



**PUBLIC INQUIRY INTO LIVERPOOL CITY COUNCIL**

**COMMISSIONED UNDER S 438U OF THE LOCAL  
GOVERNMENT ACT 1993 (NSW)**

**PUBLIC HEARING  
SYDNEY**

**FRIDAY, 28 NOVEMBER 2025  
AT 11.40 AM**

**DAY 49**

**APPEARANCES**

**Ms B Anniwell, Counsel Assisting  
Mr E McGinness, Counsel Assisting  
Mr D Parish and Mr N Andrews, Counsel for Liverpool City Council  
Ms C Hamilton-Jewell, Counsel for Mr P Ristevski  
Ms K Richardson SC and Ms C Palmer, Counsel for Mayor N Mannoun**

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<THE HEARING COMMENCED AT 11.40 AM

<NED MANNOUN, ON FORMER OATH

5 **COMMISSIONER:** Yes, Ms Anniwell. Councillor, you're still on your oath from last Friday. And we'll go through till 1.30, but if at any time during that period you need a break, feel free to let me know, okay?

10 **MR MANNOUN:** Yes. And, sorry, Commissioner, just before I start, do I need to make any conflicts of interest or - whilst I'm appearing in the inquiry?

**COMMISSIONER:** I'm not sure I understand what that means. What do you mean?

15 **MR MANNOUN:** Just reflecting on the conversation - or the discussion that we had last time I was here about conflicts of interest. I just want to declare that Holding Redlich does work for Liverpool City Council, but it's a -

**COMMISSIONER:** Right. Okay. Thank you. I don't think anything flows from that.

20 **MS ANNIWELL:** Thank you, Commissioner. Mr Mayor, we're going to change topics from when you were last giving evidence. You have been, no doubt, following the inquiry and have been hearing some of the evidence from other councillors that have appeared so far?

25 **MR MANNOUN:** Yes.

30 **MS ANNIWELL:** And there have been a number of general questions that have been asked of those councillors about their impressions and their opinion as to what council is doing well and some of the challenges that may be facing the council. So we'd like to start this morning - give you an opportunity to answer those similar questions. I anticipate that the Commissioner will jump in and ask you a series of questions as well. So it's Friday, so let's start with a positive. What are some of the - let's start at a higher level before we move to some nuts and bolts. At a higher level, what are some of the positive things that you think that council is achieving or  
35 has achieved in its current term?

**MR MANNOUN:** In council? So when you say current, last 12 months or - I guess in the last four years with me as mayor?

40 **COMMISSIONER:** Let's start in the current term, and then you can go back in time from there.

45 **MR MANNOUN:** Only just a little harder to distinguish in this last 12-month period. I think if I start off from the financials - as you know in '24 - the '24 - sorry, the '25-'26 budget was projected to have a \$0.8 million surplus. At last night's council meeting we received our first quarterly review, which showed a minus five deficit. Now, that is based upon one assumption that was in the budget with respect

to the life-cycle maintenance of a particular asset, where we were looking at a court - or agreement - legal settlement, pardon my words, where we were going to receive a lump sum payment of around that \$5 million. However, we didn't receive that. But we did receive is a life-cycle agreement between the two parties to cover  
5 the maintenance cost for - in perpetuity.

**MS ANNIWELL:** Now, taking into account that change, you've said that the - what was anticipated of being a \$0.8 million surplus will now be a deficit of how much?

10 **MR MANNOUN:** At this point, minus 5 million.

**MS ANNIWELL:** Minus 5 -

**MR MANNOUN:** 5 million.

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**MS ANNIWELL:** - million.

**MR MANNOUN:** Yes. So - i.e. we - what we projected at the budgeting process would have been achieved except for this one variable, but rather than it becoming  
20 \$5 million now, that's probably worth around \$20 million over the life of the agreement. So when we look at, I guess, our responsibilities under section 8 of the Act, to make sure there is - think about intergenerational challenges, I think that's - that's positive, and hopefully - that we can bring that and actually still achieve a balanced budget, which will at least give us - that's early days, but we're - there is  
25 confidence within the organisation that that will, at least.

**MS ANNIWELL:** So the projected budget position, it's a deficit, so that's not an overall - what I'd call higher level positive outcome, but you're saying it's a positive outcome because you're seeking to achieve some sort of intergenerational balance; is that correct?  
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**MR MANNOUN:** Yes. Generally, I think when you look at, you know - when you look at how you do your budgeting, you make a lot of assumptions - you know, thousands of assumptions. So I guess we're hitting every one of those assumptions  
35 except for one, but the difference being - rather than it be - if I can call it a sugar hit for now, it's a long-term revenue source, if I can call it that. Yes, it doesn't make the result look the best now, but intergenerational - to your question, yes, it's a better outcome for council over the time - over - longevity.

40 **MS ANNIWELL:** As someone who has been interested in driving a surplus position at the council, does it concern you that you're in a deficit?

**MR MANNOUN:** I don't like being in a deficit position, but I understand - I guess it's understanding the rationale why. So if - I guess if I had a blinded, one-eyed focus  
45 on, "No, it has to be" - "it has to be balanced or it has to" - which, in one sense, I do, right, because that's - I think it's section - is it 82A that we have to have aligning

revenues and expenses? The - it should not be done at the behest of the future - future councils.

5 So therefore - like, we could have gone to court and said - or even we could have  
accepted, "Just give us \$5 million now, we'll be happy," tick, we've achieved our  
balanced budget. That could be - and then I could have that - yes, that one-eyed  
focus, but - where the alternative is \$20 million over many, many years and  
de-risking the - de-risking that asset completely is a better outcome, but it also  
10 doesn't make it look good in the short term. But I'd rather take that for the futures and  
get judged on that.

**MS ANNIWELL:** Okay. So the -

15 **COMMISSIONER:** And, sorry, can you just explain to me the upside? So there's a  
deterioration in the position of -

**MR MANNOUN:** Sorry.

20 **COMMISSIONER:** That's all right. There's a short-term deterioration in the  
forecast because of the change in the assumption but, as I'm understanding your  
evidence, you see an upside into future years. Have I understood you correctly?

**MR MANNOUN:** Yes.

25 **COMMISSIONER:** Could you just explain to me why the deterioration now will  
lead to the upside later? I'm just not picking that up.

30 **MR MANNOUN:** So we had - if I go to approximately around 2022, there was an  
agreement between Liverpool City Council and Canterbury Bankstown.

**COMMISSIONER:** This is about the bridge?

**MR MANNOUN:** The bridge.

35 **COMMISSIONER:** Yes.

40 **MR MANNOUN:** Yes. Where a director had pretty much negotiated at the time \$4  
million from Bankstown Council, and - and then we would then take 100 per cent  
ownership and therefore 100 per cent liability of the life cycle of the asset. That was  
reviewed. It was then deemed unacceptable. Canterbury Bankstown were rightly  
upset because there were significant discussions that had happened to get to that  
point. Council could not renegotiate a better position, so it then went to court. When  
we did - when we were doing the budget for '25-'26, there was an assumption  
45 there - a conservative assumption of \$5 million.

**COMMISSIONER:** Based on the previous negotiated position?

5 **MR MANNOUN:** Yes. We thought - we had numbers between five and potentially 12. That's what we thought - four was definitely way too low. And that was - the conclusion of that matter was in July this year, so outside of the budget period. But that's why, when that happened, the agreement turned out to be - once again, rather than us take that \$5 million now and achieve what we projected in the budget, it was - and now it's an agreement between both sides that we have both - we both own the asset together and we both share the life-cycle maintenance of the asset together, versus us taking the whole liability and responsibility, which is what our 4 or 5 million dollars would have done.

10 **COMMISSIONER:** So the effect of that change is you don't get the up-front lump sum, but the future maintenance and ongoing costs are lower from the council's perspective, hence the uptick. Is that the concept?

15 **MR MANNOUN:** Yes. Yes, we've de-risked it significantly, because if, you know, 15 - this bridge was originally built in the nineties. So if you look at it - 30-odd years, it needed a significant investment from the - I think it was Federal Government at the time. I think it may have link to Defence land, but regardless, imagine 20, 30 years council's hit with a liability saying, "You now need to build a \$20 million bridge," 20 Canterbury Bankstown says, "Well, here's our agreement," you know, "it's up to you guys." I think that's - and that's what ultimately makes it better for us.

**COMMISSIONER:** Thank you.

25 **MS ANNIWELL:** So it's that assumption with respect to that arrangement with Canterbury Bankstown where you now have an asset-share situation that's resulted in the change from \$0.8 million surplus position to a projected deficit of 5 million for the 2025 to 2026 budget; is that correct?

30 **MR MANNOUN:** Yes, at the first quarter. Yes.

**MS ANNIWELL:** Has there been any indication to you as to when council can anticipate seeing an uptick in its financial position, if I can put it that way?

35 **COMMISSIONER:** Return to balance or surplus, you mean?

**MS ANNIWELL:** Yes. Yes. Or a lesser deficit.

40 **MR MANNOUN:** The - from the presentation we had last night from the CEO, there are numerous initiatives being looked at.

**MS ANNIWELL:** And what are they?

45 **MR MANNOUN:** That - I think with regards to the different efficiencies in running the organisation. There's IT software issues that - well, opportunities that can be enacted, and just general improvements in the way that business operates. There's - another one was - in our investment report, council is holding around

400-plus million dollars in cash, according to the ministerial guidelines - it's invested. Having said that, when you look at the amounts that are invested and the returns, that - those particular bonds are getting - or those deposits - some of them are quite low. So the CEO, with CFO and Mr Portelli, have established an  
5 investment - I think they call it an investment committee, where they are looking at every individual one. I think that's - they presented to us - that's already led to an extra \$1 million in projections, so - and that process has just begun.

10 **MS ANNIWELL:** So seeking better return on investment as it currently is - that is, better investment of current cash reserves; is that right?

**MR MANNOUN:** Yes.

15 **MS ANNIWELL:** Did you say this was discussed at last night's meeting?

**MR MANNOUN:** Yes.

**MS ANNIWELL:** Was that the subject of a report that was put before council?

20 **MR MANNOUN:** Yes. Or - I think it was actually two parts, because, you know, the meeting went over two days. So the quarterly review was discussed, and part of my answer was discussed as the quarterly review last night. The issue - the investment report was dealt with the night before, and I think that's when that was discussed - so on the Wednesday - put them both together.

25 **MS ANNIWELL:** We'll just bring up a document, please. I don't think this - I think can be live streamed, although Mr Parish will tell me otherwise. INQ.073.001.0003.

30 **COMMISSIONER:** Do you want it just in the room at the moment so Mr Parish can see what it is? Looks like a safe colour.

**MS ANNIWELL:** That does look like a safe colour. That can be live streamed.

35 **COMMISSIONER:** Thank you.

**MS ANNIWELL:** Mr Mannoun, please excuse me if I turn my head away from you to look at this screen, it's a function of my poor eyesight and not of any rudeness towards you. But before you is the governance committee's agenda, addendum book for the meeting on 15 October 2025. You were at this meeting; is that correct?

40 **MR MANNOUN:** No.

45 **MS ANNIWELL:** No, you were not. Could we move to page 4, please. On page 4 of this report, there is a summary of the budget performance for 2025 to 2026, and in that table, which you can see on the screen, the original budget is indicated as being in a surplus of 0.8 million, which is consistent with your evidence that you just gave,

but the projected result as at the governance committee meeting on 15 October was a deficit of 14.2 million, not a deficit of 5 million.

**MR MANNOUN:** Yes.

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**MS ANNIWELL:** Could you explain why there would be a difference in the summary position as set out in this report and where you've obtained the 5 million deficit figure from?

10 **MR MANNOUN:** Yes.

**MS ANNIWELL:** The subject of your evidence.

15 **MR MANNOUN:** And I think I was at - I think I was at this brief meeting for a short period of time.

**MS ANNIWELL:** Yes.

20 **MR MANNOUN:** So, okay, to answer your question, the - at that point in time, the - on my understanding, the CFO, in preparing this - that was potentially what it was looking at at that point in time.

**MS ANNIWELL:** Yes.

25 **MR MANNOUN:** However, with further reviews, refinement with the CEO and director of Corporate Services and the CFO, the actual current position is the five - is the minus five, so -

30 **MS ANNIWELL:** So a change of - there's been savings of 8 million that's been realised since October; is that right?

**MR MANNOUN:** No, it's just assumptions. So the assumptions that were made, once again, in the '25-'26 budget -

35 **MS ANNIWELL:** Yes.

40 **MR MANNOUN:** - to when they looked at this and some of the risks in items that are associated with it and they - they were at that position at that point in time. However, then they kept on looking at it and looked at all the different assumptions.

45 **MS ANNIWELL:** And what document would the inquiry look to to explain why there has been a change in position from this - sorry, what change in assumptions there has been that would change the projected deficit in October 2025 from 14.2 million to what you've given evidence about today, which is 5 million?

**MR MANNOUN:** Last night's quarterly budget review.

**MS ANNIWELL:** The quarterly budget review.

**MR MANNOUN:** Which has to be sent to the Office of Local Government with commentary from the CFO.

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**COMMISSIONER:** That's the document that came to council - we'll call it for this month's meeting -

**MR MANNOUN:** Yes.

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**COMMISSIONER:** - whether it was last night or the night before.

**MR MANNOUN:** Yes.

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**COMMISSIONER:** And that explained why it's now 5 million. Did it explain why - the change from the projected result in the October governance meeting of 14 to five, as presented in the quarterly budget review? Was there any discussion about that?

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**MR MANNOUN:** The - I don't have a specific recollection of what - of the detail of the report, and I will say that I haven't had - due to time constraints, haven't had a chance to go through them in - the detail of all of them.

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**MS ANNIWELL:** Mr Mannoun, we might try and obtain those documents and maybe revisit this when you come back to give evidence, and it will give you the opportunity to look at material as well. Some of us in the counsel assisting team were able to view last night's meeting. One of the agenda items that was the subject of some discussion was the potential sale of the CT Lewis building.

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**MR MANNOUN:** Yes.

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**MS ANNIWELL:** Was the - was an anticipated sale of that building an assumption that was accounted for that may have reduced the deficit from 14.2 million to around 5 million?

**MR MANNOUN:** I would need to see the report.

**MS ANNIWELL:** Certainly.

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**MR MANNOUN:** Just to be sure.

**MS ANNIWELL:** No, and I don't want you to make any assumptions about the assumption -

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**MR MANNOUN:** Yes. Yes.

**MS ANNIWELL:** - so we can come back to that.

**MR MANNOUN:** But I will assume no, though.

**MS ANNIWELL:** You'll assume no?

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**MR MANNOUN:** Assume no.

**MS ANNIWELL:** Okay. So that - so even though - your evidence is, as you understand it, the projected budget for 2025 to 2026 will see a \$5 million deficit, but you have characterised that as a higher level positive for the council's current term?

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**MR MANNOUN:** Because of that one change. So - that I'm - that one variable that happened.

**MS ANNIWELL:** The asset-sharing arrangement with respect - with Canterbury Bankstown, which will see you - your council and Canterbury Bankstown Council sharing costs, maintenance and responsibility for that larger civil asset; is that correct?

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**MR MANNOUN:** Yes. And I say that the positive is ultimately from a governance point of view.

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**MS ANNIWELL:** Yes.

**MR MANNOUN:** We need to make sure that your - the staff, in preparing the budget which we ultimately resolve, the - the assumptions are met. Well, that's, I guess, budgeting 101. So in going into the data, when it says, well, it is this one variable that has led to that - that ultimately, if I look at all the other variables, well, then we're on track because they're still in line with what has been projected.

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**MS ANNIWELL:** Yes. And presumably you want a budget to be transparent -

**MR MANNOUN:** Yes.

**MS ANNIWELL:** - and accurately reflect the position of council and not over-egg a pudding, if I can say that?

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**MR MANNOUN:** Not -

**MS ANNIWELL:** Is that fair to say?

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**MR MANNOUN:** Not over -

**MS ANNIWELL:** Sorry, that's perhaps a colloquialism.

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**COMMISSIONER:** You want the assumptions on which the budget is based to be reasonable?

**MR MANNOUN:** Yes.

**MS ANNIWELL:** And transparent?

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**MR MANNOUN:** Yes.

**MS ANNIWELL:** Thank you. Well, we'll obtain those documents and have a look at them, and we might ask you some more questions about that. So there's that revision in the budget position. Are there any other high - higher level positives that the council has achieved during your time as mayor in this term that you'd like to explain to the inquiry?

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**MR MANNOUN:** Moving away from finance?

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**MS ANNIWELL:** You can continue with finance if that's something that you've - that you characterise as a positive.

**MR MANNOUN:** Yes. So the number 1 challenge that we have had, I guess - and I'd characterise this as the only thing that has kept me up at night for a significant amount of time - was the ability to service the debt of the council.

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**MS ANNIWELL:** Yes.

**MR MANNOUN:** And the - now, you know, when you've walked into - now we can finally say that we have, you know, effectively leased out 98 per cent of Civic Place. That has - will start generating income, I think, pretty much from 1 February.

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**MS ANNIWELL:** Yes.

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**MR MANNOUN:** The fit-outs are being done now. That has at least put us in that good position, where - we were only, until - now we're in November - leases were, I think, just - pretty much signed just on the cusp of this term, whether just at the end or just in the start of this term -

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**MS ANNIWELL:** Yes.

**MR MANNOUN:** - they were finalised, and that was a significantly different position than what we had. There are some positives with regards to 33 Moore Street, in that -

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**MS ANNIWELL:** Can I just stop you there, while we're talking about Civic Place - and we're going to return to Civic Place, but just speaking of Civic Place at a higher level. So one of the positives that you'd like to identify for this inquiry is the fact that now Civic Place will be an income-generating asset for council because 98 per cent of it is leased out; is that correct?

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**MR MANNOUN:** Yes. Income-generating. Still doesn't - if I can use the term "wash its face" exactly, but it's much better than, you know, where we are - we did not have a tenant for it. It was completed, we had to put a significant amount of work - literally, I took a bus tour - I took the - a busload of Wollongong University executives through Liverpool, spent the whole day with them and then - you know, on their vision - and they were going to Moore Street. That was their plan. That's what we had been told when we started our term.

**MS ANNIWELL:** Yes.

**MR MANNOUN:** And then getting them to change their mind and go into Civic Place was a - the tour was organised, in a way, to help facilitate that.

**MS ANNIWELL:** Yes. We've heard some evidence from one of your fellow councillors about Civic Place and the positives that the Liverpool community is deriving from it as a project, and we've sought to obtain some footage so that the inquiry can understand the nature of the library, for example, and other aspects of Civic Place that may be deriving benefits for Liverpool other than monetary benefits. So you just spoke before about Wollongong University. The council has a positive relationship with Wollongong University now, being a major lessee of a number of floors of Civic Place; is that correct?

**MR MANNOUN:** Yes, we signed an MOU with them only a few months ago with the vice-chancellor, Max Lu, and Mr Adam Gilchrist, who was their international brand ambassador.

**MS ANNIWELL:** Can we show you a short TikTok reel about that?

**MR MANNOUN:** Yes. Of course.

**MS ANNIWELL:** It is the inquiry of the TikTok, after all, if I can say that.

**MR MANNOUN:** It is Friday, we can.

**MS ANNIWELL:** There's just - there are three TikTok reels I'd like to show you this morning, just so we have the very short - the capsule sort of understanding of Civic Place and the benefits that it's deriving for the community at the moment.

**COMMISSIONER:** I know Adam Gilchrist started in New South Wales, but how did he ends up in Wollongong via WA?

**MS ANNIWELL:** Well -

**COMMISSIONER:** Anyway -

**MS ANNIWELL:** - Commissioner, you're assuming I know a little bit more about cricket than I do, so I won't answer that question, respectfully. Could we please show on the live stream and play a TikTok reel with identifier INQ.104.001.0001.

5 **VIDEO PLAYED**

**MS ANNIWELL:** So with the council's relationship with Wollongong University, you've got a strong relationship with a large-scale education provider; is that right?

10 **MR MANNOUN:** Yes.

**MS ANNIWELL:** That brings tangible benefits to the community. Aside from financial considerations, there's other - there are other positives that come from the development of Civic Place and the position it's in now; is that correct?

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**MR MANNOUN:** Yes. And that's why I guess we wanted to become a university city.

**MS ANNIWELL:** Yes.

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**MR MANNOUN:** And that's where - something that I - I think from my time on the community recreation panel was - saying that we need to get universities in Liverpool, so it's been a bit of a passion. Because the universities - as a polycentric city - I won't go into detail, but ultimately you want people to stay local.

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If we have the - we have the kids, our university levels are doubling from census to census - I think from '16 to '21, the participation in universities is doubling. So we have the brains, hopefully then the jobs, corporate Australia will then move there and you'll see Liverpool like Parramatta. But we now have a strong knowledge base. We've got four MOUs signed with universities, which is - allows us now to say that we are a university city. So Wollongong University, Western Sydney University - sorry, we don't actually have an MOU with Western Sydney, but they're already in Liverpool. Notre Dame University and the University of New South Wales.

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**COMMISSIONER:** There was a rendering of a building with the university branding on it. That doesn't look to me like Civic Place. What's that building?

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**MR MANNOUN:** So if - it overshadows Civic Place. Blocks a bit of my view, but I'm happy to look at that building. So that's stage 2. So what's under construction is the stage 2 building, which is around 17,000 square metres - 17-level commercial building adjoining Civic Place. So the Civic Place is the - our building and library are stage 1, which - council funded that and built it. The second stage was land that council bought - you can say, simple terms, sold - or built at - as an option, and built now has a fund-through agreement to build that, and they're building that for

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Wollongong. So Wollongong will be in our building and will be in that building as well.

**COMMISSIONER:** And that's under construction now?

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**MR MANNOUN:** Yes.

**MS ANNIWELL:** So you've identified some - three universities in addition to the University of Wollongong. Of course the University of Wollongong has had a relationship with Liverpool City Council in connection with Civic Place since the inception or shortly after the inception of the concept of Civic Place; isn't that correct?

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**MR MANNOUN:** Yes.

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**MS ANNIWELL:** The library - we heard some very positive evidence yesterday about the library being recognised internationally. Just so that we can all understand - have a bit of context (indistinct), I'd like to just show you another video - another short TikTok reel, which is INQ.104.001.0002.

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**VIDEO PLAYED**

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**MS ANNIWELL:** And that Yellamundie Library, which is indeed quite striking, received a runner-up placing in an international prize recognising libraries recently; is that correct?

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**MR MANNOUN:** Yes, it was named in the top 4 libraries. So we don't know if we came second, but we - we can claim that we were there, but in the top 4 internationally at that time.

**MS ANNIWELL:** Okay.

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**MR MANNOUN:** I think it was actually on the - I think it was October 7 in Barcelona, those awards were, in 2024.

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**MS ANNIWELL:** So the second positive you have identified is the ability to service the debt arising from Civic Place. And it's fair to say these intangible benefits as well with respect to delivering educational opportunities to the community. Is that correct?

**MR MANNOUN:** Yes.

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**MS ANNIWELL:** And we've heard some evidence from your current CEO Mr Breton about the council's desire to promote itself on the worldwide stage. It was the case, in fact, that Civic Place was the host of a government delegation from South Korea recently; is that correct?

**MR MANNOUN:** Yes.

**MS ANNIWELL:** So it's being able to be used to facilitate that sort of placing, if I could say, on an international level as well? Is that correct?

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**MR MANNOUN:** Yes. They wanted to learn from the project, so I gave them a bit of a briefing, the - the good and the bad -

**MS ANNIWELL:** Yes.

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**MR MANNOUN:** - which is important, that - to point out. And, yes, we've had - we've had - it sort of set the standard. It's been - and I think we have another international delegation coming very soon - to come visit there, so - yes.

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**MS ANNIWELL:** Are there any other high - like, higher level positives that you'd like to report that council has achieved?

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**MR MANNOUN:** Yes. So we've - we've - if I look at it like this, the way I look at my role as the mayor, as the leader of the council and the community - you know, version 1 was my first term. You know, version 2 was, say, '21 to '24, and now it's version 3. So I guess, like an iPhone update, you hope it gets better every single time - is my goal. And if we look at what - if we look at just this last section, we've done - you know, we - I think we have done everything that we are legislated, required to do. You know, our CSP's in place. The CSP, I find, are very -

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**MS ANNIWELL:** Sorry. Sorry, if I can interrupt you -

**MR MANNOUN:** Community strategic plan.

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**MS ANNIWELL:** Thank you.

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**MR MANNOUN:** I find that the engagement levels that we get is very important. It's very high - one of the highest, we understand, from - I've been told by staff from other councils. And when you have such a diverse community, to get them involved in it, it is a very - a big positive because, once again, it's their plan, their ownership. So their engagement with us from there is very positive.

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**MS ANNIWELL:** Do you mean engagement with the community strategic plan or engagement with the council more generally?

**MR MANNOUN:** No, with - in this instance specifically with the actual plan, and that engagement in preparation of the plan.

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**COMMISSIONER:** When it was on exhibition?

**MR MANNOUN:** Yes, and the lead-up work and the workshops to it. Yes.

**MS ANNIWELL:** How does the council otherwise engage with the residents to gauge the residents' satisfaction with respect to the performance of council?

5 **MR MANNOUN:** So there is a survey done by the team who prepares the CSP on an annual basis which talks about that. It covers those points. There was another online survey mechanism that we had done - I use the word "mechanism", it's in probably, I think, two - the previous two years as well, that gives us an idea of the community sentiment.

10 **MS ANNIWELL:** Sorry, just explain that online survey?

**MR MANNOUN:** It's - people are, I guess - there's the old ways of where you'd get the phone call, I can ask you a few questions -

15 **MS ANNIWELL:** Yes.

**MR MANNOUN:** And that is probably diminishing as a quantitative source of getting - getting the data.

20 **MS ANNIWELL:** So how do you go about surveying the community?

**MR MANNOUN:** So that still does happen and there's still all the promotion on the council website, but those particular ones that we had done, you would - you would play a video - I think we had done a video that talked about - at that point in time it was relating to the budget, saying, "Here's the budget, here's the highlights," and then you would actually have questions as it was going along, and you're basically running a survey like that. So it allows you to capture a different - a different - you'd capture the people on social media, where more people are these days than they are on the traditional forms of communication.

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30 **MS ANNIWELL:** So there's a mixed form of delivering a survey to the community. That's via traditional telephone means, but also some form of online survey; is that correct?

35 **MR MANNOUN:** Yes.

**MS ANNIWELL:** And which directorate's responsible for that?

40 **MR MANNOUN:** It was City Futures.

**MS ANNIWELL:** City Futures. Do you know when the last survey was carried out?

**MR MANNOUN:** It would have been earlier this year.

45 **MS ANNIWELL:** Earlier this year. Excuse me. And are the results from that survey by the responsible directorate, let's assume City Futures, when it existed - are results collated and put together in a report that is presented to the governing body?

**MR MANNOUN:** As part of the CSP process, the - those ones in particular are done through - verbally through the CSP preparation and that - the workshops that we do along those times.

5

**MS ANNIWELL:** Is any record maintained as to the results of those surveys?

**MR MANNOUN:** Yes.

10 **MS ANNIWELL:** It is? And what's that record?

**MR MANNOUN:** I would assume that there would be a TRIM - something - it would be TRIMed somewhere with the relevant manager.

15 **MS ANNIWELL:** But your evidence is that an oral report is provided to the governing body from the directorate responsible as to the results of the survey that was executed by whoever the relevant directorate is?

20 **MR MANNOUN:** Yes. Yes. Notwithstanding there's - the written one could have been distributed to us as well.

**MS ANNIWELL:** Right.

25 **MR MANNOUN:** I just get confused between - I've seen a few of them over the years. I cannot say a hundred per cent that we had one distributed to us earlier this year.

30 **MS ANNIWELL:** So one are the positives that you say the council's achieved is meeting its goals under the community strategic plan and also having positive engagement with the community with respect to that plan.

**MR MANNOUN:** Yes.

35 **MS ANNIWELL:** Is there anything else that you wanted to -

40 **MR MANNOUN:** So in this link - so links to a positive but also - achievement, but also with regards to engagement is - on Wednesday we celebrated 10 years of the Children's Youth Parliament for the 2168 area, being an area that is generally recognised - it was established because it was generally recognised as an area of disadvantage - use that term lightly. The -

**MS ANNIWELL:** Sorry, I missed - it's my terrible hearing. 218?

45 **MR MANNOUN:** 2168.

**MS ANNIWELL:** 2168. Thank you. Sorry.

**MR MANNOUN:** Now, we - this year we have expanded on that model, where it is - we - it's being spread out through the rest of the LGA, and now we have our youth leadership programs for our high school students and primary students. Basically, when you're getting the - the school captains together, as we found that  
5 with the 60-plus schools that we have, a lot of the schools aren't talking to each other, so we try - and more - and very important, the children aren't. So we've established that, and that's - that's, you can say, from the 2168 Youth Parliament.

We've also set up this year a round table with the vice-chancellors of those four said  
10 universities, and we're very grateful that they give us their time as - the vice-chancellors themselves - to be with us, to help plan and shape a university city, but also allows - you know, the - we're trying to - as an education city, we're trying to get that whole - can I call it vertical integration.

So what we then noticed is we have - so we have the existing Youth Council, we  
15 have the 2168 Parliament. We've introduced the vice - sorry, the VC round table. We've done the school leaders program - introduced that as well. And the other thing that we've introduced this year in this term was the - what - for want of - I can't remember the exact name, but the school principals' round tables. So - and that kind  
20 of feeds off that - you know, our ability to increase communication. The schools are massive stakeholders in our communities.

So now I think we've broken Liverpool into six, maybe eight areas, where myself  
25 and some of the relevant staff would have a round table discussion - probably around five, six principals at a time, and then they can communicate their issues to us - the small, micro ones, and then we could work on the big, macro ones together. So we're - you know, for example, we're hoping to establish what we're calling a robotics playground. You know, you have - I see a lot of robotics happening in the area, with the airport, the Intermodal, the hospital, the Perich Institute of Robotics  
30 that was opened up this year. But what's happening is the schools are telling us, through that program, through that - the engagement with the principals that they don't have access to that technology.

So we're trying to - we're working at the moment - of creating a centralised location  
35 where schools can come on a very regular basis and without any fees, without even using our buses, have access to robotics. So therefore it's not just for the well-off private schools. We have the highest amount of kids in private education outside the eastern suburbs, so you have that, but then you have - let's - for example, a lot of areas that are disadvantaged - and cost of living pressures, so no one should be  
40 disadvantaged.

So hopefully this will - and we're calling it a - the working name is a robotics  
45 playground, because the Perich Institute of Robotics that was opened up a few months ago is labelling itself as a robotics gym. So the surgeons would go in and practice on a regular basis, watch operations being live streamed from Liverpool Hospital, and, you know, maintaining their, you know -

**MS ANNIWELL:** Robotic -

**MR MANNOUN:** - muscle mass.

5 **MS ANNIWELL:** - dexterity?

**MR MANNOUN:** That -

**MS ANNIWELL:** Yes.

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**MR MANNOUN:** Yes. So that's a - that's, once again - that's the work in progress, but - you're getting there, but it comes through that form of engagement that we have with the community. We're about to announce our 12 days of Christmas, so more activation - more events of bringing the community together.

15

You know, we achieved our world-leading - sorry, our world - Experience the World events, award-winning, from the New South Wales Government, bringing 40 to 60 thousand people in our city centre together on the weekends over the three days that we run them, and that does massive things - massive benefits to social cohesion, people celebrating cultural background, people getting to know each other, our liveability, so - i.e. if you're going to have universities, as you pointed out, the benefits of the universities during the day, then what happens in the evening, what happens in the night-time. So we've done that.

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25 We've had a VPA that has been sitting - a voluntary planning agreement that has been in negotiation since 2018. That was finalised at - not the - at the October council meeting and that was to the value of 50-plus million dollars, which was a very significant positive. That's - that is - that has finally been finalised.

30 **COMMISSIONER:** What's that going to deliver?

**MR MANNOUN:** What the community's very interested in is the park - Edmondson Park, which has been a longstanding thing for the community. So that's probably around a - that - so that's a community centre, a park in the town centre and two other parks as well in the Edmondson Park locality. And then infrastructure - some roads and drainage - roads and drainage and other things. So that's - it's been a - where that started to where it is today is completely different. So that's a - that's another positive one.

35

40 Our - the framework and systems that are in place with regard to delivery of the Western Sydney - the WSIG projects - you know, they are - they are progressing. Wednesday night we resolved the draft plan of - the plan of management for the Carnes Hill swimming pool, which allows that now to progress even further.

45 **MS ANNIWELL:** That, of course, has had a revised scope of delivery, though?

**MR MANNOUN:** Yes. We - there's two elements of that. We're very, very, very mindful of what happened with North Sydney Council, where they are projecting to having to double their rates because of their swimming pool. So we don't want to be in this situation, which is part of informing our thinking. And the other part is that  
5 when you go to the aquatics masterplan - that's not the exact name of it, but - that talked about our network of pools. In that document, it originally only envisaged a 25-metre pool - indoor pool.

The way that we have done that, the Carnes Hill amendment, was we're still allowing  
10 for a 50-metre pool but an outdoor one. And that was - I guess that was a very good achievement early on in the term because that was - we were presented with the facts and projections from the staff and all the councillors got together - I remember we were in the boardroom, where collectively we had - we asked the staff to leave. Collectively, we all had the discussion about it, and everyone at that point in time  
15 agreed that the best way to go about it is to go down to that - the scope of the shorter - of the smaller pool. So -

**MS ANNIWELL:** The indoor pool?

20 **MR MANNOUN:** In the indoor pool, yes.

**MS ANNIWELL:** So do I understand your evidence correctly that a 50-metre outdoor pool as well will be delivered?

25 **MR MANNOUN:** Is in the - in a plan at some point in the future.

**MS ANNIWELL:** Is a plan for the future?

**MR MANNOUN:** Yes. I should say it's allowed for.

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**MS ANNIWELL:** Right.

**MR MANNOUN:** Is the appropriate stage.

35 **MS ANNIWELL:** The inquiry has heard evidence, though, that due to the protracted nature of the execution of the plan associated with the grant for the council pool, it was an increasing cost which has resulted in a 25-metre pool being delivered at Carnes Hill instead of what was originally anticipated, which was the 50-metre pool. Is that correct?

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**MR MANNOUN:** Yes.

**MS ANNIWELL:** So I appreciate your evidence with respect to it being - having a positive element, but there is a reduced scope of the project that is ultimately being  
45 delivered to the community, though, is there not?

**MR MANNOUN:** Yes. And once again, I go back to it - we cannot be like North Sydney Council, saying that we need to double your rates to pay for the pool because we didn't - we're not - we did not make the right decisions at the right time. Even if you look at Blacktown Council now, Blacktown has gone out of the community  
5 and - they have a great CEO, they have a great mayor, but they have gone out and said, "Well, the cost of our building's gone" - overrun - their effective Civic Place, "can everyone chip in an extra \$150 this year for their rates." So we - I think the community would be very interested in that.

10 And then when you talk to - we - we spoke to the peak body - is it Swimming Australia? Anyway, about that, and they said, "Look, we still train Olympians in 25-metre pools," so it's not that - there's not many people who are - there aren't many Olympic swimmers who are trying to do the 50 metres that's really affecting  
15 their - what our main, I guess, people are interested in is the aquatic centre associated with it, because you can easily drop the splash pools and all of that stuff and then deliver a 50-metre pool, but when they get there, people are going to say, "Where is all the stuff for my kids," because they're not swimming the 50 metres.

**MS ANNIWELL:** Can I just stop you there. Did you say that there was a report  
20 provided to council at last night's meeting with respect to status of Carnes Hill Pool and where that's at? Did I understand -

**MR MANNOUN:** Yes.

25 **MS ANNIWELL:** That was at last night's meeting?

**MR MANNOUN:** It was with - it was dealt with - we brought the item forward because we don't want the staff to wait.

30 **MS ANNIWELL:** Right.

**MR MANNOUN:** It was regarding the plan of management.

**MS ANNIWELL:** Was this an example of moving items forward in the meeting to  
35 try and get things moving a bit more quickly -

**MR MANNOUN:** The - it is an example, yes. What the rationale - when - we had probably 25 people in the gallery. So they - what we try to identify is what are the issues that - what are - which part of the agenda they're there for. So we try to deal  
40 with that so they don't have to wait around two or three hours.

**MS ANNIWELL:** Right.

**MR MANNOUN:** And then as well, being mindful of - there were staff there who  
45 were presenting on that.

**MS ANNIWELL:** Yes.

**MR MANNOUN:** Or they were there to make themselves available -

**MS ANNIWELL:** Yes.

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**MR MANNOUN:** - should anybody have questions. And we thought rather than wait for hours to get to that point -

**MS ANNIWELL:** You'd attend to those earlier on in the meeting?

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**MR MANNOUN:** Yes. And they were very - very thankful. And we asked them if they could bring the pool forward in the same way and delivery of the pool in the same way.

15 **MS ANNIWELL:** Can I ask you a question that the Commissioner asked one of your fellow councillors. Other than these big-ticket items, the nuts and bolts of council activity, service delivery, what positives has the council achieved in that respect?

20 **MR MANNOUN:** We've had now - I guess if you look the high level, it's a record-sized budget, \$521 million, \$248 million capital works program. So effectively, that's like a million dollars a day of infrastructure being built, and then the operational budget around 270-odd million dollars.

25 Now, in that \$270 million, you know, we have now, what - this morning, 40,000 bins were picked up in the morning. Hundreds of books or - from the library were checked out across our library network. We have eight childcare centres - six childcare centres, two early learning centres, and each one of them is exceeding standards. So they're all - no, I say - can't say award-winning, but in the  
30 standard - they're all exceeding standards. So they are - their functionality is very good. Libraries are very good. The DA assessment times have significantly improved.

**MS ANNIWELL:** What's your average at the moment, do you know?

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**MR MANNOUN:** I don't have the exact number in front of me, but I know - I was in a meeting at Parliament - in Parliament with the Department of Planning only probably three months ago, and they commented on the improvement in our situation. We had an - we had a backlog of 1,100 development applications, which is  
40 almost catastrophic, I would say, down to now sitting at around - between that two to three hundred number, which is the right level it should be at.

There are people who would wait 12 months just to get a response from council to say - or a request for information. So it's - people would call my office, crying,  
45 saying - are mums and dads saying, "We need our house built and the builder is about to cancel the contract if we don't get our" - "if we don't get it done" - "get our DA approved just for a house." Thankfully that doesn't happen any more. So you can

say the DA team is performing much, much better. The waste team - this year, one of the biggest achievements that, once again, we've had in this term is we rolled out FOGO, the food organics program. So we -

5 **MS ANNIWELL:** That's a program that a number of councils in the Sydney area have been implementing; is that correct?

**MR MANNOUN:** Yes. We're legislated that - we have to do it by 2030. We've done it, and there's councils who do it differently. Some councils pick up the red bin every  
10 fortnight, which is not a very popular thing to do. So we've maintained our red bin weekly. We have now - we are now collecting the green bin every week as well, and our yellow recycling is still done every fortnight.

**MS ANNIWELL:** There are a lot of higher level and nuts and bolts positives, but  
15 what do you see as the challenges for council in the next one to five years?

**MR MANNOUN:** The - there are significant challenges that council is facing, but - so just - sorry, there's - if I can just go - one thing about the nuts and bolts as well. The - with the significant capital works program that council has, it's important  
20 that it is not only better but the best at doing it. You know, introducing the delivery management framework is helping with council deliver that capital works program in time - on time, on budget. So that new rigour around project management is a nuts and bolts thing for us.

25 **MS ANNIWELL:** Is that a learning from the Carnes Hill project, for example? Is that implementing a better project delivery framework to ensure that projects are delivered swiftly, budgets don't blow out?

**MR MANNOUN:** I wouldn't say from Carnes Hill, because the staff always wanted  
30 Carnes Hill to be 25 metres. You know, the strategy always said 25 metres, the consultant always said 25 metres, so the -

**MS ANNIWELL:** But it was promised to the community on a 50-metre basis, wasn't it?  
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**MR MANNOUN:** It was at - it was - yes, it was resolved at 25 metres and resolved again at 50 metres.

**MS ANNIWELL:** Yes. So this delivery management framework would assist with  
40 ensuring - and I think we've heard some evidence from the CEO Mr Breton about this, but it would assist with ensuring that projects, including those delivered pursuant to various grants, are managed more effectively and to ensure they come within budget. Is that correct?

45 **MR MANNOUN:** Yes. And -

**MS ANNIWELL:** So that's one of the positives that you see as something that's been achieved for council in its recent term?

5 **MR MANNOUN:** Indeed, yes. There's that one. Another big one, I guess, for us is the work health and safety improvements that we have made. You have the telematics that have been - that have been put in place in the - in council's fleet.

**MS ANNIWELL:** Sorry, could you say -

10 **COMMISSIONER:** The what, sorry?

**MR MANNOUN:** Telematics.

15 **COMMISSIONER:** What's that?

**MR MANNOUN:** Effectively, it is - in simple terms, one element of it is the tracking of the vehicles, knowing the location and where they are. But the other thing is about - you know, basically a checklist. Before you hop into the vehicle, make sure - you know, you have to confirm you've had enough sleep, confirm you've checked the tyres, check - make sure the car - the vehicle is in working order and you're able to operate heavy machinery, so -

20 **COMMISSIONER:** Is that some device that you have to go through that process before it'll let you operate it?

25 **MR MANNOUN:** Yes. And that was - and that's in line with the National Heavy Vehicle - I can't think what the R stands for - Regulation, I think, that we've had to implement. And that ultimately the chain of responsibility, liabilities that are on us as councillors - because we're covered as directors under that legislation - or treated as directors. So we implemented that.

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And then the situation we were in, where we had part of our workforce in as - a very shiny, beautiful building, you know, in Civic Place, and then you had the Rose Street depot which was lacking significantly on many areas - people were cramped. And we now have Cowpasture Road - I won't go into that, but we have that. I guess there's parity in the organisation and that the - our staff are getting really good working conditions, whether you're indoor - whether you are at -

35 **MS ANNIWELL:** At the coalface or in the office?

40 **MR MANNOUN:** Yes. Yes. So we have that. There was one other - the DMF was really - there's probably two projects - or one in particular that - that initiated that - that process. It was a delivery of a - of a basin in Austral. A -

45 **MS ANNIWELL:** Sorry, the delivery management framework?

**MR MANNOUN:** Framework.

**MS ANNIWELL:** Yes.

**MR MANNOUN:** Yes. The initiator for that -

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**MS ANNIWELL:** Yes.

**MR MANNOUN:** - it wasn't Carnes Hill, but it was more the delivery of a basin in Austral. I think on Fourth Avenue. That was projected to be at around \$4 million, where I think it was a - it ended up finishing around \$6 million. And that was completed just at the end of two thousand and - sorry, just at the beginning of 2022. And what happened with that is - yes, it was designed - now you have to basically hand-pick the grass from there. It wasn't designed properly. There wasn't a valid QS report or a current QS report before the works were started, which left to that - the increase in costs, and that's where that - the lack of a DMF was identified.

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**MS ANNIWELL:** Right. So returning to the challenges of council, what are its challenges over the next one to five years?

**MR MANNOUN:** You have an area in Austral where you have a thousand new homes being delivered every year, and there is significant pressure or - on - well, dare I say the lack of infrastructure that exists within those areas. And council, yes, does receive significant income in developer contributions coming in from that development, but it's about the timing and the pace of delivery and community expectations and delivering it in a safe environment.

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So people are - this is a - basically an area where there are five-acre blocks of land everywhere. There is no big, amalgamated developer doing everything, so it's very - it's piecemeal, and what that's leading to is there's no footpaths, the roads don't have any drains - or the old roads don't have any drainage. Random - sparsely have any streetlights. And now these are going from, effectively, a road - farm roads into heavy urban areas.

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So the solution that council should have implemented back in 2017, when the land was released, is - and I say "should" because we should still do it now - is we should have forward-funded that infrastructure. You know, call it - even if it was 100 million - but I think we would need at least \$300 million to forward-fund that infrastructure, deliver it at a - at a rate - where people can move in at the right - when they move in, they have their park, they have their footpath.

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At the moment, for example, when we had a - we have community forums as well, which I didn't mention, and our family fun days, which - we engage with the community, which we do for our CSP as well. But I remember being at one of them where - in Austral, where one of the residents said, "I'm scared for my kids when they hop off the bus because there is no footpaths for them to walk into, and they're effectively walking into these, sort of, gullies that are there," which is why we went

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out there and built a whole bunch of asphalt footpaths, and we put in a whole bunch of roundabouts as well because they - they weren't there. So -

5 **MS ANNIWELL:** So there's a lack of infrastructure at Austral that needs to keep - needs moving?

**MR MANNOUN:** It's delivery of infrastructure and the timing of delivery of infrastructure.

10 **MS ANNIWELL:** Right.

**MR MANNOUN:** And so we've written to the Prime Minister, met with the Prime Minister. We've met with the Premier about these things, about - saying, "Can we work together to forward-fund this infrastructure and leverage off of the developer contributions as a funding source to do that?" So you have that.

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20 You have the new airport opening up next year. And that - effectively, we are going to be getting a whole bunch of new assets delivered to us in and around that. And there is - the question is do we have the rate base to be able to deal with that. So we're looking at different mechanisms with regards to a rating - what is the right rates for that particular area as a new area because we shouldn't burden people who are living 30 kilometres away in, say, Chipping Norton, Moorebank or Casula with the burden of the airport, because we have been facing that at the moment. We have our -

25 **MS ANNIWELL:** Sorry, just so I understand - treat me as a Labrador, Mr Mannoun. So what is the challenge that comes with inheriting the asset?

**MR MANNOUN:** Yes. Is the life-cycle maintenance and liability. Yes.

30 **MS ANNIWELL:** Life-cycle maintenance and liability?

**MR MANNOUN:** Yes.

35 **MS ANNIWELL:** So that is a connection as to why you saw the sharing now with Canterbury as a positive. But now you're inheriting assets, which means that council inherits liability and maintenance and life-cycle costs associated with that asset - those assets.

40 **MR MANNOUN:** Yes. And we need to be there at the design stage so we can make sure that we're not getting these gold-plated, not fit - gold-plated assets delivered, which - we then have to maintain to that standard.

**MS ANNIWELL:** Right.

45 **MR MANNOUN:** Because sometimes they are - sometimes - like, Sydney Water now has said to people - slightly affects us - is that they designed this whole new

water catchment system in those areas and - you know, very green, beautiful, but then they said, five years later, "Well, you have to maintain it." And in this case, "you" being the owners of those land. And they're like, "Well, why should we maintain what you normally maintain everywhere else?" Is because they now  
5 know they've gold-plated it and they don't want that liability.

**MS ANNIWELL:** Right.

**MR MANNOUN:** So I guess we need - what - the risk is not having strong  
10 advocacy at those tables and those discussions, which is why we've been focusing on signing MOU - we signed an MOU as well - once again, in this term of council, with the Bradfield Development Authority, which is - which is - which makes sure that we are at that table in discussions. We meet with Jennifer Westacott - when I say  
15 "we" I mean myself and the CEO - meet with Jennifer Westacott, the chair of the BDA on a - I think at least twice a year, according to the MOU, and we at least raised that. But the staff also then have a working relationship, where previously we weren't at the table with - with those things. The - and the risk -

**MS ANNIWELL:** But other than having a strong voice at the table, how do you  
20 manage those additional costs?

**MR MANNOUN:** Well, ultimately this is where we have to be very - you hope that the growth - so the growth that happens - so we turned the sod on a factory for ALDI only a couple of months ago. That's a \$1 billion project. So there's equivalent rates  
25 that come with that, which is good. You know, the airport will pay us rates. So your rate revenue will - you will start - be deriving rate revenue from those areas, but you just have to make sure, once again - and that's why we're looking at what is the right structure for rates in that area - is its own special zone. So we've just got to get those numbers, those projections, those modelling right.

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What is going to happen, and especially with regards to when we deliver our WestInvest projects - as we gain new assets and we start depreciating them, it's going to start affecting our budget because our depreciation is going to increase and you're going to have this non-cash item which is constantly affecting your ultimate  
35 operational budget at some point in time. So, you know, it's - in a way, it's a bit - two - double-edged sword. You build something, it's great, it's shiny and you spend a lot of money, but then you've got to maintain - or how do you manage that depreciation?

40 So the opportunity for council ultimately is that you will see - and I'll use Civic Place as an example. That's a 200-plus million dollar development. That's not a tiny little project. So council has the opportunity to maximise its assets, legislate - legislatively, we have to report on our cash every month. You know, what - how is it tracking. However, there is no such attention to our other biggest  
45 asset, being our property. Dare I say it's actually our bigger asset.

And I - and I'll distinguish "property" in this scenario from - from your parks and your - let's call it your R zone land, your recreational zone land, which is theoretically valued at \$1 because you're never going to sell that or do anything with it. But if you were to look at our city centre - and this was another report that we  
5 dealt with last night in confidential, but in the city centre now, if you were to include Civic Place as part of that, we're probably sitting around a \$400 million landholding. So it's - just in the city centre we have an equivalent cash for land. But the question we need to ask ourselves is what is our rate of return on that. You know, if that's yielding five per cent, then you've - there's your - there's \$20 million that you're  
10 receiving in income.

So what I would love to see - it's probably more than a five-year horizon - is that council should be hitting a \$1 billion property portfolio of - I'll use the term "commercial assets". At least delivering a five per cent yield. Because if you're  
15 achieving that - and I think that's - five per cent is conservative, it's pretty blue-chip asset - that's \$50 million that you'll be creating in income.

Now, at the same time, that should not be just, "Oh, let's just develop property and," you know, "build buildings." It's more about how can they be a community asset, i.e. a car park that is delivering a community benefit while also a financial benefit. That's  
20 the biggest opportunity. That's work that we really haven't - we're starting to do. The - you know, we have some really good landholdings around the airport that we need to be looking at and how we maximise them. I think that's going to help deal with the challenges - the growth pains any growth council has within it - within its  
25 LGA, but - yes.

**COMMISSIONER:** It's something that needs to be closely monitored, though, isn't it, over the short to medium term? Because like any future - forward-looking projection and analysis, one needs to make sure that it's playing out the way you  
30 think it might and adjustments can be made, if necessary. Do you agree with that?

**MR MANNOUN:** Yes. And I think the question then becomes - is what is the right mechanism. And if I look at where - a learning from, say, Civic Place is that whilst we have an audit risk and investment committee, that's more of a broad - looking at  
35 the operations of council. If you are - it you're in the childcare business, which is what we are - and childcare was initially set up by councils because the private sector wasn't doing them in the nineties. Now we know there are plenty of private operators.

But in my mind, that section, that should actually be - there should be a board, if can I use that term, or a committee that sits above that - at the operations, because if you were to have a business of that size with those eight centres operating, you would have a - a board, more than likely, sitting over it. Maybe - it's probably a little bit  
40 small, but that's where, if you were to - if I were to take the concept of an ARIC and what I just said, you could basically have - when you have a property - I'm going to use the term "business" - you would have a - an audit risk committee sitting over it specifically.  
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5 So you could maybe have a - based upon if you're doing something specific like that, having its own audit and risk function on top of - where you'd have the - and you would do that because you have the right experts around the table as part of that committee, like we have at ARIC. So ARIC is more of the general - about council, where - let's call it - you had an ARIC - building and development, that would have its own people with that skill set sitting over it.

10 **COMMISSIONER:** So in - less of a supervisory, more an advisory committee? Is that what you have in mind?

15 **MR MANNOUN:** I think it would be - it would still be both, but you're bringing - it gives you an opportunity to bring the new skill set in, because councils ultimately - a risk for, I think, all councils is they don't have that depth of expertise. It does a lot of things but it doesn't have these big departments.

20 So a Civic Place development, if you were a developer - for example, Walker Corp - you have a lot of people behind that project, where what we know - when we noticed - is that we only had two or three people helping it. That's why - looking after it internally in the organisation, which is why we brought in external project managers as part of that. So - and I - it's - almost goes to my evidence the other day about ombudsmans and things like that. You just need a bit more depth. So -

25 **COMMISSIONER:** So a bit more depth of experience, perhaps external, to look at and assist the council manage this challenge, of which I've heard a bit about from other witnesses about this growth area - the benefits which you've identified, but also the risks in having to provide and maintain a significant amount of infrastructure over the - well, it'll be long-term eventually, but the short to medium term is what you have in mind?

30 **MR MANNOUN:** Yes. And, you know, we're in the situation where you could spend half an hour in a council meeting talking about \$10,000, you know, and when you have - you know, I think you - this was a point that - your bigger items aren't - would not get that attention.

35 So an example that happened yesterday was there was a tiny - tiniest little strip of land, a few metres. Council had already agreed to an easement with somebody. They needed now, after discussion with Sydney Water, just a little bit more. There was an agreed price and we're talking about - I can't say the exact number, but let's say sub-\$15,000. That's the size of it. Council then, a few months ago, said, "No, we want an independent valuation," because the staff had just pro rata-ed the amount.

40 Anyway, the valuation was done, cost \$4,000. That cost was transferred over to the purchaser, who was doing it. And the valuation came in less than the pro rata, so council ended up getting less. But that was about, I guess, council's feeling - or in a council meeting that we need to put good governance over this. So we need to be looking at that. Right. Fair enough. But they're not putting in perspective of the \$500

million, the size of our budgets. So - and I think this is where the council - you need to be more in a committee structure to deal with things in more detail than just try to deal with them at a council meeting.

5 **COMMISSIONER:** But that's different to what I understood you to be raising, which was a committee involving some external expertise to assist the council in meeting the challenge of the growth area into the future.

**MR MANNOUN:** Yes.

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**COMMISSIONER:** It is not?

**MR MANNOUN:** Yes, it is different. Yes. Yes. But I - the relevance being - is that where - where should councils be - where should the work of council be when you're  
15 a growth council. So as a councillor, I said I would - I need to focus on the larger challenges. Every challenge is important, but we are limited in what we can actually do. So we should be focusing on those changes in the right forum, being - let's call it a committee, right, versus in the floor of council for a small matter.

20 **COMMISSIONER:** Do you mean that in that committee - what, made up of some councillors, some staff and some external experts - is where the in-depth analysis and strategy can be hashed out? And then it is reported to the governing body for adoption, debate, et cetera? Is that what you have in mind?

25 **MR MANNOUN:** Yes.

**COMMISSIONER:** And do you have in mind a committee to that effect which would have a scope or terms of reference to address, consider, prepare and advise on strategy to deal with the risks and the benefits of Liverpool being a growth council,  
30 in particular Austral, the airport area and the like?

**MR MANNOUN:** Yes.

35 **COMMISSIONER:** What sort of external expertise do you think would be useful on such a committee?

**MR MANNOUN:** Yes. Number 1, it has to be paid. So - like, ARIC is a paid position, and our planning committees and our - the design excellence. So you - that's an important distinguish - if we were to - if it was looking at, let's say,  
40 how do we achieve the goal of having \$1 billion worth of assets on a five per cent yield, you'd be looking at people with that relevant property development expertise on there.

45 **COMMISSIONER:** What about the challenge of the significant infrastructure burden on the council from the growth areas?

**MR MANNOUN:** So I think that's probably - you'd look at two skill sets. There is, you know, your infrastructure people background, making sure that the infrastructure isn't being gold-plated, it is the right level of infrastructure, it is a cost-effective one to deliver. But the other part of that is financing, because you're - you've got to be  
5 able to finance these things. At the moment it's like, "Let's collect the contributions and then let's spend them."

**COMMISSIONER:** But also projections. What's it going to cost to deliver, then what's our maintenance liability into the future, are we going enough rate revenue  
10 from that area, are we not - if not, how do we fund it, and the like.

**MR MANNOUN:** Yes. And the - if you look at the - say, Austral and you look at the contributions plan, the biggest liability is acquisition of land. So just - I don't know the percentage exactly, but let's call it 40 per cent of your plan was land  
15 acquisition. Land acquisition is going up at - the cost of land is going up much higher than what your cash is - going in the bank. And that spread is a very big liability and -

**COMMISSIONER:** I understand the significance of the debt related to Civic Place, but this issue, the growth council aspect, has been described to me as being one of the significant risks to the council's financial position into the future. Would you agree with that?  
20

**MR MANNOUN:** The - I guess when we say what part of its - what part the position - for example, is it the - when you build it, your depreciation that - and  
25 maintaining that depreciation?

**COMMISSIONER:** That's one.

**MR MANNOUN:** Yes. So that - so that's one part of it. Where we are in the cycle is - it's the speed to delivery.  
30

**COMMISSIONER:** Yes.

**MR MANNOUN:** And the timing - the timing of the delivery.  
35

**COMMISSIONER:** Yes, there's going to be a whole lot of this infrastructure coming online that council has to maintain.

**MR MANNOUN:** Yes. And I think we'll be fine, because with regards to your densities that you have in there, where - we're achieving greater densities than what was projected in the plan in regards to that. So you will have a greater rate base in that area. So I don't think there's going to be issue with regards to  
40 maintaining - because the rate base is growing significantly, which is positive.

**MR MANNOUN:** We've seen positive things from IPART, in that they're now - they're distinguishing with growth councils more than they have been in previous years. That is very  
45

beneficial. Having said that, I'm not a fan - if I - everyone talks about rate pegging is hurting councils. Well, rate pegging, because that - if you removed rate pegging, does that mean you're going to go and increase your rates, you know, as you choose to, more than what IPART sets? I don't think that's - I'm happy with the IPART process. I'm happy that there's an opportunity that if you do need a special rate variation you can apply for that.

We do everything we can to avoid going for a special rate variation. And I don't think - I actually, you know, believe that we can get to a position where we can start potentially reducing rates. And I mean that as an aspirational - extremely aspirational goal. You know, if I can use, yes, the winning the Premier League goal, but it's - if you - you're going to have a significant industrial base coming online. It's a really good - with all that stuff around the airport, there's really good rate revenue there, but it all gets down to managing the property portfolio.

It's not - it's not happening. There is no intention to say - we did make a resolution yesterday about something. But once again, those assets in the city centre should be returning a yield. Councillors will use the statement that we need to maintain our property and we need to maintain our income-producing assets. Fantastic. My question is at what yield? And when councillors say, well, a three per cent yield is good, well, unless you bought a property in Martin Place or Pitt Street Mall - that's fine at three per cent.

But if you're talking about a suburban asset in Liverpool, minimum five I think is a conservative amount, and I think that's where people need to not be emotional and say, no, well, that's an old run-down asset. Let's take that. No, don't put that money into operational expenditure. We've actually maintained - it's been customary from time immemorial in Liverpool that we don't take - when we do sell a redundant block of land we will put that into a property reserve and use it to buy another property.

**COMMISSIONER:** And your point is that sort of analysis and examination of whether the asset and the yield is beneficial to council such that it should be maintained or whether it could be disposed of, and the resources used differently, might be able to be better done at the committee level, and then a thorough detailed report presented to the governing body than hashing it out at council meetings; correct?

**MR MANNOUN:** Yes.

**COMMISSIONER:** With the benefit of some external expertise.

**MR MANNOUN:** Yes.

**COMMISSIONER:** So there might be one or more of these type of committees that might need to be set up, depending on the particular issue or challenge?

**MR MANNOUN:** Yes.

**COMMISSIONER:** Have you discussed this with your fellow councillors?

**MR MANNOUN:** Yes.

5

**COMMISSIONER:** What's the -

**MR MANNOUN:** Well, not all the fellow councillors.

10 **COMMISSIONER:** Thank you. What's their attitude to this approach, given that - I'm also conscious that some of them have full-time jobs, and the burden on councillors generally.

15 **MR MANNOUN:** Without - without being critical of any fellow councillors - I respect everyone has to work, so - and I get that. The - you know, we had a situation where - we had a governance committee happen, resolutions and a full day of discussion, and then a councillor wanted to change the recommendations from the committee. And it was like, well, you can't do that because this is only receiving and noting the report - the minutes of the committee versus a - which  
20 should - is beginning with (indistinct) of that, and views and comments were made about that.

But then if people aren't coming to committees, when it gets to council, they want to rehash everything, which makes it challenging for those who do spend a lot of time  
25 going to the committees. That's, I just think, a - people need to realise that if you're putting your hand up for Local Government you are going to have to have to do less work and you're - you need a little bit of flexibility. And that's why I go to what I tried to - what I resolved - put to council in the first term - was that having a committee day. So you can just take one day off. And that's where we had a - we'd  
30 start with our Building Our New City Committee, which looked at university city, Civic Place, urban amenity.

**COMMISSIONER:** This was something you put up in your first term or your first term as mayor?

35

**MR MANNOUN:** First term as mayor. So, yes, version 1 if I can use that term.

**COMMISSIONER:** Yes.

40 **MR MANNOUN:** But we had our Building Our New City Committee which had external - external, what's he? - adviser, chair, mentor. It's the person whose memorial I'm going to after this, Professor Ed Blakely. So he brought that external world-leading experience.

45 **COMMISSIONER:** And there are a series of committee meetings on one day a month?

**MR MANNOUN:** Yes. And then we had our tourism and finance committee. Sorry, it's not tourism and finance - tourism events, and then we had budget and finance. So we would look at budget finance that was infrastructure and where we could -

5 **COMMISSIONER:** And how did that work? Did it work well?

**MR MANNOUN:** Fantastic.

**COMMISSIONER:** Was it well attended?

10

**MR MANNOUN:** Yes. Yes, it was very good.

**COMMISSIONER:** It was one day in the diary a month.

15 **MR MANNOUN:** And everybody knew that if you just turned up to that one day, you would be aware of everything that's going on and you would have - yes.

**COMMISSIONER:** Rather than multiple committee meetings over multiple days?

20 **MR MANNOUN:** Yes.

**COMMISSIONER:** In addition to governance committee and council meetings and the like?

25 **MR MANNOUN:** Yes. And in version 2, try to recreate that, and that kind of became the governance committee.

**COMMISSIONER:** I see.

30 **MR MANNOUN:** Which has not achieved that because as councillors generally across, not just Liverpool but a lot of the time we feel like we're being spoken at and it's not that, sort of, two-way interaction.

**COMMISSIONER:** At governance committee?

35

**MR MANNOUN:** No, just generally. So I think that it's getting out of councillors, getting - you want them to be interactive. What you like on the agenda? What are we discussing? Where are we going? So I think that's where - I remember when we turned up to the first governance committee and it was in the council chambers. And  
40 I was sitting there it was like 9am, 9.30 or whatever in the morning and it's like, "What are we doing in this room? This is not - we don't want another council meeting. We want to be a round table." So that was very good. I had a draft - to your question about have I spoken to some of the councillors - I've had a draft mayoral minute prepared - it's been there for a couple of months - about this building, about  
45 let's call it the development ARIC, that's been sitting there; and the other one as well, reinstating the building our new city committee. But -

**COMMISSIONER:** What about a broader review of the committees within council and how they operate?

5 **MR MANNOUN:** We did that last term and the challenge that some of us have is that there are some community members who are quite connected to a committee. One of them is the intermodal committee. So there are a few people who are vocal in the community and I say "few", probably a handful but it's still an issue to the committee - to the community; but it's probably served its used-by date at this point in time.

10

**COMMISSIONER:** When was that review done, the review of the committees within council?

15 **MR MANNOUN:** That was done 2022. And we tried to do it again, but there are just some - and then the staff do say to us that, "Look, these committees, there's no point of them, we should get rid of them" and I think this is where we need to go from being an organisation that had 150, 160 thousand residents - you know, just outer - fringe suburbia, now being - you have the airport federal infrastructure; you have the Intermodal federal infrastructure, army base infrastructure. You're going to have what I was told the second biggest economy in the country, but I can't say that  
20 any more because I can't confirm that, but one of the largest economies in the country.

25 **COMMISSIONER:** And staff are telling you some of the committees are past their use-by date?

**MR MANNOUN:** Yes.

30 **COMMISSIONER:** Sorry, I shouldn't use that term. They are no longer as effective as they once were?

35 **MR MANNOUN:** Yes. And this is when you start looking at, well, where do you look up to as a council? Who do you emulate? So if you were to look at, say, City of Sydney Council, that's probably - you know, being a global city is one of the best ones out there. But their council meetings are daytime meetings. They start late - I think just after lunch. So they're - but, once again, they work under a different Act, so City of Sydney Act.

40 But they have - councillors have an office, they have a staff member to assist them. But they are more - have a greater capacity probably as a governing body than I would say maybe us as a - hopefully, no longer being a suburban council, being we only - we have two city centres. I think that's a shift that we need to start going through and take everybody on that journey. And say, "Guys, we can spend half an hour or an hour of having 20 staff in the room talking about two or \$3000 and  
45 wasting that money with staff time, or let's really focus on the big things, the multimillion dollar challenges that we have."

**COMMISSIONER:** And I take it from what you've told me that you think one way to achieve that is to make better use of the committee structure and processes?

**MR MANNOUN:** Yes.

5

**MS ANNIWELL:** Training provided to councillors, as a segue between the evidence - between training generally and the evidence you've just given, it occurs to me that with respect to project management and financial management, councillors require at least certain basic skills in relation to being able to understand and interpret financial statements. Is that fair to say?

10

**MR MANNOUN:** Yes.

**MS ANNIWELL:** What, if any, training does the council provide for new councillors to assist them with understanding, reading and interpreting financial statements generally? For example, how to read a profit and loss statement, how to read a budget, do you get any training about that when you become a councillor?

15

**MR MANNOUN:** I'm just trying to think whether - I don't think that was done in this term of council. I don't.

20

**MS ANNIWELL:** Do you think that's important?

**MR MANNOUN:** Very important. And I think that's why it's in the certificate that I referred to the other day which now has escaped my mind again.

25

**COMMISSIONER:** The ETS one?

**MR MANNOUN:** Pardon?

30

**COMMISSIONER:** The one delivered by ETS?

**MR MANNOUN:** Yes. And that's one of the - one of the -

35

**MS ANNIWELL:** One of the modules as part of that course?

**MR MANNOUN:** Thank you. Yes.

**MS ANNIWELL:** But having completed that you think that it would be of benefit to other councillors to have some basic level training in terms of being able to understand and interpret those financial statements?

40

**MR MANNOUN:** Yes, but I haven't completed it myself.

45

**MS ANNIWELL:** You haven't completed it yourself yet?

**MR MANNOUN:** No.

**MS ANNIWELL:** Are you going to be completing it?

5 **MR MANNOUN:** I was supposed to have a having meeting yesterday with the CEO with regards to finalising my learning and development program. We've been in discussion in it since the beginning of this year, or I'd probably say and of the first quarter, beginning of the second quarter.

10 **MS ANNIWELL:** Specifically tailored to the training that you're seeking to assist you as a councillors?

**MR MANNOUN:** Yes. My focus is more probably for urban planning city activation.

15 **MS ANNIWELL:** Yes.

**MR MANNOUN:** So there was, that's where I would like to head in - with my skill set.

20 **MS ANNIWELL:** Would you consider maybe some training on -

**MR MANNOUN:** Of course. Yes. It's -

25 **MS ANNIWELL:** As well?

**MR MANNOUN:** The - as the - our CFO, and whenever we get the budget presentations you're always given this much documentation, with the reality it's getting the exec summary and that right level of detail is going to be - and I think I ask him the same questions every year because I just want to make sure that the interpretation is right because I feel I have a role to try to simplify things and communicate it. Once again, I've got to be able to communicate it to someone in year 6 and that's what I try to do.

35 **MS ANNIWELL:** It's also important that you not just have those skills but that you update them frequently. So many professionals have continuing professional development: lawyers have continuing legal education, for example. There is no such requirement for councillors, is there?

40 **MR MANNOUN:** No.

**MS ANNIWELL:** Do you see the benefit in there being a more formalised continuing educational development program or regime for councillors to ensure they have a set of skills that are relevant to their role as councillors that are frequently updated and maintained?

45 **MR MANNOUN:** Yes. I think it would be - I think it would be amazing.

**MS ANNIWELL:** And would there be, just having regard to your evidence about the value of balancing the demands that employed councillors have with weighing up their responsibilities as councillors, would there be some value in having a single day set aside or multiple days set aside where that training can be delivered in a block over one or two days rather than on a more frequent monthly basis, for example?

**MR MANNOUN:** Sorry, I missed - I missed out -

**MS ANNIWELL:** You said before there was some value in having a day set aside for councillors to meet -

**MR MANNOUN:** Yes.

**MS ANNIWELL:** - and discuss council business, and you talked about developing a committee whereby councillors can come together, put aside a day, discuss many aspects of the work of council. Would there be some benefit to having that continuing development or continuing education that councillors require on a single day or multiple days to ensure that that is delivered and delivered consistently?

**MR MANNOUN:** Yes. And I think that if you had, as a sort of - once again, your training program -

**MS ANNIWELL:** Yes.

**MR MANNOUN:** So it's actually - I think that's probably the best determinant of, you know, what you are doing over your term of a council -

**MS ANNIWELL:** Yes.

**MR MANNOUN:** - and what qualification - I would really like to give this evidence regarding the former mayor of Canterbury Bankstown, Mr Khal Asfour. He received a significant amount of criticism for the training and development that he was doing, which was in the form of an MBA. Now, Khal is an experienced mayor who was there, at that point in time, for a long time. Experienced councillor. And to meet the requirements, he thought that is the best form of education over his four-year term. Unfortunately, he was heavily criticised by the then government, and the media gave a lot of negative attention to him. I think that was very unjust and unfair, because, you know, if I put myself in his shoes, I think that is the right level of education that I would want this time in my career. I would want it to have a -

**MS ANNIWELL:** But putting that aside, it seems like the council has a regime in place now where the CEO sits down with each of the its councillors and says, "Tell me where you think you're lacking skills. How can we assist you? We'll develop a training regime to up your skill set and maintain your skill sets as you consider you need them."

**MR MANNOUN:** Yes.

**MS ANNIWELL:** A tailored approach is a valuable approach, isn't it?

**MR MANNOUN:** Very.

5

**MS ANNIWELL:** Training, again - I think it's fair to say that we've heard some evidence from a number of people in an attempt to understand some aspects of the code of conduct, the Code of Meeting Practice. Do you think there can be some improvements in the way that councillors are trained with respect to the Code of Meeting Practice?

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**MR MANNOUN:** Yes.

**MS ANNIWELL:** The Commissioner has raised the idea of having mock meetings - a practically set-up training session where a meeting is run in a mock scenario, where aspects of the Code of Meeting Practice are tested out. Is there some value in that sort of training being provided to councillors?

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**MR MANNOUN:** Yes. Yes, I think - at the beginning of the term -

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**MS ANNIWELL:** Yes.

**MR MANNOUN:** - I think it's a very good exercise to be able to do.

25

**MS ANNIWELL:** But not - and it's not just of benefit to new councillors, but it's also of benefit to councillors like yourself, for example, that have been sitting on multiple terms of council? That's because there are changes to the Code of Meeting Practice from time to time; that's correct, isn't it?

30

**MR MANNOUN:** Yes.

**MS ANNIWELL:** And you need to ensure that your skills are also up to date with those requirements?

35

**MR MANNOUN:** Yes.

**MS ANNIWELL:** What about the code of conduct? Is council's training sufficient with respect to understanding and applying the code of conduct?

40

**MR MANNOUN:** Yes, because I believe - I believe that probably the code of conduct is the simplest document to understand because it's something that we should be doing in our lives generally. I mean, it's just be - the golden rule of do unto others you want done unto yourself and -

45

**MS ANNIWELL:** Well, can I challenge you on that? I recall not so long ago you having a lengthy exchange with senior counsel assisting about what it actually means

to bring the council into disrepute. There are some complex aspects of the code of conduct, are there not?

5 **MR MANNOUN:** Well, I'll put on the record that I was called a coward last night in the council meeting.

**MS ANNIWELL:** Well, do you -

10 **MR MANNOUN:** And that -

**MS ANNIWELL:** - think that means, for example, that there may be some differences in interpretation in terms of what the code of conduct means?

15 **MR MANNOUN:** Look, in a technical sense, yes.

**MS ANNIWELL:** Yes.

**MR MANNOUN:** Yes.

20 **MS ANNIWELL:** So in circumstances where it is an important but complex document, wouldn't you agree that there needs to be thorough and frequent training in relation to it?

25 **MR MANNOUN:** Yes, look, I - in a continuous improvement, refreshing format, yes. But it's - I think where - where the key point and probably where we had that long - long discussion that you referred to - is I guess - is where is the line with regards to the political - free speech and political debate and - versus appropriate criticism and that. So, you know, where they intersect is probably where you would need - people probably need training on.

30 **MS ANNIWELL:** And you've given some evidence suggesting that it might be helpful if the Office of Local Government provided some guidance with respect to those provisions and its interplay with the new free speech guidelines, for example?

35 **MR MANNOUN:** Yes. And I think ultimately - like, if you - in summary, if they were to - if a - let's call it a degree-level qualification was established that had multiple modules that you can complete over a four, six-year period, that, with the continuous improvement requirement on councillors that must be delivered, and having an appropriate organisation deliver that or - I think you would solve a lot of  
40 the problems because there's - no one can - no one can plead ignorance thereof.

45 And at the moment the - getting somebody doing a presentation on a PowerPoint is one thing, and there's nothing wrong with the facilitators, but I just think that with the - with what we do as councils, that it's got to be that sort of - that tertiary - have a good training package behind it, tertiary qualified, because the - that would then allow you to capture your experienced councillors and your new councillors.

**MS ANNIWELL:** And also training on the interplay between the code of conduct and other policies, such as, for example, the social media policy and how the two interact. Would you benefit from some training in that respect?

5 **MR MANNOUN:** Yes.

**MS ANNIWELL:** And, of course, it's not just you, an experienced councillor, but do you - are you of the view that new councillors would particularly benefit from that sort of training?

10

**MR MANNOUN:** Yes. Once again, I - everyone would benefit from the training. But then if I look at the - there are - the new councillors have done good in regards - I don't see many breaches. I can't say all, but I can say - and I look back at previous term council, you know - and if we look at that data, the - there aren't many  
15 breaches that have been reported of codes of conducts, and that would be - that can indicate two things. One, nobody's reporting them and turning - say, turning a blind eye, versus there is no suspected breach happening, therefore there's no need to (indistinct). So -

20 **COMMISSIONER:** There might be a mix, mightn't there? There's -

**MR MANNOUN:** Sorry, there might be what?

**COMMISSIONER:** There might be a mix needed. That is, there's some core - what  
25 I've called core councillor skills and requirements that tells us what the function of the governing body and the councillors are, and two of the key documents that apply are the code of conduct and the Code of Meeting Practice. And from your answers, I take it you would agree - and if I'm misunderstanding you, do correct me, but that there is benefit in ongoing regular training on those core concepts and those core  
30 documents to ensure that new and returning councillors alike - new and whatever level of experience - that they're up to date with their skills in those areas.

**MR MANNOUN:** Yes.

35 **COMMISSIONER:** But what I think you're pointing to is, in addition to that, there might need to be some tailored training packages, like the one you're hashing out at the moment with the CEO, that are addressed to your needs, as a four-term councillor - are you up to - we up to four?

40 **MR MANNOUN:** Yes.

**COMMISSIONER:** Four-term councillor, so that - okay, well, you can build on that experience to ensure you're performing your role in accordance with the Act based on where you're at in your career. IS that - have I understood you correctly?

45

**MR MANNOUN:** Yes.

**MS ANNIWELL:** Conflict of interest. Tell me if you disagree with me, but I see conflict of interest involving two parts. First, you need to know what a conflict of interest is, what sorts of conflict of interest there are and how to identify a conflict of interest. You need to know how to do that. That's fair to say, isn't it?

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**MR MANNOUN:** Yes.

**MS ANNIWELL:** So you need the knowledge that enables you to pick out a conflict of interest and work out which one it is, but then you also need to know how to disclose that conflict of interest. That's right, isn't it?

10

**MR MANNOUN:** Yes.

**MS ANNIWELL:** What form to fill out, who to go to, if you need help, what to do. Both of those aspects of dealing with conflict of interest, the education about what it is and knowing what to do about it, do you get any training about that at the council?

15

**MR MANNOUN:** Yes.

**MS ANNIWELL:** What sort of training do you receive?

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**MR MANNOUN:** Usually in the form of an independent external facilitator presenting a - going through a PowerPoint presentation where, you know, you've got different scenarios put in front of you and, sort of, Q and A - you know, what would you do here, what would you do there.

25

**MS ANNIWELL:** The sort of a - again, a mock sort of scenario; is that right?

**MR MANNOUN:** Yes.

30

**MS ANNIWELL:** Assume a relationship or a set of facts and is this a conflict of interest or not, what type is it and what do I do about it. Is that the sort of training you received?

**MR MANNOUN:** Yes. I can clearly picture one in my head that we received from a former cricket umpire who has a business - Darrell - Darrell Hair, who does that nowadays.

35

**MS ANNIWELL:** It's cricket again. I (indistinct). Sorry.

40

**COMMISSIONER:** I know who he is. He (indistinct) and caused great controversy. But anyway -

**MS ANNIWELL:** So you recall some training that you've received in the form of a PowerPoint presentation that helps you with those two aspects of conflict of interest management, if I can call it that. You get that training at the time of your induction?

45

**MR MANNOUN:** Yes. Well, very early on in your term. Yes.

5 **MS ANNIWELL:** Very early on. Do you get any refresher training? Not that readily springs to mind? Is that the -

**MR MANNOUN:** No. Yes, nothing -

10 **MS ANNIWELL:** Okay. So that might be something that councillors could benefit from, some refresher on that?

**MR MANNOUN:** Yes.

15 **COMMISSIONER:** Because it might arise in all sorts of scenarios, not just a council meeting or a committee meeting. It might arise from an interaction you have with a constituent or another part of the performance of your duty outside formal council meeting and committee meetings?

20 **MR MANNOUN:** Yes, and I think that's - that's probably, at the moment - there's probably silence about that or there's not that much information about, you know, i.e. you're having a meeting with someone, you know, do you - is there a form to fill out, because if you're - and I think if you were to have it consistent - so we know in the meetings and the council meetings that we have - in the council meetings and committee meetings, there's a form that you fill out. And do you replicate that for  
25 other scenarios? And what are those other scenarios that sit outside of that? And you probably could have in slightly different - in the lodgement of code of conduct you might - probably might benefit from a similar form.

30 **COMMISSIONER:** Sorry, say that last bit again?

**MR MANNOUN:** You might have a - you might benefit from a - if there was a similar form or a template form that you'd fill out for a code of conduct.

35 **COMMISSIONER:** What do you mean? Give me an example?

**MR MANNOUN:** So we have the pecuniary interest forms that we fill out at council meetings and committees, so - so that gives you -

40 **COMMISSIONER:** Yes. And they go in the record?

**MR MANNOUN:** They're on the record. You have to state what's the nature of interest, what are you going to do and -

45 **COMMISSIONER:** Yes.

**MR MANNOUN:** And state it publicly, so it's clearly defined. Replicating that model, so what happens outside of those two meetings, committees or council - so I

think that's - that's a tick. So have it as the one document. And then, just thinking about, you know, what we talked about with regards to code of conducts, there's no reason why you couldn't have a - once again, if you want to lodge a code of conduct, here is the form that you fill out.

5

**COMMISSIONER:** I see.

**MR MANNOUN:** Yes.

10 **COMMISSIONER:** I see. Yes.

**MS ANNIWELL:** Because of how important it is to fill out the form - that is, the reader relies somewhat on what is written on the form to understand whether or not there is a conflict of interest and what the nature of the conflict of interest is. That's right, isn't it?

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**MR MANNOUN:** Yes.

**MS ANNIWELL:** It's pretty important that you get proper training on how to complete that form. That's correct, you'd agree?

20

**MR MANNOUN:** Yes, and ongoing support.

**MS ANNIWELL:** And by "support", do you mean if you don't know how to fill out the form, you need to be able to email or call someone and say, "I don't know how to fill out the form, give me a hand," or is it more about the first phase of conflict of interest that I talked about? That is, "Do you need help with identifying whether or not you, in fact, have a conflict of interest"?

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30 **MR MANNOUN:** Yes.

**MS ANNIWELL:** The first phase?

**MR MANNOUN:** Yes. So ideally somebody you would call and say, "Look, here is my scenario" yes, and do that. Basically what you would do in a training session -

35

**MS ANNIWELL:** Yes.

**MR MANNOUN:** - where you would have an opportunity to throw scenarios at the facilitator and they provide you with your opinion - they would provide them with, you know, you be provided with their opinion - a similar scenario.

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**MS ANNIWELL:** So you've given evidence that you can't go to general counsel of council to seek advice on whether or not you've got a conflict of interest. That's right, isn't it?

45

**MR MANNOUN:** Yes, they - yes, I think that's the words that are used. Like, they - they - they meant - they can't give you, because -

5 **MS ANNIWELL:** I'll ask the question in another way.

**MR MANNOUN:** Yes.

10 **MS ANNIWELL:** Can you go to Mr Galpin, for example, and say, "There's this relationship I have with X. I don't know whether it's a conflict of interest or not and if it is I don't know what sort of conflict of interest it is. Help me out."

**MR MANNOUN:** He can give you a bit of a view, but he ultimately would put a disclaimer saying that it's up to you to make the call of what you want to do.

15 **MS ANNIWELL:** Right, but you can obtain some high-level guidance, is that correct?

**MR MANNOUN:** Yes, and I got that yesterday, actually.

20 **MS ANNIWELL:** Right.

**MR MANNOUN:** So there is - yes, but I guess what I was getting to is ultimately that the call ends up being with you, and how much they're prepared to give you an opinion is up to them.

25 **MS ANNIWELL:** Right. So let's say, for instance, you've gone to Mr Galpin, he's given you some high-level advice, and you're still thinking, "I don't know." What do you do then?

30 **MR MANNOUN:** You're on your own and you make the call of what deem fit because you're the one who is going to be held responsible.

**MS ANNIWELL:** Is there any independent solicitor or firm available to councillors to assist you with some further advice about that?

35 **MR MANNOUN:** No. The LGNSW, and to a little bit of an extent OLG from in previous times -

40 **MS ANNIWELL:** Sorry, I will stop you there, Local Government New South Wales?

**MR MANNOUN:** Local Government New South Wales.

45 **MS ANNIWELL:** You can get some assistance from them?

**MR MANNOUN:** You can - some - you can, yes. But it's nothing in - substantial in writing for you to rely upon. And I think the same with the OLG.

**MS ANNIWELL:** So what do you do?

5 **MR MANNOUN:** You have to make the decision yourself and manage the conflict.

**COMMISSIONER:** That will always be the case, though, won't it? Ultimately, it's for the person to disclose. So what more are you looking for? What more would assist you to make that call?

10 **MR MANNOUN:** I would - I would like the advice in writing so can I rely upon it and have it as a file note.

15 **MS ANNIWELL:** Or if the council can't provide you with that advice, provide you with a referral, say, for instance, to an external agency, legal firm or solicitor that may be able to provide you with that advice?

**MR MANNOUN:** Yes, and I did - I did move - I tried to create a policy of a similar vein but not exactly for that, but it could be applied in that scenario.

20 **MS ANNIWELL:** And just so I understand, the actual completion of the form, what you write down, do you get some training on that when you have the PowerPoint presentation by the external provider, or are they more dealing with phase 1, what is a conflict of interest and what type is it and how do I identify it?

25 **MR MANNOUN:** I think we've had, you know, as part of one of the training sessions in my years we've had to fill out a mock form. I have a vague recollection of that.

30 **MS ANNIWELL:** Just excuse me for a minute. Commissioner, I didn't have any more general questions with respect to training or larger questions in terms of Mr Mannoun's reflections on the success and achievements or challenges faced by council.

35 **COMMISSIONER:** All right.

**MS ANNIWELL:** I do note Ms Richardson will have the opportunity to explore some of these topics.

40 **COMMISSIONER:** Yes, of course. And it's five minutes to go so I know the councillor has a commitment this afternoon.

**MS ANNIWELL:** He does.

45 **COMMISSIONER:** So I'm happy to adjourn five minutes earlier and let the councillor get on his way.

**MS ANNIWELL:** Thank you.

**COMMISSIONER:** Sorry, Ms Richardson, do you want to say something?

**MS RICHARDSON:** Can I just raise one matter (indistinct)?

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**COMMISSIONER:** Yes.

**MS RICHARDSON:** Just in relation to the status of Mr Mannoun who is currently under examination -

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**COMMISSIONER:** Yes.

**MS RICHARDSON:** - over an extended period, which is no criticism at all, we have taken the position that we are not speaking to him about anything at all to do with his evidence, and we've had only contact about logistics about when he is coming and going, and the matter that was in a closed session Wednesday morning.

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**COMMISSIONER:** Yes.

**MS RICHARDSON:** I wasn't here yesterday afternoon but my reading of the transcript where my learned junior raised this issue (indistinct) that we have the -

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**COMMISSIONER:** There was the issue about instructions.

**MS RICHARDSON:** That Mr Monaghan has been interposed.

25

**COMMISSIONER:** Yes.

**MS RICHARDSON:** The matter of using up time and so on.

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**COMMISSIONER:** Yes.

**MS RICHARDSON:** It wasn't a hundred per cent clear to me, reading the transcript as an outsider, what your position was. I read it - it was at transcript 3922, where my learned junior raised it. You said:

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"Getting instructions is one thing. Perhaps slightly different to speaking to him about his evidence, but it would seem to fall into the same category, would it not?"

40 And then Ms McDonald said:

"I think so, yes."

And you said then:

45

"If you want to -"

And then you and Ms McDonald accidentally spoke over one another and then she said:

"If I want to -"

5

But the gist of it seemed to be that you then proceeded:

"If you want to take those issues up - I mean, they need to be put to the councillor anyway."

10

And so on. So went on to talk about that. And so the wash-up of that, as I interpreted it, but I wanted to check, was that we would continue to not speak to Mr Mannoun about anything to do with evidence, and that would include taking instructions on (indistinct), and that you were reiterating the position that has been put by various  
15 counsel and you and Ms McDonald previously, which is that if there is a matter that's raised in a witness's (indistinct) that's adverse to my client, it's up to counsel assisting to pursue that matter with him -

**COMMISSIONER:** Yes.

20

**MS RICHARDSON:** - if that's an issue they're seeking to pursue, and that we don't need to traverse those issues (indistinct) not taken to have accepted it by not putting it to those witnesses. Have I misunderstood the position?

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**COMMISSIONER:** No, and perhaps the too subtle distinction I was trying to draw was one might look at a video of a meeting, for example, and form the conclusion that, well, something could be done better. I'm not sure whether that is a matter that needs to be taken up directly with the witness, as opposed to the issue that was raised yesterday being the inequitable application of the Code of Meeting Practice which  
30 would be a matter that if counsel assisting wanted to urge me to make a finding about, that they would take up directly with the witness. That's what I had in mind.

30

I also had in mind that if there was a matter given that a witness has been interposed about which you felt the need to seek instructions on, that I could see a way how that  
35 could be done in sensible and appropriate way to ensure that you were able to get the instructions you needed to, but as opposed to taking detailed instructions across the whole of the evidence. I understand the reason why people have taken the approach they have and I'm grateful for it but there is some flexibility that can be applied if there needs to be.

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**MS RICHARDSON:** For my part, given the reference that has been pressed by the assisting team that we not speak, I would rather maintain that position so that it is absolutely clear and that if we need to take instructions from him prior to re-examination (indistinct) in the shortest timeframe we could.

45

**COMMISSIONER:** Yes.

5 **MS RICHARDSON:** But noting the procedural fairness indication we have given that opinions expressed by other councillors about whether policies are applied equitably or not equitably, or their views about who is the instigator of - you know, who is worse than another person and so on, that we are not required to put that to that witness. And by taking that course we're not taken to have accepted the correctness of that view, but that if counsel assisting wishes to pursue it, it will be put to my client.

10 Given that position, that will reduce the amount of things I will need to take instructions from my client. Now, an example - and this is a separate issue - that last night's council meeting has been given a high (indistinct) today, and the two days of meetings, there is a lot of time taken at meetings and a lot of procedural things that we will be seeking to make submissions about, about the conduct of other

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**COMMISSIONER:** Yes.

20 **MS RICHARDSON:** But I am not going to seek instructions from Mr Mannoun about that or anything while he is under examination.

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**COMMISSIONER:** Yes. And given that he's, I have done with other witnesses, been, and will have been, in the witness box over a numbers days, I will give you the opportunity to take time to seek instructions.

25 **MS RICHARDSON:** Great.

30 **COMMISSIONER:** But that would seem to accord with my general view that if we are talking about a conscious, as seemed to be suggested yesterday, inequitable application of the code of conduct that should be taken up directly with the witness if it's to be pursued. If it's a matter of one can look at a meeting or a scenario and here is how things might be done better, that is in a different category it seems to me. Ms Anniwell, do you have any -

35 **MS ANNIWELL:** (Indistinct) say against that (indistinct).

35

**COMMISSIONER:** Yes, all right. Thank you.

40 **MS RICHARDSON:** The reason why I have done that through you, Mr Commissioner, is so that I am not speaking to Mr Mannoun on my own.

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**COMMISSIONER:** I understand that.

45 **MS RICHARDSON:** So I'm giving you a message, Mr Mannoun, as to what is happening.

45

**COMMISSIONER:** Can I let the councillor go -

**MS ANNIWELL:** Yes, please.

**COMMISSIONER:** - so he can get to his commitment. And I'll see him again on Thursday. Go, before someone stops you. And someone will tell you when you're coming back. Thank you, Councillor.

**<THE WITNESS WITHDREW**

**MS ANNIWELL:** I pause - and I'm lost for words, which is an unusual occurrence for me - just to note that, firstly, we had anticipated recalling Councillor Monaghan this afternoon.

**COMMISSIONER:** Yes.

**MS ANNIWELL:** Unfortunately he is unable to attend. Despite best efforts, he can't attend this afternoon.

**COMMISSIONER:** Okay.

**MS ANNIWELL:** So that means we are left with juggling some scheduling of some remaining witnesses.

**COMMISSIONER:** Right.

**MS ANNIWELL:** And my solicitors assisting are attending to that at the moment, making some inquiries. We hope to be in a better position to understand how we're progressing next week - if not later today, on Monday. So if we could communicate with you, Commissioner, and also the authorised parties about the intended scheduling for Thursday and Friday next week on Monday - if I could seek that indulgence -

**COMMISSIONER:** Yes.

**MS ANNIWELL:** - that would be much appreciated.

**COMMISSIONER:** All right. Ms Hamilton-Jewell, again not holding you to it necessarily or seeking to cut you off, but how much longer do you think you have with Councillor Monaghan?

**MS HAMILTON-JEWELL:** (Indistinct) 20 to 25 minutes.

**COMMISSIONER:** All right. Thank you. Well, that can be factored in.

**MS ANNIWELL:** Can I say this, Commissioner. We are acutely aware that time is of the essence. We are also seeking - we're exploring whether there are opportunities next Thursday and Friday to sit before 10 am and after 4 pm.

**COMMISSIONER:** Yes. Yes.

**MS ANNIWELL:** And perhaps having some reduced breaks.

5 **COMMISSIONER:** Yes.

10 **MS ANNIWELL:** Again, Commissioner, you'll understand there are a number of considerations at play that we're weighing up at the moment, so I can't commit to that now, but again, just seek your indulgence to be able to update everybody on Monday of next week.

**COMMISSIONER:** Yes.

15 **MS RICHARDSON:** (Indistinct) raise one matter in that respect?

**COMMISSIONER:** Of course.

**MS RICHARDSON:** James Emmett, who was a counsel in the proceeding -

20 **COMMISSIONER:** Yes.

**MS RICHARDSON:** - is being sworn in.

25 **COMMISSIONER:** That's on Thursday, isn't it? Okay.

**MS RICHARDSON:** I currently am scheduled to sit at the bar table up the front of that, and I imagine there are a number of people who would like to go to that swearing in.

30 **COMMISSIONER:** Yes, that's on Thursday.

35 **MS RICHARDSON:** For my part, for what it's worth, I will sit later that day, but if we could - I was hoping to ask to start at 10.15 that day, which I know is not helpful in terms of finding extra time. It's a lot of people (indistinct) worked closely with -

**COMMISSIONER:** Yes. Yes. All right. Well, Ms Anniwell will -

40 **MS ANNIWELL:** It's one of the considerations that we're throwing around at the moment.

45 **COMMISSIONER:** Yes. If that - yes. Well, there's a similar event on Tuesday which I - it hasn't impacted this inquiry but I've made - moved other things to attend for very similar reasons. So if that could happen, that - I would urge that to happen. But then, in any event, we have to get the evidence done by next Friday. So we'll - all right. Could you keep in contact with your colleagues and let me know if I need to do anything?

**MS ANNIWELL:** They receive an abundance of emails from me on a daily basis about scheduling, Commissioner, so I don't think they'll be pleased to hear that they will receive some more. Could I attend to one housekeeping matter before we adjourn.

5

**COMMISSIONER:** Of course.

**MS ANNIWELL:** Could I please hand up two documents. And I'm sorry, I haven't sent this to my friends in electronic form in the usual course but I'll do so in a moment. Unless anyone - the first document that I ask be marked for identification number 40 is the list of documents for tender by counsel assisting that were the subject of Mr Knappick's evidence. It's been prepared in the usual course with reference to an index to tender bundle 8, which is the second document that I've handed up to you, Commissioner, and I'd ask that be marked for identification 40 - one. Sorry, 41.

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15

**COMMISSIONER:** All right. Well, I don't think I've been marking the exhibit lists consistently.

20 **MS ANNIWELL:** No, that's unnecessary.

**COMMISSIONER:** So I'll mark the updated index to TB8, general exhibits to, as at 28 November 2025, at 12.43, as MFI 40.

25 **<MFI #40 UPDATED INDEX TO TB8 AS AT 28/11/2025 AT 12.43 PM**

**MS ANNIWELL:** On the list with respect to Mr Knappick's evidence, can I draw the Commissioner, please, your attention to page 2. I appreciate my friends can't see this but they will receive it shortly. At the bottom of the list, Commissioner, you will see a document that Mr Knappick has provided after the conclusion of his evidence and that was some statistics in relation to industrial relations matters. It was in response to a homework question that you asked.

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**COMMISSIONER:** Yes.

35

**MS ANNIWELL:** That document has been uploaded to TB8 and we're seeking to tender that. It hasn't been the subject of evidence but it is in response to some questions that you did ask the witness.

40 **COMMISSIONER:** Yes, that's fine, and I thank him for attending to that. Otherwise, you tender the documents in the list?

**MS ANNIWELL:** Thank you.

45 **COMMISSIONER:** The documents in the list, Craig Knappick's evidence tendered - documents were tendered by counsel assisting handed up this afternoon will have the exhibit numbers attributed to them in that list.

**MS ANNIWELL:** Thank you, Commissioner. That's all from our perspective.

**COMMISSIONER:** And I'm adjourning until I'm further advised.

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**MS ANNIWELL:** Some time next Thursday.

**COMMISSIONER:** Some time next Thursday. All right.

10 **MR PARISH:** Can I raise -

**COMMISSIONER:** Mr Parish.

**MR PARISH:** - one housekeeping matter that -

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**COMMISSIONER:** Yes.

**MR PARISH:** - doesn't affect anyone on my right, if you've got better places to be. You've raised -

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**COMMISSIONER:** No one would have a better place to be than here.

**MR PARISH:** She's staying. Three matters you've raised with me over the last four months.

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**COMMISSIONER:** Only three?

**MR PARISH:** Only three. Code of conducts that have been subject to confidentiality orders which may not necessarily need to be; transcript which was in private session and which contained stuff that was either not anticipated to be confidential or has for some other reason not needed it.

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**COMMISSIONER:** Resolved itself.

35 **MR PARISH:** And then, thirdly, other miscellaneous documents, such as documents that were commercially sensitive which through the passage of time or for other reasons don't really need to attract that still. Our proposal is that we circulate some directions, after consultation with our colleagues and then to provide to you, which would contemplate us providing the categories that we say need to remain  
40 confidential, the documents which answer those categories, and then an order which would be along the lines of anything which you rule is not within those categories appropriately are otherwise vacated from or excused from the non-publication order. That would allow you to go, "Yes, yes. No, yes. No, yes. No," and us to provide  
45 documents in due course which respond to that, by way of either coming out of a non-publication order or -

**COMMISSIONER:** Redactions.

**MR PARISH:** Redaction of transcripts or even redactions of information.

5 **COMMISSIONER:** That sounds very helpful, if I may say so. Could I just ask that it include a one-sentence "why" column so that -

**MR PARISH:** Yes.

10 **COMMISSIONER:** - I can understand the basis on which I'm asked to maintain the orders into the future.

**MR PARISH:** Yes.

15 **COMMISSIONER:** Yes.

**MR PARISH:** I raise that now just in case there was strong dissent from you, but if there isn't we'll circulate something along those lines and it can be dealt with without wasting everyone's time.

20 **COMMISSIONER:** Certainly not strong dissent; in fact, I embrace it wholeheartedly.

**MR PARISH:** Thank you, Commissioner.

25 **COMMISSIONER:** All right. I'll adjourn until some time next Thursday. Thank you, everybody.

**<THE HEARING ADJOURNED AT 1.40 PM**