

	Planning and Infrastructure development within the B6 zone is limited by virtue of the objectives of the zone, as well as Clauses 7.22 and 7.23 of the Liverpool LEP 2008.	
Justification for providing additional retail and commercial floor space outside the Liverpool CBD is not sufficient.	Enterprise Corridors provide support for centres and it is considered that B6 zoned land on a major road going into the Liverpool CBD will not significantly detract from the development potential within the City Centre. The Planning Proposal details how the proposal is consistent with relevant strategic planning framework.	None
The B6 Enterprise Corridor zone is not appropriate with regard to the local and regional urban context.	As previously stated, Enterprise Corridors are part of the Metropolitan Strategy's typology of centres and corridors and are considered suitable for a range of local and regional services, including retail, offices, showrooms and other uses which benefit from high levels of passing traffic.  Although the site is not specifically identified as an Enterprise Corridor in the Sydney Metropolitan Strategy, the application of the B6 Enterprise Corridor zone is considered appropriate.  Furthermore, the zone permits community facilities, recreation facilities and recreation areas. Any Development Application for the site will consider whether the propose use is appropriate.	None
The B6 zone allows land uses that would not be appropriate on the site, such as a helipad, depot, warehouse etc. These uses would have impacts on the community such as heavy vehicles, pollution, noise etc. While Council may not approve these uses, they could be approved at Land and Environment Court. Furthermore, office and light industrial and commercial are not appropriate uses.	The permissible uses in a zone are not all appropriate for the site. When a Development Application is lodged an assessment of whether the use is appropriate will be conducted.	None
The rezoning means that the use of the community	The rezoning of the site does not change its ownership.	None

asset is permanently removed.		
Council should provide the best business and employment opportunities for residents. Rezoning the land and operating from the CBD is the right decision.	Noted.	None
<b>Community Significance</b>		
The site has Aboriginal cultural significance in relation to its ownership by Maria Locke	Maria Locke's ownership of the site is noted. In particular her significance is displayed on a plaque on the T-Way.	None
Any use of the land would need to be sensitive to its history/loss of social and cultural heritage.	The history of the site is noted.	None
The site is heritage listed.	The site is not heritage listed. The site is formally acknowledged as an administration centre on the heritage inventory.	None
<b>Administrative Matters</b>		
The decision is being made too fast	Council is following due process in undertaking the rezoning.	None
Seeking Expressions of Interest prior to any public consultation is inappropriate	Expressions of interest are being sought in conjunction with public exhibition. All public exhibition comments will be considered as part of the rezoning and Expression of Interest processes.	None
<b>Moore Street building</b>		
The Moore Street building is not meeting Council's needs. It has no car parking for residents, doesn't hold all Council staff, it has significant maintenance issues, it has no public conveniences etc.	The Moore Street building will be upgraded and renovated to meet the needs of the administrative functions of Council. Public car parking is available on street and within the Warren Serviceway.  The new administration building can cater for all Council staff and more thus providing net income to Council.	

The Moore Street building purchase and Council's location in the CBD is a good step forward and is positive for whole of Liverpool and promotes Liverpool as a Regional City.	Noted.	Noted
<b>Environmental Impacts</b>		
The development of the site will cause more traffic problems in an area that is already suffering from traffic congestion.	The site has access from a signalised intersection with Hoxton Park Road. The RMS has supported the rezoning subject to the provision of a detailed traffic study at the time of a Development Application being lodged and advises that no other access points will be approved. The site will have minimal impact on the operation of Hoxton Park Road.	None
The development of the site will impact on wildlife and Brickmakers Creek.	The Office of Environment and Heritage have no comments on the proposal. The Brickmakers Creek riparian corridor is being retained.	None
The development on the site will impact on Flowerdale shopping centre.	The site is proposed for rezoning and the use of the site cannot be predicted until a Development Application is lodged. An economic impact assessment is to be provided as part of the supporting documentation.	Noted
<b>Petitions</b>		
Petition	28 signatures in support of the proposal to find an appropriate future use for the site.	Noted
Petition	175 signatures in support of the proposal to find an appropriate future use for the site.	Noted
Petition	38 signatures opposing the proposal and requesting additional time for the consultation period and the reconstruction of the administration centre at 1 Hoxton Park Road, Liverpool.	The exhibition period was extended
Petition	72 signatures opposing the proposal and requesting additional time for the consultation period and the reconstruction of the administration centre at 1 Hoxton Park Road, Liverpool.	The exhibition period was extended.

## LIVERPOOL CITY COUNCIL

### CORPORATE SERVICES REPORT

**ORDINARY MEETING**

**08/10/2012**

<b>ITEM NO:</b>	<b>CORS 02</b>	<b>FILE NO:</b>	<b>2009/1571</b>
<b>SUBJECT:</b>	<b>CLASSIFICATION OF LOT 39 DP 2359, KURRAJONG ROAD, PRESTONS AS OPERATIONAL LAND</b>		
<b>COMMUNITY STRATEGIC PLAN REFERENCE:</b>	<b>NEIGHBOURHOODS AND VILLAGES ARE WELL DESIGNED, SAFE AND CLEAN</b>		

#### **EXECUTIVE SUMMARY:**

Council acquired Lot 39 DP 2359, Kurrajong Road, Prestons, on 31 July 2012.

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 19 December 2011 to acquire Lot 39 DP 2359, Kurrajong Road, Prestons, for road, drainage and open space purposes and to advertise its intention to classify the property as 'Operational' land upon gazettal and reclassify the road and open space area as 'Community' once the extension of Kurrajong Road is completed. It is noted that the transaction settled on 31 July 2012.

The purpose of classifying part of the land as 'Operational' is to facilitate future disposal and or development of the portion of land that is surplus to Council's needs. 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, a notice advising that Council proposes to resolve to classify Lot 39 DP 2359 as 'Operational' land was published in the local newspaper on 22 and 29 August 2012 and on 5 September 2012.

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 39 DP 2359, Kurrajong Road, Prestons, as 'Operational' land.

#### **FINANCIAL IMPLICATIONS:**

There are no financial implications resulting from this report.

#### **RECOMMENDATION:**

That Council classifies Lot 39 DP 2359, Kurrajong Road, Prestons, as 'Operational' land in accordance with the Local Government Act 1993.

#### **SIGNED BY:**

**Julie Hatley**  
Director  
Corporate Services

**Attachment:**        Location Map

Attachment

LOCATION MAP



## LIVERPOOL CITY COUNCIL

### CORPORATE SERVICES REPORT

**ORDINARY MEETING**

**08/10/2012**

<b>ITEM NO:</b>	<b>CORS 03</b>	<b>FILE NO:</b>	<b>2009/1150</b>
<b>SUBJECT:</b>	<b>PROPOSED DISPOSAL OF LOT 35 DP 651316 AND LOT 36 DP 661567, 626 HUME HIGHWAY, CASULA</b>		
<b>COMMUNITY STRATEGIC PLAN REFERENCE:</b>	<b>THE COMMUNITY IS SUPPORTED BY A WELL MANAGED AND RESPONSIVE COUNCIL</b>		

#### **EXECUTIVE SUMMARY:**

At its meeting 28 May 2012 Council received a report recommending the sale of Lot 35 DP 651316 and Lot 36 DP 661567, 626 Hume Highway, Casula. At that meeting it was resolved to defer the item until the next meeting of Council to allow further negotiations to take place. Subsequent to the meeting held on 28 May 2012, the General Manager was advised that the Independent Commission Against Corruption (ICAC) was investigating the matter and as such was unable to proceed with actioning the resolution of Council, contrary to section 355 of the Local Government Act (LGA). The investigation has since been finalised and as a result the matter can now be progressed.

This report outlines the sequence of events that led to the recommendation outlined in the previous report to Council on 28 May 2012 (refer Attachment 2).

This report recommends that Council rescind its previous decision to seek further negotiations and proceeds with the original recommendation for the sale of Lot 35 DP 651316 and Lot 36 DP 661567, 626 Hume Highway, Casula on the terms outlined in the confidential report provided under separate cover.

#### **DETAILED REPORT:**

The subject property, Lot 35 DP 651316 and Lot 36 DP 661567, 626 Hume Highway, Casula, was acquired from the Department of Planning in 1992 for the proposed intersection and extension of Ingham Drive to the east of the Hume Highway. The extension of Ingham Drive, Casula is no longer proceeding, therefore, Lot 35 DP 651316 and Lot 36 DP 661567 are considered surplus to Council's needs.

The Liverpool Local Environmental Plan 2008 (Amendment 8) was gazetted on 26 August 2011. As part of this amendment, part of Lot 35 DP 651316 and Lot 36 DP 661567, 626 Hume Highway, Casula was rezoned to 'R2 Low Density Residential' to facilitate disposal.

Prior to placing the property on the market, Council received two market appraisals from local active real estate agents to determine a likely sale price. Based on these appraisals an Exclusive Agency Agreement was entered into with Community First Real Estate Liverpool for a period of three months commencing on 4 April 2012.

The property was marketed for sale through a four week 'Expression of Interest' campaign and advertised on the internet, in local newspapers and real estate publications and a 'For Sale' sign was erected on the property. The advertising material clearly indicated the closing date and time for submissions. The 'Expression of Interest' campaign closed on 4 May 2012 with two offers to purchase being received.

Following the closing date of 4 May 2012, both parties were given a second opportunity, until Midday 8 May 2012, to submit their final offer. Both parties declined to vary their respective offers. The highest bidder, bidder 'A' was advised that their offer was accepted subject to Council approval. Bidder 'B' was advised that their offer was unsuccessful. Council officers prepared a report to Council on that basis.

On Friday 25 May 2012, through the real estate agent, bidder 'B' submitted a second offer to purchase the subject land. This offer represented a significant increase from their previous offer that was made prior to the 'Expression of Interest' campaign closing. This offer was submitted approximately 21 days after the closing date of 4 May 2012.

In accordance with Council's standard tendering procedures late bids are not accepted. Council officers instructed the agent to advise bidder 'B' that the increased offer could not be considered as it was received well after the advertised close off period. Due to the timing of the second offer from bidder 'B', that is, being received on the Friday before the Council meeting due to be held on the Monday, only three Council officers were aware of the late offer. No Councillors were advised of the late offer given it was 21 days after the closing date and was not intended to be considered.

A report to the Ordinary Meeting of Council on 28 May 2012 recommended that Council approve the sale of Lot 35 DP 651316 and Lot 36 DP 661567, 626 Hume Highway, Casula, to bidder 'A' for the price and terms outlined in the confidential attachment. However, questions were raised at the Council meeting following a motion being put to "defer the item to the next meeting of Council to allow further negotiations to take place". Questions as to whether or not all offers had been considered were raised. Council was advised that there was a late bid that was rejected due to it being received past the closing date and on the eve of the Council meeting. Council subsequently resolved to defer the sale of 626 Hume Highway, Casula until the next meeting of Council to allow for further negotiations to take place.

However, Council was advised by ICAC that they were conducting an investigation into the matter and instructed the General Manager that the matter was not to proceed until their investigation was concluded. The General Manager was advised on 11 July, 2012 following an enquiry he made, that:

- The ICAC is investigating the matter;
- Council is cooperating with the commission;
- The ICAC Act does not permit any further information to be provided

- Insofar as S335 of the Local Government Act is concerned, the ICAC Act over-rides this.

On that basis, the General Manager did not act on the Council Resolution of 28 May 2012. Council has since received a letter dated 12 September 2012 from ICAC advising that no further action was being pursued, in the absence of further and cogent information being received.

Council officers have reviewed the sequence of events with regard to the initial expression of interest campaign for the sale of the subject property and recommend that the sale proceed as recommended on 28 May 2012. The offer received from bidder 'A' was lodged in good faith in accordance with the requirements of the expression of interest campaign and was received within the specified time frame. Bidder 'B' was afforded the opportunity to submit a further bid within a specified time frame and declined to do so.

The second offer received from bidder 'B' was received approximately 21 days after the closing date of 4 May 2012. The acceptance of the second late offer from bidder 'B' is considered contrary to council's standard tendering practice with regard to late bids, it sets a precedent for any future transactions, it raises questions about the transparency of Council's process and is considered unethical and unfair to bidder 'A'.

With regard to the above considerations this report recommends that Council rescinds its decision to pursue further negotiations and agrees to the sale of Lot 35 DP 651316 and Lot 36 DP 661567, 626 Hume Highway, Casula to bidder 'A', on the terms and conditions outlined in the confidential attachment.

### **FINANCIAL IMPLICATIONS:**

The sale was not included in this year's budget. It is recommended that the net proceeds of the sale be credited to the Property Development Reserve.

### **RECOMMENDATION:**

That Council:

1. Rescinds its decision of 28 May 2012, to defer the sale of Lot 35 DP 651316 and Lot 36 DP 661567, 626 Hume Highway, Casula to allow for further negotiations to take place;
2. Approves the sale of Lot 35 DP 651316 and Lot 36 DP 661567, 626 Hume Highway, Casula, for the price and terms outlined in the confidential attachment;
3. Recommences the expression of interest for the sale of Lot 35 DP 651316 and Lot 36 DP 661567, 626 Hume Highway if bidder 'A' is no longer interested in purchasing the property;
4. Keeps confidential the attachment supplied under separate cover containing the purchase price, 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 the Council is conducting (or proposes to conduct) business;

5. Authorises its delegated officer to execute any document, under power of attorney necessary to give effect to this decision;
6. Transfers the net proceeds from the sale to the Property Development Reserve.

**SIGNED BY:**

**Julie Hatley**  
Director  
Corporate Services

- Attachments:**
1. Location Map
  2. Copy of Council Report 28 May 2012
  3. Confidential Attachment (under separate cover)

Attachment 1

LOCATION MAP



## Attachment 2

1

## LIVERPOOL CITY COUNCIL

## CORPORATE SERVICES REPORT

ORDINARY MEETING

28/05/2012

<b>ITEM NO:</b>		<b>FILE NO:</b>	<b>2009/1150</b>
<b>SUBJECT:</b>	<b>PROPOSED DISPOSAL OF LOT 35 DP 651316 AND 36 DP 661567, 626 HUME HIGHWAY, CASULA</b>		
<b>COMMUNITY STRATEGIC PLAN REFERENCE:</b>	<b>THE COMMUNITY IS SUPPORTED BY A WELL MANAGED AND RESPONSIVE COUNCIL</b>		

**EXECUTIVE SUMMARY:**

Lot 35 DP 651316 and Lot 36 DP 661567, 626 Hume Highway, Casula were acquired from the Department of Planning in 1992 for the proposed intersection and extension of Ingham Drive to the east of the Hume Highway. The extension of Ingham Drive, Casula is not proceeding. Lot 35 and 36 are therefore considered surplus to Council's needs.

An offer to purchase Lot 35 DP 651316 and 36 DP 661567, 626 Hume Highway, Casula, has been received and is subject to Council approval. Details of the purchase price are considered confidential and are supplied to Council under separate cover.

This report recommends that Council agree to the sale of Lot 35 DP 651316 and 36 DP 661567, 626 Hume Highway, Casula, on the terms outlined in the confidential attachment.

**DETAILED REPORT:**

The Liverpool Local Environmental Plan 2008 (Amendment 8) was gazetted on the 26 August 2011. As part of the amendment, Lot 35 DP 651316 and Lot 36 DP 661567, 626 Hume Highway, Casula were rezoned to 'R2 Low Density Residential' to facilitate the disposal of the land.

Prior to placing the property on the market, Council received two market appraisals from local active real estate agents to determine a likely sale price. Based on these appraisals and numerous discussions with the agents an exclusive agency agreement was entered into with Community First Real Estate Liverpool for a period of three months commencing on the 4 April 2012.

The property was marketed for sale through a four week 'Expression of Interest' campaign and advertised on the internet, local newspapers and real estate publications. The 'Expression of Interest' campaign closed on 4 May 2012 with two offers to purchase.

This report recommends that Council agree to the sale of Lot 35 DP 651316 and 36 DP 661567, 626 Hume Highway, Casula. The offers and proposed purchase price are considered confidential and are supplied to Council under separate cover.

#### **FINANCIAL IMPLICATIONS:**

This sale was not included in the 2011-2012 budget. It is recommended that the proceeds be credited to the Property Development Reserve.

#### **RECOMMENDATION:**

That Council:

1. Approves the sale of Lot 35 DP 651316 and 36 DP 661567, 626 Hume Highway, Casula, for the price and terms outlined in the confidential attachment.
2. Keeps confidential the attachment supplied under separate cover containing the offers and purchase price pursuant to the provisions of Section 10A(2)(c) of the Local Government Act 1993 as this information could, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.
3. Authorises its delegated officer to execute any document, under power of attorney necessary to give effect to this decision.
4. Transfers the net proceeds from the sale to the Property Development Reserve.

#### **SIGNED BY:**

**Julie Hatley**  
Director  
Corporate Services

**Attachments:** 1. Location Map  
2. Confidential Attachment

## LIVERPOOL CITY COUNCIL

### CORPORATE SERVICES REPORT

**ORDINARY MEETING**

**08/10/2012**

<b>ITEM NO:</b>	<b>CORS 04</b>	<b>FILE NO:</b>	<b>2012/2196</b>
<b>SUBJECT:</b>	<b>ACQUISITION OF PART LOT 214 DP 280030, MIDDLETON DRIVE, MIDDLETON GRANGE FOR DRAINAGE PURPOSES</b>		
<b>COMMUNITY STRATEGIC PLAN REFERENCE:</b>	<b>URBAN INFRASTRUCTURE MEETS THE NEEDS OF A GROWING COMMUNITY</b>		

#### **EXECUTIVE SUMMARY:**

The Liverpool Local Environmental Plan 2008 identifies lands to be acquired by Council for various types of infrastructure and open space. Council is required to acquire part of Lot 214 DP 280030, Middleton Drive, Middleton Grange, following the subdivision of this land for development purposes. Part of Lot 214 DP 280030 is zoned 'SP2 Infrastructure (Drainage)' and forms part of the drainage system in this area.

Agreement has been reached, in accordance with the Land Acquisition (Just Terms Compensation) Act 1991 with the owners, for Council to acquire part of Lot 214 DP 280030 subject to Council approval. Details of the acquisition price are considered confidential and are supplied to Council under separate cover.

This report recommends that Council proceeds with the acquisition of part Lot 214 DP 280030, Middleton Drive, Middleton Grange on the terms outlined in the confidential attachment.

#### **DETAILED REPORT:**

As part of the development in Middleton Grange, various areas and parcels of land have been identified for acquisition for drainage purposes. The Liverpool Contribution Plan provides the mechanism to collect the funding to enable the acquisition of this land.

Part of Lot 214 DP 280030, Middleton Drive, Middleton Grange has been identified and zoned for drainage purposes with an area of approximately 4,282 square metres to be acquired.

Council appointed a valuer to prepare a valuation of part Lot 214 DP 280030 in accordance with the Land Acquisition (Just Terms Compensation) Act 1991. Negotiations

with the owner have now been completed and the purchase price has been agreed subject to Council approval. Details of the valuation and negotiations are considered confidential for commercial reasons and are contained in the confidential attachment.

Agreement with the owner has been reached, in accordance with the Land Acquisition (Just Terms Compensation) Act 1991, for Council to acquire the subject land. Details of the acquisition price are considered confidential and are supplied to Council under separate cover.

This report recommends that Council proceeds with the acquisition of part Lot 214 DP 280030, Middleton Drive, Middleton Grange in accordance with the terms outlined in the confidential attachment.

The acquisition will be completed once the plan of subdivision has been registered and a Certificate of Title for the lot that is to be acquired has been issued.

### **FINANCIAL IMPLICATIONS:**

Funding for the acquisition is provided for in Council's Section 94 Contribution Plan (refer details in confidential report provided under separate cover) and is included in this year's budget.

### **RECOMMENDATION:**

That Council:

1. Approves the acquisition of part Lot 214 DP 280030, Middleton Drive, Middleton Grange, containing an area of approximately 4,282 square metres for the price and terms outlined in the confidential attachment;
2. Upon settlement of the acquisition, classifies part Lot 214 DP 280030, Middleton Drive, Middleton Grange as 'Community' land;
3. Keeps confidential the attachment supplied under separate cover containing the acquisition price 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 the Council is conducting (or proposes to conduct) business;
4. Authorises its delegated officer to execute any documents, under power of attorney necessary to give effect to this decision.

**SIGNED BY:**

**Julie Hatley**  
Director  
Corporate Services

**Attachments:**

1. Location Report
2. Confidential Report (under separate cover)



## LIVERPOOL CITY COUNCIL

### CORPORATE SERVICES REPORT

**ORDINARY MEETING**

**08/10/2012**

<b>ITEM NO:</b>	<b>CORS 05</b>	<b>FILE NO:</b>	<b>2012/1662</b>
<b>SUBJECT:</b>	<b>PROPOSED DISPOSAL OF LOT 708 DP 238939, 13 KEMIRA PLACE, CARTWRIGHT</b>		
<b>COMMUNITY STRATEGIC PLAN REFERENCE:</b>	<b>THE COMMUNITY IS SUPPORTED BY A WELL MANAGED AND RESPONSIVE COUNCIL</b>		

#### **EXECUTIVE SUMMARY:**

The Liverpool Local Environmental Plan 2008 (Amendment 12) was gazetted on 23 March 2012. As part of this amendment, Lot 708 DP 238939, 13 Kemira Place, Cartwright was reclassified from 'Community' to 'Operational' land. The land was identified as surplus to Council's needs and reclassified to facilitate disposal.

An offer to purchase Lot 708 DP 238939, 13 Kemira Place, Cartwright, has been received and is subject to Council approval. Details of the purchase price are considered confidential and are supplied to Council under separate cover.

This report recommends that Council agrees to the sale of Lot 708 DP 238939, 13 Kemira Place, Cartwright, on the terms outlined in the confidential attachment.

#### **DETAILED REPORT:**

The subject property Lot 708 DP 238939, 13 Kemira Place, Cartwright was reclassified from 'Community' to 'Operational' land via Amendment 12 of the Liverpool Local Environmental Plan 2008 gazetted 23 March 2012. The land was identified as surplus to Council's needs and reclassified to facilitate disposal.

The subject parcel is a regular shaped, corner block, situated on a side street, at road level with near level topography. Kemira Place is a kerbed, channelled and sealed side street with grass footpaths. The land is vacant and clear of any structural improvements. The property has an area of 666 square metres and adjoins the Permian Drive overpass. It is noted that the subject site is not connected to sewer or water.

Council appointed a valuer to determine the current market value of Lot 708 DP 238939, 13 Kemira Place, Cartwright. Details of the valuation are considered confidential for commercial reasons and are contained in the confidential attachment.

Prior to placing the property on the market, Council received three market appraisals from local active real estate agents to determine a likely sale price. Based on these appraisals an Exclusive Agency Agreement was entered into with Laing and Simmons Real Estate Liverpool for a period of three months commencing on 21 May 2012.

The property was marketed for sale and advertised on the internet, in local newspapers and real estate publications. A 'For Sale' sign was also erected on the property.

Council's officers were presented with two offers to purchase Lot 708 DP 238939, 13 Kemira Place, Cartwright. The first offer was considered too low and was declined. The second offer has been accepted and is subject to Council approval. Details of the purchase are considered confidential and are supplied to Council under separate cover.

This report recommends that Council agrees to the sale of Lot 708 DP 238939, 13 Kemira Place, Cartwright, on the terms outlined in the confidential attachment.

### **FINANCIAL IMPLICATIONS:**

The sale was not included in this year's budget. It is recommended that the net proceeds of the sale be credited to the Property Development Reserve.

### **RECOMMENDATION:**

That Council:

1. Approves the sale of Lot 708 DP 238939, 13 Kemira Place, Cartwright, for the price and terms outlined in the confidential attachment;
2. Keeps confidential the attachment supplied under separate cover containing the purchase price, 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 the Council is conducting (or proposes to conduct) business;
3. Authorises its delegated officer to execute any document, under power of attorney necessary to give effect to this decision;
4. Transfers the net proceeds from the sale to the Property Development Reserve.

### **SIGNED BY:**

**Julie Hatley**  
Director  
Corporate Services

**Attachments:**

1. Location Map
2. Confidential Report (under separate cover)



## LIVERPOOL CITY COUNCIL

### CORPORATE SERVICES REPORT

**ORDINARY MEETING**

**08/10/2012**

<b>ITEM NO:</b>	<b>CORS 06</b>	<b>FILE NO:</b>	<b>2012/1661</b>
<b>SUBJECT:</b>	<b>PROPOSED DISPOSAL OF LOT 709 DP 238939, 1A BELLBIRD AVENUE, CARTWRIGHT</b>		
<b>COMMUNITY STRATEGIC PLAN REFERENCE:</b>	<b>THE COMMUNITY IS SUPPORTED BY A WELL MANAGED AND RESPONSIVE COUNCIL</b>		

#### **EXECUTIVE SUMMARY:**

The Liverpool Local Environmental Plan 2008 (Amendment 12) was gazetted on 23 March 2012. As part of this amendment, Lot 709 DP 238939, 1A Bellbird Avenue, Cartwright was reclassified from 'Community' to 'Operational' land. The land was identified as surplus to Council's needs and reclassified to facilitate disposal.

An offer to purchase Lot 709 DP 238939, 1A Bellbird Place, Cartwright, has been received and is subject to Council approval. Details of the purchase price are considered confidential and are supplied to Council under separate cover.

This report recommends that Council agrees to the sale of Lot 709 DP 238939, 1A Bellbird Avenue, Cartwright, on the terms outlined in the confidential attachment.

#### **DETAILED REPORT:**

The subject property Lot 709 DP 238939, 1A Bellbird Avenue, Cartwright was reclassified from 'Community' to 'Operational' land via Amendment 12 of the Liverpool Local Environmental Plan 2008 gazetted 23 March 2012. The land was identified as surplus to Council's needs and reclassified to facilitate disposal.

The subject parcel is a regular shaped, corner block, situated on a side street, at road level with near level topography. The property has an area of 666 square metres and adjoins the Permian Drive overpass. Bellbird Avenue is a kerbed, channelled and sealed side street with grass footpaths. The land is vacant and clear of any structural improvements. Two mature trees are located on the land. It is noted that the subject site is not connected to sewer or water.

Council appointed a valuer to determine the current market value of Lot 709 DP 238939, 1A Bellbird Avenue, Cartwright. Details of the valuation are considered confidential for commercial reasons and are contained in the confidential attachment.

Prior to placing the property on the market, Council received three market appraisals from local active real estate agents to determine a likely sale price. Based on these appraisals an Exclusive Agency Agreement was entered into with Laing and Simmons Real Estate Liverpool for a period of three months commencing on 21 May 2012.

The property was marketed for sale and advertised on the internet, in local newspapers and real estate publications. A 'For Sale' sign was also erected on the property.

Council's officers were presented with two offers to purchase Lot 709 DP 238939, 1A Bellbird Avenue, Cartwright. The first offer was considered too low and was declined. The second offer has been accepted and is subject to Council approval. Details of the purchase are considered confidential and are supplied to Council under separate cover.

This report recommends that Council agrees to the sale of Lot 709 DP 238939, 1A Bellbird Avenue, Cartwright, on the terms outlined in the confidential attachment.

#### **FINANCIAL IMPLICATIONS:**

The sale was not included in this year's budget. It is recommended that the net proceeds of the sale be credited to the Property Development Reserve.

#### **RECOMMENDATION:**

That Council:

1. Approves the sale of Lot 709 DP 238939, 1A Bellbird Avenue, Cartwright, for the price and terms outlined in the confidential attachment;
2. Keeps confidential the attachment supplied under separate cover containing the purchase price, 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 the Council is conducting (or proposes to conduct) business;
3. Authorises its delegated officer to execute any document, under power of attorney necessary to give effect to this decision;
4. Transfers the net proceeds from the sale to the Property Development Reserve.

**SIGNED BY:**

**Julie Hatley**  
Director  
Corporate Services

**Attachments:**

1. Location Map
2. Confidential Report (under separate cover)

Attachment 1

LOCATION MAP



## LIVERPOOL CITY COUNCIL

### CORPORATE SERVICES REPORT

**ORDINARY MEETING**

**08/10/2012**

<b>ITEM NO:</b>	<b>CORS 07</b>	<b>FILE NO:</b>	<b>2010/0452</b>
<b>SUBJECT:</b>	<b>PROPOSED EASEMENT FOR AN UNDERGROUND ELECTRICITY CABLE OVER LOT 100 DP 30136, 46 APEX STREET, LIVERPOOL</b>		
<b>COMMUNITY STRATEGIC PLAN REFERENCE:</b>	<b>URBAN INFRASTRUCTURE MEETS THE NEEDS OF A GROWING COMMUNITY</b>		

#### **EXECUTIVE SUMMARY:**

The Liverpool Local Environmental Plan 2008 (Amendment 11) was gazetted on 5 December 2011. The purpose of the amendment was to better manage Council's property assets by reclassifying and disposing of public land that is considered underutilised and/or surplus to Council's needs. Lot 100 DP 30136, 46 Apex Street, Liverpool was one of the properties listed for reclassification and disposal.

In order to achieve the highest possible sale price for Lot 100 DP 30136, 46 Apex Street, Liverpool, the above ground powerlines affecting the subject land are to be relocated underground. Endeavour Energy has agreed to the undergrounding of the overhead powerlines subject to an easement being registered once the works have been completed. This report recommends that Council grants an easement for underground electricity cables to Endeavour Energy over Lot 100 DP 30136, 46 Apex Street, Liverpool for nil consideration.

#### **DETAILED REPORT:**

The subject property Lot 100 DP 30136, 46 Apex Street, Liverpool was reclassified from 'Community' to 'Operational' land via Amendment 11 of the Liverpool Local Environmental Plan 2008 gazetted 5 December 2011. The land was identified as surplus to Council's needs and reclassified to facilitate disposal.

Currently there is a light pole erected at the back of Lot 100 DP 30136 that is powered by a power pole on the opposite side of Apex Street. As a result, a single power line traverses the subject site and limits development potential. The existing overhead power line also reduces the market value of the land.

In order to achieve the highest possible sale price for Lot 100 DP 30136, 46 Apex Street, Liverpool, it has been determined that the electricity cable should be relocated underground along the north western side boundary.

Council has engaged an independent consultant to prepare the cable undergrounding design and to manage the construction works on site. The cost to undertake the undergrounding works has been estimated by Council's independent consultant as approximately \$15,000.

The existing services are in the ownership of Endeavour Energy. Endeavour Energy have agreed to the undergrounding of the electricity cable on the basis that a one metre wide easement be registered in their favour, over the proposed location of the underground cable, upon completion of the works.

It is noted that the request to underground the cable was initiated by Council to increase the market value of Lot 100 DP 30136, 46 Apex Street, Liverpool. Therefore, Endeavour Energy will not be paying any compensation to Council.

This report recommends that Council grants an easement for underground electricity cables to Endeavour Energy. It is noted that the easement is to be registered upon completion of the works for nil consideration.

#### **FINANCIAL IMPLICATIONS:**

The cost of the undergrounding works has been estimated by Council's independent consultant as approximately \$15,000. It is recommended that funding be sourced from the Property Development Reserve.

#### **RECOMMENDATION:**

That Council:

1. Grants an easement for underground electricity cables to Endeavour Energy over Lot 100 DP 30136, 46 Apex Street, Liverpool as shown on the attached plan of easement;
2. Authorises the relevant documentation necessary for the formalisation of the easement to be signed under Power of Attorney by Council's delegated officer;
3. Approves the expenditure required to fund the cable undergrounding at Lot 100 DP 30136, 46 Apex Street, Liverpool from the Property Development Reserve.

**SIGNED BY:**

**Julie Hatley**  
Director  
Corporate Services

**Attachments:**      1. Location Map  
                             2. Plan of Easement

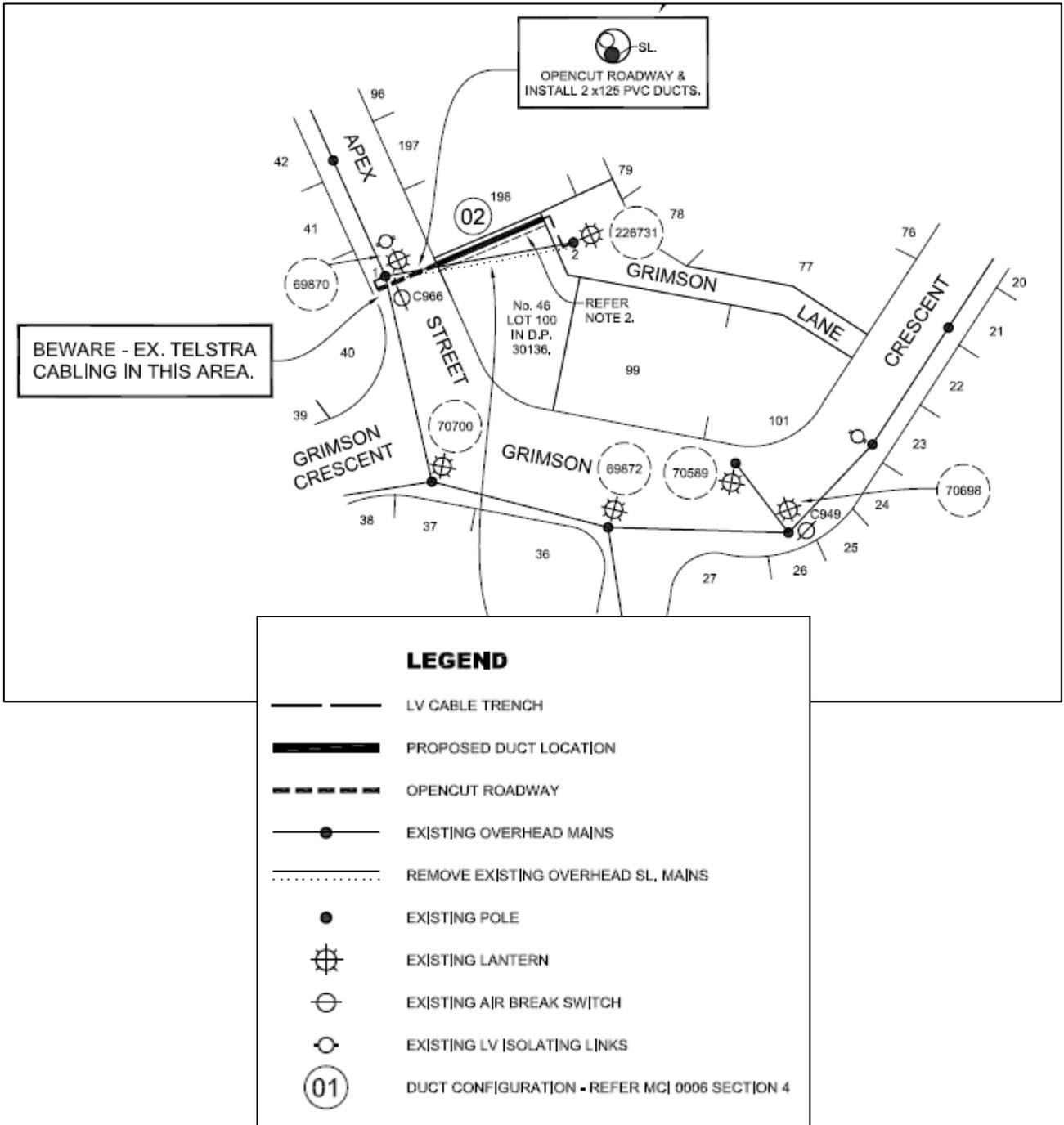
Attachment 1

LOCATION MAP



Attachment 2

PLAN OF EASEMENT



## LIVERPOOL CITY COUNCIL

### CORPORATE SERVICES REPORT

#### ORDINARY MEETING

08/10/2012

<b>ITEM NO:</b>	<b>CORS 08</b>	<b>FILE NO:</b>	<b>2011/6207</b>
<b>SUBJECT:</b>	<b>COMMUNITY ENGAGEMENT STRATEGY 2012-13</b>		
<b>COMMUNITY STRATEGIC PLAN REFERENCE:</b>	<b>DECISION MAKING PROCESSES ARE TRANSPARENT AND THE COMMUNITY HAS OPPORTUNITIES TO BE INVOLVED</b>		

#### EXECUTIVE SUMMARY:

The *Local Government Act* (1993) (LGA) requires that all councils must have in place a Community Strategic Plan, Delivery Program, Operational Plan and a Resourcing Strategy.

In accordance with the LGA, each Council must prepare and implement a Community Engagement Strategy based on social justice principles, when developing the Community Strategic Plan. The purpose of the Community Engagement Strategy is to describe how Council intends communicating with and involving the community about the future of the City of Liverpool.

This report presents the Community Engagement Strategy 2012 for Council consideration and endorsement.

#### DETAILED REPORT:

In 2009, the *Local Government Act* (1993) was amended to include a new integrated planning and reporting framework for all Councils in NSW. The framework replaced the previous planning requirements with the following components:

- A ten year Community Strategic Plan;
- A four year Delivery Program;
- A one year Operational Plan; and
- A Resourcing Strategy (comprised of ten year Long Term Financial Plan, ten year Asset Management Plan and four year Workforce Management Plan).

The planning and reporting framework was phased in over a three year period. Liverpool City Council commenced as a Group 2 Council which required the adoption of the above documents by 30 June 2011.

"*Growing Liverpool 2021*", the Community Strategic Plan for the City of Liverpool was endorsed by Council on 18 April 2011. The legislation requires that each newly elected council must complete a review of their Community Strategic Plan by 30 June in the year following the local government elections and roll forward the planning period by at least four years so that it is always a 10 year minimum plan. This means that "*Growing Liverpool 2021*" must be reviewed and the revised version adopted by 30 June 2013.

To guide the development and review of the Community Strategic Plan, councils are required to develop a Community Engagement Strategy. This Strategy describes how Council will communicate with and involve the community in planning for the future of the City of Liverpool.

As a Group 2 Council our current plan "*Growing Liverpool 2021*" is only in its second year and was developed following an extensive community engagement process, it is not necessary for Council to undertake the same level of engagement for the current review. Council will undertake a lesser engagement process to confirm the continued direction identified during the previous planning process.

Attachment 1, The Draft Community Engagement Strategy 2012, outlines the principles and objectives of community engagement and highlights the methodology to be applied to the current review of the Community Strategic Plan.

The following forms of engagement will be undertaken between November 2012 and March 2013 to inform the review:

- Direct Mail - letter to residents and other key stakeholders
- Online via Council's Website
- Council's Contact Centre
- Exhibition of draft Community Strategic Plan "*Growing Liverpool 2023*"
- Community Workshop

The above methods provide a range of opportunities for participation by residents, ratepayers, visitors, businesses, community groups, and relevant agencies.

The Draft Community Engagement Strategy 2012 is submitted for endorsement by Council.

#### **FINANCIAL IMPLICATIONS:**

Funds to commence implementation of the Community Engagement Strategy are available in the 2012-2013 budget.

#### **RECOMMENDATION:**

That Council endorses the Draft Community Engagement Strategy 2012.

**SIGNED BY:**

**Julie Hatley**  
Director  
Corporate Services

**Attachment:** Draft Community Engagement Strategy 2012

**Attachment****DRAFT****COMMUNITY ENGAGEMENT STRATEGY:****COMMUNITY STRATEGIC PLAN “*GROWING LIVERPOOL 2023*”****Introduction**

Liverpool City Council is preparing its first review of “*Growing Liverpool 2021*” the Community Strategic Plan for the City. The Community Strategic Plan sets out the objectives and strategies for the coming ten year period based on community needs and priorities.

Council undertook an extensive community engagement process in 2010 that informed the development of “*Growing Liverpool 2021*”. Legislation prescribes that following on ordinary election of councillors, the council must review its Community Strategic Plan before 30 June following the election.

The purpose of this Community Engagement Strategy is to outline the engagement process that will be undertaken for the review of “*Growing Liverpool 2021*”. The community engagement process is an opportunity for the Liverpool community, including residents, workers and relevant agencies to be involved in and contribute to the City’s future.

Following the engagement process the revised plan will be placed on public exhibition and subsequently presented to Council for adoption as “*Growing Liverpool 2023*” Council’s Community Strategic Plan.

**Background**

The *Local Government Act (1993)* and Integrated Planning Framework requires that each Council prepare as a minimum a ten year Community Strategic Plan. The plan needs to address social, environmental, economic and civic leadership priorities. This approach is often referred to as the quadruple bottom line. The plan also seeks to answer four key questions:

1. Where are we now?
2. Where do we want to be in 10 years’ time?
3. How will we get there?
4. How will we know we’ve arrived?

Council will use the Community Engagement Strategy to invite comments and submissions from the Liverpool community, visitors, and agencies, for the review of “*Growing Liverpool 2021*” and development of the Community Strategic Plan “*Growing Liverpool 2023*”.

“*Growing Liverpool 2021*” was Liverpool’s first Community Strategic Plan developed in accordance with the new Integrated Planning and Reporting framework and involved extensive community engagement in late 2010. As the current plan is only in its second year the proposed engagement process for the review will be less extensive as it is considered that the needs and priorities of the community will not have altered significantly since that time.

Council will work with relevant agencies to review the objectives of the Plan “*Growing Liverpool 2021*”. The objectives and strategies in the plan form the basis of Council’s programs, plans and strategies including the:

- ***Four Year Delivery Program*** outlining the principal activities that Council will undertake over a period of four years to deliver on its role in implementing the Community Strategic Plan;
- ***Operational Plan*** a sub-plan of the Delivery Program listing all the activities Council will undertake during the year to achieve its strategic goals;
- ***Resourcing Strategy*** including:
  - a Long Term Financial Plan (10 years)
  - an Asset Management Strategy and Plan (10 years)
  - a Workforce Management Strategy (4 years)

These documents will tell the community what Council will do to deliver its responsibilities under the Community Strategic Plan.

## What is Community Engagement?

Community engagement is a process of providing people with the opportunity to have their say and participate in the future direction of their city. Council’s Community Engagement Strategy seeks to involve the public to ensure that their concerns and aspirations are consistently understood and considered. The strategy is built on the principle that all members of the community have a right and a responsibility to contribute to their community’s future.

The Community Engagement Strategy is based on the principles of social justice which are:

- *Equity – there should be fairness in decision making, prioritising and allocation of resources, particularly for those in need. Everyone should have a fair opportunity to participate in the future of the community. The planning process should take particular care to involve and protect the interests of people in vulnerable circumstances*
- *Access – all people should have fair access to services, resources and opportunities to improve their quality of life*

- *Participation – everyone should have the maximum opportunity to genuinely participate in decisions which affect their lives*
- *Rights – equal rights should be established and promoted, with opportunities provided for people from diverse linguistic, cultural and religious backgrounds to participate in community life.*

### **What are the aims of the Community Engagement Strategy?**

Community Engagement seeks:

- To make sure that community needs and priorities shape directions for the City
- To establish the basis for ongoing dialogue with the community about the future of Liverpool
- To inform the community about social, environmental, economic and civic leadership priorities for Liverpool
- To provide an opportunity for the community to be involved in contributing to the future of the City
- To extend collaboration and partnership between the community, Council, local organisations, business and government agencies.

### **Who are the key stakeholders that need to be engaged?**

Council seeks input and comments from the following key stakeholders:

- ratepayers - people who live or own property in Liverpool
- visitors - people who work, study, play in or visit
- business - business managers or owners with operations within Liverpool
- community agencies - that provide services to the people of Liverpool
- government agencies that provide services to the people of Liverpool

### **How does Council intend to engage with the community?**

Council currently engages with the community in many ways. In 2006 Council adopted a Community Engagement Toolkit. The toolkit assists Council to identify and implement a range of methods to inform the community, to consult with the community and to gain active participation from the community in Council projects and issues as they arise.

Council has a number of advisory committees and runs regular neighbourhood forums. These are made up of local community members who have an opportunity to learn more details about specific topics and provide Council with further information about