct. However, no ACP was present in the indoor recreation centre building.

The Fire Safety Engineer's initial report recommended that testing of the ACP be carried out to confirm that the ACP is a banned building product.

Three samples, approximately 50mm in diameter, of the ACP were taken from a discreet location of the façade from the library and community centre building, after which General Industry Surveillance (GIS) Pty Ltd, a NATA approved laboratory was engaged to test the samples of the ACP for polyethylene by mass. The results of the testing confirmed that the polyethylene content of the ACP exceeded the threshold of 30%.

The final report from the Fire Safety Engineer recommended that the ACP present in the façade of library and community centre building at the Carnes Hill Recreation and Community Centre be removed and replaced with non-combustible material.

An estimate for the replacement of the ACP has been developed and it is recommended that a budget of \$250,000 be allocated in the 2023/24 financial year for the replacement of the ACP.

Failure to replace the ACP could lead to Liverpool City Council incurring a fine up to \$1.1m and may damage Liverpool City Council's reputation, particularly as Council is an authority that enforces regulations.

FINANCIAL IMPLICATIONS

Costs associated with this recommendation are outside of Council's current budget and long-term financial plan. The impact on the budget and long-term financial plan are outlined in the table below.

	2021/22	2022/23	2023/24	2024/25	2025/26
Operating budget / LTFP impact					
Capital budget impact			\$250,000		
Ongoing unbudgeted impact to opex from capital expenditure					
Unbudgeted impact to unrestricted cash			\$250,000		
Funding source			General Funds		

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	Compliance with the Building Products (Safety) Act 2017.
Risk	<p>The risk is deemed to be High.</p> <p>Failure to address the concerns raised, caused by a change in legislation, could result in a financial penalty and reputational damage to Council.</p> <p>The risk is considered within Council's risk appetite.</p>

ATTACHMENTS

Nil

OPER 02	Middleton Drive Extension - Contractor Negotiation
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Strategic Objective	Evolving, Prosperous, Innovative Continue to invest in improving and maintaining Liverpool's road networks and infrastructure
File Ref	213017.2023
Report By	John Lac - Manager Infrastructure Delivery
Approved By	Jason Breton - Director Operations

EXECUTIVE SUMMARY

On 26 April 2023, Council carried the motion to:

1. Exempt the engagement of John Holland for direct negotiation to provide final detailed design and construction for the extension of Middleton Drive and the related shared path project from the tendering requirements pursuant to s.55(3)(i) of the *Local Government Act 1993*.
2. Provide a variation to the contract with AT&L increasing the scope of works to provide project management services to support the delivery of the design and construction works to be provided by John Holland and provide legal authority representation for Council.
3. Express the urgency of delivering this project.

This report seeks to inform Council that, following Council's 26th April 2023 resolution, direct negotiation with John Holland, Transport for NSW (TfNSW) and the M7 authority regarding the Middleton Drive Extension works were unsuccessful; with John Holland declining Council's proposal regarding the delivery of final detail design and construction of the Middleton Drive extension on Council's behalf as a separate contract to the M7 widening project.

This report also seeks to confirm that, due to the outcome of the above-mentioned negotiation, no variation to Council's contract with AT&L will be made. AT&L will continue to finalise detailed designs for the Middleton Drive project as per their original engagement.

Procurement for the construction phase of the Middleton Drive Extension project will be through an open tender process per requirements pursuant to S.55(3)(i) of the Local Government Act 1993.

RECOMMENDATION

That Council:

1. Note that direct negotiations with John Holland, TfNSW and the M7 Authority were unsuccessful; with John Holland declining Council's proposal regarding the delivery of final detail design and construction of the Middleton Drive extension of Council's behalf as a separate contract to the M7 widening project.
2. Notes the continuation of Council's existing contract with AT&L for delivery of detailed design without variation.
3. Notes that procurement for the construction phase of the Middleton Drive Extension project will be through an open tender process per requirements pursuant to S.55(3)(i) of the Local Government Act 1993; and
4. Notes the significant delays to the delivery of this project due to the outcome and subsequent impacts of unsuccessful negotiations with John Holland, TfNSW and the M7 Authority as outlined above.

REPORT

Further to the April 2023 Council report on this project, Council engaged AT&L in 2020 to deliver the detailed design and tender documentation for the extension of Middleton Drive at the M7 Motorway in Middleton Grange. The outcome of the final design will be largely influenced by its location; being adjacent to the existing M7 Motorway, an existing creek, the existing road and stormwater infrastructure, and the design requirements set by TfNSW and M7 Authority.

The Middleton Drive extension project is further complicated by potential risks associated with construction activities around revenue producing infrastructure such as the M7 toll way, which would require Council to enter into a Deed of Agreement with TfNSW and the M7 Authority to allow access for construction and to clarify infrastructure ownership.

It was also confirmed in the April report that John Holland was engaged by the M7 Authority to undertake design and construction of the M7 widening project. Previous discussions with TfNSW and the M7 Authority confirmed that the most suitable solution for the delivery of Council's project, given the conflicting timeframes and scope, would be the direct engagement of John Holland to undertake both packages of work.

This motion to seek a procurement exemption to directly negotiate with and engage John Holland for the project was brought to the April Council meeting and endorsed at the time.

Following this resolution, negotiations commenced with John Holland, TfNSW and the M7 Authority to propose the direct engagement of John Holland to undertake the extension works on Council's behalf. The M7 Authority and TfNSW confirmed that they were not in support of this proposal as in their view, it would increase costs and risks for the component widening work. Further, it was confirmed that this proposal would result in higher risks and costs to Council which would be reflected in the Deed of Agreement and would be based on the value

of the overall works (Council and M7 components combined, valued in excess of \$1 Billion) resulting in a significantly unfavourable agreement for Council, with no acceptable mitigation options available.

Based on the above, it is recommended that Council no longer seek to engage John Holland to undertake the Middleton Drive extension works in conjunction with the M7 Widening works. Instead, that Council instructs AT&L to finalise final detailed design for the extension works once the M7 widening design works are completed, as AT&L's design is contingent on the completion of the M7 widening design.

With this approach, construction activities for the extension project would be postponed and place following completion of the M7 Widening works by John Holland. To proceed with construction Council is still required to enter into a Deed of Agreement with TfNSW and the M7 Authority, however the agreement would be based purely on the extension works only, minimising Council's risk exposure.

This change in delivery approach will also result in a significant change to timeframes for construction completion. With completion of the M7 widening forming a prerequisite to the Middleton Drive extension works, the current high level projected timeline is as follows:

ITEM	ANTICIPATED COMPLETION DATE
M7 Widening Design (John Holland)	Middle of 2024
Middleton Drive Extension - Detailed Design	End of 2024
Deed of Agreement between Council and M7 Authority/ TfNSW	Middle of 2025
M7 Widening Works Construction	From 2024 to 2026
Middleton Drive Extension Construction	Commencement upon completion of M7 widening works. From 2027 to 2028.

FINANCIAL IMPLICATIONS

Costs associated with this recommendation have been included in Council's budget for the current program year and long-term financial plan.

It is anticipated that due to the postponement in commencing the Middleton Drive extension project, the final cost of construction is likely to increase due to inflation and market forces.

Quantifying the full financial impact of this postponement is subject to finalisation of detailed design, however, increases to construction costs can be mitigated through value engineering during design and undertaking a competitive open tender process for the works package.

CONSIDERATIONS

Economic	<p>Improve general and emergency access to Middleton Grange by providing an additional access road to the area.</p> <p>Deliver and maintain new transport related infrastructure including road, footpath, and bikeways.</p> <p>Deliver a high-quality local road system including provision and maintenance of infrastructure and management of traffic issues.</p> <p>Support existing growth and economic development surrounding Middleton Grange.</p>
Environment	<p>Support household and commercial waste collection service by providing additional access to Middleton Grange.</p> <p>Support the delivery of a range of transport options through the construction of new footpath and raised shared bike path.</p> <p>Promote integrated and user-friendly road infrastructure services.</p>
Social	<p>Improve connectivity to Middleton Grange and surrounding areas for members of the community and residents.</p> <p>Deliver access to high quality services for children and their families including footpath and shared bike paths.</p>
Civic Leadership	<p>Responding to community requests for additional access to Middleton Grange.</p> <p>Deliver services that are customer focused.</p> <p>Actively advocate for federal and state government support, funding, and services.</p>
Legislative	<p>There are no legislative considerations relating to this report.</p>
Risk	<p>The Deed of Agreement between Council, the M7 Authority and TfNSW carries a medium to high risk, with the deed itself still under development. The risk associated with this deed is tied to the overall value of work in question, which at present would include both the M7 widening and Middleton Drive extension with a total value of works in excess of \$1 Billion.</p> <p>Delivery of the Middleton Drive extension will be delayed with John Holland declining Council's proposal for John Holland to undertake these works on Council's behalf. This delay is likely to result in increased construction costs due to inflation and market forces.</p>

	However, on balance, delaying construction of the Middleton Drive extension is a significantly lower risk option for Council. Construction cost risk can be mitigated through value engineering during design and undertaking a competitive open tender process for the works package.
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ATTACHMENTS

Nil

OPER 03	Assetic Asset Management System - Works Planner and Maintenance Module Implementation
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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	223477.2023
Report By	John Lac - Manager Infrastructure Delivery
Approved By	Jason Breton - Director Operations

CONFIDENTIAL

CONFIDENTIAL

CONFIDENTIAL

Social	There are no social and cultural considerations.
Civic Leadership	Deliver services that are customer focused.
Legislative	Compliance with Section 55(3)(i) of the Local Government Act NSW 1993.
Risk	There is no risk associated with this report.

CONFIDENTIAL

CONFIDENTIAL

CONFIDENTIAL

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CTTE 01

**Minutes of the Environment Advisory Committee
Meeting held on 17 April 2023**

Strategic Objective	Healthy, Inclusive, Engaging Communicate, listen, engage and respond to the community by encouraging community participation
File Ref	225443.2023
Report By	Michael Zengovski - Manager City Environment
Approved By	Jason Breton - Director Operations

EXECUTIVE SUMMARY

This report is tabled in order to present the Minutes of the Environment Advisory Committee Meeting held on 17 April 2023.

RECOMMENDATION

That Council receives and notes the Minutes of the Environment Advisory Committee Meeting held on 17 April 2023.

REPORT

The Minutes of the Environment Advisory Committee meeting held on 17 April 2023 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>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>Preserve and maintain heritage, both landscape and cultural as urban development takes place.</p> <p>Raise awareness in the community about the available services and facilities.</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 17 April 2023



Minutes From Environment Advisory Committee (EAC) Meeting 17 April 2023

COUNCILLOR MEMBERS:

Councillor Kaliyanda	Councillor (Chairperson)
Councillor Harle	Councillor
Councillor Rhodes	Councillor

COMMITTEE MEMBERS:

Stephen Dobell-Brown	Community Member
Ellie Robertson	Community Member
Joseph Rover	Community Member
Robert Storey	Community Member
Signe Westerberg	Community Member
George Youssef	Community Member
Strini Pillai	Gandangara Aboriginal Land Council
Robert Dixon	Industry Representative – Georges Riverkeeper

COUNCIL ATTENDEES:

Michael Zengovski	Manager City Environment
Matthew Morris	Manager City Works
Steven Hodosi	Coordinator Environmental Operations
Binod Parajuli	A/Manager Infrastructure Planning
Michelle Playford	ERP Education Officer
Karen Visman	Coordinator Environment Management
Roshan Khadka	Senior Floodplain Engineer
Helen Molina	Personal Assistant (Minutes)

APOLOGIES:

Rosalyn Faddy	Community Member
Olusegun Samuel	Community Member
Joseph Tharappel	Community Member
Kacy Vallencourt	Community Member
Denise Ezzy	Tharawal Aboriginal Land Council
Peter Ridgeway	Industry Representative – Local Land Services
Lee Rennie	Waste Project Officer

OBSERVERS:

Alan Riley	Observer
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OPEN:

Meeting opened at 5:30pm



1. WELCOME, ATTENDANCE AND APOLOGIES

Cllr Kaliyanda welcomed everyone to the meeting and acknowledged the traditional custodians of the land. Apologies were noted.

2. DECLARATIONS OF INTEREST

No declarations of interest were noted at the meeting.

3. MINUTES OF PREVIOUS MEETING

Motion: That the minutes from the previous meeting held on 12 December be adopted by the committee.

Moved: Stephen Dobell-Brown

Seconded: Robert Storey

4. MATTERS ARISING FROM THE PREVIOUS MEETING

4.1 Review of Committees

Manager City Environment confirmed that there are no changes proposed to the Environment Advisory Committee.

Mr Dobell-Brown asked about current committee membership. Manager City Environment advised that current members will be extended. Council will soon be calling for new members.

4.2 Fish Weir

Mr Dobell-Brown asked whether Council was now able to confirm ownership of the fish weir.

Coordinator Environmental Operations advised that Council is not the Crown Land Manager, however, Council is currently working on a Memorandum of Understanding (MOU) with Fisheries to progress the optimisation of the fish weir. Under the MOU, Council will arrange maintenance of the weir and fish ladder.

Ms Westerberg requested footage of works at the weir and the fish ladder for interest and educational purposes. Coordinator Environmental Operations advises Fisheries may produce a media release available to the public, he will also try to organise some footage.

Mr Pillai asked about the water quality testing regime in the Georges River. Manager City Environment advised that water quality information for the Georges River is available on Council's website <https://www.liverpool.nsw.gov.au/environment/water-and-waterways/water-quality>.

Action: Council to update the EAC on progress of works/maintenance at the Fish Weir.

4.3 Deer Management Update

Mr Riley asked whether there was any update. Coordinator Environmental Operations provided an update on the Wild Deer Management.

Action: Council to provide details to the EAC on previous numbers of feral deer controlled.

4.4 Voluntary Planning Agreement (VPA) Matters, Queries and Discussion

- i. Cllr Rhodes requested an update on how long Council will wait for the Australian Turf Club (ATC) regarding the required work at Coopers Paddock. Coordinator Environmental Operations advised that Council is following up with ATC on the required work. Council has been liaising with the ATC and has requested an update and to start progressing on outstanding actions.
- ii. Discussions were held regarding the possible use of cultural burning to clear and restore vegetation at Coopers Paddock.
- iii. Mr Riley asked if ATC has provided an update on how they will be undertaking the bush regeneration and if they will be undertaking cultural burning. Coordinator Environmental Operations advised that ATC would undertake the work in accordance with the vegetation management plan, Vegetation Management Plan Coopers Paddock Warwick Farm, NSW October 2015.



Action: Council to work with GALC with regards to consulting with future Environmental Restoration Projects.

Motion: That Council consider the use of controlled cultural burning for ongoing rehabilitation of the Coopers Paddock Bushland area.

Moved: Stephen Dobell-Brown

Seconded: Rosalyn Faddy

iv. Cllr Rhodes requested an update on the emergency evacuation works at the Marina.

Action: Coordinator Environmental Operations to follow up and provide a response.

v. Cllr Rhodes questioned the status of the Shepherd Street VPA.

Action: Coordinator Environmental Operations advised retaining wall has been built behind the building however footpath still needs to be completed. Further updates to be provided when available.

vi. Mr Dobell-Brown asked about the status of the Wianamatta South Creek (WSC) flood study and investigation into the illegal fill at May Avenue. A further briefing will be provided to the EAC in a future meeting.

Action: Council will follow up and a further update will be provided.

4.5 Illegal Dumping

Cllr Rhodes asked about the status of drone use to detect illegal dumping.

Question: Mr Dobell-Brown asked a further question regarding the use of drones.

Response: Coordinator Environmental Operations advised some staff are to be trained in the use of drones, however pilots' licence is required to fly drones for work purposes. There are restrictions in place as to where drones can be used, i.e., not allowed near Bankstown Airport and homes. Operators of drones are also informed and aware of restricted airspace.

Question: Cllr Rhodes enquired if it is feasible for Council staff to be trained in drone usage considering pilots' licence is required.

Action: Coordinator Environmental Operations to update feasibility of training selected staff at next meeting.

5. AGENDA ITEMS

5.1 Presentation – 2023 Education Workshops – Environment Restoration Plan (ERP) Education Officer – Michelle Playford

ERP Education Officer delivered a presentation on the education program, including Sustainability Blitz Workshops for the community. These workshops are very popular and book out quickly. Overview of other program and projects provided, including State Government's Bats in Backyards program, engaging with childcare centres, and the Sustaining Liverpool Newsletter.

Action: Workshop program to be distributed to EAC.

Response: Further information on the next Sustainability Workshop – Wild Edibles Workshop is available from <https://tickets.casulapowerhouse.com/Events/Wild-Edibles>. The workshop program is also available in the Sustaining Liverpool Newsletter on the What's On page.

Action: ERP Education Officer to supply web link to Bats in Backyards program.

Response: Further information on the State Government's Bats in Backyards Program is available from <https://www.environment.nsw.gov.au/research-and-publications/your-research/citizen-science/get-involved/bats-in-backyards>

Action: Investigate engagement opportunities for Multi-Unit Dwellings environmental education.

Response: ERP Education Officer met with Council's Waste Team on 3 May 2023. Six sessions will be planned for the end of the year with the first theme being food waste.



Action: Consider including cat education in childcare program.

Response: ERP Education Officer has set up a working party with representative childcare staff and they have indicated that they would be happy to incorporate a cat theme in their lessons.

Queries and Discussions

- i. Ms Westerberg enquired whether the Sustaining Liverpool Newsletter is distributed to schools. ERP Education Officer agreed it would be good to have this go out to schools.

Response: Newsletter has been sent out to NSW Department of Education – Environment Education Principal for distribution to schools on database as an ongoing communication method.

- ii. Ms Robertson asked whether microbats would bite people. ERP Education Officer suggested residents are to call WIRES and are not to handle the microbats if found injured, they are very small and would not intentionally harm humans.
- iii. Cllr Rhodes asked if microbats live in the same area as fruit bats. Coordinator Environment Management advised that they live in different habitats.

Action: A/Manager Infrastructure Planning to provide further information on what new frog ponds are already proposed, possible near Casula Powerhouse & Arts Centre (CPAC).

- iv. Mr Dobell-Brown enquired as to whether the Sustaining Liverpool Newsletter is also provided as a hard copy. ERP Education Officer advised hard copies can be requested by calling Council's Customer Service or visiting one of Council's local libraries.
- vi. Mr Pillai enquired how Council is monitoring its environmental hygiene for volunteer groups, and if outsourced what measures are taken. ERP Education Officer advised methylated sprits was sprayed on people's boots as a bushland hygiene protocol, and any outsourced works are supervised by a Council staff member to ensure hygiene protocols are adhered to. Coordinator Environmental Operations advised that Council received emergency grant funding from LLS to treat 'skunk vine'. Council is undertaking mapping and monitoring the spread of this weed with drones. Contractors undertaking any weed management services for Council are monitored by Council's project officers.
- vii. Mr Riley suggested cultural burning for removal of noxious weeds. Coordinator Environmental Operations advised that cultural burning and ecological burning have been undertaken to control weeds and council hopes to expand on the trial of this management but there is a process to follow.

Action: Further discussion required offline between Manager City Works, Coordinator Environmental Operations, Mr Pillai and Mr Riley and member for Tharawal Aboriginal Land Council regarding cultural burns.

5.2 Floodplain Management Program Update – Moorebank Voluntary Acquisition Scheme – Acting Manager Infrastructure Planning - Binod Parajuli

Acting Manager Infrastructure Planning, presented on the Moorebank Voluntary Acquisition Scheme (MVAS) as part of Council's ongoing Floodplain Management Program. The scheme area included the high-hazard flood-prone area in Moorebank, including 175 affected properties that Council is progressively purchasing. He described the scheme as jointly funded by Council and the NSW Government under the Floodplain Management Program. A copy of the presentation was distributed to all.

Queries and discussions

- i. Mr Pillai questioned why NSW Government/Council in general is allowing development in floodplain land.
- ii. Ms Westberg enquired as to how many of the current 57 homeowners (still left) are willing to partake in the buyback scheme, not all residents are interested. Council contributes one-third cost in the buyback scheme, and NSW Government contributes two-thirds of the cost. Council has budget allocated for the buyback costs incurred.

Action: Cllr Kaliyanda advised development and conservation of Georges River should be a separate agenda item to be discussed at an upcoming EAC meeting.



Motion: Council to continue to participate in the Moorebank Voluntary Acquisition Scheme.

Moved: Stephen Dobell-Brown

Seconded: Cllr Harle

- iii. Mr Pillai suggested preparatory discussion with specialists in the Planning area regarding development along the Georges River to be held before coming back to the EAC.

6. GENERAL BUSINESS

6.1 Gandangara Aboriginal Land Council

Mr Pillai will now be the representative for the GALC, he will replace the current standing member, Mr Darren Duncan.

6.2 Development and conservation along the Georges River

Request from Mr Pillai for information about development and conservation along the Georges River. He raised concerns about biodiversity, natural hazards, and public safety of the area. Ms Westberg suggested someone from the Planning Department be invited to present on the matter at a future meeting.

Action: Council's Planning team and other relevant staff to meet and discuss. Planning team to present to future EAC meeting on development controls and considerations for land along the Georges River.

6.3 Presentation regarding Lake Moore Bush Regeneration

Mr Storey requested to present on Lake Moore bush regeneration work at future EAC meeting. Presentation to be provided to Manager City Environment for information and offline discussion.

Action: Presentation to be provided to Manager City Environment.

6.4 Plant Nursery Costings

Mr Riley commented on a nursery run by Hornsby Council growing native plants to assist with bush regeneration in their area. Coordinator Environmental Operations mentioned there is a case study outlining costings for a plant nursery, will locate this information for future discussion in EAC meeting.

Action: Coordinator Environmental Operations to provide update for future EAC meeting

6.5 Workmanship of outdoor staff

Mr Riley brought up Council's outdoor workers not completing their work properly and leaving sites untidy. This matter was outside the scope of EAC matters, and therefore to be discussed with pertinent manager. Cllr Kaliyanda reminded attendees of the purpose of the EAC.

Action: Offline discussion to be had with Manager City Works.

6.6 Rights and obligations of EAC members and observers

Rights and obligations as an EAC member to be redistributed to all members and observers to refresh their knowledge of what is expected of this committee.

Action: EAC Charter to be sent out with the June agenda.

6.7 Integrated Pest Management (IPM) Strategy

Coordinator Environment Management gave an update on the revised IPM Strategy, which now includes additional priority weed species in response to feedback received. Report highlights priority weed issues to ensure strategic approach, rather than being a complete list of weeds.

Action: Report back to Council to seek endorsement of IPM Strategy and Policy.

CLOSE:

Meeting closed at 8.25pm

CTTE 02

**Minutes of Intermodal Precinct Committee 5
June 2023**

Strategic Objective	Evolving, Prosperous, Innovative Facilitate quality local employment, training and education opportunities
File Ref	218935.2023
Report By	Chris Guthrie - Coordinator Business Development
Approved By	Julie Scott - Acting Director City Futures

EXECUTIVE SUMMARY

This report is tabled in order to present the Minutes of the Moorebank Intermodal Precinct Committee Meeting held on 5 June 2023.

At its ordinary meeting held on 26 February 2020, Council endorsed the Intermodal Precinct Committee Charter to establish the Intermodal Precinct Committee, which is an advisory Committee to Council. The Charter was updated by Council at its meeting on April 27, 2022, with the direction to hold meetings on a bi-monthly basis.

The committee discussed a range of matters which generated various actions and specifically a recommendation that Council attempt to access the traffic modelling from Transport for NSW, via a GIPA request if necessary.

RECOMMENDATIONS

That Council:

1. Receives and notes the minutes of the Intermodal Precinct Committee
2. Endorses the following actions and Committee recommendations contained in the minutes:

Action: Mr Rakowski to forward concerns to the committee to be briefed. (Relating to alleged breaches of consent conditions)

Action: Ms O'Connell to investigate this matter and report back to the committee at the next meeting (relating to alleged breaches of consent).

Action: Ms O'Connell to forward the contact information (for public complaints and concerns) to the Coordinator Business Development to share with the committee.

Action: Council to promote the contact information and relevant information (regarding contact information for the public for any complaints and concerns) onto the Council website for residents to access.

Action: Ms O'Connell to provide information at the next committee meeting (regarding potential for third parties to construct upgrades and also if there are any plans for bulk storage of materials, including liquids on site.)

Action: Mr Rakowski to forward his list of questions from above to LOGOS and to the Committee to be included in the minutes. (Questions relate to items raised in discussing previous minutes under Item 3 of the meeting)

Motion: That Council requests a full copy of the "VPA Traffic Network Assessment" (which underpinned many of the decisions relating to the development of the site) as cited by DPIE in their response to questions on the fact sheets as provided at the previous meeting. And if necessary, submit a GIPA request to do so.

Moved: Erik Rakowski Seconded: Carlo Di Giulio Carried

Action: At the next committee meeting LOGOS and the committee discuss the visual impacts of the warehouses.

Action: Mr Rakowski to forward the information to the Coordinator Business Development and the Council's Transport and Traffic Manager be invited to the next committee meeting to provide input and feedback (relating to the M5 upgrade notification)

REPORT

This report is tabled in order to present the Minutes of the Moorebank Intermodal Precinct Committee Meeting held on 5 June 2023 and the minutes from the meeting of 5 June 2023 are attached for the information of Council.

At its ordinary meeting held on February 26, 2020, Council endorsed the Intermodal Precinct Committee Charter to establish the Intermodal Precinct Committee, an advisory Committee to Council.

There were several actions and one recommendation arising from discussions at the meeting. The Committee are still concerned about suggested non-compliance with existing conditions of consent and future development at the site with respect to recent changes to planning controls.

There was also some concern expressed as to background traffic studies that have led to planned traffic and transport related upgrades and the Committee is anxious to access this data from Transport for NSW. To date, Council has not been supplied with this information.

FINANCIAL IMPLICATIONS

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

CONSIDERATIONS

Economic	<p>Deliver and maintain a range of transport related infrastructure such as footpaths, bus shelters and bikeways.</p> <p>Enhance the environmental performance of buildings and homes.</p> <p>Deliver a high-quality local road system including provision and maintenance of infrastructure and management of traffic issues.</p> <p>Facilitate economic development.</p>
Environment	<p>Minimise household and commercial waste.</p> <p>Manage the environmental health of waterways.</p> <p>Manage air, water, noise and chemical pollution.</p> <p>Retain viable opportunities for local food production while managing land use to meet urban growth.</p> <p>Enhance the environmental performance of buildings and homes.</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> <p>Promote an integrated and user friendly public transport service.</p> <p>Support the delivery of a range of transport options.</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> <p>Regulate for a mix of housing types that responds to different population groups such as young families and older people.</p> <p>Support community organisations, groups and volunteers to deliver coordinated services to the community.</p> <p>Support access and services for people with a disability.</p>
Civic Leadership	<p>Operate a well-developed governance system that demonstrates accountability, transparency and ethical conduct.</p> <p>Actively advocate for federal and state government support, funding and services.</p>
Legislative	There are no legislative considerations relating to this report.
Risk	The risk is deemed to be Low.

ATTACHMENTS

1. Minutes - Intermodal Precinct Committee Meeting 5 June 2023



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

MINUTES FROM INTERMODAL PRECINCT COMMITTEE MEETING 5 June 2023

COUNCILLORS:

Karress Rhodes
Fiona Macnaught
Peter Harle

(Chairperson)
Councillor
Councillor

COMMITTEE MEMBERS:

Carlo Di Giulio
Erik Rakowski

Community Representative
Committee Representative

COUNCIL ATTENDEES:

Chris Guthrie
Elizabeth Pirollo

Coordinator Business Development
Economic Development Assistant

GUEST ATTENDEES:

Kate O'Connell

LOGOS

APOLOGIES:

Julie Lefort
Westly Owers

National Intermodal
National Intermodal (NI)

OPEN

Meeting opened at 6:07 pm.

1. WELCOME, ATTENDANCE AND APOLOGIES

Councillor Rhodes welcomed the Committee and opened the meeting. Acknowledgements were made to the traditional custodians of the land. It was also noted that the meeting rules relating to quorum was achieved for this meeting.

2. DECLARATIONS OF INTEREST

Nil

3. MINUTES FROM PREVIOUS MEETING



3.1 Mr Rakowski referred to the minutes of the previous committee meeting, and highlighted that DPIE advised that all existing conditions of consent apply and the SEPP does not override the conditions of consent. Mr Rakowski summarised the conditions of consent that indicates there should not be any container trucks travelling from Port Botany on the east side of the M5.

3.2 Mr Rakowski mentioned that there is no evidence or appropriate CCTV footage that capture the alleged journeys. Mr Rakowski has begun to put together a report which he will provide to LOGOS, Council and Committee which documents alleged breach in over 60 occasions across a two year period.

3.3 Mr Rakowski queried if LOGOS could potentially investigate the alleged breaches in conditions of consent and that he has documented over 65 occasions where there has been alleged breach of consent.

Action: Mr Rakowski to forward concerns to the committee to be briefed.

Action: Ms O'Connell to investigate this matter and report back to the committee at the next meeting.

3.4 Councillor Macnaught asked what is the reporting mechanism LOGOS uses if any regarding truck movements and how do they capture their data, and if it is possible to share that data with the community?

3.5 Mr Rakowski advised that LOGOS has a reporting structure under the name "Bi-annual origin destination report" and included in the report is data that advises zero trucks have made the journey from Port Botany to the east along the M5

3.6 Ms O'Connell advised that the Community Consultative Committee's role is to be accessible to the community so their issues can be raised and addressed. Ms O'Connell will also share a contact number and email address that can be accessed to voice any concerns in the first instance if urgent issues arise.

Action: Ms O'Connell to forward the contact information to Coordinator Business Development to share with the committee.

Action: Council to promote the contact information and relevant information onto the Council website for residents to access.

3.7 Mr Rakowski referred to the previous minutes page 3 of the Committee meeting held 3 April 2023 and advised the modification includes language that suggests a third party may construct the upgrades mentioned, and is LOGOS or another third party going to complete construction and recoup the costs at a later date?

Action: Ms O'Connell to provide information at the next committee meeting

3.8 Mr Rakowski referred to the previous meetings minutes (page 3) held on the 3 April 2023 in relation to the compliant development inclusion of dry bulk storage silos storage or bulk liquid storage and if LOGOS has any plans in the future to store these types of goods.

Action: Ms O'Connell to provide information at the next committee meeting.

3.9 Mr Rakowski referred to the previous meeting minutes (page 4) held on 3 April 2023 regarding traffic certification and if the specific requirements for verification for the warehouses outlined by the Secretary can be provided to Council and the committee along with the locations of the monitoring stations and the data collected.



3.10 Mr Rakowski suggested the Community Development Fund be used to repair the old twig fences in Wattle Grove.

Coordinator Business Development mentioned that National Intermodal have previously wanted the funds to be used towards a skills and training model which is being developed.

Ms O'Connell noted that she could not speak on behalf of National Intermodal, however advised that from previous conversations at this committee meeting that National Intermodal had "earmarked" funds for skills and training.

Mr Rakowski asked for clarification from National Intermodal regarding what the funds will be used for.

3.11 Mr Rakowski provided some feedback on the new Moorebank Intermodal Precinct website mentioned in the previous meeting, and advised that the document gallery is difficult to navigate and suggested a similar model to the Sydney Metro Website

3.12 Ms O'Connell advised that LOGOS appreciates the feedback for the new website and will pass on the feedback to their appropriate internal team.

Action: Mr Rakowski to forward his list of questions from above to LOGOs and to the Committee to be included in the minutes.

3.13 Coordinator Business Development circulated the expressions of interest form relating to the vacancies on the Committee and it is now available on Council's website. Applications will close 30 June 2023

4. LOGOS Update

4.1 Changes to the traffic arrangements on Moorebank Ave and access in and out of Moorebank Precinct West (MPW). Chatham Rd which was previously used for construction access is now permanently closed; Bapaume Rd is providing temporary access for construction to MPW until the Moorebank Ave / Anzac Rd Intersection (MAI) is upgraded.

4.2 The two warehouses that are currently under construction on Moorebank Precinct East (MPE) are almost complete

4.3 Construction on new warehouses is about to commence north of the MPW

4.4 LOGOS and Council have met with Workforce Skills Australia to investigate what the workforce and skills development program may include. LOGOS is investigating the potential to run a pilot program for the new warehouses that will be under construction over the next 6 to 12 months.

Councillor Rhodes queried how many employees would LOGOS be taking onto the project?

Ms O'Connell advised they are still in discussions however it will include a range of different programs such as, apprentices, pre-employment programs and placement into careers.

Queries and Discussion

4.a Mr Rakowski queried the duration of the changed traffic conditions on Moorebank Avenue and when the intersection and interchange construction upgrades are taking place. What mitigation measures will be in place and for how long?

Ms O'Connell will provide information at the next committee meeting



5. General Business

5.1 Mr Rakowski suggested that Council request from DPIE a copy of the VPA Traffic Network Assessment

Coordinator Business Development advised Council have requested for DPIE to send a copy of the Traffic Network Assessment in the past and have been unsuccessful.

Motion: Council requests a full copy of the “VPA Traffic Network Assessment” as cited by DPIE in their response to questions on the fact sheets as provided at the previous meeting. And if necessary submit a GIPA request to do so.

Moved: Erik Rakowski Seconded: Carlo Di Giulio Carried

5.2 Councillor Rhodes noted for the minutes that the committee could seek assistance from the state local MPs to obtain the VPA Traffic Network Assessment.

5.3 Mr Rakowski advised he has received a letter through his letter box from Transport for NSW with information regarding further investigation and early works associated with the M5 westbound upgrade. Mr Rakowski suggested to the committee that Council write to Transport for NSW and DPIE to confirm the status of the M5 Westbound upgrade

Action: At the next committee meeting LOGOS and the committee discuss the visual impacts of the warehouses.

5.4 Mr Rakowski asked about the forward financial plan and if Council can confirm if the rates received (from National Intermodal) will be between \$5 - 6m in a few years' time.

Coordinator Business Development will provide an update at the next committee meeting (advice has been forwarded to the Committee since the meeting)

5.5 Mr Rakowski recommended that Council conduct its own investigations regarding traffic assessments and impact assessments of the following projects; the widening of the M5 West, The M5 West Upgrade and the EIS Report for the Moorebank Intermodal precinct to confirm background traffic congestion.

Action: Mr Rakowski to forward the information to the Coordinator Business Development and the Council's Transport and Traffic Manager be invited to the next committee meeting to provide input and feedback

CLOSE

Meeting closed at 7:34pm

CTTE 03

**Minutes of the Tourism and CBD Committee held
27 June 2023**

Strategic Objective	Evolving, Prosperous, Innovative Maintain strong relationships with agencies, stakeholders and businesses to achieve beneficial outcomes for the city
File Ref	219318.2023
Report By	Susana Freitas - Visitor Economy Officer
Approved By	Julie Scott - Acting Director City Futures

EXECUTIVE SUMMARY

This report is tabled in order to present the Minutes of the Tourism and CBD Committee Meeting held on 27 June 2023.

RECOMMENDATION

That Council:

1. Receives and notes the Minutes of the Tourism and CBD Committee Meeting held on 27 June 2023.
2. Endorse the recommendations in the Minutes.

REPORT

The Minutes of the Tourism and CBD Committee held on 27 June 2023 are attached for the information of Council.

The minutes contain the following actions or Committee recommendations:

- A/ Strategic Grants and Funds Officer to circulate declarations of interest form to the committee
- When the next Heritage Committee Minutes are adopted by Council, the Tourism and CBD committee receive them and discuss at the next meeting
- Heritage Officer to provide a general overview of the costs of the resources needed to activate Collingwood House and the Liverpool Courthouse

FINANCIAL IMPLICATIONS

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

CONSIDERATIONS

Economic	<p>Further develop a commercial centre that accommodates a variety of employment opportunities.</p> <p>Encourage and promote businesses to develop in the hospital health and medical precinct (of the City Centre).</p> <p>Facilitate economic development.</p> <p>Facilitate the development of new tourism based on local attractions.</p> <p>Culture and creative industries.</p>
Environment	<p>There are no environmental and sustainability considerations.</p>
Social	<p>Raise awareness in the community about the available services and facilities.</p> <p>Provide cultural centres and activities for the enjoyment of the arts.</p> <p>Preserve and maintain heritage, both landscape and cultural as urban development takes place.</p>
Civic Leadership	<p>Foster neighbourhood pride and a sense of responsibility.</p>
Legislative	<p>There are no legislative considerations relating to this report.</p>
Risk	<p>There is no risk associated with this report.</p>

ATTACHMENTS

1. Minutes of the Tourism and CBD Committee Meeting June 2023



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

MINUTES OF TOURISM AND CBD COMMITTEE 27 JUNE 2023

COUNCIL MEMBERS

Karress Rhodes	Councillor Chairperson
Fiona Macnaught	Councillor
Peter Harle	Councillor (Observer)

COMMUNITY REPRESENTATION

Jessica Bono	Liverpool Catholic Club
Michelle Caruso	Community Representation
Marc Edwards	Club Liverpool
Fazila Farhad	South West Sydney Tourism Taskforce NSW Inc
Jeff Gibbs	Moorebank Sports Club
George Khoury	Khoury & Associates
Ernest Kulauzovic	Belgravia
Donna James	Western Sydney University
Nataly Rahme	Community Representative
Stevan Sipka	Western Sydney Airport
Belinda Thomson	The William Inglis
June Young OAM	Community Representative

COUNCIL STAFF

Christopher Guthrie	Coordinator Business Development
Susana Freitas	A/Strategic Grants and Funds Officer
Thomas Wheeler	Heritage Officer
Clara McGuirk	Strategic Events Lead
Elizabeth Pirolo	Economic Development Assistant

APOLOGIES

Hon. John Ajaka	Chief Executive Officer
Navid Diwan	Diwanson Collection / Designer Palace
Dr Garth Lean	Western Sydney University

OPEN

Meeting opened at 10:04am

1. WELCOME, ATTENDANCE, APOLOGIES AND OPENING

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



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

2. DECLARATIONS OF INTEREST

Nil

3. ACKNOWLEDGEMENT OF PREVIOUS MINUTES

Motion: That this Committee endorse the previous minutes from the meeting held on the 19 April 2023

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

4. CODE OF CONDUCT TRAINING

Mark Loves from Procure Group presented to the committee Code of Conduct training

4.1 ACTION: A/Strategic Grants and Funds Officer to circulate declarations of interest form to the committee

5. BUSINESS ARISING FROM PREVIOUS MINUTES

5.1 Councillor Rhodes to investigate the visitation figures through WSROC for Cumberland City Council

5.1.1 Councillor Rhodes advised that a WSROC committee has not occurred since the action and will provide an update at next committee meeting

6. HERITAGE ASSETS UPDATE

Council's Heritage Officer provided an update to the committee.

6.1 Council is a member of 'Heritage of Western Sydney' which is a collaborative group of heritage officers from Penrith, Blacktown, Camden, Liverpool, Blue Mountains, Campbelltown, and Hawkesbury Councils. The focus is developing strategies and the growth of heritage tourism within Western Sydney. The group of officers have collaborated and developed an app called Heritage of Western Sydney which is a self-guided tour mobile application that can be downloaded onto any iOS or android phone with various guided driving tours to colonial and medical history sites.

6.2 Collingwood House currently has an activation plan which proposes the future use of the site to be a multi-purpose community and function venue, the Liverpool Regional Museum currently activates the space by request from community groups and schools for educational purposes.

6.3 Former Liverpool Court House is currently vacant, there are no future plans for the property however Council is investigating potential future uses. Department of Community and Justice will be donating furniture that was once used in the Windsor Courthouse.



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

6.4 Dr Pirie Community Centre is currently used as a community centre and there are no plans for the use to change at this stage. It is listed as a Local Heritage Item.

6.5 Chipping Norton Homestead is currently used as a residential lease, the plan is to activate the site to be a multi-purpose community and function venue. It is listed as a State Heritage Item.

6.6 Former Soldiers Memorial School of Arts is currently vacant, Council is investigating the potential future commercial or hospitality uses. Restoration works are ready to get started which will bring the building into a usable state.

6.7 Rosebank Cottage is currently being used by a critical community service and there are no proposed changes to the use of the site at this stage.

Queries and Discussion

6.a Councillor Rhodes mentioned to the committee that the historical houses in Hammondville and the property on Leacock Lane in Casula (Glenfield Farm) were not mentioned as heritage assets and would like to see Council engage with these properties owners to promote the heritage sites. Councillor Rhodes mentioned that Council does not promote its heritage assets enough and this affects the visitation to the sites.

Heritage Officer highlighted from the statistics from Destination NSW statistics that international visitors have shown more interest in First Nations landmarks rather than colonial historic sites, Council requires investment and additional works to capitalise on these visitors but are not currently in a position to do so. The majority of the historic houses in Hammondville have been demolished apart from a couple of cottages, an investigation with heritage tourism specialists would need to be undertaken to evaluate the interest in the sites.

6.b Mr Sipka mentioned he attended a conference by Transport Tourism Forum which mentioned the current trends in tourism. These trends include sustainable and first nations experiences as well as museum and art galleries that have an experience linked with hospitality services, and Council could potentially investigate ways to capitalise on incorporating ahospitality experience to a site like Collingwood House to engage interest.

6.c Councillor Rhodes agreed with Mr Sipka and suggested historical reenactments would attract visitation to a site like Collingwood House

The Heritage Officer mentioned research from the Former Historic Housing Trust has shown that there is an interest in activities that replicate what it was like to live through this period of time. An activation plan for Collingwood House has been developed and awaiting to be taken to a future Council meeting.

6.d Mr Kulauzovic suggested the Tourism and CBD Committee host a combined meeting with the Heritage Committee to discuss and collaborate on ideas on how to map and use the sites available in Liverpool.

ACTION: When the next Heritage Committee minutes are adopted by Council the Tourism and CBD committee receive them and discuss at the next meeting



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

6.e Mrs Rahme mentioned her children attend school within Liverpool and mentioned it is important that the local schools are engaged with the local historic history.

The Heritage Officer advised the Collingwood Activation Plan has come to the committee previously and would like to present the Activation Plan once it is adopted by Council. The engagement in Collingwood House has decreased due to the conservation works and development of the new program for the site has taken a few years, however it is now in place and schools are now able to attend.

ACTION: Heritage Officer to provide a general overview of the costs of the resources needed to activate Collingwood House and the Liverpool Courthouse

6.f Mrs Young advised that together with Harry Hunt, late president of the South West Tourism Taskforce, she used to utilise the Courthouse to operate a Historical Visitor Centre and that reenactments would take place in the courtroom, and could recommence with the furniture being donated to Council from the Department of Community and Justice.

6.g Mrs Young mentioned Camden Council through their Tourism Bureau arrange historical tours through Camden by bus, and suggested Liverpool City Council could do a similar activity.

The Heritage Officer again mentioned the Heritage of Western Sydney App that the community can utilise for self guided tours.

7. MEMBERS INTRODUCTION AND ASPIRATIONS FOR COMMITTEE

7.1 A/ Strategic Grants Officer introduced Jessica Bono from The Liverpool Catholic Club to the committee

7.2 The members of the committee introduced themselves to the new member

8. GENERAL BUSINESS

8.1 Mr Sipka suggested that the Heritage Society have a stand at the Council events in Macquarie Mall to assist in promoting their group

Councillor Rhodes agreed with Mr Sipka's suggestion and has advised Council has been investigating potential permanent location for the Heritage Society, once a location is found it will be shared with the committee.

9. CLOSE

Meeting close: 12:01pm

CTTE 04

**Minutes of the Liverpool Youth Council meeting
held on 20 June 2023.**

Strategic Objective	Healthy, Inclusive, Engaging Communicate, listen, engage and respond to the community by encouraging community participation
File Ref	225305.2023
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 20 June 2023.

RECOMMENDATION

That Council:

1. Receives and notes the Minutes of the Liverpool Youth Council Meeting held on 20 June 2023.

REPORT

The Minutes of the Liverpool Youth Council held on 20 June 2023 are attached for the information of Council.

FINANCIAL IMPLICATIONS

The minutes contain no actions for Council staff to undertake and therefore will not have a financial impact on the 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.
Civic Leadership	<p>Undertake communication practices with the community and stakeholders across a range of media.</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>Operate a well-developed governance system that demonstrates accountability, transparency, and ethical conduct.</p>
Legislative	There are no legislative considerations relating to this report.
Risk	There is no risk associated with this report.

ATTACHMENTS

1. Minutes of the Liverpool Youth Council meeting held on 20 June 2023



Minutes

MINUTES OF LIVERPOOL YOUTH COUNCIL MEETING

Tuesday 20 June 2023

COUNCILLORS:

Councillor Fiona Macnaught

Liverpool City Council

COMMITTEE MEMBERS:

Simbarashe Zimbudzana

Mikaela Jenkins

Nishant Goyal

Jorja Suga

Tiaan Vamarasi

Vishal Kunnathur Senthilkumar

Ella-Jay Nuttall

Mustafa Sawalhi

Phillip Gigliotti

Sonia

Sharma

President (**Chairperson**)

Secretary (**Minutes**)

Treasurer

Media Representative

Deputy Media Representative

Youth Councillor

Youth Councillor

Youth Councillor

Youth Councillor

Youth Councillor

COUNCIL ATTENDEES:

Derek Tweed

Liverpool City Council

APOLOGIES:

Councillor Charishma Kaliyanda

Liverpool City Council

GUESTS:

Annalise Zareba

The Junction Works



Minutes

1. WELCOME, ATTENDANCE AND APOLOGIES

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

2. DECLARATIONS OF INTEREST

Nil.

3. GUEST SPEAKER – Annalise Zareba, The Junction Works

Annalise Zareba is the Manager – Community at The Junction Works, based at Wattle Grove Community Centre.

The Junction Works is a community organisation that delivers services under the Targeted Early Intervention (TEI) Program to families, children and young people across the Liverpool, Fairfield, Canterbury/Bankstown, and Campbelltown LGAs.

Youth programs with The Junction Works include:

- Counselling;
- Case Management;
- School Based Workshops;
- Parenting Skills;
- Breakfast Clubs at two Schools;
- School Holiday Programs; and
- Activations for Children's Week and Youth Week annually.

The Junction Works utilise a person-centred approach when working with young people which guides what support would be beneficial for each individual. This may be employment skills, support regulating emotions, mental health programs, education, and anger management needs.

General support includes outreach services available for three months, workshops, wellbeing days and skills development opportunities at local schools in collaboration with the School's Student Support Officers.

There are volunteering opportunities available as The Junction Works provide leadership opportunities via their programs including Playgroups, Breakfast Clubs and School Holiday Activities.

Moved: Jorja Suga

Seconded: Tiaan Vamarasi

MOTION: That the information be received and noted.



Minutes

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

4. CONFIRMATION OF PREVIOUS MINUTES

The Minutes from the meeting held on 18 April were confirmed as a true record of that meeting.

Moved: Nishant Goyal

Seconded: Vishal Kunnathur Senthilkumar

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. CORRESPONDENCE

Youth Council member Vishal Kunnathur Senthilkumar provided the following update:

- The City of Sydney are seeking participants for their Youth Civic Participation program. This program includes training and mentorship opportunities for young people to help plan City of Sydney events. It is similar to Youth Council, and is available for young people who live, work or study in the City of Sydney LGA. Applications are open now.

Moved: Sonia Sharma

Seconded: Ella-Jay Nuttall

MOTION: That the information be received and noted.

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

7. COUNCILLOR UPDATE

The following updates from the Council meeting held on 31 May 2023 were provided:

- Safety concerns at Lt. Cantello Reserve, Hammondville were investigated and as a result Council have endorsed a recommendation to improve lighting by incorporating motion activated solar lights, and leaving the Lt Cantello access road gate open until 8pm daily to allow safe vehicular access along the road until the lights are installed;



Minutes

- In order to increase visitation in the Liverpool CBD on weekends and during special events Council are proposing to make the Warren Serviceway Carpark free on public holidays and weekends;
- Council has requested a report is brought back to the June Council Meeting on the current usage of the Warren Serviceway carpark, and the financial implications of providing free parking in the carpark on public holidays and weekends;
- Council will investigate amendments to the Liverpool Development Control Plan 2008 (DCP) for the Liverpool CBD to better encourage the development of larger, family friendly apartments to better suit a diverse range of family requirements; and
- Councillor Macnaught recognised and thanked the amazing efforts of the Liverpool Youth Council, particularly with reference to recent Youth Week festivities and their commitment of the previous three years on the Youth Council. Council endorsed to hold a civic ceremony to thank the outgoing Youth Council on their term and to congratulate them on their achievements.

Moved: Mustafa Sawalhi

Seconded: Vishal Kunnathur Senthilkumar

MOTION: That the information be received and noted.

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

8. YOUTH WORKER'S REPORT

8.1 School Holidays Activities

The first ever all-inclusive, all-abilities dance workshops were delivered at Ashcroft Public School during the April school holiday period. All four workshops were booked out and received great feedback.

The chess tournament was very well attended, with 56 players participating on the day.

8.2 Youth Council Recruitment

The recruitment interviews have now been completed.

A big thank you to Youth Council members who assisted with the interviews – Jorja Suga, Vishal Kunnathur Senthilkumar, Phillip Gigliotti and Emily D'Silva, who all volunteered to be on the interview panel. A huge thank you to Councillor Macnaught who sat on all three interview panel nights which was a great effort to assist the Youth Council in recruiting for the 2023-2025 term.

The applicants have been reviewed and the final 12 nominations will be presented to the June Council meeting for endorsement.



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8.3 Liverpool Boys High School Careers Visit

Council hosted a group of students from Liverpool Boys High School Careers class to learn about career options with Council.

The session featured guest speakers from various Council departments including:

- HR Recruitment Specialist discussing how to make outstanding job applications;
- City Economy team to discuss projects including the Liverpool Innovation Precinct and Western Sydney Airport; and
- Members of the Parks and Outdoor teams to discuss apprenticeship and work experience available for outdoor based careers.

8.4 Youth Leadership Activity with Headspace and Youth Health Reference Groups

A meeting between representatives of the Liverpool Youth Council, headspace Youth Leadership Program and Youth Health Reference Groups was held on Thursday 25 May at Liverpool Library. This meeting aimed to support these groups to connect and collaborate on issues relevant to young people in Liverpool. The night included dinner, and a fun trivia competition.

8.5 Zest Awards

Youth Council member Vishal Kunnathur Senthilkumar has been nominated for this year's Zest Awards in the category of "Outstanding Youth Leader". The Zest Awards are being held Friday 23 June at Accor Stadium - Olympic Park. The best of luck to Vishal!

Moved: Phillip Gigliotti

Seconded: Jorja Suga

MOTION: That the information be received and noted.

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

9. TREASURER'S REPORT

The Youth Council budget has mostly been expended due to recent activations as part of Youth Week, and purchasing promotional materials to share with local young people.

Moved: Mustafa Sawalhi

Seconded: Vishal Kunnathur Senthilkumar

MOTION: That the information be received and noted.

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



Minutes

10. YOUTH LIAISON REPORT

Youth Liaison Officer Simbarashe Zimbudzana led a discussion on how we can improve the Youth Liaison position on Youth Council. Ideas included the following points:

- More posting on the Youth Council social media pages including activities happening in the area, student deals/offers, reviews of local businesses, engagement activities, competitions, videos, and profiles of Youth Council members; and
- Investigate creating a TikTok account to better engage with the youth demographic.

Moved: Sonia Sharma

Seconded: Phillip Gigliotti

MOTION: That the information be received and noted.

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

11. MEDIA REPRESENTATIVE'S REPORT

There are currently 926 followers on Instagram, and 1,500 on Facebook.

The third round of stories from the Creative Writing Competition will be posted onto Youth Council's social media pages shortly. The posts will showcase the competition winners in the coming weeks.

Moved: Ella-Jay Nuttall

Seconded: Vishal Kunnathur Senthilkumar

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) presented to the Youth Councillors on some of the highlights achieved in the Youth Council term of 2020 – 2023. This presentation provided the opportunity to highlight the excellent work of this group and thank all Youth Council members for the ongoing commitment and support over the previous three years.

Youth Council members also provided their feedback on their experiences with the Youth Council:

- Vishal Kunnathur Senthilkumar appreciated the support from Council including both staff and Councillors. Thanks to Councillors Macnaught, Kaliyanda and Hagarty for their



Minutes

valuable input and support. Vishal encouraged all Youth Council members to continue to support the community where possible and keep moving forward; and

- Simbarashe Zimbudzana also expressed thanks to his fellow Youth Council members, Council staff and Councillor delegates for their ongoing engagement and commitment for the Youth Council.

13. CLOSE

The meeting closed at 7:45pm.

This was the final Liverpool Youth Council meeting for the 2020 – 2023 term.

QWN 01

Question with Notice - Cllr Hagarty - Temporary Asphalt Paths

Strategic Objective	Healthy, Inclusive, Engaging Deliver great and exciting events and programs for our people and visitors
File Ref	227711.2023

QUESTION WITH NOTICE

Background

Council has previously laid asphalt footpaths in growing suburbs and Camden Council have recently laid several kilometres in Leppington North.

These provide a satisfactory temporary solution for residents to walk or ride to school, shops, parks and public transport stops safely until permanent footpaths are constructed.

Please address the following:

1. Does Council have plans to construct temporary asphalt paths in our growing suburbs?
2. If so, when and where?

Response (provided by Operations Directorate)

Generally, council do not construct asphalt footpaths as the cost differences between an asphalt footpath and a concrete footpath are not significantly different. Asphalt footpaths can be up to approximately 20-30% less than a concrete footpath of equivalent width depending on the type and location of construction.

However, the majority of costs associated with footpath construction (both asphalt and concrete) comprises of site establishment, labour, traffic control and plant/ equipment costs, which are similar between both footpath types, resulting in limited cost savings.

Further to this, the useful life of asphalt vs concrete footpaths is significantly different, with concrete footpaths having a useful life of 75 to 100 years compared to asphalt footpaths which have a 10-to-20-year useful life at best.

This results in asphalt footpaths being an uneconomical solution in comparison to concrete footpaths for the medium to long term.

As such, asphalt footpaths are typically utilised as an ad-hoc and temporary solution in locations where footpaths are needed for a relatively short time frame, or to fill gaps in the footpath network temporarily until development works are completed and developers construct permanent concrete footpaths, such as in new release areas.

A recent example includes an asphalt footpath along the Southern side of Camden Valley Way, between Bernera Road and 2094 Camden Valley Way, to serve as temporary access until a permanent path can be constructed.

ATTACHMENTS

Nil

QWN 02

Question with Notice - Cllr Kaliyanda - Grants for Planning

Strategic Objective	Visionary, Leading, Responsible Place customer satisfaction, innovation and best practice at the centre of all operations
File Ref	228184.2023

QUESTION WITH NOTICE

Recently, the NSW Government announced grants of \$25,000 to fund tuition fees for planning cadets in order to ease the significant demand for planners across NSW and the impact of this on local governments. Liverpool City Council was not announced as one of the 64 applicants for this grant.

Please address the following:

1. Why did Liverpool City Council not put in an application for this funding, given the significant constraints on the capacity of the Planning Directorate and the ongoing issue of lack of staff?
2. How much did Liverpool City Council spend on the outsourcing of assessment of DAs, and other Planning and Compliance processes in the 2022/23 financial year?
3. How much is budgeted for such outsourcing in the 2023/24 financial year?
4. How much did Liverpool City Council spend on consultants and the development of reports specifically in relation to planning and development applications in the 2022/23 financial year?
5. How much is budgeted for expenditure on consultants and reports related to development applications in the 2023/24 financial year?

Responses (Provided by Corporate Support and Planning & Compliance Directorate)

1. **Why did Liverpool City Council not put in an application for this funding, given the significant constraints on the capacity of the Planning Directorate and the ongoing issue of lack of staff?**

The strong start cadetship program funding of \$25,000 was not available for existing student planner positions which were filled recently in March and April 2023. The

funding could only be applied to vacant positions and at the time, there were no vacancies in the existing student planner roles. The only provision for Council to apply for this funding is to employ new student planners. To facilitate this, an additional budget per Student Planner of \$57,654.90 plus super per year (based upon the salary figures for Financial Year 2022/23) would be required.

In addition, engaging in the program requires a commitment of Council to employ the planning cadet for the duration of their study and the program funding must be expended on tuition fees for a NSW university listed within the Strong Start Cadetship Program – Program Guidelines.

Based on the above, it was decided that this program was not financially sustainable for Council.

Notably, Liverpool Council has successfully been able to recruit student and entry level planners. The challenges mostly relate to the ability to recruit skilled senior planners to carry out the assessment of complex development applications.

2. How much did Liverpool City Council spend on the outsourcing of assessment of DAs, and other Planning and Compliance processes in the 2022/23 financial year?

Total expenditure on outsourcing assessment of DA's and other planning and compliance processes for 2022-23 was \$1,817,918. For the financial year 2022/23, 1.5 million was covered by salary savings.

3. How much is budgeted for such outsourcing in the 2023/24 financial year?

There is no budget allocated for outsourcing in 2023-24. Similar to last financial year if required savings from salaries will be utilized. Approximate salary savings for FY2021-22 and FY2020-21 were \$550,212 and \$88,152.

4. How much did Liverpool City Council spend on consultants and the development of reports specifically in relation to planning and development applications in the 2022/23 financial year?

Overall expenditure on outsourcing assessment of DA's for 2022-23 was \$1,817,918.

5. How much is budgeted for expenditure on consultants and reports related to development applications in the 2023/24 financial year?

There is no budget allocated for expenditure on consultants and reports related to development application in 2023-24. If required, savings from salaries can be utilised.

ATTACHMENTS

Nil

QWN 03

Question with Notice - Cllr Hagarty - Schedule of Contracts Awarded

Strategic Objective	Visionary, Leading, Responsible Ensure Council is accountable and financially sustainable through the strategic management of assets and resources
File Ref	228307.2023

QUESTION WITH NOTICE

Background

At the June 2022 Council meeting the following motion was passed:

That Council direct the Acting Chief Executive Officer to:

- *Bring a report detailing all tenders awarded by Council for financial year 2021/22, regardless of dollar value, to the August Council Meeting; and*
- *Report subsequent tenders, regardless of dollar value, to Council on a quarterly basis*

An annual report was brought to the August 2022 meeting and a quarterly report was brought to the October 2022 meeting. Since then, this motion does not appear to have been fulfilled.

Please address the following:

1. Can an update be provided on the status of the quarterly Schedule of Contracts Awarded?

Response (provided by Corporate Support)

As a result of staff and structural changes, this was unintentionally overlooked.

Please find attached the 31 December 2023 quarter report, 31 March 2023 quarter report and 30 June 2023 quarter report for information.

ATTACHMENTS

1. Schedule of Contracts Awarded - 1 October 2022 - 31 December 2023
(Quarter 2)
2. Schedule of Contracts Awarded - 1 January 2023 - 31 March 2023 (Quarter 3)
3. Schedule of Contracts Awarded - 1 April 2023 - 30 June 2023 (Quarter 4)

Procurement Contract Awarded 1 October 2022 - 31 December 2022				
Awarded Date	Contract Title	Contract Duration	Contract Value	Awarded Supplier
6/10/2022	RCL3071 Road Rehabilitation and Asphalt Services	3 years + 2 years	\$60,000,000	Bemipave Road Solutions Borthwick & Pengilly Asphalts Pty Ltd Colas Solutions Pty Ltd D&M Excavations and Asphalting Pty Ltd Downer EDI Works Pty Ltd J & E Asphalt & Civil Pty Ltd NSW Kerbing Pty Ltd Roadworx Group Planet Civil Pty Ltd State Asphalt Services Pty Limited Stateline Asphalt Pty Ltd Superscaling Pty Ltd
4/11/2022	ST3109 Pool Plant & Equipment Preventative Maintenance Agreement	3 years + 2 years	\$380,000	Trisley's Hydraulic Services Pty Ltd - Portins A & B
28/10/2022	ST3176 Collingwood Visitation Precinct Masterplan	12 months	\$278,641	McGregor Coxall Australia Pty Ltd
14/10/2022	VP3177 Supply two (2) mini Excavators, One (1) 3.5ton, & One (1) 5.0 ton	12 months	\$208,953	Australian Hammer Supplies Pty Ltd
2/11/2022	WT3187 Urban Forest Strategy - Greening City Tree Planting, Stage 2	6 mths with 12 months defect liability period	\$505,822	Waratah Lawncare & Garden Management Pty Ltd
21/10/2022	PQ3188 Construction of Nineteenth Avenue Footbridge, Hoxton Park	12 months	\$246,599	Civil Constructors Pty Ltd
26/09/2022	PQ3191 Digital solution to capture real-time parking availability for all accessible parking spaces	1 + 1 + 1 year	\$87,532	Reino International Pty Ltd T/A Duncan Solutions Australia
30/11/2022	ST3194 Liverpool Civic Place External Project Management Specialist	2 years	\$327,250	Tubed Consulting Pty Ltd
12/10/2022	ST3195 Recruitment Services - CEO	6 months	\$28,509	Blackadder and Associates Pty Ltd
20/10/2022	PQ3197 Shade Structure Program – Manufacture Supply and Installation of Shade Structures at Various Sites in Liverpool LGA	36 Weeks	\$113,949	Ellis and Son's Group Pty Ltd
14/12/2022	PQ3198 Playground Replacement Program Softfall Rubber Refurbishment at Various Sites in Liverpool LGA	36 weeks with 26 weeks defects liability period	\$102,999	PNI Group Pty Ltd
17/10/2022	VP3200 Supply of 5 Parks Mowers	9 months	\$147,602	Australian Hammer Supplies Pty Ltd
28/10/2022	PQ3201 Roof Replacement at the Prestons Child Care Centre	16 Weeks	\$137,390	West Avenue Building Pty Ltd T/A DML Group
28/10/2022	PQ3202 Advocacy and Stakeholder Engagement	1 year	\$199,584	Taylor Street Advisory Pty Ltd
9/12/2022	WT3203 Air Conditioning Replacement Works for Green Valley District Centre and Library	8 weeks	\$420,000	Integral Electrical Engineering Co Pty Ltd
22/12/2022	VP3209 Design and Construction of Outdoor Fitness Gym at Alamein Park	34 Weeks	\$143,990	A_Space Australia Pty Ltd
12/12/2022	PQ3211 Pool Concourse Resurfacing at the Whitlam Leisure Centre	16 weeks	\$216,700	Profloor Epoxy Systems
24/10/2022	VP3212 Pavement Investigation Program	6 months	\$101,881	Durkin Construction Pty Ltd
12/12/2022	VP3213 Manufacture, Supply and Install Pye Hill Playground Equipment	40 Weeks	\$370,667	ProLudic Pty Ltd
14/12/2022	PQ3216 Supply and Deliver Six Bus Shelters	6 months	\$79,200	Polite Enterprises Corporation Pty Ltd

20/12/2022	VP3217 Supply and Installation of GPT at Weir Crescent	24 weeks + 52 weeks defects liability period	\$336,479	Azbuild pty Ltd
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Procurement Contract Awarded 1 January 2023 - 31 March 2023					
Awarded Date	Contract Title	Contract Duration	Contract Value	Awarded Supplier	
12/01/2023	VP3189 Woodbrook Road Upgrades	12 months + 12 months Defects Liability period	\$919,630	Convil Group Pty Ltd	
18/01/2023	PQ3225 Railway Street Shared Spaces Demonstration Project	3 years + 2 years	\$241,639	Plantabox Pty Ltd	
7/02/2023	PQ3215 Local Park Upgrade – Gibbs Park	38 Weeks	\$122,666	Auscage Pty Ltd	
2/03/2023	PQ3224 Cash Collection and Banking Services	3 years + 2 Years	\$220,000	ECS International Security and Investigations	
3/03/2023	WT3158 Upgrade of Governor Macquarie Drive (GMD) between Hume Highway and Munday Street, Warwick Farm	12 months	\$8,078,031	Burton Contractors Pty Ltd	
6/03/2023	VP3208 Water Quality Modelling for Liverpool City Centre	6 Months	\$65,450	Optimal Stormwater Pty Ltd	
20/03/2023	VP3206 Grimson Park Upgrade	44 Weeks	\$730,940	Growth Civil Landscapes Pty Ltd	
28/03/2023	RCL3193 Provision of Probity Advisory Services - Panel Arrangement	3 years + 2 years	\$500,000	O'Connor Marsden & Associates Pty Limited	
				Centium Pty Ltd	
				Archblue Consulting Trust T/A Archblue Consulting (Aus) Pty Ltd	
				Wozniak Family Trust T/A Anaiwan Advisory Pty Ltd	
				Procure Group Pty Ltd	
				M & R Robinson Pty Ltd T/A The Shop Consulting	
				InConsult Pty Ltd	

Procurement Contract Awarded 1 April 2023 - 30 June 2023					
Awarded Date	Contract Title	Contract Duration	Contract Value	Awarded Supplier	
28/04/2023	Landscape Architectural Services - Ron Darcy Oval	24 weeks	\$ 125,000	Eximia Design Pty Ltd	
01/05/2023	Lions Lookout - Landscape Architectural Services	24 weeks	\$ 100,000	Moir Landscape Architecture Pty Ltd	
22/05/2023	Harris Creek Flood Study	12 months + 12 months extension option	\$ 132,000	Catchment Simulation Solutions Pty Ltd	
26/05/2023	Supply, delivery and installation of solar lights at various sites	44 Weeks	\$ 190,000	Havencord Pty Ltd T/A Floodlighting Australia	
26/05/2023	New LED Lighting System for Northumberland Carpark	eight (8) weeks and Twelve (12) month Defects Liability Period	\$ 182,000	Integral Electrical Engineering Co Pty Ltd	
31/05/2023	Design, Supply, Delivery, and Installation of Solar Lights at CPAC Carpark	12 months	\$ 80,000	Havencord Pty Ltd T/A Floodlighting Australia	
22/06/2023	Cole Park - Local Park Upgrade	36 weeks including 26 weeks defects liability period	\$ 120,000	Landscape Synergy Pty Ltd	
22/06/2023	2023-24 FY - Pavement Investigation Works	12 months	\$ 170,000	Durkin Constructions Pty Ltd	

NOM 01

Governance Committee

Strategic Objective	Visionary, Leading, Responsible Place customer satisfaction, innovation and best practice at the centre of all operations
File Ref	226397.2023
Author	Nathan Hagarty - Councillor

BACKGROUND

Council determined in March 2023 to establish and operate several strategic governance committees.

These Committees have been meeting since May 2023 with the stated Strategic Objective to "demonstrate a high standard of transparency and accountability through a comprehensive governance framework."

Over this period the minutes of the Governance Committees have been included as an addendum to the Council Agenda.

The current practice of placement of these Minutes as an addendum does not meet the stated objective or standards of transparency and accountability in good governance.

In the interest of reviewing and improving the operation of the governance committees, I move the following motion.

NOTICE OF MOTION

That Council:

1. Refer the minutes of the Governance Committees to a Council meeting where they can be included with other council reports that allow appropriate consideration time and not be provided as an addendum.
2. Refer the recommendations of each Governance Committee are included as standalone items to be presented and endorsed by Council
3. Ensure the minutes of the Governance Committees are available on the Council website and consistent in format to the Council Meeting Business papers and minutes to ensure public accessibility

CHIEF EXECUTIVE OFFICER'S COMMENT

On 1 March 2023 Council resolved to pilot the Governance Committees.

A report will be included in the July agenda to recommend that Council endorses that the minutes of the committee meeting are tabled at the following month Council meeting.

The Agenda and Minutes will be published on the Council website on the same page as the Council agenda to ensure public accessibility.

Moving forward staff will include the Committee recommendations in the report tabling the minutes, making them easily accessible to the Councillors.

FINANCIAL IMPLICATIONS

There are no financial implications relating to this recommendation.

ATTACHMENTS

Nil