

QUESTIONS WITH NOTICE

QWNO 01

ITEM NO: QWNO 01
FILE NO: 2013/0322
SUBJECT: QUESTION WITH NOTICE - CLR HARLE

RECOMMENDATION

1. With regard to the recent pollution incident of Maxwell's Creek near the Elouera Bushland Reserve: (10 January 2013)

a. Was Council able to identify the origin of the pollution and the pollutant?

Council Officers carried out a detailed investigation of businesses operating upstream of the pollution incident. They identified a serious product escape from a factory unit and steps were taken to remediate the immediate area around the factory and to provide bunding to the work areas within the factory to prevent future escapes of product to the stormwater system. Whilst we believe it may have been the same material that was found in Maxwell Creek we are not able to definitively make that claim.

b. Are there practical, cost effective steps that Council could implement to ensure that it can trace the source of future possible industrial pollution with some certainty?

There are no practical ways in which Council can ensure that we are able to trace future possible contaminants as sometimes they are caused by illegal dumping into water courses or onto land adjacent to water courses. We are only able to trace each incident as it occurs.

2. Local residents have expressed concerns with the current state of Maxwell's Creek as it flows through the Elouera Bushland Reserve. Evidence shows relatively large numbers of drink containers and general rubbish lining the banks of Maxwell's Creek within the bushland area.

a. Can Council place the creek on an extended clean-up program?

In 2008, a 200 metre area along Maxwells Creek was selected as an Environment Restoration Plan Site. This involved weeding, planting and introduction of an ongoing litter collection program along the creek and creek bank. A further 100 metres of weeding, planting and litter collection occurred in 2012. Therefore, these two combined sites are currently maintained by Council and litter is collected every four weeks. In addition, a

further section of the creek has been selected as part of the next round of Environment Restoration Plan works.

Further investigation will be carried out on the remainder of the creek with a view of setting up a further maintenance program. Council will also liaise with the Georges River Combined Councils Committee (GRCCC) River Keeper Program to determine if this program can also assist with litter removal.

b. Can Council investigate the feasibility of installing gross pollution trap(s) that would prevent the current problem of drink containers entering the reserve?

The suitability of gross pollution traps will be considered as part of Council's investigation into establishing further maintenance programs at this site.

c. Is it possible to fund (a) and (b) from the Environmental Levy?

The Environment Restoration Plan works undertaken along Maxwell's Creek, (outlined in 2 (a) above) is funded by the Environment Levy.

The more appropriate funding source for part 2 (b) would be the Stormwater Levy. However, this will be determined through further investigation.

QWNO 02

ITEM NO: QWNO 02
FILE NO: 2013/0322
SUBJECT: QUESTION WITH NOTICE - CLR STANLEY

RECOMMENDATION

1. **Please provide the following costs or their estimates if not yet fully realised:**
 - a. **Total cost for Councillor training 2011-2012**
 - b. **Total cost for Councillor training 2008-2012**
 - c. **Budget for Councillor training 2012-2013 as reported in June 2012**
 - d. **Total balance of training budget 2012-2013**
 - e. **Costs to date for Councillor Training end of December 2012**
 - f. **Costs of the training session for the weekend workshop held in November 2012 in Wollongong. Please detail costs separately for facilitation, facilities, accommodation and staff overtime costs.**
 - g. **Costs of the training session for the weekend workshop held in December 2012 in Manly. Please detail costs separately for facilitation, facilities, accommodation and staff overtime costs.**
 - h. **Costs for the individual and team profiling exercise held by Peter Berry Consultancy before the December 2012 workshop.**

2. **What was the rationale for not choosing a venue either owned by Council such as the Casula Power House or a business in Liverpool or surrounding suburbs for these workshops?**

QWNO 03

ITEM NO: QWNO 03
FILE NO: 2013/0322
SUBJECT: QUESTION WITH NOTICE - CLR SHELTON

RECOMMENDATION

Having regard to the recent New South Wales and interstate bushfire emergencies (and more generally all emergencies presenting a threat to life and property) please provide the following information:

- 1. When was the last occasion Liverpool Council received a direction under s.36 of the State Emergency and Rescue Management Act, 1989, and what was the nature of the direction given? What is the procedure for dealing with such directions, and are separate records for such directions kept (including as to costs)?**
- 2. Particularise the 'executive support', if any, Liverpool Council has been providing to the Local Emergency Management Committee and the Operations Controller pursuant to s.32 of the State Emergency and Rescue Management Act, 1989.**
- 3. What is the current membership of the Local Emergency Management Committee for the Liverpool LGA as constituted under s.28 of the State Emergency and Rescue Management Act, 1989? When did this Committee last meet, how often does it meet, and where may its minutes be inspected?**

ADDENDUM BOOKLET REPORTS

GMRR 05

ITEM NO: GMRR 05
FILE NO: 2012/2797
SUBJECT: WSROC APPLICATION FOR COMMUNITY ENERGY EFFICIENCY PROGRAM (CEEP) ROUND 2 GRANT FUNDING

RECOMMENDATION

That Council:

1. Supports the grant application being proposed by WSROC.
2. Makes provision in the 2013/2014, 2014/2015 and 2015/2016 budgets of \$224k to supplement grant funding.
3. Directs the General Manager to write to the Chief Executive Officer of WSROC to confirm Council's commitment to provide funding to support the grant application.

COUNCIL DECISION

Motion: **Moved: Cllr Hadchiti** **Seconded: Cllr Mamone**

That the recommendation be adopted.

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

GMRR 06

ITEM NO: GMRR 06
FILE NO: 2012/3920
SUBJECT: PROPOSED ORGANISATIONAL STRUCTURE

RECOMMENDATION

That Council:

1. Adopts the organisation structure as provided in Attachment 1 of this report in accordance with Section 333 of the *Local Government Act 1993*;
2. Notes the effective date for implementation of the revised organisation structure for senior staff positions is 30 April 2013;
3. Determines the positions of Executive Directors and Group Managers as 'Senior Staff' positions subject to performance based contracts in accordance with Section 332 of the *Local Government Act 1993*;
4. Notes the draft Group Operational Structure as provided in Attachment 2;
5. Notes the interim personnel arrangements identified in the confidential report;
6. Notes the termination of the senior staff position of Director City Services in accordance with the subclause 10.3.5 of the senior officer contract by termination payment specified in subclause 11.3 of the contract;
7. Notes that the proposed structure will finance positions recently approved for recruitment by Council (Manager Marketing and Communications in October 2012 and Senior Policy Advisor in December 2012), with additional technical staff in priority areas subject to the available budget resources of the current establishment;
8. Notes that a further report in regard to the appointment of senior staff will be provided to Council in accordance with Section 337 of the *Local Government Act 1993*;
9. Keeps confidential the report supplied under separate cover containing personnel matters concerning particular individuals, pursuant to the provisions of Section 10A (2)(a) of the *Local Government Act 1993*.

COUNCIL DECISION**Motion:****Moved: Cllr Hadchiti****Seconded: Cllr Hadid**

That Council:

1. Adopts the organisation structure as provided in Attachment 1 of this report in accordance with Section 333 of the *Local Government Act 1993*;
2. Notes the effective date for implementation of the revised organisation structure for senior staff positions is 30 April 2013;
3. Determines the positions of Executive Directors and Group Managers as 'Senior Staff' positions subject to performance based contracts in accordance with Section 332 of the *Local Government Act 1993*;
4. Notes the draft Group Operational Structure as provided in Attachment 2;
5. Notes the interim personnel arrangements identified in the confidential report;
6. Notes the termination of the senior staff position of Director City Services in accordance with the subclause 10.3.5 of the senior officer contract by termination payment specified in subclause 11.3 of the contract;
7. Notes that the proposed structure will finance positions recently approved for recruitment by Council (Manager Marketing and Communications in October 2012 and Senior Policy Advisor in December 2012), with additional technical staff in priority areas subject to the available budget resources of the current establishment;
8. Notes that a further report in regard to the appointment of senior staff will be provided to Council in accordance with Section 337 of the *Local Government Act 1993*;
9. Keeps confidential the report supplied under separate cover containing personnel matters concerning particular individuals, pursuant to the provisions of Section 10A (2)(a) of the *Local Government Act 1993*.
10. Directs the General Manager to act upon the recommendations of the Industrial Relations Commission of NSW on 6 February 2013.

Foreshadowed Motion: Moved: Cllr Waller Seconded: Cllr Stanley

That Council defers the organisational structure report as provided this evening until such time as the activities recommended by the Industrial Relations Commission are carried out and the report be brought back to the next Council meeting.

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

The Mayor used his casting vote for the MOTION moved by Cllr Hadchiti.

Note: Cllr Balloot was absent from this meeting when this was voted on.

Cllr Stanley, Cllr Waller, Cllr Karnib and Cllr Shelton requested that their names be recorded as voting against the motion.

Motion: **Moved: Cllr Hadchiti** **Seconded: Cllr Waller**

That Council moves into Closed Session to consider items PLAN 01, PLAN 02 and PLAN 04.

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

The public, media representatives and Council officers departed the Chambers.

Council moved into Closed Session at 8.25pm.

COUNCIL IN CLOSED SESSION

PLAN 01

ITEM NO: PLAN 01
FILE NO: DA-975/2012
SUBJECT: CLASS 1 APPEAL AGAINST THE REFUSAL OF DEVELOPMENT APPLICATION DA-975/2012

Motion: **Moved: Clr Waller** **Seconded: Clr Hadchiti**

Committee of the Whole

That Council moves into Committee of the Whole to allow discussion of the Class 1 Appeal against the refusal of development application DA-975/2012.

Motion: **Moved: Clr Stanley** **Seconded: Clr Waller**

That Council moves out of Committee of the Whole and resumes Council in Closed Session.

COUNCIL DECISION

Motion: **Moved: Clr Stanley** **Seconded: Clr Waller**

That Council:

1. Does not defend the appeal based on the advice provided by Council's solicitors.
2. Instructs Council's legal solicitors to enter into consent orders.
3. Receives a subsequent report advising of the outcome of the Land Environment Court proceedings for this matter.

On being put to the meeting the motion was CARRIED.

For: Clr Waller, Mayor Mannoun, Clr Karnib, Clr Shelton, Clr Stanley, Clr Ristevski, Clr Mamone,

Against: Clr Hadid, Clr Hadchiti

PLAN 02

ITEM NO: PLAN 02
FILE NO: DA-394/2011
SUBJECT: LAND AND ENVIRONMENT COURT CLASS 1 APPEAL AGAINST
REFUSAL OF DEVELOPMENT APPLICATION DA-394/2011

COUNCIL DECISION

Motion: **Moved: Clr Hadchiti** **Seconded: Clr Hadid**

That Council defends this application in the Land and Environment Court

For: Clr Hadchiti, Clr Hadid

Against: Mayor Mannoun, Clr Waller, Clr Karnib, Clr Harle, Clr Ristevski,
Clr Shelton, Clr Mamone, Clr Stanley

Foreshadowed Motion: **Moved: Clr Waller** **Seconded: Clr Karnib**

That Council does not make an application to appeal the Land and Environment Court decision to approve the development.

For: Mayor Mannoun, Clr Waller, Clr Karnib, Clr Harle, Clr Ristevski,
Clr Shelton, Clr Mamone, Clr Stanley

Against: Clr Hadchiti, Clr Hadid

On being put to the meeting the motion was declared LOST, and the Foreshadowed Motion was declared CARRIED.

PLAN 04

ITEM NO: PLAN 04
FILE NO: 2008/1538
SUBJECT: CONTRACT ST948- WASTE ACCEPTANCE, TREATMENT AND DISPOSAL

COUNCIL DECISION

Motion: **Moved: Clr Stanley** **Seconded: Clr Hadchiti**

That Council:

1. Settle the dispute with SITA Australia Pty Ltd on the basis of negotiations as outlined in this report.
2. Authorised the General Manager to execute the settlement of the terms with SITA Australia Pty Ltd as outlined in this report.
3. Keeps confidential the information supplied in this report containing the amount and the terms of settlement pursuant to the provision of Section 10A(2) (c) and (d) of the Local Government Act 1993 as this information would, if disclosed, confer a commercial advantage on a person with whom Council is conducting business.

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

Councillors voted unanimously for this motion.

Note: Clr Balloot was absent from this meeting when this was voted on.

Motion: **Moved: Clr Stanley** **Seconded: Clr Waller**

Open Council resumed at 9:05pm

On re-opening the meeting to the public, the resolutions of Council on items PLAN 01, PLAN 02 and PLAN 04 were read by the Chairperson:

Matters Requiring Further Reports to Council

Date of Meeting	Report Number	Council Resolution/Council Request	Target Date	Status
27 Feb 2012	PLAN 01	That a subsequent report comes back to Council advising of the progress (and ultimate determination) regarding the Class 1 Appeal in the Land and Environment Court – Appeal against the refusal to application to modify development consent 1096/2007 and providing an estimate of potential legal costs.	27 Feb 2013*	Awaiting final orders from court.
8 Oct 2012	CORS 01	Notes that a further report will be submitted to Council outlining the outcomes of the Expression of Interest campaign for the former Council Administration building site at 1-3 Hoxton Park Road, Liverpool	27 Feb 2013*	Submissions closed. Review by Tender Evaluation Committee commenced.
19 Dec 2012	Mayoral Minute	That a report comes back to Council regarding the Green Valley documentary “Whatever Happened to Green Valley”.	27 Feb 2013*	
19 Dec 2012	Mayoral Minute	That Council receives a report on the potential of making outdoor dining permanent.	27 Mar 2013	
19 Dec 2012	Mayoral Minute	That the General Manager prepares a report to Council in early 2013 on the “Better, Stronger, Local Government – The Case for Sustainable Change” paper.	27 Mar 2013	
28 Nov 2012	CORS 01	That City Planning reports back to Council in March 2013 with the results on the number of development applications processed and the amount of funds used.	27 Mar 2013	
28 May 2012	PLAN 04	That Council receives a subsequent report advising of the progress (and ultimate determination) of the matter relating to the Land and Environment Court Class 1 Appeal against refusal of DA-394/2011 and providing an estimate of potential legal costs.	27 Mar 2013	Awaiting Court Order.

Date of Meeting	Report Number	Council Resolution/Council Request	Target Date	Status
5 Nov 2012	NOMO 02	Provides a report on vehicles for sales by road sales to March 2013.	27 Mar 2013	
5 Nov 2012	CITS02	Defers the adoption of an Internal Review Panel until further advice is received from the SDRO.	27 Mar 2013	
6 Feb 2013	NOMO 02	Report costs including features of application to Council on Smart Phone Application at its March meeting.	27 Mar 2013	
27 Feb 2012	CORS 06	That a further report comes back to Council detailing a feasibility study on the three options for the disposal of 39 Heckenberg Avenue, Sadlier.	24 Apr 2013	Investigations completed, awaiting DA approval.
19 Dec 2012	GMRR 01	That a report come back to Council on the review of the submission process for both the Australia Day and Order of Liverpool Awards with a view of ensuring that all awards submitted are considered and acknowledged.	24 Apr 2013	
19 Dec 2011	NOMO 02	That a further report comes back to Council regarding the cost of Carbon Tax on ratepayers.	31 Jul 2013	Awaiting further industry investigations.
27 Feb 2012	PLAN 03	That a further report comes back to Council outlining the results of the public authority consultation and public exhibition for the draft Amendment No 27 to LLEP.	31 Jul 2013	
28 May 2012	PLAN 02	That Council receives a subsequent report advising of the progress (and ultimate determination) of the matter relating to the Class 1 Appeal against the refusal of DA-957/2010 and providing an estimate of potential legal costs.	27 Mar 2013	Awaiting final court orders.

Date of Meeting	Report Number	Council Resolution/Council Request	Target Date	Status
28 May 2012	ASST 03	That the traffic issues within Greenway Views Estate be revisited within 12 months of the line markings being drawn and those findings be remitted to Council for review to ascertain the efficacy of the remediation works proposed.	29 May 2013	Line markings were completed in July 2012.
19 Dec 2012	CORS 07	That a report comes back to Council on the application for Round 2 of the Local Infrastructure Renewal Scheme.	31 Jul 2013	
6 Feb 2012	CITS 01	That a further report comes back to Council with a progress report in the Graffiti Management Strategy 2012-2015.	28 Aug 2013	
6 Feb 2013	CORS 02	Receives a further report on the Code of Conduct and associated Procedures for further consideration and adoption by December 2013 if required.	By 23 December 2013	
6 Feb 2013	CORS 02	Receives a further report with recommendations for a new panel of Code of Conduct reviewers following determination by WSROC.	27 Mar 2013	
6 Feb 2013	GMRR 06	Notes that a further report in regard to the appointment of senior staff will be provided to Council in accordance with Section 337 of the Local Government Act 1993.	24 Apr 2013	
6 Feb 2013	PLAN 01	Receives a subsequent report advising of the outcome of the Land Environment Court proceedings for this matter in relation to Class 1 Appeal against the refusal of development application DA-975/2012.	24 Apr 2013	
6 Feb 2013	CORS 03	Receives a further report following the reclassification process on proposed reclassification and disposal of Lot 10 DP 776165, Lot 10 Sappho Road, Warwick Farm.	Mar 2014	

Date of Meeting	Report Number	Council Resolution/Council Request	Target Date	Status
6 Feb 2012	CITS 01	That a further report comes back to Council with a final evaluation upon completion of the Graffiti Management Strategy.	2015	

**These items will be presented at this Council meeting*

LIVERPOOL CITY COUNCIL

NOTICE OF MOTION OF RESCISSION

ORDINARY MEETING

27/2/2013

ITEM NO:	NOMR 01	FILE NO:	2008/0302
SUBJECT:	DONATIONS REPORT		

NOTICE OF MOTION OF RESCISSION:

That Council rescinds the resolution relating to CITS 01 from the Council Meeting 19 December 2012.

That is:-

3. Refers future requests for financial assistance for "General Community Donations" that are multicultural based to the newly established Multicultural Advisory Committee for consideration rather than the existing Financial Contributions Panel.

Signed:

Clr Anne Stanley

Clr Ali Karnib

Clr Wendy Waller

Clr Shelton

Should this motion be supported, we seek to move the following motion in its place.

That Council:

1. Refers all requests for Community Donations to the Financial Contributions Panel.
2. Notes that the Financial Contributions Panel provides a process by which requests for donations can be reviewed for integrity, veracity and legitimacy.
3. Where donations are provided to organisations who 'auspice' for other group; opportunity is provided for Council to be acknowledged for its support. The General Manager should determine the best method of this communication and recognition.

LIVERPOOL CITY COUNCIL

NOTICE OF MOTION

ORDINARY MEETING

27/02/2013

ITEM NO:	NOMO 01	FILE NO:	2013/0336
SUBJECT:	MACEDONIAN CANCER RESEARCH ANZAC DAY GOLF EVENT		
AUTHOR:	CLR PETER RISTEVSKI		
COMMUNITY STRATEGIC PLAN REFERENCE:	THE COMMUNITY IS SUPPORTED BY A WELL MANAGED AND RESPONSIVE COUNCIL		

BACKGROUND:

The St George and Sutherland Medical Research Foundation, have agreed to hold the inaugural MACEDONIAN CANCER RESEARCH ANZAC DAY GOLF EVENT in the Liverpool LGA at New Brighton Golf Course in MOOREBANK. The type of cancer to be researched will be based on that which is common in the Macedonian community in the region.

The foundation is looking to raise a minimum of \$15,000 for this event.

As the event will be bringing in players from all over Sydney and together with media exposure, it would be an opportunity for Council to sponsor a hole for \$1,000.

NOTICE OF MOTION:

That Council provide sponsorship for the Macedonian Cancer Research Anzac Day Golf Event of \$1,000.

FINANCIAL IMPLICATIONS:

The financial implications for Council are \$1000 for the sponsorship of the event.

GENERAL MANAGER'S COMMENT:

Council has a Corporate Sponsorship program that offers financial assistance for a range of events/activities that benefit the Liverpool community, including health and wellbeing initiatives. Initiatives that support cancer research are eligible for consideration as part of

the funding rounds. The program has two funding rounds per annum and the first round closes on 1 March 2013. Details of this program and its associated criteria can be found on Council's website at www.liverpool.nsw.gov.au.

LIVERPOOL CITY COUNCIL

NOTICE OF MOTION

ORDINARY MEETING

27/02/2013

ITEM NO:	NOMO 02	FILE NO:	2013/0336
SUBJECT:	YOUTH WORK EXPERIENCE		
AUTHOR:	CLR MAZHAR HADID		
COMMUNITY STRATEGIC PLAN REFERENCE:	THE COMMUNITY IS SUPPORTED BY A WELL MANAGED AND RESPONSIVE COUNCIL		

BACKGROUND:

Liverpool City Council has a large and growing community with a higher than average youth population. Unfortunately, Liverpool also has a high level of unemployment and many educated and enthusiastic young people anxious and willing to get work experience.

Liverpool City Council is one of the biggest employers in the city and has the capacity to assist in creating work experience opportunities for our local community, particularly for our youth.

I propose that Council develop an active program of providing work experience specifically targeted to our local youth as soon as possible.

NOTICE OF MOTION:

That Council develops an active program of work experience in Council for our youth to improve their opportunities to find permanent jobs.

FINANCIAL IMPLICATIONS:

There are no financial implications.

GENERAL MANAGER'S COMMENT:

Liverpool City Council has an active work experience program and receives applications from High School students, University and TAFE students, and people not studying but are seeking local work experience. On a yearly basis Council accepts over 70 work experience placements across numerous functions including but not limited to, Civil Engineering,

Childcare, Human Resources, Library, Information Technology, Records, Statutory Planning and Sustainable Environment. Council also works with South-West Connect, a non-for-profit organisation that assists with providing students in VET Courses or High School with work placement in areas such as Library, Casula Powerhouse Arts Centre, Childcare, Business and Hospitality.

Council offers a maximum period of 10 weeks for work experience. However a longer period may be requested on a case-by-case basis if there is a requirement for a longer period in accordance with qualification requirements. Information and applications for work experience can be located on Council's website - www.liverpool.nsw.gov.au/council/jobs-at-council.

LIVERPOOL CITY COUNCIL

GENERAL MANAGERS REPORT

ORDINARY MEETING

27/02/2013

ITEM NO:	GMRR 01	FILE NO:	2010/2642
SUBJECT:	PROGRESS REPORT ON DELIVERY PROGRAM 2011-2015		
COMMUNITY STRATEGIC PLAN REFERENCE:	THE COMMUNITY IS SUPPORTED BY A WELL MANAGED AND RESPONSIVE COUNCIL.		

EXECUTIVE SUMMARY:

On 18 April 2011, following a period of extensive community consultation and engagement, Council adopted *Growing Liverpool 2021* as the Community Strategic Plan for the Liverpool local government area. *Growing Liverpool 2021* outlines the community's vision and priorities for the Liverpool area and contains 12 key objectives and corresponding strategies for Liverpool. The Plan sets the direction for Council's operations and services for the next ten years.

The Liverpool City Council Delivery Program runs over a period of four years from 2011 - 2015 and details the principal activities that Council will deliver towards achieving the *Growing Liverpool 2021* objectives and strategies. Where appropriate, each principal activity has a corresponding detailed action for the 2012-2013 year, which is Council's annual Operational Plan.

This report provides details of a comprehensive six monthly review which was undertaken to determine Council's progress against the principal activities outlined in the Delivery Program.

It is recommended that Council notes and receives this six monthly review. It is also recommended that Council allows the General Manager to deliver a presentation on progress made in the October to December 2012 quarter on the principal activities contained in the Delivery Program 2011-2015.

DETAILED REPORT:

Section 404(5) of the *Local Government Act (1993)* requires the General Manager to ensure that regular progress reports are provided to the Council at least every six months with respect to the principal activities detailed in its four year Delivery Program. This is an important mechanism that enables Council and the public to monitor progress.

To comply with the requirement to provide regular progress reports at least every six months, Council will receive reports within two months of the end of each quarter. Reports prepared for the September and March quarters will be summarised exception reports, identifying only those actions that are of concern and recommending corrective action if applicable. Reports prepared for the December and June quarters will be comprehensive reports containing detail on the progress of all activities for the previous six months.

Progress Report - December 2012

Council determined to deliver 145 principal activities as part of its 2011 - 2015 Delivery Program, with 286 specific actions for the 2012-13 year.

A comprehensive review was completed to track Council's progress against the Plan in December 2012. In summary, this progress report shows that during the period of July to December 2012:

- 142 activities have been completed or are on track
- 3 activities may experience delays and are being monitored closely

The comprehensive Progress Report containing details on the progress of all the principal activities is attached under separate cover. It identifies highlights during this period as well as the items which require attention and monitoring.

It is recommended that Council receives and notes the six monthly Progress Report. It is also recommended that Council allows the General Manager to make a presentation on progress made in the October to December 2012 quarter on the principal activities contained in the Delivery Program 2011 – 2015.

FINANCIAL IMPLICATIONS:

There are no financial implications as a result of this report.

RECOMMENDATION:

That Council:

1. Receives and notes the six monthly detailed Progress Report which outlines the progress of all principal activities contained in the Delivery Program 2011-2015 from July to December 2012.
2. Allows the General Manager to make a presentation on progress made in the October to December 2012 quarter, with a copy of the General Manager's presentation forming part of the minutes of the meeting.

SIGNED BY:

Farooq Portelli
General Manager

Attachments: Six Monthly Progress Report (Under Separate Cover)

LIVERPOOL CITY COUNCIL

GENERAL MANAGERS REPORT

ORDINARY MEETING

27/02/2013

ITEM NO:	GMRR 02	FILE NO:	2012/0369
SUBJECT:	PROMOTING BETTER PRACTICE REVIEW REPORT FROM DIVISION OF LOCAL GOVERNMENT		
COMMUNITY STRATEGIC PLAN REFERENCE:	THE COMMUNITY IS SUPPORTED BY A WELL MANAGED AND RESPONSIVE COUNCIL		

EXECUTIVE SUMMARY:

Promoting Better Practice is a review process that is part of the local government reform program. The program aims to improve the viability and sustainability of councils. The process represents the second stage of the NSW Government's program of reform for local government.

Council was notified by July 2011 that the Division of Local Government (DLG) was proposing to undertake a review of Liverpool City Council (LCC) under the Promoting Better Practice Program. The review occurs in two parts; firstly Council undertakes a self-assessment process and this is followed by a site visit undertaken by two officers from the DLG.

Council has recently received the final review report (refer Attachment A). *"The report concludes that overall, the Council has satisfactory systems and processes in place to meet its legislative obligations. Therefore, the Council will not be required to report to the DLG on its progress in implementing the outcomes of the review."*

This report recommends that Council receives and notes the Review Report and that the General Manager continues to address identified improvement opportunities.¹

DETAILED REPORT:

Background

Promoting Better Practice is a review process that is part of the local government reform program. The program aims to improve the viability and sustainability of councils. The

¹ Letter from Ross Woodward, Chief Executive, Local Government, A Division of the Department of Premier and Cabinet dated 10/1/13.

process represents the second stage of the NSW Government's program of reform for local government.

The objectives of the review program as outlined by the DLG are to:

- generate momentum for a culture of continuous improvement and greater compliance across local government
- provide an 'early intervention' option for councils experiencing operating problems
- promote good governance and ethical conduct principles
- identify and share innovation and good practice in local government
- enable the division to use review information to feed back into its work in identifying necessary legislative and policy work for the local government sector.

Liverpool City Council Review

In July 2011 Council received notice from the Deputy Chief Executive of the DLG that they were proposing to undertake a review of LCC under the Promoting Better Practice Program. The review is designed to assess the effectiveness and efficiency of Council's operations.

A review team comprising two officers from the DLG visited council in August 2011 to examine Council's practices and compliance with relevant legislation, regulations and guidelines. The review also examined Council's framework for monitoring its own performance and its strategic management.

The site visit involved an initial interview with the General Manager, interviews with a cross section of staff, observation of a Council meeting, individual meetings with Councillors, a review of Council policies and other documents and visits to a number of Council facilities.²

The review system is also designed to provide feedback to Council to assist it to improve its performance. Subsequent to the site visit, council received a draft report outlining any conclusions reached during the review process and a list of recommendations of actions that Council should undertake to address issues identified during the review. Council was provided the opportunity to comment on the draft before the review team finalised their report.

The Report

Council received the final report in January 2013 and is obliged to table it at the next available Council meeting. The report is focussed on better practice from which others can learn and those aspects of Council's operations which can be further developed.

The review identified many noteworthy practices. According to the report, of particular note are the manner in which council is approaching:

- strategic planning;
- community consultation and communication practices;
- customer service;

² Review Report Liverpool City Council December 2012 page 10

- strategic financial management; and
- waste services.

These and other better practices are detailed in the report along with a number of improvement opportunities that council should consider as a priority. Many of the improvement opportunities that have been identified have been addressed or are included in future business plans for implementation.

This report recommends that Council receives and notes the Review Report; directs the General Manager to continue to review and address improvement opportunities and places the Review Report on Council's website.

FINANCIAL IMPLICATIONS:

There are no financial implications resulting from this report.

RECOMMENDATION:

That Council:

1. Receives and notes the report.
2. Notes that the General Manager will continue to address improvement opportunities as identified in the Review Report.
3. Makes the final report available on its website.

SIGNED BY:

Farooq Portelli
General Manager

Attachments: Promoting Better Practice Review Report - Liverpool City Council
December 2012 (under separate cover)

LIVERPOOL CITY COUNCIL

GENERAL MANAGERS REPORT

ORDINARY MEETING

27/02/2013

ITEM NO:	GMRR 03	FILE NO:	
SUBJECT:	TVS DOCUMENTARY ON GREEN VALLEY - SEQUAL		
COMMUNITY STRATEGIC PLAN REFERENCE:	THE CULTURE AND DIVERSITY IS RECOGNISED AND VALUED		

EXECUTIVE SUMMARY:

Television Sydney (TVS), a non-profit company with a community television licence, is currently producing a documentary that will be a snapshot of life in Green Valley in 2013, called 'Whatever Happened to Green Valley'.

The documentary is a sequel to an original documentary produced in 1973. Through this sequel the producer Scott Richardson (who previously lived in Green Valley) aims to portray the changes and progress that have occurred in Green Valley since that time.

At the Ordinary Council Meeting held on Wednesday, 19 December 2012 a Mayoral Minute was tabled recommending that Council support the production of the Green Valley documentary, determine how Council could assist the producers and consider the documentary as part of a broader promotional and marketing strategy for Liverpool.

This report will provide an update on the documentary's progress and will outline how Council have been supporting the documentary. It is recommended that Council continue to monitor progress and view a rough edit of the film and following this, consider how Council can further support this initiative.

DETAILED REPORT:

At the Ordinary Council Meeting held on Wednesday, 19 December 2012 a Mayoral Minute was tabled recommending that Council support the production of a documentary that will focus on life in Green Valley today. The documentary is a sequel to an original documentary that was produced about Green Valley in 1973. The Mayoral Minute recommended that Council determine how it could assist the producers of the documentary and consider how the documentary could be used as part of a broader promotional and marketing strategy for Liverpool.

Council's officers contacted the production company in early January 2013 to discuss the project in greater detail. As a result of these discussions Council staff subsequently assisted the production company with their film shoot during the recent Australia Day Citizenship Ceremony at Casula Powerhouse. The producers indicated that their filming schedule was almost complete and that they would be editing the film during the month of February. They indicated that their current intention was to complete the film in time for a launch date that would coincide with the 40th anniversary of the launch of the original documentary, being at 6 April 2013. They also indicated that they would like the launch to be held in the local area with local dignitaries, as per the original. Council staff will be kept informed of the film's progress and will view some rough edits of the film once they become available. When the film is closer to completion, plans for a launch can be explored more fully with the production company.

This report recommends that Council continue to monitor progress and view a rough edit of the film and following this, consider how Council can further support this initiative.

FINANCIAL IMPLICATIONS:

There are no foreseen financial implications at this stage. It should be noted however that there may be financial implications relating to a launch event in the future.

RECOMMENDATION:

That Council:

1. Continues to monitor the progress of the documentary.
2. Notes that Council officers will view a rough edit of the film and following this, consider how Council can further support this initiative.

SIGNED BY:

Farooq Portelli
General Manager

LIVERPOOL CITY COUNCIL

DIRECTORATE REPORT

ORDINARY MEETING

27/02/2013

ITEM NO:	DIRS 01	FILE NO:	2008/0614
SUBJECT:	CLASSIFICATION OF LOT 7 DP 1171381 KNOWN AS LOT 7 AVIATION ROAD, ELIZABETH HILLS		
COMMUNITY STRATEGIC PLAN REFERENCE:	NEIGHBOURHOODS AND VILLAGES ARE WELL DESIGNED, SAFE AND CLEAN		

EXECUTIVE SUMMARY:

Following a resolution of Council on 18 October 2010, Council has accepted the dedication of Lot 7 DP 1171381, known as Lot 7 Aviation Road, Elizabeth Hills from Mirvac for the purpose of drainage and open space.

In accordance with the provisions of Section 31 of the Local Government Act 1993, Council is required to classify public land as either Community or Operational within three months of acquisition. Public notice was given of Council's intention to classify the subject property as Operational Land in the local newspaper. Following public notice no submissions were received.

It is recommended that Council proceeds with the classification as proposed.

DETAILED REPORT:

Council resolved on 18 October 2010 to accept the transfer of Lot 7 DP 1171381, known as Lot 7 Aviation Road, Elizabeth Hills from Mirvac. The dedication was part of the Voluntary Planning Agreement between Council and Mirvac for the Hoxton Park Airport rezoning for drainage and open space purposes. Mirvac were also required to construct Basin 6 prior to the dedication of Lot 7 to Council. This work was completed late in 2012 and the title was issued to Council on 17 December 2012.

Section 31 of the *Local Government Act 1993* requires that a Council must resolve to classify public land within three months of acquisition.

Section 34 of the *Local Government Act 1993* also requires that public notice be given of a proposed resolution to classify public land. Accordingly, notices advising that Council proposes to resolve to classify Lot 7 DP 1171381 as Operational Land were published in the local newspaper on 9, 16, 23, 30 January 2013 and 6 February 2013. A period of not

less than 28 days was provided during which submissions could be made to Council. No submissions were received.

It is therefore recommended that Council proceeds with classifying Lot 7 DP 1171381 known as Lot 7 Aviation Road, Elizabeth Hills as Operational Land.

FINANCIAL IMPLICATIONS:

There are no financial implications resulting from this report.

RECOMMENDATION:

That Council classifies Lot 7 DP 1171381 known as Lot 7 Aviation Road, Elizabeth Hills as Operational Land in accordance with the *Local Government Act 1993*.

SIGNED BY:

Julie Hatley
Acting Executive Director

Attachments: Location Map

Attachment: Location Map



LIVERPOOL CITY COUNCIL

DIRECTORATE REPORT

ORDINARY MEETING

27/02/2013

ITEM NO:	DIRS 02	FILE NO:	2007/0300
SUBJECT:	DECEMBER 2012 QUARTER BUDGET REVIEW		
COMMUNITY STRATEGIC PLAN REFERENCE:	THE COMMUNITY IS SUPPORTED BY A WELL MANAGED AND RESPONSIVE COUNCIL		

EXECUTIVE SUMMARY:

On 25 June 2012 Council adopted a balanced budget for the 2012/2013 financial year.

The review of Council's budget as at 31 December 2012 has resulted in a general fund surplus for the quarter of \$254k and a forecast working funds result for the year ended 30 June 2013 of \$3.249m.

This report outlines the budget variations identified during the December quarter budget review and recommends that Council receives and notes the report and votes the identified budget adjustments in accordance with this report.

DETAILED REPORT:

Clause 203(1) of the Local Government (General) Regulation 2005 requires the Responsible Accounting Officer to provide a quarterly budget review not later than two months after each quarter's end. This report provides an overview of the results on the financial review for the quarter ended 31 December 2012.

Budget Commentary

In June 2012 Council adopted a balanced budget for the 2012/2013 financial year, after allowing for depreciation (a non cash item) of \$31.85m. At its 5 November 2012 meeting Council resolved to allocate \$5k from working funds for matching donations to a charity fund raising event which resulted in a minor deficit that is addressed in the December 2012 quarter review.

Program managers have conducted a review of their programs with a view to providing a revised forecast for the financial year ended 30 June 2013. Managers take into consideration events that have occurred to date and/or information that has become available since the adoption of the original budget and the impact of which provides the basis for any revised forecasts.

Following the completion of this review, the forecast for the year ended 30 June 2013 is a working funds balance of \$3.249m after allowing for the general fund result of \$254k in the December Quarter review.

Description	Surplus/Deficit \$'000	Cumulative Surplus/Deficit \$'000
Original Surplus	0	0
Less: Allocation of funds for Sports Hall of Fame as per resolution 20 August 2012	(28)	(28)
September Review Surplus	181	153
Less: Allocation of surplus working funds per resolution	(153)	0
Less: Allocation of funds for matching donation as per Mayoral Minute 5 November 2012	(5)	(5)
December Review Surplus	254	249

Attachment 1 – Variation to general fund works: highlights in detail the general fund movements for the quarter resulting in a net surplus of \$254k mainly due to the following.

Favourable variations include:

- General Fund Investment Interest \$500k- Increased interest revenue due to higher than forecast average investment balances.
- S94 Administration revenue \$70k - Increased revenue from Construction Certificates and release of linen plans.
- Property revenue \$36k - Increased net revenue from property activities included access to reserves permits.

Unfavourable variations include:

- Legal Expenses \$185k - Increase in legal expenses due to actions in the Land and Environment Court.
- Major Events / Festival expenses \$65k - Increase in funding for events program including outdoor cinemas
- Hall Hire \$24k - Decrease in revenue due to a reduction in casual hire at the Hilda M Davis Centre

Attachment 2 – Variations to grant and contributions funded works: highlights movements in works and/or operations that are funded via grants or contributions. Any

variation to expenditure is offset by an increase or decrease in funding from these sources resulting in a nil impact on general funds.

Attachment 3 – Variations to S94 works: highlights all budget movements in S94 funded works. Variations in S94 works do not impact on the bottom line surplus/deficit as all works are funded from S94 developer contributions. Any surplus funds on budgeted works remain restricted for future use in accordance with legislative requirements.

Attachment 4 – Variations to Reserves: highlights movements in works and/or operations that are funded from reserves (internal and/or external). Any variation to expenditure is offset by an increase or decrease in funding from the respective reserve resulting in a nil impact on general funds.

Attachment 5 – Grants Status Report: Has two components, the first listing all annual grant submissions, the second, listing all grants that have been applied for during the quarter detailing the project title, amount sought, the funding body and the status of the application. Council officers are continually seeking alternate sources of funding as opportunities arise.

Attachment 6 - Quarter 2 Budget Review Summary (QBRS): This report presents a summary of Council's financial position at the end of each quarter. It has five components:

- A consolidated Budget Review Income and Expenses Statement showing the revised estimated income and expenditure for the year against the original estimate of annual income and expenditure as shown in Council's Operational Plan.
- Budget Review Capital Budget Statement: This report breaks the capital expenditure review into New and Renewal assets and respective reserve funding.
- Cash and Investments Budget Review Statement providing dissection of how restricted and unrestricted cash are funded by the level of Cash and Investments.
- Key Performance Indicators.
- Contracts and Other Expenses Statement.

Working Funds

It is recommended that Council maintain an uncommitted working funds balance of approximately \$3m.

Description	Movement \$'000	Cumulative Working Funds Balance \$'000
Working funds as at 30 June 2012 as per Audit Report		3,293
Less: Allocation of funds for Sports Hall of Fame as per resolution 20 August 2012	(28)	3,265
Less: Allocation of surplus working funds as per resolution CORS06 5 November 2012	(293)	2,972

Add: September Quarter Review Result	181	3,153
Less: Allocation of surplus to working funds to Capital Works reserve as per resolution	(153)	3,000
Less: Allocation of funds for matching donation as per Mayoral Minute 5 November 2012	(5)	2,995
Add December Quarter Review Result	254	3,249

The above balance is within the target adopted in the 2012/2013 Operational Plan and provides a buffer for any further balance sheet adjustments that may have a material negative impact.

As the Responsible Accounting Officer, it is my opinion that the short term financial position of Council is satisfactory.

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

FINANCIAL IMPLICATIONS:

Following the completion of the December quarter budget review, the forecast budget result is a surplus of \$249k and after recognition of the impact of Council resolutions during the quarter, a forecast working funds balance of approximately \$3.249m as at 30 June 2013.

RECOMMENDATION:

That Council:

1. Receives and notes the report.
2. Transfers the surplus of \$249k working funds to the Administration Building Reserve.
3. Votes the identified budget variations in accordance with this report.

SIGNED BY:

Julie Hatley
Acting Executive Director

- Attachments:**
- 1: Variations to general fund works
 - 2: Variations to grant and contributions funded works
 - 3: Variations to S94 works
 - 4: Variations to reserves
 - 5: Grant Status Report
 - 6: Quarter 1 Budget Review Summary

Liverpool City Council
Quarter 2 Review 2012/13 - Budget Comments Analysis

LIVERPOOL CITY COUNCIL QUARTERLY BUDGET REVIEW AS AT 31 DECEMBER 2012					ATTACHMENT 1
General Fund					
City Assets					(70,500)
Technical Services					(70,500)
1121	S94 Admin	(70,500)			Additional revenue expected from construction certificate fees issued and linen plans released.
City Planning					197,000
Statutory Planning					197,000
1049	Design Review Panel	12,000			Additional funds required to cover remaining meetings that are likely to occur as per the Design Review Panel Charter endorsed by Council.
1052	Development Application Assessment	185,000			Legal expenses have been high as a consequence of significant appeals in the Land and Environment Court over two cemetery development applications. These appeals in the Court defending Council's refusal of the applications have been both lengthy and costly. Additional funds required to cover on-going legal expenses for the remainder of the financial year.
City Services					71,000
Casula Powerhouse					12,000
101069	Theatre Stage	18,000			Funds required to purchase a new portable stage for the Turbine Hall at Casula Powerhouse Arts Centre. The new equipment is WHS compliant as it is lighter and thus requires less staff for assembly. The existing equipment is cumbersome and heavy which has resulted in staff injuries in the past.
201084	Pacific Power	(6,000)			Income from Arts Council of New Zealand to partly fund project costs.
Recreation, CBD & Cleaning Services					59,000
1112	Recreation Admin	20,000			Funds required for increased electricity charges for sporting fields.
200551	Building Cleaning	6,000			Funds required for toilet cleaning.
200813	Heckenberg Community Centre	13,000			Anticipated reduction in revenue as the facility is mostly used by non-profit community groups which fall under the lowest tier of Council's hall fee structure.
200814	Hilda M Davis Senior Citizens Centre	24,000			Anticipated reduction in revenue due to reduction in casual users of the facility.
201098	Miller Community Centre (formerly Miller Library)	(4,000)			Anticipated increase in revenue due to new user group secured for this site.