



**MINUTES OF THE ORDINARY MEETING
HELD ON 2 FEBRUARY 2022**

PRESENT:

Mayor Ned Mannoun
Councillor Ammoun
Councillor Goodman
Councillor Green
Councillor Hadid
Councillor Hagarty
Councillor Harle
Councillor Kaliyanda
Councillor Karnib
Councillor Macnaught
Councillor Rhodes
Mr Peter Diplas, Acting Chief Executive Officer
Mr Paul Perrett, Director Corporate Services
Ms Tina Bono, Director Community & Culture
Ms Nada Mardini, Acting Director Planning & Compliance
Mr Raj Autar, Director Infrastructure & Environment
Mr John Morgan, Director, Economy & Commercial Development
Ms Jennifer Chenhall, General Counsel, Manager Governance, Legal and Procurement
Ms Ellen Whittingstall, Internal Ombudsman
Mr Vishwa Nadan, Chief Financial Officer
Ms Lina Kakish, Manager City Planning
Ms Anthea Desmond, Acting Manager Communications
Mr Charles Wiafe, Service Manager Transport Management
Mr George Georgakis, Manager Council and Executive Services
Ms Susan Ranieri, Coordinator Council and Executive Services (minutes)

The meeting commenced at 6.07pm

STATEMENT REGARDING WEBCASTING OF MEETING

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

ACKNOWLEDGMENT OF COUNTRY, PRAYER OF COUNCIL AND AFFIRMATION

The prayer of the Council was read by Reverend Paul Mosiejczuk from Liverpool Baptist Church

NATIONAL ANTHEM

The National Anthem was played at the meeting.

STATEMENT REGARDING OATH AND AFFIRMATION OF OFFICE (read by the Acting CEO)

Under Section 233A of the Local Government Act 1993, the Mayor and Councillors are required to take an oath or make an affirmation of office.

Oaths or affirmations of office must be taken or made by each Councillor at or before the first meeting of the Council after being elected.

For the purposes of these meeting minutes, I advise that the Mayor and all Councillors took an oath or affirmation of office at a ceremony held on 27 January 2022.

APOLOGIES

Nil.

CONDOLENCES

1. Beverley Joan (Bev) Barfield
2. William Patrick (Bill) Sadler

ITEM NO: COND 01
FILE NO: 028572.2022
SUBJECT: **Condolence Motion - Beverley Joan (Bev) Barfield** (read by Mayor Mannoun)

Tonight, we pause to honour the memory of Beverley Joan Barfield, known as Bev Barfield, who passed away last month. She was a prolific contributor to the preservation and promotion of Liverpool's history and heritage.

Bev Barfield was born Beverley Joan Whitney in Lismore NSW in 1941. In 1952 the Whitney family moved to Hargrave Park (now part of Warwick Farm), which was the beginning of Bev's ongoing connection with the Liverpool area. At Hargrave Park her father worked as a Fire Brigade Officer and the family lived in a Nissen hut, a prefabricated metal structure. Bev also had fond memories of swimming in Cabramatta Creek.

In 1954 Bev started at Liverpool Girls High School in one of their earliest student intakes. After school she worked at the Daily Telegraph. She met Alan Barfield at Liverpool Baptist Church, and they later married at the same church in 1963.

Bev and Alan Barfield's first home was at 22nd Avenue, West Hoxton, and their children Sharon and Peter were born while they were living there. The Barfield family moved outside the Liverpool LGA in 1972, to Kent Street, Minto, where their youngest daughter Jennifer was born. Despite living slightly outside Liverpool's boundaries, Mrs Barfield's strong connection to the area remained.

Volunteering was a significant part of Bev Barfield's life. Her daughter Jennifer also attended Liverpool Girls High School and Mrs Barfield volunteered at her old school's canteen for many years. Her volunteer contribution continued when in 2004 she became a member of the Friends of Liverpool Regional Museum and Collingwood House.

Collingwood House, built by Captain Eber Bunker from 1810, was one of Bev Barfield's great passions, and she served on the Collingwood House Committee as Treasurer and then as Secretary for many years. Council often called on her to open Collingwood House for tours and school programs, which included the cleaning and preparation of the historic house for visitors. Her work has ensured Collingwood House has survived in excellent condition up until the present day.

Bev Barfield was also a member of the City of Liverpool and District Historical Society for many years, serving on the committee and helping in the archives. As a keen family historian Bev Barfield also joined the Liverpool Genealogy Society in 2004 and remained a member until 2020, when failing health meant she could no longer travel.

ITEM NO: NOM 03
FILE NO: 017722.2022
SUBJECT: Moorebank Intermodal - Noise Abatement Community Engagement

Background

In December 2019 the Independent Planning Commission gave conditional consent to Moorebank Intermodal Precinct West Concept + Stage 1 (SSD 5066) *Modification 1* and Moorebank Intermodal Precinct West Stage 2 (SSD 7709) after 3 years of assessment and negotiation between the DPIE and Qube.

MPW Concept Modification 1 (SSD 5066) was originally exhibited in July - August 2016 and re-exhibited in December 2016. MPW Stage 2 (SSD 7709) was originally exhibited in October - November 2016.

Both Liverpool City Council and RAID Moorebank Inc were among the 1000s of local objectors across the July 2016 - February 2017 exhibitions. Based on the statutory deadline falling in the Christmas holidays and outside Council's meeting schedule RAIDM Inc. undertook lodgment of a Class 1 Appeal of MPW Stage 2 (SSD 7709) on behalf of the community at large. Liverpool City Council resolved in early 2020 to support and fund this appeal.

- Due to delay in disbursing funds the proceedings ultimately lasted from Jan 2020 until the end of June 2021. The most significant contributing factor was the later Moorebank Intermodal Precinct West Concept + Stage 1 (SSD 5066) *Modification 2* and West Stage 2 (SSD 7709) *Modification 1* which was notified on 24 December 2021 and had the effect of quadrupling the scope of the appeal and thus at minimum doubling its cost.
- The modifications in concert with a frustrated (s34) Conciliation and Subpoena process effectively consumed the resolved budget by January 2021. RAIDM Inc informed the Acting General Manager, Acting Planning Director and new General Counsel of this circumstance at that time and made request of further funding to cover the extended scope and finish the appeal (= adding a Junior Counsel and a Visual Expert with extended work to be done by existing Instructing Solicitor, Senior Counsel and Traffic, Air and Noise Experts)

In the February, March and April 2021 meetings Liverpool City Council declined to contribute the necessary additional funding. \$300,000 had been allocated and disbursed and a further \$285,000 - \$440,00 was sought by RAIDM Inc. on the basis that unused monies would be returned.

As a consequence RAIDM Inc. and the appeal was without a barrister as of March 2021 and was without a solicitor (any formal representation) from April 2021. The final hearing was

selected by the court in January 2021 for a 7 day hearing in June 2021. To ensure that the appeal and \$300,000 in ratepayers funds didn't come to naught, and importantly to ensure the community had its day in court RAIDM Inc. resolved to select an "Agent" who could represent RAIDM Inc. and the appeal at the Bar table.

The Vice President of RAIDM Inc. was selected and as a layperson ran the appeal in place of the barrister. Before the end of the hearing and reservation of judgement by the Senior Commissioner, RAIDM Inc. had secured an additional Noise Pollution Condition (140 & 140A). In principal this condition would see \$15mil worth of ineffective noise walls be converted into localised in home noise abatement.

A possible \$15mil of benefit and the priceless long-term health and amenity outcomes for a portion of Liverpool is a 50 fold return on the Liverpool Council investment of \$300,000. In funding to RAID to prepare and lodge the Appeal in the L&E Court.

NOTICE OF MOTION (submitted by Cllr Rhodes)

That Council:

1. Direct the CEO to prepare and execute:
 - a. A communication and engagement strategy to inform all relevant residents of Casula regarding the additional noise condition placed on Moorebank Intermodal (MPW S2) and the potential access to \$30,000 in onsite (their home) noise abatement (double glazing and air conditioning) so as to collect information and interest in having their homes assessed;
 - b. A liaison and advocacy strategy with the relevant stakeholders (DPIE and Qube) to facilitate 1a, and ensure all eligible residents have access to the assessment process agreed to by DPIE and Qube; and
2. Allocate resources for compliance and planning management that will pursue all mitigating conditions to full effect. In this instance Condition 140 and the new 140A

ITEM NO: NOM 04
FILE NO: 018362.2022
SUBJECT: Liverpool Garden Competition

Background

Many local governments across Australia run garden competitions to encourage pride in our streetscapes and local communities, as well as create teaching and learning opportunities for people within our communities who are interested in gardens and gardening.

During the pandemic, we have seen a greater appreciation for our local natural environment and green spaces as we work from home and take on new hobbies.

A local Liverpool Garden Competition is a fabulous opportunity to celebrate the many passionate gardeners who have made a difference to our community spaces through gardening and the competition gives us an opportunity to hear their stories. Over the years, more people understand that we are dealing with more difficult conditions including drought, flood and fire and there has been a greater interest in sustainability – how the garden is created and maintained.

Therefore, the competition could also be an opportunity to help more people within our community understand the principles and practices of sustainable gardening.

It should engage and encourage entries from young aspiring green thumbs (children) to older green thumbs (seniors), individual gardeners, families, community groups, cultural groups, gardeners with different abilities, commercial organisations and school communities.

Categories could include:

- Best Large Garden
- Best Small Garden
- Best Courtyard/Balcony Garden
- Best Edible Garden
- Best Native & Habitat-friendly Garden
- Best School Garden
- Best Non-residential Garden
- Best Bushcare Site
- Best Community Garden

4. Provide a budget allocation of \$50,000 from the general reserve to be able to deliver this extra level of service.
5. Note the CEO's comments, in particular:
 - o a comprehensive Parks Operational Review has been underway since 2021 and is due for completion in the first half of this year
 - o a scheduled cleaning program is in place for the parks' toilet amenities
 - o an initial review of bins throughout the LGA was conducted in 2021
6. Explore a trial program of smart bins in a high profile and high traffic park and report back to Council on the progress of this trial at the July 2022 meeting.
7. Explore the use of FOGO bins in public parks once it is introduced to regular household waste.
8. Make maintenance request calls easier for the public by publishing Council's Customer Service Request details in parks and public toilets. Such signs were previously placed in the rural areas and this should now be extended to the local urban parks as well.

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

2. Create a charter based on similar Council committees with the following points of reference
 - a. Maximising access for all residents of and visitors to Liverpool access to the river for recreation, transport and leisure
 - b. To investigate and advise the appropriate urban and ecological regeneration of the river
 - c. Advise on a holistic, deliverable vision and plan for the river – for the short, medium and long term
3. Work constructively with all relevant stakeholders to achieve this vision.
4. Appoint all Councillors as members of the committee.
5. Charter to be presented to the Council at the next Council meeting.
6. Call for EOI as soon as possible after the adoption of the Charter for community members and stakeholders.

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

ITEM NO: MAYOR 02
FILE NO: 018548.2022
SUBJECT: 30km/h Speed Limit Pilot Program in the Liverpool City Centre Core

Background

Transport for NSW (TfNSW) implemented a 30km/h speed limit in the Liverpool city centre core as part of a pilot program trial in Liverpool and Manly city centres in July 2020, as part of a COVID19 response to support more active travel and reduce crashes.

TfNSW is yet to complete its assessment of the pilot program and advise Council on the outcome, or whether the reduced speed limit would be introduced in other central business districts.

In meantime the community has been expressing concerns about the reduced speed limit, the through road sections with the reduced speed limits, when assessment of the pilot program will be completed, and whether infringements are being issued (and hence revenue raising).

The community concerns includes whether the reduced speed limit should only apply to the streets in the centre core such as George Street and Northumberland Street.

Council previously investigated changing George Street and Northumberland Street to two-way streets. Such arrangement could reduce traffic speed and help to achieve the reduced speed TfNSW is seeking to achieve, in the city centre core.

Current reduced traffic volumes may also give a result that the pilot program has resulted in reduced crashes in the city centres, and that the program has been successful.

In response to community concerns, TfNSW is to be requested to complete its assessment of the pilot program and provide its findings to the Council for its input, including community feedback on the implementation of a speed limit in the city centre. A letter should also be written to the Minister for Metropolitan Roads on the issue.

RECOMMENDATION

That Council directs the CEO to:

1. Write to TfNSW and the Minister for Metropolitan Roads requesting the 30km/h speed limit be lifted to 40km/h, similar to other city centres;
2. Organise meetings with the Minister and or other relevant stakeholders to achieve this; and
3. Prioritise this as a matter of urgency.

ITEM NO: MAYOR 03
FILE NO: 028886.2022
SUBJECT: 100 Day Plan

RECOMMENDATION

That Council direct the CEO to:

1. Start the process for a development application to be prepared for the following swimming pool projects:
 - a. Carnes Hill Swimming Pool
 - b. A swimming pool to replace the Holsworthy Swimming Pool
2. Start the process for a development application to be prepared for the following parking projects:
 - a. Northumberland Street Carpark
 - b. Bathurst Street Carpark
 - c. Eat Street Carpark (on Macquarie/Terminus Streets)
3. Investigate and prepare a report on creating 500 additional parking spots in Liverpool CBD and making current parking more accessible, focussing on the Northumberland Street carpark.
4. Investigate suitable locations for car parks near Liverpool Hospital and Liverpool Railway Station.
5. Commence the design process for a continuous cycle/walk track along the Georges River (from Casula through to Liverpool to Pleasure Point) and enter discussions with private landowners along the riverfront seeking to grant Council access/right of carriageway over their land for the community.
6. Commence design work to upgrade Chipping Norton Lake parklands with the inclusion of a new park on the corner of Riverside Road and Newbridge Road.
7. Commence investigations into upgrades of the following roads:
 - a. 15th Avenue from Kingsford Smith Avenue to Cowpasture Road
 - b. Qantas Boulevard, with a focus on increasing the capacity for north bound exiting onto Cowpasture Road.

8. Take all necessary steps to progress Council to become a Net Zero Council. Council should acknowledge that the environment is our most precious asset and proactively work to reduce pollution in our local community, and protect and enhance our waterways and natural environment by ensuring:
 - a. All new buildings that are being built consider solar/geothermal/tree canopy/stormwater and provide a proactive resource to assist developers etc with this process in a cost-effective fashion
 - b. The tree canopy on our streets is increased to tackle the urban heat island affect that is happening in our suburbs
 - c. Work is carried out to establish electric recharge stations in our LGA
 - d. Paper use at Council is significantly reduced as much as possible
 - e. Opportunities are identified for Council to install solar panels on Council land
9. Investigate bringing back the major event 'Starry Sari Night' and the night markets in the Liverpool CBD as part of the 2022 Events program.
10. Improve amenity and activation of public spaces by investigating more opportunities for food trucks/pop ups, in but not limited to, Bigge Park, Chipping Norton Lakes, Casula Parklands.
11. Investigate and bring a report back to Council on the establishment of an Austral Delivery Unit. The Delivery Unit would be a dedicated team of professionals for the purposes of:
 - a. Making sure that Austral is a community with high living standards for its residents
 - b. Improve the urban design of the community
 - c. Provide consistency in development assessment
 - d. Being potentially located in Austral (subject to a further report on cost)
 - e. Improving the tree canopy that is being destroyed
 - f. Investigating methods of forward funding infrastructure, including but not limited to, parks, roads, and drainage
 - g. Providing advocacy that leads to more affordable housing and improved transport connections (such as 15th Avenue upgrade and Sydney Water sewerage delay)
12. Start the process of refining the ongoing service measures for development assessment services for the next iteration of the Delivery Program and Operational Plan to ensure consistent and clear assessment times are being provided to people

3. Investigate and prepare a report on creating 500 additional parking spots in Liverpool CBD and making current parking more accessible, focussing on the Northumberland Street carpark.
4. Investigate suitable locations for car parks near Liverpool Hospital and Liverpool Railway Station.
5. Commence the design process for a continuous cycle/walk track along the Georges River (from Casula through to Liverpool to Pleasure Point) and enter discussions with private landowners along the riverfront seeking to grant Council access/right of carriageway over their land for the community.
6. Commence design work to upgrade Chipping Norton Lake parklands with the inclusion of a new park on the corner of Riverside Road and Newbridge Road.
7. Commence investigations into upgrades of the following roads:
 - a. 15th Avenue from Kingsford Smith Avenue to Cowpasture Road
 - b. Qantas Boulevard, with a focus on increasing the capacity for north bound exiting onto Cowpasture Road.
8. Take all necessary steps to progress Council to become a Net Zero Council. Council should acknowledge that the environment is our most precious asset and proactively work to reduce pollution in our local community, and protect and enhance our waterways and natural environment by ensuring:
 - a. All new buildings that are being built consider solar/geothermal/tree canopy/stormwater and provide a proactive resource to assist developers etc with this process in a cost-effective fashion
 - b. The tree canopy on our streets is increased to tackle the urban heat island affect that is happening in our suburbs
 - c. Work is carried out to establish electric recharge stations in our LGA
 - d. Paper use at Council is significantly reduced as much as possible
 - e. Opportunities are identified for Council to install solar panels on Council land and buildings
 - f. Council adopts a trial for electric vehicles as part of zero net emissions and enter into discussions with petrol stations and sites for powering stations for these vehicles.
9. Investigate bringing back the major event 'Starry Sari Night' and the night markets in the Liverpool CBD as part of the 2022 Events program.

10. Improve amenity and activation of public spaces by investigating more opportunities for food trucks/pop ups, in but not limited to, Bigge Park, Chipping Norton Lakes, Casula Parklands.
11. Investigate and bring a report back to Council on the establishment of an Austral Delivery Unit. The Delivery Unit would be a dedicated team of professionals for the purposes of:
- a. Making sure that Austral is a community with high living standards for its residents
 - b. Improve the urban design of the community
 - c. Provide consistency in development assessment
 - d. Being potentially located in Austral (subject to a further report on cost)
 - e. Improving the tree canopy that is being destroyed
 - f. Investigating methods of forward funding infrastructure, including but not limited to, parks, roads, and drainage
 - g. Providing advocacy that leads to more affordable housing and improved transport connections (such as 15th Avenue upgrade and Sydney Water sewerage delay)
12. Start the process of refining the ongoing service measures for development assessment services for the next iteration of the Delivery Program and Operational Plan to ensure consistent and clear assessment times are being provided to people lodging DAs, subject to the size and scale of each application.
13. Prepare a planning proposal to lower the height of buildings development standards in the Liverpool Local Environmental Plan 2008 down to 12m in the following suburbs:
- a) Chipping Norton
 - b) Wattle Grove
 - c) Hammondville
 - d) Casula
 - e) Prestons
 - f) Carnes Hill
 - g) Cecil Hills
 - h) Green Valley

Council notes that the planning proposal is required to be considered by the Liverpool Local Planning Panel prior to being reported back to Council on a decision on

whether to forward the planning proposal to the Department of Planning and Environment seeking a Gateway determination.

14. Start the process to create a new Liverpool LEP as a matter of urgency.
15. Notes that planning was underway during the last term of Council for the following:
 - a. Carnes Hill Swimming Pool
 - b. A new swimming pool in the Holsworthy area
 - c. Additional car parking in the CBD
 - d. A continuous cycle/walk track along the Georges River (from Casula through to Liverpool to Pleasure Point)
 - e. The upgrade of Chipping Norton Lake parklands
 - f. The upgrade of Fifteenth Avenue
 - g. The upgrade of Qantas Boulevard
 - h. Increased tree canopy on our streets
 - i. Fast charge electric recharge stations in our LGA
 - j. Opportunities for Council to install solar panels on Council land
 - k. Opportunities for food trucks/pop ups on public land
 - l. A comprehensive review of the Local Environment Plan (LEP)
16. Notes that parking at Liverpool Hospital and Liverpool Railway Station is the responsibility of the State Government and work with the State Government for additional parking near these sites
17. That the above be incorporated into the process for consideration into the new Community Strategic Plan.
18. Where appropriate, undertake community consultation on the above.
19. Funding be provided from the unrestricted reserves to fund these projects.
20. That Council receive a report back in order to secure more money on Council being proactive in finding and securing grants.
21. Councillors be briefed monthly, or quarterly, on the progress of the 100 day plan and a progress report be put on the website.

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

ITEM NO: MAYOR 04
FILE NO: 891975.2022
SUBJECT: Tonga Tsunami Event 2022

On 15 January 2022 an underground volcano erupted within the Kingdom of Tonga, sending tsunami waves crashing into the Tongan shore.

The tsunami devastated the country's infrastructure and wiped out all buildings on some small islands. It also damaged the sole undersea cable that connects Tonga's communications to the rest of the world, putting the country in near total isolation.

Council values the contribution Tongan Australians have made to the rich fabric of Liverpool. Many people in the Liverpool Local Government remain deeply distressed about the devastation the tsunami has caused and its impact on Tonga and have concerns for the safety and welfare of their family and friends who remain in Tonga.

On behalf of Liverpool City Council, I express my deepest condolences to the families and friends of those who lost their lives during this natural disaster, and my thoughts and prayers are with the people who were injured in the tsunami. To the people of Tonga and all Tongan Australians, I offer my solidarity and support on behalf of all Councillors during this difficult time.

RECOMMENDATION

That Council:

- Write to the Honorary Consul-General of Tonga expressing our support and condolences; and
- Provide financial assistance of up to \$10,000 towards helping the local Tongan community to send relief care packages to their families in Tonga
- Work with the Consulate-General of the Kingdom of Tonga to coordinate the shipping of relief care packages through Rotary Tonga.

COUNCIL DECISION

Motion: **Moved: Mayor Mannoun**

That the recommendation be adopted.

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

Councillors voted unanimously for this motion.

ITEM NO: CORP 03
FILE NO: 020053.2022
SUBJECT: Appointment of Councillors to Committees and Affiliated Bodies

COUNCIL DECISION

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

That Council:

1. Appoint Councillors as representatives to the following Committees for the period to September 2022:

Aboriginal Consultative Committee	
<i>Representatives</i>	Mayor (or delegate) and one Councillor
<i>Representatives 2022</i>	Mayor Mannoun and Clr Green

Audit, Risk and Improvement Committee	
<i>Representatives</i>	<p>The Office of Local Guidelines state that one – two Councillors are to be appointed, and that the Mayor is not to be appointed.</p> <p>In addition, two to three external independent members, at least one with financial expertise and one of whom is to be the Chair.</p> <p>Council's current Charter states that the Deputy Mayor and one Councillor is to be appointed.</p> <p>The Mayor and other Councillors can attend, however do not have voting rights.</p>
<i>Representatives 2022</i>	Deputy Mayor Rhodes and Clr Harle

Casula Powerhouse Arts Centre (CPAC) Board.	
Proposed name change to CPAC Advisory Committee.	
<i>Representatives</i>	Mayor (or delegate), Deputy Mayor, and one Councillor
<i>Representatives 2022</i>	Deputy Mayor Rhodes, Clr Goodman and Clr Kaliyanda

Companion Animal Advisory Committee	
<i>Representatives</i>	Mayor (or delegate), and one Councillor
<i>Representatives 2022</i>	Mayor Mannoun and Deputy Mayor Rhodes

District Forums	
<i>Representatives</i>	One Councillor to chair.
<i>Rural District Chairperson 2022</i>	Clr Harle
<i>New Release/Established District Chairperson 2022</i>	Clr Hagarty
<i>2168 District Chairperson 2022</i>	Clr Green
<i>Eastern District Chairperson 2022</i>	Deputy Mayor Rhodes

Environment Advisory Committee	
<i>Representatives</i>	Two Councillors
<i>Representatives 2022</i>	Clr Harle, Clr Ammoun and Clr Kaliyanda

Heritage Advisory Committee	
<i>Representatives</i>	Two Councillors
<i>Representatives 2022</i>	Clr Harle and Clr Hadid

Intermodal Precinct Committee	
<i>Representatives</i>	Two Councillors
<i>Representatives 2022</i>	Deputy Mayor Rhodes and Clr Macnaught

Liverpool Access Committee	
<i>Representatives</i>	Mayor (or delegate) and one Councillor
<i>Representatives 2022</i>	Clr Harle

Liverpool Sports Committee	
<i>Representatives</i>	Mayor (or delegate)
<i>Representatives 2022</i>	Clr Ammoun and Clr Goodman

Tourism & CBD Committee	
<i>Representatives</i>	Mayor (or delegate) and four Councillors
<i>Representatives 2022</i>	Deputy Mayor Rhodes, Clr Ammoun, Clr Goodman, Clr Macnaught Clr Hadid and Clr Hagarty.

Youth Council	
<i>Representatives</i>	Mayor (or delegate) and two Councillors
<i>Representatives 2022</i>	Clr Kaliyanda, Clr Hagarty and Clr Macnaught

2. Endorses the current practice of all Councillors being members of the following Committees;
 - a. Budget Review Panel
 - b. Strategic Panel
 - c. Civic Advisory Committee
 - d. Community & Safety Prevention Committee

3. Appoints Councillors as representatives to the following community committees and affiliated bodies and notifies them of their representatives for the period to September 2022:
 - a. Civic Risk Mutual Ltd Members Assembly (Note, the appointed Councillor is to be the representative for the duration of the Council term)
 - b. Georges River Combined Councils Committee
 - c. Liverpool Pedestrian, Active Transport and Traffic Committee
 - d. Macarthur Bushfire Management Committee
 - e. NSW Metropolitan Public Libraries Association
 - f. Sydney Western City Planning Panel
 - g. South West Sydney Academy of Sport (SWSAS)
 - h. Western Sydney Regional Organisation of Councils (WSROC)

4. Notes that all Councillors are members of the following Committees, and as such specific appointments are not required:
 - a. Budget Review Panel
 - b. Strategic Panel
 - c. Civic Advisory Committee
 - d. Community & Safety Prevention Committee

5. That Council receive a report on re-establishing a Multicultural Advisory Committee.

6. Appoints Councillors as representatives to the following community committees and affiliated bodies and notifies them of their representatives for the period to September 2022:

Civic Risk Mutual Ltd Members Assembly	
<i>Representatives</i>	One Councillor and a senior staff member. Note: Civic Risk Mutual encourages Councils to appoint its representative for the duration of the Council term.
<i>Representatives 2022</i>	Mayor Mannoun Alternate - Clr Hagarty

Georges River Combined Councils Committee (GRCCC)	
<i>Representatives</i>	Two Councillors
<i>Representatives 2022</i>	Clr Macnaught and Clr Harle

Liverpool Pedestrian, Active Transport and Traffic Committee	
<i>Representatives</i>	Mayor (or delegate)
<i>Representatives 2022</i>	Mayor Mannoun

Macarthur Bushfire Management Committee	
<i>Representatives</i>	One Councillor
<i>Representatives 2022</i>	Clr Harle

NSW Metropolitan Public Libraries Association (NSW MPLA)	
<i>Representatives</i>	Two representatives, one of whom shall be an elected Councillor and the other generally being a Library Manager.
<i>Representatives 2022</i>	Clr Green

Sydney Western City Planning Panel	
<i>Representatives</i>	<p>Two council appointed members, with at least one of whom is required to have expertise in one or more of the following areas: planning, architecture, heritage, environment, urban design, land economics, traffic and transport, law, engineering or tourism. Expertise may be demonstrated by formal qualifications or relevant skills, knowledge and practical experience.</p> <p><i>The Planning Panel Secretariat has recommended that Council nominate two alternate members for the Panel in the</i></p>

	<i>instance the delegated permanent representatives are not available.</i>
Representatives 2022	Mayor Mannoun and Clr Harle, with Deputy Mayor Rhodes ,Clr Hagarty and Clr Hadid as alternates.

South West Sydney Academy of Sport (SWSAS)	
<i>Representatives</i>	One Councillor
Representatives 2022	Clr Kaliyanda

Western Sydney Regional Organisation of Councils (WSROC)	
<i>Representatives</i>	Mayor and one Councillor
Representatives 2022	Mayor Mannoun and Deputy Mayor Rhodes with Clr Kaliyanda and Clr Harle as alternates.

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

CITY PRESENTATION REPORT

ITEM NO: PRES 01
FILE NO: 006630.2022
SUBJECT: Nappy and Sanitary Product Report

COUNCIL DECISION

Motion: **Moved: Cllr Hagarty** **Seconded: Cllr Rhodes**

That Council:

1. Approve to start a trial program for reusable Nappies and Sanitary products, with the allocated grant funding provided by the Better Waste and Recycling fund until exhausted.
2. Limit the items eligible for rebate as identified in the report.
3. Measure and report back to Council as soon as possible once the allocated funding is exhausted on the effectiveness of the program.

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

INFRASTRUCTURE & ENVIRONMENT REPORT

ITEM NO: INF 01
FILE NO: 009225.2022
SUBJECT: Local Roads and Community Infrastructure Program

COUNCIL DECISION

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

That:

1. This item be deferred to the next ordinary Council meeting on 23 February 2022 in order for Councillors to receive a briefing on the projects prior to committing funding.
2. The briefing also include the upgrades required to Jardine Park in Casula.

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

QUESTIONS WITH NOTICE

ITEM NO: QWN 01
FILE NO: 016147.2022
SUBJECT: Question with Notice - Clr Harle - DA-1212/2021 at 437 Hume Highway, Casula

Council sent a letter to affected Casula area residents on 4 January 2022 as below:

“Council has received a Development Application (DA) for Demolition of existing structures, removal of trees, construction of a four-storey building over 2 levels of basement carparking. Proposed use of the ground level is for a pub containing a bistro, sports bar; VIP lounge (including gaming) and outdoor dining. Levels 1 to 3 is for the purpose of a hotel, containing a total of 72 rooms at the address shown above. Our records indicate you are the owner/occupier of a property near this site. In line with Council's Notification Policy, you are invited to review the development proposal and if you wish, express views about the development and any possible effects on your property. Please submit any comments to Council in writing by 25 January 2022.”

Please address the following:

1. Does this notification comply with Councils Policy on notifying Development Applications during the December-January period?

This development application is required to be both notified to properties within 75m of the subject site and publicly advertised for 14 days in accordance with the Liverpool Community Participation Plan 2019.

The Community Participation Plan 2019 also requires that public exhibition and/or notification periods over the traditional Christmas / New Year period be extended so as not to include the period between 20 December and 10 January (inclusive).

The notification letter identified an extended submission period closing date of 25 January 2022 to ensure the dates between 4 January and 10 January 2022 were not counted in the 14-day notification period.

Given the significant community interest in this development application, Council extended the advertising/notification period to 3 February 2022. Council wrote to the property owners within 75m of the development site on 19 January 2022 advising of the extension to the submission period and published the required public notice on Council's website.

2. What can Council do to ensure residents that may have been on Holidays during this significant Holiday period are not disadvantaged?

As noted above, the notification letter identified an extended submission period closing date of 25 January 2022 to ensure the dates between 4 January and 10 January 2022 were not counted in the 14-day notification period.

Given the significant community interest in this development application, Council extended the advertising/notification period to 3 February 2022. Council wrote to the property owners within 75m of the development site on 19 January 2022 advising of the extension to the submission period and published the required public notice on Council's website.

3. Council opposed a similar application for a Pub in the area in 2018, based on its Social Impact Assessment Policy, and ensured legal resources were made available at the time and resulted in the DA being rejected in the Land and Environment Court. Can Council ensure similar resources will be made available if required?

The applicant for this development application has recently lodged a "deemed refusal" appeal in the Land and Environment Court. As a result, the Land and Environment Court will now determine this application.

Council is currently preparing the Statement of Facts and Contentious and will engage an expert to review the social impacts of the proposal and who will provide expert evidence to the Land and Environment Court in the subject Class 1 Appeal.

ITEM NO: QWN 02
FILE NO: 016557.2022
SUBJECT: Question with Notice - Clr Harle - Ongoing Illegal dumping occurring in Edmondson Park and generally in the Liverpool LGA

Council purchased covert cameras some time ago specifically for obtaining evidence of illegal dumping occurring in isolated areas. Council had hired trailer mounted surveillance cameras on a trial basis.

Please address the following:

1. Can Council provide an update on what is being done to prevent and reduce the incidence of illegal dumping within the Liverpool LGA?
2. Have the covert cameras that were used in various locations within the Liverpool LGA resulted in obtaining evidence of those carrying out illegal dumping and has that evidence resulted in legal action against the dumpers?
3. Did the cameras also obtain incidents of illegal drug dealings occurring in Edmondson Park on Jardine Drive and has any legal action resulted from that data?
4. If any of the above information is confidential or subject to legal privilege, can that be provided in a Confidential Report and or a briefing session?

A response to these questions will be provided in the business papers for the Council meeting 23 February 2022.

ITEM NO: QWN 03
FILE NO: 018373.2022
SUBJECT: Question with Notice - Cllr Kaliyanda - Youth Strategy

Please address the following:

1. When was the Liverpool Youth Strategy and Action Plan last updated?
2. What timeframe is in place for review and refresh of the Youth Strategy and Action Plan?

A response to these questions will be provided in the business papers for the Council meeting of 23 February 2022.

MAYORAL MINUTE

ITEM NO: MAYOR 05
REPORT OF: Mayor Ned Mannoun
SUBJECT: Personnel Matter

COUNCIL DECISION:

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

That Council:

1. Acknowledges the contributions and capabilities of the CEO over the course of his employment with Council, noting that he was employed in varying roles for over 7 years.
2. Note that the current CEO's contract will expire on 30 November 2025.
3. Terminate the CEO's contract from 11 February 2022 under Section 10.3.5 of the employment contract.
4. Direct the Mayor to enter into direct negotiation with the Chief Executive Officer to formally agree on a deed of settlement amount.
5. Direct the Mayor to notify the CEO in writing of the decision to terminate the employment contract within 24 hours of the conclusion of the meeting.
6. Direct the Mayor to notify the CEO in writing within 4 hours of reaching an agreement on the deed of settlement, including the monetary fee being paid by Council upon termination.

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

Vote For: Mayor Mannoun, Clr Ammoun, Clr Goodman, Clr Hadid, Clr Macnaught, Clr Rhodes

Vote Against: Clr Green, Clr Hagarty, Clr Harle, Clr Kaliyanda, Clr Karnib

MAYORAL MINUTE

ITEM NO: MAYOR 06
REPORT OF: Mayor Ned Mannoun
SUBJECT Appointment of Acting Chief Executive Officer

COUNCIL DECISION:

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

That Council:

1. Notes that Dr Eddie Jackson will be terminated from his position of CEO on COB Friday, 11 February 2022.
2. Undertake a competitive process of appointing a Chief Executive Officer.
3. Immediately seek the services by way of RFQ for a suitable independent consultant to assist in the recruitment process.
4. Immediately seek the services of an independent Probity Advisor to participate in the recruitment process.
5. Establish a working group with the delegation of Council to undertake the following tasks:
 - a. Work with the appointed independent Consultant to draft and finalise a Position Description (P.D.) for the Chief Executive role;
 - b. Provide instruction to the appointed consultant on advertising and interview arrangements;
 - c. With guidance and assistance from the independent consultant, negotiate and agree on in-principle contract terms, subject to approval by Council, with the preferred candidate; and
 - d. With guidance from the appointed independent consultant, prepare a report to the Council that provides a detailed assessment of the interviewed candidates, and makes a recommendation for appointment by the Council.
6. Notes that the final decision to appoint a Chief Executive Officer, will be made by the Council, as required by S.344 of the *Local Government Act 1993*.

7. Appoints Peter Diplas as Acting Chief Executive Officer, with all delegated authority currently assigned to the position Chief Executive Officer, for up to 12 months from 4 February 2022 or until such time as a new permanent Chief Executive Officer appointed, and commences in the position, whichever is the lesser period.
8. Delegate authority to the Mayor to negotiate on behalf of Council, suitable terms with Mr Diplas (Acting CEO) for his appointment to the role of Acting Chief Executive Officer.
9. Note that once a permanent Chief Executive Officer is appointed a separate Committee will need to be established to set and monitor key performance indicators for the new Chief Executive Officer.

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

Vote For: Mayor Mannoun, Clr Ammoun, Clr Goodman, Clr Green, Clr Hadid, Clr Hagarty, Clr Kaliyanda, Clr Karnib, Clr Macnaught, Clr Rhodes

Vote Against: Clr Harle

Mayor Mannoun moved the meeting into Open Session at 10:59pm and read the resolutions made in Closed Session.

THE MEETING CLOSED AT 11.06pm.

<Signature>

Name: Ned Mannoun

Title: Mayor

Date: 23 February 2022

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 2 February 2022. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.



MINUTES OF THE ORDINARY MEETING HELD ON 23 FEBRUARY 2022

PRESENT:

Mayor Ned Mannoun
Councillor Ammoun
Councillor Goodman
Councillor Green
Councillor Hadid
Councillor Hagarty
Councillor Harle
Councillor Kaliyanda
Councillor Karnib
Councillor Macnaught
Councillor Rhodes
Mr Peter Diplas, Acting Chief Executive Officer
Mr Paul Perrett, Director Corporate Services
Ms Tina Bono, Director Community & Culture
Mr David Smith, Director Planning & Compliance
Mr Tim Pasley, Acting Director City Presentation
Mr Raj Autar, Director Infrastructure & Environment
Mr John Morgan, Director Economy & Commercial Development
Ms Jennifer Chenhall, General Counsel, Manager Governance, Legal and Procurement
Ms Ellen Whittingstall, Internal Ombudsman
Mr Vishwa Nadan, Chief Financial Officer
Ms Lina Kakish, Manager City Planning
Ms Anthea Desmond, Acting Manager Communications
Ms Julie Scott, Manager Economic Development
Mr John Milicic, Manager Property
Mr George Georgakis, Manager Council and Executive Services

The meeting commenced at 6.00pm.

**STATEMENT REGARDING WEBCASTING
OF MEETING**

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

**ACKNOWLEDGMENT OF COUNTRY,
PRAYER OF COUNCIL AND
AFFIRMATION**

The prayer of the Council was read by Father Paul Monkerud from All Saints Catholic Church.

NATIONAL ANTHEM

The National Anthem was played at the meeting.

APOLOGIES

Nil.

CONDOLENCES

ITEM NO: COND 01
FILE NO: 057743.2022
SUBJECT: Harry Hunt OAM (1944 to 2022)

Tonight, we pause to honour the life of Harry Hunt OAM, also known as “Mr Liverpool”, a giant within our local community. Harry Hunt sadly passed away this month on Wednesday 9 February, aged 77.

Harry was a third-generation Chinese-Australian. He was born in September 1944 in Warialda, a small town in the North West Slopes region of New South Wales. He was the youngest of seven children born to parents Leong Wun-Ginn and Harry Hin Hunt. His father had run the general store in Warialda for several years before Harry’s birth.

Shortly after Harry was born, the Hunt family relocated to Sydney where Harry’s father and older brothers began several businesses, operating fruit shops, before later venturing into the motel industry.

Hunt’s Motel at the Crossroads on the Hume Highway began as an 11-unit motel in 1960. Initially helping to run the family enterprise Harry eventually took over the management of the motel and on-site restaurant, and he later became sole owner. Harry clearly shared his family’s entrepreneurial spirit.

Under Harry’s leadership the motel expanded significantly. He also worked hard to make the restaurant successful and was an early proponent of outdoor dining. The restaurant was long known as “Hunt’s Seafood Restaurant” catering for the increasing appetite of Sydney seafood diners. Over Harry’s long tenure as Hunt’s proprietor the business expanded to the large 134 room hotel it is today, with function and conference facilities.

As a successful local business owner Harry was heavily involved with the Liverpool Chamber of Commerce, and he served as president of the organisation for 13 years. He was also the president of the Liverpool City Liquor Accord and recently served as a judge for the Western Sydney Business Awards. He was also a long-time supporter of the Greater Narellan Business Chamber and Cabramatta Chamber of Commerce.

Harry was also the president of the South West Sydney Tourism Association and worked hard to promote the region as an attractive destination. He was also an active member of Liverpool City Council’s Tourism and CBD Committee. Harry was a vocal proponent of a second Sydney Airport being constructed at Badgerys Creek, calling for the project long before the Federal Government officially gave it the green light.

PUBLIC FORUM

Presentation – items not on agenda

1. **Mr Robert Storey** addressed Council on the following matter:

Coopers Paddock Vegetation Management Plan

Motion: Moved: Cllr Rhodes

Seconded: Mayor Mannoun

That a three minute extension of time be given to Mr Storey

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

2. **Ms Maria Kneipp** addressed Council on the following matter:

Stop the Pub in Casula

Motion:

Moved: Cllr Hadid

Seconded: Mayor Mannoun

That a three minute extension of time be given to Ms Kneipp.

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

Representation – items on agenda

1. **Mr John Anderson** addressed Council on the following item:

Item: NOM 04 Moorebank Intermodal Special Levy

Motion:

Moved: Mayor Mannoun

Seconded: Cllr Rhodes

That a three minute extension of time be given to Mr Anderson.

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

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

The Councillors voted unanimously for this item.

COMMUNITY & CULTURE REPORT

ITEM NO: COM 01
FILE NO: 032565.2022
SUBJECT: Liverpool District Forums - Evaluation Report

COUNCIL DECISION

Motion: **Moved: Cllr Macnaught** **Seconded: Cllr Kaliyanda**

That Council:

1. Receives and notes this report;
2. Endorse to deliver up to four forums per district, one being a themed/topical issue forum relevant to each district;
3. Endorse a hybrid delivery model, effective from 2022; and
4. For particular forums other measures might be adopted.

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

Mayor Mannoun called a recess of Council at 8.04pm.

Mayor Mannoun reopened Council at 8.25pm.

ITEM NO: CORP 03

FILE NO: 032472.2022

SUBJECT: 2022 National General Assembly of Local Government

COUNCIL DECISION

Motion: **Moved: Cllr Kaliyanda** **Seconded: Cllr Rhodes**

That any Councillor who wishes to attend the 2022 National General Assembly of Local Government (either virtually or in person) notify the Councillor Support Officer by 2 March 2022.

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

Item 5 - Foskett Road, Edmondson Park – Proposed One Way (Northbound) Arrangement

- Approves the signs and line marking scheme including edge line marking, for one way southbound for the section of Foskett Road, between Jardine Drive and Antwerp Avenue, Edmondson Park as indicated in Attachment 5.1 of the Committee agenda attachment booklet.
- Undertakes community consultation with the affected residents prior to installation.
- Submits the required transport management plan to TfNSW for endorsement prior to installation

Item 6 - Hoxton Park Road and Gillespie Street, Liverpool – Proposed No Right Turn Restriction

- Approves the implementation of the traffic facilities as shown in Attachments 6.1 and 6.2 of the Committee agenda attachment booklet subject to TfNSW endorsement of the required Transport Management Plan.
- Requests TfNSW to investigate a median island on Hoxton Park Road between Gill Avenue and Hume Highway
- Investigates the opening of Gillespie Street and Pearce Street

Item 7 - Bus Stops – To be decommissioned

- Approves decommissioning of the five bus stops along Wilson Road and a stop each along Green Valley Road and North Liverpool Road as listed in the minutes.
- Requests Transit Systems to remove the bus stops from TfNSW's Transit Stop Management System.

Item 8 - Flowerdale Road, Liverpool – Traffic changes in front of Liverpool West Public School

- Approves the proposed traffic facilities and associated signage and line marking as shown in Attachments 8.1- 8.8 of the Committee agenda attachment booklet.
- Detailed design drawings including supplementary No Parking and Kiss and Ride signs, are to be submitted to TfNSW for review prior installation.
- Council requests the Department of Education to undertake community consultation with the affected residents along Mainsbridge Avenue prior to implementation of the parking arrangements

Item 9 - Railway Serviceway Special Opening Event – Special Community Event

- Classifies the event as a Class 3 Special Event with the associated conditions requiring the preparation of a special events transport management plan to be submitted to TfNSW for review prior to the event.

Item 10 - Railway Street Shared Spaces Demonstration Project

- Approves in principle for grants funding applications to be submitted to undertake temporary changes to Railway Street and associated signage and line marking as shown in Attachment 10 of the Committee agenda attachment booklet. Should funding be secured, detailed design is to be submitted to the Committee for its endorsement prior to implementation.

- 2. Liaise with the Department of Education to highlight traffic and parking issues when they overdevelop their sites.

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

QUESTIONS WITH NOTICE

ITEM NO: QWN 01
FILE NO: 017678.2022
SUBJECT: Question with Notice - Clr Harle - Ongoing Illegal dumping occurring in Edmondson Park and generally in the Liverpool LGA

Council purchased covert cameras some time ago specifically for obtaining evidence of illegal dumping occurring in isolated areas. Council had hired trailer mounted surveillance cameras on a trial basis.

Please address the following:

1. Can Council provide an update on what is being done to prevent and reduce the incidence of illegal dumping within the Liverpool LGA?
2. Have the covert cameras that were used in various locations within the Liverpool LGA resulted in obtaining evidence of those carrying out illegal dumping and has that evidence resulted in legal action against the dumpers?
3. Did the cameras also obtain incidents of illegal drug dealings occurring in Edmondson Park on Jardine Drive and has any legal action resulted from that data?
4. If any of the above information is confidential or subject to legal privilege, can that be provided in a Confidential Report and or a briefing session?

Response (provided by City Presentation)

1. ***Can Council provide an update on what is being done to prevent and reduce the incidence of illegal dumping within the Liverpool LGA?***

Illegal dumping within Liverpool is a significant challenge for Council due to the breadth and depth of the Local Government Area. Although Council strives to identify and action dumping within the community utilising active patrolling, Council relies heavily from the public to notify a dump.

Council currently has operational covert cameras in known illegal dumping hotspots. Our Illegal Waste Rangers proactively patrol known hotspots and engage operational clean-up crews to monitor hotspots during the regular maintenance programs. Council continues to promote the services of the Community Recycling Centre (CRC) located at the Rose Street Depot and throughout the challenges of the pandemic, Council was committed to continuing to operate this service for the community.

In 2020/2021, 81 infringements were handed out, two infringements were a result of overt cameras and 34 were a result of covert cameras. The total amount in fines as a result of these successful infringements resulted in \$119,250 for Council.

The Waste Team is working towards the development of a new in house designed overt camera set up. Further information on the overt cameras will be provided in the near future, when the project is finalised and operational. Our team have also designed some new signage and Council is confident this will promote awareness towards illegal dumping and the penalties for offenders if they are caught. An example of the new signage that will support the new overt cameras is provided below.



Council is also in the process of renewing agreements with third party providers to reinstate covert cameras in the known LGA illegal dumping hotspots.

2. *Have the Covert cameras that were used in various locations within the Liverpool LGA resulted in obtaining evidence of those carrying out illegal dumping and has that evidence resulted in legal action against the dumpers?*

The covert and overt cameras used were very effective in gathering evidence resulting in legal action against dumpers. Overt cameras are recommended as a deterrent to illegal dumping however, it is a significant investment for Council when engaging third party operators for the latest camera equipment. In 2020 to 2021 Council spent \$118,624 on Overt Cameras and \$44,500 on Covert Cameras

When an illegal dump is investigated and evidence is gathered, the alleged illegal dumper is interviewed, and this often leads to a penalty being issued and enforced against the person responsible for the illegal dump.

3. *Did the cameras also obtain incidents of illegal drug dealings occurring in Edmondson Park on Jardine Drive and has any legal action resulted from that data?*

The covert cameras did obtain incidents of illegal drug activity on Jardine Drive, Edmondson Park. All evidence was handed over to the NSW Police. Unfortunately, Council is not privy to the outcomes of the investigations as the NSW Police will not provide this information.

4. *If any of the above information is confidential or subject to legal privilege, can that be provided in a Confidential Report and or a briefing session?*

All evidence of an illegal dump that leads to an investigation is subject to legal privilege and can not be provided by the NSW Police to Council. In future, the Council can prepare a report on illegal dumping at various hotspot areas however, this report would only contain information of a non-sensitive nature.

ITEM NO: QWN 02
FILE NO: 030904.2022
SUBJECT: Question with Notice - Cllr Kaliyanda - Youth Strategy

Please address the following:

1. When was the Liverpool Youth Strategy and Action Plan last updated?

Response (provided by Community & Culture)

The most recent iteration of the Liverpool Youth Strategy and Action Plan was for the period 2012 – 2017. Since that time, activities and programs relating to young people in Liverpool were integrated in the wider Community Development and Planning Strategy and Business Plan, as well as Council's overarching Community Strategic Plan and Delivery Program and Operational Plan.

2. What timeframe is in place for review and refresh of the Youth Strategy and Action Plan?

Response (provided by Community & Culture)

In the wake of the COVID-19 pandemic, many young people across Australia have reported feelings of isolation, poor mental health and a lack of wellbeing, as well as challenges in accessing education, employment and community programs and services. Further, and in alignment with this broad sentiment, the Liverpool Youth Council has identified four key priorities for their current term:

- Mental health
- Education
- Employment
- Engagement with local schools

To guide and inform Council in addressing these priorities for local young people, the Community Development and Planning team have commenced development of a new Youth Strategy. This Strategy will outline Council's goals and objectives for working with local young people and set clear targets to work with the youth sector in improving outcomes for young people in Liverpool.

The goals identified in the Youth Strategy will support Council's broader Community Strategic Plan (CSP). The Youth Strategy will underpin Council's work in meeting Directions One: Creating Connection and Four: Leading Through Collaboration by identifying clear objectives which seek to address access, inclusion and participation for and by young people in Liverpool. Further, the process of consultation with local young people, the youth services sector and relevant community stakeholders will support alignment with the CSP by encouraging community participation in decision-making and supporting collaboration with the community sector and residents.

Phase one of developing the new Youth Strategy, including data review and analysis, and a consultation survey with the local youth services sector and other relevant government and non-government organisations is currently underway. The consultation survey is designed to assist Council's convening role, to identify and or reconcile key priorities across the youth services landscape to better understand the gaps and opportunities for collective response and action.

The Draft Strategy is intended to be presented to Council by May 2022 for consideration and to place on public exhibition.

ITEM NO: QWN 04
FILE NO: 044398.2022
SUBJECT: Question with Notice - Cllr Kaliyanda - Georges River Flood Studies

Please address the following:

1. What update is there on the Georges River Flood Evacuation Studies currently being conducted by DPIE?
2. What impact will the proposed development along the Georges River have on existing developments, especially residential developments, and on local flooding?
3. What community consultation has been done/is proposed in this area, either by DPIE or Council?
4. Will residents be advised about the potential for increased risk of future flooding?

A response to these questions will be provided in the business papers for the Council meeting of 30 March 2022.

ITEM NO: QWN 05
FILE NO: 044424.2022
SUBJECT: Question with Notice - Clr Harle - Wattle Grove Lakeside Park

With reference to Wattle Grove Lakeside Park, please address the following:

1. Is there a Master plan for Wattle Grove Lakeside Park, if so, how is it funded and does it include provision for the replacement of the North/West timber retaining wall (full of white ants) with a one-time improvement of cut sandstone blocks as was done at Clinches Pond?
2. What more can be done to improve the water quality of Wattle grove lake, short of emptying it and removing all of the 30-year built up sludge, decomposing vegetation and refuse washed into the lake?
3. What is the primary funding source for the ongoing maintenance of flood retention basins in the Liverpool LGA?

A response to these questions will be provided in the business papers for the Council meeting of 30 March 2022.

ITEM NO: QWN 06
FILE NO: 044436.2022
SUBJECT: Question with Notice - Cllr Hagarty - Pet Adoptions

Please address the following:

1. How does Council determine the adoption fees at the Liverpool Animal Shelter?
2. Is there a process for reducing fees for animals held long term?
3. Does Council conduct regular benchmarking for adoptions fees against other Councils and animal shelters?
4. Has Council considered animal adoption days?
5. What strategies has Council engaged to accommodate no kill strategies?
6. What are the animals being fed at the shelter?

A response to these questions will be provided in the business papers for the Council meeting of 30 March 2022.

PRESENTATIONS BY COUNCILLORS

Nil

4. Organise a briefing at a suitable time on the Council's Enforcement Policy.

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

ITEM NO: NOM 04
FILE NO: 043430.2022
SUBJECT: Moorebank Intermodal Development Special Levy

BACKGROUND

It has been previously claimed that the Moorebank Intermodal Development Special Levy is confidential pursuant to the provisions of s10(A)(2)(d i) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

1. Note that the agreement between LCC and MICL is not commercial in confidence, as it is already in the public sphere and that the following explanation is a note to the said financial statements:

"Moorebank Intermodal Company (MIC) is a wholly owned Australian Government entity established to facilitate the development and operation of an intermodal terminal at Moorebank. MIC is exempt from paying council rates, however, under Commonwealth's competitive neutrality policy, it has entered into an agreement with Liverpool City Council to pay rates equivalent ex-gratia sum payable at commencement of every financial year. The agreement takes a retrospective effective from 1/1/17."

2. It is in Councillor and public interest the understand the details of funds received and expenditure as a part of the in lieu of rates agreement between LCC and MICL.
3. It is Council's responsibility to be open, transparent, and accountable for the Council Budget.

NOTICE OF MOTION (submitted by Cllr Rhodes)

That Council directs the A/CEO to:

1. Establish an internally restricted reserve titled "Moorebank Intermodal Company Ltd Ex-Gratia Funds";
2. Effective from 1 July 2022, keep all funds received from MICL in this reserve and account for all expenditure incurred on agreed activities with MICL;
3. Provide quarterly performance report to Council outlining funds received, spent and the balance of funds in this reserve;
4. Make available to all Councillors under confidentiality arrangements the contents of any verbal or written agreement between Liverpool and MICL or any other authorities in relation to the ex-gratia payment; and

ITEM NO: NOM 05
FILE NO: 043431.2022
SUBJECT: Mountain Bike Racing Track

BACKGROUND

Liverpool has recently been made aware of illegal mountain bike racing tracks being built in the Liverpool LGA

This illegal activity has shown the passion and interest within the community for this growing Olympic sport. It has also enabled Council to locate the areas within the LGA where the interest in this emerging sport is most prominent.

Mountain bike racing is one of the fastest growing national sporting interests with enthusiasts travelling throughout Australia to compete in national and international championship events. As a sport it is greatly contributing to the visitor economies in areas where these events are held.

By investing in the infrastructure for mountain bike racing tracks Council is encouraging Liverpool young people who may one day be representing Australia at the Olympic games whilst encouraging health exercise Council would be providing additional youth infrastructure that will have far reaching effects such as decreasing vandalism and improving the mental and physical health of our young constituents.

The Western Sydney Sports Academy of which Liverpool is a member already has current programs that Liverpool could link into which creates pathways for participants towards professional careers and to achieve their maximum potential.

The positives to Liverpool, the positives for our residents, the opportunity to engage in the Western Sydney Sports Academy programs and the opportunity to become a part of national competitions and championships would not only contribute to Liverpool's visitation economy but also assist the hospitality sector which is identified as one of the most COVID hit sectors in our Liverpool economy.

By increasing our visitor economy, we assist all business in the Liverpool LGA.

Investing in mountain bike racing track/s is a benefit to the entire Liverpool LGA.

NOTICE OF MOTION (submitted by Cllr Rhodes)

That Council

1. Identifies suitable land within the Liverpool LGA that might accommodate the establishment of mountain bike racing tracks;

ITEM NO: NOM 07
FILE NO: 043433.2022
SUBJECT: Government Grants and Funding

BACKGROUND

With the Federal Government elections looming it is imperative that Liverpool Council maximises all opportunities to acquire government grants and funding for all political parties.

It is evident that there is great opportunity for Liverpool Council to maximise their government grants and funding particularly in the next few years as government elections are held.

Liverpool Council currently has only a small team delegated with this task, and to take full advantage of the opportunities Liverpool Council needs to make sure we have the capacity at Council to maximise our need to increase revenue through whatever means available to us.

Liverpool Council does need to be able to address budget concerns and it is noted that other proactive Councils are already looking at and implementing other ways to increase Council revenue without impacting on rate payers.

COVID and other economic conditions has possibly created new economic realities for Council that necessitates Council to concentrate as much attention and funds as is possible to address the need and opportunity to increase revenue for Liverpool Council that does not negatively impact on our constituents.

NOTICE OF MOTION (submitted by Cllr Rhodes)

That Council:

1. Make provision to increase and improve Council's opportunities to attain funding and grants;
2. Investigate and initiate any other legal additional means that Council might increase revenue without negative impact on ratepayers;
3. Invest immediately from general revenue \$160,000 to improve and expand Liverpool Council grants and funding processes; and
4. Further allocate in the new financial year budget from general revenue a further \$480,000 to assist points 2 and 3 above.

ITEM NO: NOM 11
FILE NO: 044226.2022
SUBJECT: Michael Wenden Aquatic Centre Upgrade

BACKGROUND

Council previously engaged @Leasure Planners to undertake a 'Liverpool Aquatic and Leisure Centres Strategy'.

This strategy is current and dated 19/07/2019.

The strategy looked at current centres operated by Council and also the need for centres in the future to meet the growing population needs.

In particular the findings for the Michael Wenden Aquatic & Leisure Centre were as follows:

- *The current catchment has 69,279 people and is estimated to grow to 72,087 by 2026*
- *Unmet demand for swimming could be as high as 530,525 visits annually growing to 537,400 by 2026*
- *Unmet demand for sports courts at Wenden could be as high as 168,600 visits annually growing to 173,400 by 2026.*
- *Current annual visitations exceeds CERM benchmarks for like facilities*

Amongst other things it also looked at short and long term strategies as well as recommendations as below:

Short Term Development and Location Strategy

- *Consider the centre as part of Miller Town Centre Master Plan - Master plan centre for the long term and consider design that incorporates a PCYC*
- *Add 2-3 basketball/ netball compliant courts in the short term, to cater for club competition sports*

Long Term Development and Location Strategy

- *Demolish centre, except existing courts and splash park*
- *Rebuild on the same site as a district level centre*

Actions

Planning

- 3.1 *Include the existing Wenden Centre and PCYC as part of Miller Town Centre Master Plan.*

- 3.2 *Prepare a master plan for the redevelopment of Wenden on the existing site, integrating PCYC services and facilities.*
- 3.3 *Ensure a differentiated pricing and market focus between Whitlam and Wenden. Wenden should be more leisure and social equity focused.*
- 3.4 *Retain the existing sports courts and splash park, while demolishing and redeveloping other components. Include additional indoor 8 lane and warm water pools, outdoor leisure and aquatic play facilities and 2 additional sports courts. Consider the addition of a small allied health area and facility components as per The Strategy in Chapter 10.*

Funding

- 3.5 *Partner with PCYC in the redevelopment of facility, on the basis of some capital contribution 2019/20.*
- 3.6 *Monitor additional funding opportunities through federal and state government funding sources*
- 3.7 *Offer contract management of this centre in conjunction with Whitlam, Clarke and any new centre in the outer west as a package, to a single management entity to maximise economies of scale and program differentiation.*
- 3.8 *Develop a draft agreement for long term management of the centre in conjunction with PCYC and Council's contract management group.*
- 3.9 *If space permits and following master plan, seek allied health provider for centre to provide physiotherapy and rehabilitation services with contribution to facility fit out.*

My understanding is that this centre has been included as part of the Miller Town Centre Master Plan.

As stated in the report the unmet demand is extremely high and continues to increase as the population increases.

The Centre is a key asset for Council and the community which it services deserve a modern upgraded facility. Given that Councillors have not yet had the opportunity to be briefed on what progress has been made I have no doubt the A/CEO's comments to this motion will quickly bring us all up to date.

In saying that the following is proposed:

Clr Hagarty and Clr Harle declared a non-pecuniary, less than significant interest in the following item and left the chamber at 10.35pm.

ITEM NO: NOM 12

FILE NO: 044444.2022

SUBJECT: Assisting the Liverpool Chamber of Commerce to Support the Liverpool Business Economy

BACKGROUND

Liverpool Chamber of Commerce is a valuable NFP coordinator and service provider to the Liverpool business community.

The Chamber encourages and welcomes new business into the Liverpool LGA, that thereafter contributes to the Liverpool economy and further contributes to increasing local employment.

The Chamber has worked successfully with Council in many ways for as long as I can remember, however having once been the Secretary for the Chamber before 2016 and my first being elected to Council, I am aware of a Councillor's table being an automatic inclusion at their once a month guest speaker meetings.

As previous Secretary to the Chamber I know how important a regular Councillor table of attendance assists the Chamber meetings to encourage business in Liverpool.

Having Councillors in attendance assists the Chamber to attract a high calibre of guests speakers which in turn increases membership and non-member attendance.

Having Councillors in attendance enables local business to address issues enabling Councillors to have greater understanding of not only the issues some businesses face but it also sends a powerful message to businesses in attendance or that are contemplating starting business in the Liverpool LGA that Council is genuinely supportive and proactive in their support of local businesses.

In previous years Council would book the Chamber table under the Council membership, that would invite a combination of Councillors and Directors, with the condition that if people booked into the event but failed to attend, they would have to repay Council the attendance cost.

Since 2020 local businesses have been seriously impacted by COVID, a Councillor table will help the business economy to recover.

And as such there has never been a better time for Council to reinstate the guaranteed Councillor attendance at the Chamber meetings.

It will assist the Chamber to attract new businesses into our LGA and attract new and exciting Guest speakers.

It will assist in increasing local employment.

It will assist in greater communication between Council and the Business community.

It will help to grow Liverpool's Business economy.

NOTICE OF MOTION (submitted by Cllr Ammoun)

That Council:

1. Reinstatement of the automatic practice of booking a Councillor table at the Liverpool Chamber of Commerce, guest speaker monthly meetings;
2. The table be named and known as The Harry Hunt OAM table in recognition and honour of Harry Hunt OAM as the Liverpool Chamber's longest serving President and in memory of Harry's remarkable service and advocacy for Liverpool;
3. The table to be booked under Liverpool Council's Liverpool Chamber of Commerce membership; and
4. Condition of non-attendance after booking to be the financial responsibility of those people who accepted, but who failed to attend.

COUNCIL DECISION

Motion:

Moved: Cllr Rhodes

Seconded: Mayor Mannoun

That Council:

1. Reinstatement of the automatic practice of booking a Councillor table at the Liverpool Chamber of Commerce, guest speaker monthly meetings;
2. The table be named and known as The Harry Hunt OAM table in recognition and honour of Harry Hunt OAM as the Liverpool Chamber's longest serving President and in memory of Harry's remarkable service and advocacy for Liverpool;
3. The table to be booked under Liverpool Council's Liverpool Chamber of Commerce membership; and
4. Condition of non-attendance after booking to be the financial responsibility of those people who accepted, but who failed to attend.
5. If Council is not already a corporate sponsor, that Council become a corporate sponsor of the Liverpool Chamber of Commerce at a cost of \$5,000.

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

COUNCIL IN CLOSED SESSION

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

That Council move into Closed Session to deal with the following items:

- **CONF 01** Proposed Acquisition of Lot 133 DP17134, 39 Newbridge Road, Chipping Norton the Moorebank Voluntary Acquisition Scheme pursuant to the provisions of s10(A)(2)(c) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.
- **CONF 02** Legal Affairs Report - 1 October 2021 to 31 December 2021 pursuant to the provisions of s10(A)(2)(g) of the Local Government Act because it contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.
- **CONF 03** Public Notification outcome of Proposed Road Closure and Sale/Land Swap of part of Hanwell Serviceway and part of Elizabeth Street, Liverpool Scheme pursuant to the provisions of s10(A)(2)(c) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.
- **Confirmation of Minutes** pursuant to the provisions of s10(A)(2)(g) of the Local Government Act because it contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.
- **MOU 01** Civic Place pursuant to the provisions of s10(A)(2)(g) of the Local Government Act because it contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

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

Mayor Mannoun moved the Council into Closed Session at 10.42pm.

CONFIDENTIAL ITEMS

ITEM NO: CONF 01
FILE NO: 029577.2022
SUBJECT: Proposed Acquisition of Lot 133 DP17134, 39 Newbridge Road, Chipping Norton the Moorebank Voluntary Acquisition Scheme

COUNCIL DECISION

Motion: **Moved: Cllr Hagarty** **Seconded: Cllr Rhodes**

That Council:

1. Approves the acquisition of Lot 133 DP17134, 39 Newbridge Road, Chipping Norton under the provisions of the Moorebank Voluntary Acquisition Scheme, for the price and terms outlined in this report;
2. Upon settlement of the acquisition, classifies Lot 133 DP17134, 39 Newbridge Road, Chipping Norton as 'Community' land;
3. Keeps confidential this report pursuant to the provisions of Section 10A(2)(c) of the Local Government Act 1993 as this information would, if disclosed confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business; and
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.

ADJOURNMENT OF MEETING

At 11.01pm, Mayor Mannoun adjourned the meeting.

The Confirmation of the Minutes of the Council meeting held on 2 February 2022 and the Motion of Urgency raised by Clr Macnaught (both on page 4 of these minutes) had not yet been dealt with and would be dealt with when the meeting reconvened.

RECONVENING OF MEETING IN CLOSED SESSION

At 6.02pm on 24 February 2022 Mayor Mannoun reconvened the meeting in Closed Session to deal with the following items:

- Confirmation of Minutes of the meeting of 2 February 2022;
- Motion of Urgency (from Clr Macnaught)

The following Councillors and staff were present:

Councillors

Mayor Mannoun
 Clr Ammoun
 Clr Goodman
 Clr Green
 Clr Hadid
 Clr Hagarty
 Clr Harle
 Clr Kaliyanda
 Clr Karnib
 Clr Macnaught
 Clr Rhodes

Staff

Mr Peter Diplas, Acting Chief Executive Officer
 Ms Jennifer Chenhall, General Counsel, Manager Governance, Legal and Procurement
 Ms Ellen Whittingstall, Internal Ombudsman
 Ms Susan Ranieri, Coordinator Council & Executive Services



**MINUTES OF THE ORDINARY MEETING
HELD ON 30 MARCH 2022**

PRESENT:

Mayor Ned Mannoun
Councillor Ammoun
Councillor Goodman
Councillor Green
Councillor Hadid
Councillor Hagarty
Councillor Harle
Councillor Kaliyanda
Councillor Macnaught
Councillor Rhodes
Mr Peter Diplas, Acting Chief Executive Officer
Mr Paul Perrett, Director Corporate Services
Ms Tina Bono, Director Community & Culture
Mr David Smith, Director Planning & Compliance
Mr Tim Pasley, Acting Director City Presentation
Mr Raj Autar, Director Infrastructure & Environment
Mr John Morgan, Director Economy and Commercial Development
Ms Jennifer Chenhall, General Counsel, Manager Governance, Legal and Procurement
Mr George Hampouris, Head of Audit, Risk and Improvement
Ms Ellen Whittingstall, Internal Ombudsman
Mr Vishwa Nadan, Chief Financial Officer
Ms Lina Kakish, Manager City Planning
Ms Anthea Desmond, Acting Manager Communications
Mr George Georgakis, Manager Council and Executive Services
Ms Susan Ranieri, Coordinator Council and Executive Services (minutes)

The meeting commenced at 6.01pm.

**STATEMENT REGARDING WEBCASTING
OF MEETING**

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

**ACKNOWLEDGMENT OF COUNTRY,
PRAYER OF COUNCIL AND
AFFIRMATION**

The prayer of the Council was read by Reverend Bruce Hammonds from Liverpool Presbyterian Church.

NATIONAL ANTHEM

The National Anthem was played at the meeting.

APOLOGIES

Motion

Moved: Mayor Mannoun

Seconded: Clr Hagarty

That Clr Karnib be recorded as an apology for this meeting and leave of absence be granted.

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

CONDOLENCES

Nil.

CONFIRMATION OF MINUTES

Motion:

Moved: Clr Hagarty

Seconded: Clr Ammoun

That the minutes of the Ordinary Meeting held on 23 February 2022 be confirmed as a true record of that meeting subject to the following amendment being made to the minutes:

- In the Declarations of Interest section of the minutes (as shown on page 11 of the Council Agenda for 23 February 2022), item NOM 12 Assisting the Liverpool Chamber of Commerce to Support the Liverpool Business Economy has Clr Hagarty's name twice. The second declaration for NOM 12 should be corrected from Clr Hagarty's name to Clr Harle's. Therefore it should read as follows:

During the meeting, while dealing with NOM 12, Clr Harle declared a non-pecuniary, less than significant interest in the following item:

NOM 12 Assisting the Liverpool Chamber of Commerce to Support the Liverpool Business Economy.

*Reason: **Clr Harle** is a member of the Liverpool Chamber of Commerce.*

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

CORPORATE SERVICES REPORT

ITEM NO: CORP 01
FILE NO: 064737.2022
SUBJECT: Revised Model Code of Meeting Practice

COUNCIL DECISION

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

That Council:

1. Place the Draft Code of Meeting Practice on public exhibition (for 28 days) and receive comments up to 42 days in accordance with Section 361 of the Local Government Act, 1993 subject to the following changes:

- i. Additional information to Clause 19.2 (shown in red below) to ensure details of foreshadowed motions are included in the Council minutes:

Clause 19.2: As a minimum, the CEO must ensure that the following matters are recorded in the council’s minutes:

- a) the names of councillors attending a council meeting and whether they attended the meeting in person or by audio-visual link,
- b) details of each motion moved at a council meeting and of any amendments to it, **including any foreshadowed motions**
- c) the names of the mover and seconder of the motion or amendment, **or foreshadowed motion**
- d) whether the motion or amendment was passed or lost, **and whether the foreshadowed motion was voted on (and if so, if it was passed or lost)**, and
- e) such other matters specifically required under this code.

- ii. The following additional sentence be added to Clause 3.1 (shown in red below):

Clause 3.1: The council, shall, by resolution, set the frequency, time, date and place of its ordinary meetings.

Council to trial day time Council meetings for a period of three months.

- iii. The following change (shown in red below) to be made to Clauses 18.1 – 18.5 relating to Time Limits on Council Meetings:

18 Time limits on Council meetings

18.1 Meetings of the council and committees of the council are to conclude no later than 11.00pm without an extension.

Note: Staff required to attend Council meetings will be instructed by their immediate supervisor to commence work on the day of the scheduled Council meeting at a time that will ensure that their ordinary hours of work shall not exceed 12 hours in any one day exclusive of unpaid meal breaks, The affected staff should not resume duty without receiving 10 consecutive hours off duty.

18.3 If the business of the meeting is unfinished at 11pm, the chairperson must either:

- (a) defer consideration of the remaining items of business on the agenda to the next ordinary meeting of the council, or
- (b) adjourn the meeting to a time, date and place fixed by the chairperson **prior to the meeting being declared closed.**

18.4 Clause 18.3 does not limit the ability of the council or a committee of the council to resolve to adjourn a meeting at any time. The resolution adjourning the meeting must fix the time, date and place that the meeting is to be adjourned to.

18.5 Where a meeting is adjourned under clause 18.3 or 18.4, the CEO must:

- (a) individually notify each councillor of the time, date and place at which the meeting will reconvene, and
- (b) publish the time, date and place at which the meeting will reconvene on the council's website and in such other manner that the general manager is satisfied is likely to bring notice of the time, date and place of the reconvened meeting to the attention of as many people as possible.

- iv. An additional sentence (shown in red below) to be added to the Public Forum section relating to determining an extension of time to speakers as part of Presentations or Representations:

Presentations and representations

4.5 A presentation or representation shall not exceed three minutes in duration. At the expiration of two minutes, the speaker will be given a warning that one minute of time remains to conclude his or her presentation or representation. **The Chairperson of the meeting, may resolve to grant an extension of time to the speaker.**

- 2. Receive a further report at the May 2022 Council meeting following the public consultation period, or if no submissions are received, delegate to the Acting CEO to adopt the Code of Meeting Practice as exhibited.

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

ITEM NO: CORP 02
FILE NO: 074817.2022
SUBJECT: Investment Report February 2022

COUNCIL DECISION

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

That Council

1. Receives and notes this report; and
2. Staff bring to Council a balanced budget by realising cost savings via a restructure as per Section 333 of the *Local Government Act 1993* which states that a restructure must be done within twelve (12) months from a council election with the clear aim of ensuring and improving front line service delivery.

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

INFRASTRUCTURE & ENVIRONMENT REPORT

ITEM NO: INF 01

FILE NO: 076882.2022

SUBJECT: WestInvest Fund - Liverpool Priority Projects

COUNCIL DECISION

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

That Council:

1. Receives and notes this report; and
2. With regard to the proposed project number point 11 in the report, "Liverpool Stadium at Woodward Park", the description to be added to, to state that it is to refer to an entertainment and community space as well.

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

ECONOMY & COMMERCIAL DEVELOPMENT REPORT

ITEM NO: ECD 01
FILE NO: 063468.2022
SUBJECT: Outdoor Dining Policy Review 2022

COUNCIL DECISION

Motion: **Moved: Cllr Rhodes** **Seconded: Cllr Green**

That Council:

1. Notes the current Outdoor Dining Policy is overdue for review and has been updated by Council officers to reflect the changing nature of the municipality; and
2. Adopts the updated Outdoor Dining Policy 2022 and notes the policy will be reviewed further to reflect Council's Public Domain Technical Manual when that document becomes available and to incorporate feedback from businesses, community, and Council following the current proposed changes.

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

QUESTIONS WITH NOTICE

ITEM NO: QWN 01

FILE NO: 051909.2022

SUBJECT: Question with Notice - Clr Goodman - Flood Evacuation Plan

Please address the following:

Does Council have a flood evacuation plan in place for the LGA?

Response (provided by Infrastructure and Environment)

Reference is made to the above question with notice as well as discussions at the Council Meeting of 23rd February 2022 regarding broader emergency evacuation planning and management issues. The following responses are provided:

1. Flood Evacuation Plan

The NSW State Emergency Services (SES) has the primary responsibility for flood emergency management and evacuation during floods. The SES has accordingly developed a Flood Evacuation Plan for the Greater Sydney area including Liverpool LGA and undertakes emergency flood evacuation during major floods. Known as the Liverpool City Council Flood Emergency Plan, it is a sub-plan of the Liverpool City Council Local Emergency Management Plan (EMPLAN). It has been prepared in accordance with the provisions of the State Emergency Service Act 1989 (NSW) and is endorsed by the Local Emergency Management Committee in accordance with the provisions of the State Emergency and Rescue Management Act 1989 (NSW).

The EMPLAN is active at all times in anticipation of the need to coordinate support and resources requested by combat agencies, including the SES. The Flood Plan can be viewed via the following link [Flood Storm and Tsunami Plans | NSW State Emergency Service](#).

While Council is not responsible for flood evacuation, Council provides logistic support such as assistance with road closures, following request from the SES and Police. Council also assists SES in identifying flood hotspots by providing flood risk and flood depth maps, identifying properties needing evacuation and roads subject to flooding.

2. Georges River Regional Flood Evacuation Study

While the Flood Evacuation Plan for the Liverpool LGA outlines satisfactory strategies for the evacuation of existing residents from severely flood prone areas, the Plan does not cover the future risk and evacuation strategies arising from continuing development and occupation of flood prone lands along the Georges River. Council is therefore undertaking a broad

Georges River Regional Flood Evacuation Study, which is in response to actions identified by the Greater Sydney Commission's Collaboration Area Place Strategy and the requirements of the Department of Planning and Environment. This study will identify any capacity constraints along key flood evacuation routes and the outcomes of this Study will be crucial in guiding the extent of possible future development of the flood prone lands along the Georges River.

It is possible that while flood free and accessible to the 100-year flood level, evacuation routes could become inaccessible quite rapidly in flood events even slightly over the 100-year event, thus making any emergency evacuation and recovery efforts impossible, with consequent serious risks to human life.

Areas in Moorebank East that are affected by flooding from the Georges River are relevant examples of this. These areas are located above the 100-year flood level and can be accessible in floods up to that level. However, in larger floods they will become flood islands isolated by hazardous flood waters, and it will be quite possible for these flood islands to be completely inundated by hazardous flooding. Because these areas can be isolated and remain inundated by hazardous flooding for over two days, sheltering in place is not considered to be an appropriate primary or secondary flood response. These properties must therefore be evacuated before the evacuation routes are cut.

It should also be noted that the State Emergency Services, as the responsible authority for emergency evacuation during floods, do not support council approving developments on such flood prone lands unless appropriate access for fail-safe evacuation of the entire population at risk of flooding is made available. The Georges River Regional Flood Evacuation Study will enable effective discussions with all key State agencies regarding controlled development and occupation of flood prone lands.

3. Flood detention basins

With regards to flooding impacts arising from a lack of or delayed construction of flood detention basins, the following response is provided.

Development of new release areas involves construction of new roads, driveways and dwellings, transforming rural lands to urban housing estates. As a result of this transformation, the volume of stormwater runoff increases significantly and could potentially cause increased flooding unless appropriate stormwater management infrastructure is in place. To mitigate the adverse impacts of flooding and to allow controlled occupation of flood prone lands, Council has developed a flood detention basin strategy which is being progressively delivered across the new release areas of Edmondson Park, Austral, Leppington North and East Leppington.

Until the basins are constructed and operational, the developers are required to construct interim onsite flood detention basins (OSD) to reduce stormwater runoff to its pre-development conditions to ensure there are no adverse flooding impacts or increased flooding on adjoining properties. Following completion of the regional basins the developers

will be permitted to decommission the temporary basins and develop the land for residential development. In view of this, it is unlikely that any flooding is caused by a lack of flood detention basins. It is considered that increasing rainfall frequencies and intensities coupled with inadequate capacities of the downstream creeks and waterway systems are the main contributors to flooding.

ITEM NO: QWN 02
FILE NO: 051916.2022
SUBJECT: Question with Notice - Clr Kaliyanda - Georges River Flood Studies

Please address the following:

1. What update is there on the Georges River Flood Evacuation Studies currently being conducted by DPIE?
2. What impact will the proposed development along the Georges River have on existing developments, especially residential developments, and on local flooding?
3. What community consultation has been done/is proposed in this area, either by DPIE or Council?
4. Will residents be advised about the potential for increased risk of future flooding?

Responses (provided by Infrastructure and Environment)

- 1. What update is there on the Georges River Flood Evacuation Studies currently being conducted by DPIE?**

The Georges River Regional Flood Evacuation Study aims to identify any capacity constraints along key flood evacuation routes affected by flooding from the Georges River. The outcomes of this Study will be crucial in guiding the extent of possible future development and occupation of the flood prone lands along the Georges River.

The Study is being undertaken by Molino Stewart as part of actions identified by the Greater Sydney Commission's Collaboration Area Place Strategy and in response to the Department of Planning and Environment requirement that flood evacuation be considered for planning proposals in areas affected by flooding from Georges River.

Detailed investigation including flood evacuation modelling has been completed and a draft report has been prepared. The report has been provided to key stakeholders including the NSW State Emergency Services (SES), Transport for NSW (TfNSW), the Environment, Energy and Science Group (EES) and major developers who have active planning proposals within the study area for review and comment. At this stage, it is anticipated that a Councillor briefing will be provided prior to the April meeting of Council.

2. What impact will the proposed development along the Georges River have on existing developments, especially residential developments, and on local flooding?

The purpose of the Study is to identify and assess the potential impacts arising from developments along the Georges River. This will then inform the extent of any development that can be supported, and flood mitigation required such that there are no adverse flood impacts.

3. What community consultation has been done/is proposed in this area, either by DPIE or Council?

Council has undertaken extensive consultations with key stakeholders such as SES, EES, TfNSW, and major developers as outlined above. Additionally, consultation has occurred for each of the planning proposals along the banks of the Georges River in accordance with Council's Community Participation Plan (CPP).

Due to its technical nature, the Georges River Regional Flood Evacuation Study itself would not be subject to a public consultation process. However, any changes to the Flood Evacuation arrangements arising from this study will indeed be communicated to the affected residents.

4. Will residents be advised about the potential for increased risk of future flooding?

As outlined above, the purpose of the Study is to identify and assess the potential flood evacuation impacts arising from developments along the Georges River. Comprehensive consultation has been undertaken with the SES to assess impacts of potential future developments on flood evacuation capacity and associated risks. Appropriate mitigation measures will be required to ensure existing and future flood affected community are not subject to increased flood risks resulting from potential future developments on the floodplain of the Georges River.

Residents of flood prone areas are advised of risks associated with flooding under council's ongoing flood risk management program. The properties along Newbridge Road in Moorebank, which are located on one of the worst flood ways in NSW, are notified of risks of flooding via letters as part of the Moorebank Voluntary Acquisition Scheme. Council has also installed flood level markers and flood warning signs at flood hotspots across the LGA. In addition to Council initiatives, the SES undertakes flood awareness campaigns in the flood affected areas.

ITEM NO: QWN 03
FILE NO: 051922.2022
SUBJECT: Question with Notice - Clr Harle - Wattle Grove Lakeside Park

With reference to Wattle Grove Lakeside Park, please address the following:

1. Is there a Master plan for Wattle Grove Lakeside Park, if so, how is it funded and does it include provision for the replacement of the North/West timber retaining wall (full of white ants) with a one-time improvement of cut sandstone blocks as was done at Clinches Pond?
2. What more can be done to improve the water quality of Wattle grove lake, short of emptying it and removing all of the 30-year built up sludge, decomposing vegetation and refuse washed into the lake?
3. What is the primary funding source for the ongoing maintenance of flood retention basins in the Liverpool LGA?

Response (provided by Infrastructure & Environment)

- 1. Is there a Master plan for Wattle Grove Lakeside Park, if so, how is it funded and does it include provision for the replacement of the North/West timber retaining wall (full of white ants) with a one-time improvement of cut sandstone blocks as was done at Clinches Pond?**

A masterplan for Wattle Grove Lakeside Park was developed in 2010 to guide ongoing improvements and upgrades to Lakeside Park. Substantial elements of this Plan have been delivered over the past several years including a playground, outdoor gym equipment, entry statements, signage and landscaping works. The proposed 2022-23 works program has provisions for the installation of solar lighting at Lakeside Park to supplement existing lighting at this location. Funding for the staged implementation of this masterplan comes through a range of sources including General Funds and Grant Funding where applicable.

While the masterplan does not contemplate the replacement of the existing timber walls with sandstone blocks, due to its current condition the walls will be programmed for detailed condition assessment. If the walls are found to be in a poor condition needing full replacement, longer lasting materials such as sandstones will be considered for any replacement. This will be programmed as part of council's capital works program.

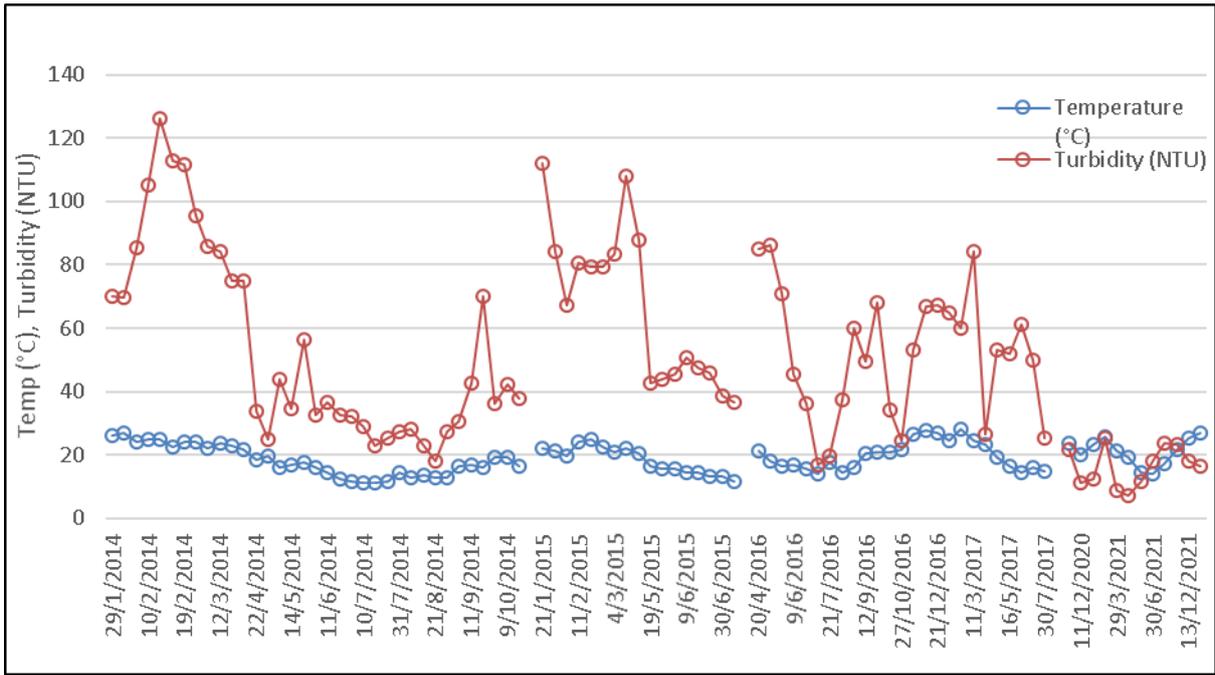
2. What more can be done to improve the water quality of Wattle grove lake, short of emptying it and removing all of the 30-year built up sludge, decomposing vegetation and refuse washed into the lake?

Wattle Grove Lake was constructed as part of land development by the Defence Housing Authority (DHA) in 1993. The Lake was originally constructed as a stormwater detention basin with the primary function of capturing and storing stormwater prior to discharging to Anzac Creek and ultimately the Georges River. However, over the years the function of the Lake has undergone significant change and has now become a crucial part of the local ecosystem, providing habitat to native aquatic fauna as well as a number of exotic and native bird species, including ducks, geese and possibly others, from the nearby Georges River environs.

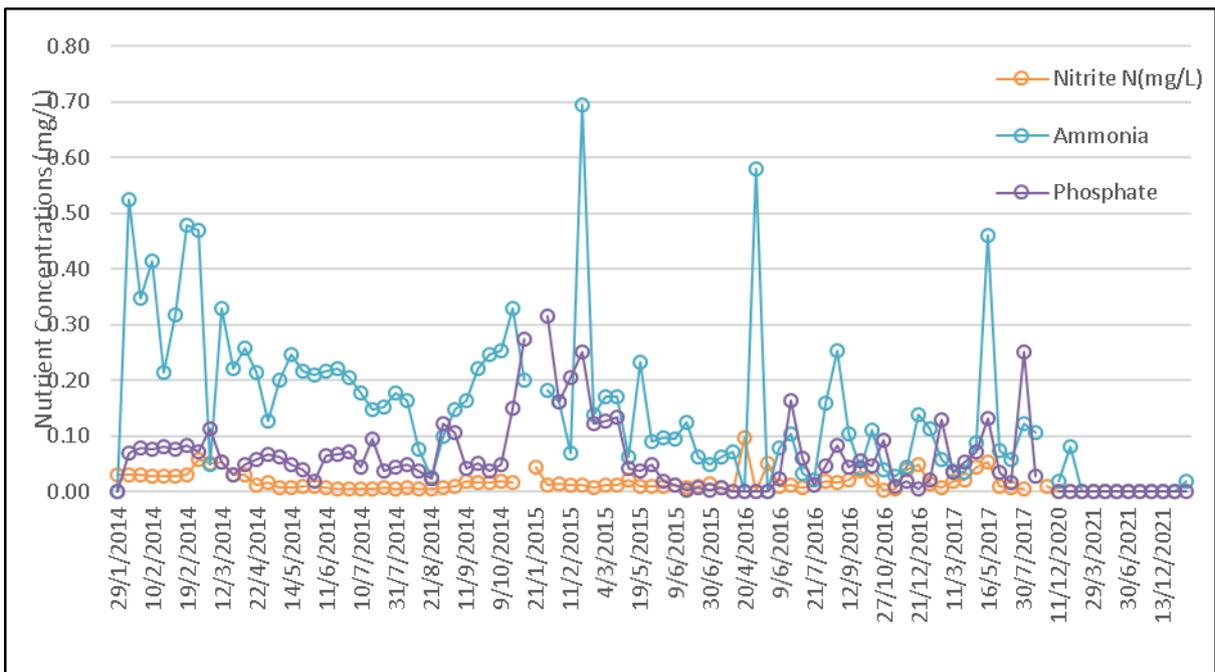
Following a major fish kill event in 2012, Council has invested significant resources and has worked with numerous consultants including the Western Sydney University to develop a detailed understanding of the underlying factors that are causing the water quality issues. There has been no conclusive underlying reason identified for water quality issues. However, insufficient depth of the lake to allow sediment particles to settle appears to be causing higher turbidity and the appearance of poor water quality.

Over the past few years, Council has progressively implemented a number of recommended water quality improvement initiatives including bank erosion protection works, installation of fountains/aerators, removal of carp and eels and modification to existing gross pollutant traps (GPT) to improve GPT performance. The lake has been included in Council's ongoing monthly water quality monitoring program.

Council considers that the above measures together with ongoing monitoring of water quality have been successful in addressing the extreme conditions that resulted in fish kills. Results of water quality analysis since 2014 shows marked improvements in the quality of the water. The following graphs show the trends in the various quality parameters that are being tracked for Wattle Grove Lake. As can be seen, there is marked improvements in the key measures including turbidity and nutrient levels.



Wattle Grove Lake - water quality monitoring results (turbidity & temperature)



Wattle Grove Lake - water quality monitoring results (nutrient levels)



Photos of Wattle Grove Lake as at 23rd February 2022

To assess opportunities of potential permanent solutions to water quality issues, Council has undertaken further investigations, which has shown that a system of Floating Wetland could improve water quality over time. However, the indicative cost for the 8,000 square metres of floating bed required to achieve desired outcome is estimated at over \$5 Million.

Regarding emptying the lake and removing built-up sediments from the lake, as outlined above, the man-made lake has now become a crucial part of the local ecosystem providing habitat to native aquatic fauna. Pumping and disposal of polluted materials will have significant environmental impacts within the lake area as well as on Anzac Creek.

3. What is the primary funding source for the ongoing maintenance of flood retention basins in the Liverpool LGA?

Maintenance of all stormwater infrastructure including the flood detention basins is funded through Council's own general funds and Stormwater Management Service Charge, which generates approximately \$1.4M annually.

ITEM NO: QWN 04
FILE NO: 051938.2022
SUBJECT: Question with Notice - Cllr Hagarty - Pet Adoptions

Please address the following:

1. How does Council determine the adoption fees at the Liverpool Animal Shelter?
2. Is there a process for reducing fees for animals held long term?
3. Does Council conduct regular benchmarking for adoption fees against other Councils and animal shelters?
4. Has Council considered animal adoption days?
5. What strategies has Council engaged to accommodate no kill strategies?
6. What are the animals being fed at the shelter?

Response (provided by Planning and Compliance)

- 1. How does Council determine the adoption fees at the Liverpool Animal Shelter?**

Adoption fees are based on the cost of veterinary services including a health check, desexing, vaccination, flea treatment and worming. It does not consider daily boarding fees. The adoption fees are included in Council's Fees and Charges schedule which is approved annually by Council.

- 2. Is there a process for reducing fees for animals held long term?**

Council has a "Pet of the Week" promotion where the fee is reduced. The pet of the week promotes animals that have been difficult to rehome and have been at the shelter for a long period of time. Council also has a reduced fee for rescue groups for such animals.

- 3. Does Council conduct regular benchmarking for adoption fees against other Councils and animal shelters?**

Yes, Council has benchmarked adoption fees against other Councils who rehome their own animals and Council fees are within the range that other Council's charge. Council reviews its fees annually and reports the proposed fees to Council for approval as part of the Fees and Charges Schedule accompanying the Operational Plan. The fees are also publicly exhibited.

Liverpool City Council's fees are:

Dog - \$364.30

Dog under 6 months - \$349.40

Pet of the week - \$156.90

Purchase by Rescue group - \$41.80 (if already desexed)

Purchase by Rescue group - \$156.90 (desexing required)

Cat - \$257.30

Kitten - \$232.00

Pet of the week - \$156.90

Purchase by Rescue group - \$41.80 (if already desexed)

Purchase by Rescue group - \$115.10 (if desexing required)

Comparison of fees with other Councils who rehome their own animals:

Council	Dog	Cat
Blacktown	\$435	\$226
Fairfield	\$375	\$225
Campbelltown	\$334.60	\$177.50

4. Has Council considered animal adoption days?

Yes, Council has an Adoption Day scheduled for 12 March 2022 and has previously held such days as required. During the COVID lockdown, there was no need for adoption days as most dogs were successfully rehomed in a short period of time.

5. What strategies has Council engaged to accommodate no kill strategies?

Council's strategies include:

- Employed a permanent Animal Rehoming Officer;
- Employed two Assistant Rangers to take dogs that are microchipped directly to their homes rather than taking them into the shelter;
- Pet of the Week promotion which advertises dogs that are difficult to rehome at a reduced price;
- Advertise available dogs on Council's social media platforms, Pet Rescue and Savour Life Adopt-A-Pet websites;
- Promotional adoption day (when required);
- Work with Rescue Groups by communicating with them weekly as to what animals are available for rehoming. These are offered at a discounted rate;
- Communicate and build relationships with new Rescue Groups that don't have an agreement with Council;

- Provide enrichment programs, training, and good care for the animals to assist in the rehoming process; and
- Animals are medically checked when entering the shelter and provided with Vet care when required.

6. What are the animals being fed at the shelter?

Rossmore Vet is responsible for feeding animals as part of the agreement with Council. Animals are fed a mixture of wet and dry food.

ITEM NO: QWN 05
FILE NO: 093237.2022
SUBJECT: Question with Notice - Cllr Kaliyanda - Liverpool Reconciliation Action Plan

Please address the following:

1. How are milestones and progress on identified RAP goals reported?
2. What RAP goals are applicable to councillors?
3. How are training needs within Council identified and filled?
4. Has there been consideration to the application of other mechanisms or frameworks for improving Council's engagement with, and support for our First Nations community, as well as improving our inclusivity and diversity within the organisations?
5. If so, what mechanisms or frameworks have been considered and how?

A response to these questions will be provided in the business papers for the Council meeting of 27 April 2022.

ITEM NO: QWN 06
FILE NO: 093255.2022
SUBJECT: Question with Notice - Cllr Hagarty - Sydney Weekender

Please address the following:

1. Did Council pay for the Sydney Weekender episode which aired Sunday 13 March, 2022? If so, what was the total cost of this engagement?
2. Was a business case, cost benefit analysis or similar undertaken prior to formalising the engagement? If so, can this be made available to Councillors?

A response to these questions will be provided in the business papers for the Council meeting of 27 April 2022.

ITEM NO: QWN 07
FILE NO: 093304.2022
SUBJECT: Question with Notice - Cllr Hagarty - Mosquitoes

In recent years, extended periods of hot and wet weather have led to an outbreak of mosquitoes in the Liverpool LGA and along the Georges River. This year is no different.

With reports of Japanese Encephalitis and Ross River Virus, this has the potential to become an increasingly serious public health issue as these mosquito breeding events become more intense, longer and frequent due to climate change.

The Federal Government recently announced a Japanese Encephalitis Virus (JEV) Response and established a national working group.

Please address the following:

1. Will Council be applying for funding under the Japanese Encephalitis Virus (JEV) Response?
2. To date, what lessons have been learned from Council's Mosquito Management Plan?

A response to these questions will be provided in the business papers for the Council meeting of 27 April 2022.

ITEM NO: QWN 08
FILE NO: 093325.2022
SUBJECT: Question with Notice - Cllr Hagarty - Special Rates and Charges

The Report of Public Inquiry into Central Coast Council recommends:

The Local Government Act 1993 be amended to eliminate any asserted ambiguity in section 409(3) of that Act to make it clear that money received as a result of levying rate or charges under any other Act may not be used otherwise than for the purpose for which the rate or charge was levied.

Section 409(3) of The Local Government Act 1993 states:

(3) *However—*

- (a) *money that has been received as a result of the levying of a special rate or charge may not be used otherwise than for the purpose for which the rate or charge was levied, and*
- (b) *money that is subject to the provisions of this or any other Act (being provisions that state that the money may be used only for a specific purpose) may be used only for that purpose, and*
- (c) *money that has been received from the Government or from a public authority by way of a specific purpose advance or grant may not, except with the consent of the Government or public authority, be used otherwise than for that specific purpose.*

Please address the following:

1. Does Liverpool Council receive any money from special rates or charges?
2. If so, what are these rates or charges?
3. What measures does Council have in place to ensure the money raised from any special rates or charges are used for the purpose for which they are levied?

A response to these questions will be provided in the business papers for the Council meeting of 27 April 2022.

ITEM NO: QWN 09
FILE NO: 093340.2022
SUBJECT: Question with Notice - Clr Rhodes - Junction Road Transmission Lines

SIMTA has notified residents along the north side of Junction Road from Anzac Road to Nuwarra Road Moorebank their intention to run 33kv overhead transmission lines along existing transmission lines.

The transmission lines are also planned to be running underground along Anzac Road.

SIMTA also advised residents they would visit properties in the work area early in 2022 to discuss specific impacts and to understand if anyone whether anyone at the addresses has any individual circumstances or requirements that would like us to consider in development of their specific workplans.

It is noted that the communication to constituents to the norther side of Junction Road was only to inform them of the decision already made by SIMTA.

Residents in the area have since provided feedback to SIMTA regarding their EMF concerns noting;

- a) The recommendation from former Chief Justice of the High Court of Australia Sir Harry Gibbs (Ausgrid state they apply prudent avoidance.
- b) Underground cables especially multicore as used for 33kV produce a much lower values of EMF.
- c) The proposed 33kV in Junction Rd would be installed above existing 11kV which is above existing 415v. Having three different voltages on the same pole reduces reliability, increases ongoing operational costs and poses additional safety risks to the local community.
- d) The proposed 33kV overhead would place additional restrictions on future development of the properties in Junction Road due to the larger safety clearances required for 33kV.
- e) Government projects should not save money at the expense of the public health, safety and value of properties.
- f) Restriction to tree canopy that line the road, that would otherwise serve the purpose of heat minimisation whist at a time when the State Government is advocating for heat minimisation particularly in western Sydney.
- g) All new developments in the Sydney basin have underground power.

PRESENTATIONS BY COUNCILLORS

Nil.

NOTICES OF MOTION

ITEM NO: NOM 01

FILE NO: 092641.2022

SUBJECT: Don't Leave Local Communities Behind - 2022 Federal Election

BACKGROUND

The next Federal Election is expected to be held in May 2022.

Working in conjunction with its member state and territory associations, the Australian Local Government Association (ALGA) has developed a framework and resources for a national advocacy campaign that will run in the lead up to this election.

Based around the tagline of "Don't Leave Local Communities Behind", the goal is to secure funding and policy commitments that will support every Australian council and community, and ensure all Australians have an equal opportunity to share in the benefits of Australia's post-pandemic recovery.

All Australian councils have been asked to participate in this campaign to ensure a coordinated approach that will deliver the best possible outcomes.

The Don't Leave Local Communities Behind campaign will promote 17 priority asks in the portfolios of:

- economic recovery
- transport and community infrastructure
- building resilience
- circular economy, and
- intergovernmental relations.

These priorities are based on motions passed by councils at ALGA's annual National General Assembly and have been endorsed by ALGA's Board which is comprised of representatives from all state and territory Local Government Associations. They have been assessed by independent economists and would add around \$6.46 billion per year to Australia's Gross Domestic Product while creating 43,444 jobs.

The Don't Leave Local Communities Behind campaign will run for five weeks, with each week focussing on one of the five portfolio areas. The full list of national Federal Election priorities that will be promoted through this campaign is outlined below:

Economic recovery

1. An initial injection of Financial Assistance Grants to local government of \$1.3 billion to support communities and jobs and also resolve the current practice of bringing forward two quarterly Financial Assistance Grant payments each year.
2. A commitment to return Financial Assistance Grants to at least one percent of Commonwealth taxation revenue via a phased approach.

Transport and community infrastructure

3. \$500 million per annum for a four-year continuation of the Local Roads and Community Infrastructure Program.
4. A strategic local roads investment program of \$300 million per annum over four years to address road transport first and last mile issues and congestion on local roads.
5. An increase in Roads to Recovery to \$800 million per annum (an additional \$300 million per annum) and the Black Spot Program to \$200 million per annum over four years, while addressing the South Australian road funding anomaly by making the additional \$20 million per annum to SA in 2021-22 and 2022-23 permanent.
6. Continuing the Stronger Regional Digital Connectivity Package at \$55 million over four years.
7. \$200 million over four years to assist councils to develop and implement innovative housing partnerships.

Building resilience

8. A targeted disaster mitigation program of \$200 million per annum for four years which will reduce the costs of response and recovery and strengthen community resilience.
9. A commitment to ensuring betterment funding as a core element of disaster recovery funding arrangements.
10. A commitment to include community infrastructure that is publicly accessible and owned, and local government waste, water and wastewater assets under Disaster Recovery Funding Arrangements.

11. A Local Government Climate Response Partnership Fund of \$200 million over four years to enable planning and preparation to minimise the impacts of climate change in local communities and enable councils to achieve climate neutrality as soon as practicable.
12. \$100 million per annum over four years provided directly to local governments to support the capabilities of Indigenous councils and the implementation of the Closing the Gap local/regional voice.

Circular economy

13. Support to provide guidance and advice to councils on how to unlock the circular economy locally, particularly in rural, regional, and remote areas.
14. Support to investigate and, if feasible, implement a national bin harmonisation program that will improve kerbside recycling, reduce contamination, and maximise opportunities for reuse.
15. \$100 million per annum over four years to fund local government circular waste innovation projects.

Intergovernmental relations

16. Reinstating local government representation to the primary intergovernmental forum in Australia, the National Cabinet.
17. Ensuring local government's ongoing voting membership of other relevant Ministerial forums.

ALGA has developed free campaign resources that can be adapted and used by all councils to ensure a consistent and effective approach.

Participating in a national advocacy campaign does not preclude this council from advocating on additional local needs and issues, but it will strengthen the national campaign and support all 537 Australian local governments.

CONFIDENTIAL ITEMS**ITEM NO:** CONF 01**FILE NO:** 068376.2022**SUBJECT:** Public Notification outcome of Proposed Road Closure and Sale/Land Swap of part of Hanwell Serviceway and part of Elizabeth Street, Liverpool**COUNCIL DECISION****Motion:****Moved: Cllr Hadid****Seconded: Cllr Rhodes**

That Council:

1. Resolve the objections to the road closure process of part of Hanwell Serviceway and part of Macquarie Street/Elizabeth Street, Liverpool by adopting Council staff's recommendation to proceed on the basis as outlined in the confidential report;
2. Notes that a public notification process was undertaken for the road closure process which included notification of the relevant service authorities;
3. Direct the A/CEO or his delegate to notify the objectors of this resolution and the actions of Council in progressing this matter;
4. Resolves that a further report be made to Council upon completion of the negotiations with the applicant to finalise a draft Deed of Agreement, prior to completing any formal road closure process or any proposed sale or land/swap progressing;
5. Keeps this report confidential pursuant to the provisions of Section 10A(2)(c) of the *Local Government Act 1993* as this information would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.

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

ITEM NO: CONF 05
FILE NO: 084588.2022
SUBJECT: Question with Notice - Clr Goodman - Civic Place

Questions and responses were provided to Councillors in the Confidential Book.

Item CONF 05 is confidential pursuant to the provisions of s10A(2)(g) of the Local Government Act 1993 because it contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

ITEM NO: CONF 06
FILE NO: 084701.2022
SUBJECT: Question with Notice - Mayor Mannoun - Purchase and Sale of Land on Scott Street Liverpool

Questions were published in the Confidential Book provided to Councillors. Responses will be provided in the 27 April 2022 Confidential Book.

Item CONF 06 is confidential pursuant to the provisions of s10A(2)(g) of the Local Government Act 1993 because it contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

ITEM NO: CONF 07
FILE NO: 093280.2022
SUBJECT: Question with Notice - Cllr Hagarty - Personnel Matters

Questions were published in the Confidential Book provided to Councillors.

Note: The responses to these questions were provided by memo to all Councillors on 31 March 2022.

Item CONF 07 is confidential pursuant to the provisions of s10A(2)(a) of the Local Government Act 1993 because it contains personal matters concerning particular individuals (other than councillors).

THE MEETING CLOSED AT 7.13pm.

<Signature>

Name: Ned Mannoun

Title: Mayor

Date: 27 April 2022

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 30 March 2022. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.



**MINUTES OF THE ORDINARY MEETING
HELD ON 27 APRIL 2022**

PRESENT:

Mayor Ned Mannoun
Councillor Ammoun
Councillor Goodman
Councillor Green
Councillor Hadid
Councillor Hagarty
Councillor Harle
Councillor Macnaught
Councillor Rhodes
Mr Peter Diplas, Acting Chief Executive Officer
Mr Vishwa Nadan, Acting Director Corporate Services
Ms Tina Bono, Director Community & Culture
Mr David Smith, Director Planning & Compliance
Mr Tim Pasley, Acting Director City Presentation
Mr Michael Zengovski, Acting Director Infrastructure & Environment
Mr John Morgan, Director Economy & Commercial Development
Ms Jennifer Chenhall, General Counsel, Manager Governance, Legal and Procurement
Ms Ellen Whittingstall, Internal Ombudsman
Mr George Georgakis, Manager Council and Executive Services

The meeting commenced at 6.02pm.

**STATEMENT REGARDING WEBCASTING
OF MEETING**

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

**ACKNOWLEDGMENT OF COUNTRY,
PRAYER OF COUNCIL AND
AFFIRMATION**

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

NATIONAL ANTHEM

The National Anthem was played at the meeting.

During the meeting and prior to the item being dealt with, Cllr Goodman declared a non-pecuniary, significant interest in the following item:

Item: CONF 04 Legal Affairs Report

Reason: Cllr Goodman is related to the owners of an item listed in the report.

Cllr Goodman left the Chamber for the duration of the item.

Cllr Hagarty left the Chambers at 6.09pm.

PUBLIC FORUM

Presentation – items not on agenda

1. **Mr Robert Storey** addressed Council on the following matter:

Draft Integrated Pest Management Strategy

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

That a three minute extension of time be given to Mr Storey.

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

Cllr Hagarty returned to the Chambers at 6.17pm.

Representation – items on agenda

1. **Mr John Anderson** addressed Council on the following item:

Item CTTE 03 Minutes of the Intermodal Precinct Committee meeting held on 7 March 2022.

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

That a three minute extension of time be given to Mr Anderson.

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

2. **Mr Aras Laboutis** on behalf of Coronation Property, addressed Council on the following item:

Item PLAN 07 Planning proposal request to rezone land and amend development standards in the Liverpool Local Environmental Plan for land at Moore Point Bridges Road, Moorebank

CHIEF EXECUTIVE OFFICER REPORT

ITEM NO: CEO 01
FILE NO: 119543.2022
SUBJECT: Endorsement of submission on the Western Parkland City Draft Blueprint & Draft Economic Development Roadmap

COUNCIL DECISION

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

That Council endorses the submission on the Draft Western Parkland City Blueprint and Draft Economic Development Roadmap for submission to the Western Parkland City Authority with the following inclusions to it:

- Referencing the future Moore Point and Woodward park developments as high priority infrastructure for the region;
- That the WPCA plays a more effective and active role in service and utility coordination to achieve improved outcomes particularly in growth areas;
- Given Liverpool City Council’s strategic positioning in the Parkland City, that its inclusion as a key stakeholder during the development of strategic documents and key decisions is non-negotiable;
- That the Draft Western Parkland City Blueprint includes the following two future rail corridors;
 - Parramatta- Austral – Badgerys Creek
 - Bankstown- Liverpool- Austral

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

PLANNING & COMPLIANCE REPORT

ITEM NO: PLAN 01
FILE NO: 370234.2021
SUBJECT: Street Naming Requests

COUNCIL DECISION

Motion: **Moved: Clr Hagarty** **Seconded: Clr Hadid**

That Council:

1. Defer the renaming of 'Squillaciote Crescent' to 'Driver Street' in Austral pending the consultation of the family;
2. Supports the naming of the bypassed section of Elizabeth Drive to 'Farrier Place' in Luddenham, by Penrith City Council;
3. Supports the naming of Regal Lane, Liverpool;
4. Supports the naming of Bushmaster Avenue, Moorebank;
5. Forwards the names to the Geographical Names Board, seeking formal approval;
6. Publicly exhibits the names in accordance with Council's Naming Convention Policy, for a period of 28 days, following formal approval from the GNB; and
7. Authorises the Acting Chief Executive Officer (or delegate) to undertake the process of gazettal if there are no submissions received during public exhibition.

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

The Councillors voted unanimously for this item.

ITEM NO: PLAN 07
FILE NO: 124133.2022
SUBJECT: Planning proposal request to rezone land and amend development standards in the Liverpool Local Environmental Plan for land at Moore Point Bridges Road, Moorebank

COUNCIL DECISION

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

That Council:

1. Notes the Council resolution of 25 November 2020 and supports the additional amendments to the planning proposal to introduce an 'Adaptive Management Framework' to ensure development in this precinct is staged in a manner that is compatible with flood evacuation capacity;
2. Resubmits the planning proposal to the Department of Planning and Environment, pursuant to Section 3.34 of the *Environmental Planning and Assessment Act 1979*, seeking a Gateway determination with a recommendation that completion of relevant studies be included as a condition of any Gateway determination and that the Department play an active role in the planning process given the strategic significance of this proposal to Liverpool and Greater Sydney;
3. Receives a further report on the outcomes of public exhibition and community consultation;
4. A comprehensive infrastructure plan which may include a VPA / works in kind / contributions plan is to cover traffic improvements, banks stabilization, and flood evacuation and mitigation measures;
5. Subject to proceeding through gateway, create a working group including Councillors to continue work on the project; and
6. Use a similar process, procedures, regulations and planning controls for other planning proposals that are before Council, where appropriate.

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

The Councillors voted unanimously for this item.

COMMUNITY & CULTURE REPORT

ITEM NO: COM 01

FILE NO: 094839.2022

SUBJECT: Report back to Council: establishment of a Multicultural Advisory Committee

COUNCIL DECISION

Motion:

Moved: Clr Green

Seconded: Clr Hadid

That the establishment of any additional Council Committees be deferred until a review of all Council Committees is undertaken to determine the effectiveness of the Committee, cost analysis, whether stated aims are being met in accordance with the Community Strategic Plan, and if they meet and are representative of the current and emerging needs of the community and Council's obligation to community consultation as set in the strategic plan of Council.

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

3. Receive a report back to a future Council meeting to consider amendments to the Grants and Sponsorships policy with a view to enabling Councillors to include additional sponsorships outside of the grants program by resolution of Council.

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

COMMITTEE REPORTS

ITEM NO: CTTE 01

FILE NO: 101598.2022

SUBJECT: Minutes of the Liverpool Heritage Advisory Committee meeting held on 21 February 2022

COUNCIL DECISION

Motion:

Moved: Cllr Harle

Seconded: Cllr Hagarty

That Council:

1. Receives and notes the minutes of the Liverpool Heritage Advisory Committee meeting held on 21 February 2022; and
2. Endorse the updated Heritage Advisory Committee Charter.

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

Reilly Street to Atkinson Street and installation of associated signs and line marking as shown in the agenda attachment booklet.

Item 5 - Liverpool City Centre Special Event - Festival of Chariots

- Classifies the Festival of Chariots event, scheduled for Saturday, 2 July 2022 through parts of the Liverpool City Centre, as a Class 2 Special Event with the required associated conditions.

Item 6 - Liverpool City Centre Special Event - Moorebank Air League

- Classifies the Australian Air League parade, scheduled for Sunday, 26 June 2022 through parts of the Liverpool City Centre, as a Class 2 Special Event with the required associated conditions.

Item 7 - Spencer Street, Cecil Hill – Proposed Raised Thresholds

- Installation of asphalt concrete speed humps across sections of Spencer Street between House Nos. 22 and 24 and in front of House No. 42 as shown in the Committee agenda attachment booklet.

Item 8 - Middleton Grange Town Centre, Middleton Grange

- Council notes that the developer will submit detailed design of a revised Middleton Grange Town Centre Traffic Management Plan, for approval.

Item 9 - Kurrajong Road – Concept Designs for Staged Upgrades Including Two Proposed Traffic Signals at its intersection with Lyn Parade/Beech Road and Mowbray Road

- Council notes short, medium, and long term staged improvement works identified to improve traffic flow and road safety along sections of Kurrajong Road.

Item 10 - Hartlepool Road and Foskett Street, Edmondson Park – Change to Existing Give-Way Control

- Changes to priority movements at the Hartlepool Road/Foskett Road/Freitas Road intersection, Edmondson Park, as shown in the Committee agenda attachment booklet.

Item 11 - Liverpool City Centre Special Event - Stary Sari Night Festival

- Classifies the Stary Sari Night Festival, scheduled for Friday 20th to Sunday 22nd May 2022 in George Street, Railway Street, Crawford Lane and Scott Street, as a Class 2 Special Event with the required associated conditions.

Item 12 - Items Approved Under Delegated Authority

- Council notes the traffic facilities approved under delegated authority.

Special Item - Pedestrian, Active Transport and Traffic Committee - Proposed Name Change

- Council approves a name change to Liverpool Local Traffic Committee as indicated in the report.

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

QUESTIONS WITH NOTICE

ITEM NO: QWN 01

FILE NO: 101062.2022

SUBJECT: Question with Notice - Cllr Kaliyanda - Liverpool Reconciliation Action Plan

Please address the following:

1. How are milestones and progress on identified RAP goals reported?
2. What RAP goals are applicable to councillors?
3. How are training needs within Council identified and filled?
4. Has there been consideration to the application of other mechanisms or frameworks for improving Council's engagement with, and support for our First Nations community, as well as improving our inclusivity and diversity within the organisations?
5. If so, what mechanisms or frameworks have been considered and how?

Response (provided by Community & Culture)

1. **How are milestones and progress on identified RAP goals reported?**

Council's RAP Status Updates

The review of Council's RAP is currently underway with Council engaging Ngurra Advisory, a wholly-First Nations owned and operated consultancy firm. Ngurra is working closely with Council's Community Development team to develop a revised RAP, reflective of Council's commitment to the advancement of First Nations people. The review will ensure the updated RAP is aligned with the Reconciliation Australia Framework and is reflective of the current needs and goals of the First Nations community.

Reconciliation Australia has developed a RAP Framework to guide organisations for its development. This Framework provides organisations with a structured approach to advance reconciliation. Within this Framework, there are four different levels of RAP which organisations can develop. Each level is designed to suit organisations at different stages of their reconciliation journey. The four levels include:

- Reflect – designed to prepare an organisation for future RAPs and reconciliation initiatives;
- Innovate – designed to establish the best approach for advancing reconciliation within the organisation and implementing reconciliation strategies and initiatives;
- Stretch – embed reconciliation initiatives into the organisation and utilise the "sphere

of influence” to drive reconciliation; and

- Elevate – leadership in reconciliation. There are unique requirements, expectations and processes in order to qualify as an organisation eligible to achieve an “Elevate” RAP.

Council, together with Ngurra Advisory, is working to achieve a ‘Innovate’ RAP for the next iteration of the plan. A ‘Innovate’ RAP runs for two years aiming to implement reconciliation initiatives. This phase will allow Council to gain a deeper understanding of the internal and external resources and influences and establish the best approach to advance reconciliation. This will include strengthening and expanding relationship with our First Nation community for reconciliation and development of innovative strategies to be embedded into business strategies at the next phase of the RAP, the ‘Stretch’ RAP. A comprehensive consultation program for the development of the RAP will be rolled out soon, including consultation with Councillors, staff and external stakeholders.

Reporting of RAP Milestones

Milestones and progress on the goals of the current Reconciliation Action Plan (RAP) are reported through Council’s Delivery Program and Operational Plan (DPOP) bi-annual reporting framework. These reports form the basis of Council’s Annual Report, which highlights key outcomes from a number of areas, including the RAP. RAP goals are also reflected in the individual Business Plans of relevant Council departments.

As part of the development of the new RAP, Ngurra Advisory is compiling a benchmark report, which will measure Council’s progress on the existing RAP against that of similar organisations. This report will outline how Council is currently performing against current delivery measures.

On completion of the new RAP, Council will be submitting it to Reconciliation Australia for official endorsement. In doing so, in addition to DPOP reporting, Council will be committing to annual reporting requirements on milestones and progress to Reconciliation Australia. This is the first time Council has undertaken this process to receive official endorsement of its RAP.

2. What RAP goals are applicable to councillors?

Under the current RAP Councillors have a responsibility to ensure all decisions and actions concerning heritage issues, community planning, environmental planning, cultural development, community programs and governance are underpinned by an understanding of and respect for First Nations culture and heritage.

Most of the goals within Council’s existing RAP are operational in nature. However, there are a number of targets which are applicable to Councillors, including:

- Conducting an Acknowledgement of Country at formal events and meetings

(including Council meetings) and encouraging the use of Darug or Dharawal language where possible;

- Conducting two annual internal workshops on local Aboriginal history to educate staff and Councillors;
- Encouraging Council staff to utilise the Aboriginal Consultative Committee (ACC) as a consultative mechanism; and
- Host events and programs which acknowledge and commemorate significant dates including Sorry Day, Memories in the Mall and NAIDOC Week.

For Councillors, these goals are mostly related to participation and promotion of these activities.

3. How are training needs within Council identified and filled?

Training needs for staff are integrated in Council's staff training programs and processes or as identified through plans such as the RAP. Cultural Awareness and information sessions around First Nations heritage and history for all staff are both identified within the existing RAP. Additionally, information and training needs are discussed at the internal First Nations Working Group, and through the newly established Diversity and Inclusion Working Group.

In addition to opportunities to seek and attend formal training in any area through Council's Learning and Development program, a great deal of training and education occurs through Council's events and programs which acknowledge and celebrate First Nations culture. Occasions like NAIDOC Week, Sorry Day and Memories in the Mall provide a unique opportunity to educate and inspire greater understanding of First Nations culture for staff and the wider community.

As part of its work with Council on developing a new RAP, Ngurra Advisory will be offering cultural awareness training to 15 senior staff to support the embedding of cultural awareness in the organisation. Further opportunities for training will be identified as part of the consultation process for the development of the new RAP. The consultation process aims to gather insight into the community and Council's understanding and knowledge of First Nations heritage and culture, identify opportunities for development, and gather information on the needs and goals of Council and the community in the First Nations space.

4. Has there been consideration to the application of other mechanisms or frameworks for improving Council's engagement with, and support for our First Nations community, as well as improving our inclusivity and diversity within the organisations?

5. If so, what mechanisms or frameworks have been considered and how?

Through its work, Council has driven and built strong relationships with key agencies, local Aboriginal groups and broader community. This has led to an increase in awareness of the

importance of First Nations considerations in Council's day-to-day work.

Council's revised RAP will be developed based on the Reconciliation Australia Framework. The RAP will be submitted to Reconciliation Australia for endorsement. In doing so, Council is committing to annual reporting requirements on the milestones and achievements included in this plan. This process will provide a new level of accountability for Council in its actions to ensure positive outcomes for First Nations people in Liverpool.

Council has already taken steps to strengthen its ongoing commitment to the advancement of First Nations people in Liverpool. This includes:

- The establishment of an internal First Nations Working Group. This group is working towards embedding First Nations considerations into key Council processes such as procurement, strategic projects, employment and communication;
- Development of a Diversity and Inclusion Framework. This framework focusses on attracting and retaining staff of diverse backgrounds – including First Nations people – at Council by ensuring processes and opportunities are inclusive of the varying needs of the Liverpool community; and
- Working with Gandangara Local Aboriginal Land Council on an historic, first-of-its-kind agreement to work collaboratively across organisations to support the advancement of First Nations people in Liverpool and ensure greater awareness of First Nations considerations across all areas of Council's work.

ITEM NO: QWN 02
FILE NO: 101071.2022
SUBJECT: Question with Notice - Clr Hagarty - Sydney Weekender

Please address the following:

1. Did Council pay for the Sydney Weekender episode which aired Sunday 13 March, 2022? If so, what was the total cost of this engagement?
2. Was a business case, cost benefit analysis or similar undertaken prior to formalising the engagement? If so, can this be made available to Councillors?

Response (provided by Communications)

- 1. Did Council pay for the Sydney Weekender episode which aired Sunday 13 March 2022? If so, what was the total cost of this engagement?**

Liverpool City Council entered into an MOU agreement representing a negotiated discounted total of \$23,000 excluding GST for the full engagement.

Following the airing of the special Liverpool-focussed episode of Sydney Weekender on **Sunday 13 March 2022**, based on the ratings and social media analysis provided from Channel 7 to Council. In addition, Sydney Weekender provided written feedback to Council that said:

“This is a great result and one of the highest rating episodes we have had this year.”

152,452 (**88,468 metro Sydney, 60,469 regional**) people watched the episode when it aired on Channel 7. A further 27,262 (**15,452 metro Sydney, 11,810 regional**) people watched the repeat of the episode on 7Two on 19 March.

Sydney Weekender’s social media reach for their posts on Instagram and Facebook to promote the episode, attracted a **combined reach of 87,366**.

- 2. Was a business case, cost benefit analysis or similar undertaken prior to formalising the engagement? If so, can this be made available to Councillors?**

Prior to the approval of the Sydney Weekender arrangement, a marketing campaign proposal shared by the State Government-run Destination NSW (DNSW) provides a costing benchmark. DNSW reached out to Council with a proposal in November 2021 for a campaign to promote Liverpool through their channels, totalling \$40,000.

With approval from the former CEO outlining the opportunity costings, various stakeholders within Council opted to work with Sydney Weekender in lieu of DNSW to reach a more mainstream audience, thus leveraging the more cost-effective option which was achieved

through a discounted rate.

Liverpool City Council's Destination Management Plan (DMP) seeks to promote Liverpool as a core visitor destination, support local businesses, groups and organisations, whilst celebrating Liverpool's diversity. The Sydney Weekender episode aligned with multiple strategic actions and aspirations contained within the DMP, aimed at growing Liverpool's visitor economy. This includes, but not limited to the following:

- Positioning Liverpool as a multicultural hub;
- Growing the local recreational tourism market;
- Establishing Liverpool as a culinary tourism destination;
- Growing event-based visitation; and
- Positioning Liverpool as a shopping destination

The timing of the package was also an important consideration with many local businesses in the CBD needing extra promotional support following COVID-19 pandemic-related shutdowns.

The Sydney Weekender episode has received a positive response from the community, as evident on Council's social media channels and via Channel 7-owned channels. The combined engagement on Sydney Weekender's Facebook posts (a total of five) was **768 likes, 506 comments** and **68 shares**.

Comments on Sydney Weekender's Facebook page include people highlighting the discovery of new locations, how they perceive Liverpool in a new way, and their surprise at offerings such as Casula Powerhouse Arts Centre so close to home. Facebook posts by Council also received high engagement rates and predominately positive comments including local pride, congratulating Council on showcasing Liverpool to a broad audience and discovering new things in their own local area.

Anecdotally, SBS advised that the episode stimulated their interest to consider onboarding as a media partner for Council's Starry Sari Night in May – discussions are still ongoing.

ITEM NO: QWN 03
FILE NO: 101078.2022
SUBJECT: Question with Notice - Clr Hagarty - Mosquitoes

In recent years, extended periods of hot and wet weather have led to an outbreak of mosquitoes in the Liverpool LGA and along the Georges River. This year is no different.

With reports of Japanese Encephalitis and Ross River Virus, this has the potential to become an increasingly serious public health issue as these mosquito breeding events become more intense, longer and frequent due to climate change.

The Federal Government recently announced a Japanese Encephalitis Virus (JEV) Response and established a national working group.

Please address the following:

1. Will Council be applying for funding under the Japanese Encephalitis Virus (JEV) Response?
2. To date, what lessons have been learned from Council's Mosquito Management Plan?

Response (provided by City Presentation)

With respect to Council applying for funding under the Japanese Encephalitis Virus (JEV) Response, the relevant council teams will work with councils Strategic Grants and Funds Officer, once funding is available. However, this depends on if council is eligible to apply for funding. If we can, we will apply, to assist in the management of JEV.

In relation to Councils Mosquito Management Plan, council has been managing the health issue since 2019. Council has successfully managed and treated the identified areas of disease carrying mosquito. Target mosquito numbers have been low for the 2021-2022 season. Whilst we have seen large numbers of mosquitos around in 2022, majority of them have been the annoyance mosquito and this is due to the very wet seasonal weather conditions we have been experiencing.

Council releases council education videos to the community which are uploaded onto social media platforms at the start of the season and again mid-season to help educate the community. A brochure is also released in areas that we identify may be heavily impacted by mosquitos. This brochure is published in multiple languages. Possibly more education to the public is needed to highlight that council target the health issues, not the annoyance along with how council target identified breeding areas on public land. Educational videos and material will need to be updated and plan of management updated to reflect actions for JEV.

City Works-Parks has funded the delivery of management actions since 2020. Ongoing budget for mosquito management needs to be allocated.

ITEM NO: QWN 04
FILE NO: 101089.2022
SUBJECT: Question with Notice - Cllr Hagarty - Special Rates and Charges

The Report of Public Inquiry into Central Coast Council recommends:

The Local Government Act 1993 be amended to eliminate any asserted ambiguity in section 409(3) of that Act to make it clear that money received as a result of levying rate or charges under any other Act may not be used otherwise than for the purpose for which the rate or charge was levied.

Section 409(3) of The Local Government Act 1993 states:

(3) However—

- (a) *money that has been received as a result of the levying of a special rate or charge may not be used otherwise than for the purpose for which the rate or charge was levied, and*
- (b) *money that is subject to the provisions of this or any other Act (being provisions that state that the money may be used only for a specific purpose) may be used only for that purpose, and*
- (c) *money that has been received from the Government or from a public authority by way of a specific purpose advance or grant may not, except with the consent of the Government or public authority, be used otherwise than for that specific purpose.*

Please address the following (response provided by Corporate Services):

1. Does Liverpool Council receive any money from special rates or charges?

Yes.

2. If so, what are these rates or charges?

Council levies the following special purpose annual charges and contributions:

- S7.11 Contributions
- City Development Fund
- Domestic Waste Reserve
- Environment Levy
- Stormwater Levy

3. What measures does Council have in place to ensure the money raised from any special rates or charges are used for the purpose for which they are levied?

These levies are collected and classified as externally restricted funds. All funds collected and spent from these levies are accounted for and balances at end of each quarter is reported to Council. The project managers are primarily responsible to ensure the costs are correctly charged. Finance conducts high level reviews to identify and correct anomalies. The transactions are subject to audit and balance of unspent funds are reported in Council's annual financial statements.

ITEM NO: QWN 05
FILE NO: 101187.2022
SUBJECT: Question with Notice - Clr Rhodes - Junction Road Transmission Lines

SIMTA has notified residents along the north side of Junction Road from Anzac Road to Nuwarra Road Moorebank their intention to run 33kv overhead transmission lines along existing transmission lines.

The transmission lines are also planned to be running underground along Anzac Road.

SIMTA also advised residents they would visit properties in the work area early in 2022 to discuss specific impacts and to understand if anyone whether anyone at the addresses has any individual circumstances or requirements that would like us to consider in development of their specific workplans.

It is noted that the communication to constituents to the norther side of Junction Road was only to inform them of the decision already made by SIMTA.

Residents in the area have since provided feedback to SIMTA regarding their EMF concerns noting:

- a) The recommendation from former Chief Justice of the High Court of Australia Sir Harry Gibbs (Ausgrid state they apply prudent avoidance.
- b) Underground cables especially multicore as used for 33kV produce a much lower values of EMF.
- c) The proposed 33kV in Junction Rd would be installed above existing 11kV which is above existing 415v. Having three different voltages on the same pole reduces reliability, increases ongoing operational costs and poses additional safety risks to the local community.
- d) The proposed 33kV overhead would place additional restrictions on future development of the properties in Junction Road due to the larger safety clearances required for 33kV.
- e) Government projects should not save money at the expense of the public health, safety and value of properties.
- f) Restriction to tree canopy that line the road, that would otherwise serve the purpose of heat minimisation whist at a time when the State Government is advocating for heat minimisation particularly in western Sydney.
- g) All new developments in the Sydney basin have underground power.
- h) The advice from SMITA states the works is an upgrade when in fact it is new work made necessary to service the Intermodal Development.

Please address the following:

1. **What can Council do, or what is going to do to stop the proposed overhead transmission lines in order to protect the health, safety, and property values of our Liverpool residents?**

Response (provided by Planning and Compliance)

Council resolved the following at the 30 March 2022 Council meeting:

“That Council write to all government departments involved in the intermodal as well as Endeavour Energy asking them not to discriminate against the residents / property owners of Junction Road, Moorebank by installing the proposed new 33kV powerlines above ground and place them underground like they are doing in Anzac Road close to the intermodal”.

Council staff are aware of the proposal by the Sydney Intermodal Terminal Alliance (SIMTA) and has previously met with the consultants engaged by SIMTA to discuss the proposal. These discussions were primarily related to potential traffic impacts during construction and the need for appropriate traffic management.

The consultants outlined the three options that were considered, being:

1. Above ground line on the same side of the road as the existing power lines (preferred)
2. Above ground line on the other side of the road from the existing power lines
3. Underground line.

Council staff discussed the option of undergrounding the wires. The response was that a separate corridor would be required, and Endeavor Energy would be unlikely to support this option. In addition, it was advised that there are existing poles and wires along this road section.

It is understood that SIMTA are now finalising the Review of Environmental Factors for the project which Endeavour Energy will consider as the public authority responsible for approving these types of works under Part 5 of the Environmental Planning and Assessment Act 1979 and Section 2.44 of SEPP (Transport and Infrastructure) 2021.

Council is not the consent authority for these works and a formal development application is not required. Council will write to SIMTA and Endeavour Energy requesting that they install the power lines underground. Ultimately thought, that decision will be Endeavour Energy’s.

ITEM NO: QWN 06
FILE NO: 120884.2022
SUBJECT: Question with Notice - Clr Green - Town Halls

A Town Hall is a distinguishing feature of many towns, shires and cities.

Usually accessible and centrally located a Town Hall is not merely a building used for the administration of local government but serves a focal point for the community, especially during times of crisis.

In southwest Sydney- Bankstown, Fairfield, Campbelltown and Camden all have identified, centralized Town Halls accessible to their communities providing council administrative services and useable space for community events.

Liverpool's lack of a Town Hall was keenly felt during the recent floods. Authorities established an evacuation centre outside the LGA while response teams and recovery efforts were coordinated at disparate locations.

With Liverpool Council looking to formalise and resource its emergency response capacity, a Town Hall could act as a formal emergency management office during times of crisis.

1. What research has Council undertaken in relation to the context why there is an absence of a Town Hall in Liverpool
2. Provide advice as to the broad range of contemporary uses of Town Halls in comparable LGAs; and
3. Investigate the economic, social and cultural benefits of a Town Hall.

Response

Council's Townhall was built on the corner of George and Moore Streets in 1881 and was replaced in the same spot in 1939. A second Town Hall was opened in 1939 that housed Councils administrative functions until 1956 when a dedicated building was constructed at Hoxton Park. Council administrative functions have been accommodated in several sites since, with today Council's administrative services operating out 33 Moore St.

In 1986 Council had planned to construct a new Townhall building on the current Library Plaza site however opted with the construction of a Library, and new entrance to the Francis Greenway Centre included in the designs.

Council currently has multiple sites that support the civic and public functions performed in a traditional townhall. Casula Powerhouse Arts Centre hosts Council's many civic functions which includes Citizenship and other ceremonial events. It acts as a focal point for community engagement that includes focus groups and public events. In addition, Council's

community centres support public forum and functions, such as Liverpool District Forums and other engagement at a localised level.

In terms of crisis and emergency hub, Council's Leisure Centres have substantial capability to act in capacity of Emergency evacuation hubs. In 2021 and 2022 the Leisure Centre have been activated to provide crisis flood evacuation hub with the community centres further accommodating crisis welfare support provision by community groups. To date there have been few instances where the functions performed by a traditional townhall could not be accommodated.

Campbelltown City Council has a dedicated town hall that is currently permanently leased to the Campbelltown Theatre Group. Other comparable LGA's have a range of community venues available for hire, similar to Liverpool City Council. City of Sydney has an historic town hall, with a number of spaces available for hire and is often used for commercial ticketed events.

Additionally, Council's Liverpool Civic Place project, due to open in 2023 will provide spaces for community hire in both the new Council Chambers and the new Library, satisfying much of the traditional functions of a centralised community town hall.

ITEM NO: QWN 07
FILE NO: 121053.2022
SUBJECT: Question with Notice - Clr Hagarty - City Deal

Please address the following:

1. How many times this term has the City Deal Mayoral Forum met?
2. Will Councillors still receive briefings and minutes from these forums as per a previous resolution of Council?
3. Will Councillors still be afforded the opportunity to have input and influence in deliberations and decision making regarding the City Deal?

Response (provided by Office of the CEO)

1. How many times this term has the City Deal Mayoral Forum met?

This term, the City Deal Mayoral Forum has been held once on the 23rd March. The April meeting was cancelled due to the Leadership Group being held. The next one is scheduled in May. The minutes are distributed in the following meeting agenda and confirmed at that meeting (i.e. the Minutes will be available in May). As a matter of practice, Council will circulate the Mayoral Forum minutes through the CEO update.

2. Will Councillors still receive briefings and minutes from these forums as per a previous resolution of Council?

Council will continue to receive briefings and updates through a number of avenues.

- Mayoral forum minutes will be circulated through the CEO update when they are received.
- Any relevant update or feedback sought on key matters will be tabled to Council in the relevant forum. E.g. Council's submission response to the Economic Development Roadmap and Blueprint is tabled at the April 22 Council meeting for Council endorsement.
- Summary updates through the Strategic Panel meeting sessions will continue.
- A newsletter (from the WPC) will be circulated on a bi-monthly basis. This will assist Councillors continue to be updated on all things related to the Western Parkland Councils. As per the first addition of the newsletter the intent of a periodic newsletter is to provide updates on;
 - *Who's Who in the Zoo*
 - *Western Sydney City Deal Commitment Updates*
 - *Western Parkland Councils' Initiatives*

- *Western Parkland City Authority Activities*
- *WSHA/WSPP/WSIAO News*
- Any other information of relevance will be circulated/briefed to all Councillors

3. Will Councillors still be afforded the opportunity to have input and influence in deliberations and decision making regarding the City Deal?

There will be a City Deal summit which will extend the invite to all Councillors in June this year. A date for this has not yet been confirmed. Broadly speaking the intent of the summit is to give a voice to all Elected Representatives on City Deal related matters. Council will advise as soon as the date and agenda is confirmed.

As mentioned above, any Council submission on key topic areas will be submitted and briefed to Council through the most appropriate forum.

ITEM NO: QWN 08
FILE NO: 121099.2022
SUBJECT: Question with Notice - Clr Hagarty - Protests

Please address the following:

Broken down by year since 2012:

1. How many applications has Council received for road closures or closures of other public space for protests?
2. How many were approved or refused?

Response (provided by Planning and Compliance)

There have been no applications for road closures for protests since 2012.

The Police have provided Council officers with information about Protests, usually following the event, when requested.

ITEM NO: QWN 09
FILE NO: 122072.2022
SUBJECT: Question with Notice - Cllr Kaliyanda - Closure of Edmondson Park Commuter Carpark

On 26 February 2022 the working commuter carpark adjacent to Edmondson Park train station was permanently closed.

Please address the following:

1. What is the reason for closure and who authorised the closure?
2. What are the future plans for the site?
3. If there are no immediate future plans for the site, why is the carpark closed to the general public?

Response (provided by Planning and Compliance)

1. What is the reason for closure and who authorised the closure?

The carpark was a temporary carpark with 180 parking spaces and was constructed by Transport for NSW (TfNSW) to minimise the loss of carparking spaces during the construction of the new multi deck carpark to the south of the train station. With the opening of the southern multi deck carpark, carparking provision has increased by 1,070 spaces and the temporary car park has been closed by TfNSW.

2. What are the future plans for the site?

The site is part of the planned Edmondson Park Town Centre North development.

3. If there are no immediate future plans for the site, why is the carpark closed to the general public?

The temporary carpark was closed as TfNSW has provided 1070 car parking spaces south of the station and as the site is part of the planned Edmondson Park Town Centre North development.

ITEM NO: QWN 10
FILE NO: 122305.2022
SUBJECT: Question with Notice - Clr Rhodes - Current Status of Liverpool Council's Koala Management Plans and/or Protection Policies

Notes that since 1990, NSW koala populations have declined by between 20% and 50%, to be in the range of 15,000 to 25,000 remaining. Local extinctions have already occurred and the species is projected to become extinct in the wild in NSW within 30 years. Urgent action is needed to ensure future generations can see these iconic species in the wild.

Please address the following:

1. What is the status of identification of koalas and koala habitat and or transition corridors in the Liverpool LGA;
2. What planning measures are currently in place to protect them; and
3. What further could be done by council to ensure enhanced protection of koalas and koala habitat in the Liverpool LGA.

Response (provided by Infrastructure and Environment)

1. What is the status of identification of koalas and koala habitat and or transition corridors in the Liverpool LGA?

The koala population within Liverpool LGA predominantly occurs within Commonwealth and privately managed land. The biggest barriers to koala movements through the LGA are state managed roads, developed lands and security fencing around Defence land.

Council is committed to the ongoing protection of land under its care, control, and management and the enhancement of areas of the greatest biodiversity value. As presented in the reports to the March 2019 and December 2019 Council meetings, it is not feasible to provide a Georges River Koala Corridor or crossing bridges as there is no suitable habitat to provide connection to. Extending koala habitat connections beyond their current range within the LGA would pose a threat to dispersing individual koalas due to impacts such as predation, vehicle strikes, starvation, unsuitable habitat and stress.

2. What planning measures are currently in place to protect them?

The protection of koalas and their habitat is led by the following:

- NSW Koala Strategy (available from <https://www.environment.nsw.gov.au/research-and-publications/publications-search/nsw-koala-strategy-2022>);
- State Environmental Planning Policy (Biodiversity and Conservation) 2021; and
- *Biodiversity Conservation Act 2016*.

Council critically evaluates proposed developments that may impact upon koala habitat. Koala related provisions within State Environmental Planning Policy (Biodiversity and Conservation) 2021, which were previously included in SEPP (Koala Habitat Protection) 2021, are consistently applied by Council when assessing pertinent development applications.

As koalas are a threatened species, potential impacts are also considered within the context of the NSW *Biodiversity Conservation Act 2016* to ensure that any potential impacts are minimised and appropriately assessed.

The protection of koalas, including their habitat and movement corridors, will also be a focal consideration of the Cumberland Plain Conservation Plan currently being developed by the NSW Government. The Plan is being revised in response to recommendations made by the NSW Chief Scientist & Engineer regarding the protection of koalas. It is anticipated that this Plan will be finalised later this year.

3. What further could be done by council to ensure enhanced protection of koalas and koala habitat in the Liverpool LGA?

Council is committed to the management of koalas, as demonstrated by the following actions taken over the last three years.

	Date	Action
1.	September 2018	Council officers attended the Wollondilly Koala Summit to better understand the issues facing Koala conservation in the Macarthur region. Outcomes and next steps of the summit were predominantly advocacy oriented.
2.	November 2018	Negotiated the installation of koala warning signs at known vehicle strike hotspots on RMS (now TfNSW) roads, at cost to Council.
3.	2018-2019	Advocated for improved wildlife crossing structures as part of the Heathcote Road upgrade and engaged with external stakeholders, including Department of Defence to seek support for a koala corridor through their land at Holsworthy (sent letters dated 31/8/2018, and 13/8/2019).
4.	March 2019 December 2019	(Council reports) – various actions to preserve koala populations in the LGA, including reference in the reports that it's not feasible to provide a Georges River Koala Corridor or crossing bridges as there is no suitable habitat to connect to.
5.	2018-2020	Participated in multiple engagement opportunities for the development of the NSW Koala Strategy and Koala SEPP revision.
6.	April and July 2020	(Council reports) – Initiatives to protect koala populations and prevent koala and wildlife injuries including virtual fencing.

7.	April 2020	Liaised with Western Sydney Parklands Trust and Australian Wildlife Parks regarding the establishment of a wildlife hospital/sanctuary or a wildlife conservation tourist attraction. Western Sydney Parklands Trust noted they already support significant wildlife attractions on their land and are not seeking to support additional wildlife attractions. Australian Wildlife Parks noted that the Liverpool LGA is outside the City-Blue Mountains tourist corridor, and thus unlikely to capture a sufficient visitation to be a viable location.
8.	November 2020-current	Worked with DPE to investigate ways to facilitate safe passage of wildlife across Heathcote Road, particularly in the vicinity of Deadmans Creek. Council has requested an update from DPE on this matter.
9.	May 2021	Attended the Long-term Koala Monitoring Workshop at Campbelltown City Council.
10.	June 2021	Prepared a business case to analyse the need and feasibility of a koala hospital/sanctuary, which concluded that a koala hospital or sanctuary not be pursued. The considerable establishment and ongoing management costs could not be justified for the small number of koalas requiring care.

The factors raised in response 1 limit the degree of influence that Council has on the management of koala habitat and movement corridors. However, Council will continue to actively influence outcomes by advocating to, and engaging with, stakeholders such as DPE, TfNSW, Department of Defence, and adjacent Councils to seek improved habitat management practices.

Clr Hadid left the Chambers at 7.07pm.

ITEM NO: QWN 11
FILE NO: 123148.2022
SUBJECT: Question with Notice - Clr Macnaught - Status of the 2012 VPA - Moorebank (New Brighton Golf Club) Brickmakers Drive

Please address the following:

1. Could Council please provide an update on the status of the 2012 VPA - Moorebank (New Brighton Golf Club): Brickmakers Drive?

Response (provided by Planning and Compliance)

Council executed a planning agreement with Mirvac Homes (NSW) Pty Ltd (the developer) and New Brighton Golf Club Limited (the landowner) on 21 September 2012 in response to a change to the Liverpool Local Environmental Plan 2008 that rezoned part of the New Brighton Golf Course land at Moorebank from RE2 Private Recreation to R1 General Residential. The rezoning facilitated the development of residential dwellings by Mirvac Homes NSW as well as the reconfiguration of the golf course on land located south of the M5 Motorway, part of which is Council owned land.

The developer, landowner and Council acknowledged that the amendments to the Liverpool Local Environmental Plan 2008 would result in the need for infrastructure upgrades and improvements to the environment including an expanded road network, shared pedestrian and cycle pathways, provision of additional open space and regeneration of valuable vegetation. Through the planning agreement, the developer and landowner are required to dedicate land to Council free of cost to ensure infrastructure and environmentally valuable areas are in the care and control of Council and used or applied towards a public purpose.

Most of the development enabled by the rezoning has been completed. It is noted that a contributing factor for the delay in completing some of the planning agreement items was that the landowner was affected by the previous COVID restrictions and closures which impacted them financially, resulting in the inability to commit to construction projects. Council is continuing to liaise with the developer and landowner to progress the delivery of the outstanding planning agreement items in a timely manner.

An overview of the status of each item is provided below:

Item	Complete
Preparation of a Vegetation Management Plan	Completed
Construction of a 2.5m shared pedestrian/bike network within the residential area	Completed
Installation of two (2) Gross Pollutant Traps (GTPs)	Completed
Construction of water quality control ponds	Completed

Landscaping and recreational facilities	Completed
Reconstruction of Cantello Reserve Dog Park	Completed
Public access to link Georges River Foreshore and Cantello Reserve	Completed
Monetary Contribution	Completed
Construction of a pedestrian/bike path (foreshore) to be dedicated to Council	Outstanding
Construction of a pedestrian/bike path (between foreshore and residential land)	Outstanding
Riparian Planting	Outstanding
Construction of a perimeter fence	Outstanding

ADDENDUM

ITEM NO: CORP 03
FILE NO: 093640.2022
SUBJECT: Written Returns of Interest - New Council

COUNCIL DECISION

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

That Council:

1. Notes the written returns of interests of Councillors, are now tabled before the Council in accordance with clause 4.25 of Council's Code of Conduct;
2. Notes that Governance will only make redacted copies available to the public, if requested; and
3. Notes that Governance will update the register on the Council website to include the new returns.

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

Clr Hadid returned to the Chambers at 7.12pm.

ITEM NO: CORP 04

FILE NO: 131236.2022

SUBJECT: For Public Exhibition - Community Strategic Plan 2022-2032

COUNCIL DECISION

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

That Council approves the Draft Community Strategic Plan 2022-2032 to go on public exhibition for 28 days.

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

PRESENTATIONS BY COUNCILLORS

Clr Hagarty commended Clr Goodman for raising money for the Starlight Foundation by shaving off his pony tail, and called for others to support the cause.

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NOTICES OF MOTION

ITEM NO: NOM 01
FILE NO: 122032.2022
SUBJECT: NSW Government Backflip on Design and Place SEPP

BACKGROUND

Earlier this month, the new NSW Planning Minister, Anthony Roberts, announced that he would scrap his predecessor Rob Stokes' draft planning rules for greener and more sustainable housing development.

The rules, known as the Design and Place State Environmental Planning Policy (SEPP), put a premium on environmental standards, requiring all developments to mitigate and adapt to the risks of climate change. They were part of a draft plan for all NSW buildings to operate at net zero emissions "well before 2050"

The draft environmental plan included a goal of 20-minute "walkability" to shops and parks for new neighbourhoods, revamped design rules to make new apartments better ventilated and more appealing and a requirement for green spaces in new developments.

This backflip by the NSW Government is especially shocking given that hundreds of submissions in response to the draft SEPP have yet to be considered.

It is all the more crucial given what we know about the impact of climate change on our community in particular. Over the last few years, Council has worked closely with organisations like WSROC to be part of awareness and advocacy campaigns around the Urban Heat Island Effect.

Communities in Western Sydney need leadership to change the fundamental mistakes visible in western Sydney's priority growth areas: the long traffic jams, the high rates of social isolation, poor public health, low job availability, and of course, the rising heat.

Heat is Australia's most lethal natural disaster. The frequency, intensity and duration of heat are predicted to increase across Australia, and especially in western Sydney. Researchers have already documented air temperatures above 50C in the region. Building more urban sprawl means we accept that more people will die of heat.

The draft SEPP addressed many of the collective findings on urban planning, mitigation, and adaptation. How we can build with less impact on our climate. How to create healthier, happier communities. Sensible and affordable changes.

Unfortunately, however, over two years of work in this space has just been tossed aside.

NOTICE OF MOTION (submitted by Cllr Kaliyanda)

That Council

1. Write to the NSW Minister for Planning and Homes Anthony Roberts and NSW Premier Dominic Perrottet to express Council's concern over the impact that scrapping the draft Design and Place SEPP will have on the quality and resilience of urban design and planning in Western Sydney.
2. Publicly advocate for changes to the NSW Planning system to:
 - New housing is designed for future climates and can maintain survivable temperatures without air-conditioning;
 - The heat-resilience of existing housing stock and critical infrastructure is improved; and
 - Adequate green space is provided for not only greenfield housing developments, but also for medium and high-density developments.

COUNCIL DECISION

Motion:

Moved: Cllr Green

Seconded: Cllr Macnaught

That Council:

1. Publicly advocate for changes to the NSW Planning system:
 - New housing is designed for future climates and can maintain survivable temperatures without air-conditioning;
 - The heat-resilience of existing housing stock and critical infrastructure is improved; and
 - Adequate green space is provided for not only greenfield housing developments, but also for medium and high-density developments.
2. Consider other applicable changes from the Design and Place State Environmental Planning Policy (SEPP) to be included in the DCP and LEP Review, where there is the ability of Council to do that.

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

The Councillors voted unanimously for this item.

ITEM NO: NOM 02
FILE NO: 122047.2022
SUBJECT: Status of Women Committee

BACKGROUND

There was an unprecedented 8.5% increase in the number of women elected to councils across NSW at the 2021 election, bringing the number of women elected to local government to 39.5%. However, despite this, Liverpool has only had a total of 13 women elected to Council in our almost 150 year history.

Many local government areas have committees to provide advice to Council on improving the ways in which women in their communities are able to participate and engage actively in all aspects of community and civic life.

Some Councils that have active Status of Women committees include:

- City of Ryde
- Lithgow City Council
- Ku Ring Gai Council

Women are a significant part of our community and have been under-represented in our decision-making bodies for many years. It is important to consider ways in which our Council can do better, both within our community and within our organisation to engage women in the processes and decisions that directly impact them.

NOTICE OF MOTION (submitted by Cllr Kaliyanda)

That Council:

1. Investigate the development of a Status of Women Committee;
2. Develop a Charter or Terms of Reference for such a Committee;
3. Identify desired criteria for local participation in a Status of Women Committee; and
4. Bring back a report to the July 2022 meeting of Council in relation to this.

COUNCIL DECISION

In accordance with the resolution for item *COM 01 Report back to Council: establishment of a Multicultural Advisory Committee*, shown on previous pages of these minutes (and copied below), this item was deferred and not dealt with at this meeting:

“That the establishment of any additional Council Committees be deferred until a review of all Council Committees is undertaken to determine the effectiveness of the Committee, cost

analysis, whether stated aims are being met in accordance with the Community Strategic Plan, and if they meet and are representative of the current and emerging needs of the community and Council's obligation to community consultation as set in the strategic plan of Council."

CONFIDENTIAL ITEMS

ITEM NO: CONF 01

FILE NO: 101200.2022

SUBJECT: Question with Notice - Mayor Mannoun - Purchase and Sale of Land on Scott Street Liverpool

The questions and answers for this item were provided to Councillors in a confidential report.

No resolutions were made in relation to this item.

THE MEETING CLOSED AT 7.36pm.

<Signature>

Name: Ned Mannoun

Title: Mayor

Date: 25 May 2022

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 27 April 2022. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.

.....

Chairperson



**MINUTES OF THE EXTRAORDINARY MEETING
HELD ON 10 MAY 2022**

PRESENT:

Mayor Ned Mannoun
Councillor Ammoun
Councillor Goodman
Councillor Green
Councillor Hadid
Councillor Hagarty
Councillor Karnib
Councillor Macnaught
Councillor Rhodes
Mr Peter Diplas, Acting Chief Executive Officer
Mr Paul Perrett, Director Corporate Services
Ms Tina Bono, Director Community & Culture
Mr David Smith, Director Planning & Compliance
Mr Tim Pasley, Acting Director City Presentation
Mr Raj Autar, Director Infrastructure & Environment
Mr John Morgan, Director Economy & Commercial Development
Ms Ellen Whittingstall, Internal Ombudsman
Mr Vishwa Nadan, Chief Financial Officer
Ms Hiba Soueid, Manager Corporate Strategy & Performance
Mr George Georgakis, Manager Council and Executive Services

OPENING 4.00pm

**ACKNOWLEDGMENT OF COUNTRY,
PRAYER OF COUNCIL AND
AFFIRMATION TO BE READ BY** The prayer of the Council was read by the Coordinator of Council & Executive Services from Liverpool City Council.

NATIONAL ANTHEM The National Anthem was played at the meeting.

APOLOGIES

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

That the apologies of Cllr Harle and Cllr Kaliyanda be accepted.

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

DECLARATIONS OF INTEREST

Nil.

.....

Chairperson

CORPORATE SERVICES REPORT

ITEM NO: CORP 01
FILE NO: 147151.2022
SUBJECT: For Public Exhibition - Draft Delivery Program 2022-2026, Operational Plan 2022-2023, Long Term Financial Plan and Revenue Pricing Policy (fees and charges)

COUNCIL DECISION

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

That:

1. Council places the draft Delivery Program 2022-2025, Operational Plan, Long Term Financial Plan and Revenue Pricing Policy (Fees and Charges) on Public Exhibition for 28 days, with the following amendments:
 - Allocate \$1 million to install a CCTV network to deal with the problem of illegal dumping in the local government area; and
 - On page 43 of the Draft Budget 2022-23 and Long Term Financial Plan, remove the reference to 30km speed limit in line item 103062, so that it reads *“Liverpool City Centre Traffic Calming Proposal”*
 - The introduction to Strategic Objective 1 be amended to read as below:

“Our community wants a healthy, inclusive and engaging city that is integral to their way of life in Liverpool. This strategic objective focuses on social connections which foster a sense of belonging and the ability to create harmonious communities.”
2. Councillors be provided with information on how the resolutions of Council are captured or not captured within the budget, in particular the visitation precinct; and
3. Council receives a further report at the June 2022 Council meeting to approve these after a review of public submissions and any associated changes.

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

The Councillors voted unanimously for this item.

THE MEETING CLOSED AT 4.33pm.

<Signature>

Name: Ned Mannoun

Title: Mayor

Date: 25 May 2022

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 10 May 2022. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.

.....

Chairperson



**MINUTES OF THE ORDINARY MEETING
HELD ON 25 MAY 2022**

PRESENT:

Mayor Ned Mannoun
Councillor Ammoun
Councillor Goodman
Councillor Green
Councillor Hadid
Councillor Hagarty
Councillor Harle
Councillor Kaliyanda
Councillor Karnib (via virtual link)
Councillor Macnaught
Councillor Rhodes
Mr Peter Diplas, Acting Chief Executive Officer
Mr Paul Perrett, Director Corporate Services
Ms Tina Bono, Director Community & Culture
Mr David Smith, Director Planning & Compliance (via virtual link)
Mr Tim Pasley, Acting Director City Presentation
Mr Michael Zengovski, Acting Director Infrastructure & Environment
Mr John Morgan, Director Economy & Commercial Development
Ms Ellen Whittingstall, Internal Ombudsman (via virtual link)
Mr Vishwa Nadan, Chief Financial Officer
Mr George Georgakis, Manager Council and Executive Services
Ms Susan Ranieri, Coordinator Council and Executive Services (minutes)

The meeting commenced at 6.00pm.

**STATEMENT REGARDING WEBCASTING
OF MEETING**

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

**ACKNOWLEDGMENT OF COUNTRY,
PRAYER OF COUNCIL AND
AFFIRMATION**

The prayer of the Council was read by Reverend Timothy Booker from St Luke's Anglican Church Liverpool.

Intermodal stakeholders accountable to planning regulations, with anticipated costs of proceedings and orders falling to these relevant stakeholders.

6. That Council Reports back to the June Council meeting to address the following:
 - a. The legal and or physical breaches of conditions of consent and relevant local, state, national and international legislation and regulation, that due to their contravention are or will impact on Liverpool ratepayers negatively.
 - b. Identify what legal remedies exist in accordance with Council's role as community representative and advocate.
 - c. Identify the financial amounts currently held by Council as a result of the Ex Gratia Rates and Developer contributions from the Intermodal Development and the financial accounts of income and expenses allocated since first collected.
 - d. Identify mitigation works with projected costings that are made necessary to address the impact on the quality of life of Liverpool residents, including new infrastructure needs and projected ongoing costs eg. Road maintenance in all affected areas.
 - e. Identify possible advocacy for funding to address the infrastructure needs with costings in order to address the negative impacts as a result of the Intermodal Development.

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

MOTION OF URGENCY

Cllr Hagarty asked that that the following motion be moved:

As soon as practicable, Council obtains legal advice on every motion passed at this meeting tonight to ensure that what is passed is legal and advise Councillors of the outcome as soon as possible.

Mayor Mannoun ruled the above motion was not urgent and as such was not dealt with at this meeting.

Mayor Mannoun advised that he didn't believe it was urgent as Council staff do that anyway, because Council can't direct the CEO to act on motions that are illegal so that happens as a course of action regardless.

The Mayor then stated that the normal course of action is that Councillors are advised after a Council meeting informing them that they can't act upon a resolution if it's deemed it was not legal.

MAYORAL REPORT

ITEM NO: MAYOR 01
FILE NO: 163363.2022
SUBJECT: Leading in Good Governance Practices

COUNCIL DECISION:

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

That Council create a policy that enables Councillors to access independent external professional advice and the draft policy is brought back to the July Council Meeting pending a briefing from Local Government NSW (LGNSW) and Office of the Local Government (OLG) to Councillors about what advice is available to them.

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

ITEM NO: COM 03
FILE NO: 140416.2022
SUBJECT: Liverpool City Council Sporting Grants Program 2021/2022

COUNCIL DECISION

Motion: **Moved: Cllr Rhodes** **Seconded: Cllr Kaliyanda**

That Council adopts the following recommendations for the allocation of sporting grants funding, as recommended by the Liverpool Sports Committee grants assessment panel:

Club	Project Description	Grant Amount Recommended
Chipping Norton Lake Sailing Club Inc	Purchase of Sporting equipment (Replace 6x 30 year old Training boats)	\$5,000.00
Fairfield Liverpool Cricket Association	Purchase of Sporting equipment (purchase player kits, mark fields with boundary lines)	\$3,000.00
Fairfield Liverpool Cricket Club	Sport Development (Support costs associated with starting up a Cricket Academy during off season for age groups 14-17 rep players)	\$3,000.00
Fc Bossy Liverpool Youth	Purchase of Sporting equipment (new light weight goals, training equipment and playing kits)	\$2,400.00
Liverpool Rangers Soccer Club	Purchase Maintenance Equipment (Installation of new Goal Posts and to replace existing sleeves)	\$2,900.00
Liverpool Spears Sports Club	Purchase of Sporting equipment (Cupboard for uniform storage, fridge and assorted playing equipment such as first aid items, sport equipment for High performance training)	\$2,900.00
Moorebank Baseball Softball Club	Purchase Maintenance Equipment (to erect foul poles to the main Diamond)	\$5,000.00
Moorebank Cricket Club Ltd	Purchase Maintenance Equipment (Purchase a Line Marking Machine)	\$800.00
Moorebank Sports Magpies Australian Football Club	Sport Development (Electronic training equipment with video and IT aide in player performance, development and coaching)	\$5,000.00

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

CORPORATE SERVICES REPORT

ITEM NO: CORP 01
FILE NO: 146289.2022
SUBJECT: Adoption of Code of Meeting Practice

COUNCIL DECISION

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

That Council receive and note the report with the following amendments:

1. Under Clause 3.1, the day-time trial of Council meetings for a period of three months to start at 2:00pm.
2. The maximum finish time for meetings to be updated in the Code, so that meetings are to be a maximum of 5-hour duration; and
3. Under Clause 4.5 (Presentations and representations), relating to an extension of time granted to a speaker, that the following sentence be added:

“A maximum of 3 minute extension of time may be granted.”

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

MAYORAL REPORT

ITEM NO: MAYOR 02

REPORT OF: Mayor Mannoun

SUBJECT: Most Blessed Nights and Starry Sari Night 2022

In April 2022 Liverpool hosted its inaugural Most Blessed Nights Street Food Market every weekend.

More than 120,000 people descended on the Macquarie Mall throughout the month, which was transformed into a bustling bazaar full of light, colours and aromas, showcasing the flavours of local cafes, restaurants and food trucks.

The event cemented our city as a must-visit destination for food lovers from all over Sydney and gave our community a wonderful, vibrant place to come together during a special month to celebrate the many cultures that make our region so unique.

27 food vendors offered a variety of cuisines – everything from Indian to Balkan, Greek to Turkish. Local businesses in the Mall, including Cassanova, Carpe Diem, Royalty Bakery and Bona Fides, presented their signature offerings to customers, many of whom were discovering these businesses for the first time.

From 20 – 22 May, one of Liverpool’s most beloved events, Starry Sari Night, made a triumphant return to George Street and saw an expansion of the event site into George Lane and parts of Railway Street and Scott Street.

Starry Sari Night brought the sights, sounds, colours and flavours of South Asia to the South West and highlighted the evolution of this important culture within Liverpool.

The main stage was buzzing with live performances by pop sensation Pav Dharia, Hip Hop artist and Liverpool Boy L-Fresh The LION, contemporary R&B singer Lara D, Punjabi Australian singer and dancer Parvyn, the youngest ever contestant on The Voice, Janaki Easwar, and progressive South Asian Fusion Arts dance company Bindi Bosses. Together with Liverpool Public School and cultural dance schools, they got the audience dancing and reflected the region’s diversity.

Fabrics of Multicultural Australia (FOMA) partnered with Council to deliver a Sari Showcase fashion show, which was a clear crowd favourite, capturing all the glitz and glamour of an international runway. This was in recognition of the crucial part fashion plays in South Asian culture.

Models from diverse backgrounds walked down a 20-metre runway parading original sari, lehenga, dhoti and kurta designs from the local fashion shops that populate George Street, otherwise known as ‘Sari Street’.

QUESTIONS WITH NOTICE

ITEM NO: QWN 01
FILE NO: 150330.2022
SUBJECT: Question with Notice - Clr Rhodes - Lots 68 and 75 Sirius Road Voyager Point

The following motion was moved in 2021.

That Council:

1. *Investigates funding sources, including through State and Federal Government programs, for the purchase of all land north of Sirius Road, Voyager Point currently zoned E3 Environment Management;*
2. *Approves the necessary funding to obtain an independent valuation of the three parcels of land zoned E3 Environmental Management;*
3. *Notes that a further report will be brought back to Council upon completion of the valuations and funding investigations to confirm if funding is available to proceed with offers for purchase;*
4. *Investigates rezoning 1 Sirius Road and Lots 68 and 75 Sirius Road, Voyager Point from E3 Environmental Management to E2 Environmental Conservation if it's purchased by a public authority;*
5. *Subject to point 4, directs the CEO to prepare a planning proposal to rezone 1 Sirius Road and Lots 68 and 75 Sirius Road, Voyager Point to E2 Environmental Conservation;*
6. *Notes that any planning proposal is required to be considered by the Liverpool Local Planning Panel before a decision by Council on whether to endorse the planning proposal for a Gateway determination by the Department of Planning, Industry and Environment;*
7. *Writes to the State Government in support of the site's designation as a Strategic Conservation Area;*
8. *Write to the NSW Minister for the Environment requesting consideration to be given to the NSW Government purchasing the properties identified in this report for inclusion in the NSW National Park estate or as a nature reserve; and*
9. *Send the petition along with other representations to the State Government.*

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

However I am led to believe the said land was recently sold.

A new colony of Koalas have been recently found in close proximity to this land and it was hoped that this land could have been used to protect natural flora and fauna in this area.

Can Council:

1. Provide an update about the sale of the land?
2. Provide an update on any of the actions by Council regarding the above resolution?
3. Provide advice on why the above resolution failed if that is the case, to protect the above land from being privately sold and not saved as protected land.

Response

1. Provide an update about the sale of the land? (Provided by Economy and Commercial Development)

Please see response to Question 2 – Resolution point 2 below.

2. Provide an update on any of the actions by Council regarding the above resolution? (Provided by Economy and Commercial Development and Planning and Compliance)

Resolution point 1: (Community and Culture)

Council’s Strategic Grants Officer has not identified any suitably funding sources, including through State and Federal Government programs for the potential purchase of these sites.

Resolution point 2: (Economy and Commercial Development)

The agent that was handling the sale of 1 Sirius Road, Voyager Point (Lot 72 DP 661069) advised that the property was sold in February 2022. Domain shows the property as both having been sold on 19 February 2022. The updated sale details are not shown on Council’s GIS system as the updated details are not shown on the NSW Land Registry Services system.

Resolution point 3: (Economy and Commercial Development)

As the property does not have a public purpose designated zoning or approved funding, Property has not made any attempt to purchase the three properties. At this stage a valuer has been engaged but has identified that owner’s approval was required for access to the properties before a detailed Valuation could be undertaken.

As the land is not designated for a public purpose and with no approved existing funding for the purchase, the private sale reflects the owners right to sell on the open market.

Resolution point 4, 5 and 6 (Planning and Compliance):

Council resolved to investigate the rezoning of these properties if it's purchased by a public authority. If these properties are ultimately purchased by a public authority, then a planning proposal to rezone these sites will be progressed.

Resolution point 7, 8 and 9: (Planning and Compliance)

Council wrote to the NSW Government on 11 November 2021 in support of the site's designation as a Strategic Conservation Area (See Attachment 1) and to the NSW Minister for the Environment on 11 November 2021 requesting consideration be given to the NSW Government purchasing the properties identified in the report for inclusion in the NSW National Park estate or as a nature reserve (See Attachment 2). A copy of the petition was also forwarded to the State Government on 11 November 2021. The Department of Planning and Environment responded to Council's letter (see Attachment 3) advising that Lot 1 Sirius Road was not included in the Strategic Conservation Area under the Cumberland Plain Conservation Plan due to vegetation on the site *"not fitting within the Plan's offset needs"*.

3. Provide advice on why the above resolution failed if that is the case, to protect the above land from being privately sold and not saved as protected land? (Provided by Economy and Commercial Development)

As the land is not designated for a public purpose and with no approved existing funding for the purchase, the private sale reflects the owners right to sell on the open market.

Clr Kaliyanda left the Chambers at 7.20pm.

Clr Kaliyanda returned to the Chambers at 7:22pm.

PRESENTATIONS BY COUNCILLORS

Nil.

NOTICES OF MOTION

ITEM NO: NOM 01
FILE NO: 122078.2022
SUBJECT: Stronger Community Committee

BACKGROUND

Everyone in our community should have access to the best parks, playgrounds and libraries. The community should access those places via good quality walking paths, cycleways and roads.

The impact of COVID, natural disasters and the policy decisions of the State Government are making local government's goal of delivering for the community harder.

With more to do and less to do it with, Council has to focus on making smarter choices. A truly successful budget is measured by the good it delivers to people's lives, not numbers on a balance sheet.

We all want a smarter, healthier and fairer Liverpool and those principles should guide Council now and into the future.

NOTICE OF MOTION (submitted by Clr Hagarty)

That Council consider as part of the review into Council Committees:

1. A Stronger Community Committee with the purpose of delivering improved services and infrastructure for our community through generating strategic revenue and business efficiency initiatives.

ITEM NO: NOM 02
FILE NO: 141768.2022
SUBJECT: Stormwater Drainage and Preventative Maintenance Considerations

BACKGROUND

For many decades, the Liverpool LGA has suffered regular major flooding events causing considerable damage to homes and properties. Floods regularly cause roadblocks in low lying areas around Austral and Rossmore making it difficult for residents to travel safely within those areas.

In many instances, the impact and severity of flooding can be minimised if preventative maintenance were to be carried out on a regular basis. For example, Council could minimise the impact of flooding events by grading the drainage sides of roads and clearing drainage culverts on a regular basis, particularly in rural areas where no curbing and guttering exists.

Council could possibly insist that property owners also have an obligation to minimise flooding impacts by ensuring that flood/water channels are kept clear and comply with relevant regulations.

Council's City Presentation unit is primarily responsible for all Council related maintenance works, it may be that Council needs to set up or increase its response team to include flood mitigation and preventative maintenance works when dealing with flood related matters.

I therefore request:

NOTICE OF MOTION (submitted by Cllr Harle)

That Council evaluates and provide a detailed report on:

- a. The current drainage maintenance program including rural areas;
- b. Current levels of internal resourcing including staff, plant and equipment that focus on drainage maintenance;
- c. Three year spend on external contractors involved with drainage maintenance;
- d. What are the necessary expertise and equipment needs in dealing with flood related matters in the Liverpool LGA;
- e. What strategies are exercised to minimise the effects of flooding on our road network; and
- f. What initiatives can Council consider as well as cost to improve this essential service.

ITEM NO: NOM 03
FILE NO: 151830.2022
SUBJECT: Improving the Accountability and Transparency of Council

NOTICE OF MOTION (Cllr Hagarty)

That Council direct the CEO to draft a policy consistent with the following principles for consideration and adoption by Council at the next Council meeting:

- Principle 1. Any person or organisation seeking to lobby Liverpool Council's employees or officers – with respect to a significant development application, a planning proposal, or a significant Council tender, shall be listed on a public register, including the date of the approach, the purpose of the lobbying, the person undertaking the lobbying, and the details of any meeting between Council and the person.
- Principle 2. A public register should be established on the Liverpool Council website and updated on at least a monthly basis.
- Principle 3. Wherever possible, meetings with persons lobbying Council regarding a significant development application (with a value over \$5m), a planning proposal, or a significant Council tender should occur on Council's premises or at the offices or premises of the lobbyist (or their client), during ordinary business hours, and with more than one Council officer/employee present.
- Principle 4. The date on which a request for a meeting with Council has been made by a lobbyist for a development application, a planning proposal, or a significant Council tender, shall be listed on the public register, as well as the date on which any meeting in response to the request occurred.
- Principle 5. A formal minute of any meeting with a lobbyist for a development application, a planning proposal, or a significant Council Tender should be taken and made available online. A minute should be kept but not published for a period of time in circumstances where such a minute would prejudice the proper operation of Council, disclose commercial in confidence information, or otherwise not be appropriate.
- Principle 6. Prior to a person (or a person acting on the person's behalf) approaching a Councillor in respect of a major development application, a planning proposal, or a significant Council tender, the person should lodge an online form (prepared by Council) setting out the issues to be raised with the Councillor prior to any meeting taking place.

Council) setting out the issues to be raised with the Councillor prior to any meeting taking place.

- Principle 7. Otherwise adopt the ICAC's Guide for Councillors, constituents and other interest parties (August 2006) into practical measures to reduce any actual or perceived favourable or unfavourable treatment of persons lobbying Council.

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

ITEM NO: NOM 04
FILE NO: 153162.2022
SUBJECT: John Jewell Plaque

BACKGROUND

The late John Jewell was just a four-year-old boy when a fighter plane crashed near his family home in Hammondville.

On June 8, 1942, the plane took off from Bankstown Aerodrome in response to Japanese submarines shelling Sydney Harbour.

But the mission wasn't to be. The P-39 Airacobra stalled a few minutes later, clipped a tree and crashed, killing the pilot

The extraordinary event remained a closely guarded secret among locals at the time; due to security reasons, and the news was not made public

In fact the air officer's name was not known until 1988, when John Jewell driven by his passion for Liverpool history, researched and uncovered that the pilot's name was Lieutenant George Cantello, who is the only American service man to have lost his life on Australian soil, defending Australia in the 2nd World War.

John Jewell was instrumental and the driving force behind the memorial that was then erected to honour Lieutenant Cantello's sacrifice and the park in Hammondville being named after him.

In 2018 John organised for the family of Lieutenant Cantello to come from America to the site of the memorial and plane crash. To be a part of the 75th commemoration of the plane crash that took Lieutenant George Cantello's life.

The 8th June 2022 marks the 80th Anniversary of the Japanese submarines shelling Sydney Harbour, and Lieutenant Cantello's sacrifice and I am sure that if John was still with us he would have organised the official ceremony to mark this occasion, but John Jewell sadly passed away suddenly just before Christmas in 2017.

John Jewell was a remarkable man who has received many awards including the Liverpool Award.

He also made many contributions in many different ways to Liverpool

John who was born and lived in Hammondville had immense lived experiences and knowledge of this area. He assisted in the creation of a brochure celebrating the eightieth anniversary of the founding of Hammondville. In the brochure John provided a history of Hammondville and pointed out notable residents such as John Hatton, a former member of this area, and Jim Masterton of Masterton Homes.

John was also a strong advocate of the City of Liverpool and District Historical Society. He even dressed up not long before he passed away as a convict and put himself in the stocks to promote the society.

Another of John's passion projects was seeing the introduction of the Moorebank Men's Shed, where he served as the President. John had searched for over three years for a location to start the men's shed and finally in 2014 he got a space to use and share as the Liverpool Men's Shed to finally enabled men to come along to chat, and support their mental health while creating projects for our community.

The Liverpool and Moorebank men's shed has since merged to create the Liverpool District Men's Shed.

John Jewell gave so much to Liverpool in so many ways but it is his work that he did that led to the very existence of the Lieutenant Cantello Reserve that he will always be remembered for.

It would be a fitting memorial for this service to Liverpool, to have a plaque erected in his honour in the Lieutenant Cantello reserve, which would not exist as it is today if it were not for John Jewell's passion to make it all happen.

The plaque would also be a fitting recognition of the 80th Anniversary of the Japanese submarines shelling Sydney Harbour, and Lieutenant Cantello's sacrifice on the 8th June 2022.

NOTICE OF MOTION (submitted by Cllr Rhodes)

That Council:

1. Contact Doris Jewell (John's wife) and seek permission to erect a plaque in honour of John Jewell in the Lieutenant Cantello Reserve to recognize John's research and passion as the driving force that led to the establishment of the Cantello Memorial and naming of the Park; and
2. Hold a plaque laying civic service to honour the 80th Anniversary of the Japanese submarines shelling Sydney Harbour, and Lieutenant Cantello's sacrifice.

Deputy Mayor Rhodes left the Chambers at 7:36pm.**ITEM NO:** NOM 05**FILE NO:** 154720.2022**SUBJECT:** South West Sydney Tourism Taskforce (SWSTT)**BACKGROUND**

Tourism, and the visitor economy, plays a vital role in the Liverpool local economy. Activity within the sector has been severely reduced over the past 2 years due to the COVID-19 pandemic and lockdowns, and in order to fully recover it will take advocacy and collaboration across as many different organisations in the sector as possible.

The South West Sydney Tourism Taskforce (SWSTT) – a not for profit organisation, was founded in 2017, and Liverpool Council has attended their meetings on a regular basis since that time. To date Council has not formalised the offer, at no cost, of Honorary Membership to the Taskforce.

SWSTT is recognised as a strategic partner on Destination NSW pages, and in 2019 was recognised with a letter of support by the Premier of NSW for enhancing and attracting visitors to the region. During this time, the SWSTT also launched tourism maps for Fairfield, Liverpool and Camden and provided these to be kept in hotels, clubs and councils to enhance opportunities for, and encourage tourism.

SWSTT membership meetings present the opportunity to network and form strategic partnerships with fellow members including hotels, clubs, investors, restaurants, and other tourism related businesses, alongside other Associations such as Tourism Accommodation Australia, Destination NSW, and other SW Sydney Councils - all who have an interest in advancing the visitation and tourism market in South West Sydney.

Member benefits to Council are realised through association, which enables access to immediate indicators of movements in the sector, direct from the local tourism and visitation sector itself, as well from other attending members and sector associations. These indicators can help identify changes and trends within the sector, which can be used to guide strategic direction, and in turn maximise opportunities for tourism in Liverpool.

The strength of collaboration within the tourism, visitation and hospitality sectors through the South West Sydney Tourism Taskforce and Council will deliver the best chance of positive outcomes within this sector of Liverpool.

THE MEETING CLOSED AT 7.43pm.

<Signature>

Name: Ned Mannoun

Title: Mayor

Date: 29 June 2022

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 25 May 2022. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.

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MINUTES OF THE ORDINARY MEETING HELD ON 29 JUNE 2022

PRESENT:

Mayor Ned Mannoun
 Councillor Ammoun (online)
 Councillor Goodman (online)
 Councillor Green
 Councillor Hadid
 Councillor Hagarty
 Councillor Harle
 Councillor Kaliyanda
 Councillor Karnib (online)
 Councillor Macnaught
 Councillor Rhodes
 Mr Peter Diplas, Acting Chief Executive Officer
 Mr Paul Perrett, Director Corporate Services
 Ms Tina Bono, Director Community & Culture
 Mr David Smith, Director Planning & Compliance
 Mr Raj Autar, Director Infrastructure & Environment
 Ms Julie Scott, Acting Director Economy & Commercial Development
 Mr Matthew Morris, Acting Director City Presentation
 Ms Lina Kakish, Manager City Planning
 Mr John Milicic, Manager Property Services
 Mr George Hampouris, Head of Audit, Risk and Improvement
 Mr David Galpin, General Counsel, Manager Governance, Legal and Procurement
 Ms Ellen Whittingstall, Internal Ombudsman
 Mr Vishwa Nadan, Chief Financial Officer
 Mr Brett Goodridge, Chief People Officer
 Ms Clara McGuirk, Strategic Events Lead
 Mr George Georgakis, Manager Council and Executive Services

The meeting commenced at 2.05pm.

STATEMENT REGARDING WEBCASTING OF MEETING

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

ACKNOWLEDGMENT OF COUNTRY, PRAYER OF COUNCIL AND AFFIRMATION

The prayer of the Council was read by a representative of the Council & Executive Services team.

CONDOLENCES

Condolence Motion – James (Jim) Simpson (1941-2022)

(Read by Mayor Mannoun)

Tonight we pause to honour the memory of James (Jim) Simpson, who passed away last month on Friday 27 May 2022 after a period of ill health. Jim was born in Queensland on 18 November 1941 and resided in Liverpool for 44 years, since 1978.

Jim was an active member of Liverpool City Council's Access Committee for over 25 years as well as the Liverpool Transport Taskforce for many years.

During that time, he was a tireless advocate for improved access and inclusion for people with disability, older people and their families and carers. As a wheelchair user since 1990 himself, he was particularly passionate about improving footpaths and public transport options.

Jim was a wonderful man who loved gardening and was very dedicated to his work with Council and the Access Committee.

Jim is survived by his wife Betty who he was married to for 47 years. Jim is also survived by his two sons Craig and Mark. I humbly express my deepest condolences to his family and friends. Our thoughts and prayers are with Jim's loved ones during this difficult time.

May he rest in peace.

Division:

Vote for: Mayor Mannoun, Clr Ammoun, Clr Goodman, Clr Green, Clr Hadid, Clr Hagarty, Clr Harle, Clr Kaliyanda, Clr Karnib, Clr Macnaught.

Vote against: Clr Rhodes

MAYORAL MINUTE

ITEM NO: MAYOR 01
SUBJECT: Young Adults Disabled Association

Young Adults Disabled Association (YADA) operates from 10 Anderson Avenue, Liverpool and has done so for many years.

In 2019, Council received complaints about the use of the premises and issued Orders following an investigation.

YADA has been in operation since 1985 and purchased the property in 1996 to use as their office and base.

YADA supports adults with disability by providing them with services that support their social life and wellbeing. For some, they are the only social outlet they have.

Council has previously acted to change the Liverpool Local Environmental Plan, in a situation like YADA's. On 28 August 2020, then Mayor Waller issued a Mayoral Direction relating to the "Burns Outdoor Obstacle Training Centre" at 25 Dwyer Road, Bringelly. That Mayoral Direction required an Issues and Options Report to be presented to Council outlining the options available to Council to amend the Liverpool LEP to permit, with development consent, a recreation facility (outdoor) on the site.

Council subsequently resolved at the 30 September 2020 meeting to prepare a planning proposal to amend Schedule 1 of the LEP to allow the use (subject to development consent) and at its meeting on 24 February 2021 resolved to approve the finalisation of the LEP amendment. The LEP amendment was formally gazetted on 19 March 2021.

This Mayoral Minute calls on Council to similarly investigate changes to the Liverpool Local Environmental Plan 2008 to allow YADA to continue to operate from their site, subject to development consent.

COUNCIL DECISION

Motion: Moved: Mayor Mannoun

That Council:

1. Direct the A/CEO to prepare an issues and options report to be included on the agenda for the ordinary meeting of Council on 27 July 2022 to amend the Liverpool Local Environmental Plan 2008 (LEP) to allow the use of the site by YADA to continue (subject to development consent) at 10 Anderson Avenue, Liverpool. This could be via an amendment to Schedule 1 "Additional Permitted Uses" of the LEP;

2. Thank YADA for the amazing work they have done for the Liverpool Community over many years and their particular support for Liverpool Council in that time; and
3. Receive details of the options available to Council to assist YADA to continue operations of the work that they do within the Liverpool LGA in the report.

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

The Councillors voted unanimously for this item.

ITEM NO: CEO 02
FILE NO: 187856.2022
SUBJECT: Recruitment of Chief Executive Officer

COUNCIL DECISION

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

That Council resolves to appoint Mayor Mannoun, Clr Rhodes, Clr Macnaught and Clr Green to the selection panel for the recruitment of a Chief Executive Officer.

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

ITEM NO: CEO 04
FILE NO: 187824.2022
SUBJECT: Council Policies and Standards

COUNCIL DECISION

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

That:

1. This item be deferred until after a briefing session is held;
2. The Enforcement Standard be changed to a policy as soon as practicable;
3. Council amend the enforcement policy to allow the CEO to have discretion with regards to legal matters; and
4. Delegate to the CEO to find appropriate wording and bring this to the briefing.

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

The Councillors voted unanimously for this item.

ITEM NO: CEO 07
FILE NO: 192869.2022
SUBJECT: Endorsement of Community Strategic Plan 2022-2032, Delivery Program 2022-2026 and Operational Plan, including Revenue Pricing Policy (fees and charges) 2022-2023 and Resourcing Strategy

COUNCIL DECISION

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

That Council:

1. Adopt the draft Community Strategic Plan 2022-2032, draft Delivery Program 2022-2026 and Operational Plan 2022-2023, incorporating the amendments outlined in this report (and also Point 6 of this resolution);
2. Adopts the Revenue Pricing Policy (fees and charges) for the period commencing 1 July 2022, with the adjustment to the Companion Animal Fee as outlined in Attachment 9;
3. Adopt the Resourcing strategy including the draft Long-Term Financial Plan 2023-2032 and draft Asset Management Plan and Strategies 2022-2032;
4. Endorse the draft Workforce Management Strategy 2022-2026;
5. Note submissions received during the public exhibition periods and associated recommendations;
6. Allocate \$70,000 to the Moorebank Sports Club netball courts to match the grant they have received, to be funded from General Funds; and
7. To hold a workshop in July with regards to the 7.11 contributions with the aim of coming back to Council in the July meeting to make adjustments.

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

The Councillors voted unanimously for this item.

COMMUNITY & CULTURE REPORT

ITEM NO: COM 01
FILE NO: 184676.2022
SUBJECT: Grants, Donations and Community Sponsorship

COUNCIL DECISION

Motion: **Moved: Cllr Kaliyanda** **Seconded: Cllr Hagarty**

That Council endorses the funding recommendation of **\$9,959** (GST exclusive) under the **Community Sponsorship Program** for the following projects:

Applicant	Project	Recommended
CORE Community Services	Bus About	\$4,959
South Cares	Back to School Support	\$5,000

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

Item 5 – Kingsbury Road, Gellibrand Road, Perrone Road, and Access Laneway behind Edmondson Park Camden Valley Way Shops – Request for Speed Humps

Requests the NSW Police Force to undertake speed enforcement and provide advice at a future meeting.

Item 6 - Bus Stops to be decommissioned

- Approves decommissioning of 29 defunct bus stops in Liverpool, Busby, Cecil Hills, Green Valley, Miller, and Warwick Farm as listed in the report.
- Requests Transit Systems to remove the defunct bus stop signs, including from TfNSW's Transit Stop Management System.

Item 7 – 25-27 Governor Macquarie Drive, Chipping Norton – Request for Median Modification

Approves modification of the existing central median on Governor Macquarie Drive between Newbridge Road and Alfred Road, Chipping Norton as shown in the Committee's agenda attachment booklet.

Item 8 – Fifteenth Avenue/Second Avenue intersection, Middleton Grange – Proposed Pedestrian Crossing Facility

Approves installation of interim pedestrian refuges across Fifteenth Avenue and Kingsford Smith Avenue as shown in Committee's agenda attachment booklet.

Item 10 – Approved Items under delegated authority

Notes the approved items under delegated authority.

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

QUESTIONS WITH NOTICE

ITEM NO: QWN 01
FILE NO: 194533.2022
SUBJECT: Question with Notice - Cllr Hagarty - Councillor building access

Councillors previously had access to a limited number of floors at 33 Moore Street. This has recently changed. It's important that the Council maintains a clear separation between a Councillor's strategic role and responsibilities and the operations of staff.

Questions

1. When were Councillor's swipe cards provided access to all floors at 33 Moore Street?
2. Why was this access granted?
3. Have any Councillors accessed these additional floors? If so, why?

Response (Provided by Council and Executive Services)

The Mayor and Councillors swipe cards were provided access to all floors at 33 Moore Street on 22 December 2021 after the declaration of election results.

Access was provided on the same basis as the previous term of Councillors.

Staff recently became aware that the cards provide access to all floors and this was then corrected so the cards now only provide access to the carpark, ground floor, and Level 6.

In accordance with Clause 4.3 (copied below) of the *Councillor Access to information and interaction with Staff Policy*, Councillors would have accessed other floors when invited on occasions to meet with a Director or Manager in their office:

4.3 In relation to access to Council buildings and offices, there are no restrictions to Councillor access to public areas, Council meeting rooms, the CEO's and Mayor's Offices and the Councillors' Room. The Mayor and Councillors should, wherever practicable, ensure that the staff member(s) that they wish to visit will be available. Council staff should in turn make sure they are accessible to the Mayor and Councillors. The CEO, directors and managers may invite the Mayor and/ or Councillors to meet in their administration offices.

ITEM NO: QWN 02
FILE NO: 194618.2022
SUBJECT: Question with Notice - Clr Hagarty - Charity Ball

Please address the following:

1. Have the recipients of the 2021 Charity Ball received the proceeds of the event? If so, when?
2. Why has payment been delayed?

Response (Provided by Community and Culture)

Council can confirm that both beneficiaries of the 2021 Charity Ball, CNA Italian Services and The Salvation Army, have been paid. Both have confirmed receipt of the funds.

As the event was originally to execute in FY20/21, and then due to its subsequent postponement due to Covid- 19 restrictions, some ticket sale and sponsorship acquisitions were made in FY20/21 and others in FY21/22 which delayed acquittal.

These matters were addressed on an operational level to mitigate any delays in future for payment of beneficiaries.

ITEM NO: QWN 03
FILE NO: 194702.2022
SUBJECT: Question with Notice - Cllr Hagarty - Appointment of new CEO

Background

A majority of Councillors terminated the CEO's employment on 2 February.

Councillors were not officially given an update until 31 March following a Question with Notice I put up at the 30 March meeting. In this update it stated:

A further Memo will be issued to address the second point of Cllr Hagarty's QWN regarding the process of appointing a new CEO.

To date this memo has not been received. Following an email enquiry to the Acting CEO in late May, I received a response saying it was with the Mayor's office for actioning.

The appointment of a CEO is a primary function of Council, it is not a second order issue. Without stable and consistent leadership, Councils and by extension their residents suffer. In uncertain and challenging times, the appointment of a permanent CEO is more important than ever.

Please address the following:

1. When was the RFQ issued for a suitable independent consultant to recruit a new CEO?
2. Where was the RFQ advertised and for what time period?
3. Has an independent Probity Advisor been appointed to participate in the recruitment process?
4. What was the process to appoint the probity advisor and when did it occur?

Response

There is a report on the agenda for the Council meeting on 29 June 2022.

ITEM NO: QWN 04
FILE NO: 194714.2022
SUBJECT: Question with Notice - Cllr Hagarty - Indented Parking

Background

Since 2019 Council has been developing a policy and program for retrofitting parking in narrow streets.

In June 2021 Council was presented with a list of 42 streets for assessment and investigation for indented parking, Inverell Street, Hoxton Park was not on that list. Earlier this month Inverell Street had indented parking installed.

Coincidentally (or perhaps not) Inverell Street was the subject of an A Current Affair story regarding parking on verges. Correspondence from staff indicates that streets for consideration to be included in the narrow streets program will come to the Traffic Committee before being approved by Council.

Please address the following:

1. Has Inverell Street come before the Traffic Committee for consideration for the narrow streets program?
2. If not, how and when was Inverell Street selected to receive indented parking?
3. What was the cost of providing indented parking on Inverell Street, Hoxton Park?
4. Which streets have been delivered to date since inception and what streets are earmarked for 2022/23?

Response (Provided by Planning and Compliance)

1. Has Inverell Street come before the Traffic Committee for consideration for the narrow streets program?

No. Requests for indented parking bays do not require Traffic Committee approval as it is a non-regulatory matter. Provided the design and assessment is carried out in accordance with relevant Australian Standards, the installation can proceed once resourcing is available.

2. If not, how and when was Inverell Street selected to receive indented parking?

The need for indented parking bays is assessed on a case-by-case basis, where a priority indicator is assigned by Council's Transport Management and Infrastructure Delivery Teams. Inverell Street was identified as a medium to high priority location based on several factors including, but not limited to, parking occupancy surveys and dimensions of the street. Based on the availability of resources, Inverell Street was able to be included in the program for

installation.

3. What was the cost of providing indented parking on Inverell Street, Hoxton Park?

The project cost was approximately \$33,000 for 11 spaces.

4. Which streets have been delivered to date since inception and what streets are earmarked for 2022/23?

At the time of writing this report, 7 of the 9 locations proposed for construction this financial year have been completed. It is anticipated that all 9 locations will be completed by the 30th of June, weather and circumstances permitting.

The table below outlines the streets programmed for indented parking bays during the current financial year, along with streets identified as being priority for consideration in Council's 2022/23 financial year program.

2021/22 FY – Streets programmed for indented parking	
Ringarooma Circuit	West Hoxton
Bellerive Close	
Lambe St	
Elyard Circuit	
Ferraro Cr	
Flame Tree Street	Casula
Athlone Street	Cecil Hills
Inverell Ave	Hinchinbrook
Tulich Ave	Prestons
2022/23 FY - Streets identified as medium to high priority (these are likely to be undertaken within the 2022/23 FY, subject to resourcing and the outcome of community consultations)	
Edinburgh Circuit	Cecil Hills
Ulster Street	
Mullumbimby Avenue	Hoxton Park
Bellingen Way	
Monkton Avenue	Middleton Grange
Haerse Ave	Chipping Norton
9 Kitchen Place	West Hoxton
Macksville Street	Carnes Hill
Graziers Way	
Savery Road	
Crossly Avenue	
Alchemist Way	
Reibey Road	
Landholder Road	

ITEM NO: QWN 05
FILE NO: 194725.2022
SUBJECT: Question with Notice - Cllr Hagarty - Traffic Management Plans

Please address the following:

1. Are Traffic Management Plans for major events in the CBD supposed to come to the Traffic Committee and then to Council for approval?
2. If so, what is the definition of 'major event' that triggers the attention of the Traffic Committee?

Response (Provided by Community and Culture)

Traffic Management Plans (TMP) for all major events and activations that impact streets or pedestrian flow in the Liverpool City Centre and greater LGA are brought to the attention of Councils' Transport Management team and subsequently presented to the Liverpool Local Traffic Committee (LTC). This is a requirement regardless of whether the event is internally or externally managed.

The Transport Management team and Local Traffic Committee will review the TMP, with event organisers having completed relevant paperwork and supporting documents such as Police and Emergency Notifications and event applications and endorse the plans accordingly, rating them (or concurring with police analysis) against a Special Event Traffic Management Plan. Generally, these events are classified against the SETMP paperwork as Class 1, Class 2 or Class 3 events, as outlined by the NSW Government (TfNSW). This recommendation and associated paperwork are then submitted to TfNSW for approval prior to the event.

A major event is deemed by its predicted attendance, scale of infrastructure, potential impacts to surrounds (such as pedestrian flow, noise, public transport flow on effects etc). However, even small-scale activations will require notification and review by Council's Transport Management team and presentation to the LTC for the purposes of emergency notifications, road occupancy permits, impacts to local businesses, etc.

Events such as Starry Sari Night, New Year's Eve and Australia Day all undergo the same process internally and are presented to the LTC as required or deemed necessary by the Transport Management team. In addition, all relevant internal and external approvals are sought, as well as input and advice from subject matter experts as required.

Mayor Mannoun left the Chambers at 4.35pm and Deputy Mayor Rhodes assumed the Chair.

Mayor Mannoun returned to the Chambers at 4.37pm and resumed Chairing the meeting.

ITEM NO: QWN 06

FILE NO: 195625.2022

SUBJECT: Question with Notice - Clr Rhodes - Recreational Vehicle Park

In approximately 2017-18, I recommended contact details to Council in order to investigate the possibility of establishing a Recreational Vehicle (RV) Park in the Liverpool LGA to maximise the visitor economy through this growing sector of the visitor market.

Please address the following:

1. What has been the progress of Council's engagement into establishing an RV Park in the Liverpool LGA?

Response (Provided by Economy and Commercial Development)

Since the Council resolution in 2018, Council engaged Lucid Economics to undertake a detailed feasibility assessment of various sites in the Liverpool LGA to understand suitability of sites for both RV Parks and Holiday Parks in keeping with the above resolution and as a key action from the Destination Management Plan 2018/2019.

Recommendations from the study suggested that an RV Park is more likely to be more feasible in proximity to the Georges River whilst a Holiday Park is more likely to be successful in the Aerotropolis, with proximity to the Western Sydney Parklands and the family activities associated with that area.

After developing this more detailed understanding, Council officers then undertook more rigorous research on potential future sites for an RV development in and around Chipping Norton, Casula and Moorebank, based on the provision of strict criteria for site location.

Officers then engaged with a contact from the Campervan and Motorhome Club of Australia (CMCA), the peak body for RV users in Australia, to establish required specific locational criteria.

These criteria included:

Access to major transport infrastructure, ability of manoeuvrability and access for RVs, close proximity to shopping centres and public transport, access to RV user amenity, including public open space and potentially water-based outlook sites.

Upon presenting the various options to the CMCA, a preferred location adjacent to the NSW Barefoot Water Ski Club (the Ski Club) in Helles Park, Moorebank, was identified by the CMCA as being potentially suitable.

Negotiations have further progressed since this initial meeting and the Ski Club and CMCA have both indicated “in principle” support for such a proposal.

Issues that still need to be resolved and negotiated between Council, the CMCA and the Ski Club however include:

- Access and location of potable water supply and sewerage dump point (would be installed by the CMCA).
- Access arrangements for major events held by the Ski Club.
- Location of a storage area for small equipment.
- Location and style of signage.
- Provision of an internal gravel based track for users, including maintenance.
- Shelter for “happy hours” (or potentially utilisation of space at the Ski Club’s clubhouse).
- Amenities – all vehicles MUST be self-contained but the Ski Club is suggesting some fees should be negotiated if use of facilities at the Clubhouse is required.
- Resident Manager requirements – CMCA usually provides an on-site caretaker when the RV park is open. These people are trained volunteer members, they stay in their own self-contained RV, and would need a concrete site for them to use with access to power, water and preferably a permanent connection to the sewer.
- Formal lease arrangements of the site and maintenance arrangements.
- Use of the site as an RV Park would also require formal consent from Council.

The Covid related situation and flooding issues on the Georges River have impacted negotiations in more recent times and the CMCA has been busy with expansion and development of sites elsewhere in Australia. It now seems however, that as the travel restrictions have eased and the flooding situation has settled, negotiations could now re-commence.

Council will be updated at its December meeting as to the outcome of these further negotiations.

ITEM NO: QWN 07
FILE NO: 195471.2022
SUBJECT: Question with Notice - Cllr Kaliyanda - Staff Turnover at Liverpool Council

Staff turnover, beyond what can be expected in a healthy organisation, can be a sign of poor morale, organisational culture or other factors that indicate change is required.

Please address the following:

1. Does Council compile data on staff turnover across the organisation?
2. If so, what has been the percentage of staff turnover, per directorate, per quarter, since the beginning of the 2019/20 financial year?
3. What is the current number of unfilled or underfilled positions at Council?
4. What is the median time being taken to recruit/fill positions at Council, by directorate?
5. The results of the Staff Culture Survey be included in the response.

A response to these questions will be provided in the business papers for the Council meeting of 27 July 2022.

ADDENDUM

ITEM NO: PLAN 05
FILE NO: 202702.2022
SUBJECT: Proposed Planning Agreement - Middleton Grange Town Centre

COUNCIL DECISION

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

That Council:

1. Endorse for public exhibition the proposed Middleton Grange Town Centre Planning Agreement for 28 days, subject to an Explanatory Note being finalised and placed on public exhibition with the planning agreement; and
2. Delegate authority to the A/CEO, subject to consideration of any changes following public exhibition, to execute the planning agreement in the form that is publicly exhibited or with minor modifications.

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

Vote for: Mayor Mannoun, Clr Ammoun, Clr Goodman, Clr Green, Clr Hadid, Clr Harle, Clr Karnib, Clr Macnaught, Clr Rhodes.

Vote against: Clr Hagarty, Clr Kaliyanda.

PRESENTATIONS BY COUNCILLORS

Clr Green made a presentation on behalf of and at the request of the Aboriginal Consultative Committee.

The presentation included a statement based on an action from a unanimous motion passed at the Aboriginal Consultative Committee held on 2 June 2022. The statement consisted of a strenuous objection to the State Government decision to name the Western Sydney Aerotropolis City “Bradfield”, and not consider a local aboriginal name.

Clr Green also referred to a resolution of Council, passed at the August 2021 Council meeting, where Council resolved to write to the Geographical Names Board, to address Council’s preference for a name for the Aerotropolis City to better reflect our local community and that the State Government extensively consult with the local First Nations community on the naming.

Clr Green noted in her presentation that, other than an automated response, no response to Council’s submission had been received from the Geographical Names Board.

Clr Green wished to move a motion regarding this matter.
Mayor Mannoun asked that the motion be submitted to the next Council meeting by Clr Green as a Notice of Motion.

2. Trial the use of recycled glass, or other road surface technology, to reduce the occurrence of potholes in the Liverpool LGA;
3. Seek partnerships with government or private organisations in order to do so; and
4. Bring back a report to the September 2022 Council meeting (as per the Acting CEO comment to the Notice of Motion) on the findings and proposed actions to do this.

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

ITEM NO: NOM 04
FILE NO: 195558.2022
SUBJECT: Temporary Animal Shelter Arrangements with Rossmore Vet

BACKGROUND

The arrangements made with Rossmore Vet for temporary Liverpool Council Animal Shelter started with the closure of the Liverpool Animal Shelter (LAS) in 2020. At that time, after a year of investigating where a new shelter could be built, it was finally decided on Rossmore Grange when Council was advised that it was the quickest pathway of providing the new facility which gave reason for the acceptability of the temporary animal shelter arrangements at Rossmore Vets.

It has always been known that the temporary facilities were only made acceptable by means of a temporary solution and that the new Animal shelter should be provided as soon as possible. The recent sharp drop in temperatures has made questionable the acceptability of Council's temporary solution. The freezing conditions in winter and unbearably hot conditions in summer borders on cruelty to the unfortunate dogs who end up in the facility.

Council is doing all that it can do to return dogs home without the need to go to the Animal shelter, rehoming and returning more dogs faster than ever before. Despite all efforts by Council, the Liverpool facility is always at or near capacity.

A recent visit to Rossmore Vets to assess the noise or possible noise from that might emanate from the still to be built new animal shelter made far too obvious the poor conditions our animals were being forced to endure.

The temporary solution for the animal shelter has outlived the term temporary and must as a matter of urgency be addressed by Council to progress the building of the new Animal Shelter without further delay.

Councillors and Council need to attend a tour of the Rossmore Vet facilities and also the Animal Welfare League, at Badgerys Creek, who are the authorising body of licenses for Council Animal Shelters, to fully understand and to be fully educated on the current temporary Council solution as compared to the industrial leader in the animal welfare sector to be able to make qualified decisions as to why there is not only a need to prioritise the building of the Liverpool Animal Shelter, but also the standards to be included in the new shelter.

NOTICE OF MOTION (Submitted by Cllr Rhodes)

That Council direct the A/CEO to:

1. Make arrangements for Councillors to attend a tour of the Rossmore Vet and Animal Welfare League operations before the July 2022 Council meeting.

ITEM NO: CONF 06
FILE NO: 197217.2022
SUBJECT: PQ3190 Recruitment Services - Chief Executive Officer

COUNCIL DECISION

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

That Council:

1. Does not accept any of these tenders; and
2. In consultation with the new Selection Committee, go back to the market.

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

Vote for: Mayor Mannoun, Clr Ammoun, Clr Goodman, Clr Green, Clr Hadid, Clr Harle, Clr Karnib, Clr Macnaught, Clr Rhodes

Vote against: Clr Hagarty, Clr Kaliyanda

THE MEETING CLOSED AT 5.05PM.

<Signature>

Name: Ned Mannoun

Title: Mayor

Date: 27 July 2022

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 29 June 2022. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.

.....

Chairperson



**MINUTES OF THE ORDINARY MEETING
HELD ON 27 JULY 2022**

PRESENT:

Mayor Ned Mannoun
Councillor Ammoun
Councillor Goodman
Councillor Green
Councillor Hadid
Councillor Hagarty
Councillor Harle
Councillor Kaliyanda
Councillor Karnib (online)
Councillor Macnaught
Councillor Rhodes
Mr Peter Diplas, Acting Chief Executive Officer
Mr Paul Perrett, Director Corporate Services
Ms Tina Bono, Director Community & Culture
Mr David Smith, Director Planning & Compliance
Mr Matthew Morris, Acting Director City Presentation
Mr Michael Zengovski, Acting Director Infrastructure & Environment
Ms Julie Scott, Acting Director Economy & Commercial Development
Mr George Hampouris, Head of Audit, Risk and Improvement
Mr David Galpin, General Counsel, Manager Governance, Legal and Procurement
Ms Ellen Whittingstall, Internal Ombudsman
Mr Vishwa Nadan, Chief Financial Officer
Mr Brett Goodridge, Chief People Leader
Mr John Milicic, Manager Property Service
Ms Maree Stewart, Coordinator Council and Executive Services
Ms Susan Ranieri, Coordinator Council and Executive Services (minutes)

The meeting commenced at 2.03pm

**STATEMENT REGARDING WEBCASTING
OF MEETING**

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

**ACKNOWLEDGMENT OF COUNTRY,
PRAYER OF COUNCIL AND
AFFIRMATION**

The prayer of the Council was read by Father Melhem Haikal from St Rita Melkite Parish.

Clr Kaliyanda declared a non-pecuniary, less than significant interest in the following item:

Item: COM 02 – Grants, Donations and Community Sponsorship.

Reason: Clr Kaliyanda has previously attended events with one of the community groups that is recommended for a grant.

Clr Kaliyanda remained in the Chamber for the duration of the item.

Mayor Mannoun and Clr Goodman declared a non-pecuniary, but significant interest in the following item:

Item: CONF 04 – Legal Affairs Report - Charles Street (NSW) Pty Ltd - 146-150 Terminus Street, Liverpool (DA-1092/2021).

Reason: Mayor Mannoun and Clr Goodman are related to the owner.

Note: Mayor Mannoun and Clr Goodman did not receive the report in their Agenda.

Mayor Mannoun and Clr Goodman left the chambers for the duration of the item.

Clr Hagarty submitted a Conflict of Interest Declaration form prior to the Council meeting declaring an interest in the following item:

Item: PLAN 02 - Principles for the Liverpool Local Environmental Plan Review.

Reason: Clr Hagarty owns real property in the Liverpool LGA. The matter is dealing with the Liverpool LEP.

Clr Hagarty remained in the Chambers during the duration of the item.

PUBLIC FORUM

Presentation – items not on agenda

Nil.

Representation – items on agenda

1. Mr Hussein Oubani addressed Council, **via MS Teams** on the following item:

Item ECD 01 - Proposed Road Closure and Potential Future Sale of part of Gurner Avenue, Austral (adjoining No. 5 Gurner Ave)

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

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

On being put to the meeting motion was declared CARRIED.

2. Ms Anneliese Alexander addressed Council on the following item:

Item NOM 03 - Declaration of Climate Emergency.

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

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

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

3. Mr Dom Brunetta, Ms Donna Subritzky and Ms Amber Tanaka, on behalf of the Sydney Marae Alliance addressed Council on the following items:

Item NOM 04 - Supporting Our Visitation Economy

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

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

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

MAYORAL MINUTES

ITEM NO: MAYOR 01
REPORT OF: Mayor Ned Mannoun
SUBJECT: Proposed new suburb of Cabrogal

The Cabrogal were the Aboriginal people in the Fairfield and Liverpool area around the Georges River and Cabramatta Creek. Cabrogal is part of the Dharug language group.

There are many sites across Liverpool today, such as the Georges River, which are recognised as sites of Aboriginal historical significance.

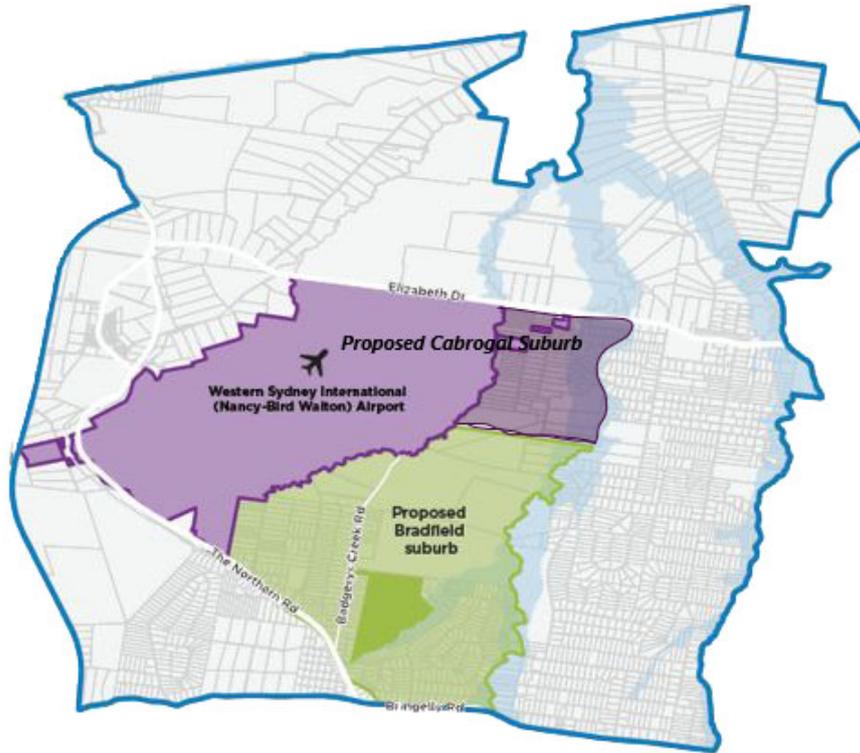
Liverpool City Council supports a proposal to rename part of the suburb of Badgerys Creek to the Aboriginal name Cabrogal (see map below). This is to honour and recognise our First Nations People and the historic Cabrogal clan.

The idea that tourists arriving in our beautiful country will immediately recognise that they are landing on Aboriginal land is not only wonderful; it is appropriate. The acknowledgment of the First Nations heritage of the land in the name of this new suburb presents an opportunity to educate international and domestic visitors, raising awareness and promoting Australia’s First Nations people and culture, the oldest known living culture in the world.

This is part of reconciliation and co-creation.

I believe the people of Liverpool will support this move and that we should fast track our endorsement with the relevant government authorities.

The adjoining new suburb of Bradfield, with its innovation flavour will only serve to compliment the change. A mix of much-loved old with new. It’s exciting to think that a newly named suburb “Cabrogal” will grow rapidly and become a transport, business and innovation hub, integral to the City of Liverpool, and the rest of the world.



RECOMMENDATION

That Council:

1. Commence the process to rename part of the suburb of Badgerys Creek to Cabrogal.
2. Undertake community and stakeholder consultation on this proposal, including with the local Aboriginal community and Geographical Names Board of NSW, consistent with the requirements of the NSW Place Name Policy.
3. Supports the proposed name of Bradfield.

COUNCIL DECISION:

Motion: **Moved: Mayor Mannoun**

That the recommendation be adopted.

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

Foreshadowed motion: Moved: Clr Kaliyanda Seconded: Clr Hagarty

That Council:

1. Commence the process to rename part of the suburb of Badgerys Creek to Cabrogal.
2. Undertake community and stakeholder consultation on this proposal, including with the local Aboriginal community and Geographical Names Board of NSW, consistent with the requirements of the NSW Place Name Policy.

Division called (for the Motion moved by Mayor Mannoun):

Vote for: Mayor Mannoun, Clr Ammoun, Clr Goodman, Clr Green, Clr Kaliyanda, Clr Karnib, Clr Macnaught, Clr Rhodes and Clr Hadid.

Vote against: Clr Hagarty and Clr Harle.

ITEM NO: MAYOR 02
REPORT OF: Mayor Ned Mannoun
SUBJECT: NSW Rural Fire Service National Emergency Medals and Long Service Medals Presentation

On Wednesday 3 August 2022, the NSW Rural Fire Service (NSW RFS) is holding a National Emergency Medals and Long Service Medals Presentation at the Casula Powerhouse Arts Centre for NSW RFS Volunteers within the Macarthur District for services to the community in the local area.

The NSW RFS Macarthur District is in the South Western Sydney Corridor between the Georges and Nepean Rivers within NSW and includes the Local Government Areas of Liverpool, Camden and Campbelltown.

The 2019–20 bushfire season was the worst New South Wales has recorded. Over the course of a few months, 26 lives were lost, 2,448 homes were destroyed and 5.5 million hectares (ha) of land was burnt. The impact on NSW communities, farmers, local businesses, wildlife and bushland was unprecedented.

The NSW Rural Fire Service played a significant role in providing urgent, critical support to our community and many other communities across the Macarthur District, and the State, during this stressful period.

Our community is deeply grateful to all those involved in supporting residents who were affected.

In the 2021-22 financial year, Rural Fire Brigades of the Macarthur District responded and supported a total of 1416 incidents. They carry out regular hazard reductions in our LGA annually to help keep our community safe and reduce the impacts of future bushfire seasons. The Macarthur District also has an active Community Engagement team who attend many Community Education events.

In recognition of the service provided to the Liverpool community by Macarthur District Rural Fire Brigades, it is proposed that the National Medal Presentation on 3 August be hosted by Council as a Civic event.

RECOMMENDATION

That Council:

1. Host the NSW Rural Fire Service National Emergency Medals and Long Service Medals Presentation at the Casula Powerhouse Arts Centre on 3 August 2022 as a Civic event.

CHIEF EXECUTIVE OFFICER REPORT

ITEM NO: CEO 01
FILE NO: 214413.2022
SUBJECT: Leading in Good Governance Practices

COUNCIL DECISION

Motion: **Moved: Clr Kaliyanda** **Seconded: Clr Karnib**

That Council does not proceed with the development of an "Access to independent external professional advice" Policy. Where further clarification is required beyond what is provided by Council Officers, Council can resolve and delegate the CEO to facilitate additional professional advice.

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

Division called (for the motion moved by Clr Kaliyanda):

Vote for: Clr Green, Clr Hagarty, Clr Harle, Clr Kaliyanda and Clr Karnib.

Vote against: Mayor Mannoun, Clr Ammoun, Clr Goodman, Clr Macnaught, Clr Rhodes and Clr Hadid.

Foreshadowed motion: **Moved: Mayor Mannoun** **Seconded: Clr Macnaught**

That Council proceed with the development of an "Access to independent external professional advice" Policy.

The Foreshadowed motion (moved by Mayor Mannoun) then became the motion and on being put to the meeting the motion was declared CARRIED.

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

Vote against: Clr Green, Clr Hagarty, Clr Harle, Clr Kaliyanda and Clr Karnib.

ITEM NO: CEO 02
FILE NO: 222073.2022
SUBJECT: Motions for Local Government NSW Conference 2022

COUNCIL DECISION

Motion: **Moved: Cllr Macnaught** **Seconded: Cllr Green**

That Council defer this item to a councillor workshop to be discussed further and be delegated to the Mayor in accordance with his authority between meetings to forward the motions to LGNSW prior to their deadline.

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

PLANNING & COMPLIANCE REPORT

ITEM NO: PLAN 01
FILE NO: 197222.2022
SUBJECT: Community Garden Guideline

COUNCIL DECISION

Motion: **Moved: Cllr Kaliyanda** **Seconded: Cllr Macnaught**

That:

1. Council receives and notes this report; and
2. A further report come back to Council with a framework based on these guidelines to enable residents to construct and operate community gardens on community land.

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

ITEM NO: PLAN 02
FILE NO: 216819.2022
SUBJECT: Principles for the Liverpool Local Environmental Plan Review

COUNCIL DECISION

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

That Council:

1. Adopt the following principles for managing residential land under the new LEP:
 - a. Encourage high density residential development in the vicinity of the Liverpool City Centre and Town Centers, and along Transport corridors
 - b. Facilitate appropriate transitions from R4 High Density to R3 Medium Density Residential zoned land
 - c. Promote high quality medium density residential development near centers
 - d. Incentivise multi dwelling development in the R3 Medium Density Residential zone to support housing diversity
 - e. Protect suburban character of low-density residential areas

2. Adopt the following principles for managing commercial land under the new LEP:
 - a. Provide for the retail needs of the Liverpool LGA into the future
 - b. Enable redevelopment of centres which will provide both commercial and residential uses, with high quality design encouraged
 - c. All centres, regardless of their hierarchy, are to have a height of building development standard of 12m or less to limit the height of buildings across all centres within the LEP, with exclusions as noted within this report, such as the Liverpool City Centre centres subject to planning proposals.

3. Adopt the following principles for managing industrial land under the new LEP:
 - a. Review and manage industrial land, whilst allowing flexibility for future development
 - b. Encourage renewal of industrial precincts
 - c. Determine the role of industrial precincts

4. Note that the new Liverpool LEP is to address environmental and recreation related Local Strategic Planning Statement actions listed within this report.

5. Receive a Scoping Report in August 2022 for the new Liverpool LEP.

6. Include the City Centre review as part of this process.

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

Councillors voted unanimously for this motion.

ITEM NO: PLAN 04
FILE NO: 221539.2022
SUBJECT: Update on planning proposal request at Lot 6 Newbridge Road, Moorebank

COUNCIL DECISION

Motion: **Moved: Cllr Macnaught** **Seconded: Cllr Kaliyanda**

That Council:

1. Receives and notes this report; and
2. Narrow the scope of the Issues & Options report to investigate two scenarios being:
 - i. Place based retail type scenario; and
 - ii. Modern business park type scenario.

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

Councillors voted unanimously for this motion.

COMMUNITY & CULTURE REPORT

ITEM NO: COM 01
FILE NO: 203803.2022
SUBJECT: Review of Events Policies

COUNCIL DECISION

Motion: **Moved: Cllr Harle** **Seconded: Cllr Macnaught**

That Council endorse the following updated policies with the following amendments to the Buskers Policy:

- Charitable Collections on Council Controlled Land Policy;
- Buskers Policy;
- Mobile Food Vending Vehicles Policy; and
- Markets Policy.

Buskers Policy amendments:

- Remove paragraph h) (as shown on page 165 of Council Agenda) and as shown below:

h) Performances with religious content, tone or involving religious preaching.
- In paragraph G, a new clause to be included to better define 'exceeds ambient noise levels'.

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

Councillors voted unanimously for this motion.

ECONOMY & COMMERCIAL DEVELOPMENT REPORT

ITEM NO: ECD 01
FILE NO: 219500.2022
SUBJECT: Proposed Road Closure and Potential Future Sale of part of Gurner Avenue, Austral (adjoining No. 5 Gurner Ave)

COUNCIL DECISION

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

That this matter be deferred for 12 months.

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

Vote for: Mayor Mannoun, Clr Ammoun, Clr Goodman, Clr Karnib and Clr Macnaught.

Vote against: Clr Green, Clr Hagarty, Clr Harle, Clr Kaliyanda, Clr Rhodes and Clr Hadid.

Foreshadowed motion: **Moved: Clr Kaliyanda** **Seconded: Clr Hadid**

That Council:

1. Approves the commencement of a road closure process of a section of Gurner Avenue, Austral as outlined in the report;
2. Notes, that a public notification process which also involves the notification of relevant service authorities and NSW Crown lands will be undertaken;
3. Approves to classify the land comprising any area of closed road area as "Operational" land pursuant to s.43 of the *Roads Act* 1993;
4. Authorises the A/CEO or his delegated officer to execute any documents, under Power of Attorney, necessary to give effect to this decision; and
5. Resolves that a further report be made to Council upon completion of the road closure consultation process, prior to any proposed sale progressing.

The Foreshadowed Motion (moved by Clr Kaliyanda) then became the Motion and on being put to the meeting was declared CARRIED.

Vote for: Clr Green, Clr Hagarty, Clr Hadid, Clr Harle, Clr Kaliyanda, Clr Karnib and Clr Rhodes.

Vote against: Mayor Mannoun, Clr Ammoun, Clr Goodman, Clr Macnaught.

QUESTIONS WITH NOTICE

ITEM NO: QWN 01

FILE NO: 229172.2022

SUBJECT: Question with Notice - Cllr Kaliyanda - Staff Turnover at Liverpool Council

Staff turnover, beyond what can be expected in a healthy organisation, can be a sign of poor morale, organisational culture or other factors that indicate change is required.

Responses provided by the Office of the CEO Directorate (People and Organisational Development team)

Please address the following:

1. Does Council compile data on staff turnover across the organisation?

Yes.

2. If so, what has been the percentage of staff turnover, per directorate, per quarter, since the beginning of the 2019/20 financial year?

As per the document titled Staff Turnover Statistics and provided in the Council Agenda (page 272).

3. What is the current number of unfilled or underfilled positions at Council?

As at 8 June 2022, Council has 168 vacant positions. 31 of these vacant positions are filled on a temporary basis. Council has held roles open on purpose in order to leave flexibility to respond to budgetary changes. Now with the budget approved, Council will be looking at the need for many of these vacant roles.

4. What is the median time being taken to recruit/fill positions at Council, by directorate?

Council does not currently track this metric.

5. The results of the Staff Culture Survey be included in the response.

One of the initiatives related to the recently endorsed 2022-2026 Workforce Management Strategy is to conduct a climate survey of all employees. This is currently on hold pending funding becoming available.

**Clr Macnaught left the Chambers at 3:18pm.
Clr Macnaught returned to the Chambers at 3:20pm.**

ITEM NO: QWN 02
FILE NO: 234339.2022
SUBJECT: Question with Notice - Clr Green - Smoke Free Macquarie Mall

According to research and current health advice tobacco smoking is the single most preventable cause of death and illnesses including asthma and other long term respiratory diseases, stroke and heart disease.

The reactivation of the CBD, particularly Macquarie Mall has been a focus of our Mayor and this Council. The NSW state Government has supported the reactivation by funding community events such as Blessed Nights held in Macquarie Mall.

According to the Smoke-free Environment Act 2000 bans smoking and using e-cigarettes in a commercial outdoor dining area, such as:

- a seated dining area
- within 4 metres of a seated dining area on licensed premises, restaurant or café
- within 10 metres of a food fair stall.

The intention of the smoking ban is to protect people from the harms of second-hand smoke and vapour from e-cigarettes while dining in outdoor areas because the research is clear- there is no safe level of exposure to second-hand smoke.

Responses provided by Economy & Commercial Development and Planning & Compliance

Please address the following:

- 1. Can Council provide advice in relation to the status of the Macquarie Mall and the *Smoke -Free Environment Act 2000*, particularly as it applies to:

 - a. All outdoor cafes of Macquarie Mall where food and drinks are served in partial enclosed areas; and**
 - b. The child play area?****

Response

Under the *Smoke-Free Environment Act 2000*, smoking and use of e-cigarettes are banned:

- Within 10 metres of children’s play equipment in outdoor public places,
- Within 4 metres of a pedestrian access point to a public building,
- In commercial outdoor dining areas, and
- Within 10 metres of a place at a food fair where food is being sold for consumption.

In the Act, commercial outdoor dining areas are defined as seated dining areas in which food is being consumed or available to be purchased and consumed there. This does not include drink.

In relation to Macquarie Mall, if food is being served within the Macquarie Mall outdoor dining structures, the area must be smoke-free and display ‘No Smoking’ signs. Businesses serving drink only within the outdoor dining structure must display “NO FOOD TO BE CONSUMED IN THIS AREA” signage in line with Clause 5 of the *Smoke-free Environment Regulation 2016* to allow compliant smoking to proceed in the public space.

The Act also applies to the children’s play area in Macquarie Mall, with smoking banned within 10 metres of the play area, and applies to the two entrances to Liverpool Plaza, with smoking banned within 4 metres.

The below condition is imposed on Development Consents regarding the Smoke-free Environment Act 2000 and Smoke-free Environment Regulations 2016.

(G468) Smoke-free Environment Act and Smoke-free Environment Regulation

The Applicant and Occupier of the premises are alerted to the requirements of the Smoke-free Environment Act 2000 and Smoke-free Environment Regulation 2016. Nothing in this consent is to be taken to imply that the development meets the requirements of the aforementioned legislation. In the event that the Applicant and/or Occupier wishes to facilitate smoking within the premises, they must ensure that the design and construction of the area proposed to facilitate smoking fully complies with the requirements of the Smoke-free Environment Act 2000 and Smoke-free Environment Regulation 2016.

The dining structures are leased to Macquarie Mall businesses through the Macquarie Mall Outdoor Dining Permit, issued by Council. As resolved in the Outdoor Dining Policy 2022, permits issued in FY2023/2024 will be eligible for a 50% reduced fee if permit holders/businesses adopt a smoke-free outdoor dining area.

2. Can Council please advise how compliance is currently enforced?

Response

NSW Health are the appropriate Regulatory Authority to enforce the Smoke-Free Environment Act 2000. NSW Health inspectors are responsible for conducting compliance monitoring and enforcement activity in relation to smoke-free regulations in these public places. They investigate breaches on a complaint basis and can issue cautions or on the spot fines of \$300 to people who break no smoking bans.

Council communicated with SWS Local Health District in 2018 during the development of the 'Implementation Strategy for Smoke-Free Areas'.

In 2019 following the Council resolution for 'Implementation Strategy for Smoke-Free Areas' to encourage compliant smoking in Macquarie Mall, Council:

- updated signage at smoke-free zones,
- delivered a media and education campaign in Macquarie Mall,
- conducted intercept surveys which revealed 63% of respondents supported the entire city centre becoming smoke-free,
- conducted business surveys which highlighted mixed feedback on smoke-free zones in Macquarie Mall, with some concern over impact on business,
- investigated the implementation of smoke-free zones and governing policies in other Sydney LGAs which showed support from community and business.

3. What reports has Council received from SWS Local Health District in relation to *Smoke-Free Environment Act 2000* and Macquarie Mall out-door dining area compliance with the regulations of the legislation?

Response

Council does not receive statistical data from NSW Health SWS Local Health District in relation to the Smoke-Free Environment Act 2000 and its compliance within the Macquarie Mall precinct.

OPEN COUNCIL ADDENDUM

ITEM NO: COM 03
FILE NO: 203716.2022
SUBJECT: Mayor and Councillors Charity Ball

COUNCIL DECISION

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

That Council directs the Acting CEO to discontinue the annual Mayor and Councillors Charity Ball.

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

PRESENTATIONS BY COUNCILLORS

Nil.

NOTICES OF MOTION

ITEM NO: NOM 01

FILE NO: 234308.2022

SUBJECT: Council Communication in Relation to Failure to Respond to Aerotropolis Naming

Background

At the last Council meeting I conveyed to all present the deep disappointment of the Aboriginal Consultative Committee in the failure of Geographical Names Board to formally reply to the Committee's submission prepared by the former Mayor objecting to the naming of the Aerotropolis city as "Bradfield".

On behalf of the Committee the former Mayor wrote:

"The land on which this city stands has a rich First Nations heritage and culture. The Dharug people are the traditional custodians of the land in this region. The ACC urges the Geographical Names Board (GNB) to reconsider the selected name for the city and instead honour the region's rich First Nations heritage and culture."

Failing to select a name of First Nations cultural significance for the Aerotropolis is a missed opportunity. Further, it demonstrates a lack of understanding of the significant impact such a choice would have on Western Sydney, New South Wales and indeed the entire nation's efforts to support and encourage reconciliation".

These words stand as central to the expressed objection then and the deep disappointment of Committee members that was conveyed at the previous meeting. As requested by Mr Mayor, I submit the following Motion

NOTICE OF MOTION (Submitted by Cllr Green)

That Council direct:

1. The Acting CEO to communicate the lack of respect in the failure of Geographical Names Board to provide any formal response to the Aboriginal Consultative Committee correspondence expressing their objection.
2. The Acting CEO to further request in writing a comprehensive commitment to an extensive consultation process with our First Nations community that ensures the acknowledgement and recognition of history and custodianship is meaningfully incorporated into future planning and naming to:
 - a. the Geographical Names Board;

ITEM NO: NOM 02
FILE NO: 234365.2022
SUBJECT: Developing a Process for First Nations Naming, Renaming and Co-Naming of Places and Spaces in Liverpool

Background

The use of Indigenous names for places and spaces is not new. Some of the Aboriginal placenames recorded by officers of the First Fleet and surveyors were retained and are in use today. Examples of this include Parramatta, Woolloomooloo and Bondi.

Since the early 2000s, there has been an identified effort to reinstate Aboriginal placenames in NSW. This has partly been led by the Geographical Names Board of NSW. This led to the first example of a co-named place, with Dawes Point also known as Tar-ra since 2002, followed by South Creek becoming additionally known as Wianamatta in 2003.

The City of Liverpool marks 150 years since it was declared a municipality in 2022. As yet, we have not conducted any naming or co-naming of Council facilities with appropriate First Nations' engagement, nor do we have a process, strategy or plan to do so.

While we acknowledge the rich Aboriginal heritage of our area at events and meetings, we do not celebrate this heritage in the naming of our places and spaces.

NOTICE OF MOTION (Submitted by Cirs Kaliyanda and Green)

That relevant Council staff work in conjunction with the Liverpool Aboriginal Consultative Committee (LACC) to:

1. Find appropriate Aboriginal names for the wards of Liverpool;
2. Undertake a process to give names of Aboriginal origin to unnamed streets, roads, and lanes;
3. Affirm its commitment to naming, renaming or dual naming Council streets and roads to recognise the Traditional Custodians of the Liverpool Local Government Area and the contribution of Aboriginal Australians to the Liverpool LGA. This includes through the potential use of Aboriginal language names or the recognition of significant Aboriginal historical figures or events;
4. Also confirms its ongoing commitment to recognise important historical figures who lived in or contributed to the Liverpool LGA through the naming of local streets and roads, noting that this should not be limited to historical landowners but where possible include others who have made significant contributions to Liverpool's social and political history;

ITEM NO: NOM 03
FILE NO: 234440.2022
SUBJECT: Declaration of Climate Emergency

Background

At the 2022 Australian Local Government Association conference, delegates were informed about the growing cost of the impacts of climate change and natural disasters on our communities. As well as the lessons learnt by local government areas who had responded to natural disasters, delegates learnt about the economic imperative on investing in mitigation strategies, as well as adaptation.

As we have seen in the last few years, the impacts of bushfires, floods and droughts can be devastating and impact our community socially, economically and psychologically.

At its May 2022 meeting, Council voted to place a Climate Change Policy and Action Plan on exhibition. This Policy and Action Plan contains a range of concrete measures to ensure the Liverpool Council reduces its carbon footprint and puts community and environmental sustainability and resilience forward as a key priority.

However, Liverpool Council has, as yet, not joined over 100 Australian local government areas and almost 3000 jurisdictions across 38 countries in declaring a climate emergency. This is an action many in our community have been advocating for.

Notwithstanding the constraints imposed by resourcing and regulations from state and federal jurisdictions, local governments play a key role in mitigating the impacts of climate change. Some have called declarations of climate emergencies as largely symbolic or tokenistic, that don't entail substantial or systematic changes.

However, research and analysis of the impact of declarations of climate emergencies at 26 local governments in Victoria conducted by Greenfield showed that these declarations can drive engagement both within the organisation and the community around specific actions, timelines and resources. The declarations are an opportunity for normalization. Normalizing might mean equipping and empowering respective communities with the tools and actions to deal with the climate crisis and the impact of climate change on our communities.

Clr Kaliyanda left the Chambers at 3:48pm.
Clr Kaliyanda returned to the Chambers at 3:52pm.

ITEM NO: NOM 04
FILE NO: 236141.2022
SUBJECT: Supporting Our Visitation Economy

Background

Further to the June 2022 Council resolution to provide a supporting letter to the Sydney Marae Association (SMA) in relation to their West Invest program application which was presented for Liverpool Council in support of servicing Western Sydney. It is recognised that Liverpool would be losing Visitation dollars which would be going to the Central City and not the Western Parklands City of which all the Western Sydney suburbs and their related LGAs reside.

As Greystanes is not a Western Sydney suburb, it is actually to the detriment of Visitation Economies of the Western Sydney LGA's where the Pacifica people actually reside. The same People who the SMA Project intend servicing would have to actually travel out of our residential Western Sydney LGAs to go to the Central City and to support their visitation economy, not Liverpool's and not the LGA's of the Western Sydney Garden City.

To support such a project would be selling off our own opportunity to support our own constituents and our own opportunity to support our own Visitation Economy and or our neighbouring Western Sydney Garden City LGA's opportunity to boost their own Visitation Economies now and into the future through any similar project.

Liverpool constituents who form the Liverpool Pacifica organisations have been calling out for Liverpool to support them so that Liverpool can benefit from the enormous boost to our own Liverpool Visitation Economy through our own Liverpool vibrant and of national and Internationally recognised Pacifica Organisations. If anyone should have such a facility on the basis of Pacifica national and International recognition it should be in Liverpool.

The urgency of the motion made it impossible to consult with our own Pacifica communities who are the constituents that elected us as Councillors to represent them and who certainly contribute to pay our wages.

Since the June 2 resolution, I have been contacted and I now believe our Pacifica constituents in our LGA are not in favour of Liverpool supplying a letter of support to the SMA Project and would prefer the provision of such facility be in the Liverpool LGA.

This SMA Project was highly contested in Cumberland Council with objections from the first nation people, it had divided opinions in the Marae cultural communities throughout Western Sydney and I have been told even in New Zealand itself.

Our regulating Documentation Destination Plans and Strategic Plans clearly identifies the three cities of Sydney and our support for our neighbouring LGA's within the Western Garden City, AKA South West Sydney and identified clearly in the City Deal but nowhere does it say to support the Central City's Visitation Economy.

To support the SMA project is to deny Liverpool the opportunities of future grants for Liverpool Council to deny the Liverpool Pacifica organisations of possible grant funding in the future and deny Liverpool's opportunity to boost our Liverpool Visitation Economy and serve the Pacifica people of Liverpool.

We would not be supporting our neighbouring Western Garden City LGA's by supporting a project that they may have been interested in providing themselves.

I am sure MSA and Cumberland Council will understand that after consideration we are obliged to follow our Destination Management, and Strategic Plans and most importantly listen to and act on behalf of the Liverpool Constituents as we were all elected to do.

There are plans in Liverpool for the Visitation Precinct, that was always intended to support all the cultures in Liverpool and that defiantly includes the Pacifica Community.

Council has not as yet presented those concept plans to Council so our Councillors were not aware of Liverpool's future plans when they voted in support of a support letter, but such support for the SMA Project may inhibit Liverpool in attaining grant funding for that project in the future.

Our support for the SMA Project is not essential.

To support this project could impact poorly on Liverpool's future plans, our own opportunity to increase the Visitation Economy of Liverpool and Liverpool's ability as a City that is home to the new airport to establish ourselves as a destination of significance and utilise the International recognition that has already been established by one of Liverpool's Pacifica communities. A community who wants to be in Liverpool.

It is important that we protect our Visitation Economy by making decisions that are in the best interest of Liverpool and our constituents.

5. Hold a workshop before open tender for submissions for a Project Consultant is conducted and invite Matavai and other Pacifica and other Community organisations to present their visitation assets that Council and Councillors need to be made aware of in order to understand what likely assets could and should be considered in the Liverpool Visitation Precinct.

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

Cllr Kaliyanda asked that she be recorded as having voted against this motion.

the property by agreement and enter into any agreement reached with the Owner pursuant to s30 of the Acquisition Act without having to submit a further report to Council for approval;

6. Authorises payment of compensation as determined by the valuer General, if accepted by the Owner, plus statutory interest in accordance with S49 of the Acquisition Act;
7. If the Owner commences proceedings in the land and Environment Court (Court) then Council authorises:
 - i. Payment to the Owner of 90% of the compensation as determined by the Valuer-General pursuant to s68(2)(a) of the Acquisition Act, or if that payment is not accepted by the Owner, pay that amount into trust pursuant to s68(2)(b) of the Acquisition Act
 - ii. Engage solicitors, experts and counsel, as needed, to defend Council's position in Court; and
 - iii. Payment of compensation in accordance with the Order issued by the Court.
8. Authorises its delegated officer to execute any document, under Power of Attorney, necessary to give effect to this decision; and
9. Keeps this report confidential pursuant to the provisions of Section 10(A)(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.

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

7. Direct the Acting CEO or his delegate to write to the relevant authorities and seek consent from the Minister to proceed with finalising the construction licence, upon final design of the pedestrian bridge being approved.
8. Direct the Acting CEO or his delegate to notify the applicant and objector of this resolution, and the actions of Council in both seeking to progress the construction licence upon the final design elements of the pedestrian bridge being approved and seeking Ministerial approval.
9. 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.

THE MEETING CLOSED AT 4.17pm.

<Signature>

Name: Ned Mannoun

Title: Mayor

Date: 31 August 2022

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 27 July 2022. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.

.....



MINUTES OF THE EXTRAORDINARY MEETING HELD ON 9 AUGUST 2022

PRESENT:

Mayor Ned Mannoun
Councillor Ammoun
Councillor Goodman
Councillor Green
Councillor Hadid
Councillor Hagarty (online)
Councillor Harle
Councillor Kaliyanda (online)
Councillor Karnib (online)
Councillor Macnaught
Councillor Rhodes
Mr Peter Diplas, Acting Chief Executive Officer
Mr Paul Perrett, Director Corporate Services
Ms Tina Bono, Director Community & Culture
Mr David Smith, Director Planning & Compliance
Mr Raj Autar, Director Infrastructure & Environment
Mr Matthew Morris, Acting Director City Presentation
Mr David Galpin, General Counsel, Governance Legal & Procurement
Ms Lina Kakish, Manager City Planning
Mr John Milicic, Manager Property
Mr Vishwa Nadan, Chief Financial Officer
Mr George Georgakis, Manager Council and Executive Services
Ms Susan Ranieri, Coordinator Council and Executive Services (minutes)

OPENING

4.02pm

ACKNOWLEDGMENT OF COUNTRY, PRAYER OF COUNCIL AND AFFIRMATION TO BE READ BY

The prayer of the Council was read by the Manager, Council and Executive Services from Liverpool City Council.

NATIONAL ANTHEM

The National Anthem was played at the meeting.

APOLOGIES

Nil

CONDOLENCES

Nil.

DECLARATIONS OF INTEREST

Mayor Mannoun declared a non-pecuniary, less than significant interest in the following item:

Item: CONF 01 - Opportunity to Purchase a potential Depot Site

Reason: His children attend tutoring in a nearby facility.

Mayor Mannoun remained in the Chambers.

COUNCILLORS ATTENDING REMOTELY

Councillors Hagarty, Kaliyanda and Karnib have requested permission to attend this meeting via MS Teams.

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

That Councillors Hagarty, Kaliyanda and Karnib be granted permission to attend the meeting via MS Teams.

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

COUNCIL IN CLOSED SESSION

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

1. That Council move into Closed Session to consider the following items:
 - CONF 01 Opportunity to Purchase a potential Depot Site
2. Pursuant to Section 10A(1)-(3) of the Local Government Act 1993, the media and public to be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of:

- 10A(2)(c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

Council moved into Closed Session at 4.08pm.

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

CONFIDENTIAL ITEMS

ITEM NO: CONF 01
FILE NO: 267387.2022
SUBJECT: Opportunity to Purchase a potential Depot Site

COUNCIL DECISION

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

That Council:

1. Approve proceeding with a negotiation and due diligence process for the potential purchase of a depot site.
2. Submit an Expression of Interest submission for the potential purchase of the depot site. The terms of the EOI are to be within (but not limited to) the following parameters:
 - a. Subject to a minimum 4 week due diligence period to allow Council to conduct all the required probity requirements, including but not limited to, valuations, finance (if required), building condition assessments.
 - b. The offer is to be no greater than the amount specified in the confidential report noting the current offer on the site at the value specified in the confidential report.
 - c. A settlement period of up to 6 months.
 - d. The ability to access and occupy the site prior to settlement at no cost.
 - e. Owners consent to lodge any development applications (if required).
 - f. Authority to enquire with Transport for NSW (or the relevant authority) of the validity of the mechanical workshop licenses.
3. Approve expenditure associated with the due diligence of up to \$50,000 to be funded from unrestricted reserves/general fund.
4. Ensure due diligence includes:
 - a. a review and any cost benefits of the site in relation to Council's existing 2018 Depot Masterplan.
 - b. at least 2 independent valuations of the site by suitably qualified valuers.

5. Seek to appoint an independent and suitably qualified probity officer as soon as practical to assess all aspects of this process.
6. Refer this matter and all related documentation for consideration at an extraordinary meeting of the Audit, Risk and Improvement Committee where possible.
7. Bring a further report to be presented to Council once the due diligence has been completed, to seek final approval from Council to consider the purchase of the property and that said report is to include a funding strategy and a summary of the changes required to the existing 2018 Depot Masterplan should this purchase be progressed.
8. Notes the costings outlined in the 2018 Depot Masterplan which included calculations for cost escalations through to 2036.
9. Notes that Council recently resolved to build a new depot in 2022 and that this purchase would potentially negate that need.
10. Provide the Acting CEO with required delegations to implement the above.

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

Vote for: Mayor Mannoun, Clr Ammoun, Clr Goodman, Clr Green, Clr Hadid, Clr Hagarty, Clr Kaliyanda, Clr Karnib, Clr Macnaught and Clr Rhodes.

Vote against: Clr Harle.

OPEN SESSION

Council moved back into Open Session at 4.53pm.

Mayor Mannoun then read out the resolution for CONF 01 - Opportunity to Purchase a potential Depot Site that was passed in Closed Session and shown above.

THE MEETING CLOSED AT 4.55pm

<Signature>

Name: Ned Mannoun

Title: Mayor

Date: 31 August 2022

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 9 August 2022. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.

.....

Chairperson



MINUTES OF THE ORDINARY MEETING HELD ON 31 AUGUST 2022

PRESENT:

Mayor Ned Mannoun
Councillor Ammoun
Councillor Goodman (online)
Councillor Green
Councillor Hadid
Councillor Hagarty
Councillor Harle
Councillor Kaliyanda
Councillor Karnib (online)
Councillor Macnaught
Councillor Rhodes
Mr Peter Diplas, Acting Chief Executive Officer
Mr Paul Perrett, Director Corporate Services
Ms Tina Bono, Director Community & Culture
Mr David Smith, Director Planning & Compliance
Mr Matthew Morris, Acting Director City Presentation
Mr Michael Zengovski, Acting Director Infrastructure & Environment
Ms Julie Scott, Acting Director Economy & Commercial Development
Mr David Galpin, General Counsel, Manager Governance, Legal & Procurement
Ms Ellen Whittingstall, Internal Ombudsman
Mr Vishwa Nadan, Chief Financial Officer
Mr George Hampouris, Head of Audit, Risk & Improvement
Mr Charles Wiafe, Manager Transport Management
Ms Galavizh Ahmadi Nia, Manager Community Development & Planning
Mr George Georgakis, Manager Council and Executive Services

The meeting commenced at 2.03pm.

**STATEMENT REGARDING WEBCASTING
OF MEETING**

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

Clr Hadid declared a non-pecuniary, less than significant interest in the following item:

Item: COM 01 Report Back Mimosa Park (22 Box Road, Casula)

Reason: Clr Hadid has family who reside close to this location.

Clr Hadid remained in the Chamber for the duration of the item.

PUBLIC FORUM

Presentation – items not on agenda

1. **Ms Kerrie Fitzgibbon** addressed Council on the following item:

DA Matter.

Representation – items on agenda

Nil.

3. During this period, that Councillors voluntarily donate their Council allowance back to Council to avoid ratepayer contributing to candidates campaigns; and
4. Note that this is a voluntary policy and write to all Councils, the Minister for Local Government, the Premier and opposition leader informing them of these changes and encouraging them to do the same.

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

The Councillors voted unanimously for this item.

Clr Kaliyanda left the Chambers at 2.58pm.

Clr Kaliyanda returned to the Chambers at 3.02pm.

MAYORAL MINUTE

ITEM NO: MAYOR 01

SUBJECT: Inclusive swing seats in Liverpool playgrounds

Play is key to children’s learning, development, confidence and wellbeing. All children should feel included and have the opportunity to participate when visiting our local playgrounds.

Liverpool City Council is proud to be partnering with “Play for All Australia” (PFAA) on the “Play It Forward” program. Play It Forward is a fantastic community-focussed education program that increases the rapid deployment of inclusive swing seat upgrades into Council agreed playground locations within the Liverpool LGA, through a socially conscious sponsorship model.

This community-focussed program aims to drive community awareness and education by delivering accessible playgrounds locally, creating a sense of belonging to the community for children with disability and their families, and encouraging inclusive practices and equitable participation in all Liverpool playgrounds. These goals are achieved through the upgrade of infant swing seats through local business sponsorship to an inclusive high back swing seat that all children 1 – 5 years old can use. This is an innovative approach to address inclusion, aligned to outcomes within Council’s Disability Inclusion Action Plan (DIAP).

Council have identified 16 playgrounds within the Liverpool LGA which are suitable for upgrades of their existing swing seats. However, there is always potential to do more.

The rapid growth and development in Liverpool present opportunities for new play spaces and playgrounds which are inclusive and accessible for all community members. The inclusion of accessible high back swing seats in **all** new playgrounds and future upgrades of existing facilities would demonstrate Council’s ongoing commitment to access and inclusion for all community members.

RECOMMENDATION

That Council endorse the inclusion of high back, inclusive and accessible swing seats in **all** new playgrounds and future upgrades to existing facilities across the Liverpool LGA.

PRESENTATIONS BY COUNCILLORS

Clr Ammoun made a presentation regarding a social media post made by Clr Hagarty about a visit by Clr Hagarty and other Councillors to a Council work site, accompanied by Union officials.

MOTION OF URGENCY

ITEM NO: MOU 02
SUBJECT: Councillor Confidentiality Obligations

Clr Macnaught sought to move a Motion of Urgency based on the confidentiality concerns raised in Clr Ammoun’s presentation.

Mayor Mannoun accepted this item as a Motion of Urgency and it was then subsequently dealt with.

Motion: **Moved: Clr Macnaught** **Seconded: Clr Kaliyanda**

That the Acting Chief Executive Officer send a memo to all Councillors and Staff reminding them of their confidentiality obligations.

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

ITEM NO: PLAN 08
FILE NO: 271007.2022
SUBJECT: NSW Government e-scooter trial

COUNCIL DECISION

Motion: **Moved: Clr Hagarty** **Seconded: Clr Rhodes**

That Council:

1. Makes a submission to Transport for NSW (TfNSW) to participate in the shared scheme e-scooter trial and nominates the following areas for the trial:
 - Casula Powerhouse Art Centre - Shepherd Street Precinct – Lighthorse Park along shared paths
 - Chipping Norton Lakes along shared paths.
 - Western Sydney Parklands.
 - Other suitable locations to be identified in consultation with TfNSW and with the advice of the Liverpool Local Traffic Committee.
2. Requests financial assistance from TfNSW to ensure Council’s participation in the trial is at no cost of Council, including but not limited to funding for project management resourcing; and
3. Receive a report at a future Council meeting that identifies, in consultation with TfNSW and the Liverpool Local Traffic Committee, other suitable locations

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

Councillors voted unanimously for this item.

Clr Goodman left the Chambers at 3.31pm.

COMMUNITY & CULTURE REPORT

ITEM NO: COM 01
FILE NO: 248517.2022
SUBJECT: Report Back Mimosa Park (22 Box Road, Casula)

COUNCIL DECISION

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

That Council:

1. Proceed with an amendment to Liverpool LEP 2008 to seek a rezoning for the property at 22 Box Road, Casula (Lot 1103 DP 1051233) to R2 Low Density Residential and reclassification of the site to “operational” land for potential future sale with the proceeds from any future sale to be allocated for the embellishment of Jardine park.
2. That if a rezoning and reclassification process are approved as part of an amendment to the LEP, that a further report be presented to Council recommending methods of sale and establishing a reserve/minimum price for the property, prior to proceeding with any sale.

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

The Councillors voted unanimously for this item.

ITEM NO: INF 04
FILE NO: 238397.2022
SUBJECT: 2021-22 Capital Works Carryover of Projects

COUNCIL DECISION

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

That this item be deferred to the next Council meeting, subject to a briefing session.

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

COMMITTEE REPORTS

ITEM NO: CTTE 01

FILE NO: 236450.2022

SUBJECT: Minutes of the Liverpool Sports Committee meeting held on 15 June 2022

COUNCIL DECISION

Motion:

Moved: Clr Harle

Seconded: Clr Kaliyanda

That Council receives and notes the Minutes of the Liverpool Sports Committee meeting held on 15 June 2022.

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

ITEM NO: CTTE 02
FILE NO: 238231.2022
SUBJECT: Minutes of the Environment Advisory Committee Meeting held on 27 June 2022

COUNCIL DECISION

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

That Council

1. Receives and notes the Minutes of the Environment Advisory Committee Meeting held on 27 June 2022.
2. Receive a briefing session on the Environment Education Centre referred to in point 4.3 of the minutes.

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

Item 7 – Bernera Road, Prestons – Proposed Deceleration Lane

Council approves in-principle the proposed 30m deceleration into the development site.

Item 8 – Items Approved Under Delegated Authority

Council notes the approved items under delegated authority.

- 2. That General Business item 12 be amended as shown below:

GB12 – Conroy Road, Wattle Grove, and Conlan Avenue, Moorebank – Speeding

Council has received representation about speeding occurring on the abovementioned roads.

Council will request the Police to include this section of Conroy Road in their highway patrol and speed enforcement.

In addition, speed classification will be carried out along Conlan Avenue, Moorebank and if required reported to the November Liverpool Local Traffic Committee for further clarification.

QUESTIONS WITH NOTICE**ITEM NO:** QWN 01**FILE NO:** 273437.2022**SUBJECT:** Question with Notice - Clr Kaliyanda - Rates for Waste Collection

Council charges rates for collection according to the 3 standard types of bins provided to residents – red (general waste), yellow (recyclable waste) and green (organic waste). In some instances, residents may purchase additional or larger bins at their own expense.

However, in some new developments, residents are only provided with red and yellow bins to reflect the lack of organic waste collected.

Please address the following:

1. Does Council still charge the same rates for residents provided with 2 bins as those provided with 3?
2. If not, what calculations are made to determine the difference?
3. How is this difference applied?
4. If the same rates are applied, what is the rationale for this?

Response (provided by City Presentation)

- 1. Does Council still charge the same rates for residents provided with 2 bins as those provided with 3?**

Yes, Council charges the same rates. The residents are still entitled to get all three bins if they want them, providing they are capable of finding somewhere within the private open space of their property to put the green bin. Green bins are not provided to these properties as a matter of course because the properties concerned only have very small courtyards, the majority of which is paved, producing very little green waste, and limited storage space to store the third bin.

- 2. If not, what calculations are made to determine the difference?**

No calculations are made.

- 3. How is this difference applied?**

Difference is not applied, there is no difference.

4. If the same rates are applied, what is the rationale for this?

The overwhelming cost of providing a waste service to a property is in the general waste service, the recycling service, and the twice-yearly bulky waste clean-ups, which all these properties are entitled to. The green bin is optional, depending, as stated above, on the residents wanting the bin, and finding a place within their own private space to put it. The current Residential Waste Policy calls for all dwellings to pay for a full domestic waste service, and this is what is being applied.

ITEM NO: QWN 02
FILE NO: 273438.2022
SUBJECT: Question with Notice - Cllr Kaliyanda - Adherence to White Ribbon Accreditation

In August 2018, Liverpool Council earned accreditation from White Ribbon Australia, becoming recognised as a workplace that is taking active steps to prevent and respond to family and domestic violence.

Subsequently, Liverpool Council was one of the first Local Government Areas to support introducing paid leave for staff experiencing domestic or family violence.

Please address the following:

1. Does Council have policies or processes in place if a staff member or councillor or committee member is found to be the perpetrator of domestic and/or family violence?
2. If so, what are the consequences for that individual or response by the organisation?
3. What is the current status of our White Ribbon Accreditation?
4. According to best practice, what other steps can Council take to ensure that we send a strong signal both within the organisation and to our community that we do not tolerate the perpetration of domestic and/or family violence?

Response (provided by Community and Culture)

1. **Does Council have policies or processes in place if a staff member or councillor or committee member is found to be the perpetrator of domestic and/or family violence?**

Council has a Family and Domestic Violence Workplace Support Policy. This policy provides guidance to all employees (Permanent full time, permanent part time, casual and fixed term contracts) who are impacted by Domestic and Family Violence (DFV) to access support and assistance such as flexible work arrangements and special leave, as well as promote awareness of appropriate support services available to individuals.

Section 6 of the Policy, "*Responding to Family and Domestic Violence at Work*" outlines how Council will respond to acts of DFV if they occur at the workplace and outlines Council's measures to employees who allegedly commit actions of DFV at or from the workplace. The Policy provides measures for paid employees in its current form, however, its scope can be expanded.

2. If so, what are the consequences for that individual or response by the organisation?

Section 6 of the *Family and Domestic Violence Workplace Support Policy* states that:

- 6.1: An act of family and/or domestic violence may occur at or from the workplace. Such an act may include, but is not limited to, threatening, harassing or abusing a family or household member. This includes using workplace resources such as phones, smart devices, email, mail or other means to threaten, harass or abuse a family or household member;
- 6.2: Matters of family and domestic violence are complex in nature and difficult for all parties involved. In many cases, acts of family and domestic violence constitute a criminal offence. In recognising Council's strong stance against family and domestic violence, any employee reasonably suspected of committing an act of family and/or domestic violence at or from the workplace that constitutes a criminal offence will be reported to Police to conduct an investigation. Some Council positions may give an employee access to certain types of personal information or resources. If Council becomes aware that an employee uses this access to knowingly enable a perpetrator to harm or harass a victim, that employee will also be reported to Police to conduct an investigation. NSW Police are best placed to conduct an unbiased investigation as family and domestic violence is a legal matter. Council may also conduct its own investigation into such matters, and may take disciplinary action based on the outcome of the police investigation and/or its own investigation;
- 6.3: Where the alleged act of family and domestic violence is between two Council employees, Council may also investigate the matter from the perspective of potential breaches of internal policies. Council will not undertake an internal investigation before notifying the Police of the alleged criminal activity;
- 6.4: Council will document all referrals to the Police and maintain these in a secure location in line with Councils' Records Management Policy. Employees accused of acts of domestic violence at or from the workplace are presumed to be innocent until proven otherwise; and
- 6.5 If proven, acts of criminal family and domestic violence committed at or from the workplace may result in disciplinary action up to and including the termination of employment.

3. What is the current status of our White Ribbon Accreditation?

Council's White Ribbon Australia Workplace Accreditation expired on 31 August 2021. At this point, Council conducted a review of the cost and benefit of pursuing reaccreditation to this program and ultimately chose not to pursue this program

further.

A memo was presented to Councillors in September 2021 which outlined the rationale behind the decision to not pursue reaccreditation. This included:

- Lack of engagement and support from Communicare, the organisation who assumed responsibility of the assets and intellectual property of White Ribbon Australia following the organisation's financial collapse in 2019;
- The White Ribbon Australia brand and reputation was damaged by financial mismanagement and a lack of transparency before the organisation went into liquidation; and
- The substantially increased financial cost of becoming reaccredited as part of this program – an increase from \$7,500 in 2015 to \$27,400 (incl. GST) in 2021. Further, the human and other organisational resources required to pursue reaccreditation did not represent value to Council, given the limited engagement and support from the host organisation.

Despite choosing not to reaccredit as a White Ribbon Workplace, Council continues to honour its commitments under the Family and Domestic Violence Workplace Support Policy and the initiatives and activities outlined in the Workplace Safety Operational Plan (previously known as the White Ribbon Operational Plan) endorsed in June 2017.

4. According to best practice, what other steps can Council take to ensure that we send a strong signal both within the organisation and to our community that we do not tolerate the perpetration of domestic and/or family violence?

Council has continued delivering on outcomes set through the accreditation regardless of challenges and changes at White Ribbon Australia, including:

- The internal White Ribbon Working Group continue to meet and are working towards meeting the relevant actions of Council's Workplace Safety Operational Plan;
- Following White Ribbon Australia's collapse, the Executive Leadership Team (ELT) endorsed the continuation of commitments under the Family and Domestic Violence Workplace Support Policy and Workplace Safety Operational Plan;
- Council's support of initiatives which raise awareness of family and domestic violence are embedded in the work of Council. This includes delivering partnership initiatives such as Stop DV Day, education and community awareness programs as part of the Liverpool Domestic Violence Liaison

Committee and SWS DV Alliance Network; and

- Support community and not-for-profit organisation with local initiatives through Council's Grants, Donation and Corporate Sponsorship Program.

Externally, Council will continue to work closely with government, non-government and community groups in responding to domestic and family violence, based on best practice guidelines for work in this space. Internally, continuation of staff training, awareness and support measures, as well as measures in responding to perpetration of domestic and/or family violence will reaffirm Council's strong stand against domestic and/or family violence.

ITEM NO: QWN 03
FILE NO: 281522.2022
SUBJECT: Question with Notice - Cllr Hagarty - Citizenship Backlog

Please address the following:

1. What is Council's current backlog of approved people waiting to be conferred citizenship?
2. What is causing the delay?

Response (provided by Community and Culture)

This year Liverpool has hosted 10 citizenship ceremonies for 140 conferees per ceremony. Two ceremonies scheduled on 5th July for 280 conferees were cancelled due to floods.

As of 8 August, the Department of Home Affairs advised that the backlog for Liverpool was **845** main conferees. This number does not include dependents. To reduce the backlog, Liverpool has scheduled two additional large ceremonies on 9th September totalling 800 conferees.

The following citizenship ceremonies are scheduled for the remainder of the calendar year, totalling invitations to **2060** conferees.

9 September: Two ceremonies totalling 800 conferees
 20 September: Two ceremonies totalling 280 conferees
 11 October: Two ceremonies totalling 280 conferees
 8 November: Two ceremonies totalling 280 conferees
 22 November: Two ceremonies totalling 280 conferees
 29 November: One ceremony totalling 140 conferees

Over the last few years Citizenship has grown by 500% due to new suburbs as well as additional people moving into the Liverpool Local Government Area.

ITEM NO: QWN 04
FILE NO: 282242.2022
SUBJECT: Question with Notice - Clr Hagarty - Meeting with John Barilaro

Recent media reports show a photo of former Deputy Premier John Barilaro pictured with the Mayor and Acting CEO. The reports state the picture is from earlier in the year when Mr Barilaro was employed as an executive director of Coronation Property. Given the Acting CEO's presence and Mr Barliaro's role at Coronation it is reasonable to assume this meeting was Council related.

Please address the following:

1. Was the meeting Council related?
2. If so, what was the nature of meeting and what undertakings were made following the meeting?
3. Were the appropriate disclosures (e.g. meeting request forms) made by the Office of CEO and Office of the Mayor regarding meeting with property developers?
4. If so, when were those disclosures made?
5. Who paid for the lunch?

Response (provided by Office of the CEO)

1. Was the meeting Council related?

Yes, the meeting was Council related. Please see question 2 for further details.

2. If so, what was the nature of the meeting and what undertakings were made following the meeting?

The meeting was in relation to a Voluntary Planning Agreement (VPA) which requires Coronation Property (who is party to the agreement) to complete foreshore riverbank stabilisation works as well as the construction of a boardwalk along Georges River.

Leading up to the meeting I was briefed by Council Officers regarding the emerging tensions relating to the VPA. Both Council Officers and Coronation Property had escalated this matter to me. Council Officers and Coronation Property could not resolve the terms of the VPA, in particularly the drawdown of a bank guarantee that Council held. The total security held by Council at the time was \$12.4M representing 200% of the total cost of the VPA works. The release of the security (progressive drawdown) was conditional upon an agreed (by both parties) Milestone Program. At the time Council Officers and Coronation Property were unable to reach an

agreement on the terms of the Milestone Program, resulting in council rejecting requests for security drawdown and subsequent tension mounting between the parties.

Given the serious nature of the potential impact this could have had on the VPA works I took an opportunity to meet with John Barilaro to get an understanding of the issues and concerns from Coronation's perspective. As a stakeholder who was undertaking major community infrastructure works (riverbank stabilisation and the construction of the board walk), it was important to meet John Barilaro at the time, to start to work through the issues.

The meeting started in the Mayor's office and then continued through to a lunch meeting where we also discussed other topics such as his role as Deputy Premier and the management of the Covid pandemic from a State Government level. The Covid discussion was important because our LGA, along with other Western Sydney Councils, had been significantly impacted compared to other Sydney Metropolitan areas.

The result of this meeting was the beginning of a series of follow up meetings and discussions with Coronation Property and Council Officers. This culminated in a workshop chaired by me, involving experts from both sides working through technicalities of the VPA to reach an amicable solution and consequently avoided a deadlock for this essential community infrastructure work.

3. Were the appropriate disclosures (e.g. meeting request forms) made by the Office of CEO and Office of the Mayor regarding meeting with property developers?

The meeting was held on Tuesday 1st of March 2022.

The meeting was recorded in both the Mayor's and Acting CEO's diaries. The calendar invite was sent direct by the Mayor to the Acting CEO on Sunday 27th of February.

The Acting CEO's Executive Assistant was on leave on Monday 28th of February as well as Tuesday 1st of March, the Mayor's Executive Assistant, was also on leave on Monday 28th of February. Due to the absenteeism of both Executive Assistants on these days, the meeting request forms were not completed.

We have taken the opportunity to review our process for when we are faced with a similar unique situation of both Executive Assistants being away at the same time.

4. If so, when were those disclosures made?

A meeting request form (similar to disclosure form) was not completed as per the reason in point 3.

5. Who paid for the lunch?

Lunch was paid for by the Mayor from his own personal funds.

NOTICES OF MOTION

ITEM NO: NOM 01
FILE NO: 258449.2022
SUBJECT: Accounting Treatment of Rural Fire Service 'Red Fleet' Assets

BACKGROUND

I am calling on Councillors to support the local government campaign on the financial accounting treatment of Rural Fire Service (RFS) mobile assets known as the 'Red Fleet'.

A long-standing dispute over the accounting treatment of the Red Fleet has come to a head with the Auditor-General's 2021 Report on Local Government on 22 June 2022. The Audit Report reemphasises the State Government determination that RFS assets are the "property" of councils and must be recorded in Council's financial statements with Council required to therefore absorb all depreciation costs.

The Audit Office Local Government Report has reinforced the notion that RFS mobile and other fire-fighting assets can somehow be deemed to be council assets and applies more pressure on councils and the Office of Local Government (OLG) to conform with this determination, despite the fact that councils do not have effective management or control of these assets.

Councils across the State and Local Government NSW (LGNSW) refute this determination. Councils do not have any say in the acquisition, deployment or disposal of these assets. Comparable assets held by Fire & Rescue NSW (FRNSW) and the State Emergency Service (SES) are not vested anywhere other than with the organisations that purchase, use, maintain and dispose of them.

Councils and LGNSW have also raised concerns that the requirement breaches Australian Accounting Standards. The State Government's own Local Government Accounting Code of Accounting Practice and Financial Reporting provides for councils to determine whether to record RFS assets on their books as council assets. This position has been confirmed by the Secretary of the Department of Planning and Environment in his letter to the Auditor-General dated 7 June 2022, presented in Appendix 1 on page 47 of the 2021 Local Government Audit Report.

While Liverpool Council has complied, advice from LGNSW notes that many councils are refusing to comply with the Auditor General's instructions. Councils remained firm in 2021, resisting pressure to record RFS assets with the majority (68), choosing not to record the RFS mobile assets in accordance with the Local Government Accounting Code. This was the same number of councils as in 2020. LGNSW is encouraging councils to continue resisting pressure from the Audit Office and make their own determinations notwithstanding overtures that ongoing non-compliance with the Auditor General's instructions may result in future qualified financial reports.

The latest Audit Report has made further impositions on (Council) by:

- recommending Council undertakes a stocktake of RFS assets and records the value in Council's financial statements;
- warning that if Council does not recognise the assets it will be found non-compliant and will have a high risk finding reported; and
- calling on the NSW Department of Planning and Environment (OLG) to intervene where councils do not recognise rural firefighting equipment.

The Government's blanket determination is not only nonsensical, it is also inconsistent with the treatment of the comparable assets of other emergency service agencies such as Fire & Rescue NSW (FRNSW) and the State Emergency Service (SES). There is no rational reason for maintaining this anomaly.

LGNSW has been advocating this position on councils' behalf and has written to the NSW Treasurer the Hon. Matt Kean MP, Minister for Emergency Services, the Hon. Steph Cooke MP, Minister for Local Government the Hon. Wendy Tuckerman MP and the Auditor-General, Ms Margaret Crawford to express the local government sector's strong objection to the NSW Government's determination, applied by the Auditor-General, that RFS assets are the property of councils for accounting purposes and amend the Rural Fires Act 1997.

LGNSW has advised it will continue its advocacy efforts on councils' behalf and is asking all affected councils in NSW to consider adopting a resolution advising the Audit Office that Council will not carry out the RFS stocktakes on behalf of the NSW Government, and will not record RFS assets on Council's financial statements.

NOTICE OF MOTION (submitted by Cllr Hagarty)

That Council:

1. Writes to the local State Members, the Treasurer the Hon Matt Kean MP, Minister for Emergency Services and Resilience the Hon Stephanie Cook MP and the Minister for Local Government Wendy Tuckerman MP:
 - a. Expressing Council's objection to the NSW Government's determination on ownership of Rural Fire Service assets;
 - b. Advising of the impact of the Government's position on Council finances of this accounting treatment;
 - c. Calling on the NSW Government to take immediate action to permanently clear up inequities and inconsistencies around the accounting treatment of Rural Fire Service (RFS) assets by acknowledging that rural firefighting equipment is vested in, under the control of and the property of the RFS; and
 - d. Amending s119 of the Rural Fires Act 1997 so that the effect is to make it clear that RFS assets are not the property of councils.

2. Writes to the Shadow Treasurer Daniel Mookhey MLC, the Shadow Minister for Emergency Services Jihad Dib MP, the Shadow Minister for Local Government Greg Warren MP, the Greens Spokesperson for Local Government Jamie Parker MP and the leaders of the Shooters, Fishers and Farmers, Animal Justice and One Nation parties Robert Borsak MLC, Emma Hurst MLC and Mark Latham MLC:
 - a. Advising Members of Council's position, including providing copies of correspondence to NSW Government Ministers; and
 - b. Seeking Members' commitments to support NSW Councils' call to amend the Rural Fires Act 1997 as set out in correspondence.
3. Promotes these messages via its digital and social media channels and via its networks.
4. Re-affirms its complete support of and commitment to local RFS brigades noting that Council's action is entirely directed towards the NSW Government's nonsensical position that rather than being owned and controlled by local brigades, RFS assets are somehow controlled by councils, which councils consider to be a cynical financial sleight of hand abdicating the NSW Government's responsibilities at the cost of local communities.
5. Affirms its support to Local Government NSW (LGNSW) and requests LGNSW continue advocating on Council's behalf to get clarification once and for all from the State Government about the accounting treatment of RFS assets
6. Direct the CEO to provide Councillors with a briefing to better understand Council's liabilities in relation to land in use by local RFS brigades.

COUNCIL DECISION

Foreshadowed Motion: Moved: Clr Macnaught Seconded: Clr Rhodes

That Council:

1. Re-affirms its complete support of and commitment to local RFS brigades;
2. Affirms its support to Local Government NSW (LGNSW) and notify LGNSW of Council's support for this matter, and requests LGNSW continue advocating on Council's behalf to get clarification from the State Government about the accounting treatment of RFS assets and submit a motion to the LGNSW conference;
3. Direct the CEO to provide Councillors with a briefing to better understand Council's liabilities in relation to land in use by local RFS brigades.

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

3. Case studies of other LGAs with successful 24hr business operations.
4. Include 24 hour economy strategic steps and time frame to implement a 24 hour economy if found to be feasible in Liverpool CBD in the Destination Management Plan including investment attraction.
5. Consultation and workshop with the Tourism and CBD committee on strategies and challenges of establishing a 24 hour economy.
6. Look at implementing some cleaners for the CBD in the evenings.

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

ITEM NO: NOM 03
FILE NO: 278389.2022
SUBJECT: NSW Local Government Annual Conference - Cat Confinement

BACKGROUND

It is important that Council considers the recommendations of Community Committees and it is unfortunate that the next available Companion Animal Advisory Committee Meeting is due to be held just days after the close date for submission of motions to the NSW Local Government Annual Conference.

However, it is also noted that some motions may be received by the NSW Local Government Annual General Conference as late as end of September and or it is possible to submit amendments to motions on other Council's motions regarding Cat Confinement if needed from the floor of the conference.

It is noted that the majority of all Australian States and Territories have recently changed legislation that restricts or confines the movement of cats so that they are no longer permitted to roam free but are constrained in a similar way as dogs.

The legislative changes achieved by other States and Territories have also empowered Local Government to take actions to reduce feral cat populations.

It is widely accepted that the threat to natural Australian fauna would be diminished if Cats were not free to roam as is currently permitted under NSW legislation.

Confinement would also assist in unwanted cat population growth that contributes to the feral cat problem.

It is also widely accepted that one Council cannot address the associated problems of increasing cat populations alone.

Changes to the NSW legislation could be essential to unite all Councils to address cat populations and their negative impact on the natural environment.

NOTICE OF MOTION (submitted by Deputy Mayor Rhodes)

That Council:

1. Considers the resolve of Companion Animal Advisory Committee due to be held 6 September where the matter of Cat Confinement is to be discussed and if so recommended at that meeting; and
2. Support or submit if time permits, a motion to the Local Government of NSW Annual

- The relevant Federal and State Ministers and the CEO of the Business Council of Australia outlining Council's strong opposition.
- Local Federal and State MPs requesting their support for Council's position.

Foreshadowed Motion: Moved: Clr Rhodes Seconded: Clr Ammoun

That Council:

1. Notes that there is a lack of public transport infrastructure that connects Liverpool to the Western Sydney Airport situated in the Liverpool LGA that seriously impacts on the opportunity for Liverpool constituents to access the job growth market in that area.
2. Also notes that TfNSW intends not to address the transport infrastructure need in South West Sydney until 2052 well after all possible employment at the airport has been filled.
3. Direct the Acting CEO to write to the relevant federal and state Ministers and the CEO of the Business Council of Australia outlining Council's strong support for the DAMA at Western Sydney Aerotropolis.
4. Reiterates Liverpool's need to increase professional, semi-professional and skilled workforce constituents in the Liverpool LGA in response to skilled workforce shortages.
5. Advocate to the state and federal government to bring forward the implementation of the development of transport infrastructure to the airport.

On being put to the meeting the motion (moved by Clr Hagarty) was declared LOST.

Division

Vote for: Clr Green, Clr Hagarty, Clr Harle, Clr Kaliyanda and Clr Karnib

Vote against: Mayor Mannoun, Clr Ammoun, Clr Goodman, Clr Hadid, Clr Macnaught and Clr Rhodes

The Foreshadowed motion (moved by Clr Rhodes) was then moved and on being put to the meeting was declared CARRIED.

Clr Hagarty left the Chamber at 5.42pm.

Clr Hagarty returned to the Chamber at 5.43pm.

ITEM NO: NOM 08
FILE NO: 282321.2022
SUBJECT: Birth Centenary of Pramukh Swami Maharaj

BACKGROUND

Earlier this year, Liverpool Councillors were invited to the commencement of celebrations on the birth centenary of the spiritual leader of the BAPS Swaminarayan community, His Holiness Pramukh Swami Maharaj. These celebrations mirror similar events being across the world.

The BAPS Swaminarayan community has been increasingly active in the Liverpool area for the last 10 years and I understand that Councillor Hagarty and Rhodes have also attended functions and engaged with the community.

As the spiritual leader of a worldwide socio-spiritual organization, BAPS Swaminarayan Sanstha, Pramukh Swami Maharaj's selfless love and effort have directed the energies of young people in particular to serve as volunteers. Youth volunteers of BAPS are inspired by his Holiness, execute various humanitarian and social projects such as de-addiction campaign, blood donation drive, food donation drive, disaster relief and more.

"In the joy of others lies our own" This maxim by Pramukh Swami Maharaj is not only an inspiring call for all of humanity, but also reflects the spirit of his humanitarian services to the society and mankind. His borderless love has touched the lives of many, whether young or old, literate or illiterate, and rich or poor.

On behalf of Liverpool City Council, It is an honour to pay homage to his Holiness Pramukh Swami Maharaj on such an auspicious year of his birth centenary. A peaceful, humble, simple and spiritual personality – this was Pramukh Swami Maharaj.

NOTICE OF MOTION (submitted by Clr Kaliyanda)

That Council:

1. Write to the BAPS Swaminarayan community to congratulate them on the successful celebration of the birth centenary of Pramukh Swami Maharaj.
2. Acknowledge the significant work being done by the local BAPS Swaminarayan organisation, inspired by the spiritual teachings of His Holiness Pramukh Swami Maharaj.

Foreshadowed Motion: Moved: Clr Kaliyanda Seconded: Clr Hagarty

Defer any action until a permanent Chief Executive Officer has been appointed.

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

ITEM NO: CONF 01
FILE NO: 248587.2022
SUBJECT: Appointment of Independent Members of the Audit, Risk and Improvement Committee

COUNCIL DECISION

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

That Council appoints Sheridan Dudley as Independent Member of the Audit, Risk and Improvement Committee for a three-year term and Robert Lagaida for a four-year term.

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

ITEM NO: CONF 07
FILE NO: 287348.2022
SUBJECT: ST3009 - Maintenance of Off-Street and On-Street Parking Machines and Associated Works

COUNCIL DECISION

Motion: **Moved: Cllr Rhodes** **Seconded: Cllr Hadid**

That Council:

1. Notes that the proposed contract will cost \$2.3 million over 5-years resulting in a shortfall of \$1.2 million included in Council's current long term financial plan.
2. Approves the Tender Evaluation Committee's recommendation to award Portions A to D to the Preferred Tenderers for ST3009 - Maintenance of Off-street and On-Street Parking Machines and Associated Works for an initial contract period of five (5) years with an option to extend 3 x 12 months at the lump sum prices and schedule of rates GST inclusive as per the submissions.

Portion	Current Annual Cost	Proposed Cost Over 5 Years	Current Budget included LTFP	Shortfall
A	\$248,558	\$1,242,790	\$1,135,000	-\$107,790
B	\$146,867	\$734,335	Nil	-\$734,335
C	\$664	\$3,320	Nil	-\$3,320
D	\$63,812	\$319,060	Nil	-\$319,060
Total	\$459,901	\$2,299,505	\$1,135,000	-\$1,164,505

3. Approve an additional \$250 thousand budget allocation for 2022/23 to cover the increase in cost.
4. Reject all tenders received for Portions E and F pursuant to Clause 178 subclauses (1b) and (3a) of the Local Government (General Regulation) 2021.
5. Makes public its decision regarding tender ST3009 Maintenance of Off-street and On-Street Parking Machines and Associated Works.
6. Delegates to the Chief Executive Officer to finalise all details and sign the Letter of Acceptance following publication of draft Minutes on Council website for the tender, giving it contractual effect.

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

The Councillors voted unanimously for this item.

THE MEETING CLOSED AT 6.24pm.

<Signature>

Name: Ned Mannoun

Title: Mayor

Date: 28 September 2022

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 31 August 2022. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.



**MINUTES OF THE EXTRAORDINARY MEETING
HELD ON 15 SEPTEMBER 2022**

PRESENT

Mayor Ned Mannoun
Councillor Ammoun
Councillor Goodman
Councillor Green
Councillor Hadid
Councillor Hagarty
Councillor Harle
Councillor Karnib
Councillor Macnaught
Councillor Rhodes
Mr Peter Diplas, Acting Chief Executive Officer
Ms Julie Scott, Acting Director Economy & Commercial Development
Mr David Galpin, General Counsel, Manager Governance, Legal and Procurement
Mr George Hampouris, Head Audit, Risk & Improvement
Ms Ellen Whittingstall, Internal Ombudsman
Mr John Milicic, Manager Property Services
Mr George Georgakis, Manager Council and Executive Services

OPENING

4.30pm.

**ACKNOWLEDGMENT OF COUNTRY,
PRAYER OF COUNCIL AND
AFFIRMATION TO BE READ BY**

The prayer of the Council was read by the Coordinator Council and Executive Services from Liverpool City Council.

NATIONAL ANTHEM

The National Anthem was played at the meeting.

CONFIDENTIAL ITEMS

ITEM NO: CONF 01
FILE NO: 315578.2022
SUBJECT: Confidentiality Matters

NOTICE OF MOTION (submitted by Mayor Mannoun, Cllr Ammoun, Cllr Goodman)

That Council:

1. Write to the relevant legislative agencies asking for an urgent and immediate investigation to take place into the leaking of confidential information, which is now being displayed on a mobile digital billboard, that is authorised by the United Services Union. The information relates to current negotiations that Council has entered into regarding the purchase of a new depot;
2. Inform the Office of Local Government and Minister regarding this motion; and
3. Note that the purchase of a new Depot is to improve the quality of basic and core services of Council to the community and that this breach of confidentiality has a potentially negative effect on the community as they will be most disadvantaged if a new and improved depot services is not approved.

COUNCIL DECISION

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

That Council:

1. Write to the relevant legislative agencies asking for an urgent and immediate investigation to take place into the leaking of confidential information, which is now being displayed on a mobile digital billboard, that is authorised by the United Services Union. The information relates to current negotiations that Council has entered into regarding the purchase of a new depot;
2. Inform the Office of Local Government and Minister regarding this motion; and
3. Note that the purchase of a new Depot is to improve the quality of basic and core services of Council to the community and that this breach of confidentiality has a potentially negative effect on the community as they will be most disadvantaged if a new and improved depot services is not approved.

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

The Councillors voted unanimously for this item.

THE MEETING CLOSED AT 4.36pm.

<Signature>

Name: Ned Mannoun

Title: Mayor

Date: 28 September 2022

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 15 September 2022. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.



**MINUTES OF THE ORDINARY MEETING
HELD ON 28 SEPTEMBER 2022**

PRESENT:

Mayor Ned Mannoun

Councillor Ammoun

Councillor Goodman

Councillor Green

Councillor Hadid

Councillor Hagarty

Councillor Harle

Councillor Kaliyanda

Councillor Karnib

Councillor Macnaught

Councillor Rhodes

Mr Peter Diplas, Acting Chief Executive Officer

Ms Tina Bono, Director Community & Culture

Mr David Smith, Director Planning & Compliance

Mr Raj Autar, Director Infrastructure & Environment

Ms Julie Scott, Acting Director Economy & Commercial Development

Mr Terry Bilal, Acting Director City Presentation

Mr George Hampouris, Head of Audit, Risk and Improvement

Mr David Galpin, General Counsel, Manager Governance, Legal and Procurement

Ms Ellen Whittingstall, Internal Ombudsman

Mr Vishwa Nadan, Chief Financial Officer

Mr John Lac, Manager Infrastructure Delivery

Ms Lina Kakish, Acting Manager Property Service

Mr John Milicic, Manager Property Service

Mr George Georgakis, Manager Council and Executive Services

Ms Susan Ranieri, Coordinator Council and Executive Services (minutes)

The meeting commenced at 2.00pm.

STATEMENT REGARDING WEBCASTING OF MEETING

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

ACKNOWLEDGMENT OF COUNTRY, PRAYER OF COUNCIL AND AFFIRMATION

The Prayer of the Council was read by Pastor Steve Riethmuller from Cartwright Gospel Chapel.

NATIONAL ANTHEM

The National Anthem was played at the meeting.

APOLOGIES

Nil.

CONDOLENCES

The Mayor read out a condolence for Queen Elizabeth II as shown below.

On the 8th of September, the Queen, the monarch of Australia Queen Elizabeth II passed away.

Elizabeth II was the Queen of England the United Kingdom and the Commonwealth realms from the 6th of February 1952 until her death in 2022. She was the queen of 32 sovereign states during her lifetime and 15 at the time of her death. Her reign of 70 years and 214 days is the longest of any British monarch and the longest verified reign of any female sovereign in history.

Elizabeth was born in Mayfair London as the first child of the Duke and Duchess of York, later King George VI and Elizabeth the Queen Mother. Her father acceded to the throne in 1936 upon the abdication of his brother King Edward the VIII, making Elizabeth the heir presumptive. She was educated privately at home and began to take public duties during the Second World War serving in the auxiliary territorial service. In November 1947 she married Phillip Mountbatten a former Prince of Greece and Denmark and their marriage lasted 73 years until his death in 2021. They had four children, Charles, Anne, Andrew, and Edward.

When her father died in 1952 Elizabeth, then 25 years old, became the queen of seven independent Commonwealth countries, the United Kingdom, Canada, Australia, New Zealand, South Africa, Pakistan, and Ceylon, known today as Sri Lanka. As well as the head of the Commonwealth Elizabeth reigned as a constitutional monarch through major political changes such as the troubles in Northern Ireland, the devolution in the United Kingdom, the decolonization of Africa, and United Kingdom accession to the European communities and

Minutes of the Ordinary Council Meeting held on Wednesday, 28 September 2022 and confirmed on Wednesday, 26 October 2022

.....
Chairperson

DECLARATIONS OF INTEREST

Clr Goodman declared a pecuniary interest in the following item:

Item: NOM 01 – Private Certifiers.

Reason: Clr Goodman’s brother is a private certifier.

Clr Goodman left the Chambers for the duration of this item.

PUBLIC FORUM

Presentation – items not on agenda

1. **Ms Kerrie Fitzgibbon** addressed Council on the following item:

DA matter.

Representation – items on agenda

Nil.

MAYORAL REPORT

Nil.

MOTION OF URGENCY

Clr Kaliyanda requested Mayor Mannoun accept a Motion of Urgency relating to Matched Funding for Cricket Facilities.

In accordance with Clause 9.3 of Council’s Code of Meeting Practice, the Chairperson Mayor Mannoun, ruled the above matter as urgent and as such it was dealt with at this Meeting as shown below.

Item No: MOU 01

Subject: Matched Funding for Cricket Facilities

It has recently come to my attend that the demand for cricket pitches in the Liverpool LGA is so high we now have a waiting list for community sporting groups who have expressed interest in using Council facilities.

The last 3 seasons of sport, particularly summer sports have been severely impacted by the COVID-19 pandemic, significant rain/flooding and bushfires. Many Liverpool Council facilities are further impacted during rain/flooding as they are located along flood detention basins, or

are not synthetic as synthetic facilities are able to be used in the event of prior rain activity.

Liverpool Council has been awarded approximately \$40,000 in a dollar-for-dollar matched grant by Cricket NSW for the development of 3 synthetic cricket pitches in the Liverpool LGA. These are: Clinches Pond Reserve, Australis Park and Ireland Park. However, due to existing constraints, Ireland Park has been identified as not suitable and an alternative is being organised.

In order to meet the requirements of the grant, Council would need to approve \$39,600. This requires a variation from the current budget. While there is some due diligence such as soil testing etc that Council will need to undertake, no DA is required so end to end this should be able to be executed within around 6-8 weeks depending on contractor availability, and assuming no environmental restraints. This will mean that the Liverpool community would have 3 synthetic cricket pitches that could be utilised by early next year, easing the pressure on our local community sporting organisations during the peak Cricket season.

If a decision on this is delayed, it would not only mean that the facilities will not be complete in time for the period of most demand/need, but that the cost of these works could potentially increase given the rising cost of materials and labour currently. The funding must be spent prior to the end of the financial year.

The benefits of social connection and physical activity are well known and understood by all, especially in the post COVID world. We should, as Council, continue to support our community by providing much needed facilities in a timely manner.

Recommendation:

That Council:

1. Approve funding to match the dollar for dollar matching grant from Cricket NSW of \$39,600 for 3 cricket pitches:
 - Clinches Pond
 - Australis Park
 - Suitable identified alternative to Ireland Park
2. Commence procurement and works as soon as practicable to ensure the facilities are delivered by the end of the year.
3. Investigate Council policy and processes to ensure that grant-funded projects are fast-tracked and supported for delivery.

ITEM NO: CEO 02
FILE NO: 309700.2022
SUBJECT: Election of Deputy Mayor

COUNCIL DECISION

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

That:

1. Council proceeds with the election of the Deputy Mayor to be conducted by the Delegated Returning Officer for the 28 September 2022 – September 2023 period; and
2. The method of election for the position of Deputy Mayor of Liverpool City Council for the term 28 September 2022 – September 2023 be determined by Open Vote.

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

Nominations

Nominations were called for the position of Deputy Mayor by the Manager, Council and Executive Services as the delegated Returning Officer.

The Returning Officer advised that two nominations had been received, being for Clr Hadid and Clr Kaliyanda.

The following votes were recorded:

Councillor	Clr Hadid	Clr Kaliyanda
Mayor Mannoun	x	
Clr Ammoun	x	
Clr Goodman	x	
Clr Green		x
Clr Hadid	x	
Clr Hagarty		x
Clr Harle		x
Clr Kaliyanda		x
Clr Karnib		x
Clr Macnaught	x	
Clr Rhodes	x	

ITEM NO: CEO 03
FILE NO: 311912.2022
SUBJECT: Councillor representatives on Committees

COUNCIL DECISION

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

That Council:

1. Defer this item to the October 2022 Council meeting to be dealt with in conjunction with the Review of Committees report which is to be tabled at that meeting, noting the following:
 - Councillor Rhodes wishes to remain a representative of the Companion Animals Advisory Committee, the Tourism and CBD Committee and the Intermodal Committee.
 - Clr Rhodes would like to be on the following committees which she had attended in her capacity as Deputy Mayor:
 - Western Sydney Regional Organisation of Councils (WSROC);
 - South Western City Planning Panel; and
 - Audit, Risk and Improvement Committee
2. Maintain the existing Councillor representatives on the remaining community committees and affiliated bodies.

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

PLANNING & COMPLIANCE REPORT

ITEM NO: PLAN 01
FILE NO: 271280.2022
SUBJECT: Lot 6 Newbridge Road, Moorebank - Issues and Options Report

COUNCIL DECISION

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

That Council:

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

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

That Council:

1. Receives and notes this report;
2. Continues to support the people of Moorebank in their fight against the concrete crushing facility and works to removing trucks from the area by limiting heavy industrial usages.
3. Holds a community forum with the community and asking them what preference they have for that area.

On being put to the meeting the motion (moved by Clr Macnaught) was declared CARRIED and the Foreshadowed motion (moved by Clr Hagarty) therefore lapsed.

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

Vote against: Clr Green, Clr Hagarty, Clr Harle, Clr Kaliyanda and Clr Karnib.

COMMUNITY & CULTURE REPORT

ITEM NO: COM 01
FILE NO: 288252.2022
SUBJECT: Draft Social Impact Assessment Policy and Guidelines - Bi-annual Review

COUNCIL DECISION

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

That Council defer this item to the October 2022 Council meeting.

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

That Council:

1. Receive and notes this report;
2. Endorses the draft Social Impact Assessment Policy and Guidelines for public exhibition for a period of 28 days; and
3. Receives a report at the completion of the public exhibition period noting feedback received and any changes made to the Draft Policy in line with community feedback, or if no submissions are received, delegate authority to the CEO to endorse the Social Impact Assessment Policy and Guidelines.

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

ITEM NO: COM 03
FILE NO: 311014.2022
SUBJECT: Sister City Relationship between Liverpool and Toda, Japan

COUNCIL DECISION

That Council:

1. Notes the report;
2. Maintain the Sister City relationship in a virtual/online forum, and
3. Directs the Acting CEO to discontinue the current funding for the exchange program with Toda, Japan and that the budget be redirected towards the establishment of Liverpool Tourism printed and online tourism promotional material to attract national and international visitation.

Foreshadowed motion: **Moved: Clr Hagarty** **Seconded: Clr Harle**

That Council notes the report.

On being put to the meeting the motion (moved by Clr Rhodes) was declared CARRIED and the Foreshadowed motion (moved by Clr Hagarty) therefore lapsed.

Division (for the motion moved by Clr Rhodes)

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

Vote against: Clr Green, Clr Hagarty, Clr Harle, Clr Kaliyanda and Clr Karnib.

RECESS

Mayor Mannoun called a recess at 3.28pm

Mayor Mannoun resumed the meeting at 3.49pm with all Councillors present.

QUESTIONS WITH NOTICE

ITEM NO: QWN 01

FILE NO: 316103.2022

SUBJECT: Question with Notice - Clr Hagarty - Speed and Red Light Cameras

Please address the following:

1. Have any additional speed and red light cameras been installed in the Liverpool LGA since 2020?
2. If so, where?
3. Are Council informed of new speed and red light cameras prior to their installation?

Response (provided by Planning & Compliance)

Transport for NSW's Centre for Road Safety manages fixed speed and red light speed cameras. Fixed speed cameras are installed at sites that meet criteria developed by Transport for NSW Centre for Road Safety in consultation with NRMA and the NSW Police.

Fixed speed cameras are used in high-risk locations/areas with a history of severe crashes. Fixed digital speed cameras operate because of their proven ability to deter drivers from speeding at specific high-risk locations, thereby reducing crashes and preventing deaths and injuries.

Red light speed cameras are installed at high-risk intersections to help reduce crashes. They record when a vehicle speeds or runs a red light.

Red-light speed cameras detect the speed of vehicles by using detectors embedded into the road surface or radar technology. Red-light speed cameras also detect vehicles travelling over the stop line or entering the intersection after the lights have turned red.

The Centre for Road Safety's website has information on locations and dates of the installations of the recent cameras. The table below provides information on speed and red light cameras in the Liverpool LGA.

Red Light Cameras		
Suburb	Location	Date of Recent Installations
Liverpool	Copeland Street / Hume Highway and Elizabeth Drive	
	Hume Highway and Hoxton Park Road	
	Memorial Avenue and Bathurst Street	
	Moore Street and Bathurst Street	
Hoxton Park	Hoxton Park Road and Cowpasture Road	Added September 2019
Prestons	Camden Valley Way and the M5 South Western Motorway	Added July 2022
Warwick Farm	Hume Highway and Bigge Street	
Warwick Farm	Hume Highway and Mannix Parade	Added July 2018

Fixed Speed Camera – School Zone		
Liverpool	Bigge Street, between Elizabeth Drive and Campbell Street	

The above Information indicates that since 2020, one new red light camera has been installed in the Liverpool LGA.

Council was not advised before the installation of the camera. However, in August 2021, Council was advised that new speed cameras and signs would be installed throughout the state. The information was part of a media release by the then Transport Minister. The advice did not provide information on timing or location of cameras.

ITEM NO: QWN 02
FILE NO: 316657.2022
SUBJECT: Question with Notice - Clr Harle - Compliance Matters

Please address the following:

1. Elouera – 31 Greendale Rd Bringelly.
 - a. Could a report be provided regarding the information that led to the investigation of Elouera (31 Greendale Rd Bringelly) outlining Council’s action and status of the matter?

2. YADA – 10 Anderson Ave Liverpool
 - a. Could a report be provided regarding complaints and investigations that led to enforcement action for the use of 10 Anderson Ave Liverpool by YADA. Could the report also indicate whether YADA is now compliant?

Response (provided by Planning & Compliance)

1. Elouera – 31 Greendale Rd Bringelly.

- On 10 February 2021, Council received a complaint regarding the importation of large amount of fill material onto the property.
- Council officers inspected the property and confirmed that fill material had been imported by the tenant and that the use of the property had no development consent.
- A notice and order were issued to the owners of the land to remove the unauthorised soil and a stop use order was issued to the tenant to cease the unauthorised use as a horse rescue.
- The tenant alleged that the fill was required to deal with stormwater discharge from 80 Greendale Rd (property situated in Camden Council LGA).
- Council’s Compliance Officer notified Camden Council of the allegation by the tenant that their property was being affected by stormwater from 80 Greendale Rd. Camden Council notified Liverpool Council that no adverse water runoff was observed, and their investigation had been closed.
- To assist the tenant, Council’s investigating officer and management met with representatives of Elouera Horse Rescue & Rehabilitation in relation to options moving forward, including the option to lodge a development application seeking to retain the imported fill materials and approve the use of the premises.
- Numerous extensions of time were given to the tenant to prepare documentation to submit a development application. In total, six months of extension was given.

- On 3 December 2021, Development application DA-1410/2021 was lodged for use of the property as veterinary hospital and for the authorization of imported fill.
- **The development application is currently under assessment. A request for further information was sent to the applicant who is yet to provide all of the requested information. However, in the meantime, the unauthorised use is continuing as Council has put the compliance matter on hold while the development application is being assessed.**

2. YADA – 10 Anderson Ave Liverpool

- There have been over 9 complaints received by Council since 2002, regarding the unauthorised use of the premises, unhygienic conditions of the premises and accumulation of rubbish.
- Council officers over the years commenced investigation but did not complete the enforcement action required to achieved compliance. The premises continued to operate as a recycling business.
- On 26 March 2019, Council received a complaint from a member of the public regarding the use of the premises for recycling waste.
- An inspection was carried out by Council Compliance officers with the inspection revealing the site was being used for a commercial purpose including collection of waste materials for recycling, storage of waste on the footpath, trucks associated with the business parked in nearby streets and machinery to package Styrofoam. The inspection also revealed that large covered awnings had been constructed across the property without approval (refer to photos).
- On 31 May 2019, Council issued a Notice of Proposed Stop Use Order and Demolish Works Order in relation to the use of the premises as a waste or resource management facility and the unauthorised awnings.
- The property is zoned R4 High Density Residential under the LEP and the use of the property for commercial use is prohibited.
- On 26 June 2019, YADA wrote to Council advising that they were willing to comply and amongst other matters: *stop any household collections and commence clean-up of premises, including the removal of all goods on premises that relates to recycling and selling off remaining stock and reduce the size and coverage of the awnings so that an application can be submitted.*
- Having not complied with the Notice, on 18 September 2019, Council issued a Stop Use Order and Demolish Works Order with an expiry date of 28 days.
- On 22 January 2020, Council's Compliance officer contacted YADA seeking an update on the outstanding matters. No response was received.
- On 5 March 2020, Council's Compliance officer issued a 7 day Final Warning to YADA in respect of the non compliance with the Order.

- On 26 March 2020, YADA advised Council's Compliance officer that they have ceased accepting recycled materials and are in the process of having plans drafted in order to lodge applications for the unauthorised awnings.
- On 13 May 2020, the matter was referred to Council's Legal Services team for further action as a result of non compliance with the Order.
- On 4 November 2021, Council's Compliance officer carried out an inspection of the premises which revealed that the unauthorised awnings remained in place, the premises was being used as an "op shop" where household goods are picked up by YADA, sorted and then displayed for retail sale to members of the public and the dwelling house was not being used as a habitable dwelling and now comprises office and storage only.
- Council's Legal Services team issued 2 Court Attendance Notices to YADA. (Fail to Comply with Development Control Order & Development without development consent).
- On 28 April 2022, Council's Compliance officer carried out a further inspection of the premises which revealed that the alleged offences were continuing.
- On 2 May 2022, the matter was mentioned at Liverpool Local Court and stood over until the 16 May 2022.
- On 4 July 2022, YADA pleaded guilty for the offence of Fail to Comply with Development Control Order and not guilty for the offence of development without development consent.
- On 20 July 2022, meeting held with YADA, A/CEO and Director Planning and Compliance to discuss the requirements they need to undertake to regularise the use of the property as a home business and that a meeting with Council planning and building staff would be arranged to further discuss these requirements.
- On 25 July 2022, Council's Legal Services team withdrew both Court Attendance Notices against YADA and the proceedings were discontinued.
- On 25 July 2022, YADA representative met with Council planning and building staff in relation to options moving forward. This included YADA advising that they would be relocating their commercial operations to Ingleburn NSW and that they would like to carry out some material storage, vehicle parking and office activities on the site as well as to retain portions of the awnings.
- On 24 August 2022, Council wrote to YADA outlining the outcome of the meeting including providing a number of options which would allow YADA to undertake certain activities upon the premises, subject to relevant consents.
- **To date YADA has not responded to Council's recent correspondence. The unauthorised works remains on site including continuation of the unauthorised use. Staff are following up a response from YADA.**

Photos



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ITEM NO: QWN 03
FILE NO: 318173.2022
SUBJECT: Question with Notice - Clr Hagarty - Public Interest Disclosure Bill

Background

In late March, State Parliament passed the Public Interest Disclosures Bill.

The new laws simplify the disclosure process, toughen sanctions against people who take reprisals against whistleblowers and make it easier for whistleblowers to claim damages.

Public agencies are also required to ensure staff are aware of how to make disclosures and that all senior officers are trained on the new laws.

Question

Has Council started to roll out awareness and training on these laws?

Response (provided by Office of the CEO)

The *Public Interest Disclosures Act 2022* (PID Act 2022) received assent on 13 April 2022 and will come into force up to 18 months after the assent. Council must continue to comply with the PID Act 1994 until the new PID Act 2022 commences.

The NSW Ombudsman has advised that they will:

- develop and issue comprehensive new guidelines, reporting tools and templates.
- share e-learning modules and training packages for the new legislation and make these available to agencies.
- provide information about the new PID Act 2022 and how to use the new resource packages.

The rollout of training for the PID Act 2022 will commence once the above supporting packages have been received from the NSW Ombudsman; at that time training will be provided to staff, management, the executive and Councillors.

ITEM NO: QWN 04
FILE NO: 318166.2022
SUBJECT: Question with Notice - Cllr Macnaught - Status of the VPA - New Brighton Golf Club, Brickmakers Drive, Moorebank

Please address the following?

1. Could Council please provide a further update, at the next meeting, on the status of the 2012 VPA - Moorebank (New Brighton Golf Club): Brickmakers Drive?
2. What progress has been made since the last update provided 5 months ago?

I have had multiple enquiries from the community since that time.

A detailed response to the questions will be provided for the 26 October 2022 Council meeting business papers.

ITEM NO: QWN 05
FILE NO: 318279.2022
SUBJECT: Question with Notice - Cllr Rhodes - The NSW Anti-Racism Working Group, an initiative of the Local Government Multicultural Workers' Network Campaigns

Background

A motion was resolved at the Council meeting of 28 April 2021 - Racism Not Welcome Here.

At the recent Safety Committee, the NSW Anti-Racism Working Group, an initiative of the Local Government Multicultural Workers' Network made a presentation on a campaign "Safe Here" that included Liverpool Council staff participating in a video supporting the Safe Here campaign, and outlined the campaign that seemed to be the same as their previous ambitions as presented at the 28 April Council Meeting titled Racism Not Welcome Here.

The previous motion from 28 April 2021 appears below:

COUNCIL DECISION

Motion: Moved: Cllr Kaliyanda **Seconded:** Cllr Hagarty

That Council:

1. Note the recent, alarming rise of racism in our community;
2. Receive further information about the "racism not welcome" campaign and continue to encourage advocacy and promotion of the campaign in the local area;
3. Join the NSW Anti-Racism Working Group, an initiative of the Local Government Multicultural Workers' Network; and
4. Receive a report with recommendations on how the campaign can be implemented.

Questions and Responses (responses provided by Community & Culture for questions 1-4 and Economy & Commercial Development for questions 5-8)

1. **Was a further report receive as requested in point 2 and point 4 of the above motion?**

The Notice of Motion noted above was resolved at the Council meeting on 31 March 2021 and a report was submitted to the Council meeting of 25 August 2021.

2. If such reports were received were they presented to Council and if so when?

Yes, a report was presented to the Council meeting on 25 August 2021. The report highlights that

“Council’s focus in preventing racism and discrimination has been to invest in building social capital through systems and networks; enhancing the community’s capacity and resilience through projects and the provision of services; and sharing positive stories and messages which encourage acceptance and inclusion.”

The report recommended:

“That Council does not join the ‘Racism Not Welcome’ campaign; rather, continues to work collaboratively on positive community messaging, programs and activities that highlight Liverpool’s uniqueness and cultural diversity.”

3. Could Councillors have a copy of the reports requested in the above motion?

A copy of the report is attached to this response for the information of Councillors.

4. Did Council continue to encourage advocacy of “THE” campaign and if so, what was that campaign?

As noted above, Council did not join the campaign.

5. Did Council approve the “Safe Here” campaign before the organisation presented it to the Safety Committee of Council?

It is understood that the video as created is still in a ‘trial and development stage’ or draft stage so has not been officially approved by Council

6. Did Council check with the Local Police Command on any safety statistics of the Liverpool CBD before approving the Safe Here campaign as presented in its intention to be roll out in the Liverpool CBD?

Local Police Command have supported the program “in principle” and were present during development stages which included the initial stakeholder meeting.

7. Did Council check the intended messaging of the “Safe Here” campaign for any conflict of Council’s advocacy of the Liverpool CBD and our long-term strategies?

ITEM NO: QWN 06
FILE NO: 318348.2022
SUBJECT: Question with Notice - Cllr Kaliyanda - Potential cancellation of free shuttle bus

Background

There are rumours on social media of Council intending to cancel the free shuttle bus provided to the Collimore Park parking facilities for residents and commuters.

Please address the following:

1. Is Council intending to cancel this much needed free service?
2. Is Council intending to charge fees for this shuttle service?
3. Have there ever been discussions around either cancelling or charging fees for the shuttle service?
4. If not, what is the source of this information?

Response (provided by Community & Culture)

1. Is Council intending to cancel this much needed free service?

No council is not intending to cancel the free community bus shuttle service, however the current contract delivering this service comes up for retendering, Council must undertake due diligence to examine community and staff use of the shuttle bus service, comparing current costs, demand and alternate service delivery models.

In 2020 Council awarded the Big Bus Company to provide a shuttle bus services through a competitive tendering process. A subsequent service contract for a two-year period commenced in December 2020 expiring December 2022. Commuter demand has been impacted by COVID-19, the continuation of flexible workplace arrangements and low consumer confidence in public transport. The contract has been further extended to allow Council staff to undertake the review.

2. Is Council intending to charge fees for this shuttle service?

No fees are proposed for this service.

3. Have there ever been discussions around either cancelling or charging fees for the shuttle service?

The contract has been further extended to allow Council staff to undertake its relevant due diligence to examine community and staff use of the shuttle bus service, comparing current costs, demand and alternate service delivery models. At this stage there is no discussion surrounding any fees. A further report will be provided to Council in the coming months with recommendations presented to Council.

4. If not, what is the source of this information?

Given the contract is required to be retendered internal discussion on the matter have begun with some preliminary findings recorded. It was understood following this desktop review further due diligence work is required to examine the community and staff use of the shuttle bus service, comparing current costs, demand and alternate service delivery models. The intent is to bring a report to Council in the coming months.

ITEM NO: QWN 07
FILE NO: 318415.2022
SUBJECT: Question with Notice - Clr Kaliyanda - Benchmarks for apprenticeships, cadetships and trainees

Please address the following:

1. Does Council currently have any benchmark for the proportion of apprentices, cadets or trainees within the organisation?
2. What is Council's current approach to filling some of the many unfilled positions with apprentices, cadets or trainees?

Response (provided by People & Organisational Development)

- 1. Does Council currently have any benchmark for the proportion of apprentices, cadets or trainees within the organisation?**

We currently do not benchmark the proportion of apprentices, cadets or trainees within the organisation.

- 2. What is Council's current approach to filling some of the many unfilled positions with apprentices, cadets or trainees?**

Notwithstanding the above, we currently employ a number of apprentices, cadets or trainees throughout Council. These appointments are reviewed and recruited for on an as needs basis. Further consideration will be given to increasing the number of apprentices, cadets or trainees for positions that are suitable for this type of engagement.

ITEM NO: QWN 08
FILE NO: 318509.2022
SUBJECT: Question with Notice - Cllr Kaliyanda - Rollout of FOGO

Please address the following:

1. Given the EPA's recent changes to their regulations on what will be allowed in FOGO bins, how will this impact Liverpool Council's roll out of FOGO waste disposal?
2. What are the current timeframes for the rollout of FOGO?
3. Has there been any impact to this due to the ongoing staffing/capacity issues being experienced?

Response (provided by City Presentation)

- 1. Given the EPA's recent changes to their regulations on what will be allowed in FOGO bins, how will this impact Liverpool Council's roll out of FOGO waste disposal?**

Council is unlikely to be impacted as the finalisation of tender process and the overall education campaign in the build-up to FOGO implementation is yet to commence. The release of EPA's requirements for what is eligible to be recycled as a part of FOGO at this point works in our favour as the official advice which is aimed at the wider community is yet to be undertaken and as such will allow us to tailor our messaging without requiring us to backtrack on information which had previously been provided. While the recent announcements have been disappointing in the EPA's decision to remove the eligibility of certain wastes, it will not significantly affect councils' food waste diversion which could be up to 40% of a current bins content, although the exclusion of litter, animal excretion and tea bags may result in lower diversion rates. Organic matter which is not suitable for FOGO could be suitable for diverting into waste to energy processes.

- 2. What are the current timeframes for the rollout of FOGO?**

- 1 July 2024 for the rollout of FOGO as both the current waste and garden organics processing contracts are set to expire 30 June 2024.
- Community engagement is being developed at present with the first stage to be executed in early 2023 which will be focusing on building awareness before feeding into service launch announcement
- service launch announcement which will commence mid 2023 which will focus on expressing what changes will occur, the success measures and support to households from council in the transition which will continue until service launch July 24

3. Has there been any impact to this due to the ongoing staffing/capacity issues being experienced?

It appears as though ongoing staffing issues have not been a factor in these changes, and more of a erring on the side of caution and avoiding a situation such as the revocation of MWOO, however the lack of processing capacity in NSW is of a concern when the number of councils which will be implementing food diversion in the Sydney metro area reaches its full numbers and again may lead to tipping time blow outs and waste stockpiling if more facilities fail to come online.

CLRS KALIYANDA AND GREEN LEFT THE CHAMBERS AT 4:12PM.

PRESENTATIONS BY COUNCILLORS

Two presentations were made to Council.

Clr Rhodes made the following presentation:

1. WSROC Report

This year WSROC has undergone a structural change by developing two advocacy groups for WSROC, the Central City and the Western City.

I have been elected vice president of WSROC and Chair of the Western City Advocacy Group.

We held our first Western Sydney Advocacy Group meeting via zoom on the 18th July 2022.

At that meeting we confirmed and created new issues requiring WSROC advocacy.

We reaffirmed Urban Heat/Climate Change issues including the Cool suburbs tool: Urban Heat Planning toolkit: Climate resilient tools: and assessing the BASIX thermal standards for homes to address possible extremes in temperature.

Energy efficiency including endorsing the EV Fleet transition and charging pod rollout: Street light LED exchange:100% renewable Power Purchase Agreement

Regional Waste Strategy including forums on how household organics waste services in apartment buildings might update planning controls in commencement of the new Household services: and running litter management and illegal dumping prevention campaigns; and the Love Recycling campaign to assist residents to recognise soft plastics and sort them out to reduce recycling contamination.

Finally we have been successful in gaining WSROC advocacy for place based Tourism opportunities which is very significant for Liverpool and Cities surrounding the new Liverpool airport due to open in 2026

A more recent agenda item submitted by Western City advocacy was for a possible employment platform available to all member Councils to address staff shortages.

The Western City Advocacy enables any Councillor not only those Councillors elected to the WSROC Committee to submit any issues for consideration for inclusion onto the Western City Meeting Agenda.

Councillors elected to the WSROC Board must have a Business number and realising not all Councillors are not prepared to commit to doing so, I advocated to permit all Councillors not elected to the WSROC Committee to be able to submit issues and ideas to the Western City Advocacy committee and to attend our meetings as guests.

And therefore it is now possible for all Councillors to attend our meetings as guests, particularly to advocate for any submitted agenda item.

Through greater attendance at meetings with all Councillors contributing their ideas, Liverpool has a unique opportunity to maximise its advocacy through WSROC.

We know the issues of South West Sydney, it is our job to advocate through WSROC for favourable and beneficial outcomes for our LGA and that of the Western City.

I am aware that some Agenda items have already been submitted from Liverpool Councillors for the next Western City Advocacy meeting on Thursday 28th October via Zoom from 6-7pm and I thank you for your participation.

Clr Rhodes would also like to advise that Liverpool City Council will be hosting the next WSROC Board of Directors Meeting to be held Thursday 17th November at Casula Powerhouse Arts Centre at 6.00pm and Clr Rhodes hopes all Liverpool Councillors will attend.

2. Medal presented by Southern Districts Soccer Football Association

Clr Hagarty presented on an approval of a grant that Council made to the Southern Districts Soccer Football Association in which Liverpool Olympic won the under 13 boys knockout competition. Two medals were presented to Clr Hagarty from the Association as gratitude for the \$5,000 which Council donated.

Clr Goodman left the Chambers at 4:16pm.

Clr Kaliyanda and Clr Green returned to the Chambers at 4:24pm.

NOTICES OF MOTION

ITEM NO: NOM 01
FILE NO: 316680.2022
SUBJECT: Private Certifiers

NOTICE OF MOTION (Submitted by Clr Hagarty)

That Council:

1. Commence a campaign to lobby the NSW Government for amendments to the relevant legislation to increase the accountability on development and building sites under the control of private certifiers through greater industry regulation and enforcement;
2. Undertake the following to address the issue:
 - Review the information on our website in relation to construction activity and certification to ensure the information is comprehensive, in plain English and clearly outlines the avenues the community member can follow if they have concerns with a site managed by a private certifier;
 - Commence a campaign to lobby for greater penalties and regulation of certifiers;
 - Request from the Minister the expansion of the penalty notice offence categories and agencies that can issue fines on private certifiers e.g. Council currently cannot issue fines on certifiers who breach DA conditions requiring the payment of fees or the provision of information prior to issuing a Construction Certificate;
 - Request from the Minister for the role of the Office of the Building Commissioner be expanded from just residential apartment buildings to include all types of residential accommodation; and
3. Seek the assistance of other Councils in this campaign through LGNSW and WSROC

Clr Goodman returned to the Chambers at 4:27pm.

ITEM NO: NOM 02
FILE NO: 317220.2022
SUBJECT: Local Heritage Publication Grant and Digital Information Booths

Background

Australia is a world-leading tourist destination. Our tourism sector contributes \$152 billion to the Australian economy, supports more than 300,000 businesses and employs more than 660,000 Australians.

In 2019-20, before COVID tourism contributed \$37.1 billion (Tourism Consumption) to the NSW economy and employed 256,100 people.

In 2020-21, tourism employed 1 in every 21 jobs in NSW and contributed \$20.8 billion to NSW's gross state product.

The Western Sydney International Airport is set to open in 2026, and will cater to international and domestic flights under one roof, servicing up to 10 million passengers a year,

It is set to become one of the largest gateways to Australia.

The significance of the above facts made more pertinent considering the new airport is in the Liverpool LGA.

Many of our surrounding Councils are already developing innovative to attract their share of that visitation economic boost and Liverpool has to become proactive to be in the game to get our share.

The Sutherland Shire Council has developed a Local Heritage Publication Grant to encourage the provision of local heritage books that promote the area and serves in many ways to enhance the Visitor economy.

A Local Heritage Publication Grant, as part of the Liverpool Council grants program, similar to the Sutherland Council model, could allow the opportunity for locals to transfer their extensive knowledge of our tourism assets into promotional material that can be used immediately, and will become increasingly in demand when the new airport opens in just 4 years.

Encouraging Local Heritage Publications also makes sense in Liverpool, as it is home to the largest self-publishing facility in the southern hemisphere (Amazon), which may present an opportunity for sponsorship of this initiative.

Local production of material such as this can also support local jobs and business here in Liverpool.

In another neighbouring LGA, Wollondilly Council promotes their local area in the Council service foyer with numerous local publications, as well as electronic information display booth.



Fairfield Council utilises social media to promote tourism in their LGA as a separate entity to Council's own social media pages. The branding and slogan "Discover Fairfield" is used to highlight opportunities for visitors to the region.

NOTICE OF MOTION (Submitted by Cllr Rhodes)

That Council investigate and report back to February, 2023 Council meeting on cost and opportunities through the Council Grants program, sponsorship, Government Grants or by other means:

1. To initiate a Local Heritage Publications Grant as a part of the Liverpool Council Grants Program, and or through possible sponsorship with Local Businesses;
2. To initiate digital local information station/s to be positioned in high visitation locations throughout the Liverpool CBD, and funding sources such as Government Grants and/or sponsorship with Local Businesses; and
3. To build and maintain social media and associated branding around Liverpool's tourism opportunities, as a separate entity to Councils channels.

2. Support the vertical school model that is being proposed and that would be a world leading educational establishment and facility in the Liverpool CBD.

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

ITEM NO: NOM 06
FILE NO: 316787.2022
SUBJECT: Signage on public property

Background

Signage on public property promoting private businesses is unsightly and an abuse of the commons.

The time the public and staff take to report and remove these signs could be put to better use.

Other Councils have policies in place which include the issuing of fines.

NOTICE OF MOTION (Submitted by Cllr Hagarty)

That Council:

1. Develop a policy to manage compliance of private signage, including corflutes, on public land, including the potential to issue fines; and
2. Bring the policy back to the December meeting of Council.

Cllr Hagarty withdrew this item.

Clr Ammoun left the Chambers at 4.54pm.

CONFIDENTIAL ITEMS

ITEM NO: CONF 01

FILE NO: 272982.2022

SUBJECT: Appointment of members to Liverpool Heritage Advisory Committee

COUNCIL DECISION

Motion:

Moved: Clr Rhodes

Seconded: Clr Harle

That Council endorses the recommended community representatives for the Liverpool Heritage Advisory Committee.

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

ITEM NO: CONF 02
FILE NO: 271921.2022
SUBJECT: Transfer of former closed road areas along Governor Macquarie Drive in Warwick Farm in accordance with the provisions of the Inglis, Coopers Paddock, Warwick Farm Voluntary Planning Agreement

This item was dealt with at the end of the meeting in Closed Session under Section 10A(2)(d i).

Foreshadowed motion: Moved: Cllr Hagarty Seconded: Cllr Harle

That:

1. Council approve the transfer of those parts of Lots 1-3 in Deposited 249818 as identified by the provisions of the Voluntary Planning Agreement - *Inglis, Coopers Paddock, Warwick Farm* to the respective adjoining landowners;
2. Council keeps this report confidential pursuant to the provisions of Section 10(A)(2)(d i) because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it; and
3. Council authorises its Delegated Officer to execute any document, under Power of Attorney, necessary to give effect to this decision.
4. A standing report be submitted to Council every two months regarding the status of VPAs (VPA register).
5. An urgent Briefing Session be held regarding the status of this VPA and any other outstanding VPAs be discussed.

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

Mayor Mannoun then opened the Council Meeting at 5.29pm and read the resolution carried for CONF 02 - Transfer of former closed road areas along Governor Macquarie Drive in Warwick Farm in accordance with the provisions of the Inglis, Coopers Paddock, Warwick Farm Voluntary Planning Agreement that was carried in Closed Session and as shown above.

Statement from Cllr Ammoun:

Councillor Ammoun wanted to congratulate the Legal team on behalf of the Casula Group and the local people of Grove Street on all the hard work and the magnificent result achieved. It was a result for the whole community so thank you.

Councillor Harle wanted to add that he agreed with the above and that it was a big issue and from what he hears from the residents who objected to this and put the campaign together, they are very happy with Council's help and wanted to congratulate the Council department that put the Social Impact Assessment Policy together. Without that Social Impact Assessment Policy and the bite it had he believed we would not won either of the cases. He wanted to thank the independent assessors who put that together and made sure that it had the bite that it had. So thanks and congratulations to Council Senior staff they did a good job.

THE MEETING CLOSED AT 5.26pm.

<Signature>

Name: Ned Mannoun

Title: Mayor

Date: 26 October 2022

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 28 September 2022. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.



**MINUTES OF THE ORDINARY MEETING
HELD ON 26 OCTOBER 2022**

PRESENT:

Mayor Ned Mannoun
Councillor Ammoun
Councillor Goodman
Councillor Green
Councillor Hadid
Councillor Hagarty
Councillor Harle
Councillor Kaliyanda (online)
Councillor Karnib
Councillor Macnaught
Councillor Rhodes
Ms Tina Bono, Acting Chief Executive Officer
Ms Anna Rizos, Acting Director Community & Culture
Mr David Smith, Director Planning & Compliance
Mr Matthew Morris, Acting Director City Presentation
Mr Raj Autar, Director Infrastructure & Environment
Ms Julie Scott, Acting Director Economy & Commercial Development
Mr David Galpin, General Counsel, Manager Governance, Legal and Procurement
Ms Ellen Whittingstall, Internal Ombudsman
Mr Vishwa Nadan, Chief Financial Officer
Mr Earl Paradeza, Acting Chief Financial Officer
Ms Galavizh Ahmadi Nia, Manager Community Development and Planning
Mr Craig Lambeth, Acting Manager Community Recreation
Mr Terry Bilal, Manager City Works
Mr George Georgakis, Manager Council and Executive Services

The meeting commenced at 2.03pm.

**STATEMENT REGARDING WEBCASTING
OF MEETING**

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

DECLARATIONS OF INTEREST

Mayor Mannoun declared a non-pecuniary, but significant interest in the following item:

Item: CONF 05 Legal Affairs Report - Charles Street

Reason: Mayor Mannoun is related to the owner.

Note: Mayor Mannoun did not receive the report in his Agenda.

Mayor Mannoun left the chambers for the duration of the item.

Deputy Mayor Hadid declared a non-pecuniary, but significant interest in the following item:

Item: CONF 05 Legal Affairs Report - Charles Street

Reason: Deputy Mayor Hadid is friends with the owner.

Note: Deputy Mayor Hadid did not receive the report in his Agenda.

Deputy Mayor Hadid left the chambers for the duration of the item.

Clr Goodman declared a non-pecuniary, but significant interest in the following item:

Item: CONF 05 Legal Affairs Report - Charles Street

Reason: Clr Goodman is related to the owner.

Note: Clr Goodman did not receive the report in his Agenda.

Clr Goodman left the chambers for the duration of the item.

PUBLIC FORUM

Presentation – matters not on agenda

1. **Mrs June Young** addressed Council on the following matter:

Thanking Council for its sponsorship of Lifeline Macarthur Western Sydney Ball.

Mayor Mannoun approved an extension of time for Mrs Young.

2. **Dr Criss Moore** addressed Council on the following matter:

Thanking Council for the assistance provided to Casula residents to stop the pub.

Mayor Mannoun approved an extension of time for Dr Moore.

3. **Mr Robert Storey** addressed Council on the following matter:

West Lake Point Restoration Project, Chipping Norton

Mayor Mannoun approved an extension of time for Mr Storey.

Representation – items on agenda

1. **Ms Lawrissa Chan**, *Director Financial Audit (NSW Audit Office)* and **Mr Greg Parkes**, *Audit Leader, Financial Audit (NSW Audit Office)* gave a presentation on Council's Annual Financial Reports 2021-22.

CEO 08 – Annual Financial Reports 2021-22

MAYORAL MINUTE

ITEM NO: MAYOR 01

SUBJECT: Support for Changing Place facilities

Liverpool strives to be an inclusive place to live, learn and grow, and Council promotes and supports access and inclusion in all areas of our business. Encouraging diversity enriches us as a community and supports individuals to participate fully in our society.

Changing Places provide suitable facilities for people who cannot use standard accessible toilets. They include extra equipment such as adult-sized changing benches, a hoist system, peninsular toilet and showers.

Community members and their carers are of the opinion that Changing Places facilities in public spaces such as community and shopping centres are life changing. These facilities support people with living with disability and their carers to access the community and vital services without the fear or stress of not having access to facilities that meet their needs.

At the opening of Philips Park on 3 September 2022, I met a lovely local resident who was extremely grateful that Council had provided a Changing Place facility in the new building.

The resident went on to explain to myself, Deputy Mayor Rhodes and Cllr Macnaught how her life is dictated by the access of these facilities. She can only go out for a few hours at a time as there aren't many places that have facilities like this for her and her daughter to use.

The resident can now spend the day at Philips Park without fear of needing to leave suddenly because this facility is available.

By changing our relevant planning controls, we will hopefully see new shopping centres, for example in the Middleton Grange and Holsworthy Town Centres, include a Changing Place facility as part the accessible bathrooms provided. This would improve the quality of life for our residents living with disability and their carers.

RECOMMENDATION

That Council:

1. Amend the relevant planning controls to ensure that any new shopping centre built in the LGA has at least one accessible bathroom with a Changing Place facility.
2. Write to Liverpool Westfield, Fashion Spree, Carnes Hill Marketplace and all other existing local centres to consider installing a Changing Place facility.

CHIEF EXECUTIVE OFFICER REPORT

ITEM NO: CEO 01
FILE NO: 248996.2022
SUBJECT: Lobbying Policy

COUNCIL DECISION

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

That Council:

1. Reaffirms its support for a Lobbying Policy to guide lobbying activities in all situations Councillors or Council officials may find themselves;
2. Notes that in its current form the draft policy is not workable;
3. Provides a further draft policy (and necessary budget considerations) to cover situations including:
 - a. Meeting outside the normal business hours;
 - b. Meetings that cannot occur on Council premises;
 - c. Urgent meetings that need to occur within the 5 business days of notice lodgement; and
 - d. Meetings that occur spontaneously, but could be considered to be lobbying once they commence.
4. Includes in the definition of lobbyists
 - a. Charitable, religious and non-profit organisations; and
 - b. Trade unions.
5. That relevant associated templates and forms be included in the report that comes back to Council.
6. Receive a report back to the next available Council meeting.

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

That Council:

1. Adopts the Lobbying Policy; and
2. Note that the Office of Local Government is currently working on a model policy for all Councils to use.

On being put to the meeting the motion (moved by Clr Macnaught) was declared CARRIED and the Foreshadowed motion (moved by Clr Hagarty) lapsed.

Division

Vote for: Mayor Mannoun, Deputy Mayor Hadid, Clr Ammoun, Clr Goodman, Clr Macnaught and Clr Rhodes

Vote against: Clr Green, Clr Hagarty, Clr Harle, Clr Kaliyanda, Clr Karnib

ITEM NO: CEO 02
FILE NO: 328993.2022
SUBJECT: Draft Community Engagement Strategy and Revised Community Participation Plan 2022

COUNCIL DECISION

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

That Council:

1. Endorse the draft Community Engagement Strategy 2022 and the revised Community Participation Plan 2022 for exhibition;
2. Places the draft Community Engagement Strategy 2022 and revised Community Participation Plan 2022 on public exhibition for 28 days;
3. Receive a further report outlining details of the submissions received at the conclusion of the exhibition period.
4. That the following amendments be made before public exhibition:
 - References to “*relevant planning authority*” be amended to “*Council (including the relevant planning authority)*”.
 - In the Liverpool Community Participation Plan 2022, point 7.6 *Development Applications that will be notified* be amended so that the notification distance is increased to five properties in any direction from the development.
 - Amend the Liverpool Community Participation Plan 2022 to include notification to owners and occupiers.

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

ITEM NO: CEO 07
FILE NO: 346630.2022
SUBJECT: Council Committee Governance review

COUNCIL DECISION

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

That:

1. Council adopt the governance committees and community committees model as outlined in the report with the following six committees, with the following purposes:
 - a) **Budget Committee** - to monitor and preparing the budget, expenditure review and property strategy.
 - b) **Infrastructure and Planning Committee** – to consider s7.11 expenditure, long term asset renewal, PCG on projects, sports grounds and parks upgrades and design oversight, and major planning projects including Development Assessment and Liverpool Environmental Plan.
 - c) **Strategic Priorities** – Delivery of Council priorities and special projects, for example items in the Community Strategic Plan and the 100 Day Plan, lobbying efforts by Council, and grant funding efforts.
 - d) **Operations and Services Delivery** – Performance of the organisation, service reviews, KPI monitoring, the customer experience, policy reviews and performance of HR.
 - e) **Community Committee** – Events, arts and community engagement.
 - f) **Audit, Risk & Improvement Committee**
2. These committees will be on a monthly basis on the same day and work on the basis that they have delegations of Council and with the potential to have subject matter experts to be members of the committees;
3. The governance committees have delegation to have decision making authority in line with s377;
4. Council maintain all the current community committees, with their existing charters and that those community committees report to the governance committees. The community committees to be reassessed for their effectiveness after the charters for the governance committees are established.
5. That the community committees keep functioning as is until this has been set up and operating.

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

Mayor Mannoun called a recess of Council at 3.33pm.

ITEM NO: CTTE 04
FILE NO: 340185.2022
SUBJECT: Minutes of the Liverpool Local Traffic Committee meeting held on 21 September 2022

COUNCIL DECISION

Motion: **Moved: Cllr Hadid** **Seconded: Cllr Karnib**

That Council adopts the following Committee recommendations:

Item 1 - Hume Highway and Grove Street, Casula – Proposed Intersection Modification along the Grove Street Approach

Council to undertake community consultation on the following two options:

- Full road closure of Grove Street at its intersection with Hume Highway
- Installation of concrete blister islands including signs and line markings as shown in the Committee's agenda attachment booklet.

The outcome of the community consultation to be presented to a future Committee meeting with a recommended solution.

Item 2 - Balmain Road/Hoxton Park Road Intersection, Cartwright – Proposed Intersection Improvement

Council to undertake community consultation on the following two options:

- Extension of the existing median separating Hoxton Park Road with Hoxton Park Road Serviceway without a left slip lane from Hoxton Park Road into the Serviceway.
- A fourth leg for an exit only link to the existing traffic signals approximately 120m east of Balmain Road.

The outcome of the community consultation to be presented to a future Committee meeting with a recommended solution.

Item 3 - Church Road at intersection with Heathcote Road, Moorebank – Proposed Pedestrian Refuge

Approves installation of a pedestrian refuge and associated signs and line markings at Heathcote Road and Church Road intersection.

Item 4 - Green Valley Road, Green Valley – Request for Traffic Calming

Council to undertake community consultation on the following two options:

- Horizontal deflections along Green Valley Road at its intersections with Crocodile Drive and Rocco Place or
- Speed humps close to House Nos. 234/236 and 284/309.

The outcome of the community consultation to be presented to a future Committee meeting with a recommended solution.

Council is to nominate the road section to TfNSW and Centre for Road Safety for

mobile speed camera to be deployed to help address the speeding concern.

Item 5 - Traffic Speeding on Local Roads – Requests for Traffic Calming

Approves installation of a raised threshold across Bird Walton Avenue, Middleton Grange, close to Briggs Avenue and chevron markers at the curved road section.

Approves installation of separation line marking in Lismore Street, Hoxton Park, and investigate alternate measures to reduce through traffic along the street.

Council to nominate road sections, where applicable, to TfNSW and Centre for Road Safety for mobile speed camera to be deployed to help address the speeding concern.

Item 6 - Gill Avenue, Liverpool – Proposed Kerb Lane Extension

Approves proposed extension of the Gill Avenue kerb side lane at its intersection with Hoxton Park Road and associated signs and linemarking scheme.

Item 7 - Liverpool City Centre – Proposed Special Community Event, Turbans 4 Australia

Approves classification of the event as a Class 2 Special Event with all associated conditions. Council to liaise with the event organisers, Police and local bus companies to ensure that the impact of the event is minimised.

Item 8 - Greendale Road, Greendale – Proposed Road Realignment

Approves the signs and line marking scheme in the Greendale Road section, Greendale.

Item 9 - Items Approved Under Delegated Authority

Notes the approved items under delegated authority.

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

QUESTIONS WITH NOTICE

ITEM NO: QWN 01
FILE NO: 347189.2022
SUBJECT: Question with Notice - Clr Hagarty - Staff Vacancies

Please address the following:

In relation to Council's hiring policies and the Local Government Award:

1. What is the process for internal Expressions of Interest for staff vacancies?
2. Are all externally advertised staff vacancies listed on Council's Positions Vacant "Aurion" website?
3. If not, where are these positions been advertised?
4. In this term of Council, which positions haven't been advertised on the Council Position Vacant website?
5. Why haven't all positions been advertised on Council's website?

Response (provided by Office of the CEO)**1. What is the process for internal Expressions of Interest for staff vacancies?**

Internal Expressions of Interest are initiated, by way of example, to fill medium to longer term vacant positions, trial new working arrangements before making them permanent and to provide staff with an opportunity to develop new skills and/or capabilities prior to adopting a more formal recruitment process. Internal expressions of interest are placed on the Liverpool City Council Staff Intranet (see examples below).

2. Are all externally advertised staff vacancies listed on Council's Positions Vacant "Aurion" website?

Externally advertised positions are advertised through Council's Internet page. Aurion is Council's human resources information system which provides an e-recruitment platform for submitting applications for advertised roles. Positions may also be concurrently advertised through Seek, LinkedIn, specialist "Job Boards", Universities or TAFEs, specialist recruitment provider.

3. If not, where are these positions been advertised?

Should Council be unable to fill a vacant position, the position may be readvertised

and/or the services of a specialist recruitment service provider may be utilised.

4. In this term of Council, which positions haven't been advertised on the Council Position Vacant website?

We are unaware of any permanent positions not being initially posted on Council's Intranet. For specialist or hard to fill positions, the role may be either be readvertised and/or the services of a recruitment service provider may be utilised.

5. Why haven't all positions been advertised on Council's website?

All permanent positions are initially advertised on Council's website. Temporary vacancies are generally filled through other means such as higher duties, Internal Expressions of interest, or temporary employment.

Example of Internal Secondments / EOI Opportunities shown on Council's Intranet (see question 1 above)

Internal Secondment/EOI Opportunities

OPPORTUNITIES

	EOI - Team Leader Parks Moorebank Team -OPEN 1 x Temporary contract up to January 2023 City Presentatio... Shefali Sehgal 6 September		EOI - Team Leader Parks Casula - OPEN 1 x Temporary contract up to May 2023 City Presentation... Shefali Sehgal 6 September
	EOI - Councillor Support Officer - OPEN 1 x Temporary Full Time Contract up to 12 months The job ... Shefali Sehgal 19 August		EOI - Manager City Works, Parks, Sport & Open Spaces - CLOSED 1 x Temporary Full Time Temp Contract up to 31 December... Shefali Sehgal 12 August

ITEM NO: QWN 02
FILE NO: 348255.2022
SUBJECT: Question with Notice - Clr Green - NSW Multicultural Network and Anti-Racism Working Group

Background

NSW Multicultural Network and Anti-Racism working group are important forums and networks that Liverpool Council staff participate in. The Anti-Racism working group was established to provide workers a space to safely discuss anti-racism issues and concerns in their communities. As independent networks supported by Local Government NSW these networks are acknowledged as having a vital role in advocacy, policy development, contributing to a consistent standard of excellence in service to CALD stakeholders and community members in addition to promoting and developing anti-racism education and resources.

Both networks contribute to research and make submissions e.g. NSW Anti-Racism Working Group Submission for the National Anti-Racism Framework to the Australian Human Rights Commission (AHRC) (February 2022)

Membership of these networks are staff from local government, government and non-government agencies and stakeholders.

Please address the following

1. What is the history and role of NSW Multicultural Network and Anti-Racism working group and Liverpool City Council's membership of it?
2. Are there other similar networks that Liverpool City Council is a member of?
3. What are the past projects, activities and programs of NSW Multicultural Network and Anti-Racism working group and similar that Liverpool City Council has partnered and/or participated in to build community capacity and social cohesion?
4. Have these projects, programs and activities been consistent with LCC
 - a. Community Strategic Plan
 - b. Values of social justice
5. What will the likely consequences be for Liverpool Council's withdrawal from these important networks?

Response (provided by Community & Culture)

- 1. What is the history and role of NSW Multicultural Network and Anti-Racism**

working group and Liverpool City Council's membership of it?

Liverpool City Council has been part of the LGNSW Multicultural Network for over ten years. This network provides an opportunity for Local Government multicultural workers to connect and share information and resources. Council's Community Development Worker (CALD) attends meetings on a bi-monthly basis and has been part of convening this network and the Anti-Racism Working Group.

The network has built strategic relationships with Multicultural NSW, Welcoming Australia, The Department of Home Affairs, the Office of Local Government, the Department of Human Services, the NSW State Library and many other relevant departments and agencies.

The Anti-Racism Working Group was established as part of the LGNSW Multicultural Network as issues arose regarding racism and bullying in neighbouring Council areas. These incidents of racism targeted particular communities and cultural groups as a result of COVID-19. Council is a member of this group however it is largely driven by Inner West Council and the City of Sydney. This forum is predominantly an information-sharing resource for Councils.

2. Are there other similar networks that Liverpool City Council is a member of?

Liverpool Council participates in various other networks including:

- Refugee Welcome Zone Leadership Group (RWZLG), chaired by Refugee Council of Australia which engages local councils throughout the state;
- The Humanitarian Settlement Program Network chaired by Settlement Services International which is a mix of government and non-government agencies in NSW;
- Council is a member of the Welcoming Cities Network which is chaired by Welcoming Cities Australia and includes local councils and agencies across the state; and
- On a local level, Council co-convenes the Liverpool Refugee and Migrant Interagency along with the Western Sydney Migrant Resource Centre.

3. What are the past projects, activities and programs of NSW Multicultural Network and Anti-Racism working group and similar that Liverpool City Council has partnered and/or participated in to build community capacity and social cohesion?

Council has worked in collaboration with other members of the LGNSW Multicultural Network to:

- Deliver conferences and undertake advocacy surrounding issues of concern including refugee settlement, domestic violence, regional and rural settlement, employment and education, COVID-19 responses and health;

- Establish working groups to focus on particular issues such as racism;
- Provide a platform for research and share best practice for promoting social cohesion and community harmony;
- Participate in round table discussions regarding refugee and asylum seeker issues; and
- Generally support one another by sharing information and resources to build the capacity of the refugee and migrant sector in Local Government Areas (LGA) working with CALD communities.

4. Have these projects, programs and activities been consistent with LCC

a. Community Strategic Plan

b. Values of social justice

The work of the LGNSW Multicultural Network aligns closely to Direction One – Healthy, Inclusive, Engaging – of Council’s Community Strategic Plan (CSP) in that it aims to support the provision of a harmonious community that celebrates diversity, fosters access and equity, and encourages community participation. These goals mirror the values of social justice and are addressed in the Terms of Reference for the group. The LGNSW Multicultural Network represents a collaborative approach to meeting these values to which all member councils contribute by making the network a shared responsibility and ensuring it aligns with local government strategy and represents best practice.

5. What will the likely consequences be for Liverpool Council’s withdrawal from these important networks?

The LGNSW Multicultural Network is an important resource for Council in that it ensures Council is connected and up to date on important issues for refugee and migrant communities, advocacy initiatives and best practice standards. It provides a supportive network to workers in this space and assists councils to develop an understanding of key issues and challenges across different LGAs. The consequence of withdrawing from this group would be that Council is not connected to these vital sources of information and will lose important connections at neighbouring councils. Council would be best served to remain connected with the larger LGNSW Multicultural Network and continue to be part of this platform to inform, engage and contribute to key issues and collaborative approaches.

ITEM NO: QWN 03
FILE NO: 348285.2022
SUBJECT: Question with Notice - Clr Green - Deed of Agreement between Council and Gandangara Land Council

Background

At the March 2022 meeting, Council chose to defer the signing of a Deed of Agreement between Liverpool City Council and Gandangara Local Aboriginal Land Council.

The Deed of Agreement was presented as a significant achievement in strengthening Council's relationship with Gandangara Land Council. It sets firm principles and will guide collaboration in future projects with our First Nations community.

Please address the following

1. Why has this not been brought back to Council?
2. What is the delay?
3. When will the Deed of Agreement be formally signed and celebrated?

Response (provided by Community & Culture)

Council recognises the importance of this Deed of Agreement (the Deed), the first of its kind between a local government and Local Aboriginal Land Council. As the development of this Deed was carried out under the former Council it was determined that a meeting between the new Council and representatives of Gandangara Local Aboriginal Land Council (GLALC) be facilitated to meet and discuss the Deed. It is anticipated that the Deed is presented to Council for consideration in the near future.

ITEM NO: QWN 04
FILE NO: 348615.2022
SUBJECT: Question with Notice - Cllr Macnaught - Accessible toilet facilities in the LGA

Please address the following

Have we had some feedback regarding the new facilities at Phillips Park, particularly surrounding the assistance toilet facilities and their useability?

Response (provided by Community & Culture)

Council has received some positive feedback related to the quality of facilities within the Lurnea Community Hub at Phillips. While this has been captured through informal channels, Council can take comfort that the feedback has been overwhelmingly positive.

With respect to the accessible changing room in the multipurpose function room, Council has only received a limited amount of feedback that has been positive.

Council will undertake a comprehensive survey of all hirers after three (3) months to assess customer satisfaction. The feedback will be used to enhance facilities and services at the venue.

In addition, Council finalised the installation of a Changing Places standard accessible toilet and change room at Whitlam Leisure Centre on 13 October 2022. With an identical fit-out to the Phillips Park facility, the prefabricated facility located at the point entry to the centre will provide opportunities for people with a disability, and especially children and adults with high dependencies. This facility provides opportunity for all to access Council's aquatic facilities at Whitlam Leisure Centre.

Access to the changing facility will be available 24/7 to those holding a MLAK key.

ITEM NO: QWN 05
FILE NO: 348641.2022
SUBJECT: Question with Notice - Cllr Macnaught - Hammondville Park soccer facilities

Background

Moorebank Soccer Club arguably the largest club in our LGA, with approximately 2000 members. Their home ground, Hammondville Park, is in desperate need of an upgrade, with multiple cancellations occurring this past season because of unusable pitches. This, on top of 2 years lost play due to Covid-19, is unacceptable and we need to act now to ensure no more seasons are lost due to factors within our control.

Talk of Moorebank Sports Masterplanning, and as a sporting precinct of excellence has been the conversation since at least 2016, with an MoU signed in 2019. Since then the Moorebank Soccer Club has seen further degradation of their facilities and playing surfaces, and lost match time escalate.

Please address the following

1. What is the status of the MoU?
2. A briefing session was held in March 2020 about the broader Moorebank Sports precinct plan – can we please have an update on what has happened since that briefing session, to date?

Response (provided by Community & Culture)

The Clubs' home ground is at Hammondville Park precinct that is Council's most active sporting precinct, accommodating training and competition of nine sporting codes and Moorebank Sporties Sports Club.

Based on *Sports Eye* data, that measures the number of players registered through the State Sporting Organisation (Football NSW) indicates that the current membership base is 761 Liverpool residents making it the second largest membership base of local residents.

The current condition of the playing fields on the Hammondville Park precinct, and across most of the Liverpool LGA, has been substantially impacted by the unfavorable weather conditions over the last six (6) to twelve (12) months. The grounds remain soft and vulnerable to wear and tear, and high volumes of usage will result in significant wear and tear. Aside from ground closure, deterioration of the playing surfaces is largely out of Council's control with Council's ground crews unable to effectively use the heavy machinery necessary to remediate the surface to optimal condition. Given the continuation of heavy rain, remediation may still be some time away.

An MOU between Moorebank Sporties and Council was executed in 2018 to investigate synergies between the potential growth of the club and Council's desire to deliver Integrated Community Facilities to benefit the community. There have been some significant discussions between Council and Moorebank Sporties, and those discussions focused on Moorebank Sporties proposal to establish a major indoor aquatic and wellness infrastructure, these discussions has resulted in the realisation that such projects, cannot proceed without the development of the precinct masterplan.

Council has committed the necessary resources to develop a masterplan for the Hammondville Park precinct. The purpose of that masterplan is to deliver on a contemporary and functional sporting precinct that meets the needs of its users. The masterplan will be developed in close consultation with all sporting codes, residents and Moorebank Sporties Club to incorporate the future needs of precinct in a coherent and effective manner. At this stage the masterplan is expected to be delivered in early 2023.

ITEM NO: QWN 06
FILE NO: 349217.2022
SUBJECT: Question with Notice - Clr Kaliyanda - Parking for Nurses and Hospital Staff

Background

During the COVID pandemic Council provided free parking for many health workers at Liverpool Hospital. There have been complaints for many years that the amount of parking provided by the NSW Government is inadequate for Liverpool Hospital workers.

The upgrade to the Warwick Farm Commuter Car Park is almost complete, and following this, non-commuters to who park there will be charged \$35 per day for parking. However, extra parking promised by the NSW Government has been slow to be released and many hospital workers have not received permits.

Please address the following

1. Has Council received any correspondence from South West Sydney Local Health District regarding this issue?
2. How will overflow of Liverpool Hospital workers not being able to use the commuter carpark impact on-street parking in the Liverpool CBD?
3. Where can Council raise this issue of concern with the LHD and NSW Government?

Response (provided by Planning and Compliance)

1. Has Council received any correspondence from South West Sydney Local Health District regarding this issue?

Council is aware that as part of the Liverpool Hospital redevelopment, a new car park with an additional 500 parking spaces has been constructed within the hospital.

Council has not received any correspondence from the Local District Health raising concerns regarding this issue.

2. How will overflow of Liverpool Hospital workers not being able to use the commuter carpark impact on-street parking in the Liverpool CBD?

Sydney Trains is managing the construction of the Warwick Farm new commuter car park. The agency has advised the use of the car park will be managed using the Park and Ride system which includes a boom gate that needs to be activated with an Opal card. This would provide free parking for commuters. Non computers can park at the car park but will be required to pay a fee. This is the approach now being used by Sydney Trains to manage its new commuter car parks. Sydney Trains has further advised that the Park and Ride

system will be implemented in November if the project is completed on time.

The road network in the Liverpool City Centre and around the Warwick Farm station accommodates on-street parking where sign posted. If non commuters that currently park at the station car park no longer do so, there will likely be greater demand for on-street parking and in other off street car parks. Council will continue to monitor on-street parking demand around the Warwick Farm station to ensure safe traffic and parking arrangements are maintained.

3. Where can Council raise this issue of concern with the LHD and NSW Government?

Council can make representations to the South West Local Health District. In addition, representations can be made to the New South Wales Health Minister or the Premier.

PRESENTATIONS BY COUNCILLORS

Nil.

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Chairperson

NOTICES OF MOTION

ITEM NO: NOM 01
FILE NO: 349182.2022
SUBJECT: Employment of Apprentices & Trainees by Council

NOTICE OF MOTION (submitted by Cllr Kaliyanda)

That staff provide a report to Council within three months, addressing the following:

1. Identify any existing formal strategies, informal practices, or targets already in place promoting hiring of apprentices and trainees by Council.
2. If such targets or strategies exist, whether they are currently being met, and if not, reasons why.
3. Are there any teams/operations within Council that currently have staff with appropriate trade skills able to train an apprentice in that trade?
4. Are there any teams/operations within Council that are currently outsourced, but if brought in house, would then have staff with appropriate trade skills able to train an apprentice in that trade?
5. What are the barriers to Council hiring more apprentices/trainees, and how might those barriers be overcome? If no targets exist, what would be an achievable target for apprentices hired by Council each year?
6. Does Council impose any KPIs on its trade contractors relating to whether those contractors hire apprentices? Would it be feasible for Council to impose such a KPI? What would a reasonable KPI be?
7. When requesting tenders from contractors for trade work, does Council ask tenderers to provide any information about whether they hire apprentices? If so, what weight is given to this information? If not, would it be feasible to require this information to be provided by tenderers moving forward?
8. Identify any state or federal incentives or grants which Council could apply for to offset the costs of hiring apprentices.

COUNCIL DECISION

Motion: **Moved: Cllr Kaliyanda** **Seconded: Cllr Hagarty**

That staff provide a report to Council within three months, addressing the following:

1. Identify any existing formal strategies, informal practices, or targets already in place promoting hiring of apprentices and trainees by Council.
2. If such targets or strategies exist, whether they are currently being met, and if not, reasons why.
3. Are there any teams/operations within Council that currently have staff with appropriate trade skills able to train an apprentice in that trade?
4. Are there any teams/operations within Council that are currently outsourced, but if brought in house, would then have staff with appropriate trade skills able to train an apprentice in that trade?
5. What are the barriers to Council hiring more apprentices/trainees, and how might those barriers be overcome? If no targets exist, what would be an achievable target for apprentices hired by Council each year?
6. Does Council impose any KPIs on its trade contractors relating to whether those contractors hire apprentices? Would it be feasible for Council to impose such a KPI? What would a reasonable KPI be?
7. When requesting tenders from contractors for trade work, does Council ask tenderers to provide any information about whether they hire apprentices? If so, what weight is given to this information? If not, would it be feasible to require this information to be provided by tenderers moving forward?
8. Identify any state or federal incentives or grants which Council could apply for to offset the costs of hiring apprentices.

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

ITEM NO: NOM 03
FILE NO: 349221.2022
SUBJECT: Protection of Ecologically Significant Land

NOTICE OF MOTION (submitted by Cllr Rhodes)

That Council:

1. Note Council's resolution on CONF 02 from the 27 October 2021 Council meeting (attached).
2. Alter point 4 of the resolution on CONF02 from the 27 October 2021 Council meeting to remove the words **"if it's purchased by a public authority"**. Point 4 to read **"Investigates rezoning 1 Sirius Road and Lots 68 and 75 Sirius Road, Voyager Point from C3 Environmental Management to C2 Environmental Conservation"**.
3. Note the recent announcements from the Federal Minister for Environment regarding the importance of preserving our natural flora and fauna in the wake of continuing extinctions of many Australian species.
4. Note that recent skate findings within this area indicate that it is a known koala habitat and other rare and endangered species are also known to inhabit the land.
5. Note that EPA reports that Liverpool LGA as having one of the worst reported quality air in Sydney.
6. Note that recent air quality monitoring has found that the natural vegetation along the banks of the Georges River contributes significantly to improving the quality of the Liverpool LGA air.
7. Continue lobbying the NSW and Federal Governments for funding to increase ecological reserves in the Liverpool LGA.
8. Investigates the rezoning of 1 Sirius Road and lots 68 and 75 Sirius Road, Voyager Point from C3 Environmental Management to C2 Environment Conservation.
9. Consult with the owners of the properties and include their feedback in the report back to Council.
10. Receive a further report back to Council following this investigation for a decision on whether to progress a planning proposal to rezone those sites to Environmental Conservation.
11. Allocate funding from the LEP review budget to complete these investigations.

COUNCIL DECISION**Motion:****Moved: Cllr Rhodes****Seconded: Cllr Green**

That Council:

1. Note Council's resolution on CONF 02 from the 27 October 2021 Council meeting (attached).
2. Note the recent announcements from the Federal Minister for Environment regarding the importance of preserving our natural flora and fauna in the wake of continuing extinctions of many Australian species.
3. Note that recent skate findings within this area indicate that it is a known koala habitat and other rare and endangered species are also known to inhabit the land.
4. Note that EPA reports that Liverpool LGA as having one of the worst reported quality air in Sydney.
5. Note that recent air quality monitoring has found that the natural vegetation along the banks of the Georges River contributes significantly to improving the quality of the Liverpool LGA air.
6. Continue lobbying the NSW and Federal Governments for funding to increase ecological reserves in the Liverpool LGA.
7. Investigates the rezoning of 1 Sirius Road and lots 68 and 75 Sirius Road, Voyager Point from C3 Environmental Management to C2 Environment Conservation.
8. Consult with the owners of the properties and include their feedback in the report back to Council.
9. Receive a further report back to Council following this investigation for a decision on whether to progress a planning proposal to rezone those sites to Environmental Conservation.
10. Allocate funding from the LEP review budget to complete these investigations.
11. That the report back to Council include how the rezoning of this land would affect the previous resolution about having a continuous bike track along the length of the river and whether this land potentially forms part of that.

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

ITEM NO: CONF 02
FILE NO: 318166.2022
SUBJECT: Question with Notice - Cllr Macnaught - Status of the VPA - New Brighton Golf Club, Brickmakers Drive, Moorebank

Please address the following?

1. Could Council please provide a further update, at the next meeting, on the status of the 2012 VPA - Moorebank (New Brighton Golf Club): Brickmakers Drive?
2. What progress has been made since the last update provided 5 months ago?

I have had multiple enquiries from the community since that time.

Response (provided by Planning and Compliance)

The responses to these questions were provided to Councillors under confidential cover in accordance with the provisions of s10(A)(2)(e)(g) of the Local Government Act because it contains information that would, if disclosed, prejudice the maintenance of law; AND advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

THE MEETING CLOSED AT 4.35pm.

<Signature>

Name: Ned Mannoun

Title: Mayor

Date: 16 November 2022

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 26 October 2022. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.



MINUTES OF THE ORDINARY MEETING HELD ON 16 NOVEMBER 2022

PRESENT:

Mayor Ned Mannoun
Councillor Ammoun
Councillor Goodman
Councillor Green
Councillor Hadid
Councillor Hagarty
Councillor Harle
Councillor Kaliyanda
Councillor Karnib (online)
Councillor Macnaught
Councillor Rhodes
Ms Tina Bono, Acting Chief Executive Officer
Mr Paul Perrett, Director Corporate Services
Ms Anna Rizos, Acting Director Community & Culture
Mr David Smith, Director Planning & Compliance
Mr Matthew Morris, Acting Director City Presentation
Mr Raj Autar, Director Infrastructure & Environment
Mr David Galpin, General Counsel, Manager Governance, Legal and Procurement
Mr Vishwa Nadan, Chief Financial Officer
Mr John Milicic, Manager Property
Ms Galavizh Ahmadi Nia, Manager Community Development and Planning
Mr George Georgakis, Manager Council and Executive Services
Ms Susan Ranieri, Coordinator Council and Executive Services (minutes)

The meeting commenced at 2.01pm.

**STATEMENT REGARDING WEBCASTING
OF MEETING**

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

Clr Hagarty declared a pecuniary interest in the following item:

Item: MOU 01- Planning Investigation.

Reason: He has a DA currently before Council.

Clr Hagarty left the Chambers for the duration of these items.

PUBLIC FORUM

Presentation – items not on agenda

1. **Ms Kerrie Fitzgibbon** addressed Council on the following item:
DA Matters.

Representation – items on agenda

1. **Ms Vicki Andrews** addressed Council on the following item:
NOM 03 – Permanent Home for the City of Liverpool and District Historical Society Inc.

Motion: **Mayor Mannoun**

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

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

MAYORAL MINUTES

ITEM NO: MAYOR 01
SUBJECT: Austral
FILE NO: 397604.2022

RECOMMENDATION:

That Council direct the CEO to conduct a daily inspection of Austral and provide a report to councillors on a regular basis.

This inspection is to include:

- the state of roads (potholes, road plates etc)
- Any road works being undertaken by developers
- Overgrown vegetation on private and public land
- Construction management - including private works or work being done by a public authority/utility
- Illegal dumping

Outcomes are to be acted upon and rectified immediately

COUNCIL DECISION

Motion: Mayor Mannoun

That Council:

1. Direct the CEO to conduct a daily inspection of Austral and provide a report to councillors on a regular basis. This inspection is to include:
 - the state of roads (potholes, road plates etc)
 - Any road works being undertaken by developers
 - Overgrown vegetation on private and public land
 - Construction management - including private works or work being done by a public authority/utility
 - Illegal dumping

The outcomes are to be acted upon and rectified immediately.

2. Write to the Department of Planning and Environment NSW to assist Council in coordinating an Austral delivery unit;

3. Develop a public register for road closures detailing the location and dates of road closures that is easily accessible via the Council website; and
4. Publish a monthly post on Council's social media pages about upcoming road closures.

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

MAYORAL MINUTE

ITEM NO: MAYOR 02
SUBJECT: 2168 Improvement
FILE NO: 397607.2022

RECOMMENDATION:

That Council:

- Note that just because you live in housing commission that the house that is provided to you should not be rundown.
- That housing commission tenants deserve good quality dwellings.
- Conduct a campaign to start calling for the reconstruction of the housing commission properties so that is a priority in the upcoming state election.
- Start a petition and other advocacy measures using existing advocacy funding budgets.

COUNCIL DECISION

Motion: Moved: Mayor Mannoun

That Council:

1. That public housing tenants deserve good quality dwellings;
2. Conduct a campaign to start calling for the reconstruction of the public housing properties so that is a priority in the upcoming state election;
3. Start a petition and other advocacy measures using existing advocacy funding budgets to do this;
4. Department of Housing to improve the maintenance on properties whilst the renewal is happening; and
5. Advocate for resources to be put into ACAT that seek maintenance and gardening support.

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

Councillors voted unanimously for the motion.

MAYORAL MINUTE

ITEM NO: MAYOR 03
SUBJECT: Fast Train Petition
FILE NO: 397608.2022

The metro extension to Bankstown is transformative infrastructure that will open in 2024. We need that metro extended to the airport via Liverpool, Miller, and Austral to deal with the growth and existing traffic problems we face on a daily basis.

In the meanwhile, we are also calling for an express service from Liverpool to Bankstown (via Cabramatta) on the remainder of the T3 Line when the Metro opens up in 2024. This will cut travel times from Liverpool to Central from 1 hour which it is currently to under 40 minutes.

With this, we will be able to encourage people to get out of their cars and onto public transport.

RECOMMENDATION

That Council:

- Congratulates the NSW Government on building the new Metro to Bankstown
- Conduct a campaign calling for the above to happen. This is to include petitions etc.
- Note the successful campaign in 2015, led by Council, that changed the government's plan and highlighted the Bankstown to Liverpool Metro extension as a future government project.

COUNCIL DECISION

Motion: Mayor Mannoun

That Council:

1. Congratulates the NSW Government on building the new Metro to Bankstown and conduct a campaign calling for:
 - i. The metro to be extended to the airport via Liverpool, Miller, and Austral to deal with the growth and existing traffic problems we face on a daily basis.
 - ii. An express service from Liverpool to Bankstown (via Cabramatta) on the remainder of the T3 Line when the Metro opens up in 2024. This will cut travel times from Liverpool to Central from 1 hour which it is currently to under 40 minutes.

This is to include petitions etc and to be funded from the current existing advocacy budget.

2. Note the successful campaign in 2015, led by Council, that changed the government's plan and highlighted the Bankstown to Liverpool Metro extension as a future government project

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

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

Item: MAYOR 04 – Resettlement of ISIS Wives and Children.

Reason: He is on the board of two organisations that work in settlement services that helped these families flee the actions of ISIS.

Cllr Hagarty left the Chambers at 2.45pm.

MAYORAL MINUTE

ITEM NO: MAYOR 04
SUBJECT: Resettlement of ISIS Wives and Children
FILE NO: 397664.2022

RECOMMENDATION

That Council:

- Write to the Federal Government seeking better transparency on this issue
- Ask the Federal Government to rule out south west Sydney and other areas where refugees have settled
- Note that is a bad plan to have ISIS supporters living next door to victims of their abhorrent crimes against humanity
- Note that the statements issued so far by the ‘ISIS Wives’ have not condemned the actions of ISIS
- Write to all local MP’s seeking their support for Councils position and report back to council

COUNCIL DECISION

That Council:

- Write to the Federal Government seeking better transparency and request a confidential briefing on this issue;
- Ask the Federal Government to rule out south west Sydney and other areas where refugees who may have suffered at the hands of ISIS have settled;
- Note that is a bad plan to have ISIS supporters living next door to victims of their abhorrent crimes against humanity;
- Note that the statements issued so far by the ‘ISIS Wives’ have not condemned the actions of ISIS; and

- Write to all local MP's seeking their support for Councils position and report back to council.
- Notes it is not against getting the wives and children who live in ISIS territory to Australia. The purpose is for the safety of the wives and children to be in a safe location. Council note that the children are the innocent victims and should be our priority in re-integration.

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

Clr Hagarty returned at 3.03pm.

NOTICES OF MOTION OF RESCISSION

ITEM NO: NOMR 01
FILE NO: 375332.2022
SUBJECT: Notice of Motion of Rescission - QWN 05 - Question with Notice - Clr Rhodes
- The NSW Anti-Racism Working Group, an initiative of the Local Government
Multicultural Workers' Network Campaigns

NOTICE OF MOTION OF RESCISSION

That Council rescinds the resolution relating to QWN 05 - Question with Notice - Clr Rhodes - The NSW Anti-Racism Working Group, an initiative of the Local Government Multicultural Workers' Network Campaigns from the Council Meeting 28 September 2022 (as shown below).

That Council cancel their membership and engagement with the NSW Anti-Racism Working Group, an initiative of the Local Government Multicultural Workers' Network campaigns, so as to avoid being negatively impacted by their agendas that are not in the best interest of Liverpool and outside the Strategic directions of Council.

Should the rescission motion be ADOPTED we given notice that it is our intention to move the following motion:

That Council:

- Does not proceed to cancel the membership and engagement with the NSW Anti-Racism Working Group, an independent network supported by Local Government NSW.
- Notes the vital role of NSW Anti-Racism Working Group has in advocacy, policy development and as a significant contributor to developing consistent standards of excellence in services to CALD stakeholders and community members.
- Avoids the risk of reputational damage and erosion of Council's commitment to the values of social justice.

COUNCIL DECISION

Motion:

Moved: Clr Green

Seonded: Clr Kaliyanda

That Council rescinds the resolution relating to QWN 05 - Question with Notice - Clr Rhodes - The NSW Anti-Racism Working Group, an initiative of the Local Government Multicultural Workers' Network Campaigns from the Council Meeting 28 September 2022 (as shown below).

That Council cancel their membership and engagement with the NSW Anti-Racism Working Group, an initiative of the Local Government Multicultural Workers' Network campaigns, so as to avoid being negatively impacted by their agendas that are not in the best interest of Liverpool and outside the Strategic directions of Council.

On being put to the meeting the Rescission Motion was declared LOST.

ITEM NO: CEO 02
FILE NO: 365055.2022
SUBJECT: 2022/23 - Quarter 1, Budget Review

COUNCIL DECISION

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

That Council:

1. Approves the identified budget variations in accordance with this report; and
2. Approves reallocation of \$75k from the current CEO's contingency budget to purchase discounted Aquatopia passes for all Year 6 students in the Liverpool LGA who will be graduating in 2022.

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

ITEM NO: COM 01
FILE NO: 351305.2022
SUBJECT: Grants Donations and Community Sponsorship

COUNCIL DECISION

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

1. That Council endorses the funding recommendation of **\$4,909** (GST exclusive) under the **Sustainable Environment Grant** for the following project:

Applicant	Project	Recommended
Unity Grammar College	Green Thumb Garden Club	\$4,909

2. That Council endorses the funding recommendation of **\$30,000** (GST exclusive) under the **Matching Grant** for the following projects:

Applicant	Project	Recommended
Moorebank Baseball Softball Club	Baseball Storage Shed	\$15,000
Sabean Mandaean Association of Australia	Roof Restoration	\$15,000

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

QUESTIONS WITH NOTICE

ITEM NO: QWN 01
FILE NO: 375181.2022
SUBJECT: Question with Notice - Clr Green - Entryway Signage Traditional Custodian Acknowledgement

Background

The Council meeting of July 27, 2022 Council voted unanimously on the motion in relation to the process for First Nations Naming, Renaming and Co-Naming Places and Spaces in Liverpool. (Minutes 27/07/2022 pg. 43).

The first action of that motion:

That relevant Council staff work in conjunction with the Liverpool Aboriginal Consultative Committee (LACC) to:

- Undertake a process to give names of Aboriginal origin to unnamed streets, roads, and lanes;

In response to this motion the recent Aboriginal Consultative Committee meeting of 1/9/2022 Committee members endorsed the following action:

- for Council to pursue opportunities to include the names of the traditional custodians of the land on all entryway signage in Liverpool

Consequently, the minutes of the Aboriginal Consultative Committee noting this action was also endorsed at the October 26 Council meeting.

Please address the following:

1. Could Council please provide advice of the possible timeframe for this initiative to be completed?

Response (provided by Community and Culture)

Community Development team will consult the Aboriginal Consultative Committee on the wording for the acknowledgment of the traditional custodians of the land.

The eight gateway signs on display at entry points to the Liverpool LGA are constructed of aluminium and would need to be replaced. The signs sit atop steel poles and would need to

be removed and replaced by our staff. Production of the signs would take approximately two weeks, with further time required for their removal and reinstallation by council staff.

Please note, this timing does not include consultation and design of the signs.

The consultation, design, production and installation timeframe is estimated at 8-12 weeks.

ITEM NO: QWN 02
FILE NO: 375907.2022
SUBJECT: Question with Notice - Cllr Hagarty - Liverpool Local Planning Panel

Please address the following:

1. Who are the current Community Representatives on the Liverpool Local Planning Panel?
2. What is the process for selecting Community Representatives to the Planning Panel?
3. Do Community Representatives on the panel have to reside within the Liverpool LGA?
4. What skills and experience are Community Representatives required to have?
5. Are Panel members appointed by the elected Council?
6. When were each of the current Community Representatives appointed?

Response (provided by Planning and Compliance)

1. Who are the current Community Representatives on the Liverpool Local Planning Panel?

The current Liverpool Local Planning Panel Community Representatives are:

- Darryl Hawker
- Stephen Dobell-Brown
- Ellie Robertson
- Aaron Colley

2. What is the process for selecting Community Representatives to the Planning Panel?

The process is as follows:

- A review panel, made of three (3) Council Officers is established, and selection criteria to which Applicants will need to address is prepared and agreed to.
- An Expression of Interest (EOI) is issued for a twenty-eight (28) day period via Council's website, social media pages and the Sydney Morning Herald.
- Following the above, applications received are reviewed and scored by each panel member against the established selection criteria, and the applications ranked chronologically.
- A memo is prepared which itemises the panel's recommendations and is issued to

the Chief Executive Officer (CEO) for endorsement.

- Following CEO endorsement, letters of appointment / letters to unsuccessful candidates are prepared and issued accordingly.

3. Do Community Representatives on the panel have to reside within the Liverpool LGA?

Community representatives are required to reside within the Liverpool LGA.

4. What skills and experience are Community Representatives required to have?

The selection criteria to which the current community representatives were required to address, and subsequently evaluated against, is as follows:

- Be current residents within the Liverpool Local Government Area (LLGA).
- Have knowledge and awareness of the Liverpool LGA and issues of concern to the local community.
- Be able to represent and communicate the interests of the local community.
- Have an understanding of the planning process and assessment issues (but are not expected to be experts).
- Commit to attending the LPP meetings and contributing constructively to the determination of applications.
- Be willing to adhere to the LPP code of conduct and operational procedures.

5. Are Panel members appointed by the elected Council?

The appointment of the current LPP Community Representatives was endorsed by the Chief Executive Officer (CEO). The CEO has historically appointed LPP Community Representatives since the inception of the LPP (formerly the Liverpool Independent Hearing and Assessment Panel (IHAP)).

6. When were each of the current Community Representatives appointed?

The current LPP Community Representatives were appointed on 12 April 2022, for a two (2) year period.

Motion

Moved: Cllr Hagarty

Seconded: Cllr Macnaught

That this matter be moved into Closed Session at the end of the meeting pursuant to Clause s10A(2)(a) of the Local Government Act because it contains personal matters concerning particular individuals (other than councillors).

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

This item was discussed in Closed Session later in the meeting.

ITEM NO: QWN 03
FILE NO: 376038.2022
SUBJECT: Question with Notice - Clr Hagarty - Cyber

Please address the following:

1. What is Council's current budget on cyber resilience?
2. How much has Council spent in the last decade, year by year, on cyber resilience?
3. What cyber assessments and certifications has Council undertaken, e.g. ISO-27001, Essential 8?
4. Is a cyber incident included in BCP scenario testing?
5. How often does Council conduct penetration tests?
6. When did Council last conduct a penetration test?

Response (provided by Corporate Services)

1. What is Council's current budget on cyber resilience?

Council's current 2022/2023 budget on Cyber resilience is approximately \$400,000. This is not including any insurances taken out by council.

2. How much has Council spent in the last decade, year by year, on cyber resilience?

Council has invested in multiple products and services over the past decade. On average Council has incurred a cost of approximately \$300,000 per year with the most spent in one financial year (over the past decade) \$650,000. The cost is predicted to increase 15% year on year moving forward. As IT's budget does not specifically mention Cyber Resilience, the costs are based on Capital and operational expenditure. As new technology emerges and others depreciate, Council adjusts its budget based on the required technology and with consideration to the following years' projects.

3. What cyber assessments and certifications has Council undertaken, e.g. ISO-27001, Essential 8 Cyber assessment has been conducted?

Council has had a number of assessments conducted over the past 2 years. They were based on the security posture of the organisation against the Essential 8 and ISO 27001. Council's policies and procedures are all in line with these standards. A recent internal audit of cyber security was run by council's Internal Audit team and all recommended improvement initiatives identified in the report have since been remediated.

Council continually use Cyber tools which verify the cyber maturity (in real time) and

provides a priority list of actions which require remediation. Council continues to be agile in the enhancement of its Disaster Recovery Plan and testing.

In line with Council's Enterprise Risk Management process, identified risks are reported on and signed off by respective individuals.

4. Is a cyber incident included in BCP scenario testing?

Currently councils BCP (Business Continuity Plan) does not refer to cyber but refers to DRP (Disaster Recovery Plan). Within Council's DRP, there is a clear reference to Cyber. IT scenario tests its BCP and DRP quarterly in line with IT's preventative schedule.

5. How often does Council conduct penetration tests?

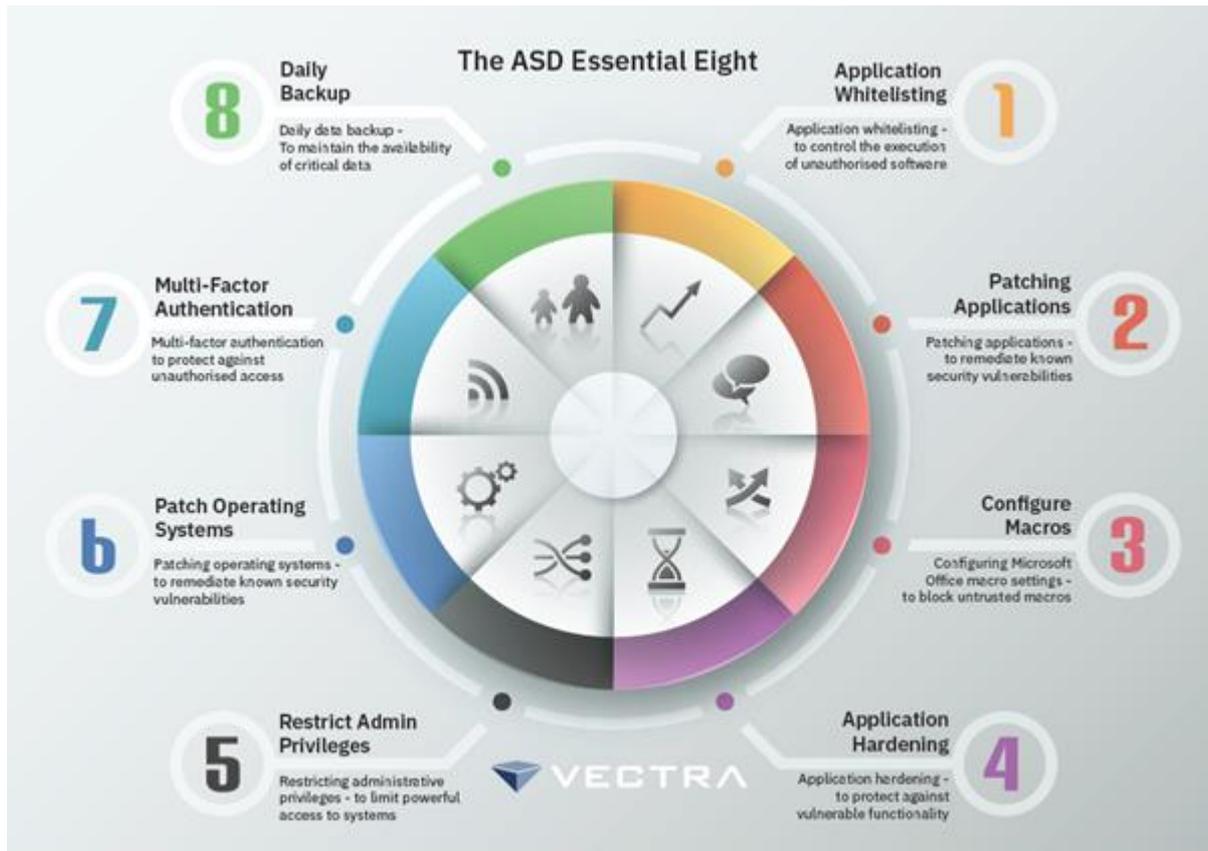
Internal Vulnerability Scanning with remediation is conducted weekly using Security assessment tools. External Vulnerability scanning with remediation is conducted Bi-Annually

6. When did Council last conduct a penetration test?

Last test August 2022 by Engaged Security partners.

Other Information

LCC IT continue to invest in cyber security technologies, processes and services. This has been scaling in an upward trend over the past 4 years. We have established a foundation by aligning Council to the Essential Eight maturity models (Formally known as ASD Essential Eight) and undergoing what is required to achieve at a minimum level 1 with a strong and progressive move into level 2.



Some of the methods we currently use to prevent cyber-attacks include:

- Continual Cyber Awareness and Training
- Artificial and behavioural intelligence
- Phishing/Vishing/Smishing Campaigns
- Current and relevant policies and procedures that align with ISO and Essential 8
- Physical security and Virtual appliances
- Backup resilience
- Network resilience
- Server resilience
- Internal Vulnerability Scanning with remediation conducted weekly by subscription-based tools.
- External Vulnerability scanning with remediation up to 2 times a year (Last test August 2022)
- Extensive Mail filtering tools with DMARC and SPF scanning
- Network monitoring, detection, and response tools
- Proactive and reactive security patching
- Continual Auditing of procedures and systems by internal and external auditors

- Regular DR Failovers
- DRP (Disaster Recovery Plan) and BCP (Business Continuity Plan) with scheduled simulated testing
- End Point protection and Security
- Relevant subscriptions
- Response Teams (partners)
- Auditing of systems and best practice setups
- Edge Next Generation Firewall
- Application Control
- Policy hardening

Councils and business are now investing in insurances to manage risk and ensure appropriate governance. It is become extremely difficult in sourcing insurance cover for cyber security due to the high-risk high impact environment. As Council is self-insured, we were able to secure cover for cyber-criminal attacks. The policy has a claim threshold of an aggregated amount of \$5m, with a per loss claim of up to \$2.5m. this has been deemed as being sufficient based on council's risk appetite and audit requirements.

ITEM NO: QWN 04
FILE NO: 376134.2022
SUBJECT: Question with Notice - Cllr Hagarty - Local Roads and Community Infrastructure (LRCI)

Background

The Australian Government's Local Roads and Community Infrastructure (LRCI) Program supports local councils to deliver priority local road and community infrastructure projects in the aftermath of COVID-19. In the recent budget, the Australian Government has committed an additional \$250 million on top of the previously announced \$500 million for the Local Roads and Community Infrastructure (LRCI).

Please address the following:

1. What projects has Council funded under this program?
2. What projects does Council plan to deliver with the additional funding?

Response (provided by Infrastructure and Environment)

In 2020, the Australian Government provided \$1.5 billion towards a new Local Roads and Community Infrastructure Program (LRCI Program). The LRCI Program supports local councils to deliver priority local road and community infrastructure projects across Australia, supporting jobs and the resilience of local economies to help communities bounce back from the COVID-19 pandemic.

Since this initial allocation, the Australian Government has released several rounds of funding under the LRCI Program, with the most recent \$750 million Phase 4 announcement bringing the total Australian Government commitment through the program to \$3.25 billion.

The intended outcomes of the LRCI Program are to:

- Provide stimulus to protect and create local short-term employment opportunities through funded projects following the impacts of the COVID-19; and
- Deliver benefits to communities, such as improved road safety, accessibility and visual amenity.

LRCI Phase 1-3

Through the first 3 phases of this program, Liverpool Council has received a total of \$11.2 million, which has been allocated as follows:

1. Phase 1 - \$1.4M - Schoeffel Park upgrade works in Horningsea Park which is now complete.

2. Phase 2 - \$6.9M - A total of 15 infrastructure renewal projects that have been brought forward from Council's long term priority program of works; these projects are now complete or nearing completion.

3. Phase 3 - \$2.9M - A total of 6 infrastructure renewal projects that have been brought forward from Council's long term priority program of works. These works are at various stages of the design and construction processes; 3 projects have now been completed with the remainder programmed for completion during the 2022-23 Program Year.

LRCI Phase 1			
Project Description	2020/21	2021/22	2022/23
Schoeffel Park - Landscaping Improvements (Complete)		\$1,400,000	
Subtotal Phase 1		\$1,400,000	
LRCI Phase 2			
Project Description	2020/21	2021/22	2022/23
Wattle Grove Childcare Centre - Building Improvements (Complete)		\$700,000	
Whitlam Leisure Centre - Building Improvements (Complete)		\$500,000	
Moorebank Library and Community Centre - Building Improvements (Complete)			\$300,000
Protection and Security Program - Various Community Centre Security Access Upgrades (Complete)		\$300,000	
Depot Administration Building - Building Improvements (Complete)	\$200,000		
Nineteenth Avenue, Hoxton Park - Road Rehabilitation (Programmed)			\$140,000
Paved Footpaths - Jack O'Sullivan Road, Nuwarra Road and Mary Crescent (Complete)		\$250,000	
Gibson Avenue, Casula (Reserve Road to East End) - Road Rehabilitation (Complete)		\$249,000	
Greenway Drive, West Hoxton (Cowpasture to Cowpasture) - Road Rehabilitation (Complete)			\$2,113,300
South Liverpool Road, Heckenberg (St Johns Road to Heckenberg Ave) - Road Rehabilitation (Complete)		\$615,000	

Project Description	2020/21	2021/22	2022/23
Romney Crescent, Miller (Cabramatta Avenue to Cabramatta Avenue) - Road Rehabilitation (Complete)		\$344,000	
Lucille Crescent, Casula (Reserve Road to De Meyrick Avenue) - Road Rehabilitation (Complete)		\$150,000	
Jacaranda Crescent, Casula (Old Kurrajong Road to Ironbark Avenue) - Road Rehabilitation (Complete)		\$900,000	
Bus Shelters - Moorebank Ave, Wattle Grove Drive, Huon Crescent, Ingham Drive and South Liverpool Road (Complete)		\$100,000	
Building Access Improvements - Bringelly, Casula, Greenway Park, Heckenberg and Hinchinbook Community Centres (Complete)		\$75,000	
Subtotal Phase 2	\$200,000	\$4,183,000	\$2,553,300
LRCI Phase 3			
Project Description	2020/21	2021/22	2022/23
Centenary Avenue, Moorebank (Heathcote to South End) - Road Reconstruction (Complete)			\$655,000
Mainsbridge Avenue, Liverpool - Flowerdale to Memorial - Road Reconstruction (Complete)			\$465,000
Pye Hill Reserve - Playground, pathways and landscaping (Programmed)			\$1,100,000
Ash Road Sports Ground - Playground (Complete)			\$100,000
Building Access Improvements - Bringelly, Voyager Point, Heckenberg and Frank Oliveri Community Centres; and Liverpool Neighbourhood Connections (Programmed)			\$270,432
Sports & Recreation Facilities Improvements - Hoxton Park Reserve, Scott Memorial Park and Whitlam Park (Programmed)			\$271,000
Subtotal Phase 3			\$2,861,432
TOTALS	\$200,000	\$5,583,000	\$5,414,732

LRCI Phase 4

The Australian Government has recently committed a total of \$750 million for Phase 4 of the LRCI Program, with funding for this round to be made available on 1 July 2023 for project completion by 30 June 2024.

A proposed program of works under this allocation will be delivered once allocation is known. The proposed program will be presented to Council in early 2023 as part of formulation of the 2023-24 FY Capital Works Delivery Program.

The primary focus of this grant funding allocation will be to improve Council's road network condition following the recent heavy rains and flooding across the Liverpool LGA.

ITEM NO: QWN 05
FILE NO: 376575.2022
SUBJECT: Question with Notice - C/r Rhodes - CMCA RV Parks

Background

A motion was resolved by Council through the Tourism and CBD Committee to investigate the opportunity for Liverpool to engage an RV Park in Liverpool LGA in 2018 and as no action was taken it was again requested this year.

The Campervan & Motorhome Club of Australia (CMCA) is a national organisation that establishes RV parks on Local Government land that is not being otherwise used by Council and is predominantly in flood zones.

The Parks are for fully contained RV's who have no need for electricity, toilet facilities or other such amenities normally associated with camping sites.

The park is developed at no cost to Council, which includes the installation of a single road, Dump Station and Water station. It is supervised by one full time attendant supplied by CMCA who lives in a RV situated at the Park and whose duty is to maintain the park and monitor the visitors who can only access the park for short stay periods.

There is no permanent infrastructure and all vehicles simply drive out of the area and the park is closed if and when there is a threat of flood.

The benefits to Council is that:

- It does not cost anything;
- Council receives an income from land that they otherwise would not;
- The visitor economy is boosted with additional visitor;
- If situated near the Georges River it helps to activate the River;
- Deters homeless people from taking up camp during summer and littering the foreshore;
- It helps to keep the Georges River foreshore well maintained cleaner and safer at no cost to Council.

Please address the following:

1. Has Council investigated this opportunity as requested?
2. What possible sites were looked at?
3. What was the eventual outcome?
4. What determined that outcome?
5. Why was there not a report back to the council about the considerations of Council on this matter?

Responses (provided by City Economy and Commercial Development)

1. Has Council investigated this opportunity as requested?

As per the minutes of the 29 June 2022 Council meeting, Council provided a response to a question with notice requesting an update on the progress of Council's engagement with establishing an RV Park.

Liverpool City Council commissioned a Destination Holiday Park Assessment by Lucid Economics in August 2020 to determine the feasibility of a holiday park within Liverpool's LGA ahead of the new Western Sydney Airport as part of the Destination Management Plan. The Study was presented to the Tourism and CBD Committee on 20 October 2020.

Recommendations from the study were that an RV Park is likely to be more feasible near the Georges River while a Holiday Park is more likely to be successful in the Aerotropolis, with proximity to the Western Sydney Parklands and the family activities associated with that area.

Officers engaged with the Campervan and Motorhome Club of Australia (CMCA), the peak body for RV users in Australia, to understand specific location criteria. Various sites were investigated prior to the visit to determine suitable topography, geographic location, proximity to amenity and size to present to CMCA. Council officers regularly met with CMCA prior to their visit to determine the best sites to showcase.

Any proposed arrangement should be consistent with the Council's guiding principles under section 8A of the Local Government Act 1993, including fairness (8A(1)h)) and obtaining best value for money (8A(1)(b)). There may be procedural requirements that must be met, depending on the nature of the proposed arrangement (examples include tendering for services, public notice of certain leases or licences, and notification to OLG of public private partnerships).

2. What possible sites were looked at?

Multiple sites were explored during CMCA's visit to Liverpool in February 2021 including:

- Heron Park, Chipping Norton
- Angle Park, Chipping Norton
- Casula Parklands, Casula
- Bringelly Community Centre
- Barefoot Water Ski, Moorebank
- Casula Parklands

CMCA was hesitant about exploring opportunities near Western Sydney Airport due to their criteria for access to major transport infrastructure, manoeuvrability and access for RVs, proximity to shopping centres and public transport, public open space and potentially water-based outlook sites.

CMCA identified a potentially suitable location adjacent to the NSW Barefoot Water Ski Club in Helles Park, Moorebank. Negotiations progressed with the Ski Club and CMCA. They both indicated in-principle support for the proposal.

However, because the site is in a high-risk flood area, the Liverpool Development Control Plan 2008 part 1.9 (high flooding risk) prevents development of an RV park on the site.

Council staff explored opportunities for CMCA to co-share land with local sporting groups, but no suitable sites were identified.

3. What was the eventual outcome?

The preferred land is unsuitable due to flood controls. Council has now introduced CMCA to neighbouring Councils, including Camden and Wollondilly, to ensure the opportunity stays within Southwest Sydney. The City Economy team will continue to monitor local sites for future suitability should a site become available.

Further options are being considered as part of the Georges River Spatial Framework to provide opportunities for Glamping and eco-camping and alternative low impact tourism accommodation above the 1:in 20 flood levels in the Riverside Park and Chipping Norton Lakes.

4. What determined that outcome?

Because the site is in a high-risk flood area, the Liverpool Development Control Plan 2008 part 1.9 (high flooding risk) prevents development of an RV park on the site. There are also risks in electrical and sewage systems and consideration of evacuation routes for an RV Park.

5. Why was there not a report back to the council about the considerations of Council on this matter?

Advice was provided at the 29 June 2022 Council meeting that there would be an update to the December 2022 Council Meeting. This response provides the latest information available, therefore no further advice will be provided to the December 2022 meeting.

ITEM NO: CONF 03
FILE NO: 379041.2022
SUBJECT: Opportunity to Purchase a site for Waste and Resource Recovery Centre

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

That this matter be moved into confidential session pursuant to the provisions of s10A(2)(c) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

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

COUNCIL IN CLOSED SESSION:

Council moved into closed session at 4.08pm.

COUNCIL DECISION

Motion: **Moved: Clr Goodman** **Seconded: Clr Ammoun**

That Council:

1. Purchase the property identified in the report for the price and on the terms as outlined in this report;
2. Notes the intended use of the property is related to discharge of its Domestic Waste Management Function and agrees that the purchase is financed by charges collected for that purpose;
3. Authorises release of up to \$5 million from its current Domestic Waste Management Reserve towards the funding of the purchase and infrastructure works;
4. Approves borrowing of funds up to \$32.7 million on a 20-year fixed term loan;
5. Resolves to increase its annual Domestic Waste Management levy (effective from 1 July 2023) by an amount required to fully service the loan;
6. Notes that an updated Long-term Financial Plan is to be submitted to the Council meeting on 14 December 2022 seeking Council endorsement;
7. Authorises the A/CEO to seek loan funding from NSW Treasury Corporation concurrently with Commercial Banks;
8. Authorises the A/CEO and Mayor to execute any documentation in relation to the loan application;

9. Delegates authority to, and directs the A/CEO and her delegates to, enter into negotiations to finalise the terms of the draft contract of sale in accordance with the independent legal review for the price and terms outlined in this report;
10. Delegates authority to, and directs the A/CEO and her delegates to negotiate the termination of any existing leases if required;
11. Upon settlement of the purchase classify the land as “Operational” Land;
12. Authorises its delegated officer to execute any documents to enter into agreement (an exchanged contract or option agreement) up to the amount authorised at this meeting, to take the property off the market, allowing Council to exit out of the agreement should final finance not be approved, subject to the loss of the amount authorised at this meeting;
13. Authorises its delegated officer to execute any documents, under Power of Attorney necessary to give effect to this decision;
14. Keeps confidential this report pursuant to the provisions of Section 10A(2)(c) of the Local Government Act 1993 as this information would, if disclosed confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business; and
15. Anticipated settlement subject to satisfying the funding requirements to be end of March 2023.

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

Division:

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

Vote against: Clr Green, Clr Hagarty, Clr Harle, Clr Kaliyanda and Clr Karnib.

Clr Macnaught left the Chambers at 5:04pm.

- Information from staff who have left, example exit interviews for the culture.
- Compliance subject to recent speeches in Parliament.
- How planners interact with the public in terms of when the question is asked, for example, where a DA is up to and what is the process of that connection with the public.

The reports to come back to Council at the December and February 2023 Council meeting.

The costs to be funded from either the investigations budget with Internal Ombudsman or Internal Audit or the CEO contingency budget.

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

During discussion Clr Hagarty declared a pecuniary interest in the urgency motion listed above as he has a DA currently before Council.

Clr Hagarty left the Chambers at 5.28pm.

Clr Hagarty returned to the Chambers at 5.32

ITEM NO: QWN 02
FILE NO: 375907.2022
SUBJECT: Question with Notice - Clr Hagarty - Liverpool Local Planning Panel

Please address the following:

1. Who are the current Community Representatives on the Liverpool Local Planning Panel?
2. What is the process for selecting Community Representatives to the Planning Panel?
3. Do Community Representatives on the panel have to reside within the Liverpool LGA?
4. What skills and experience are Community Representatives required to have?
5. Are Panel members appointed by the elected Council?
6. When were each of the current Community Representatives appointed?

Response (provided by Planning and Compliance)

1. Who are the current Community Representatives on the Liverpool Local Planning Panel?

The current Liverpool Local Planning Panel Community Representatives are:

- Darryl Hawker
- Stephen Dobell-Brown
- Ellie Robertson
- Aaron Colley

2. What is the process for selecting Community Representatives to the Planning Panel?

The process is as follows:

- A review panel, made of three (3) Council Officers is established, and selection criteria to which Applicants will need to address is prepared and agreed to.
- An Expression of Interest (EOI) is issued for a twenty-eight (28) day period via Council's website, social media pages and the Sydney Morning Herald.
- Following the above, applications received are reviewed and scored by each panel

member against the established selection criteria, and the applications ranked chronologically.

- A memo is prepared which itemises the panel's recommendations and is issued to the Chief Executive Officer (CEO) for endorsement.
- Following CEO endorsement, letters of appointment / letters to unsuccessful candidates are prepared and issued accordingly.

3. Do Community Representatives on the panel have to reside within the Liverpool LGA?

Community representatives are required to reside within the Liverpool LGA.

4. What skills and experience are Community Representatives required to have?

The selection criteria to which the current community representatives were required to address, and subsequently evaluated against, is as follows:

- Be current residents within the Liverpool Local Government Area (LLGA).
- Have knowledge and awareness of the Liverpool LGA and issues of concern to the local community.
- Be able to represent and communicate the interests of the local community.
- Have an understanding of the planning process and assessment issues (but are not expected to be experts).
- Commit to attending the LPP meetings and contributing constructively to the determination of applications.
- Be willing to adhere to the LPP code of conduct and operational procedures.

5. Are Panel members appointed by the elected Council?

The appointment of the current LPP Community Representatives was endorsed by the Chief Executive Officer (CEO). The CEO has historically appointed LPP Community Representatives since the inception of the LPP (formerly the Liverpool Independent Hearing and Assessment Panel (IHAP)).

6. When were each of the current Community Representatives appointed?

The current LPP Community Representatives were appointed on 12 April 2022, for a two (2) year period.

ITEM NO: NOM 02
FILE NO: 376199.2022
SUBJECT: School Drop Off Zone

Background

Schools have to be accessed by the public at least twice a day for approximately 200 days a year, in order to drop off and pick up students who attend a school.

Buses have sometimes been accommodated in the plans surrounding schools so that they have an access point off the main flow of traffic and parking issues, but even this is not done in all cases.

Parents dropping their kids off in private vehicles are currently not so well accommodated and this is causing havoc on the public roads, illegal parking and creating unacceptable dangerous situations.

The matter is made even worse when schools grow and as a consequence so do student numbers exasperating the situation. The Liverpool LGA is particularly prone because we are one of the most significant growth centres in NSW and our population is continually growing.

We have one example of the public school along Flowerdale Road growing and utilising all available space within the school boundary for building infrastructure to house the increase in students, and what small drop off zone they had within the boundary of the school has now disappeared and the new drop off zone is the surrounding public roads. This is happening or is in threat of happening at all the schools in the Liverpool LGA in brown built areas, whilst new schools in our growth centres are being built without addressing the problems with traffic, parking and safety sufficiently in the submitted DAs.

It is unreasonable that the Department of Education is abusing public roads in this fashion.

It is not acceptable that the needs of the school to ensure safe opportunities for students to be dropped off at schools is not being catered for by the Department of Education.

I ask Council to consider the consequences if a private individual were to disrupt the flow of traffic or utilise parking on a public road for their private needs, every day, twice a day, 200 days a year, would that be tolerated by Council, or by the Police.

When a special event is held that is going to disrupt traffic/parking, there is a process that organisers have to apply for permission and submit a DA for the event, and the police would be engaged to handle the traffic in a safe and efficient manner.

All schools everywhere hold the equivalent of a special event at their school every day twice a day for 200 days a year, and yet no measures are taken to ensure the free flow of traffic,

ITEM NO: NOM 03
FILE NO: 377313.2022
SUBJECT: Permanent Home for the City of Liverpool and District Historical Society Inc.

Background

The City of Liverpool and District Historical Society Inc. was established in 1959 by a small group of residents who were from old Liverpool families such as Fitzpatrick, Collimore, Rowe, Kelly, Hill and Havard. They were proud of Liverpool's history and were committed to preserving and promoting its unique story. Their first meeting was held at the old Liverpool Town Hall on Moore Street in 1959 and was presided over by the then Mayor Ron Dunbier who was also a member. Since then, the society has lead a nomadic existence in its search to find a home. From the old Liverpool Hospital/TAFE to the now demolished Colonial Hall to the Old Court House to our once home at the Bi-centennial Museum. In the fourth oldest town in Australia, we are still looking for an appropriate heritage place to call a permanent home. Our collection is currently stored in 'Eber's Bunker' under Liverpool Library. We look forward to the day when we will have a home for some of our approximately 10,000 items to be permanently displayed for residents and visitors to Liverpool to enjoy, learn and understand our rich and unique history.

The City of Liverpool and District Historical Society deserves a permanent home with exhibition space, it needs to be a part of Liverpool's tourism assets. It needs to be visible to visitors. Its space could also be used as an easily recognisable site from which vital visitor information could be made available to the public.

Finding a permanent home for the City of Liverpool and District Historical Society has been an objective of this Council for generations. During last term of Council, I moved the motion for Council to provide a temporary home within the Library for a small permanent public display area.

The Library was always known to be temporary provision and although grateful for Council to have made that possible it falls far short of a permanent solution.

City of Liverpool and District Historical Society has a vital part to play in the delivery of the Liverpool story and the Liverpool visitor experience. We need a now to address this issue and deliver a permanent home for the City of Liverpool and District Historical Society.

ITEM NO: NOM 04
FILE NO: 377323.2022
SUBJECT: Tourism - Multicultural Museum and Cultural Performance Space

Background

One of Liverpool's greatest tourism asset is its people.

Our vast multicultural population and cultural diversity can be utilised to provide Liverpool with a Tourism attraction that will boost our visitor economy.

Matavai is just one of the cultural bodies that could form part of the opportunity for Liverpool to utilise our cultural diversity and deliver a unique tourist attraction for both national and international visitations.

They, like many of our diverse cultures have very already organised and operating cultural performing arts as just one part of their contributions back into our Community. The performances and cultural activities are already established and already acknowledged for their excellence not only nationally but also internationally.

There is a need for our multicultural communities to have a performance, cultural creative, and museum space, capable of meeting the needs of our growing multi-cultural population here in Liverpool.

There is a proven business case for such a facility when considering number of attendees and number of already operating cultural communities here in Liverpool, who have expressed a desire to be able to participate in a facility in Liverpool if it was available.

There are currently only two other spaces in Western Sydney that have the existing infrastructure to accommodate the performance spaces needed and they are all outside the Liverpool LGA. These spaces are often booked out and not available to service the needs of Liverpool's own multicultural populations.

There are currently no other facilities that cater for the multicultural community in the one purpose built facility that, meets all their needs.

There is reason to believe that Government Grants would be favourable for facilities in South West Sydney that cater for all the needs of the multi-cultural communities and in particular the South Pacific cultures in order to establish and grow our relationships in view of recent political challenges in that region.

There is great competition between all South West Sydney LGA's to be able to provide facilities in the multicultural space. Many of our own Liverpool cultural communities are being head hunted to form partnerships to support facilities that might be provided by the other LGA's.

Our multicultural communities are loyal to Liverpool and are calling out for any opportunity that may be made available for them to remain and perform, and continue support, and grow their communities here in their home of LIVERPOOL.

NOTICE OF MOTION (submitted by Cllr Rhodes)

That Council:

1. Make whatever arrangements necessary to provide the space requirements to support Matavai Cultural Arts Centre within CPAC as soon as possible.
2. Present to Council a report on options to include a Multicultural Living Museum in either:
 - a. The Visitation Precinct; or
 - b. The upgrade of Lighthouse Park.
3. Provide a workshop on the delivery of the Visitation Precinct by February 2023.

COUNCIL DECISION

Motion:

Moved: Cllr Rhodes

Seconded: Mayor Mannoun

That Council:

1. Explore opportunities as discussed with Matavai Cultural Arts Centre and Casula Powerhouse Arts Centre (CPAC) to provide the space requirements to support Matavai Cultural Arts Centre within CPAC as soon as possible;
2. Present to Council a report on options to include a Multicultural Living Museum in either:
 - a. The Visitation Precinct; or
 - b. The upgrade of Lighthouse Park.
3. Provide a workshop on the delivery of the Visitation Precinct by February 2023;
4. Direct the Acting CEO to come back with fees and charges;
5. Find an appropriate process for engagement; and
6. Also identify the benefits for supporting such an organisation as this and the additional benefit to the visitation economy of Liverpool.

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

Councillors voted unanimous for this motion.

ITEM NO: NOM 05
FILE NO: 377374.2022
SUBJECT: In Support of Iranian Women in Our Community

Background

It has often been said in this Chamber and at many community and public events that Liverpool is a successful and cohesive multicultural community. As a liberal democratic nation we respect the diversity of culture, religion and the freedom of expression.

We, as community are able to join together in to celebrate significant cultural festivals and religious traditions throughout the year. Indeed, Council supports and pursues funding for events such as Blessed Nights, Starry Sari Night, Christmas and Easter events.

Council has also supported and made practical donations when crises and tragic events have occurred in countries outside the borders of Liverpool LGA, and impact members of our community here such as eruption of volcano in Tonga, the explosion in Lebanon and flooding in India and Pakistan.

And rightly so, because this is what community is, we celebrate with one another, we care for one another in times of sorrow and tragedy. Our sense of community extends beyond the delights of food, culture and tradition.

For over 40 days the streets of Iranian cities and provinces have been filled with women-young women, older women- mothers, sisters, aunts and grandmothers. Many men join the women marching, school and university students have staged sit-ins in protest in response to the death of Mahsa Amini.

Human rights organisations report at least 233 people have been killed in the protests so far.

Iranian women in our community seek our support.

NOTICE OF MOTION (submitted by Cllr Kaliyanda and Cllr Green)

That Council:

1. Recognises the concerns of the Iranian-Australian and Kurdish-Australian community regarding the deaths, incarceration and brutality of the crackdown currently occurring in Iran.
2. Write to local State members, Paul Lynch MP and Melanie Gibbons MP, and Federal members, Dai Le, Jenny Ware and Anne Stanley within the fortnight to urge to the Federal and State Governments to advocate for the Iranian Government to:

- Cease the killing and brutality against its own people.
- Release all those unfairly incarcerated as a result of the recent protests.
- Return and normalise basic communications for the people of Iran.
- Recognise the right to free speech, to protest and to seek social reform.

COUNCIL DECISION

Clr Kaliyanda withdrew this item.

ITEM NO: NOM 06
FILE NO: 377388.2022
SUBJECT: Support for Sydney Statement on Anti-Palestinianism

Background

The Sydney Statement on Anti-Palestinianism was developed by the Arab Australian Federation in consultation with leading community figures. The statement quotes nonviolent means and international law to achieve a just and lasting peace between the parties.

The Statement consists of eight key principles

1. Anti-Palestinianism exists when Palestinian people are denied rights enshrined in the Universal Declaration of Human Rights & all other relevant instruments of international law including UN resolutions.
2. The Palestinian people are entitled to their own state. A Palestinian State is consistent with international law, UN resolutions and over 30 years of international negotiations. This is reflected in the recognition of the state of Palestine by 139 member nations of the UN. Anti-Palestinianism is flagrant when this right is undermined by settlements and acts of annexation, both illegal under international law.
3. Palestinians who have committed to non-violent means to nationhood are entitled to all legitimate means of protest and advocacy. Palestinian leaders deserve respect and engagement not isolation and boycott.
4. As part of the international community, the Palestinian people have an inalienable right to membership of international organisations, in line with these organisations' by laws including but not limited to the International Criminal Court, UNESCO, Interpol, International Court of Justice and others.
5. Palestinians have the right, in accordance with international law, to engage in resistance against unlawful policies and practices of the Israeli occupation of Palestinian land. They are entitled to present to the world their case, supported by evidence and legal argument, that Israeli authorities have disposed, confined, forcibly separated, evicted and subjugated the Palestinian people.
6. Noting the UN's recognition of the State of Israel in 1949 was conditional on Israel's acceptance of the Right of Return (Resolution 194, article 11), Palestinians are entitled to advocate their right of return as part of a just and lasting peace between the parties.

THE MEETING CLOSED AT 6.33pm.

<Signature>

Name: Ned Mannoun

Title: Mayor

Date: 14 December 2022

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 16 November 2022. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.



**MINUTES OF THE EXTRAORDINARY MEETING
HELD ON 6 DECEMBER 2022**

PRESENT:

Mayor Ned Mannoun
Councillor Ammoun
Councillor Goodman
Councillor Green
Councillor Hadid
Councillor Hagarty
Councillor Harle
Councillor Kaliyanda (online)
Councillor Karnib (online)
Councillor Macnaught
Councillor Rhodes
Mr David Galpin, General Counsel, Manager Governance, Legal and Procurement
Mr George Georgakis, Manager Council and Executive Services

The meeting commenced at 2.31pm.

**STATEMENT REGARDING
WEBCASTING OF MEETING**

The Mayor reminded everyone that in accordance with Council's Code of Meeting Practice, the meeting is being livestreamed.

**ACKNOWLEDGMENT OF COUNTRY,
PRAYER OF COUNCIL AND
AFFIRMATION TO BE READ BY**

The prayer of the Council was read by Mr George Georgakis, Manager Council and Executive Services.

NATIONAL ANTHEM

The National Anthem was played at the meeting.

MAYORAL MINUTES

ITEM NO: MAYOR 01
FILE NO: 425375.2022
SUBJECT: Appointment of Acting Chief Executive Officer

The position of Chief Executive Officer became vacant on 08 November 2022. Council is required under section 336(1) of the *Local Government Act 1993* (The Act) to appoint a person to the vacant position or appoint a person to act in the vacant position.

Under section 351 of the Act, Council may appoint a person to the position temporarily for a period of no more than 12 months.

Recommendation:

That Council:

1. Notes that the position of CEO became vacant as of COB on Tuesday, 08 November 2022 and the former incumbent has returned to their substantive position.
2. Appoints Tina Bono as Acting Chief Executive Officer, with all delegated authority currently assigned to the position Chief Executive Officer, for up to 12 months from 9 November 2022 or until such time as a new permanent Chief Executive Officer appointed, and commences in the position, whichever is the lesser period.
3. Delegate authority to the Mayor to negotiate on behalf of Council, suitable terms with Mrs Bono (Acting CEO) for their appointment to the role of Acting Chief Executive Officer.
4. Notes that the final decision to appoint a Chief Executive Officer, will be made by the Council, as required by S.344 of the *Local Government Act 1993*.

COUNCIL DECISION

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

That the recommendation be adopted.

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

COUNCIL IN CLOSED SESSION

Mayor Mannoun advised that Council would now move into Closed Session to deal with Item MAYOR 02 – Selection of Chief Executive Officer in accordance with the provisions of s10A(2)(a) of the *Local Government Act 1993* because it contains personal matters concerning particular individuals (other than Councillors).

All Council staff left the Chambers for the duration of the item.

ITEM NO: MAYOR 02
FILE NO: 425375.2022
SUBJECT: Selection of Chief Executive Officer

Recommendation:

1. That the Mayoral Minute to the Extraordinary Council Meeting on 6 December 2022 in Closed Council in relation to the recruitment and appointment of a Chief Executive Officer for Liverpool City Council be received and noted.
2. That the three candidates selected by the Recruitment Panel on 3 December 2022 present separately to Council in closed session, with 10 minutes allowed at the end of each presentation for Councillor questions to the candidates.
3. At the conclusion of the candidate presentations, Councillors vote for the candidate of their choice and the candidate who receives the highest number of votes be named as the successful candidate.
4. In the case of a tie in votes for candidates, the Mayor will cast the deciding vote.
5. That the recommended successful candidate be offered the position of Chief Executive Officer of Liverpool City Council and the Council delegate to the Mayor, with advice from the Recruitment Consultant, to finalise negotiations based on the following:
 - a) A five (5) year performance-based Contract, as advertised.
 - b) An annual total remuneration package to be kept confidential.
 - c) The contract of employment being in accordance with the standard contract required by the Office of Local Government.
 - d) Adoption of the Council Policies in Schedule A of the contract relating to entitlements provided to the Chief Executive Officer.
 - e) Commencement of the contract on a date to be negotiated, and in any event, as soon as practicable.

6. That no public announcement of the name of the successful candidate be made until the Mayor has obtained a written acceptance of the offer from the preferred candidate.
7. That should the preferred candidate for whatever reason decline the offer the second preferred candidate be offered the position on the same terms and conditions.
8. That the Employment Contract between the appointee and the Council be executed under the Common Seal of the Council.
9. That Council nominates the members of the Recruitment Panel (being Mayor Mannoun and Councillors Green, Macnaught and Rhodes) to be members of the Chief Executive Officer's Performance Review Panel.
10. That the Chief Executive Officer be invited to nominate a Councillor of their choice as a representative on the Performance Review Panel.
11. That the Council delegates to the Performance Review Panel the performance management process including the signing, within three months of commencement of the Chief Executive Officer's Performance Agreement from date of commencement, in accordance with the contract of employment.
12. That the Council appoints an independent facilitator for a period of six months for professional services up to the value of \$10,000, to assist in the performance management and review process and to provide advice and support to the Mayor and Chief Executive Officer.
13. That the Council seeks two quotations for the subsequent role as an independent facilitator to assist in the performance management and review process and to provide advice and support during the year for the Mayor and Chief Executive Officer, and delegates the appointment of the ongoing independent facilitator to the Performance Review Panel.
14. That the Council undertakes a performance review against the agreed criteria following the completion of the first six months in the role and every six months thereafter.

RECESS

Mayor Mannoun called a recess at 5.05pm.

RESUMPTION OF MEETING

Council resumed the meeting at 5.11pm in Closed Session.

Clr Hagarty and Clr Kaliyanda retired from the meeting at 5.49pm.

THE MEETING CLOSED AT 6.01pm.

<Signature>

Name: Ned Mannoun

Title: Mayor

Date: 14 December 2022

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 6 December 2022. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.



**MINUTES OF THE ORDINARY MEETING
HELD ON 14 DECEMBER 2022**

PRESENT:

Mayor Ned Mannoun
Councillor Ammoun
Councillor Goodman (online)
Councillor Green
Councillor Hadid
Councillor Hagarty
Councillor Harle
Councillor Kaliyanda
Councillor Karnib
Councillor Macnaught
Councillor Rhodes
Mr John Ajaka, Chief Executive Officer
Ms Tina Bono, Acting Chief Executive Officer
Mr Paul Perrett, Director Corporate Services
Mr Craig Donarski, Acting Director Community & Culture
Mr David Smith, Director Planning & Compliance
Mr Peter Diplas, Director City Presentation
Mr Raj Autar, Director Infrastructure & Environment
Mr David Galpin, General Counsel, Manager Governance, Legal and Procurement
Mr Vishwa Nandan, Chief Financial Officer
Mr George Hampouris, Head of Audit, Risk & Improvement
Mr George Georgakis, Manager Council and Executive Services
Ms Susan Ranieri, Coordinator Council and Executive Services (minutes)

The meeting commenced at 2.00pm.

**STATEMENT REGARDING WEBCASTING
OF MEETING**

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

**ACKNOWLEDGMENT OF COUNTRY,
PRAYER OF COUNCIL AND
AFFIRMATION**

The prayer of the Council was read by Reverend Matthew Bales from Liverpool South Anglican Church.

ITEM NO: COND 01
FILE NO: 2021/5254
SUBJECT: **Condolence Motion - Ms Alison Megarrity** (read by Mayor Mannoun)

Today, we pause to honour the memory of Alison Megarrity, who passed away on 15 November 2022 at the age of 61.

Alison was a former Councillor of Liverpool City Council serving one term from 1994 – 1999, before being elected to the new seat of Menai in 1999.

During that period, she advocated strongly for the area and is credited with helping to have several major infrastructure projects delivered.

They included the high-level Woronora Bridge, Bangor Bypass (stages one and two) and the Alford's Point Bridge duplication.

Along with the multi-million-dollar road and bridge projects she helped deliver, her other achievements included successful lobbying for upgrades to local schools and the redevelopment of Liverpool Hospital.

She would hold the seat of Menai for the next 12 years until she retired at the 2011 election to care for her husband Robert during a period of ill health.

To echo the thoughts of one of her Parliamentary colleagues Barry Collier, Alison was "the epitome of the very best local MP- always putting her constituents ahead of personal ambition and serving her community with a vigour, an energy and a passion few could match".

In her 1999 inaugural speech, Alison promised to represent her constituents without fear or favour. She touched the lives of many people and will be remembered as a very special, selfless person who gave so much of herself.

In her final speech to the House in 2011, Alison said, "I know in my own heart, I could not have worked any harder".

Alison was very well liked and very well respected by colleagues on both sides of Parliament and truly made a difference to the community she represented.

After she left Parliament, Alison worked tirelessly as president and secretary of the Former Members' Association, a voluntary, non-partisan organisation, which raises issues of concern with current members and donates annually to a NSW children's charity.

Alison is survived by her husband Robert and her sons Liam and Glyn. On behalf of Liverpool City Council, I humbly express my deepest condolences to her family and friends.

Our thoughts and prayers are with Alison's loved ones during this difficult time.

May she rest in peace.

ITEM NO: COND 02
FILE NO: 2021/5254
SUBJECT: **Condolence Motion - Mr William James Masterton OAM** (read by Mayor Mannoun)

Today, we pause to honour the memory of William James Masterton OAM, known as Jim Masterton, who passed away peacefully at home on 16 November 2022, just short of his 93rd birthday.

60 years ago in 1962, Jim founded the Masterton building company and worked tirelessly to create a building empire that has delivered 60,000 homes to Australian families across NSW.

Jim was an innovator at heart, and a true pioneer of the Australian building industry. He transformed the home building market with the introduction of pre-assembled trusses and frames as well as pioneering the use of concrete slabs and introducing the concept of Knock Down Rebuild (KDR). All these innovations are now standard in the housing industry.

One of his biggest achievements was to open the Warwick Farm *"Field of Dreams"* Display Village in 1983, with the then NSW Premier Neville Wran in attendance.

In 2005, Jim received an Order of Australia Medal (OAM) in the Queen's Birthday Honours list, in recognition of his significant contribution to the housing industry. He was also presented with a Life Member Status by the HIA. Jim also became the most awarded builder in Australia, something he was immensely proud of.

'I'm Jim Masterton and I wouldn't have it any other way.'

It is the iconic slogan that summed up Jim's life-long values of quality home building. He was a true icon and achieved more in his lifetime than most would over dozens of lifetimes. He provided incomes and business opportunities for thousands of people in the building industry and was highly regarded by anyone who knew him.

Today The Masterton Group employs hundreds of full-time staff and contractors.

Jim was also one of Liverpool's most generous corporate citizens who supported many local charitable institutions. For many here in Liverpool, Jim built much more than homes, he built a better quality of life.

On behalf of Liverpool City Council, I humbly express my deepest condolences to Jim's wife Marjorie, his children, grandchildren, great-grandchildren, and his extended family and friends. Our thoughts and prayers are with Jim's loved ones during this difficult time.

May he rest in peace.

Clr Kaliyanda declared a non-pecuniary, less than significant interest in the following item:

Item: CONF 04 - 2023 Australia Day Awards

Reason: Clr Kaliyanda knows some of the nominees through working with the community as a Councillor.

Clr Kaliyanda remained in the Chambers for the duration of this item.

Clr Kaliyanda declared a non-pecuniary, less than significant interest in the following item:

Item: COM 01 – Grants Donations and Community Sponsorship Report

Reason: Clr Kaliyanda knows some of the applicant organisations through her work in the community and she is also an ordinary member of the City of Liverpool and District Historical Society Inc.

Clr Kaliyanda left the Chambers for the duration of this item.

PUBLIC FORUM

Presentation – items not on agenda

1. **Ms Kerrie Fitzgibbon** addressed Council on the following item:
DA matter.

Motion: **Moved: Mayor Mannoun**

That a three minute extension of time be given to Ms Fitzgibbon.

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

Representation – items on agenda

1. **Ms Kate O’Connell**, from Moorebank Logistics Park, LOGOS addressed Council on the following item:

PLAN 01 – LOGOS Power Supply Upgrade.

MAYORAL MINUTE

Nil.

3. Endorses the funding recommendation of **\$15,000** (GST exclusive) under the **Matching Grant** for the following project:

Applicant	Project	Recommended
Kemps Creek United Soccer Club	Bill Anderson Reserve - Installation of Hybrid Grass to Playing Field Goal Mouths	\$15,000

4. Approves the donation of \$5000 to the Luddenham 2023 Show commensurate with their 'supreme' sponsorship package;
5. Supports the event through Council's advertising and media channels including but not limited to social media and Council's website; and
6. Writes to the President of the Luddenham AH&I Society Inc. thanking them for considering us as potential sponsors and notifying them of our intention to sponsor.

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

Clr Kaliyanda and Clr Hagarty returned to the Chambers 2:51pm.

ITEM NO: COM 02
FILE NO: 410937.2022
SUBJECT: Carnes Hill Recreation and Community Precinct Stage 2 - Revised Masterplan 2022

COUNCIL DECISION

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

That Council:

1. Receives and notes this report; and
2. Adopt Revised Masterplan of the Carnes Hills Recreation Precinct Stage 2.

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

ITEM NO: CTTE 02
FILE NO: 392722.2022
SUBJECT: Minutes of the Liverpool Local Traffic Committee meeting held on 9 November 2022

COUNCIL DECISION

Motion: **Moved: Cllr Kaliyanda** **Seconded: Cllr Ammoun**

That Council adopts the following Committee recommendations:

Item 1 – Brickmakers Drive, Moorebank – Proposed Pedestrian Bridge

- Approves the proposed pedestrian bridge north of Brickmakers Drive and the link road intersection. Detailed design to be submitted to TfNSW and the Police for their comments prior to installation.
- Community notification/s to be issued during construction.

Item 2 – Campbell Street, Bigge Street to Forbes Street, Liverpool – Proposed Road Closure by Liverpool Hospital

- A meeting be arranged inviting representatives of TfNSW, the Hospital and its traffic consultants to discuss a method to carry out a revised traffic impact assessment including appropriate redistribution of traffic flows after the road closure.
- Undertake community consultation to seek community feedback and be resubmitted to the Liverpool Local Traffic Committee for further consideration.

Item 3 – Traffic Speeding on Local Roads – Requests for Traffic Calming Devices

Approves installation of edge line markings in South Liverpool Road and Wonga Road.

Item 4 – Roads for Consideration of Indented/Verge Parking Bays

Approves the streets as indicated in the minutes for designs to be carried out and for installation of indented parking bays subject to funding allocation.

Item 5 – Regentville Drive, Elizabeth Hills – Request for Traffic Management Changes

Undertake community consultation on the three traffic management options as outlined in the minutes to seek community feedback and be resubmitted to the Liverpool Local Traffic Committee for further consideration.

Item 6 - Aviation Road/Airfield Drive/Regentville Drive, Elizabeth Hills – Proposed Modification for Blackspot

- Approves upgrade of the existing roundabout at the Aviation Road, Airfield Drive and Regentville Drive intersection with the road configuration as outlined in the minutes.

Item 7 – Fourth Avenue Intersections with Eleventh Avenue and Tenth Avenue, Austral – Proposed Roundabouts

Approves installation of dual lane roundabouts at the Fourth Avenue/Tenth Avenue and Fourth Avenue/Eleventh Avenue intersections with minor changes as indicated in the minutes.

Item 8 – Fourth Avenue and Gurner Road Intersection, Austral – Proposed Roundabout

- Approves in-principle installation of traffic management works including a roundabout at the Fourth Avenue/Gurner Road intersection, pedestrian crossing and bus bays at the college frontage.
- Detailed design including kerb and guttering along the southern side of Gurner Road, up to the pedestrian crossing and appropriate street lighting to be referred to TfNSW and the Police for review, prior to installation

Item 9 - Railway Street, Liverpool - Shared Space Project

- Approves installation of three parklets and associated sign posting changes as part of the first stage installation of a six-month trial revitalisation works.
- Detailed design of pavement markings with examples of other uses to be reviewed and approved by TfNSW and the Police prior to installation.

Item 10 – Grove Street, Casula – Outcome of Community Consultation on Proposed Road Closure at its intersection with Hume Highway

- Defer and undertake additional consultation with local residents and Ibis Hotel to identify a preferred option for the road closure.

- Undertake detailed design and present to the next scheduled meeting in February 2023 or at out of session meeting, if required, for further consideration.

Item 11 - Woodbrook Road, Casula – Road Reopening Traffic Facilities

Approves installation of traffic management works associated with Woodbrook Road reopening including four speed humps, one pedestrian refuge, shared path and two height limiters, as indicated in the minutes.

Item 12 - Approved Items Under Delegated Authority

Notes the approved items under delegated authority.

Item 13 - Dates for Traffic Committee Meetings in 2023

Endorses the Traffic Committee 2023 meeting dates to be included in the Corporate Calendar.

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

QUESTIONS WITH NOTICE

ITEM NO: QWN 01
FILE NO: 402259.2022
SUBJECT: Question with Notice - Clr Hagarty - 30km/hr in CBD

In an article in May 2022, the Roads Minister Natalie Ward was waiting on a formal proposal from Liverpool City Council about abolishing the 30km/h speed limit in the Liverpool CBD.

I understand community consultation has been undertaken and a formal proposal has been submitted.

Please address the following:

1. When was the proposal submitted?
2. Has Council received a response from the Minister?

Response (provided by Planning and Compliance)

1. When was the proposal submitted?

The Mayor moved a Mayoral Minute at the 2 February 2022 Council meeting (MAYOR 02) directing the A/CEO to write to Transport for NSW and the Minister for Metropolitan Roads requesting the 30km/h speed limit be lifted to 40km/h, similar to other city centres, to organise meetings with the Minister and other relevant stakeholders to achieve this and to prioritise this as a matter of urgency.

The council adopted this Mayoral Minute, and the A/CEO wrote to Transport for NSW following Council's resolution on 16 February 2022 and to the Minister for Metropolitan Roads on 17 February 2022. A copy of this correspondence is included in **Attachments 1 and 2**.

A meeting was held with the Mayor, A/CEO and the Minister for Metropolitan Roads on 24 May 2022. The Minister requested further details of the Council's proposal, including community consultation. Council undertook community consultation as requested which overwhelmingly supported a return to the 40km/h speed limit.

The Mayor formally wrote to the Minister for Metropolitan Roads on 20 October 2022 following the completion of community consultation with a proposal for consideration. A copy of that correspondence is included in **Attachment 3**.

ITEM NO: QWN 02
FILE NO: 418699.2022
SUBJECT: Question with Notice - Cllr Hagarty - Billboard

Background

Billboards have recently been erected in Liverpool featuring a quote about extra staff, supposedly from Council.

Questions

1. Who owns this billboard?
2. How much did the billboard cost?
3. Who authorised the sign?
4. Does the billboard comply with Council policy? If so which policy?

Response (Provided by the Office of the CEO – Communications Directorate)

1. Who owns this billboard?

The Billboard is a council asset. There is no rental cost. Artwork for council owned signs is created in house.

2. How much did the billboard cost?

\$386.17 was incurred for vinyl banner production.

\$600 was incurred for installation.

\$40 was incurred for freight and shipping costs.

3. Who authorised the sign?

The sign was requested on the 31 October by Communication Team and approved by the Communications Manager on 1 November through regular approval channels. The A/CEO was appraised of the back-to-basics messaging.

4. Does the Billboard comply with Council policy? If so which Policy?

The Mayor has a role as spokesperson for the governing body under section 226 of the Local Government Act 1993 which is consistent with the Council's endorsed Media Policy.

ITEM NO: QWN 03
FILE NO: 418930.2022
SUBJECT: Question with Notice - Cllr Green & Cllr Harle - Public Utilities and Council Processes in Managing Risk of Resident Injury and Council Duty of Care

Background

Council encourages public reports of problems that require attention, from maintenance issues to more serious problems that may be considered dangerous and pose a risk to public safety. Footpaths in particular can be a source of injury from trip hazards to broken concrete, holes and depressions that may potentially cause serious harm.

Please address the following:

1. The process and response when a resident reports a problem with footpaths particularly if the report concerns a potentially high risk of harm/injury?
2. Is an inspection of the reported issue carried out? And if not, why not.
3. When an inspection does occur and a risk of injury or harm determined and if so, what steps does Council staff take to ensure public safety in the interim prior to repair?
4. In the event a public utility such as Endeavour Energy, Telstra etc. is responsible for the section of footpath concerned what steps does Council take to:
 - a. Mitigate immediate risk of injury/harm to residents; and
 - b. Report the problem to the utility concerned and liaise with that utility for urgent repair.

Response (provided by City Presentation)

1. The process and response when a resident reports a problem with footpaths particularly if the report concerns a potentially high risk of harm/injury?

Residents are encouraged to report footpath maintenance issues via the Council's Customer Service Centre. A maintenance request is then allocated to a Field Inspector to assess the footpath to determine the severity of the maintenance required. In conducting the assessment, the Field Inspector will consider additional factors such as frequency of use and pedestrian safety. A priority rating for footpath repairs is then determined and the maintenance is programmed for permanent repair.

A footpath maintenance request that identifies a potentially significant safety risk is escalated for action as soon as possible to make the area safe until permanent repairs can be completed.

When a Field Inspector determines the footpath can remain in a serviceable condition for a significant period without the need for replacement, this maintenance work is given low priority. Footpaths that are likely to deteriorate quickly and are located along busy streets near shopping centers, schools, churches, and transport nodes where pedestrian movements are high, these maintenance works will be given high priority and permanent repairs will be arranged as soon as practicable.

2. Is an inspection of the reported issue carried out? And if not, why not.

Council's Field Inspectors inspect all customer requests and assess the severity, frequency of usage and extent of the repairs.

3. When an inspection does occur and a risk of injury or harm determined and if so, what steps does Council staff take to ensure public safety in the interim prior to repair?

The Field Inspectors responsibility is to ensure the footpath is safe for pedestrians, hence if the footpath requires immediate action, they will arrange to make the area safe by placing an asphalt ramp, cement mortar patching or grinding down the vertical footpath displacement. If the footpath has been severely damaged and it is in an area of high pedestrian activity, then the footpath will be cordoned off and arrangements made for immediate repair.

4. In the event a public utility such as Endeavour Energy, Telstra etc. is responsible for the section of footpath concerned what steps does Council take to:

- a. Mitigate immediate risk of injury/harm to residents; and**
- b. Report the problem to the utility concerned and liaise with that utility for urgent repair.**

a. Mitigate immediate risk of injury/harm to residents.

In the event of a public utility or their contractors being responsible for damaging the footpath, the Council Field Inspectors will assess the damage and make safe the risk of injury/harm to the public. Works will be programmed, and the responsible utility will be billed for make safe works.

b. Report the problem to the utility concerned and liaise with that utility for urgent repair.

When Council receives a complaint regarding the works carried out by a public utility or their contractors, Council Field Inspectors requests that the public utility or their contractors make the area safe immediately and monitor the footpath until the works have been completed.

If the risk/harm to the public is extreme the Field Inspector will coordinate immediately to make safe repairs and the public utility will be billed for make safe/repairs.

On completion of the works, Field Inspectors carry out a joint inspection with the public utility provider to ensure the footpath has been restored to its previous condition and there are no safety concerns.

CHIEF EXECUTIVE OFFICER REPORT

ITEM NO: CEO 01
FILE NO: 430384.2022
SUBJECT: Delegation requirement

COUNCIL DECISION

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

That Council approve the existing delegated authority until a further report is brought back to the 2023 Council meeting with a reviewed and updated delegation for the new Chief Executive Officer.

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

RECESS

Mayor Mannoun called at recess at 3.24pm.

RESUMPTION OF MEETING

Mayor Mannoun resumed the meeting at 3.46pm with all Councillors except Clr Goodman present.

Clr Goodman retired from the meeting during the recess.

Division Called:

Vote for: Clr Green
 Clr Hagarty
 Clr Harle
 Clr Kaliyanda
 Clr Karnib

Vote against: Mayor Mannoun
 Clr Ammoun
 Clr Hadid*
 Clr Macnaught
 Clr Rhodes.

The motion was lost on the Mayor's casting vote.

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

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

Note: Clr Goodman had retired from the meeting.

Foreshadowed motion: Moved: Clr Macnaught Seconded: Clr Rhodes

That Council

1. Leave the Planning Panel as is and continue the function as usual;
2. In 2023, a workshop be organised to define the process of recommendations to the panel should Councillors reject one or more of the presented recommendations; and
3. That future appointments be reported to Council.

The Foreshadowed Motion (moved by Clr Macnaught) then became the Motion and on being put to the meeting the motion was declared CARRIED.

ITEM NO: NOM 02
FILE NO: 415986.2022
SUBJECT: School Drop Off Zone

Background

Schools have to be accessed by the public at least twice a day for approximately 200 days a year, in order to drop off and pick up students who attend a school.

Buses have sometimes been accommodated in the plans surrounding schools so that they have an access point off the main flow of traffic and parking issues, but even this is not done in all cases.

Parents dropping their kids off in private vehicles are currently not so well accommodated and this is causing havoc on the public roads, illegal parking and creating unacceptable dangerous situations.

The matter is made even worse when schools grow and as a consequence so do student numbers exasperating the situation. The Liverpool LGA is particularly prone because we are one of the most significant growth centres in NSW and our population is continually growing.

We have one example of the public school along Flowerdale Road growing and utilising all available space within the school boundary for building infrastructure to house the increase in students, and what small drop of zone they had within the boundary of the school has now disappeared and the new drop off zone is the surrounding public roads. This is happening or is in threat of happening at all the schools in the Liverpool LGA in brown built areas, whilst new schools in our growth centres are being built without addressing the problems with traffic, parking and safety sufficiently in the submitted DAs.

It is unreasonable that the Department of Education is abusing public roads in this fashion.

It is not acceptable that the needs of the school to ensure safe opportunities for students to be dropped off at schools is not being catered for by the Department of Education.

I ask Council to consider the consequences if a private individual were to disrupt the flow of traffic or utilise parking on a public road for their private needs, every day, twice a day, 200 days a year, would that be tolerated by Council, or by the Police.

When a special event is held that is going to disrupt traffic/parking, there is a process that organisers have to apply for permission and submit a DA for the event, and the police would be engaged to handle the traffic in a safe and efficient manner.

All schools everywhere hold the equivalent of a special event at their school every day twice a day for 200 days a year, and yet no measures are taken to ensure the free flow of traffic,

3. Write to the NSW Department of Planning the State Minister for Education, and Transport NSW, after the 2023 State Election, urging co-operation and collaboration to deliver possible changes through Planning instruments and Legislation in order to provide safer access to school drop off and pick up zones that are contained inside the school property boundaries and not on public roads and or public footpaths.

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

ITEM NO: NOM 03
FILE NO: 420086.2022
SUBJECT: Mt Omei

Background

Mt Omei is a property on Leacocks Lane, Casula, located within Leacock Regional Park.

Wolf Klaphake, a German-born scientist and inventor who emigrated to Australia, was the patriarch of the family. He constructed a laboratory on the land, along with a homestead and outbuildings in 1946.

In 1976, several years after Wolf's passing, his wife, prominent local artist Alice Klaphake, established southwest Sydney's first private modern art gallery in the former laboratory. The gallery attracted a stream of local artists and to this day plays hosts to exhibitions by Australian artists. The property was later transferred to the NSW Government by Alice Klaphake.

In 2016, a heritage assessment commissioned by the National Parks and Wildlife Service (NPWS) found Mt Omei to have local heritage significance and that the property should be retained for community-related purposes.

Despite the findings of the heritage assessment, NPWS have initiated proceedings with the NSW Civil and Administrative Tribunal to evict the tenant of the property. With no tenant, the isolated location of the property places it at risk of vandalism and arson. NPWS' intentions for Mt Omei have not been made clear and there are fears for the future of the gallery. Mt Omei is an important marker of the immense contribution of migrants to the scientific and cultural legacy of Liverpool.

NOTICE OF MOTION (Submitted by Cllr Hagarty)

That Council:

1. Notes the heritage significance of Mt Omei as outlined in a heritage assessment commissioned by National Parks and Wildlife Service (NPWS) in 2016.
2. Write to NPWS as soon as practical to:
 - a. Reiterate the local heritage significance of Mt Omei
 - b. Seek clarification on its intentions for the building within Mt Omei

ITEM NO: CONF 06
FILE NO: 412540.2022
SUBJECT: Status update on Development Assessment Review

COUNCIL DECISION

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

That Council:

1. Receives and notes this report; and
2. Receives a further report and briefing on the outcomes of the review once completed.

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

ITEM NO: CONF 09
FILE NO: 420237.2022
SUBJECT: Updated: Long Term Financial Report 2023/ 2032

COUNCIL DECISION

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

That Council endorses its updated Long Term Financial Plan with identified variations included in this report.

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

THE MEETING CLOSED AT 4.31pm.

<Signature>

Name: Ned Mannoun

Title: Mayor

Date: 1 February 2023

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 14 December 2022. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.