

On an annual basis the Council determines the budget for the next financial year and this process does not normally result in the adoption of budget deficits to the magnitude highlighted in the LTFP. The works included in the LTFP will either be funded from other sources, such as borrowings, or the planned works and services would be scaled back to fit within the available budget capacity.

Council's current Resourcing Strategy (being the LTFP, Asset Management Plan and Workforce Management Plan) have been subject to an independent review by NSW TCorp as part of the NSW State Government's review of the local government sector and in relation to the application for funding in round one of the Local Infrastructure Renewal Scheme. NSW TCorp has confirmed that the assumptions used in council's LTFP were reasonable and that the proposed funding options would be viable over the period of the LTFP.

Council staff are currently finalising a further update of the LTFP, and a detailed review of the resourcing strategy will be undertaken once the community strategic plan has been reviewed and adopted by Council. It is anticipated that the review of the Community Strategic Plan "*Growing Liverpool 2021*" will be finalised in early 2013 following engagement with the Liverpool community, councillors and staff.

Clr Hadid left the room at 9.41pm

**PLAN 05**

**ITEM NO:** PLAN 05  
**FILE NO:** D/691/1998/A  
**SUBJECT:** SECTION 96(2) APPLICATION SEEKING TO MODIFY DEVELOPMENT  
CONSENT 691/1998

**RECOMMENDATION**

That Council:

1. Approves modification application DA-691/1998/A (as amended) made pursuant to Section 96(2) of the Environmental Planning and Assessment Act 1979, which seeks to modify Development Consent DA-691/1998 at Lot 1 DP 1052613, No. 2094 Camden Valley Way, Edmondson Park subject to conditions contained within the amended determination notice.
2. Notifies any person who made a submission.

**COUNCIL DECISION**

**Motion:**                      **Moved: Clr Hadchiti**                      **Seconded: Clr Karnib**

That the recommendation be adopted.

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

Councillors voted unanimously for this motion.

Note: Clr Hadid was not in the chambers when this item was voted on.

Clr Hadid returned to the chambers at 9.42pm

**NOTICES OF MOTION**

**NOMO 01**

**ITEM NO:** NOMO 01  
**FILE NO:**  
**SUBJECT:** CBD CLEAN UP DAY

**RECOMMENDATION**

That Council investigates the hosting of a clean-up day in the Liverpool City Centre that engages and involves the councillors, community, local businesses and council staff.

**COUNCIL DECISION**

**Motion:**                    **Moved: Cllr Hadid**                    **Seconded: Cllr Balloot**

That the recommendation be adopted.

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

**NOTICES OF MOTION OF RESCISSION**

**NOMR 01**

**ITEM NO:** NOMR 01  
**FILE NO:** 2012/0307  
**SUBJECT:** IHAP 01 – INTERSECTION UPGRADE ROAD WORKS OF GOVERNOR MACQUARIE DRIVE AND MUNDAY STREET WARWICK FARM

**RECOMMENDATION**

That Council rescinds the resolution relating to item IHAP 01 – Intersection upgrade road works of Governor Macquarie Drive and Munday Street, Warwick Farm from the 5 November 2012 Council meeting.

Signed by Mayor Mannoun, Clr Harle and Clr Ristevski.

**COUNCIL DECISION**

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

That Council withdraws the rescission motion.

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

**INDEPENDENT HEARING AND ASSESSMENT PANEL REPORT**

**IHAP 01**

**ITEM NO:** IHAP 01  
**FILE NO:** DA-449/2012  
**SUBJECT:** DEMOLITION OF EXISTING BUILDING AND STRUCTURES ON LOT 2 AND LOT 23, CONSOLIDATION OF EXISTING FOUR LOTS INTO TWO LOTS, INSTALLATION OF TRAFFIC SIGNALS AND ASSOCIATED CIVIL WORKS AT THE INTERSECTION OF HUME HIGHWAY, GRAHAM AVENUE AND HOLSTON STREET, RELOCATION OF BUS SHELTER AND REMOVAL OF UNDERGROUND PETROLEUM STORAGE SYSTEM

**RECOMMENDATION**

That Council:

1. Approves Development Application DA449/2012 which seeks consent for the demolition of existing building and structures on Lot 2 and 23, consolidation of existing four lots into two lots, installation of traffic signals and associated civil works at the intersection of Hume Highway, Graham Avenue, Holston Street, relocation of bus shelter and removal of underground petroleum storage system at 3 Graham Avenue and 449, 451 and 453 Hume Highway Casula subject to conditions of consent.
2. Supports the variation to Clause 4.1 of LLEP 2008 pertaining to minimum subdivision lot size made pursuant to Clause 4.6.
3. Notifies interested parties of Council's decision.

**COUNCIL DECISION**

**Motion:**                    **Moved: Cllr Waller**                    **Seconded: Cllr Karnib**

That the recommendation be adopted.

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

Councillors voted unanimously for this motion.

**IHAP 02**

**ITEM NO:** IHAP 02  
**FILE NO:** DA-474/2012  
**SUBJECT:** DEVELOPMENT APPLICATION DA-474/2012 : CONSTRUCTION OF MCDONALDS

**RECOMMENDATION**

That Council:

1. Approves Development Application DA474/2012 which seeks consent for the construction of a McDonalds and McCafe with an associated drive-through facility, signage, car parking and landscaping at 449, 451 and 453 Hume Highway, Casula subject to conditions of consent.
2. Approves the 24 hour operation of the development.
3. Supports the variation to Clause 7.15 of LLEP 2008 pertaining to minimum building street frontage, made pursuant to Clause 4.6.
4. Notifies interested parties of Council's decision.

**COUNCIL DECISION**

**Motion:**                      **Moved: Clr Stanley**                      **Seconded: Clr Shelton**

That Council:

1. Approves Development Application DA474/2012 which seeks consent for the construction of a McDonalds and McCafe with an associated drive-through facility, signage, car parking and landscaping at 449, 451 and 453 Hume Highway, Casula subject to conditions of consent.
2. Approves hours of operation 6.30am to 11.30pm seven days a week.
3. Supports the variation to Clause 7.15 of LLEP 2008 pertaining to minimum building street frontage, made pursuant to Clause 4.6.
4. Notifies interested parties of Council's decision.

**Foreshadowed Motion: Moved: Cllr Ristevski**

That Council

1. Defers Development Application DA474/2012 which seeks consent for the construction of a McDonalds and McCafe with an associated drive-through facility, signage, car parking and landscaping at 449, 451 and 453 Hume Highway, Casula.
2. Undertakes a site visit.
3. Reports back to Council Meeting on the 19 December 2012.

On being put to the meeting the motion was declared CARRIED and the foreshadowed motion LAPSED.

For: Cllr Waller, Cllr Mamone, Cllr Shelton, Cllr Balloot, Cllr Karnib, Cllr Stanley,  
Cllr Hadid, Cllr Hadchiti

Against: Cllr Harle, Cllr Ristevski, Mayor Mannoun

**IHAP 03**

**ITEM NO:** IHAP 03  
**FILE NO:** DA-1382/2012  
**SUBJECT:** FIT OUT AND OCCUPATION OF UNIT NO: 1 FOR THE PURPOSES OF A RECREATION FACILITY (GYMNASIUM) TO OPERATE 24 HOURS A DAY, 7 DAYS A WEEK

**RECOMMENDATION**

That Council:

1. Approves DA-1382/2012 for the fit out and occupation of unit no: 1 for the purposes of a recreation facility (gymnasium) to operate 24 hours a day, 7 days a week located at Cnr Lot 132 DP 746133, 167 Newbridge Road (corner of Governor Macquarie Drive) Chipping Norton NSW 2170 subject to conditions of consent.
2. Notifies the persons who made a submission with regard to the proposed development in writing of Council's decision.

**COUNCIL DECISION**

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

That the recommendation be adopted.

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

Councillors voted unanimously for this motion.

**IHAP 04**

**ITEM NO:** IHAP 04  
**FILE NO:** D/130/1998/B  
**SUBJECT:** MODIFICATION TO DEVELOPMENT CONSENT D/130/1998  
PURSUANT TO SECTION 96AA OF THE ENVIRONMENTAL  
PLANNING AND ASSESSMENT ACT 1979.  
THE APPLICATION SEEKS TO AMEND CONDITION NO. 11 OF THE  
CONSENT TO EXTEND THE HOURS OF OPERATION OF AN  
EXISTING BROTHEL

**RECOMMENDATION**

That Council:

1. Approves the Section 96(AA) modification of Development Application D30/1998 to permit extended hours of operation of the brothel at Lot 2 SPSP 52064 Suite 2 No. 24 Railway Street Liverpool subject to the modified conditions of consent contained within Draft Notice of Determination.
2. The person who made a submission with regard to the proposed development is notified in writing of Council's decision.

**COUNCIL DECISION**

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

That Council:

1. Refuse the Section 96(AA) modification of Development Application D30/1998 to permit extended hours of operation of the brothel at Lot 2 SPSP 52064 Suite 2 No. 24 Railway Street Liverpool for the following reasons:
  - a) Close proximity to the primary school;
  - b) A thoroughfare from the railway to the City Centre.
  - c) By the potential of putting the public at risk by using the back entrance as per the conditioning requirements.
  - d) Council previously resolved to prohibit brothels in the City Centre.
2. Notes that the court has already imposed hours of operation.

Cllr Waller left the chambers at 10:00pm.

Cllr Waller returned to the chambers at 10:02pm

For: Mayor Mannoun, Cllr Waller, Cllr Mamone, Cllr Ristevski, Cllr Balloot,  
Cllr Harle, Cllr Karnib, Cllr Stanley, Cllr Hadid, Cllr Hadchiti

Against: Cllr Shelton

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

**IHAP 05**

**ITEM NO:** IHAP 05  
**FILE NO:** DA-919/2012  
**SUBJECT:** PRIVATE USE OF 12 KENNELS WITHIN AN EXISTING FARM SHED BUILDING

**RECOMMENDATION**

That Council:

1. Development Application DA-919/2012 which proposes the use of 12 kennels within an existing farm shed at Lot 11 DP 2650, No. 27 Greendale Road, Bringelly be refused for the following reasons:
  - The subject Development Application has not sufficiently demonstrated consistency with RU1 - Primary Production zone objectives prescribed Liverpool Local Environmental Plan 2008 in that the development will not reduce land use conflict within the zone (Section 79C(1)(a)(i) of the Environmental Planning and Assessment Act 1979).
  - The subject Development Application has not demonstrated that the proposed development would not result in adverse acoustic impacts on the adjoining properties as a consequence of the operation of the development. (Section 79C(1)(b) of the Environmental Planning and Assessment Act 1979).
  - The subject Development Application has not demonstrated that the proposed development would not result in adverse environmental impacts in regards to waste water management, drainage and waste management as a consequence of the operation of the development. (Section 79C(1)(b) of the Environmental Planning and Assessment Act 1979).
  - The subject Development Application has not demonstrated that the site is suitable for the proposed development given the acoustic impacts associated with the operation of the proposed development. (Section 79C(1)(c) of the Environmental Planning and Assessment Act 1979).
  - The proposed development would be inappropriate having regard to the submissions received in respect to the subject Development Application (Section 79C(1)(d) of the Environmental Planning and Assessment Act 1979).
2. Notifies interested parties of Councils decision.

**COUNCIL DECISION**

**Motion:**                      **Moved: Cllr Harle**                      **Seconded: Cllr Stanley**

That Council:

1. Development Application DA-919/2012 which proposes the use of 12 kennels within an existing farm shed at Lot 11 DP 2650, No. 27 Greendale Road, Bringelly be refused for the following reasons:
  - The subject Development Application has not sufficiently demonstrated consistency with RU1 - Primary Production zone objectives prescribed Liverpool Local Environmental Plan 2008 in that the development will not reduce land use conflict within the zone (Section 79C(1)(a)(i) of the Environmental Planning and Assessment Act 1979).
  - The subject Development Application has not demonstrated that the proposed development would not result in adverse acoustic impacts on the adjoining properties as a consequence of the operation of the development. (Section 79C(1)(b) of the Environmental Planning and Assessment Act 1979).
  - The subject Development Application has not demonstrated that the proposed development would not result in adverse environmental impacts in regards to waste water management, drainage and waste management as a consequence of the operation of the development. (Section 79C(1)(b) of the Environmental Planning and Assessment Act 1979).
  - The subject Development Application has not demonstrated that the site is suitable for the proposed development given the acoustic impacts associated with the operation of the proposed development. (Section 79C(1)(c) of the Environmental Planning and Assessment Act 1979).
  - The proposed development would be inappropriate having regard to the submissions received in respect to the subject Development Application (Section 79C(1)(d) of the Environmental Planning and Assessment Act 1979).
2. Undertakes a site inspection of the property in consultation with the land owner to ensure all environmental standards concerning the management of waste and waste water are being adhered to concerning the approved four kennels under DA610/1987.
3. Notifies interested parties of Councils decision.

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

Councillors voted unanimously for this motion.

**GENERAL MANAGERS REPORT**

**GMRR 04**

**ITEM NO:** GMRR 04  
**FILE NO:** 2012/0369  
**SUBJECT:** DELEGATION OF AUTHORITY - CHRISTMAS / NEW YEAR RECESS

**RECOMMENDATION**

That Council:

1. Subject to the restrictions under Section 377 of the Local Government Act 1993, grants delegated authority to the Mayor and General Manager to determine matters reserved for Council from 19 December 2012 until the first scheduled Ordinary Meeting on 6 February 2013.
2. Receives a report from the General Manager of matters determined under this delegation at its meeting on 6 February 2013.

**COUNCIL DECISION**

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

That the recommendation be adopted.

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

Councillors voted unanimously for this motion.

**CORPORATE SERVICES REPORT****CORS 02**

**ITEM NO:** CORS 02  
**FILE NO:** 2009/0179  
**SUBJECT:** CODE OF MEETING PRACTICE

**RECOMMENDATION**

That Council:

1. Gives public notice of the revised Code;
2. Places the revised Code on exhibition for a period of 28 days;
3. Receives submissions for a period of not less than 42 days after the date on which the revised Code is placed on public exhibition;
4. Be provided with a further report following the receipt and review of any public submissions.

**COUNCIL DECISION**

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

That Council:

1. Gives public notice of the revised Code;
2. Places the revised Code on exhibition for a period of 28 days with the following amendments:
  - a) Make provision to allow a public forum for non - agenda items with each speaker limited to 3 minutes
  - b) Cut-off time for all speakers is 5pm a day prior to the Council Meeting.
3. Receives submissions for a period of not less than 42 days after the date on which the revised Code is placed on public exhibition;
4. Be provided with a further report following the receipt and review of any public submissions.

**Amendment:      Moved: Cllr Stanley      Seconded: Cllr Karnib**

That Council:

1. Gives public notice of the revised Code;
2. Places the revised Code on exhibition for a period of 28 days;
3. Receives submissions for a period of not less than 42 days after the date on which the revised Code is placed on public exhibition;
4. Be provided with a further report following the receipt and review of any public submissions.
5. Page 299 item 9 voting on all planning matters...

On being put to the meeting the amendment was declared LOST, the motion moved by Cllr Hadchiti was declared CARRIED.

**CORS 03**

**ITEM NO:** CORS 03  
**FILE NO:** 2010/0786  
**SUBJECT:** PROPOSED EASEMENT FOR 33KV OVERHEAD POWERLINES  
OVER LOT 10 DP 881265, MILL PARK, CASULA

**RECOMMENDATION**

That Council:

1. Grants an easement for overhead powerlines to Endeavour Energy over Lot 10 DP 881265, Mill Park, Casula, as shown on the attached plan of easements;
2. Keeps confidential the attachment supplied under separate cover containing the compensation amount, pursuant to the provisions of Section 10A(2)(c) of the Local Government Act 1993 as this information would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business;
3. Authorises the relevant documentation necessary for the formalisation of the easement to be signed under Power of Attorney by Council's delegated officer;
4. Transfers the compensation amount detailed in the confidential attachment to the Property Development Reserve.

**COUNCIL DECISION**

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

That the recommendation be adopted.

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

Councillors voted unanimously for this motion.

**CORS 04**

**ITEM NO:** CORS 04  
**FILE NO:** 2012/0308  
**SUBJECT:** ACQUISITION OF PART LOT 1 DP 1170977 KURRAJONG ROAD,  
PRESTONS FOR THE EXTENSION OF KURRAJONG ROAD

**RECOMMENDATION**

That Council:

1. Moves into closed session prior to the conclusion of the meeting with the press and public excluded, for the purpose of further discussion, pursuant to the provisions of Section 10A(2)(C) of the Local Government Act 1993.
2. Approves the acquisition of part Lot 1 DP 1170977 Kurrajong Road, Prestons, containing an area of approximately 420 square metres for the price and terms outlined in the confidential attachment;
3. Dedicates the constructed road area as road in accordance with the Roads Act 1993;
4. Keeps confidential the report supplied under separate cover containing the acquisition price pursuant to the provisions of Section 10A(2)(c) of the Local Government Act 1993 as this information would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business;
5. Authorises its delegated officer to execute any documents, under Power of Attorney necessary to give effect to this decision.

**COUNCIL DECISION**

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

That Council:

1. Approves the acquisition of part Lot 1 DP 1170977 Kurrajong Road, Prestons, containing an area of approximately 420 square metres for the price and terms outlined in the confidential attachment;
2. Dedicates the constructed road area as road in accordance with the Roads Act 1993;
3. Keeps confidential the report supplied under separate cover containing the acquisition price pursuant to the provisions of Section 10A(2)(c) of the Local Government Act 1993 as this information would, if disclosed, confer a commercial

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

4. Authorises its delegated officer to execute any documents, under Power of Attorney necessary to give effect to this decision.

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

Councillors voted unanimously for this motion.

**CORS 05**

**ITEM NO:** CORS 05  
**FILE NO:** 2012/2695  
**SUBJECT:** ACQUISITION OF PART LOT 312 DP 2475, 160 FLYNN AVENUE,  
MIDDLETON GRANGE FOR DRAINAGE PURPOSES

**RECOMMENDATION**

That Council:

1. Approves the acquisition of part Lot 312 DP 2475, 160 Flynn Avenue, Middleton Grange, containing an area of approximately 750.1 square metres for the price and terms outlined in the confidential attachment;
2. Upon settlement of the acquisition, classifies part Lot 312 DP 2475, 160 Flynn Avenue, Middleton Grange as 'Community' land;
3. Keeps confidential the attachment supplied under separate cover containing the acquisition price pursuant to the provisions of Section 10A(2)(c) of the Local Government Act 1993 as this information would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business;
4. Authorises its delegated officer to execute any document, under Power of Attorney necessary to give effect to this decision.

**COUNCIL DECISION**

**Motion:**                      **Moved: Cllr Stanley**                      **Seconded: Cllr Harle**

That the recommendation be adopted.

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

**CORS 06**

**ITEM NO:** CORS 06  
**FILE NO:** 2007/1892  
**SUBJECT:** STATUTORY INVESTMENT REPORT OCTOBER 2012

**RECOMMENDATION**

That Council receives and notes the report.

**COUNCIL DECISION**

**Motion:**                    **Moved: Cllr Stanley**                    **Seconded: Cllr Hadchiti**

That the recommendation be adopted.

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

**CITY PLANNING REPORTS**

**PLAN 04**

**ITEM NO:** PLAN 04  
**FILE NO:** RZ-2/2012  
**SUBJECT:** DRAFT AMENDMENT NO. 27 TO LIVERPOOL LOCAL ENVIRONMENTAL PLAN 2008 - REVISED PLANNING PROPOSAL

**RECOMMENDATION**

That Council:

1. Forwards a copy of the revised Planning Proposal to the Department of Planning and Infrastructure seeking a revised Gateway Determination.
2. Following receipt of the Gateway determination proceeds with public exhibition.

**COUNCIL DECISION**

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

That the recommendation be adopted.

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

Councillors voted unanimously for this motion.

**PLAN 06**

**ITEM NO:** PLAN 06  
**FILE NO:** DA-591/2012  
**SUBJECT:** VOLUNTARY PLANNING AGREEMENT ACCOMPANYING  
DEVELOPMENT APPLICATION DA-591/2012

**RECOMMENDATION**

That Council:

1. Accepts the offer of a Voluntary Planning Agreement accompanying DA-591/2012.
2. Delegates to the General Manager to execute the deeds and affix the seal of Council.

**COUNCIL DECISION**

**Motion:**                    **Moved: Cllr Stanley**                    **Seconded: Cllr Hadchiti**

That the recommendation be adopted.

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

Councillors voted unanimously for this motion.

**PLAN 07**

**ITEM NO:** PLAN 07  
**FILE NO:** DA-590/2012  
**SUBJECT:** VOLUNTARY PLANNING AGREEMENTS ACCOMPANYING  
DEVELOPMENT APPLICATION FOR SUBDIVISION IN MIDDLETON  
GRANGE

**RECOMMENDATION**

That Council:

1. Accepts the offer of a Voluntary Planning Agreement accompanying DA-590/2012.
2. Delegates to the General Manager to execute the deeds and affix the seal of Council.

**COUNCIL DECISION**

**Motion:**                    **Moved: Cllr Hadid**                    **Seconded: Cllr Waller**

That the recommendation be adopted.

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

Councillors voted unanimously for this motion.

**CITY SERVICES REPORT**

**CITS 01**

**ITEM NO:** CITS 01  
**FILE NO:** 2012/1909  
**SUBJECT:** CLOSED CIRCUIT TELEVISION (CCTV) IN LIVERPOOL CBD

**RECOMMENDATION**

That Council receive and note this report

**COUNCIL DECISION**

**Motion:**                    **Moved: Cllr Waller**                    **Seconded: Cllr Shelton**

That Council:

1. Receives and notes the report.
2. Considers as an option paying for the installation of at least one camera facing the mall within business within the CBD.
3. Considers the option of future CBD businesses as a requirement of their DA they install at least one working camera facing the mall or street.

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

Councillors voted unanimously for this motion.

**Motion:**                    **Moved: Cllr Waller**                    **Seconded: Cllr Harle**

That an extension of time be granted until 11.30pm.

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

**CITY ASSETS REPORT**

**ASST 01**

**ITEM NO:** ASST 01  
**FILE NO:** 2011/5071  
**SUBJECT:** DRAFT PERMIT PARKING POLICY

**RECOMMENDATION**

That Council:

1. Receives and notes the report.
2. Adopts the amended Draft Permit Parking Policy and associated fees.
3. Install appropriate signage in consultation with RMS for the implementation of the resident parking scheme.
4. In the first year provides parking permits to eligible residents free of charge and thereafter applies full cost recovery.
5. Includes the introduction of the Permit Parking Policy in its communication strategy.

**COUNCIL DECISION**

**Motion:**                      **Moved: Cllr Hadchiti**                      **Seconded: Cllr Harle**

That Council defers reports ASST 01 and 02 for a discussion at the next briefing session and prepare a report to the next Council Meeting.

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