



MINUTES OF THE ORDINARY MEETING HELD ON 3 FEBRUARY 2016

PRESENT:

Mayor Ned Mannoun
 Councillor Balloot
 Councillor Hadchiti
 Councillor Hadid
 Councillor Harle
 Councillor Karnib
 Councillor Mamone
 Councillor Ristevski
 Councillor Shelton
 Councillor Stanley
 Councillor Waller
 Mr Carl Wulff, Chief Executive Officer
 Mr Gary Grantham, Chief Financial Officer / Director Corporate Services
 Ms Toni Averay, Director Planning and Growth
 Ms Kiersten Fishburn, Director Community and Culture
 Mr Gino Belsito, Director City Presentation
 Mr Michael Cullen, Director Economy and Engagement
 Mr Raj Autar, Director Infrastructure and Environment
 Ms Carole Todd, Director Business Improvement
 Mr John Morgan, Director Property and Commercial Development

The meeting commenced at 6.11pm.

OPENING	6.11pm
PRAYER	The prayer of the Council will be read by Pastor John Keane from West Hoxton Community Church.
APOLOGIES	Nil

CONDOLENCES

Mrs Judy Pack to be read by Mayor Mannoun

It was with great sadness that council was advised late last week of the passing of Mrs Judy Pack MLO. Judy was a dedicated historian for Liverpool and helped to preserve and display much of our history to the public.

Many of us would be hard pushed to think of a member of our community more respected and more dedicated than Judy with her hardworking enthusiasm for Liverpool's history. Her work has been recognised time and time again in the NSW Parliament and with Australia day honours. We shall not soon forget her time here assisting council and our many historical societies. As president of the Liverpool and District Historical Society she was tireless in her efforts to ensure that the history of our city was maintained and accessible to all.

Judy served on a number of council committees being an integral member of the Heritage Advisory Committee ensuring that our city maintains a strong connection to the past. As Vice President and Secretary of the U3A she helped provide education and historical tours of Liverpool to our senior citizens. Her work with Rosebank Historical House was key to it being added to the State Heritage Register. In assisting the Liverpool Historical society preserving and creating a photo record of all their items she has left an invaluable database of our history available to everyone. I don't think any of us here would know a person more passionate about Liverpool's history and the importance of maintaining this link to our past. Her enthusiasm for what she did was infectious.

Her lifetime of work for Liverpool has left its mark on all who knew her. Many of council's staff have been deeply saddened by her passing and their condolences are added to ours. Liverpool has lost a champion of the community and she will be dearly missed.

CONDOLENCES

Mrs Judy Pack - read by Councillor Shelton

Judy Pack in recent times will be remembered for her contributions to the *City of Liverpool and District Historical Society* which itself was established in 1959. Judy Pack came to hold the highest office in the *Society*, including that of President on multiple occasions, and it is primarily through my membership of the *Historical Society* that I came to know her. More broadly she was however also committed to all of the communities' civic functions and was a regular attender and supporter, and for example also held executive positions with the Liverpool U3A, received in 2008 recognition in the form of an *Officer of the Order of Liverpool* award and on Australia Day 2015 she became *Liverpool's Senior Citizen of the year*.

On all accounts she led a full and active and fruitful and productive life, she was much loved by those who knew her. I am aware she was not without a sense of humour, and importantly and tellingly she remained active right till the last, and many people here met with her on Australia Day, last Tuesday week, only days prior to her passing.

I humbly extend my condolences to her family members, many of whom I have met, and know her spirit including her community spirit will live on in the people she has touched.

May she rest in peace.

Note: Condolences for Mrs Judy Pack were also given by Cllr Mamone and Cllr Waller.

RECOMMENDATION

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

That Council writes to the family of Mrs Judy Pack MLO expressing our condolences for their loss.

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

CONFIRMATION OF MINUTES

Motion: **Moved: Clr Shelton** **Seconded: Clr Balloot**

That the minutes of the Ordinary Meeting held on 16 December 2015 be confirmed as a true record of that meeting.

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

DECLARATIONS OF INTEREST

Clr Mamone declared a non-pecuniary, less than significant interest in the following item:

Item CONF 02: Acquisition of part of sixteen properties at Edmondson Park for the realignment of Croatia Avenue

Reason: Clr Mamone has a relative that has property listed in the area recommended for acquisition by Council.

Clr Mamone remained in the Chambers for the duration of the item.

Clr Hadchiti declared a non-pecuniary, less than significant interest in the following item:

Item CONF 06: Tender RCL 2519 - Removal and disposal of special waste – asbestos waste

Reason: He does not know the person, however Clr Hadchiti advised that the surname of one of the office holders of the recommended tenderer is the same as his mother's maiden name, so he believes he may be a distant relative.

Clr Hadchiti left the Chambers for the duration of the item.

Mayor Mannoun declared a non-pecuniary, less than significant interest in the following item:

Item DCC 04: Outcome of public exhibition of fees and charges for Council's Early Education and Care Centres

Reason: Mayor Mannoun's two children have just started attending a Council owned and operated Child Care Centre.

Mayor Mannoun left the Chambers for the duration of the item.

PUBLIC FORUM

Presentation – items not on agenda

Nil

Representation – items on agenda

- 1. **Ms Fiona Macnaught** addressed Council on the following item:

NOMR 01 - Rescission of DBI 02 – Independent Building Cleaning Services from the Council meeting 16 December 2015

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

That a two minute extension of time be given to Ms Fiona Macnaught.

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

- 2. **Mr David Milovanovic** addressed Council on the following item:

NOM 02 – Contaminated fill at Serbian Cultural Club

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

That a two minute extension of time be given to Mr David Milovanovic.

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

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

That Council, as a matter of urgency, deal with the following two matters and move into Closed Session pursuant to the provisions of s10A(2)(a) of the Local Government Act because it contains personnel matters concerning particular individuals (other than councillors), and s10A(2)(g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege to discuss:

- DA 1060/2015 – Demolition of existing motel on site and the construction of a pub and associated at grade carparking at 467 Hume Highway, Casula. (Reason: s10A(2)(g))
- Update on asbestos issue and effect on Council staff (Reason s10A(2)(a))

Mayor Mannoun accepted the motion as a matter of urgency.

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

The meeting moved into Closed Session at 6.41pm.

Motion**Moved: Clr Hadchiti****Seconded: Clr Balloot**

That Council move into Committee of the Whole to discuss the above two matters.

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

Clr Mamone left the Chambers at 7.06pm.

Discussion of DA 1060/2015 – Demolition of existing motel on site and the construction of a pub and associated at grade carparking at 467 Hume Highway, Casula.

Motion**Moved: Clr Hadchiti****Seconded: Clr Harle**

That Council:

1. Provide the financial resources necessary to ensure that a vigorous case is mounted in the best interests of the community.
2. Not delegate to any officer the power to reach agreement of consent other than for procedural matters.

3. Liaise and involve the confirmed experts by the action group.
4. Councillors be kept up to date on the progress.

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

Councillors voted unanimously for this motion.

Clr Mamone returned to the Chambers at 7.19pm.

Clr Balloot left the Chambers at 7.32pm.

Clr Balloot returned to the Chambers at 7.34pm.

Clr Karnib left the Chambers at 7.37pm.

Clr Karnib returned to the Chambers at 7.40pm.

Mayor Mannoun left the Chambers at 7.41pm and the Deputy Mayor, Clr Hadchiti took the Chair.

Mayor Mannoun returned to the Chambers at 7.42pm.

Update on asbestos issue and effect on Council staff

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

That Council receive and note the verbal report given by the CEO and an update be provided at the next Council meeting.

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

Motion **Moved: Clr Mannoun** **Seconded: Clr Hadchiti**

That Council move back into Open Session and out of Committee of the Whole.

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

Council moved back into Open Session at 7.45pm.

Mayor Mannoun read the two resolutions relating to the two matters which were adopted by Council during Closed Session.

MAYORAL REPORT

ITEM NO: MAYOR 01
FILE NO: 026141.2016
SUBJECT: Unprecedented Storms of December and January

Over the past two months Sydney experienced some of the worst summer storms on record. These storms caused massive damage across all areas of Sydney from coastal areas such as Kurnell to our own homes in the South West. What we were left with seemed like a monumental task to repair and restore our city to a working order.

Many residents and businesses owe a huge thank you to the volunteers of the NSW SES who went out into the storms at their worst to save lives and property. A special thank you is also extended to the council outdoor maintenance crews who have worked tirelessly in the removal of storm debris from our streets.

These storms have caused an unprecedented level of damage across a wide part of the LGA. Council crews will continue their work and will ensure that all affected areas are cleared of storm litter as soon as possible. Already a large portion of the clean up has already been completed and those areas remaining will be seen to as quickly as possible. The Liverpool community has shown its strength in this time of adversity and council will maintain its duty of providing the best possible service to the people of Liverpool in their times of need.

RECOMMENDATION

That Council:

1. Writes to the Liverpool SES Unit and Sydney Southern Region Command thanking them for their hard effort over the past months repairing damaged properties and clearing storm debris.
2. Thanks Council outdoor maintenance staff for their continued efforts in providing timely assistance to areas that have been worst affected.
3. Renews its commitment to help provide a new or improved headquarters for the Liverpool SES.

COUNCIL DECISION

Motion: **Moved: Mayor Mannoun**

That the recommendation be adopted.

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

ITEM NO: MAYOR 02
FILE NO: 026149.2016
SUBJECT: Harmony and Multiculturalism on Australia Day

Liverpool joined the rest of the nation on January 26 in joyously celebrating Australia Day and reflecting on the privileges and freedoms we enjoy that are unequalled anywhere in the world.

Australia Day is a welcome chance for us to reflect on what makes our nation unique – our tolerance, our values, our sense of fair play and our commitment to being a united multicultural community as we move deeper into the 21st century.

Our ways of celebrating Australia Day are as varied as the nations that make up the colourful fabric of our country under one flag.

With barbeques, the beach, the harbour and sporting events we saluted the rich history of the past, enjoyed the present and looked forward to the future

In Liverpool we recognise the talent and enterprise we have gained from embracing multiculturalism.

For me it was a great Australia Day honour to welcome 32 new citizens who took the oath of allegiance in front of 30,000 people during the Council's celebrations at Woodward Park.

It was inspiring to see our community embrace these new citizens.

Their backgrounds didn't matter. Nor did their religion or culture. On Australia Day we extended a welcoming hand to join us as equals in our wonderful country.

Sadly we sometimes see bigotry and hear speeches designed to divide us along racial and religious lines. This has to stop.

It is not the ways things are done in Australia by Australians.

And it is not – and will not – be the way things are done in this council.

As councillors, we must commit ourselves to taking a stand against anyone seeking to cause racial dissension.

I call on councillors to condemn as un-Australian any behaviour or words designed to create ill-feeling and inflame racial feelings.

RECOMMENDATION

That Council:

1. Recognises with great pride the diversity and harmony that exists in Liverpool between so many different cultures.
2. Congratulates the 30,000 strong crowd that enjoyed Australia Day at Woodward Park and behaved in an exemplary manner.
3. Congratulates our staff for the wonderful celebrations enjoyed by our community.

COUNCIL DECISION

Motion: **Moved: Mayor Mannoun**

That Council:

1. Recognises with great pride the diversity and harmony that exists in Liverpool between so many different cultures.
2. Congratulates the 30,000 strong crowd that enjoyed Australia Day at Woodward Park and behaved in an exemplary manner.
3. Congratulates our staff for the wonderful celebrations enjoyed by our community.
4. Write to our Australia Day Ambassador, Dr Jamal Rifi to thank him for his participation.

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

ITEM NO: MAYOR 03
FILE NO: 029466.2016
SUBJECT: PAC Meetings

On Monday February 1st the Planning and Assessment Commission held its so called community consultation meeting in Bankstown about the Moorebank Intermodal.

Many residents displayed outrage given the location of this meeting was so far from the homes that will be immediately affected by the development.

I would like to praise those who did take the time to travel out and represent their community.

The massive traffic and pollution ramifications that the Moorebank Intermodal will bring would mean the process that has surrounded its approval would appear disingenuous to the concerns raised by residents. Community action groups are now seriously concerned if the voices of residents are being ignored for the sake of this old and outdated proposal.

Many residents also expressed concern that their complaints to the PAC were not permitted to made public due to a recording restriction placed over the meeting. The forum was for the community yet its contents were suppressed. This concern was also expressed by members of the Sydney media.

Given the PAC was unable to find an appropriate and affordable location within the 305 square kilometres of the Liverpool LGA, council should make available its many community venues for use by the PAC at a reasonable rate.

Developments such as the Moorebank Intermodal and Concrete Recyclers cannot be blindly approved without the consent of residents who it will affect. These meetings must be accessible to all those concerned and provide an open forum to all who wish to speak. Our community should not have to accept anything less.

RECOMMENDATION

That Council:

1. Write to the PAC and Department of Planning expressing our disappointment with the venues noting Liverpool is 305 km².
2. Offer to the PAC for any future meetings regarding proposals in the Liverpool LGA, any venue owned by Council at a suitable cost to which they think is appropriate and notes that CEO has delegation to negotiate such costs.
3. Reaffirms its position strongly opposing the development of the Moorebank Intermodal.

4. Write to the PAC and the Minister for Planning stating that for reasons of transparency, future proceedings be recorded by the PAC and made available to the public.

COUNCIL DECISION

Motion: **Moved: Mayor Mannoun**

That Council:

1. Write to the PAC and Department of Planning expressing our disappointment with the venues noting Liverpool is 305 km².
2. Offer to the PAC for any future meetings regarding proposals in the Liverpool LGA, any venue owned by Council at a suitable cost to which they think is appropriate and notes that CEO has delegation to negotiate such costs.
3. Reaffirms its position strongly opposing the development of the Moorebank Intermodal.
4. Write to the PAC and the Minister for Planning stating that for reasons of transparency, future proceedings be recorded by the PAC and made available to the public.
5. Write to the Members of Parliament, Mr Craig Kelly and Ms Melanie Gibbons, who made representations at the PAC meeting to thank them for their contribution.
6. Express our significant concern to the Minister for Planning and the responsible Federal Minister about:
 - The timing of the meeting being held at 10am.
 - The location of the meeting being outside of the LGA.
 - The short notice of the meeting and it being given during the summer school holiday period.
 - The meeting being on the first week of the school year.
 - Note that the Chair of the PAC claimed to be unable to find a suitable and affordable venue in the Liverpool LGA to hold the meeting.
7. Thank the members of the public at the PAC meeting for their high quality presentations and for their efforts in attending the meeting on a Monday morning.
8. Write to the NSW Premier regarding his comments to the media in relation to his preferred location for the Intermodal.

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

ITEM NO: MAYOR 04
FILE NO: 029525.2016
SUBJECT: Peter Gillam Australian Police Medal

It was a great pleasure to see Liverpool's very own; Superintendent Peter Gillam APM to be one of 9 distinguished police officers awarded the Australian Police Medal this Australia Day. The Australian Police Medal is only presented to one in every thousand officers on the NSW Police Force and is reserved for the most distinguished officers who have exemplified themselves in their career.

Superintendent Gillam APM has served in the police for over 38 years dedicated to the protection of witnesses and the public in tactical response situations and police negotiations.

A true local growing up in Green Valley and station commander at Liverpool we are honoured by his presence here demonstrating the best of NSW policing.

RECOMMENDATION

That Council congratulates Superintendent Peter Gillam APM for his 38 years of service to the Liverpool community and for receiving the Australian Police Medal.

COUNCIL DECISION

Motion: **Moved: Mayor Mannoun**

That the recommendation be adopted.

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

NOTICES OF MOTION OF RESCISSION

Clr Karnib left the Chambers at 8.10pm.

Clr Karnib returned to the Chambers at 8.22pm.

Clr Mamone left the Chambers at 8.44pm.

Clr Mamone returned to the Chambers at 8.47pm.

ITEM NO: NOMR 01
FILE NO: 012637.2016
SUBJECT: Rescission of DBI 02 – Independent Building Cleaning Services from the Council meeting 16 December 2015

NOTICE OF MOTION OF RESCISSION

That Council rescinds the resolution relating to DBI 02 from the Council Meeting 16 December 2015, as shown below:

“That Council:

1. In consultation with the relevant Facilities Manager/s prepare a detailed scope of works whether daily, weekly or monthly that will be used as a basis for tender process.
2. Undertakes a competitive process to test the market and seek tenders for the provision of Building Cleaning Services to achieve the level of savings and efficiencies outlined in this report.
3. Provide the necessary resources for the Internal Building Cleaning Services (IBCS) to submit to the tender for the provisions of building cleaning services.
4. Following completion of the tender process, receives a report which outlines the options available, in order to make a definite decision as to how the service will be delivered in the future.
5. Note that no support will be given to forced redundancies for these positions.”

Signed:
Clr Sabrina Mamone
Clr Peter Ristevski
Clr Wendy Waller

Motion of Urgency – Vote of No Confidence

During consideration of the above Rescission Motion, Clr Ristevski moved a Motion of Urgency as follows:

Motion **Moved: Clr Ristevski**

That there be a vote of no confidence in the CEO and the Mayor on the grounds of their inability to lead a harmonious workplace with the best interests of ratepayers and employees in mind and the mismanagement of the asbestos issue and the Macquarie Street Mall redevelopment.

Mayor Mannoun ruled that the motion proposed to be discussed was not of great urgency and would not be considered at this meeting.

Clr Ristevski then moved a Motion of Dissent against the Mayor’s ruling.

On being put to the meeting the Motion of Dissent was declared CARRIED.

Discussion regarding the Motion of Urgency continued after the Rescission Motion was discussed and voted on.

Rescission Motion – Continuation of NOMR 01

COUNCIL DECISION

Motion: **Moved: Clr Waller** **Seconded: Clr Shelton**

That the Rescission Motion be adopted.

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

Note: This therefore meant that the Council resolution in relation to DBI 02 from the Council Meeting held on 16 December 2015 was rescinded.

Alternate Motion was then moved (by Clr Stanley)

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

That Council

1. Does not tender cleaning services that are currently completed by in-house Council employees.
2. Supports in-house cleaners by defining and resourcing a supervisory role, and roles and expectations of staff.
3. Ensure in-house cleaners are adequately resourced to complete tasks by increasing roster hours implementing overtime if required.

4. Enhance the role of the in-house cleaners by extending duties.
5. Implements the recommendations of the Crowe Howarth Report.
6. Confirm the commitment that Councillors voted unanimously for the motion passed in August 2015 (as shown below):

“That:

- 1. Council continue the tender process for only those Cleaning services currently covered by contractors.*
- 2. Council Review the work which is currently completed by staff cleaners. This review must meaningfully engage with staff and the union with the view to retain the services of the in-house cleaning crew, and identify process and practice to find improvements and take no longer than three months.*
- 3. Council recognise the integral role Council's in house cleaners provide in supporting the business as they provide a time critical best practice work and safety support for all areas of Council's service provision.*
- 4. A resolution of Council is required before any tender is considered, advertised or put to the market place that would potentially outsource staff positions.*
- 5. A resolution of Council is required before a tender may be advertised or submitted for cleaning services currently undertaken by in house staff.”*

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

Mayor Mannoun called a recess of Council at 8.58pm.

The meeting reopened at 9.26pm.

Note: Cllr Mamone did not return to the Chambers when the meeting reopened.

Continuation of discussion of Motion of Urgency

Cllr Ristevski proceeded to move the motion which he raised prior to the recess period.

The Mayor advised that in accordance with s10A(2)(a) of the Local Government Act 1993, the motion would need to be considered in Closed Session as it involves personnel matters concerning particular individuals other than Councillors.

Cllr Ristevski disagreed and moved the following motion:

Motion Moved: Clr Ristevski

That there be a vote of no confidence in the CEO and the Mayor on the grounds of their inability to lead a harmonious workplace with the best interests of ratepayers and employees in mind and the mismanagement of the asbestos issue and the Macquarie Street Mall redevelopment.

The Mayor sought advice from Council staff and they confirmed that the motion would need to be discussed in Closed Session.

The following motion was then moved:

Motion Moved: Clr Waller Seconded: Clr Shelton

That the matter be dealt with in Closed Session in accordance with Section 10A(2)(a) of the Local Government Act 1993 as it involves personnel matters concerning particular individuals other than Councillors.

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

As the motion to deal with the matter in Closed Session was lost, the Mayor ruled that it is against the Local Government Act 1993 and Council’s Code of Meeting Practice to deal with the motion during Open Council session and as such the motion lapsed.

Clr Ristevski sought clarification on why the matter was to be considered confidential and the Director Corporate Services / Chief Financial Officer advised that the matter falls within the provision of s10A(2)(a) of the Local Government Act 1993 which is covered in Clause 57.2.1 of Council’s Code of Meeting Practice as it involves personnel matters concerning particular individuals other than Councillors.

The Mayor requested Clr Ristevski to withdraw the motion which identifies a staff member and declared it as an act of disorder and asked him to withdraw it as it contravenes s10A(2)(a) of the Local Government Act 1993.

Clr Ristevski questioned the ruling and disagreed with it. The Mayor then quoted clause 42.1 of Council’s Code of Meeting Practice, which states that:

42.1: A Councillor commits an act of disorder if the Councillor, at a meeting of Council or a committee of Council:

42.1.1 Contravenes the Act or any regulation in force under the Act or contravenes this Code.

In accordance with clause 42.2.2 of Council’s Code of Meeting Practice, the Mayor asked Clr Ristevski to withdraw the Motion of Urgency.

Clr Ristevski then moved to move into Closed Session to deal with the item. The Mayor advised that that motion had already been voted on and was lost.

The Mayor once again asked Clr Ristevski for the final time to withdraw his motion as it contravenes the Code of Meeting Practice.

Clr Ristevski moved that it be dealt with in Closed Session.

In accordance with Clause 42.3 of Council's Code of Meeting Practice (as shown below), the Mayor expelled Clr Ristevski from the meeting for the rest of the meeting.

42.3 A Councillor may, as provided by section 10 (4) (a) or (b) of the Act, be expelled from a meeting of Council for having failed to comply with a requirement under subclause (2). The expulsion of a Councillor from the meeting for that reason does not prevent any other action from being taken against the Councillor for the act of disorder concerned (cl 256 of the Regulation).

Clr Ristevski retired from the meeting at 9.36pm.

Clr Karnib retired from the meeting at 9.37pm.

NOTICES OF MOTION

ITEM NO: NOM 01
FILE NO: 017396.2016
SUBJECT: Collimore Truck Parking Area – Investigate Options

NOTICE OF MOTION

That Council investigates truck parking options at the dedicated truck parking area of Collimore Park. A report to be brought to Council for its April meeting addressing the following:

- a. Short term “free parking” for less than three consecutive days/nights, e.g. Interstate trucks and drivers using the area during weekdays and/or weekends.
- b. A 24/7 Paid Parking System via Parking Meters.
- c. Shared limited paid parking spaces via a negotiated contract/tender process.
- d. Combinations of the above.
- e. Other possibilities.
- f. Council to investigate placing CCTV in the area to assist with enforcing parking restrictions.

COUNCIL DECISION

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

That Council investigates truck parking options at the dedicated truck parking area of Collimore Park. A report to be brought to Council for its April meeting addressing the following:

- a. Short term “free parking” for less than three consecutive days/nights, e.g. Interstate trucks and drivers using the area during weekdays and/or weekends.
- b. A 24/7 Paid Parking System via Parking Meters.
- c. Shared limited paid parking spaces via a negotiated contract/tender process.
- d. Combinations of the above.
- e. Other possibilities.
- f. Council to investigate placing CCTV in the area to assist with enforcing parking restrictions.
- g. The capacity of the Collimore Street Carpark and use of the area for the private sale of cars.

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

ITEM NO: NOM 02
FILE NO: 018184.2016
SUBJECT: Contaminated fill at Serbian Cultural Club

NOTICE OF MOTION

That:

1. The Serbian Club be advised as a matter of urgency the full details of the asbestos issue surrounding their Club.
2. Council as a matter of urgency conduct soil tests on the land owned by Council surrounding the Club as well as the Club's vacant land adjoining the Council land where asbestos has been found and contaminated.
3. Councillors be advised as a matter of urgency if the Serbian Club staff were advised of the contamination.
4. Councillors be advised as a matter of urgency what programs have been put into place to test and monitor ratepayers and the Serbian Club staff.
5. That Councillors be advised as a matter of urgency has Workcover been advised of this issue
6. The CEO advise of the likely, or potential, cost of remediation works that may be needed.

COUNCIL DECISION

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

That:

1. Council receive and note the CEO's Comments to the Notice of Motion as shown below.
2. The Serbian Club be advised of the results of the testing and air monitoring that was undertaken at the site.
3. It be noted that the air monitoring has been undertaken and that the results have only been known to Council since the day before the Council meeting.

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

Chief Executive Officer Comments to the Notice Of Motion:

1. **The Serbian Club be advised as a matter of urgency the full details of the asbestos issue surrounding their Club.**

The Environmental Waste Audit prepared for the NSW Environment Protection Authority (EPA) dated October 2015 did not identify any asbestos on Stante Reserve. It required background information on a (large) stockpile of material with a volume of the order of 3000 cubic metres in the south east corner of the site. It also identified numerous (smaller) piles of waste material located at the north-west corner of the site, adjoining Hall Circuit and Stante Close. Please refer to aerial map below.



The large stockpile was formed from material that was excavated during construction of the adjacent water detention basin and water quality control basins and is considered to be Virgin Excavated Natural Material (VENM). This material has been stockpiled for use in the upgrading of the reserve.

The numerous piles of material are from illegal dumping (i.e. not from Council activities). The material totals approximately 500 tonnes in total. As described below, half of the material has already been waste classified and transported to a facility licenced to receive it. The remaining material is in the process of being waste classified and will be removed by Friday, 5 February 2016.

In October 2015, Council was advised of an upcoming sewer main construction by Diona Civil Engineering Contractors (Diona), with construction going through half of the illegally dumped material. Diona was working for Sydney Water.

Council discussed the illegally dumped material with Diona and arranged for the relevant half to be waste classified and removed by Diona (at no cost to Council). During the waste classification, Diona found that some of the material contained asbestos.

Council is aware of an email from Diona to the Serbian Club, dated 5 January 2016, advising them that the material that it had classified contained some asbestos and that they would be removing the material (i.e. half of the illegally dumped material) in mid-January 2016. Subsequently, Diona removed 246 tonnes of waste and provided Council with copies of the relevant documents.

It is worth noting that the waste was located over 100 metres from the Serbian Club facility and although the waste contains asbestos, the asbestos is present in a bonded form and it is well documented by the EPA and WorkCover that ACM does not to represent a significant risk of harm to human health in this form.

2. Council as a matter of urgency conduct soil tests on the land owned by Council surrounding the Club as well as the Club's vacant land adjoining the Council land where asbestos has been found and contaminated.

Of the original 500 tonnes of illegally dumped waste, as at 27 January 2016, approximately 250 tonnes remains. The material is located adjacent to where the sewer main is being installed and is within Diona's work area. The material is in the process of being waste classified with the view to removing it from the site by Friday 5 February 2016.

In response to the EPA environmental audit, an inspection of the ground surface of Council's land was undertaken by Greencap on 19 January 2016. Other than a few pieces of ACM (source unknown), no asbestos was identified on the ground surface. The ACM will be removed on Friday 29 January 2016, following which an asbestos clearance certificate will be issued by Greencap. No further investigation is considered necessary.

Council reiterates that although ACM contains asbestos, the asbestos is present in a bonded form and does not to represent a significant risk of harm to human health.

3. Councillors be advised as a matter of urgency if the Serbian Club staff were advised of the contamination.

Diona duly advised the Serbian Club (and Council) of the presence of asbestos within the illegally dumped material as soon as they became aware of this. Council considers that Diona followed appropriate protocols in providing this information to the Club.

- 4. Councillors be advised as a matter of urgency what programs have been put into place to test and monitor ratepayers and the Serbian Club staff.**

In view of the above information (1 & 2 above), Council does not consider that any such testing or monitoring are warranted.

- 5. That Councillors be advised as a matter of urgency has Workcover been advised of this issue.**

WorkCover has been duly advised.

- 6. The CEO advise of the likely, or potential, cost of remediation works that may be needed.**

The estimated cost of removing the remaining 250 tonnes of illegally dumped material is expected to be of the order of \$50,000. The large stockpile is VENM (i.e. it is “clean” soil) and will be reused as part of future development of the sporting fields at Stante Reserve.

CHIEF EXECUTIVE OFFICER REPORT

Clr Mamone returned to the Chambers at 9.50pm.

ITEM NO: CEO 01
FILE NO: 320455.2015
SUBJECT: Corporate Sponsorships

RECOMMENDATION

That Council endorses the Financial Contributions Panel's recommendations for the provision of \$6,000 (GST exclusive) under the Corporate Sponsorship Program as summarised in the table below. If the recommended amount of \$6,000 is endorsed, the remaining balance will be \$NIL.

Applicant name	Amount
Iraqi Australian University Graduates Forum	\$3,000 ex gst
YMCA Leisure Centre	\$3,000 ex gst

COUNCIL DECISION

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

That Council endorses the provision of \$23,000 (GST exclusive) under the Corporate Sponsorship Program as summarised in the table below. If the recommended amount of \$23,000 is endorsed, the remaining balance will be \$NIL.

Applicant name	Amount
Iraqi Australian University Graduates Forum	\$5,000 ex gst
YMCA Leisure Centre	\$3,000 ex gst
Western Sydney Leadership Dialogue	\$15,000 ex gst

Foreshadowed motion: **Moved: Clr Shelton** **Seconded: Clr Stanley**

That Council endorses the provision of \$8,000 (GST exclusive) under the Corporate Sponsorship Program as summarised in the table below. If the recommended amount of \$8,000 is endorsed, the remaining balance will be \$NIL.

Applicant name	Amount
Iraqi Australian University Graduates Forum	\$5,000 ex gst
YMCA Leisure Centre	\$3,000 ex gst

On being put to the meeting the motion (moved by Clr Hadchiti) was declared CARRIED and the Foreshadowed Motion (moved by Clr Shelton) lapsed.

BUSINESS IMPROVEMENT REPORT

ITEM NO: DBI 01
FILE NO: 322971.2015
SUBJECT: Sale of land for unpaid rates – Lots 97-119 SP 79253, 10-16 Castlereagh St, Liverpool

RECOMMENDATION

That Council:

- 1. That Council proceed to sell by public auction the land detailed in this report in accordance with the provisions of Division 5, sections 713-726 of the Local Government Act 1993, namely Lots 97-119 inclusive in SP 79253.
- 2. Proceed to give notice of the date and time of the proposed auction being a date of not more than six (6) months and no less than three (3) months from when notice in the Government Gazette is given.
- 3. That the proposed sales not proceed if the outstanding rates and charges are paid in full or a suitable arrangement is made prior to the auction.

COUNCIL DECISION

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

That the recommendation be adopted.

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

CHIEF FINANCIAL OFFICER

ITEM NO: CFO 01
FILE NO: 003636.2016
SUBJECT: Use of Delegation Over Christmas / New Year period

RECOMMENDATION

That Council:

1. Receives this report and notes that the Mayor and Chief Executive Officer did not exercise delegated authority during the period 17 December 2015 and 3 February 2016.
2. Notes that the Chief Executive Officer exercised his delegation in relation to appointing a winner of the Australia Day Sports Award and Small Business Award.

COUNCIL DECISION

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

That the recommendation be adopted.

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

ITEM NO: CFO 02
FILE NO: 004519.2016
SUBJECT: Proposed changes to Australia Day Awards - Civic Awards Policy

RECOMMENDATION

That Council adopt the Civic Awards Policy attached to the report.

COUNCIL DECISION

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

That the recommendation be adopted.

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

ITEM NO: CFO 03
FILE NO: 005876.2016
SUBJECT: Investment Report December 2015

RECOMMENDATION

That Council receives and notes this report.

COUNCIL DECISION

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

That the recommendation be adopted.

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

ITEM NO: CFO 04
FILE NO: 005968.2016
SUBJECT: Council Resolution

RECOMMENDATION

That Council:

1. Amends the resolution to allow the option for redeployment opportunities and voluntary redundancy in accordance with the Award.
2. Does not permit any forced redundancies for the life of the contract.
3. Be the direct employer for any person employed to fill any vacant position that needs to be filled and that these employees have the same conditions as other Council staff.

COUNCIL DECISION

Motion: **Moved: Cllr Hadchiti** **Seconded: Cllr Balloot**

That the recommendation be adopted.

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

Cllr Stanley and Cllr Waller asked that they be recorded as voting against the motion.

COMMUNITY AND CULTURE REPORT

ITEM NO: DCC 01
FILE NO: 007576.2016
SUBJECT: Draft Graffiti Management Strategy 2016-2018

RECOMMENDATION

That Council:

1. Places the draft Graffiti Management Strategy and Action Plan 2016-2018 on public exhibition for a period of 28 days inviting public submissions.
2. Receives a further report on the Graffiti Management Strategy and Action Plan 2015-2018 following public exhibition.

COUNCIL DECISION

Motion: **Moved: Clr Shelton** **Seconded: Clr Hadchiti**

That the recommendation be adopted.

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

ITEM NO: DCC 02
FILE NO: 006137.2016
SUBJECT: Night Markets 2016

RECOMMENDATION

That Council endorses the changes to the night markets model to now be a quarterly event, beginning March 2016, to be held in the grounds of St Luke’s Church.

COUNCIL DECISION

Motion: **Moved: Clr Mamone** **Seconded: Clr Hadchiti**

That the recommendation be adopted.

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

ITEM NO: DCC 03
FILE NO: 008217.2016
SUBJECT: Liverpool Sporting Donations

RECOMMENDATION

That Council endorse the Financial Contribution Panel's recommendations for the provision of \$700 (GST exclusive) under the Sporting Donations Program as summarised in the table below:

Applicant Details	Amount
Hugh Matthews	\$100
James Matthews	\$100
Tegan Lamond	\$200
Thomas Searle	\$100
Blake Jackson	\$200

COUNCIL DECISION

Motion: **Moved: Cllr Hadid** **Seconded: Cllr Shelton**

That the recommendation be adopted.

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

Mayor Mannoun left the Chambers at 9.59pm and the Deputy Mayor, Clr Hadchiti took the Chair.

ITEM NO: DCC 04
FILE NO: 009812.2016
SUBJECT: Outcome of public exhibition of fees and charges for Council's Early Education and Care Centres

RECOMMENDATION

That Council:

1. Approve the new fees and charges for all Early Education and Care Centres.
2. Approve the creation of a Category D hire charge for the use of the Hinchinbrook Early Education and Care Centre meeting room.
3. Amend the Statement of Revenue Pricing Policy (Fees and Charges) 2015-16 to bring these changes into effect.

COUNCIL DECISION

Motion: **Moved: Clr Hadid** **Seconded: Clr Ballot**

That the recommendation be adopted.

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

Mayor Mannoun returned to the Chambers at 10.00pm.

ITEM NO: DCC 05
FILE NO: 011956.2016
SUBJECT: Toda Exchange Program

RECOMMENDATION

That Council:

- 1. Discontinue the Student Exchange to Toda in view of the ramifications of Working With Children checks as well as lack of tangible economic benefits;
- 2. Continue to host students visiting from Toda for two days per year as has been done in the past; and
- 3. Write to schools and to Toda to inform them of the decision by Council.

COUNCIL DECISION

Motion:	Moved: Clr Shelton	Seconded: Clr Hadid
----------------	---------------------------	----------------------------

That Council:

- 1. Continue to host students visiting from Toda for two days per year as has been done in the past
- 2. Officers will also continue to explore opportunities to develop and enhance the cultural relationship with Toda in ways that are mutually beneficial, noting this may include:
 - Arranging for a delegation from Council to attend Toda for their 50th anniversary.
 - Continuing to review and assess the level of secondary school interest over time.
- 3. Mayor Mannoun, Clr Karnib, Clr Harle, Clr Hadchiti and Clr Waller or an alternate Councillor and the CEO or his representative be part of the delegation to the Toda 50th Anniversary celebrations.

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

ITEM NO: DCC 06
FILE NO: 014542.2016
SUBJECT: Multicultural Advisory Committee

RECOMMENDATION

That Council receives and notes the information in this report.

COUNCIL DECISION

Motion: **Moved: Cllr Shelton** **Seconded: Cllr Stanley**

That Council receive and note the information contained in this report and further notes that no charter has ever been adopted for this committee and takes no further steps in this regard.

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

COMMITTEE REPORTS

ITEM NO: CTTE 01
FILE NO: 322527.2015
SUBJECT: Minutes of the Economic Development and Events Committee meeting held
2 December 2015

RECOMMENDATION

That Council receives and notes the Minutes of the Economic Development and Events Committee meeting held on 2 December 2015.

COUNCIL DECISION

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

That the recommendation be adopted.

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

ITEM NO: CTTE 02
FILE NO: 328913.2015
SUBJECT: Minutes of the Budget and Finance Committee held on 2 December 2015

RECOMMENDATION

That Council receives and adopts the Minutes of the Budget and Finance Committee Meeting held on 2 December 2015.

COUNCIL DECISION

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

That the recommendation be adopted.

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

ITEM NO: CTTE 03
FILE NO: 341508.2015
SUBJECT: Minutes of the Heritage Advisory Committee meeting held on 7 December 2015

RECOMMENDATION

That Council receives and notes the Minutes of the Heritage Advisory Committee Meeting held on 7 December 2015.

COUNCIL DECISION

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

That the recommendation be adopted.

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

ITEM NO: CTTE 04
FILE NO: 006853.2016
SUBJECT: Minutes of the Liverpool Youth Council Meeting held 8 December, 2015

RECOMMENDATION

That Council receives and adopts the Minutes of the Liverpool Youth Council Meeting held on 8 December, 2015.

COUNCIL DECISION

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

That the recommendation be adopted.

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

Chambers

ITEM NO: CTTE 05
FILE NO: 008133.2016
SUBJECT: Liverpool Sports Committee minutes of meeting 26 November 2015

RECOMMENDATION

That Council receives and adopts the Minutes of the Liverpool Sports Committee meeting held on 26 November 2015.

COUNCIL DECISION

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

That the recommendation be adopted.

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

ITEM NO: CTTE 06
FILE NO: 011439.2016
SUBJECT: Minutes of the Warwick Farm Steering Committee meeting held on 1 December 2015

RECOMMENDATION

That Council receives and notes the Minutes of the Warwick Farm Steering Committee Meeting held on 1 December 2015.

COUNCIL DECISION

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

That the recommendation be adopted.

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

ITEM NO: CTTE 07
FILE NO: 013697.2016
SUBJECT: Minutes of Building Our New City Committee meeting held 2 December 2015

RECOMMENDATION

That Council receives and notes the Minutes of the Building our New City Committee Meeting held on 2 December 2015.

COUNCIL DECISION

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

That the recommendation be adopted.

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

QUESTIONS WITH NOTICE

ITEM NO: QWN 01
FILE NO: 026255.2016
SUBJECT: Question with Notice - Clr Ristevski

Please address the following:

Kurrajong Road Opening Community BBQ

1. Why were halal sausages cooked before the pork sausages?
2. Why were so many halal sausages ordered and so little pork sausages ordered?
3. Who made this request? We're any Councillors involved in this decision making?
4. How many pork sausages were ordered and how many halal sausages were ordered?
5. How many halal sausages were left over and how many pork sausages were left over?
6. Why did the CEO refuse to answer the above questions to community concerns via a Councillor request?

A response to these questions will be provided in the business papers for Council meeting 24 February 2016.

ITEM NO: CONF 01
FILE NO: 004378.2016
SUBJECT: ST2511 - Sale of Speed Street Car Park

RECOMMENDATION

That Council:

1. Declines to accept any tender for ST2511 – Sale of Speed Street Car Park;
2. Pursuant to section 178(3)(a) of the *Local Government (General) Regulation 2005*, cancels the proposal for the contract.
3. Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of Section 10A(2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

COUNCIL DECISION

Motion: **Moved: Clr Hadchiti** **Seconded: Clr Shelton**

That the recommendation be adopted.

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

ITEM NO: CONF 02
FILE NO: 004515.2016
SUBJECT: Acquisition of part of sixteen properties at Edmondson Park for the realignment of Croatia Avenue

RECOMMENDATION

That Council:

1. Proceeds with the compulsory acquisition of the below mentioned properties for road purposes:
 - Part Lot 29 DP 228850, 190 Croatia Avenue, Edmondson Park;
 - Part Lot 30 DP 228850, 200 Croatia Avenue, Edmondson Park;
 - Part Lot 31 DP 228850, 210 Croatia Avenue, Edmondson Park;
 - Part Lot 32 DP 228850, 212 Croatia Avenue, Edmondson Park;
 - Part Lot 30 DP 1197083, Lot 30 Croatia Avenue, Edmondson Park;
 - Part Lot 823 DP 1193391, 240 Croatia Avenue, Edmondson Park;
 - Part Lot 351 DP 1188138, 250 Croatia Avenue, Edmondson Park;
 - Part Lot 41 DP 228850, 260 Croatia Avenue, Edmondson Park;
 - Part Lot 42 DP 228850, 45 Croatia Avenue, Edmondson Park;
 - Part Lot 11 DP 228850, 50 Croatia Avenue, Edmondson Park;
 - Part Lot 10 DP 228850, 30 Croatia Avenue, Edmondson Park;
 - Part Lot 11 DP 1071175, 10 Croatia Avenue, Edmondson Park;
 - Part Lot 43 DP 228850, 245 Croatia Avenue, Edmondson Park;
 - Part Lot 44 DP 228850, 225 Croatia Avenue, Edmondson Park;
 - Part Lot 45 DP 228850, 215 Croatia Avenue, Edmondson Park; and
 - Part Lot 46 DP 228850, 165 Croatia Avenue, Edmondson Park.
2. Proceeds with making the necessary application to the Minister for Local Government and the Governor in accordance with Section 187(2) of the *Local Government Act* 1993 to obtain approval to give an acquisition notice and commence compulsory acquisition of the abovementioned properties in accordance with the *Land Acquisition (Just Terms Compensation) Act* 1991;
3. Authorizes the Director Property & Commercial Development and/or his nominee to negotiate with all the respective landowners, to acquire part of those lots required for road purposes, up to the amount contained in this confidential attachment, without having to submit a further report to Council for approval;
4. Upon settlement of the acquisitions, dedicates all the properties being acquired as public road;
5. Keeps confidential the attachment supplied under separate cover containing the potential acquisition prices pursuant to the provisions of Section 10A(2)(c) of the *Local Government Act* 1993 as this information would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; and

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

COUNCIL DECISION

Motion: **Moved: Cllr Shelton** **Seconded: Cllr Stanley**

That the recommendation be adopted.

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

5. Transfers the proceeds of sale into the General Property Reserve; and
6. Keeps confidential the details supplied in the confidential 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 the Council is conducting (or proposes to conduct) business.
7. An amount of 20% of the proceeds go back into park upgrades.
8. That the remaining 80% be used for community facilities.

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

ITEM NO: CONF 04
FILE NO: 011371.2016
SUBJECT: Tender WT2503 - External and Internal Buildings Works for the Soldiers' Memorial School of Arts at 306 Macquarie Street, Liverpool

RECOMMENDATION

That Council:

1. Accepts the Tender from Murphy's Construction Group Pty Ltd for Tender WT2503 - External and Internal Building Works at the Soldiers Memorial, School of Arts at 306 Macquarie Street, Liverpool at the GST exclusive price of \$286,164.
2. Makes public its decision regarding Tender WT2503 – External and Internal Building Works at the Soldiers' Memorial School of Arts at 306 Macquarie Street, Liverpool.
3. Notes that the Director Infrastructure and Environment will finalise all details and sign the Letter of Acceptance following publication of draft minutes on the Council website for the tender, giving it contractual effect, in accordance with delegated authority.
4. Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of Section 10A(2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

COUNCIL DECISION

Motion: **Moved: Cllr Stanley** **Seconded: Cllr Waller**

That the recommendation be adopted.

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

Councillors voted unanimously for this motion.

ITEM NO: CONF 05
FILE NO: 012558.2016
SUBJECT: Question with Notice - Clr Stanley

Please address the following:

1. Can I be provided with an update of the Bus Shelter programme.

In response to a significant demand for bus shelters, Council has developed a city wide priority program for the progressive installation of bus shelters. The bus shelter program aims to encourage the use of public transport by providing shelters that are functional, aesthetically pleasing and meet regulatory standards for mobility and access.

However, due to competing priorities and constrained budgets, only limited funding has historically been directed towards the provision of new bus shelters resulting in a backlog of 40 shelters as at 30 June 2014.

In response to increasing demand for shelters and in view of the above backlog, Council explored a range of options for the cost-effective procurement of bus shelters and these options are documented in Council Reports DIE01 of 24 September 2014 and CONF01 of 29 April 2015.

However, a public tender process conducted in December 2014 for the purpose of establishing a long term supply contract for bus shelters was unable to elicit a satisfactory outcome. Subsequently Council, at its meeting held on 29 April 2015, resolved to enter into negotiations with Adshel (under the terms of the existing contract between Liverpool and Adshel) for the supply of additional bus shelters to Liverpool.

I am pleased to advise that satisfactory arrangements are now in place for the supply of bus shelters to Liverpool.

2. What is the current backlog?

As stated above, while there was a backlog of 40 shelters as at 30 June 2014, Council has since installed nine shelters in 2014 and a further ten are scheduled to be fully installed by May 2016. The cost effective supply arrangement with Adshel has enabled Council to accelerate its bus shelter construction program.

3. How many have been addressed from the back log?

As above.

4. Are we on track to have no back log by 2017-18?

Subject to the availability of increased levels of funding, the original backlog is expected to be cleared by 2018. However, the expansion of new release areas will continue to create additional demand for public transport facilities including bus shelters.

5. Did negotiations with Ad-Shell conclude and what was that outcome?

The response to this question has not been included in the minutes as it contains commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the Council.

6. How many Bus shelters were provided in 2014-2015?

A total of nine bus shelters were provided between August and October 2014 covering the 2013/14 and 2014/15 program years.

7. Where were they?

- Heckenberg Rd, Sadleir - on the southern side at 87 Heckenberg Rd;
- Leacocks Lane, Casula - on the western side approximately 45m west of Roberts Rd;
- Flynn Avenue, Middleton Grange – on the northern side approximately 180m east of Kingsford Smith Avenue;
- Hume Highway in front Caltex in Casula;
- Cowpasture Road, Hinchinbrook - on the eastern side approximately 50m south of Collarenebri Rd;
- Mallow Avenue, West Hoxton - on the southern side approximately 50m west of Tunnack Close;
- Greenway Drive, West Hoxton - on the northern side approximately 70m west of Carmichael Drive;
- Joshua Moore Drive, Horningsea Park - on the northern side approximately 45m east of Cowpasture Rd; and
- Hoxton Park Road, Hoxton Park - on the northern side approximately 50m east of Glen Innes Rd.

8. How many will be provided 2015-2016?

Ten bus shelters are programmed to be installed in the 2015-16 program year.

9. Where will they be?

- Hinchinbrook Drive, Hinchinbrook– on the western side approximately 72m south of Keppel Circuit;
- Nuwarra Road, Moorebank - on the eastern side approximately 95m south of Maddecks Avenue;
- Cartwright Ave, Miller - on the western side approximately 30m north of Hoxton Park Road;

- Nineteenth Avenue, Hoxton Park- on the northern side approximately 46m west of Wollomombi Way;
- Dalmeny Drive, Prestons - on the western side approximately 80m south of Pambula Avenue;
- Feodore Drive, Cecil Hills - on the western side approximately 20m south of Hanover Street;
- Green Valley Road, Green Valley - on the southern side approximately 50m west of Starling Street;
- Busby Road, Green Valley - on the north eastern side approximately 41m west of Guernsey Street;
- Wroxham St, Prestons - on the southern side approximately 145m west of Bernera Road; and
- Brickmakers Drive, Moorebank - on the northern side approximately 42m east of Nuwarra Road.

Motion:

Moved: Cllr Stanley

Seconded: Cllr Waller

That the entire report, except point 5 (which is confidential under 10A(2)(d)(ii) of the local government Act be published in the minutes.

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

ITEM NO: CONF 06
FILE NO: 015688.2016
SUBJECT: Tender RCL 2519 - Removal and disposal of special waste – asbestos waste

RECOMMENDATION

That Council:

1. Accept the Tender from the below listed contractors for Tender RCL2519 – Removal and disposal of special waste – asbestos waste for an initial one year contract term with the option of extending 1 x 12 months.
 - Affective Services Pty Ltd
 - Terra Civil Pty Ltd
 - Haines Bros Earthmoving Pty Ltd
 - Beasy Pty Ltd
 - Ronnie’s Demolitions Pty Ltd
2. Makes public its decision regarding tender RCL2519 – Removal and disposal of special waste – asbestos waste.
3. Notes that the Director will finalise all details and sign the Letter of Acceptance following publication of the draft Minutes on Council website for the tender, giving it contractual effect, in accordance with delegated authority.
4. Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of Section 10A(2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

COUNCIL DECISION

Motion: **Moved: Cllr Stanley** **Seconded: Cllr Mamone**

That the recommendation be adopted.

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

Councillors voted unanimously for this motion.

THE MEETING CLOSED AT 10.30pm.

<Signature>

Name: Ned Mannoun

Title: Mayor

Date: 24 February 2016

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 3 February 2016. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.



**MINUTES OF THE ORDINARY MEETING
HELD ON 24 FEBRUARY 2016 AND RECONVENED ON 14
MARCH 2016**

PRESENT:

Mayor Ned Mannoun
 Councillor Balloot
 Councillor Hadchiti
 Councillor Hadid
 Councillor Harle
 Councillor Karnib
 Councillor Mamone
 Councillor Ristevski
 Councillor Shelton
 Councillor Stanley
 Councillor Waller
 Mr Carl Wulff, Chief Executive Officer
 Mr Gary Grantham, Chief Financial Officer / Director Corporate Services
 Ms Toni Averay, Director Planning and Growth
 Ms Kiersten Fishburn, Director Community and Culture
 Mr Gino Belsito, Director City Presentation
 Mr Michael Cullen, Director Economic Development
 Mr Raj Autar, Director Infrastructure and Environment
 Ms Carole Todd, Director Business Improvement
 Mr John Morgan, Director Property and Commercial Development

The meeting commenced at 6.06pm

OPENING	6.06pm
PRAYER	The prayer of the Council was read by Minister Bruce Hammonds from Liverpool Presbyterian Church.
APOLOGIES	Nil
CONDOLENCES	Nil

Minutes of the Ordinary Council Meeting held on Wednesday, 24 February 2016 and reconvened on Monday, 14 March 2016, and confirmed on Wednesday, 30 March 2016

.....
Chairperson

CONFIRMATION OF MINUTES

Motion: **Moved: Clr Stanley** **Seconded: Clr Mamone**

That the minutes of the Ordinary Meeting held on 3 February 2016 be confirmed as a true record of that meeting.

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

DECLARATIONS OF INTEREST

Clr Hadchiti declared a pecuniary interest in the following item

Item DEE 04: Outdoor Dining Policy

Reason: Clr Hadchiti's sister operates a café in the Liverpool CBD.

Clr Hadchiti will leave the Chambers for the duration of the item.

PUBLIC FORUM

Presentation – items not on agenda

1. **Ms Doris Puccio** addressed Council on the following matter:

Construction of roundabout at intersection of Kurrajong Road and Old Kurrajong Road.

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

That a two minute extension of time be given to Ms Doris Puccio.

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

Representation – items on agenda

1. **Mr Yogesh Punja (Fiji High Commissioner)** addressed Council on the following item:

Item MAYOR 03: Cyclone Winston in Fiji

2. **Mr James Young** addressed Council on the following item:

Item DPG 01: Request to reconsider Draft Amendment 31 to Liverpool Local Environmental Plan 2008 - Proposal to rezone 1975-1985 Camden Valley Way, Prestons from B6 - Enterprise Corridor to B2 - Local Centre

Motion: **Moved: Clr Hadchiti** **Seconded: Clr Harle**

That a two minute extension of time be given to Mr James Young.

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

MOTION TO BRING ITEM FORWARD

Mayor Mannoun ruled that Mayoral Minute 03 be moved forward and dealt with now.

Clr Hadid left the Chambers at 6.28pm.

Clr Hadid returned to the Chambers at 6.30pm.

ITEM NO: MAYOR 03
SUBJECT: Cyclone Winston in Fiji

Liverpool Council extends its deepest sympathy to the people of Fiji for the heartbreak and devastation they suffered when a cyclone killed at least 29 people and destroyed houses and villages last Saturday night.

Authorities say the winds from Tropical Cyclone Winston reached 296 kilometres an hour, uprooting trees, knocking out power and causing heavy flooding.

It would have been agonising for anyone trapped in such devastating circumstances.

Liverpool has a large Fijian population which makes the tragedy even sadder for us all.

People who are our neighbours and friends in Liverpool will have lost loved ones in the catastrophe or they will know someone whose house was swept away.

It is a time for us to come together as a community and offer whatever practical and compassionate assistance we can to those who have suffered so much.

Tropical Cyclone Winston is said to be the most powerful cyclone on record in the southern hemisphere.

Our thoughts and prayers are for the country and the population to make a quick recovery.

RECOMMENDATION

That Council:

1. Expresses its deep condolences for the devastation and loss of life that has occurred in Fiji.

2. Donates \$5000 to the Red Cross Fijian cyclone appeal.

COUNCIL DECISION

Motion: **Moved: Mayor Mannoun**

That the recommendation be adopted.

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

One minutes silence was then observed for the people that lost their lives as a result of the cyclone in Fiji.

3. **Mr Gill Sukhpreet** addressed Council on the following item:

Item DPG 01: Request to reconsider Draft Amendment 31 to Liverpool Local Environmental Plan 2008 - Proposal to rezone 1975-1985 Camden Valley Way, Prestons from B6 - Enterprise Corridor to B2 - Local Centre

4. **Mr Bhim Chouham** addressed Council on the following item:

Item DPG 01: Request to reconsider Draft Amendment 31 to Liverpool Local Environmental Plan 2008 - Proposal to rezone 1975-1985 Camden Valley Way, Prestons from B6 - Enterprise Corridor to B2 - Local Centre

5. **Ms Donna Savage from Urban Growth** addressed Council on the following item:

Item DPG 01: Request to reconsider Draft Amendment 31 to Liverpool Local Environmental Plan 2008 - Proposal to rezone 1975-1985 Camden Valley Way, Prestons from B6 - Enterprise Corridor to B2 - Local Centre

Motion: **Moved: Clr Hadchiti** **Seconded: Clr Harle**

That a two minute extension of time be given to Ms Donna Savage.

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

6. **Mr Peter Leyshon from Leyshon Consulting** addressed Council on the following item:

Item DPG 01: Request to reconsider Draft Amendment 31 to Liverpool Local Environmental Plan 2008 - Proposal to rezone 1975-1985 Camden Valley Way, Prestons from B6 - Enterprise Corridor to B2 - Local Centre

7. **Mr Tony Pratt from Woolworths** addressed Council on the following item:

Item DPG 01: Request to reconsider Draft Amendment 31 to Liverpool Local Environmental Plan 2008 - Proposal to rezone 1975-1985 Camden Valley Way, Prestons from B6 - Enterprise Corridor to B2 - Local Centre

Clr Waller left the Chambers at 6.47pm.

8. **Ms Rebekah Foxe** addressed Council on the following items:

Item QWN 01: Questions With Notice Clr Ristevski

Item NOM 04: Balloon and Flag Advertising

Motion: **Moved: Clr Hadchiti** **Seconded: Clr Balloot**

That a two minute extension of time be given to Ms Rebekah Foxe.

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

MOTION OF URGENCY

Motion **Moved: Clr Ristevski** **Seconded: Clr Stanley**

1. That Council move into a Confidential Session to discuss an urgent staff matter.
2. That the public, all staff including the CEO leave the Chambers.
3. Councillors remain in the Chamber with the Mayor and Clr Mamone to take the minutes to ensure consistency.

Mayor Mannoun advised that due notice had not been provided as required by Clause 16.1.1 of Council's Code of Meeting Practice.

Clr Ristevski asked that it be dealt with as a matter of urgency and moved the following:

Motion **Moved: Clr Ristevski** **Seconded: Clr Stanley**

1. That the CEO's contract of employment and the CEO's employment be terminated under Clause 10.3.5 and 11.3 of the contract of employment.
2. That an appointment of a temporary CEO be made by Council.
3. Recruitment of a new CEO begins immediately with a panel to include all Councillors.

4. That the delegation of the Mayor as spokesman of Council to be removed due to no confidence in the Mayor. The Acting CEO will be the spokesman for Council but no major media announcements can be made without a resolution of Council to enable Councillors to be briefed.
5. The Mayoral Column in the newspaper to be replaced with a Councillors column for Council and community events with each Councillor providing a column on a rotational basis.
6. Mayoral Mobile Offices be referred to as Councillor mobile offices with any community announcements to come from the CEO.

Mayor Mannoun ruled that the motion was not lawful as Council must have a CEO under section 334(1) of the Local Government Act 1993. If the motion was to be moved, Mayor Mannoun advised Clr Ristevski that he would need to nominate an Acting CEO in his motion.

Clr Ristevski then nominated Michael Cullen be temporary CEO.

Michael Cullen declined his nomination.

As an Acting CEO was not nominated and accepted, Mayor Mannoun advised that the motion was unlawful.

Before a ruling was made on whether the motion was considered urgent, Mayor Mannoun advised that the motion would need to be lawful. At that point, the motion was not lawful and Mayor Mannoun asked Clr Ristevski if he would like to nominate another person.

Clr Ristevski nominated Peter Maatouk as Acting CEO.

Mayor Mannoun asked Clr Ristevski to explain why he considered this to be an urgency motion.

Clr Ristevski preferred to give his reason in Confidential Session.

Mayor Mannoun asked why the motion wasn't included in the Agenda with due notice given so that it could be dealt with in the proper process.

Clr Ristevski advised that he would rather discuss it in Confidential Session.

In accordance with Clauses 16.6 and 16.6.2 of Council's Code of Meeting Practice, and Clause 241(3)(a) and (b) of the Local Government (General) Regulation 2005, Mayor Mannoun ruled that the motion was not urgent and would not be dealt with at this meeting.

Clr Ristevski moved a motion to go into Closed Session.

Mayor Mannoun invited Ms Fiona Macnaught to address Council in relation to Item QWN 01. Clr Ristevski requested that his motion be dealt with.

Mayor Mannoun ruled that it would not be dealt with as it was not urgent.

Clr Ristevski then moved a Motion of Dissent against the Mayor's ruling which Clr Waller seconded.

Mayor Mannoun advised that a motion of dissent cannot be moved on the Mayor's ruling on an urgency motion.

Mayor Mannoun asked Clr Ristevski to leave the Chamber. Clr Ristevski advised that the Mayor does not have the authority to remove him and requested that Council vote on the urgency motion.

Mayor Mannoun asked Clr Ristevski to leave the Chambers.

Mayor Mannoun then called for a recess at 7.11pm.

The meeting was adjourned at 7.11pm

Mayor Mannoun reopened the meeting at 7.36pm.

Mayor Mannoun advised that Clr Ristevski had conducted numerous acts of disorder and asked him to apologise.

Clr Ristevski refused to apologise and was willing to apologise if Mayor Mannoun apologised for what he had called him at the previous Council meeting.

Mayor Mannoun then asked Clr Ristevski to leave the Chambers and asked security to assist in removing Clr Ristevski from the meeting.

Clr Ristevski left the Chamber at 7.40pm.

Clrs Waller, Shelton, Mamone, Stanley, Harle and Karnib left the Chambers at 7.40pm.

Mayor Mannoun advised that as quorum was lost, the meeting would go into 30 minute recess to allow quorum to be restored.

A quorum was not re-established and at 8.33pm Mayor Mannoun advised that the meeting would be adjourned to 14 March 2016 at 6.00pm in the Francis Greenway Centre, Council Chambers.

Mayor Mannoun reconvened the meeting at 6.03pm on Monday, 14 March 2016 with the following people present:

Mayor Ned Mannoun
Councillor Balloot
Councillor Hadchiti
Councillor Hadid
Councillor Harle
Councillor Karnib
Councillor Mamone
Councillor Ristevski
Councillor Shelton
Councillor Stanley
Mr Carl Wulff, Chief Executive Officer
Mr Gary Grantham, Chief Financial Officer / Director Corporate Services
Ms Toni Averay, Director Planning and Growth
Mr Eddie Jackson, Acting Director Community and Culture
Mr Wayne Carter, Director City Presentation
Mr Michael Cullen, Director Economy and Engagement
Mr Raj Autar, Director Infrastructure and Environment
Ms Carole Todd, Director Business Improvement
Mr John Morgan, Director Property and Commercial Development

PUBLIC FORUM (Continued from page 5 of these minutes)

Representation – items on agenda

1. **Ms Fiona Macnaught** addressed Council on the following item:

Item QWN 01: Questions With Notice Clr Ristevski

Motion: **Moved: Clr Hadid** **Seconded: Clr Balloot**

That a two minute extension of time be given to Ms Fiona Macnaught.

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

2. **Mr Rached Ammoun** addressed Council on the following item:

Item QWN 01: Questions With Notice Clr Ristevski

3. **Ms Karress Rhodes** addressed Council on the following item:

Item CTTE 05: Minutes of the Economic Development and Events Committee meeting held 4 February 2016

Motion: **Moved: Cllr Shelton** **Seconded: Cllr Harle**

That a two minute extension of time be given to Ms Karress Rhodes.

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

4. **Mr Gerard Turrisi** addressed Council on the following item:

Item DPG 01: Request to reconsider Draft Amendment 31 to Liverpool Local Environmental Plan 2008 - Proposal to rezone 1975-1985 Camden Valley Way, Prestons from B6 - Enterprise Corridor to B2 - Local Centre

Cllr Ristevski left the Chambers at 6.21pm.

Cllr Ristevski returned to the Chambers at 6.23pm.

5. **Mr David Milovanovic** addressed Council on the following item:

Item NOM 10: Asbestos and Staffing Issues

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

That a two minute extension of time be given to Mr David Milovanovic.

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

MAYORAL MINUTES

ITEM NO: MAYOR 01

SUBJECT: 125 Years of the Luddenham Society

On the February 4th 1891 the first ever meeting of the Luddenham AH & I Society was convened and created our much beloved Luddenham Show later that year. The Show demonstrates all the best of our agricultural heartland in the lead up to the Royal Sydney Easter Show with rodeo's, produce and art displays and this year a jet car spectacle. It has come a long way from the original show heralded as the best inaugural show ever held in the then colony of New South Wales but none of the delights have suffered for its age.

The Luddenham Show has persisted through 112 of the society's 125 years of existence, only halted by war and drought, to bring us grand displays of our country heritage. It is truly remarkable to still see the descendants of the pioneering families 125 years on taking an active role in the society and the organisation of the show. A special thanks is extended to the Adams, Roots and Willmington Families for their continued assistance over the years and in bringing together such a fantastic Luddenham Show enjoyed by all who attended.

RECOMMENDATION

That Council:

1. Congratulates the Luddenham Agricultural, Horticultural & Industrial Society for their 125 years of serving the rural community of Liverpool and producing the Luddenham show.
2. Writes to the Luddenham Society providing a copy of this minute in honour of their achievement.

COUNCIL DECISION

Motion: Moved: Mayor Mannoun

That the recommendation be adopted.

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

ITEM NO: MAYOR 02
SUBJECT: World's Greatest Shave

On Sunday 13th of March local resident Buffy McDonald shaved her head for The World's Greatest Shave; an icon of solidarity and support for those we know and love who suffer from leukaemia. Every day 34 Australians are diagnosed with Blood Cancer, news that can be heart wrenching not only for the patient but for their friends and family who stand by them.

Buffy's father John Eastwood was diagnosed with the blood disorder MDS, a leukaemia that inhibits the production of normal blood cells and it is to him that Buffy will dedicate her shave. Buffy and John work together at the local charity Young Adults Disabled Association (YADA) which John co-founded over 30 years ago. Despite his on-going condition he has pushed through and continued his work for the charity.

Buffy aims to raise \$10 000 for the Leukaemia Foundation through her shave and has asked people to donate cakes for a sale on the day at the YADA offices in Liverpool. With council's generosity we can help her reach that goal and help provide hope to those afflicted by a terrible disease.

RECOMMENDATION

That Council:

1. Donates \$1000 to Buffy McDonald's World's Greatest Shave event at 2pm, 13 March 2016 at the YADA office on 10 Anderson Ave Liverpool.
2. Promotes the day on social media.
3. Encourages the public to get involved in the World's Greatest Shave through donations or shaving their hair.

COUNCIL DECISION

Motion: **Moved: Mayor Mannoun**

That the recommendation be adopted.

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

NOTICES OF MOTION

ITEM NO: NOM 01
FILE NO: 034086.2016
SUBJECT: Traffic Study Southern end of Liverpool

NOTICE OF MOTION

That Council:

1. Instigate a traffic study to assess the impact of approved and forecast developments in the Southern part of Liverpool for the streets and incidental traffic interactions of the streets.
2. Identify a source of funds for the study.
3. Present the results to the June 2016 Council meeting.

COUNCIL DECISION

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

That Council:

1. Ensures that streets listed in the background (included below) of this Notice of Motion are included in the current study being undertaken to ensure that all traffic impacts are taken into account.
2. Bring the traffic report to council when completed.
3. Work with the state government to ensure the traffic study relating to the Intermodal is included in the study.

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

BACKGROUND

There have been several high rise developments approved at the southern end of Liverpool which have the potential to increase traffic and cause further issues for CBD traffic. To further press Council case for funding for a grade separation at Hoxton Park road it is vital that we have updated modelling and information about traffic flows around Hoxton Park Road, Macquarie Street, Speed Street, Carey St, Hay St, Olive Street, Mill Road, Charles Street, Nagle Street Shepherd Street, Atkinson St, and River Park Drive and other associated streets in that area.

ITEM NO: NOM 02
FILE NO: 037054.2016
SUBJECT: Tree Preservation

NOTICE OF MOTION

That Council:

1. During the current LLEP revision that policy and process with targets are considered to protect trees when developing particularly large parcels of land.
2. Provide Council with a report for the May 2016 Council meeting.

COUNCIL DECISION

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

That Council:

1. During the current LLEP revision that policy and process with targets are considered to protect trees when developing particularly large parcels of land.
2. Provide Council at the appropriate time in the LLEP review, a report as to how (1) can be achieved.

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

.....
Chairperson

ITEM NO: NOM 03
FILE NO: 037074.2016
SUBJECT: Storm Removal Policy (trees on the Nature Strips)

NOTICE OF MOTION

That Council development a policy that makes Council the one point of contact for residents when street trees are brought down in storms.

- a) Negotiate with our services providers to find a quick and efficient way to provide information to them.
- b) Provide a report to Council detailing changes to the policy for the May 2016 Council meeting

COUNCIL DECISION

Motion: **Moved: Clr Stanley** **Seconded: Clr Karnib**

That the recommendation be adopted.

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

ITEM NO: NOM 04
FILE NO: 038895.2016
SUBJECT: Balloon and Flag Advertising

NOTICE OF MOTION

That:

- 1. Council develop a formal policy to regulate the advertising via balloon and flag throughout the LGA to be tabled at the next council meeting.
- 2. All enforcement action against Mr Maatouk cease as it is premature given that there is no balloon advertising policy in place.
- 3. Council staff advise of which other businesses have been subjected to formal enforcement action besides Mr Maatouk.
- 4. Council staff advise of the legal costs to date in enforcing action against Mr Maatouk.
- 5. Council staff advise of the total man hours which have been allocated to enforcement action against Mr Maatouk.

COUNCIL DECISION

Motion: **Moved: Cllr Stanley** **Seconded: Cllr Hadid**

That Council note the comments of the CEO (included below) with a further confidential report to be brought back to the next Council meeting or the most appropriate time.

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

CHIEF EXECUTIVE OFFICER COMMENTS

CEO Comments to each point of the motion are found below:

- 1. **Council develop a formal policy to regulate the advertising via balloon and flag throughout the LGA to be tabled at the next council meeting.**

There is no need to develop a policy as the installation of advertising structures (balloons, flags etc) is controlled under the Environmental Planning and Assessment Act . A council policy cannot override the Act.
- 2. **All enforcement action against Mr Maatouk cease as it is premature given that there is no balloon advertising policy in place.**

Enforcement action was taken for non-compliance with the Environment Planning and Assessment Act as such Council policy is irrelevant (refer to comments above). At any rate the matter is before the courts and both respondents have already indicated that they do not dispute that the Complying Development Certificate is invalid. Therefore making the signage and balloon unauthorised.

3. Council staff advise of which other businesses have been subjected to formal enforcement action besides Mr Maatouk.

There are seven other businesses given notices for similar offences.

4. Council staff advise of the legal costs to date in enforcing action against Mr Maatouk.

\$8871.77, however Council is pressing for an order that the respondents pay Council's legal costs.

5. Council staff advise of the total man hours which have been allocated to enforcement action against Mr Maatouk.

Compliance Officers have spent a total of 3 days.

ITEM NO: NOM 05
FILE NO: 039460.2016
SUBJECT: Maintenance of Nature Strips

NOTICE OF MOTION

That Council direct the Chief Executive Officer, on behalf of the Council, to write to the Premier of NSW, the Minister for Roads, Maritime and Freight, and the Minister for Local Government, outlining the issues associated with residents who do not maintain road verges, and seeking a statutory solution through suitable amendments to the Roads Act 1993 and/or the Local Government Act 1993.

COUNCIL DECISION

Motion: **Moved: Clr Harle** **Seconded: Clr Stanley**

That Council:

1. Direct the Chief Executive Officer, on behalf of the Council, to write to the Premier of NSW, the Minister for Roads, Maritime and Freight, and the Minister for Local Government, outlining the issues associated with residents who do not maintain road verges, and seeking a statutory solution through suitable amendments to the Roads Act 1993 and/or the Local Government Act 1993.

2. Submit a motion regarding this matter to the LGNSW Association Conference.

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

ITEM NO: NOM 06
FILE NO: 039486.2016
SUBJECT: Sister City Relationship with Calabria

NOTICE OF MOTION

That Council:

- 1. Officers will reconnect with our sister city in Calabria to explore opportunities to develop and enhance the cultural relationship between the two cities in ways that are mutually beneficial, include arranging a delegation from Council to attend Calabria
- 2. Nominate four Councillor to visit the sister city in June.

COUNCIL DECISION

Motion: **Moved: Clr Mamone** **Seconded: Clr Ristevski**

That:

- 1. Council officers will reconnect with our sister city in Calabria to explore opportunities to develop and enhance the cultural relationship between the two cities in ways that are mutually beneficial, include arranging a delegation from Council to attend Calabria.
- 2. Airfare expenses for the Calabria Trip and the Toda trip (approved at the 3 February 2016 Council meeting) are to be paid by the Councillors attending.
- 3. Any Councillor can nominate themselves to attend if they are willing to cover airfare expenses.

Foreshadowed motion: **Moved: Clr Hadchiti** **Seconded: Mayor Mannoun**

That this item be deferred until the next Council meeting.

On being put to the meeting the motion (moved by Clr Mamone) was declared CARRIED and the Foreshadowed motion (moved by Clr Hadchiti) lapsed.

Clr Karnib left the Chambers at 7.07pm.

Clr Karnib returned to the Chambers at 7.11pm.

Clr Mamone left the Chambers at 7.20pm.

Clr Mamone returned to the Chambers at 7.25pm.

MOTION TO BRING ITEM FORWARD

Motion

Moved: Clr Stanley

Seconded: Clr Hadchiti

That Council:

That item DPG 01 be brought forward and dealt with now.

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

ITEM NO: DPG 01
FILE NO: 001723.2016
SUBJECT: Request to reconsider Draft Amendment 31 to Liverpool Local Environmental Plan 2008 - Proposal to rezone 1975-1985 Camden Valley Way, Prestons from B6 - Enterprise Corridor to B2 - Local Centre

RECOMMENDATION

That Council:

1. Reaffirms its opposition to the proposed rezoning of 1975-1985 Camden Valley Way from B6 – Enterprise Corridor to B2 – Local Centre, for the reasons outlined in its resolution on the matter adopted at its ordinary meeting of 17 June 2015.
2. Writes to the Minister of Planning pursuant to Section 58(4) of the Environmental Planning and Assessment Act 1979 requesting that the Minister determine that the matter not proceed.
3. Provides a copy of the final planning proposal for the proposed rezoning to the Department of Planning and Environment for their review as requested.
4. Delegates to the CEO the authority to negotiate with the Department of Planning and Environment to amend the proposal as described in this report, should the Minister decide to proceed with the rezoning.

COUNCIL DECISION

Motion: **Moved: Cllr Stanley** **Seconded: Cllr Shelton**

That Council:

1. Reaffirms its opposition to the proposed rezoning of 1975-1985 Camden Valley Way from B6 – Enterprise Corridor to B2 – Local Centre, for the reasons outlined in its resolution on the matter adopted at its ordinary meeting of 17 June 2015. The decision is based on Council’s Independent consult, Hill PDA and other matters, who in December 2014 undertook a peer review of the proposal and recommended that the planning proposal should be refused as it was contrary to Council’s adopted Retail Hierarchy Strategy. The proposal is not specifically included in any identified State or Regional strategic direction. The proposal is also contrary to the Draft Centres Policy that favours the strengthening and expansion of existing centres to accommodate market demand before creating a new centre or supporting out of centre retailing activity.
2. Writes to the Minister of Planning pursuant to Section 58(4) of the Environmental Planning and Assessment Act 1979 requesting that the Minister determine that the matter not proceed.
3. Provides a copy of the final planning proposal for the proposed rezoning to the Department of Planning and Environment for their review as requested.

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

Councillors voted unanimously for this motion.

ITEM NO: NOM 07
FILE NO: 039489.2016
SUBJECT: Express rail service between Liverpool and City

NOTICE OF MOTION

That Council writes to the responsible member of the state government objecting on behalf of Liverpool residents to the proposed increase in OPAL fares which have been described in many quarters as discriminatory, and points out the economic harm as much causes to residents individually and attempts generally to promote Liverpool and its surrounds as a destination of preference for work, lifestyle and recreation.

COUNCIL DECISION

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

That Council:

1. Writes to the responsible member of the state government objecting on behalf of Liverpool residents to the proposed increase in OPAL fares, as recommended by IPART which have been described in many quarters as discriminatory, and points out the economic harm as much causes to residents individually and attempts generally to promote Liverpool and its surrounds as a destination of preference for work, lifestyle and recreation.
2. Notes the comments of the CEO (included below).

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

CHIEF EXECUTIVE OFFICER COMMENTS

Liverpool is experiencing rapid growth and public transport plays a very important role in this expansion. Residents in the south-west currently endure traffic congestion in peak times on major roads in the area. Enhanced public transport options would encourage more people out of single vehicles journeys and onto public transport.

As an example, using the current Transport for NSW timetable and Opal fare calculator it takes at least 1 hour and 10 minutes to travel from Liverpool to Town Hall at approximately 8am for a cost of \$6.46. Bus travel to the city is not a feasible option as this would take 2 or 3 buses and nearly 2 ½ hours. Liverpool residents are not getting decent services or value for money.

The IPART report into OPAL and public transport fares says they want 'to create a fairer, more efficient and more integrated system for Opal card users.

In summary, the report proposes the following:

to increase fares over the next 3 years by the average annual before inflation of 1.8% for rail, to 3.3% for bus and light rail and 3.5% for ferries. Fares to come into effect on 1 July 2016.

An integrated fare structure for passengers needing to switch between trains, buses, ferries or light rail on the same journey. Instead of being charged twice or more when switching from one mode to another, the fare would be charged based on the distance from origin to final destination, so that most multi-mode passengers would pay 20% to 50% less for each journey.

- To reduce the number of free trips enjoyed by some (users of more than 8 trips per week), so more passengers can access lower fares without further increasing the burden on taxpayers.
- Increasing the off-peak discount on trains from 30% to 40%, meaning lower fares for more than 97% of off-peak rail customers. Currently 56% of all rail journeys are made in off-peak periods. Increasing the discount on off-peak fares would better reflect the lower costs of providing off-peak rail services and promote better use of spare capacity on the rail network.
- Changing fare bands so that they are based on the straight-line distance from origin to destination for all modes, removing the anomaly that while bus and ferry passengers currently pay for distance travelled based on a straight line, train passengers pay according to track distance. This would lead to significant savings for some rail passengers.
- Increasing the per kilometre rate so that fares for longer distance journeys would increase relative to those for shorter distance journeys. This would affect those travelling longer distances (bus fares more than 15km, and rail fare more than 65km), but IPART says long distance fares would still be lower than in 2009.
- Setting the Gold Opal Card (pensioners or war widow card holders) cap at 40% of the concession fare (\$3.60) in place of the current daily cap of \$2.50, this has not increased since 2005. Seniors without a Pensioner or War Widow/ers Card would have an Opal Concession Card (\$9 daily cap) rather than a Gold Opal Card.
- Increasing the daily cap from \$15 (Monday to Saturday) to \$18 Monday to Friday, with the proposed lower \$7.20 daily cap to apply on Saturdays and Sundays.
- Pricing paper tickets at 40% more than Opal fares to reflect the costs involving two ticketing systems.

ITEM NO: NOM 08
FILE NO: 039527.2016
SUBJECT: ANZAC Day Commemorations 2016-2018

NOTICE OF MOTION

That Council liaises with stakeholders with a view toward identifying any linkages and themes which might be emphasized to connect and perhaps unify the next three ANZAC day commemorations, having regard to their historical significance, and further Council looks into identifying how it can contribute to as much.

COUNCIL DECISION

Motion: **Moved: Clr Shelton** **Seconded: Clr Mamone**

That council notes the comments of the CEO (included below).

CHIEF EXECUTIVE OFICER COMMENTS

The ANZAC 2015 commemoration was extremely successful with very positive responses from the community and from many stakeholders including the Australian War Memorial, the RSL and the military communities in Liverpool.

Annually, Council will continue to support financially and logistically the ANZAC Day Dawn Service held in Bigge Park. This is a moving and significant commemoration that is increasingly attended by our local community.

The Library and Museum have a range of exhibitions and activities proposed over the next few years to commemorate one hundred years of World War 1. These include:

- Interactive talks by a re-enactment group on the equipment the soldiers had.
- Performance by Jim Hayes, readings from letters, diaries etc.
- Sydney Living Museums 'Gallipoli' exhibition - basically descendants stories, effects on families etc.
- Photographic display of Liverpool during the war with an emphasis on the home front.

We will also look for other opportunities to draw attention to the many stories and experiences of World War 1. In particular, the story of our nurses remains extremely relevant and has not been explored in the depth of the stories of the soldiers.

The next most significant date that council should seriously consider commemorating is of course the hundred anniversary of Armistice Day in 2018. The Producer of those events and activities has proposed a range of possible commemorations that could be considered, including:

.....
Chairperson

- The staging of small, intimate programs and events for WWI commemorations at historically significant/heritage sites.
 - Storytelling Outdoor performances, eg. A re-staging of Last Post performance that Busby Public School students presented at the Home Front event at CPAC in 2015, or Through These Lines performance at Anzac Day event.
 - The finale to the ANZAC Day 2015 event which got washed out – horses in full dress, students from Amity College (Turkish) and the Last Post on the bugle.
- Public displays
 - Paste-ups on walls throughout CBD – portraits and stories of local soldiers.
 - Large-scale mural on the wall of John Edmondson Memorial Club, the side wall facing Moore St
 - Re-staging of Anzac Projections for seven days, in the same location
 - Street banners
- Large-scale Armistice Day event

A budget of approximately \$120,000 would be required to deliver all of the above. It would also require a dedicated contract position as was done for the 2015 commemorations. Funding would need to be allocated in the 2017/18 and 2018/19 budgets; as these budgets are developed these ideas will be further considered internally and then provided to Councillors for consideration.

ITEM NO: NOM 09
FILE NO: 039577.2016
SUBJECT: Liverpool LGA events calendar

NOTICE OF MOTION

That Council investigates the feasibility of creating and promoting a space, presumably electronic, for the listing of events in the Liverpool LGA area whether they be council events, council sponsored events, or simply events taking place in the Liverpool LGA area.

COUNCIL DECISION

Motion: **Moved: Cllr Shelton** **Seconded: Cllr Stanley**

That Council notes the comments of the CEO (included below).

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

CHIEF EXECUTIVE OFFICER COMMENTS

Council will review current practices and opportunities for a city wide calendar of events and provide a report back to Council in April 2016.

Clr Hadid left the Chambers at 7.46pm.

Clr Hadid returned to the Chambers at 7.48pm.

ITEM NO: NOM 10
FILE NO: 039656.2016
SUBJECT: Asbestos and Staffing Issues

NOTICE OF MOTION

That Council receive a verbal update relating to the ongoing asbestos issue.

COUNCIL DECISION

Motion: **Moved: Clr Ristevski** **Seconded: Clr Mamone**

1. That Council as a matter of urgency conducts soil tests on the land owned by Council surrounding the Club as well as the Club's vacant land adjoining the Council land where asbestos has been found and contaminated.
2. That Councillors be advised as a matter of urgency what programs have been put into place to test and monitor rate payers and the Serbian Club staff.
3. That Council donate \$5,000 to the Serbian Saint Sava festival to be held at the Serbian Club at Hoxton Park next month to assist the Club with additional advertising.
4. That Council move into Closed Session at the end of the Council meeting to receive a full update from the CEO.

Amendment: **Moved: Clr Hadchiti** **Seconded: Clr Balloot**

1. That Council as a matter of urgency conducts soil tests on the land owned by Council surrounding the Club.
2. That Councillors be advised as a matter of urgency what programs have been put into place to test and monitor rate payers and the Serbian Club staff.
3. That Council donate \$5,000 to the Serbian Saint Sava festival to be held at the Serbian Club at Hoxton Park next month to assist the Club with additional advertising.
4. That Council move into Closed Session at the end of the Council meeting to receive a full update from the CEO.
5. That Council receives a report regarding illegal dumping and asbestos in the LGA.
6. That Council receive a verbal update relating to the ongoing asbestos issue.

On being put to the meeting the Amendment (moved by Clr Hadchiti) was declared LOST.

The motion (moved by Clr Ristevski) was then voted on and on being put to the meeting was declared LOST.

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

Mayor Mannoun called a recess of Council at 7.56pm.

Mayor Mannoun reopened the meeting at 8.21pm.

CHIEF EXECUTIVE OFFICER REPORT

ITEM NO: CEO 01
FILE NO: 008207.2016
SUBJECT: Corporate Sponsorships

RECOMMENDATION

That Council endorses the Financial Contributions Panel's recommendations for the provision of \$11,150 (GST exclusive) under the Corporate Sponsorship Program as summarised in the table below. If the recommended amount of \$11,150 is endorsed, the remaining balance will be \$NIL.

Applicant name	Amount
Hockey NSW	\$1,650 ex gst
Trooper Lu's Garage	\$5,000 ex gst
Australian Paranormal Phenomenon Investigators	\$3,000 ex gst
Liverpool City Robins Sports Club	\$1,500 ex gst

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

That Council

1. Approves the provision of \$16,150 (GST exclusive) under the Corporate Sponsorship Program as summarised in the table below. If the recommended amount of \$16,150 is endorsed, the remaining balance will be \$NIL.

Applicant name	Amount
Hockey NSW	\$1,650 ex gst
Trooper Lu's Garage	\$5,000 ex gst
Australian Paranormal Phenomenon Investigators	\$3,000 ex gst
Liverpool City Robins Sports Club	\$1,500 ex gst
Serbian Saint Sava festival	\$5,000 ex gst

2. Discuss with the Australian Turf Club their plans for the Chipping Norton Stakes.
3. Remove the program criteria that requires an event to be in the City Centre.

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

CHIEF FINANCIAL OFFICER

ITEM NO: CFO 01
FILE NO: 029400.2016
SUBJECT: Investment Report January 2016

RECOMMENDATION

That Council receives and notes this report.

COUNCIL DECISION

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

That the recommendation be adopted.

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

.....

ITEM NO: CFO 02
FILE NO: 032579.2016
SUBJECT: Appointment of External Auditors

RECOMMENDATION

That Council:

1. Note the provisions under the Local Government Act 1993.

2. Approves appointment of the Audit Office of NSW to perform the audit of Council's 2015/16 and forward year's financial statements.

COUNCIL DECISION

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

That the recommendation be adopted.

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

ITEM NO: CFO 03
FILE NO: 033907.2016
SUBJECT: Budget Review - December 2015

RECOMMENDATION

That Council:

1. Receives and notes the report;
2. Approves the identified budget variations in accordance with this report.

COUNCIL DECISION

Motion: **Moved: Clr Ristevski** **Seconded: Clr Stanley**

That Council:

1. Receives and notes the report;
2. Approves the identified budget variations in accordance with this report.
3. Staff prepare a report to come back to the next Council meeting on the budget allocation for the 2015/16 and 2016/17 financial years for the Council Media, Communications and Research department. The report to exclude allocations to CPAC and to include staff salaries.

Amendment: **Moved: Clr Hadchiti** **Seconded: Clr Balloot**

That Council:

1. Receives and notes the report;
2. Approves the identified budget variations in accordance with this report.
3. The following report come back to a budget session for Councillors consideration:

The budget allocation for the 2015/16 and 2016/17 financial years for the Council Media, Communications and Research department. The report to exclude allocations to CPAC and to include staff salaries.

On being put to the meeting the Amendment (moved by Clr Hadchiti) was declared CARRIED and the motion (moved by Clr Ristevski) lapsed.

COMMUNITY AND CULTURE REPORT

ITEM NO: DCC 01
FILE NO: 013109.2016
SUBJECT: Midnight Basketball Report at end of Contract between Council and Midnight Basketball Australia

RECOMMENDATION

That Council receive and notes this report.

COUNCIL DECISION

Motion: **Moved: Clr Shelton** **Seconded: Clr Hadchiti**

That:

1. Council receives and notes this report
2. Council staff be thanked for their hard work on the program, especially Derek Tweed.
3. Councillors express their support for this program to continue in the next two years.

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

ITEM NO: DCC 02
FILE NO: 029645.2016
SUBJECT: Combatting Childhood Obesity with Sport - Updated Report

RECOMMENDATION

That Council receives and notes this report.

COUNCIL DECISION

Motion: **Moved: Cllr Shelton** **Seconded: Cllr Mamone**

That the recommendation be adopted.

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

ITEM NO: DCC 03
FILE NO: 030401.2016
SUBJECT: Jobskills Workshops for Baby Boomers

RECOMMENDATION

That Council receives and notes this report.

COUNCIL DECISION

Motion: **Moved: Clr Hadchiti** **Seconded: Clr Balloot**

That the recommendation be adopted.

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

ITEM NO: DCC 04
FILE NO: 031327.2016
SUBJECT: Homelessness and Employment

RECOMMENDATION

That Council receives and notes this report.

COUNCIL DECISION

Motion: **Moved: Clr Mamone** **Seconded: Clr Shelton**

That the recommendation be adopted.

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

ECONOMY AND ENGAGEMENT REPORT

ITEM NO: DEE 01
FILE NO: 039023.2016
SUBJECT: Outgoing Corporate Sponsorship Policy

RECOMMENDATION

That Council:

1. Note this report;
2. Adopt the Outgoing Corporate Sponsorship Policy (including Guidelines and Form), for introduction from 1 July 2016, as attached to this report; and
3. Provide a copy of the attached policy and the related public notice to the Chief Executive of the Office of Local Government within 28 days of the date of this Council resolution.

COUNCIL DECISION

Motion: **Moved: Cllr Stanley** **Seconded: Cllr Shelton**

That Council:

1. Note this report
2. Adopt the Outgoing Corporate Sponsorship Policy (including Guidelines and Form), for introduction from 1 July 2016, as attached to this report with the following changes:
 - Remove point 4.2e) of the Policy, which states:
“Activates the city centre, particularly on weekends and evenings”
 - The application form be amended so that submissions be made through a generic email address.
3. Provide a copy of the attached policy and the related public notice to the Chief Executive of the Office of Local Government within 28 days of the date of this Council resolution.

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

ITEM NO: DEE 02
FILE NO: 011737.2016
SUBJECT: Youth Unemployment in Liverpool

RECOMMENDATION

That Council note this report.

COUNCIL DECISION

Motion: **Moved: Clr Shelton** **Seconded: Clr Karnib**

That the recommendation be adopted.

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

ITEM NO: DEE 03
FILE NO: 027455.2016
SUBJECT: Visiting International Delegations Policy

RECOMMENDATION

That Council adopts the attached proposed visiting delegations policy.

COUNCIL DECISION

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

That Council adopts the attached proposed visiting delegations policy with the following amendments:

- Add the following sentence to clause 4.2.4 of the Policy, "The CEO will ordinarily consult with Councillors when making a determination under this policy." So that the clause reads:

"Council, through the CEO's office will assess the request with respect to the benefits to Liverpool Council or the Liverpool area, including protocol checks with the Commonwealth and NSW Governments. The CEO will ordinarily consult with Councillors when making a determination under this policy."

- Add the following words to clause 4.3.1 of the Policy, "Subject to the terms of this policy." So that the clause reads:

"Subject to the terms of this policy, the CEO will approve or decline a request from a visiting delegation."

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

Clr Hadchiti left the Chambers at 8.53pm.

ITEM NO: DEE 04
FILE NO: 028815.2016
SUBJECT: Outdoor Dining Policy

RECOMMENDATION

That Council:

1. Note this report
2. Adopt the Outdoor Dining Policy, as attached to this report; and
3. Provide a copy of the attached policy and the related public notice to the Chief Executive of the Office of Local Government within 28 days of the date of this Council resolution.

COUNCIL DECISION

Motion: **Moved: Clr Shelton** **Seconded: Clr Hadid**

That the recommendation be adopted.

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

Clr Hadchiti returned to the Chambers at 8.54pm.

PLANNING AND GROWTH REPORT

ITEM NO: DPG 02
FILE NO: 003187.2016
SUBJECT: Enforcement Policy Report

RECOMMENDATION

That Council:

1. Approves the attached reviewed Enforcement Policy.
2. Revokes the Penalty Infringement Notice Policy.

COUNCIL DECISION

Motion: **Moved: Clr Stanley** **Seconded: Clr Hadid**

That the recommendation be adopted.

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

ITEM NO: DPG 03
FILE NO: 031645.2016
SUBJECT: Development Engineering Bonds Policy

RECOMMENDATION

That Council:

1. Notes this report.
2. Adopts the Development Engineering Bonds Policy attached to this report

COUNCIL DECISION

Motion: **Moved:** Clr Hadid **Seconded:** Clr Mamone

That Council:

1. Notes this report.
2. Adopts the Development Engineering Bonds Policy attached to this report.
3. Ensure that the bond must be returned to the entity who lodged the bond.

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

ITEM NO: CTTE 02
FILE NO: 031695.2016
SUBJECT: Minutes of the Liverpool Youth Council Meeting held 2 February, 2016

RECOMMENDATION

That Council receives and adopts the Minutes of the Liverpool Youth Council Meeting held on 2 February, 2016.

COUNCIL DECISION

Motion: **Moved: Clr Mamone** **Seconded: Clr Stanley**

That the recommendation be adopted.

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

ITEM NO: CTTE 03
FILE NO: 035373.2016
SUBJECT: Minutes of Building Our New City Committee meeting held 4 February 2016

RECOMMENDATION

That Council:

- 1. Receives and notes the Minutes of the Building our New City Committee Meeting held on 4 February 2016.
- 2. Notes that a report identifying options for the development of an activation program in the Mall will be provided to a future Building Our New City Committee meeting.
- 3. Notes that a short paper on the City Development Fund boundaries will be provided to a future Building Our New City Committee meeting for consideration.

COUNCIL DECISION

Motion: **Moved: Clr Mamone** **Seconded: Clr Balloot**

That the recommendation be adopted.

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

ITEM NO: CTTE 04
FILE NO: 038575.2016
SUBJECT: Planning and Development Committee Minutes of 4 February 2016

RECOMMENDATION

That Council:

1. Receives and adopts the Minutes of the Planning and Development Committee Meeting held on 4 February 2016.
2. Adopts the Committee's recommendations.

COUNCIL DECISION

Motion: **Moved: Cllr Balloot** **Seconded: Cllr Harle**

That the recommendation be adopted.

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

ITEM NO: CTTE 05
FILE NO: 039153.2016
SUBJECT: Minutes of the Economic Development and Events Committee meeting held 4 February 2016

RECOMMENDATION

That Council:

1. Receives and notes the Minutes of the Economic Development and Events Committee held on 4 February 2016.
2. Considers funding implementation of the Liverpool Destination Management Plan in its forward budget program.

COUNCIL DECISION

Motion:

Moved: Cllr Harle

Seconded: Cllr Hadchiti

That:

1. Council adopt the minutes and refer back to future Economic Development and Events Committee, all motions and decisions made on the Destination Management Plan as presented on the 4th of February.
2. The Community is given the opportunity to present its own Destination Management Plan additions and adjustments for consideration at an accreditation level above that proposed by this Destination Management Plan.
3. Council support collaboration and form related partnerships between Liverpool public and private sectors and Community Groups to advance specific agendas that may further establish new tourism opportunities for Liverpool.
4. Council promote broad and inclusive Community consultation as an integral component of the Destination Management process that will ensure the support of, the local economy, community values and local employment and business opportunities for Liverpool.

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

QUESTIONS WITH NOTICE

ITEM NO: QWN 01
FILE NO: 037678.2016
SUBJECT: Question with Notice - Clr Ristevski

Please address the following:

Kurrajong Road Opening Community BBQ

1. Why were halal sausages cooked before the pork sausages?

The standard order for Council BBQ events has always been beef sausages and vegetable patties (therefore providing one meat and one vegetarian option). Following the Council resolution of 26 August 2015 regarding the serving of pork, the addition of pork sausages was made to the standard order. To ensure that pork was available to anyone who requested it, they were held aside to be cooked on request. As the event was such a success, all sausages and patties of all varieties were cooked and consumed.

2. Why were so many halal sausages ordered and so little pork sausages ordered?

The ratio of sausage and pattie ordering was determined by a number of factors:

- To keep costs as low as possible while still providing a quality product, especially as this was a free event (beef sausages are cheaper than pork);
- The fact that we have never previously had a request for a pork sausage at a free BBQ indicating that pork eaters will also eat beef (and therefore again, keeping our costs to the ratepayer lower); and
- The population demographics of the surrounding area with high community populations of Arabic and Indian families making beef and vegetarian options preferable.

3. Who made this request? We're any Councillors involved in this decision making?

This decision was made by staff. No Councillors were involved in the decision.

4. How many pork sausages were ordered and how many halal sausages were ordered?

In total food for 1,000 serves was ordered. This was 300 vegetarian patties, 650 beef halal sausages and 50 pork sausages. This was considered to be an appropriate approach considering the community.

5. How many halal sausages were left over and how many pork sausages were left over?

All sausages were happily and gratefully consumed by members of the public.

6. Why did the CEO refuse to answer the above questions to community concerns via a Councillor request?

No adverse comments or complaints were received on the day of the event regarding the availability of pork sausages. Following the event, no comments have been received from the public – other than overall praise for a great event. The purchasing of pork sausages was done in line with best practice regarding value for ratepayers and to meet the Council resolution of 26 August 2015.

The content of the original email received concerning this matter was the reason that the CEO determined that it did not require a response.

ITEM NO: QWN 02
FILE NO: 045951.2016
SUBJECT: Question with Notice - Clr Stanley

Please address the following:

Kurrajong Road, Prestons

1. Can I be advised when the last traffic management study was done for Kurrajong Road?
2. Since the expending of the link between Prestons and Carnes Hill the traffic has increased the right hand turn to Cowpasture Road, there is concerning traffic behaviour due to frustration at the right turn from Kurrajong Road to the Carnes Hill Shopping Centre. Also the intersection at the roundabout at Kurrajong Road and San Merino Drive is causing traffic to back up in both directions.
3. Are there future plans to address this?

Heritage Properties in private ownership

4. I believe there are several properties listed as local heritage value in the current LLEP can I be advised how many?
5. What does Council do or can it do to retain these properties for the future?
6. Is there any legal requirement for these properties to be retained for the future?
7. When will an review be done of heritage properties in Liverpool and when will that report be presented to Council?

This Question With Notice (QWN) was submitted by the QWN deadline but was inadvertently omitted from the Council meeting Agenda. A response to these questions will be included in the 30 March 2016 business papers.

ITEM NO: CONF 01
FILE NO: 031699.2016
SUBJECT: Proposed acquisition of an easement for drainage purposes over Lots 119-122 DP 15226, 19-25 Riverview Road, Pleasure Point

RECOMMENDATION

That Council:

1. Approves the acquisition of an easement for drainage purposes over Lots 119-122 DP 15226, 19-25 Riverview Road, Pleasure Point, on the terms outlined in the confidential report;
2. Keeps confidential the attachment supplied under separate cover containing the compensation amount payable 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
3. Authorises the relevant documentation necessary for the formalization of the easements to be signed under Power of Attorney, by Council's delegated officer.

COUNCIL DECISION

Motion: **Moved: Cllr Stanley** **Seconded: Cllr Hadid**

That the recommendation be adopted.

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

Clr Hadchiti left the Chambers at 9.12pm.

ITEM NO: CONF 02
FILE NO: 032164.2016
SUBJECT: Key Sites Master Planning Steering Committee Minutes from Meeting held 2 February 2016

RECOMMENDATION

That Council:

1. Receives and notes the Minutes of the Key Sites Master Planning Steering Committee Meeting held on 2 February 2016;
2. Adopts the recommendation put forward in this report; and
3. Keeps confidential the minutes supplied in this report containing information pursuant to the provisions of Section 10A(2)(c) of the *Local Government Act 1993* as it contains information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.

COUNCIL DECISION

Motion: **Moved: Clr Hadid** **Seconded: Clr Balloot**

That the recommendation be adopted.

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

Clr Hadchiti returned to the Chambers at 9.13pm.

ITEM NO: CONF 03
FILE NO: 037752.2016
SUBJECT: Tender ST2493 - Georges River Boardwalk and Pedestrian/Cycleway Bridge Design and Project Management

RECOMMENDATION

That Council:

1. Accepts the Tender from BG&E Pty Limited for Tender ST2493 Georges River – Boardwalk and Bridge Design at the GST exclusive price of \$450,104.97.
2. Makes public its decision regarding Tender ST2493 Georges River – Boardwalk and Bridge Design.
3. Notes that the Director Infrastructure and Environment will finalise all details and sign the Letter of Acceptance following publication of draft Minutes on Council website for the tender, giving it contractual effect, in accordance with delegated authority.
4. Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of Section 10A(2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

COUNCIL DECISION

Motion: **Moved: Clr Hadid** **Seconded: Clr Shelton**

That the recommendation be adopted.

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

Vote for: Mayor Mannoun
Clr Balloot
Clr Hadchiti
Clr Hadid
Clr Harle
Clr Mamone
Clr Ristevski
Clr Shelton

Vote against: Clr Karnib
Clr Stanley

ITEM NO: CONF 04
FILE NO: 039751.2016
SUBJECT: ST2497– Provision of Stray Animal Pound and Emergency Capture Patrol

RECOMMENDATION

That Council:

- 1. Declines to accept the Tender for Tender ST2497 Provision of Stray Animal Pound and Emergency Capture Patrol.
- 2. In accordance with Section 178, Clause 3(e) of the Local Government (General) Regulation 2005, enter into negotiations with Transpet Australia Pty Ltd regarding the schedule of rates.
- 3. Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of Section 10A(2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

COUNCIL DECISION

Motion: **Moved: Clr Shelton** **Seconded: Clr Mamone**

That Council defers this report to enable further discussions between Council officers and the current operator.

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

Councillors voted unanimously for this motion.

.....
Chairperson

Clr Hadid left the Chambers at 9.20pm.

Clr Hadid returned to the Chambers at 9.23pm.

Clr Mamone left the Chambers at 9.36pm.

Clr Mamone returned to the Chambers at 9.45pm.

Clr Stanley left the Chambers at 9.45pm.

Clr Stanley returned to the Chambers at 9.49pm.

Clr Hadid left the Chambers at 9.54pm.

**ITEM NO: MAYOR 04
SUBJECT: Asbestos Issue**

That Council move into Closed Session in accordance with Section 10A(2)(a) of the Local Government Act 1993 to discuss the asbestos issue and also have a discussion in Open Session prior to going into Closed Session.

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

That the recommendation be adopted.

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

Mayor Mannoun requested that the CEO's comments made in Open Session be transcribed and included in the Minutes of this meeting. This is provided below:

Chief Executive Officer Update on Asbestos Issue

"Thanks Mr Mayor. There are a number of issues I can bring Council an update on.

Enforceable Undertaking

I did mention last time that we are in the process of preparing an undertaking with the EPA. That's a formal document about how we are going to remediate the sites that have been identified. That document is getting close to completion now and we would expect that it would be with EPA for their consideration and determination by the end of this week. That's the document that is put together following the audit process we did last year and subsequently the EPA's indication that they were fundamentally okay with most of the suggested ways that we had intended to remediate the identified sites.

Western Depot – Devonshire Road, Kemps Creek

You are aware that Council adopted a tender at the last Council meeting for the removal of that material plus other sites such as 12th Avenue, that we are in the process of doing final contract negotiations with the relevant contractor. We thought that it would start this week but there are a couple of small issues that needs to be resolved with the contractual negotiations. We would expect that the work will start within the next couple of weeks.

Sligar Avenue – Heathcote Road, Hammondville

If you have been past Sligar Avenue, that's been fenced off for quite some time. We are capping that site with a concrete path and that work is well under way and we expect that work will be completed and that site would be remediated by end of this month.

Stante Reserve – Hall Circuit, Middleton Grange

Stante Reserve which has been a significant matter of discussion tonight, that material has been removed. It's been cleared by hygienist and air monitoring has indicated no air borne material at that location and that information is being provided to the Serbian Club.

Stroud Park

Stroud Park was an issue where there was a few small stock piles of illegally dumped material in the park. That caused some issues in terms of not being able to slash the park. So that's now been done by specialised contractor. The illegal stock piles of dumped waste will be removed and we would expect going forward that Stroud Park would get clearance from hygienists and then fall back into normal routine for grass maintenance and mowing purposes.

Rickard Road and Newbridge Road

Rickard Road and Newbridge road - we've lumped them into two different locations. They are actually amalgam of different lots. They are called parks but they are actually consequence of the Moorebank Voluntary Acquisition Scheme. Houses were demolished many years ago. It would appear that the demolition methodologies were not the greatest. There has been some asbestos material on the ground there. That also led to an issue where we could not mow because of asbestos on there. The grass has been cut mechanically, the material with the grass has been raked and disposed of as it was asbestos waste. The surface again will be checked by hygienists and subject to getting a clearance from the hygienist that area will go back into the maintenance program and available for our staff to mow.

Casula High School

We've done some testing there and the testing has shown that there is some asbestos material on the fill that we put in there. It's also shown that there was asbestos material on the site, prior to us putting the fill there. It is likely a consequence of demolition work by the school in the past. So we are at the moment, negotiating and discussing with the EPA the most appropriate remediation activities that we should undertake on that site.

BMX Track at Powell Park and the Liverpool Radio Rallycross Car Club at Iraking Avenue, Moorebank

Two issues have come up which I believe I've sent emails to all Councillors to alert them to. There's been facebook information out there, so it's not private and unknown but the BMX Track at Powell Park and the Liverpool Radio Rallycross Car Club at Iraking Avenue, Moorebank, both of those sites are Council land but they are leased by the two groups. Asbestos is being found in both those sites. The sites are being secured and no longer in use. A little bit more complicated by the standard site because we are having to negotiate with the EPA as we are the land owner about the remediation, but also to discuss with the lessee as they are the group that imported the material that's now - has been tested and seen to be contaminated. There will be a bit of work with negotiation with the lessees and EPA on what the most appropriate remediation approach is for that.

There's also a site adjacent to Brickmakers Creek at Durrant Oval. There is an old deposit of asbestos, looks like it's an old deposit of contaminated waste. We are finding these sites because we are physically going out looking for locations and double checking to see what's around. Again this is a site where we will discuss with the EPA, it's illegal dumping activity once again. But as the land owner, we have the responsibility to discuss with EPA the most appropriate remediation, likely removal and subsequent testing and air monitoring as part of that process.

Waste Management System

I have indicated that the last exercise is well underway and we might have a first draft for that sometime in July/August this year. That's a document that we have discussed with EPA and are indicating to the EPA that we will be prepared to make that available to other Councils. There are no other Councils that have a waste management system that complies with the PO&E Act. So this would be ground breaking exercise for the Council and also has indicated that we would likely become a reference site for other Councils in the State on how to deal with the asbestos issue and what management systems you need to deal with those things.

So I think that's pretty much we are at with remediation on the site and progress with EPA."

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

Ask the USU to consider asking all Councils, in particular Wollongong Council, if they have tested their staff for exposure to asbestos.

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

Division called:

Vote for: Mayor Mannoun
 Clr Balloot
 Clr Hadchiti

Vote against: Clr Harle
 Clr Karnib
 Clr Mamone
 Clr Ristevski
 Clr Shelton
 Clr Stanley

Council moved into Closed Session at 10.04pm. Clr Hadchiti, Clr Hadid and Clr Karnib were not in the Chambers when the meeting went into Closed Session.

Clr Karnib returned to the Chambers at 10.06pm.

Clr Hadchiti returned to the Chambers at 10.08pm.

Clr Hadid returned to the Chambers at 10.08pm.

Mayor Mannoun left the Chambers at 10.09pm, the Deputy Mayor, Clr Hadchiti took the Chair.

Mayor Mannoun returned to the Chambers at 10.11pm.

Clr Mamone left the Chambers at 10.18pm.

Clr Mamone returned to the Chambers at 10.21pm.

Council moved back into Open Session at 10.25pm.

Motion: Moved: Mayor Mannoun Seconded: Clr Hadchiti

That Council receive and note the information.

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

THE MEETING CLOSED AT 10.26pm.

<Signature>

Name: Ned Mannoun

Title: Mayor

Date: 30 March 2016

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 24 February 2016. 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 MARCH 2016

PRESENT:

Mayor Ned Mannoun
 Councillor Balloot
 Councillor Hadchiti
 Councillor Hadid
 Councillor Harle
 Councillor Karnib
 Councillor Mamone
 Councillor Ristevski
 Councillor Shelton
 Councillor Stanley
 Councillor Waller
 Mr Carl Wulff, Chief Executive Officer
 Mr Gary Grantham, Chief Financial Officer / Director Corporate Services
 Ms Toni Averay, Director Planning and Growth
 Dr Eddie Jackson, Acting Director Community and Culture
 Mr Wayne Carter, Director City Presentation
 Mr Michael Cullen, Director Economic Development
 Mr Raj Autar, Director Infrastructure and Environment
 Ms Carole Todd, Director Business Improvement
 Mr John Morgan, Director Property and Commercial Development

OPENING 6.08pm

PRAYER The prayer of the Council was read by Reverend John Hall from Open Heaven Church, Liverpool.

APOLOGIES Nil

CONDOLENCES Nil

DECLARATIONS OF INTEREST

Nil

PUBLIC FORUM

Presentation - items not on the Agenda

1. **Mr Max Luciano** addressed the Council on the following matter:

Council for the People

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

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

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

2. **Mr Evin Yalda** addressed the Council on the following matter:

Stronger Budget, Stronger City

Motion: **Moved: Clr Hadchiti** **Seconded: Clr Balloot**

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

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

3. **Mr Nehme Hamadi** addressed the Council on the following matter:

Business investment in Liverpool

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

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

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

Representation - items on the Agenda

1. **Mr Mark Sawyer** addressed Council on the following item:

Item NOM 01 - Chief Executive Officer's employment and policy relating to delegations of the Mayor

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

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

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

2. **Ms Fiona Macnaught** addressed Council on the following item:

Item NOM 01 - Chief Executive Officer's employment and policy relating to delegations of the Mayor

Motion: **Moved: Clr Hadid** **Seconded: Clr Mamone**

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

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

3. **Mr Alex Karaki** addressed Council on the following item:

Item NOM 01 - Chief Executive Officer's employment and policy relating to delegations of the Mayor

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

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

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

NOTICES OF MOTION

ITEM NO: NOM 01
FILE NO: 055975.2016
SUBJECT: Chief Executive Officer's employment and policy relating to delegations of the Mayor

NOTICE OF MOTION

1. That Council move into Closed Session as it is a staff matter.
2. The CEO and staff leave the Chamber and Clr Mamone take minutes to ensure consistency.
3. Further, Council consider at this Extraordinary Meeting the policy relating to delegations of the Mayor.

COUNCIL DECISION

Motion: **Mayor Mannoun** **Seconded: Clr Balloot**

That an extension of speaking time be given to Clr Hadchiti.

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

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

That the Notice of Motion (NOM 01) be dealt with in open session.

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

Division called:

Vote for: Mayor Mannoun
Clr Balloot
Clr Hadchiti
Clr Hadid

Vote against: Clr Harle
Clr Karnib
Clr Mamone
Clr Ristevski
Clr Shelton

Clr Stanley
Clr Waller

Mayor Mannoun called a recess of Council at 7.13pm.

Mayor Mannoun reopened the meeting at 7.26pm.

RESCISSION MOTION

Moved By: Clrs Hadchiti, Mamone and Ristevski

That Council rescind the above lost motion to deal with NOM 01 in open session.

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

Motion **Moved: Clr Ristevski** **Seconded: Clr Waller**

1. That Council move into Closed Session as it is a staff matter.
2. The CEO and staff leave the Chamber and Clr Mamone take minutes to ensure consistency.
3. Further, Council consider at this Extraordinary Meeting the policy relating to delegations of the Mayor.

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

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

That the Office of Local Government representative be allowed to stay in the Chamber for the Confidential Session.

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

Council moved into Closed Session at 7.30pm.

Council moved back into open session at 10.05pm with all councillors present except Clr Hadchiti.

The following motion was moved during Closed Session:

Motion: Moved: Clr Ristevski Seconded: Clr Waller

That:

1. Council accept in principle the offer of separation of employment as suggested by the Chief Executive Officer in his draft deed dated 15 March 2015 and seek legal advice on this draft deed.
2. Michael Cullen, Director Economic Development take on the role of Acting Chief Executive Officer from 29 March 2016 for a period of up to 12 months.
3. Council request from the Office of Local Government advice on an alternate Chief Executive Officer. It is the Council's intention that the newly elected Council select a permanent Chief Executive Officer.
4. For avoidance of doubt, delegations of the Chief Executive Officer be transferred to the Acting Chief Executive Officer effective 29 March 2016.
5. A deed consistent with this motion be provided to Council under confidential cover in due course.
6. Council keep the contents of the Deed of Release confidential under Section 10A(2)(a) of the Local Government Act 1993 as it deals with a staffing matter.

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

Mayor Mannoun, Clr Hadchiti and Clr Hadid asked that they be recorded as voting against the motion.

ITEM NO: NOM 02
FILE NO: 056004.2016
SUBJECT: Question With Notice from 24 February 2016 Council Agenda to be withdrawn

NOTICE OF MOTION

That the Question With Notice on the previous Council Agenda be withdrawn and an apology be offered for any offence caused.

COUNCIL DECISION

Clr Ristevski's apology be noted and NOM 02 was withdrawn and not voted on.

THE MEETING CLOSED AT 10.07PM.

<Signature>

Name: Ned Mannoun

Title: Mayor

Date: 21 March 2016

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 15 March 2016. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.



MINUTES OF THE EXTRAORDINARY MEETING HELD ON 21 MARCH 2016

PRESENT:

Mayor Ned Mannoun
 Councillor Balloot
 Councillor Hadchiti
 Councillor Hadid
 Councillor Harle
 Councillor Karnib
 Councillor Mamone
 Councillor Ristevski
 Councillor Shelton
 Councillor Stanley
 Councillor Waller
 Mr Carl Wulff, Chief Executive Officer
 Mr Gary Grantham, Chief Financial Officer / Director Corporate Services
 Ms Toni Averay, Director Planning and Growth
 Dr Eddie Jackson, Acting Director Community and Culture
 Mr Wayne Carter, Director City Presentation
 Mr Michael Cullen, Director Economic Development
 Mr Raj Autar, Director Infrastructure and Environment
 Ms Carole Todd, Director Business Improvement
 Mr John Morgan, Director Property and Commercial Development

OPENING 6.01pm

PRAYER The prayer of the Council was read by Pastor John Keane from West Hoxton Community Church.

APOLOGIES Nil

CONDOLENCES Nil

DECLARATIONS OF INTEREST

Nil

NOTICES OF MOTION

ITEM NO: NOM 01
FILE NO: 073007.2016
SUBJECT: Formalise the motion passed by Council on 15 March 2016

NOTICE OF MOTION

That Council:

1. Formalise and publish the motion passed by Council in Closed Session on 15 March 2016, in the corrected form as follows:

That:

- 1. Council accept in principle the offer of separation of employment as suggested by the Chief Executive Officer in his draft deed dated 15 March 2015 and delegate to Chief Financial Officer the authority to review and seek legal advice on this draft deed.*
 - 2. Michael Cullen, Director Economic Development take on the role of Acting Chief Executive Officer from 29 March 2016 for a period of up to 12 months.*
 - 3. Council request from the Office of Local Government advice on an alternate Chief Executive Officer. It is the Council's intention that the newly elected Council select a permanent Chief Executive Officer.*
 - 4. For avoidance of doubt, delegations of the Chief Executive Officer be transferred to the Acting Chief Executive Officer effective 29 March 2016.*
 - 5. A deed consistent with this motion be provided to Council under confidential cover for endorsement as part of Council's Extraordinary Meeting on 21 March 2016.*
 - 6. Council keep the contents of the Deed of Release confidential under Section 10A(2)(a) of the Local Government Act 1993 as it deals with a staffing matter.*
- 2. Confirm and adopt the Minutes of the Extraordinary Meeting of Council of 15 March 2016, pursuant to clause 21.5 of Council's Code of Meeting Practice, subject to the correction above, and any other corrections as identified by Council.**

Clr Ristevski arrived at the Chambers at 6.05pm.

COUNCIL DECISION**Motion:****Moved: Clr Stanley****Seconded: Clr Mamone**

- 1. Formalise and publish the motion passed by Council in Closed Session on 15 March 2016, in the corrected form as follows:**

That:

- 1. Council accept in principle the offer of separation of employment as suggested by the Chief Executive Officer in his draft deed dated 15 March 2015 and seek legal advice on this draft deed.*
 - 2. Michael Cullen, Director Economic Development take on the role of Acting Chief Executive Officer from 29 March 2016 for a period of up to 12 months.*
 - 3. Council request from the Office of Local Government advice on an alternate Chief Executive Officer. It is the Council's intention that the newly elected Council select a permanent Chief Executive Officer.*
 - 4. For avoidance of doubt, delegations of the Chief Executive Officer be transferred to the Acting Chief Executive Officer effective 29 March 2016.*
 - 5. A deed consistent with this motion be provided to Council under confidential cover in due course.*
 - 6. Council keep the contents of the Deed of Release confidential under Section 10A(2)(a) of the Local Government Act 1993 as it deals with a staffing matter.*
- 2. Confirm and adopt the Minutes of the Extraordinary Meeting of Council of 15 March 2016, pursuant to clause 21.5 of Council's Code of Meeting Practice, subject to the correction above, and with the following further amendments:**
 - 1. That the Minute for NOM01 be amended to note that a motion, moved by the Mayor and seconded by Clr Balloot, and seeking an extension of speaking time for Clr Hadchiti on the item, was declared LOST.*
 - 2. That the Minute for NOM01 be amended to note that, following the completion of the recess at 7:26pm, a rescission motion (relating to the motion to deal with item NOM 01 in Open Session) signed by Clrs Hadchiti, Mamone and Ristevski was put to the Council and was declared CARRIED.*
 - 3. Delegate and authorise the Mayor to sign the Deed of Release with the Chief Executive Officer on the terms consistent with the draft deed dated 15 March 2016, provided to councillors under separate confidential cover.**

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

Division Called:

Vote for: Clr Harle
Clr Karnib
Clr Mamone
Clr Ristevski
Clr Shelton
Clr Stanley
Clr Waller

Vote Against: Mayor Mannoun
Clr Balloot
Clr Hadchiti
Clr Hadid

THE MEETING CLOSED AT 6.13PM.

<Signature>

Name: Ned Mannoun

Title: Mayor

Date: 30 March 2016

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 21 March 2016. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.



MINUTES OF THE ORDINARY MEETING HELD ON 30 MARCH 2016

PRESENT:

Mayor Ned Mannoun
 Councillor Balloot
 Councillor Hadchiti
 Councillor Hadid
 Councillor Harle
 Councillor Karnib
 Councillor Mamone
 Councillor Ristevski
 Councillor Shelton (arrived at 6.11pm)
 Councillor Stanley
 Councillor Waller
 Mr Michael Cullen, Acting Chief Executive Officer
 Mr Gary Grantham, Chief Financial Officer / Director Corporate Services
 Ms Toni Averay, Director Planning and Growth
 Dr Eddie Jackson, Acting Director Community and Culture
 Mr Wayne Carter, Director City Presentation
 Ms Julie Scott, Acting Director Economic Development
 Mr Raj Autar, Director Infrastructure and Environment
 Ms Carole Todd, Director Business Improvement
 Mr John Morgan, Director Property and Commercial Development

The meeting commenced at 6.05pm

OPENING	6.05pm
PRAYER	The prayer of the Council was read by Reverend David Clarke from Hoxton Park Anglican Church.
APOLOGIES	Nil

CONDOLENCES

Aunty Nancy Davis (read by Mayor Mannoun)

On Sunday 28th February the people of Liverpool lost one of our dearly loved Aboriginal elders, Aunty Nancy Davis. Aunty Nancy was a spirited member of our community and was frequently there to provide her insight and aid to our reconciliation and other indigenous programs.

Being taken away from her parents when she was 6 years old, Aunty Nancy was a key link to the terrible times of the Stolen Generations. As Australia moved towards reconciliation she took up the opportunities to ensure that the Gandangara people of Liverpool were included in this historic movement. Aunty Nancy was frequently on hand to perform ceremonial duties at council functions such as the welcome to country and other such roles.

She will always hold a special place in the hearts of council staff who knew her and members of our indigenous community. As Councillors we mourn for her and send our best wishes to her family.

Aunty Nancy Davis and Aunty Betty Young (read by Cllr Waller)

It is with deep regret I inform the chambers of the passing of Local Aboriginal Elders **Aunty Nancy Davis** and **Aunty Betty Young**.

Nancy Davis was a local Elder since the 1980s. "Aunty Nancy" as she was known in the community, was an active member of the local Aboriginal Land Council "Gandangara" and Liverpool Catholic Club. As a registered nurse, Aunty Nancy was well respected within her industry and was a frequent guest speaker at university lectures, inspiring future leaders. In retirement Aunty Nancy became heavily involved in advocating for Aboriginal rights and human rights. She volunteered her time to conduct Acknowledgements to Country in the local community, particularly for events and special occasions.

Betty Young was a local Aboriginal Elder. "Aunty Betty" as she was known in the community, was an active member of the Hoxton Park Elders Group. She volunteered her time at local community events and special occasions. Aunty Betty was involved in advocating for Aboriginal rights and human rights all her life.

To family, friends and colleagues of Nancy and Betty, who were known as a kind, honest and respectful individuals, dedicated to their family and passionate about everything they did, I'm sure they will be deeply missed. Our thoughts are with their family at this difficult time.

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

That Council send a letter of condolence to Nancy Davis' and Betty Young's surviving family members.

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

One minutes silence was observed for the passing of Aunty Nancy Davis and Aunty Betty Young.

Clr Shelton arrived at the Chambers at 6.11pm.

CONFIRMATION OF MINUTES

Motion: **Moved: Clr Hadid** **Seconded: Clr Balloot**

That the minutes of the Ordinary Meeting held on 24 February 2016 and reconvened on 14 March 2016 be confirmed as a true record of that meeting.

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

Motion **Moved: Clr Stanley** **Seconded: Clr Mamone**

That the minutes of the Extraordinary Council meeting held on 21 March 2016 be confirmed as a true and accurate record of that meeting. Note, the dates mentioned in NOM 01 of the minutes have been checked and confirmed to be correct.

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

DECLARATIONS OF INTEREST

Nil

PUBLIC FORUM

Presentation – items not on agenda

Nil

Representation – items on agenda

1. **Ms Alicia Camilleri** addressed Council on the following item:
Item DCC 03: Liverpool Youth Council Annual Report 2014-15

2. **Mr Andy Orah** addressed Council on the following item:
Item DCC 03: Liverpool Youth Council Annual Report 2014-15

3. **Reverend David Clarke** addressed Council on the following item:
Item CTTE 06: Minutes of Building Our New City Committee meeting held 2 March 2016

4. **Ms Doris Puccio** addressed Council on the following item:

Item DPG 03: Kurrajong Road and Old Kurrajong Road, Casula - Upgrade of Intersection Control

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

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

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

NOTICES OF MOTION OF RESCISSION

ITEM NO: NOMR 01

FILE NO: 074677.2016

SUBJECT: Rescission of CONF 03 - Proposed disposal of Lot 8 DP 246745, 150 Heathcote Road, Hammondville from Council meeting 3 February 2016

NOTICE OF MOTION OF RESCISSION

Two rescission motions were received to rescind the following resolution from the Council meeting 3 February 2016:

CONF 03 - Proposed disposal of Lot 8 DP 246745, 150 Heathcote Road, Hammondville

That Council:

1. Agrees to sell Lot 8 DP 246745, 150 Heathcote Road, Hammondville, by placing the property on the open market for sale by way of public auction through a local real estate agent;
2. Agrees to set the reserve price for the public auction as outlined in the confidential report;
3. Authorises the Chief Executive Officer or his nominee to negotiate the sale of Lot 8 DP 246745, if not sold under the hammer, for a sale price of not less than five percent below the reserve price, on the day of auction, and execute the contract for sale to facilitate the exchange of contracts on the day of the auction;
4. Agrees that if the property is not sold at auction it is immediately placed on the open market for sale by private treaty;
5. Transfers the proceeds of sale into the General Property Reserve; and
6. Keeps confidential the details supplied in the confidential 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 the Council is conducting (or proposes to conduct) business.
7. An amount of 20% of the proceeds go back into park upgrades.
8. That the remaining 80% be used for community facilities.

The first rescission motion was received from Clrs Mamone, Ristevski, Shelton and Stanley and provided no alternate motion.

The second rescission motion was received from Mayor Mannoun and Clrs Hadchiti and

Hadid and provided the following alternate motion:

RECOMMENDATION:

That Council:

1. Hold a public meeting in order to seek feedback from the community in relation to this park.
2. Ensure that as a minimum the residents bounded by Nuwarra Road, Heathcote Road, Walder Avenue (to the Public School) & the M5 are sent invitations to attend the meeting.
3. Notify Councillors by way of a Council report on the results of this meeting once it has taken place.

COUNCIL DECISION

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

That the resolution relating to CONF 03 (Proposed disposal of Lot 8 DP 246745, 150 Heathcote Road, Hammondville) from the 3 February 2016 Council meeting be rescinded.

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

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

That Council:

1. Hold a public meeting in order to seek feedback from the community in relation to this park.
2. Ensure that as a minimum the residents bounded by Nuwarra Road, Heathcote Road, Walder Avenue (to the Public School) & the M5 are sent invitations to attend the meeting.
3. Notify Councillors by way of a Council report, which is to include a timeline on when decisions were made, what consultation was done and the results of the public meeting once it has taken place.

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

NOTICES OF MOTION

ITEM NO: NOM 01

FILE NO: 067959.2016

SUBJECT: WSROC Delegates

NOTICE OF MOTION

That Council:

1. Review the current WSROC delegates with the following actions to consider:
 - a) termination of current delegates
 - b) increasing the number of delegates
 - c) calling on nominations for new delegates
2. Writes to WSROC informing them of any changes to the delegates that Council has voted on

COUNCIL DECISION

Motion:

Moved: Cllr Hadchiti

Seconded: Cllr Balloot

That Council notes:

1. WSROC membership is \$68,000 + GST per year.
2. WSROC is made up of 10 Western Sydney Councils.
3. WSROC is a company limited by Guarantee, with 2 representatives from each of its member councils, as elected by that council, forming the board of 20 directors.
4. An increase in delegates from Liverpool is currently not permissible unless a change is made to the WSROC constitution which would have to be agreed on by the majority of the board members.
5. Some of the recent financial benefits to Liverpool City Council rate payers include but not limited to:
 - a. A saving of \$888,000 through joint contracts during 13/14 and 14/15 financial years.
 - b. A saving of over 19,640 tonnes of CO2 emissions and \$5.8 million in energy costs over 20 years as a result of WSROC's Light Years Ahead project.
 - c. Regional waste programs which WSROC has generated \$3.7 million in grant funding (over the 3 year duration of the waste strategy).

- d. An approximate saving of over \$250k due to its participation in a joint EIS review for Badgery's Creek Airport.
 - e. For the past two financial years for an outlay of \$314K and \$233K respectively, Liverpool has saved itself the cost of sending recyclable materials directly to landfill - \$655K and \$480K respectively. Not only is this a great environmental initiative, but also a social one as Soft Landings employs people on the margin of society and those with disabilities in fulfilling their role under this contract.
6. Clr Hadchiti has been a WSROC Board member since being elected to Council in September 2008 with the second delegate rotating each of those years.
 7. Clr Hadchiti has served as Jnr VP, Snr VP and is currently serving as President since October 2012.
 8. Some of the benefits of having the President from Liverpool include:
 - a. During 2015, generated 68 media articles with reference to Liverpool-related issues with an estimated reach of 34,896,511 readership.
 - b. A seat at the table with Ministers and MP's both at a Federal & State level from across the political divide.
 - c. The opportunity to ensure that Liverpool related issues are at the forefront of any discussions including:
 - i. Badgerys Creek airport development (transport, EIS, employment and housing).
 - ii. Better connectivity for Liverpool as a regional city.
 - iii. Meetings with Government to reconsider Moorebank Intermodal & the Moorebank recycling plant.
 - iv. Timely infrastructure delivery for the South West Growth Centre.
 - v. Improved transport links – particularly along the north-south corridor.

Foreshadowed motion: Moved: Clr Mamone Seconded: Clr Ristevski

That:

1. A further report come back to Council in April 2016 to review WSROC delegates with the following actions to consider:
 - a) termination of current delegates
 - b) increasing the number of delegates
 - c) calling on nominations for new delegates
2. The further report to include the history of the delegates of WSROC including the gender of past delegates.
3. The report to outline how delegates will be appointed and whether a secret ballot should be used.

4. A report to be brought to Council to outline the achievements of WSROC and other external committees.
5. A report be provided to Council by June 2016 with a review of the Councillor representatives on Council's Committees so that the same gender ratio exists on Committees as per Councillors on Council.

On being put to the meeting the motion (moved by Clr Hadchiti) was declared LOST. The Foreshadowed Motion (moved by Clr Mamone) was then voted on and on being put to the meeting was declared LOST.

Division called (for the motion moved by Clr Hadchiti):

Vote for: Mayor Mannoun
 Clr Ballot
 Clr Hadchiti
 Clr Hadid
 Clr Harle

Vote against: Clr Karnib
 Clr Mamone
 Clr Ristevski
 Clr Shelton
 Clr Stanley
 Clr Waller

Division called (for the Foreshadowed Motion moved by Clr Mamone):

Vote for: Clr Karnib
 Clr Mamone
 Clr Ristevski
 Clr Stanley
 Clr Waller

Vote against: Mayor Mannoun
 Clr Ballot
 Clr Hadchiti
 Clr Hadid
 Clr Harle
 Clr Shelton

Clr Waller left the Chambers at 7.21pm.

Clr Waller returned to the Chambers at 7.23pm.

ITEM NO: NOM 02
 FILE NO: 075222.2016
 SUBJECT: Delegations Of The Mayor

NOTICE OF MOTION

That Council:

1. Remove the delegation of the Mayor as the spokesperson for Council. Media statements can only be made by the Mayor ONLY after a resolution of Council.
2. Replace the Mayoral and Deputy Mayoral column in the newspapers with a Councillors column for Council and Community events with each Councillor providing a column on a rotational basis.
3. Replace the "Mayoral mobile office" with the "Mayor and Councillors mobile office" removing the words "Ned Mannoun".
4. Replace the Mayors message in the monthly Newsletter with a Councillors message featuring a story from each Councillor.
5. Change all Invitations to the community to be from "Liverpool City Councillors" removing the words "Mayor Ned Mannoun" including those made on social media, via random phone calls and/or surveys to households, letters to households, posters, formal invitations, radio commercials and any other means that Council invites the community to any event.
6. Ensures the Mayor's photo is not used on Council invitations or any publication.
7. Mayoral Minutes adhere to the OLG Practice Note 16 dated August 2009. An extract of the relevant clause of the practice note is included below:

2.7 Mayoral Minutes

2.7.1 What is a mayoral minute?

The mayor may put to a meeting (without notice) any matter which the council is allowed to deal with or which the council officially knows about (cl.243(1) of the Regulation). This would cover any council function under the Act or other legislation, or any matter that has been brought to the council's attention, for example, by letter to the mayor or the general manager.

This power to make mayoral minutes recognises the special role of the mayor. A mayoral minute overrides all business on the agenda for the meeting, and the mayor may move that the minute be adopted without the motion being seconded.

Mayoral minutes should not be used to introduce, without notice, matters that are routine, not urgent, or need research or a lot of consideration by the councillors before coming to a decision. These types of matters would be better placed on the agenda, with the usual period of notice being given to the councillors.

2.7.2 Can mayoral minutes be introduced at council committee meetings?

A council committee consisting entirely of councillors must run its meetings as set out in the Meeting Code (s.360(3) of the Act). Each council committee can decide on its own procedure (cl.265 of the Regulation) and these could be adopted in the Meeting Code. This includes procedures on mayoral minutes.

2.7.3 Can a mayoral minute be amended?

While not addressed in the Regulation, mayoral minutes may be altered in practice. This could be covered in council's Meeting Code. Changes to mayoral minutes should avoid making changes that will introduce, without notice, matters which need research or a lot of consideration by the councillors before coming to a decision.

COUNCIL DECISION

Motion: **Moved: Cllr Hadchiti** **Seconded: Cllr Balloot**

That this item be deferred for further discussion at a briefing session and a properly worded motion be brought back to Council.

Foreshadowed Motion: **Moved: Cllr Ristevski** **Seconded: Cllr Harle**

That Council:

1. Media statements can only be made by the Mayor ONLY after a resolution of Council.
2. Replace the Deputy Mayoral column in the newspapers with a Councillors column for Council and Community events with each Councillor providing a column on a rotational basis.
3. Replace the "Mayoral mobile office" with the "Mayor and Councillors mobile office" removing the words "Ned Mannoun".
4. Replace the Mayors message in the monthly Newsletter with a Councillors message featuring a story from each Councillor.
5. Change all Invitations to the community to be from "Liverpool City Councillors" removing the words "Mayor Ned Mannoun" including those made on social media, via random phone calls and/or surveys to households, letters to households, posters, formal invitations, radio commercials and any other means that Council invites the community to any event.
6. Ensures the Mayor's photo is not used on Council invitations or any publication instead a group photo of all Councillors be used.
7. Mayoral Minutes adhere to the OLG Practice Note 16 dated August 2009. An extract of the relevant clause of the practice note is included below:

2.7 Mayoral Minutes

2.7.1 What is a mayoral minute?

The mayor may put to a meeting (without notice) any matter which the council is allowed to deal with or which the council officially knows about (cl.243(1) of the Regulation). This would cover any council function under the Act or other legislation, or any matter that has been brought to the council's attention, for example, by letter to the mayor or the general manager.

This power to make mayoral minutes recognises the special role of the mayor. A mayoral minute overrides all business on the agenda for the meeting, and the mayor may move that the minute be adopted without the motion being seconded.

Mayoral minutes should not be used to introduce, without notice, matters that are routine, not urgent, or need research or a lot of consideration by the councillors before coming to a decision. These types of matters would be better placed on the agenda, with the usual period of notice being given to the councillors.

2.7.2 Can mayoral minutes be introduced at council committee meetings?

A council committee consisting entirely of councillors must run its meetings as set out in the Meeting Code (s.360(3) of the Act). Each council committee can decide on its own procedure (cl.265 of the Regulation) and these could be adopted in the Meeting Code. This includes procedures on mayoral minutes.

2.7.3 Can a mayoral minute be amended?

While not addressed in the Regulation, mayoral minutes may be altered in practice. This could be covered in council's Meeting Code. Changes to mayoral minutes should avoid making changes that will introduce, without notice, matters which need research or a lot of consideration by the councillors before coming to a decision.

8. Any proposed changes to policies as a result of this motion be placed on public exhibition for comment.

On being put to the meeting the motion (moved by Clr Hadchiti) was declared LOST. The Foreshadowed Motion (moved by Clr Ristevski) was then voted on and on being put to the meeting the motion was declared CARRIED.

Division called (for the motion moved by Clr Hadchiti):

Vote for: Mayor Mannoun
Clr Balloot
Clr Hadchiti
Clr Hadid

Vote against: Clr Harle
Clr Karnib
Clr Mamone
Clr Ristevski
Clr Shelton
Clr Stanley
Clr Waller

Division called (for the Foreshadowed Motion moved by Clr Ristevski):

Vote for: Clr Harle
Clr Karnib
Clr Mamone
Clr Ristevski
Clr Shelton
Clr Stanley
Clr Waller

Vote against: Mayor Mannoun
Clr Balloot
Clr Hadchiti
Clr Hadid

Note: At the conclusion of the Council meeting, a Rescission Motion was lodged by Councillors Balloot, Hadchiti and Hadid in relation to the resolution for NOM 02. The Rescission Motion will be considered at the April 2016 Council meeting.

A recess of Council was called at 8.06pm.

The meeting reopened at 8.31pm.

INDEPENDENT HEARING AND ASSESSMENT PANEL REPORT

ITEM NO: IHAP 01

FILE NO: 056599.2016

SUBJECT: DA-713/2015 - Demolition of existing structures, subdivision to create (33) Torrens title lots and associated road and landscaping works at 25-45 Jardine Drive Edmondson Park

RECOMMENDATION

That Council approves Development Application DA-713/2015 subject to the recommended conditions of consent contained within the Council Officer's IHAP report.

COUNCIL DECISION

Motion: **Moved: Clr Hadchiti** **Seconded: Clr Harle**

That the recommendation be adopted.

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

Councillors voted unanimously for this motion.

ITEM NO: IHAP 02

FILE NO: 052803.2016

SUBJECT: 1166/2014 - Demolition of existing dwellings and outbuildings; removal of trees on site; erection of two residential flat buildings containing a total of 61 units; associated basement parking; Torrens title subdivision to create three lots; road construction; and dedication of road at 240 Croatia Avenue, Edmondson Park.

RECOMMENDATION

That Council approves Development Application DA-1166/2014 subject to Recommended Conditions of Consent contained within the Council Officer’s report.

COUNCIL DECISION

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

That the recommendation be adopted.

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

Councillors voted unanimously for this motion.

ITEM NO: IHAP 03

FILE NO: 055297.2016

SUBJECT: DA-698/2015 - Demolition of existing structures, construction of a new service station, food & drinks premises, commercial premises & signage at 629-631 Hume Highway, Casula

RECOMMENDATION

That Council approves DA-698/2015 subject to the amended recommended conditions of consent (See Attachment 4)

COUNCIL DECISION

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

That the recommendation be adopted.

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

Vote for: Mayor Mannoun
Clr Balloot
Clr Hadchiti
Clr Hadid
Clr Harle
Clr Karnib
Clr Mamone
Clr Shelton
Clr Waller

Vote against: Clr Ristevski
Clr Stanley

ITEM NO: IHAP 04

FILE NO: 051781.2016

SUBJECT: DA-192/2015 - Demolition of existing structures and construction of a two storey commercial building and associated carparking, use as a health services facility, and business identification signage at No. 25 Bathurst Street, Liverpool

RECOMMENDATION

That Council approves DA-192/2015 subject to the amended recommended conditions of consent (See Attachment 3).

COUNCIL DECISION

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

That the recommendation be adopted.

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

Councillors voted unanimously for this motion.

MOTION TO BRING ITEM FORWARD

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

That Council bring forward items DCC 03 and DPG 03 and deal with them now.

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

ITEM NO: DCC 03
FILE NO: 066861.2016
SUBJECT: Liverpool Youth Council Annual Report 2014-2015

RECOMMENDATION

That Council:

1. Supports representatives from the 2014-2016 Youth Council to present the Liverpool Youth Council Annual Report 2014-2015 in open session of Council.
2. Receives and notes the Liverpool Youth Council Annual Report 2014-2015 and thanks its members for their contributions, including those of Deputy Mayor Councillor Tony Hadchiti, Councillor Sabrina Mamone, Councillor Peter Harle and Councillor Wendy Waller.

COUNCIL DECISION

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

That Council:

1. Supports representatives from the 2014-2016 Youth Council to present the Liverpool Youth Council Annual Report 2014-2015 in open session of Council.
2. Receives and notes the Liverpool Youth Council Annual Report 2014-2015 and thanks its members for their contributions, including those of Deputy Mayor Councillor Tony Hadchiti, Councillor Sabrina Mamone, Councillor Peter Harle and Councillor Wendy Waller.
3. Send a letter to the Youth Council congratulating them on their great and outstanding work.

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

ITEM NO: DPG 03

FILE NO: 066678.2016

SUBJECT: Kurrajong Road and Old Kurrajong Road, Casula - Upgrade of Intersection Control

RECOMMENDATION

That Council approves the Traffic Committee recommendations.

COUNCIL DECISION

Motion:

Moved:Clr Harle

Seconded:Clr Waller

That Council:

1. Delays the construction of a proposed roundabout and:
2. Rejects the Traffic Committee Recommendations.
3. Formally writes to the RMS requesting a long term solution to the increasing traffic problems at the Hume Highway and Kurrajong Road / Leacocks Lane signalised intersection.
4. Formally writes to the RMS asking for the closure of the right turn into Old Kurrajong Road from the Hume Highway. The RMS to consider significant anticipated increases in traffic flow due to the recently opened connection of Kurrajong Road to Cowpasture Road, the Carnes Hill Sport and Recreational Complex and the significant increases in residential and industrial developments within the area.
5. Replaces the current “Give Way” signs on Old Kurrajong Road with “Stop Signs” to increase the safety aspects of the intersection.

Foreshadowed motion:

Moved:Clr Hadchiti

Seconded: Mayor Mannoun

That:

1. The Committee supports a roundabout as per Attachment 1.2.
2. Council to facilitate approval of cost effective deliveries during construction of residential dwelling/s at 32 Kurrajong Road.
3. Council advises the owners of 32 Kurrajong Road of its resolution.
4. Council makes representation to the RMS to investigate improvements to the Hume Highway / Old Kurrajong Road intersection with possible right hand turn restriction and improvement to the Hume Highway / Old Kurrajong Road / Leacocks Lane.

5. Council uses its best endeavours to mitigate any consequences of this resolution for any affected landowners.

On being put to the meeting the motion (moved by Cllr Harle) was declared LOST. The Foreshadowed Motion (moved by Cllr Hadchiti) was then voted on and on being put to the meeting was declared CARRIED.

CHIEF EXECUTIVE OFFICER REPORT

ITEM NO: CEO 01

FILE NO: 034931.2016

SUBJECT: Corporate Sponsorships

RECOMMENDATION

That Council endorses the Financial Contributions Panel's recommendations for the provision of \$21,000 (GST exclusive) under the Corporate Sponsorship Program as summarised in the table below. If the recommended amount of \$21,000 is endorsed, the remaining balance will be \$NIL.

Applicant name	Amount
Dekoda Exhibitions & Events	\$3,000 ex gst
The Martial Arts Newspaper Online	\$3,000 ex gst
Precedent Productions	\$2,500 ex gst
PCYC Liverpool	\$7,500 ex gst
The Cancer Council NSW	\$5,000 ex gst

COUNCIL DECISION**Motion:****Moved: Clr Shelton****Seconded: Clr Hadchiti**

That the recommendation be adopted.

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

Clr Stanley left the Chambers at 9.18pm.

Clr Stanley returned to the Chambers at 9.21pm.

BUSINESS IMPROVEMENT REPORT

ITEM NO: DBI 01

FILE NO: 062313.2016

SUBJECT: Growing Liverpool 2023 - Six-monthly Progress Report

RECOMMENDATION

That Council receives and notes the six-monthly Progress Report which outlines the progress of all Principal Activities contained in the 4-year Delivery Program and 2015-16 Operational Plan.

COUNCIL DECISION

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

That the recommendation be adopted.

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

Clr Waller and Clr Hadchiti left the Chambers at 9.23pm.

Clr Waller returned to the Chambers at 9.26pm.

CHIEF FINANCIAL OFFICER

ITEM NO: CFO 01

FILE NO: 030838.2016

SUBJECT: Investment Report February 2016

RECOMMENDATION

That Council receives and notes this report.

COUNCIL DECISION

Motion:

Moved: Clr Harle

Seconded: Clr Ristevski

That Council:

1. Accepts this report and also prepare a further report showing how a claimed deficit of \$4m (Council 2008-2012) was turned into a surplus of \$8m (2012-present) a turnaround of \$12m. The report is to show how that was achieved using the previous cash flow accounting system compared to the current accrual accounting system.
2. Explain how a previous increasing infrastructure backlog of approximately \$280m was reduced to \$80m as per the External Financial Auditors report to Council late last year. The report to show how a difference of \$200m was achieved.

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

Clr Hadchiti returned to the Chambers at 9.27pm.

ITEM NO: CFO 02

FILE NO: 059045.2016

SUBJECT: 2016 National General Assembly of Local Government

RECOMMENDATION

That Council nominates delegates to attend the 2016 National General Assembly of Local Government to be held in Canberra from Sunday 19 June – Wednesday 22 June 2016.

COUNCIL DECISION

Motion: **Moved: Clr Stanley** **Seconded: Clr Mamone**

That Councillors Karnib, Hadchiti and Waller be nominated to attend the National General Assembly Conference and any other Councillors wishing to attend the conference notify the Office of the Chief Executive Officer.

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

ITEM NO: CFO 03

FILE NO: 059792.2016

SUBJECT: Councillor representation on Audit and Risk Committee

RECOMMENDATION

That Council:

1. Amend Clause 7.1 of the Audit and Risk Committee Charter to read:
“The Deputy Mayor and one Councillor will be the Council representatives on this Committee. All other Councillors are welcome to attend the meetings, however would not have voting rights.”
2. Nominate the Deputy Mayor and Councillor Shelton as its representatives on the Committee for the current one year term.
3. Officers to source a third independent panel member to join the Committee, following which Clause 7.2.1 of the Committee Charter to be amended to provide for three independent members.

COUNCIL DECISION

Motion:

Moved: Cllr Hadchiti

Seconded: Cllr Balloot

That the recommendation be adopted.

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

COMMUNITY AND CULTURE REPORT

ITEM NO: DCC 01

FILE NO: 064789.2016

SUBJECT: Draft Graffiti Management Strategy 2016-2018

RECOMMENDATION

That Council adopts the final Graffiti Management Strategy 2016-2018.

COUNCIL DECISION

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

That the recommendation be adopted.

Foreshadowed motion: **Moved: Clr Harle** **Seconded: Clr Karnib**

That:

1. Council remove section 4.1 and 4.2 from the Graffiti Policy and remove the legal graffiti status of CPAC tanks.
2. Any resultant savings, compared to the present annual costs in graffiti removal, are to go towards funding the Murals program.
3. The proposed changes to the Graffiti Policy be placed on public exhibition.

On being put to the meeting the motion (moved by Clr Shelton) was declared CARRIED and the Foreshadowed Motion (moved by Clr Harle) lapsed.

Mayor Mannoun left the Chambers at 9.41pm and the Deputy Mayor, Cllr Hadchiti took the Chair.

Cllr Mamone left the Chambers at 9.41pm.

Mayor Mannoun returned to the Chambers at 9.42pm.

ITEM NO: DCC 02

FILE NO: 034198.2016

SUBJECT: Liverpool Listens Evaluation 1 January 2015 to 31 December 2015

RECOMMENDATION

That Council:

- 1. Receives and notes this report; and
- 2. Receives a further report in 12 months on the progress of Liverpool Listens.

COUNCIL DECISION

Motion: Moved: Mayor Mannoun Seconded: Cllr Stanley

That the recommendation be adopted.

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

INFRASTRUCTURE AND ENVIRONMENT REPORT

ITEM NO: DIEN 01

FILE NO: 059021.2016

SUBJECT: Review of Tree Management Policy

RECOMMENDATION

That Council adopts the Tree Management Policy.

COUNCIL DECISION

Motion: **Moved: Clr Stanley** **Seconded: Clr Hadid**

That the recommendation be adopted.

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

Clr Mamone returned to the Chambers at 9.46pm.

ITEM NO: DIEN 02

FILE NO: 066022.2016

SUBJECT: Austral and North Leppington - Management of Stormwater

RECOMMENDATION

That Council:

1. Authorises the Director Infrastructure and Environment to invite tenders for the design of required stormwater infrastructure to facilitate development of the Austral and Leppington Precincts.
2. Notes that budget is available in the S94 Reserve for necessary investigation and design works.

COUNCIL DECISION

Motion:

Moved: Clr Stanley

Seconded: Clr Shelton

That the recommendation be adopted.

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

PLANNING AND GROWTH REPORT

ITEM NO: DPG 01

FILE NO: 032672.2016

SUBJECT: Collimore Car Park - Truck Parking

RECOMMENDATION

That Council:

1. Approves the introduction of 2 hour parking restrictions between 6.00am and 6.00pm, Monday to Saturday in the truck parking area at Collimore Park.
2. Notes that Council parking officers will enforce these restrictions through regular patrols.

COUNCIL DECISION

Motion:

Moved: Cllr Shelton

Seconded: Cllr Harle

That the recommendation be adopted.

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

ITEM NO: DPG 02

FILE NO: 064206.2016

SUBJECT: Draft LLEP 2008 (Amendment 57) & LDCP 2008 (Draft Amendment 22) - Rezoning of Part of Ardennes Avenue, Edmondson Park

RECOMMENDATION

That Council:

1. Adopts draft Liverpool Local Environmental Plan 2008 (Draft Amendment No. 57) and forwards a copy of the attached planning proposal and supporting documentation to the Department of Planning and Environment for finalisation.
2. Adopts Liverpool Development Control Plan 2008 (Draft Amendment No. 22) and forward a copy of the Development Control Plan (as per changes attached) to the Department of Planning and Environment for notification.

COUNCIL DECISION

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

That the recommendation be adopted.

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

Councillors voted unanimously for this motion.

COMMITTEE REPORTS

ITEM NO: CTTE 01

FILE NO: 057613.2016

SUBJECT: Minutes of the Economic Development and Events Committee meeting held 2 March 2016

RECOMMENDATION

That Council:

- 1. Receives and notes the Minutes of the Economic Development and Events Committee held on 2 March 2016.
- 2. Congratulates the Committee for Liverpool and Liverpool Council staff for their efforts in developing the Investment Prospectus.
- 3. Notes that a meeting is to be organised between Jenny Rand (Consultant), Karress Rhodes (Committee member) and the Mayor to resolve any misunderstandings or inaccuracies with respect to the draft Destination Management Plan (DMP) document.

COUNCIL DECISION

Motion: **Moved: Clr Harle** **Seconded: Clr Mamone**

That the recommendation be adopted.

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

ITEM NO: CTTE 02

FILE NO: 065906.2016

SUBJECT: Minutes of the Civic Advisory Committee Meeting held 8 March 2016

RECOMMENDATION

That Council receives and adopts the minutes of the Civic Advisory Committee meeting held on 8 March 2016.

COUNCIL DECISION

Motion:

Moved: Cllr Harle

Seconded: Cllr Mamone

That the recommendation be adopted.

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

ITEM NO: CTTE 03

FILE NO: 065063.2016

SUBJECT: Minutes of Liverpool Aboriginal Consultative Committee 4 February 2016

RECOMMENDATION

That Council:

1. Receives and adopts the Minutes of the Aboriginal Consultative Committee Meeting held on 4 February 2016.
2. Allocate a total of \$25,000 on an annual basis towards the ATSI budget as per the Minutes of the Aboriginal Consultative Committee Meeting held on 6 August 2014.
3. Allocate an additional \$7,294 towards the 2015/2016 ATSI budget to bring the total budget to \$25,000.

COUNCIL DECISION

Motion:

Moved: Clr Harle

Seconded: Clr Mamone

That the recommendation be adopted.

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

ITEM NO: CTTE 04

FILE NO: 057963.2016

SUBJECT: Minutes of Liverpool Access Committee Meeting held on 11 February 2016

RECOMMENDATION

That Council receives and notes the minutes of the Liverpool Access Committee Meeting held on Thursday, 11 February 2016.

COUNCIL DECISION

Motion:

Moved: Cllr Harle

Seconded: Cllr Mamone

That the recommendation be adopted.

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

ITEM NO: CTTE 05

FILE NO: 066087.2016

SUBJECT: Minutes of the Liverpool Youth Council Committee held on Tuesday 1 March, 2016

RECOMMENDATION

That Council:

1. Receives and adopts the Minutes of the Liverpool Youth Council Committee Meeting held on Tuesday 1 March, 2016.
2. Notes that the meeting day of the Liverpool Youth Council Committee Meeting has been changed to the second Monday of the month to ensure that a quorum can be achieved. Updates to the Youth Council Charter will be made to reflect the current timetable for meetings.

COUNCIL DECISION

Motion:

Moved: Cllr Harle

Seconded: Cllr Mamone

That the recommendation be adopted.

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

ITEM NO: CTTE 06

FILE NO: 066444.2016

SUBJECT: Minutes of Building Our New City Committee meeting held 2 March 2016

RECOMMENDATION

That Council:

1. Receives and notes the Minutes of the Building our New City Committee Meeting held on 2 March 2016.
2. Notes the delivery of an activation program in Macquarie Mall, the costs of which will be absorbed as part of the overall project cost for the duration of the construction program.
3. Note that the Committee requested that:
 - a. Councillors be provided with a statement to use in the public arena to articulate the rationale for the assumption of day-to-day management of the Macquarie Mall project by Council, and the novation of sub-contractors to Council
 - b. Council staff, in particular Manager, Special Projects (Albert Galletta), the CEO and the Director, Infrastructure and Environment be commended for successfully negotiating a clean and timely transfer of responsibility for the construction of the Mall to Council from the contractor
 - c. A briefing be provided to Councillors on the history and process of the assumption of day-to-day management of the Macquarie Mall project by Council, including advice on Council's forward programming of works for the Mall

COUNCIL DECISION

Motion:

Moved: Cllr Harle

Seconded: Cllr Mamone

That the recommendation be adopted.

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

ITEM NO: CTTE 07

FILE NO: 066455.2016

SUBJECT: Minutes of the Warwick Farm Steering Committee meeting held on 1 March 2016

RECOMMENDATION

That Council receives and adopts the Minutes of the Warwick Farm Steering Committee Meeting held on 1 March 2016.

COUNCIL DECISION

Motion:

Moved: Cllr Harle

Seconded: Cllr Mamone

That the recommendation be adopted.

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

ITEM NO: CTTE 08

FILE NO: 066834.2016

SUBJECT: Casula Powerhouse Arts Centre Board Minutes from Meeting 25 February 2016

RECOMMENDATION

That Council:

1. Receives and notes the Minutes of the Casula Powerhouse Arts Centre Board Meeting held on 25 February 2016.
2. Adopt the revised draft Casula Powerhouse Arts Centre Board Charter as approved by the Casula Powerhouse Arts Centre Board at the 25 February 2016 Board meeting.

COUNCIL DECISION

Motion:

Moved: Clr Harle

Seconded: Clr Mamone

That the recommendation be adopted.

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

ITEM NO: CTTE 09

FILE NO: 073364.2016

SUBJECT: Minutes of the Budget and Finance Committee held on 4 February 2016

RECOMMENDATION

That Council receives and adopts the Minutes of the Budget and Finance Committee Meeting held on 4 February 2016.

COUNCIL DECISION

Motion:

Moved: Cllr Harle

Seconded: Cllr Mamone

That the recommendation be adopted.

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

ITEM NO: CTTE 10

FILE NO: 073624.2016

SUBJECT: Planning and Development Committee Meeting Minutes of 2 March 2016

RECOMMENDATION

That Council:

1. Receives and adopts the Minutes of the Planning and Development Committee Meeting held on 2 March 2016.
2. Adopts the Committee's recommendations.

COUNCIL DECISION

Motion:

Moved: Cllr Harle

Seconded: Cllr Mamone

That the recommendation be adopted.

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

QUESTIONS WITH NOTICE

ITEM NO: QWN 01

FILE NO: 046443.2016

SUBJECT: Question with Notice - Clr Stanley

Please address the following:

Kurrajong Road, Prestons

1. **Can I be advised when the last traffic management study was done for Kurrajong Road?**

In 2015 Council engaged a consultant to review traffic management around Carnes Hill Shopping Centre. A draft report has been received and comments on the draft report have been provided with the final report yet to be received.

2. **Since the expending of the link between Prestons and Carnes Hill the traffic has increased the right hand turn to Cowpasture Road, there is concerning traffic behaviour due to frustration at the right turn from Kurrajong Road to the Carnes Hill Shopping Centre. Also the intersection at the roundabout at Kurrajong Road and San Merino Drive is causing traffic to back up in both directions.**

Council has recently engaged Transport and Traffic Planning Associates to undertake a review of the existing traffic signals at the Cowpasture Road and Kurrajong Road intersection. Council has organised intersection traffic counts to assist with the traffic signal review.

3. **Are there future plans to address this?**

Future plans will be based on the final outcome of both studies.

Heritage Properties in private ownership

4. **I believe there are several properties listed as local heritage value in the current LLEP can I be advised how many?**

There are approximately 132 listed heritage places within the Liverpool LGA as well as two conservation areas. Most of these are locally listed items although 13 are also listed on the State Heritage Register. We have one declared Aboriginal Place, the Collingwood Precinct.

Approximately 35% of these listed places are government owned. The rest are religious organisations, private companies and individuals.

5. What does Council do or can it do to retain these properties for the future?

Locally listed heritage places and conservation areas have statutory protection, i.e. it is an offense to demolish or alter a listed place without consent. The approvals process is the way that Council manages change and facilitates appropriate conservation for the future.

In addition, Council provides a free advisory service so that owners of heritage places or property within conservation areas can seek advice about the best way to maintain or alter their property to conserve significance but achieve their requirements.

6. Is there any legal requirement for these properties to be retained for the future?

Once listed on the *Liverpool local Environmental Plan 2008* (or other similar planning instruments), a place (being either built and/ or landscape elements) is afforded legal protection and consent is then required for demolition or alterations. Whilst Clause 5.10 (Heritage Conservation) does not specifically state that demolition is not permissible, the objectives of the clause are to conserve. In heritage conservation practice, demolition is not considered a means of conservation and is rarely, if ever, supported.

7. When will a review be done of heritage properties in Liverpool and when will that report be presented to Council?

Council's last review of heritage was 10 years ago. As part of updating the comprehensive local environmental plan, a new heritage study will be undertaken.

The following question was asked by Cllr Stanley while dealing with this item, during the Council meeting:

- 8. Can Council be provided with timelines for the future plans that are to be developed as a result of the traffic studies referred to in point 3 of this Question With Notice.**

Clr Mamone left the Chambers at 9.56pm.

ITEM NO: QWN 02

FILE NO: 075114.2016

SUBJECT: Question with Notice - Clr Hadchiti

Please address the following:

1. Council owns many buildings.

Are all these buildings compliant with the current fire standards?

Can a register be provided showing these assets and due dates for next fire inspections?

2. Recently Council committed to upgrading pocket parks that were the subject of surplus lands.

Has any community consultation taken place in relation to the upgrades of these pocket parks?

3. A request has been made by some of our youth for the possibility of building a skate park in the Casula area.

Can I be informed of any issues, besides budget constraints, of constructing a skate park on the Southern side of Jardine Park along Old Kurrajong Rd.?

4. There is some confusion relating to the name of Phillip Park in Lurnea. At a recent community consultation meeting the granddaughter of Mr Phillip was present and stated that originally it was named Phillips Park. Signs at the park state 'Phillips Park'

Can the history of naming this park please be looked into?

Can the sign 'Phillips Park' that was originally located on the corner of Hill Road & Reilly St please be re installed?

5. Moorebank Voluntary Acquisition Area

Has Council served any orders or proposed orders for the demolition of dwellings within that area?

If so:

1. Has Council done its due diligence on whether these orders could have been served?
2. Has council obtained any legal advice on the prospects of success if these matters were before the courts?

6. Council was looking into changes to the LEP in relation to truck parking in rural areas.

Can an update please be provided on the progress?

7. The traffic issues around Westfield's seem to be not going away.

Is Westfield's complying with their TMP?

What progress has been made with any discussions held with Westfield's in relation to fixing the traffic issues around their centre now, not in the future?

Is Westfield's complying with their DA?

A response to these questions will be provided in the business papers for the Council meeting 27 April 2016.

ITEM NO: QWN 03

FILE NO: 075201.2016

SUBJECT: Question with Notice - Clr Shelton

Please address the following:

Given the likelihood that a container deposit levy or similar container recovery scheme will commence in the state of New South Wales in the foreseeable future, possibly on 1 July 2017, please provide the following information (and, where appropriate, under confidential cover).

1. Is it the case under existing collection contracts title to all containers passes to the contractor from the moment of collection? Or does title remain with the Council until a later point, and if so please identify the point when title does pass?
2. Is it anticipated Council would be able to benefit from the increased value of containers in collections it organises for household and other refuse. If so, how is as much to be implemented, and if not, why not?
3. Have any estimates or calculations been made as to the increased value of waste collected where a deposit or similar benefit is recoverable. Equally, are there estimates available simply as to the quantity of containers collected that might be eligible for a benefit to be paid.

A response to these questions will be provided in the business papers for the Council meeting 27 April 2016.

ITEM NO: QWN 04

FILE NO: 075208.2016

SUBJECT: Question with Notice - Cllr Harle

Please address the following:

1. Questions relating to the Civic List:
 - a. How current is the civic list?
 - b. How far back does it go?
 - c. Are invites to council events extended to all individuals on the civic list?

2. Questions relating to the Propel Management System:
 - a. How much money does propel receive per month?
 - b. How is the money paid?

A response to these questions will be provided in the business papers for Council meeting 27 April 2016.

Clr Mamone returned to the Chambers at 10.03pm.

ECONOMIC DEVELOPMENT REPORT

ITEM NO: DEE 01

FILE NO: 076333.2016

SUBJECT: Future Cities Collaborative/United States Studies Centre invitation to participate in Australian City Exchange on Innovation Ecosystems

RECOMMENDATION

That Council consider participation in the Exchange and either nominate a Councillor or Councillors and/or staff to attend **OR** decline the offer of participation.

COUNCIL DECISION

Motion: **Moved: Clr Ristevski Seconded: Clr Hadchiti**

That Council decline the invitation for Councillors, and delegate authority to the Acting CEO to decide if a staff member shall attend.

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

ITEM NO: CONF 01

FILE NO: 065194.2016

SUBJECT: Tender WT2501 - Davy Robinson Seawall and Carpark Upgrade

RECOMMENDATION

That Council:

1. Under Section 178(3)(a) of the Local Government Regulation, cancels the proposal for this contract and invites fresh tenders following completion of redesigns and obtaining of development consent for the remediation works.
2. Makes public its decision regarding Tender WT2501 - Seawall renewal and carpark upgrade works at Davy Robinson Reserve, Moorebank.
3. Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of Section 10A(2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

COUNCIL DECISION

Motion:

Moved: Clr Shelton

Seconded: Clr Karnib

That the recommendation be adopted.

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

Councillors voted unanimously for this motion.

ITEM NO: CONF 02

FILE NO: 041318.2016

SUBJECT: Acquisition of part Lot 110 DP 1150684, Progress Circuit, Prestons, for drainage purposes

RECOMMENDATION

That Council:

1. Approves the acquisition of part Lot 110 DP 1150684, Progress Circuit, Prestons, containing an area of approximately 4,650 square metres for the price and terms outlined in the confidential attachment;
2. Upon settlement of the acquisition, classifies the portion of Lot 110 DP 1150684, Progress Circuit, Prestons, being acquired as 'Community' land;
3. Keeps confidential the attachment supplied under separate cover containing the acquisition price pursuant to the provisions of Section 10A(2)(c) of the *Local Government Act* 1993 as this information would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; and
4. Authorises its delegated officer to execute any document, under Power of Attorney necessary to give effect to this decision.

COUNCIL DECISION

Motion: **Moved: Clr Shelton** **Seconded: Clr Hadid**

That the recommendation be adopted.

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

.....
Chairperson

ITEM NO: CONF 03

FILE NO: 046754.2016

SUBJECT: Proposed easement for underground electricity cables over Lot 515 DP 235072, 104 Lawrence Hargrave Road, Warwick Farm, known as 'Hargrave Park'

RECOMMENDATION

That Council:

1. Grants an easement for underground electricity cables over Lot 515 DP 235072, 104 Lawrence Hargrave Road, Warwick Farm, known as 'Hargrave Park', as outlined in the confidential report;
2. Keeps confidential the attachment supplied under separate cover containing the compensation amount pursuant to the provisions of Section 10A(2)(c) of the *Local Government Act* 1993 as this information would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business;
3. Transfers the compensation amount into the General Property Reserve; and
4. Authorises the relevant documentation necessary for the formalization of the easement to be signed under Power of Attorney by Council's delegated officer.

COUNCIL DECISION

Motion:

Moved: Cllr Hadid

Seconded: Cllr Mamone

That the recommendation be adopted.

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

ITEM NO: CONF 04

FILE NO: 050587.2016

SUBJECT: Proposed disposal of part Copeland Street, Liverpool

RECOMMENDATION

That Council:

1. Subject to a successful road closure, agrees to the sale of part Copeland Street, Liverpool, containing an area of approximately 200 square metres, for the price and terms set out in this confidential report;
2. Keeps confidential the attachment supplied under separate cover containing the purchase price pursuant to the provisions of Section 10A(2)(c) of the *Local Government Act* 1993 as this information would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business;
3. Transfers the proceeds of sale into the General Property Reserve; and
4. Authorises its delegated officer to execute any document, under Power of Attorney necessary to give effect to this decision.

COUNCIL DECISION

Motion:

Moved: Cllr Hadid

Seconded: Cllr Waller

That the recommendation be adopted.

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

Clr Karnib left the Chambers at 10.18pm.

ITEM NO: CONF 05

FILE NO: 065742.2016

SUBJECT: Procurement of Waste Investigation Services

RECOMMENDATION

That Council:

- 1. Extends the contract between C.M Jewell and Associates Pty Ltd and Council for the ongoing supervision and oversight of Council’s site remediation activities in accordance with Section 55(3)(i) of the Local Government Act on the basis that extenuating circumstances exist that prevent competitive tenders being called.
- 2. Extends the contract between Douglas Partners and Council to undertake all required site investigations, development of remediation strategies, reporting and certification in accordance with Section 55(3)(i) of the Local Government Act on the basis that extenuating circumstances exist that prevent competitive tenders being called.
- 3. Notes that the Director Infrastructure and Environment will finalise all details and sign the Letter of Acceptance following publication of the draft minutes on Council’s website, giving it contractual effect, in accordance with delegated authority.

COUNCIL DECISION

Motion: **Moved: Clr Hadid** **Seconded: Clr Mamone**

That the recommendation be adopted.

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

Councillors voted unanimously for this motion.

Clr Karnib returned to the Chambers at 10.21pm.

ITEM NO: CONF 06

FILE NO: 067143.2016

SUBJECT: Legal Affairs Report

RECOMMENDATION

That Council receives and notes the report concerning the Legal Affairs of Council.

COUNCIL DECISION

Motion:

Moved: Clr Stanley

Seconded: Clr Hadid

That the recommendation be adopted.

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

ITEM NO: CONF 08

FILE NO: 071943.2016

SUBJECT: Tender WT2534 – Whitlam Leisure Centre Spa Renewal

RECOMMENDATION

That Council:

1. In accordance with Section 178(3)(a) of the Local Government (General) Regulation 2005, cancels the contract for the delivery of the Whitlam Leisure Centre Spa Renewal.
2. In accordance with Section 178(3)(f) of the Local Government (General) Regulation 2005, carries out the requirements of the Whitlam Leisure Centre Spa Renewal itself.
3. Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of Section 10A(2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

COUNCIL DECISION

Motion:

Moved: Clr Stanley

Seconded: Clr Hadchiti

That the recommendation be adopted.

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

Vote for:

Mayor Mannoun
Clr Balloot
Clr Hadchiti
Clr Hadid
Clr Harle
Clr Karnib
Clr Mamone
Clr Shelton
Clr Stanley
Clr Waller

Vote against:

Clr Ristevski

ITEM NO: CONF 09

FILE NO: 074290.2016

SUBJECT: Tender WT2516 - Middleton Grange Rural Fire Station, West Hoxton

RECOMMENDATION

That Council:

1. Accepts the Tender WT2516 Middleton Grange Rural Fire Station, West Hoxton from Midson Construction NSW Pty Ltd, for the at the GST exclusive price outlined in the confidential report.
2. Makes public its decision regarding Tender WT2516 Middleton Grange Rural Fire Station, West Hoxton.
3. Notes that the Director Infrastructure and Environment will finalise all details and sign the Letter of Acceptance following publication of draft minutes on the Council website for the tender, giving it contractual effect, in accordance with delegated authority.
4. Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of Section 10A(2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

COUNCIL DECISION

Motion:

Moved: Clr Hadid

Seconded: Mayor Mannoun

That the recommendation be adopted.

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

Vote for:

Mayor Mannoun
 Clr Balloot
 Clr Hadchiti
 Clr Hadid
 Clr Harle
 Clr Karnib
 Clr Mamone
 Clr Shelton
 Clr Waller

Vote against:

Clr Ristevski
 Clr Stanley

ITEM NO: CONF 10

FILE NO: 074337.2016

SUBJECT: Tender WT2538 - Design, Supply and Installation of Gross Pollutant Trap at Blamfields Oval, Ashcroft

RECOMMENDATION

That Council:

Accepts the Tender from Ecosol Pty Ltd for WT2538 Design, Supply and Installation of GPT at Blamfields Oval at Maxwell Avenue, Ashcroft for lump sum contract price outlined in the confidential report.

Makes public its decision regarding Tender WT2538 Design, Supply & Installation of a GPT in Blamfields Oval at Maxwell Avenue, Ashcroft.

Notes that the Director Infrastructure & Environment will finalise all details and sign the Letter of Acceptance following publication of draft Minutes on the Council website for the tender, giving it contractual effect, in accordance with delegated authority.

Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of Section 10A(2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

COUNCIL DECISION

Motion: **Moved: Cllr Shelton** **Seconded: Cllr Hadchiti**

That the recommendation be adopted.

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

Councillors voted unanimously for this motion.

ITEM NO: CONF 11

FILE NO: 078634.2016

SUBJECT: Macquarie Mall Revitalisation Works

RECOMMENDATION

That Council receives and notes the report.

COUNCIL DECISION

Motion:

Moved: Clr Stanley

Seconded: Clr Karnib

That the recommendation be adopted.

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

Clr Hadchiti left the Chambers at 10.49pm.

Clr Hadchiti returned to the Chambers at 10.51pm.

ITEM NO: CONF 12

FILE NO: 078581.2016

SUBJECT: Tender WT2495 - Upgrade of Bigge Park Precinct, Liverpool

RECOMMENDATION

That Council:

1. Declines to accept the tender from Regal Innovations Pty Ltd for Tender WT2495 - Upgrade of Bigge Park Precinct, Liverpool.
2. Authorises Council officers to explore the feasibility of undertaking the works using in house project management resources and appropriate subcontracting arrangements and undertake the works if found to be feasible.
3. Under Section 178(3)(b) of the Local Government Regulations, invites fresh tenders if this is found to be the most effective means of delivering the works.
4. Makes public its decision regarding Tender WT2495 - Upgrade of Bigge Park Precinct, Liverpool.
5. Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of Section 10A(2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

COUNCIL DECISION

Motion: **Moved: Clr Mamone** **Seconded: Clr Hadid**

That the recommendation be adopted.

Foreshadowed motion: **Moved: Clr Shelton** **Seconded: Clr Stanley**

That Council:

1. Declines to accept the tender from Regal Innovations Pty Ltd for Tender WT2495 - Upgrade of Bigge Park Precinct, Liverpool.

2. Under Section 178(3)(b) of the Local Government Regulations, invites fresh tenders and simultaneously authorises Council officers to explore the feasibility of

undertaking the works using in house project management resources and appropriate subcontracting arrangements and undertake the works if found to be feasible .

3. Makes public its decision regarding Tender WT2495 - Upgrade of Bigge Park Precinct, Liverpool.
4. Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of Section 10A(2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

On being put to the meeting the motion (moved by Clr Mamone) was declared CARRIED and the Foreshadowed Motion (moved by Clr Shelton) lapsed.

Council moved into Closed Session at 10.58pm. Clr Karnib and Clr Hadchiti left the Chambers at 10.58pm

Clr Hadchiti returned to the Chambers at 10.59pm.

Clr Karnib returned to the Chambers at 11.00pm.

ITEM NO: CONF 07

FILE NO: 070643.2016

SUBJECT: Endorsement of Liverpool Access Committee

RECOMMENDATION

That Council endorses the applicants identified in the confidential report as members of the Liverpool Access Committee.

COUNCIL DECISION

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

That the report be deferred and dealt with at the next Council meeting.

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

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

That Council move back into open session.

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

Council moved back into open session at 11.02pm.

Mayor Mannoun read the Council resolution relating to CONF 07 which was discussed during Closed Session.

THE MEETING CLOSED AT 11.04pm.

<Signature>

Name: Ned Mannoun

Title: Mayor

Date: 27 April 2016

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 2016. 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 2016

PRESENT:

Mayor Ned Mannoun
 Councillor Balloot
 Councillor Hadchiti
 Councillor Hadid
 Councillor Harle
 Councillor Karnib
 Councillor Mamone
 Councillor Ristevski
 Councillor Shelton
 Councillor Stanley
 Councillor Waller
 Mr Michael Cullen, Acting Chief Executive Officer
 Mr Gary Grantham, Chief Financial Officer / Director Corporate Services
 Ms Toni Averay, Director Planning and Growth
 Dr Eddie Jackson, Acting Director Community and Culture
 Mr Wayne Carter, Director City Presentation
 Ms Julie Scott, Acting Director Economic Development
 Mr Raj Autar, Director Infrastructure and Environment
 Ms Carole Todd, Director Business Improvement
 Mr John Morgan, Director Property and Commercial Development

The meeting commenced at 6.04pm

OPENING	6.04pm
PRAYER	The prayer of the Council was read by Reverend Stuart Pearson from St Lukes Anglican Church.
APOLOGIES	Nil
CONDOLENCES	Nil

CONFIRMATION OF MINUTES

Motion: **Moved: Clr Mamone** **Seconded: Clr Harle**

That the minutes of the Ordinary Meeting held on 30 March 2016 be confirmed as a true record of that meeting.

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

DECLARATIONS OF INTEREST

Clr Shelton declared a pecuniary interest in the following item:

Item: CTTE 06 Planning and Development Committee Minutes of 6 April 2016

Reason: Clr Shelton has business dealings with a party referred to in the report.

Clr Shelton left the Chamber for the duration of the item.

Clr Hadid declared a non-pecuniary, less than significant interest in the following item:

Item: CFO 04 Local Government NSW Board Elections

Reason: Clr Hadid is a member of the Local Government NSW Board.

Clr Hadid remained in the Chamber for the duration of the item.

Clr Ristevski declared a non-pecuniary, less than significant interest in the following item:

Item: NOM 03 Western Sydney Women

Reason: Clr Ristevski has previously had a relationship with Ms Amanda Rose.

Clr Ristevski remained in the Chambers for the duration of the item.

PUBLIC FORUM

Presentation – items not on agenda

1. **Ms Vicki Andrews** addressed Council on the following matter:

Lack of Heritage Officer, Museum Curator, Family History Coordinator and the Draft Heritage Study: Potential Heritage Items

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

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

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

Representation – items on agenda

1. **Ms Jennifer Fitzgerald** addressed Council on the following item:

Item IHAP 03: DA-131/2015 - Demolition of existing structures and construction of a five (5) storey residential flat building containing 10 units and basement carparking at 93 Nuwarra Road, Moorebank.

2. **Ms Carole Bennett** addressed Council on the following item:

Item IHAP 03: DA-131/2015 - Demolition of existing structures and construction of a five (5) storey residential flat building containing 10 units and basement carparking at 93 Nuwarra Road, Moorebank.

3. **Ms Marella Harris** addressed Council on the following item:

Item NOM 01: Malek Fahd Islamic School

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

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

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

4. **Ms Tracey Liondas** addressed Council on the following item:

Item NOM 05: Athletics Track

Motion: **Moved: Clr Hadchiti** **Seconded: Clr Mamone**

That a three minute extension of time be given to MS Liondas.

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

5. **Ms Nazia Pokar** addressed Council in support of the following application:

Item IHAP 04: DA-599/2015 – Two lot Torrens title subdivision, retention of existing house on Lot 1 and construction of new house on Lot 2 at 17 Balanada Ave, Chipping Norton

Motion: **Moved: Clr Hadchiti** **Seconded: Clr Mamone**

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

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

MAYORAL REPORT

ITEM NO: MAYOR 01
FILE NO: 101026.2016
SUBJECT: Infrastructure coming to Liverpool

Liverpool has received two exciting new announcements about prospective infrastructure coming to Liverpool.

We now have confirmations from both State and Federal government that serious consideration is being given to establishing an extension of the South West Metro from Bankstown to Liverpool and a fast train connecting Badgerys Creek with Greater Sydney.

The commitment of Council to ensure Liverpool is not left out when it comes to major infrastructure is being fulfilled through the tireless efforts of the community and council staff calling for the South West to be recognised as a major hub for the future of Sydney.

Consultation between the State Government and the Liverpool Community for a planned City Metro route from Bankstown to Liverpool takes us another step forward in having fast and effective transport to and from the CBD.

A metro train cutting travel times to 30 - 40 minutes will make Liverpool more accessible and bring more jobs and more business to our booming city.

On the 11th March Prime Minister Malcolm Turnbull also announced plans for a high speed rail connection between Badgerys Creek and the Sydney CBD ensuring that our future airport will be accessible to all.

This fast rail connection will be pivotal to the success of the Western Sydney Airport and will provide the ground work for future development and prosperity in the area.

The success of Parramatta Council in creating a second major CBD in Sydney involving billions of dollars of state infrastructure is largely due to the willingness of councillors to generate growth and support for their region.

Liverpool needs to follow the example set by Parramatta and create the third major city of Sydney where the government can invest in infrastructure and entertainment venues for the benefit of our residents.

Liverpool certainly has this potential and the State Government is taking notice of what we have to offer.

We need to continue to expand this city to encourage greater involvement from both private enterprise and government agencies.

We have the ability to grow Liverpool from east to west to Badgerys Creek Airport.

The rail lines are already in place for an express service from Parramatta to Campbelltown, running through Liverpool and connecting the major centres of Sydney's West.

Travel times can be slashed to 10 – 15 minutes between Sydney’s Western hubs and there is potential to continue infrastructure development to Penrith.

If council maintains a vision of growth and development in Liverpool we can fulfil our destiny to be a new centre of Sydney.

The two announcements from the Federal and State Governments give Liverpool the right base for our future.

As Councillors we must ensure we cultivate and protect that future.

Our residents voted for us to ensure Liverpool would position itself as a leader in the vast city of Greater Sydney and we now have that opportunity.

RECOMMENDATION

That Council:

1. Congratulates the State and Federal governments for their initiative and foresight to provide the infrastructure for Liverpool’s future.
2. Congratulates the residents of Liverpool and council staff who worked hard to lobby the State and Federal Governments for these projects.
3. Commits to supporting these new projects allowing the growth and development of Liverpool as another centre of Greater Sydney with the interests of our residents at the heart.
4. Lobbies the State Government for an express train service running north to south from Parramatta to Campbelltown through Liverpool.

COUNCIL DECISION

Motion: **Moved: Mayor Mannoun**

That the recommendation be adopted.

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

MAYORAL REPORT

ITEM NO: MAYOR 02
FILE NO: 108964.2016
SUBJECT: Recognition of Staff Achievement

Tonight I would like to warmly congratulate two valued members of council staff; Lina Kakish, Manager of Development Assessment, and Tina Sangiuliano, Manager of Children's Services.

They have both received high acclaim and awards from the NSW Local Government authorities.

Tina has turned our child care businesses around since taking the helm of Children's Services earning her the 2016 Minister's award for Women in Local Government.

Her predominantly female team dedicated to helping care for local children, has done an exceptional job in lifting our child care centres above and beyond national industry standards.

Her commitment to her work is truly inspirational and worthy of the praise she is receiving.

Lina, was recognised by Local Government Professionals NSW, as an emerging leader for her aspirational work developing new trainees in council.

She was also praised for her successful role in overseeing Liverpool Council's E-planning system that has brought development application processing times down to just four days.

Lina is a key member of our managerial team and her work in important areas ensures that Liverpool grows to its full potential as a skyline city for all of the South West.

Lina is now a finalist in the National Local Government Awards in the category of Emerging Leaders.

We wish her every success in the finals and put on the record that we are grateful for her dedication to the Council and her skill as a leader of our planning staff.

Recognition of these two hard-working women in our council demonstrates that some of the state's best talent is here in Liverpool, leading the way in good governance and equality in our area.

RECOMMENDATION:

That Council acknowledge and congratulate Lina Kakish and Tina Sangiuliano for their recent accolades.

COUNCIL DECISION

Motion: **Moved: Mayor Mannoun**

That the recommendation be adopted.

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

NOTICES OF MOTION OF RESCISSION

ITEM NO: NOMR 01
FILE NO: 091369.2016
SUBJECT: Rescission NOM 02 - Delegations Of The Mayor from Council meeting 30 March 2016

NOTICE OF MOTION OF RESCISSION

That Council rescinds the resolution relating to NOM 02 Delegations of the Mayor from the Council Meeting 30 March 2016. A copy of the resolution is shown below:

That Council:

1. Media statements can only be made by the Mayor ONLY after a resolution of Council.
2. Replace the Deputy Mayoral column in the newspapers with a Councillors column for Council and Community events with each Councillor providing a column on a rotational basis.
3. Replace the "Mayoral mobile office" with the "Mayor and Councillors mobile office" removing the words "Ned Mannoun".
4. Replace the Mayor's message in the monthly Newsletter with a Councillors message featuring a story from each Councillor.
5. Change all Invitations to the community to be from "Liverpool City Councillors" removing the words "Mayor Ned Mannoun" including those made on social media, via random phone calls and/or surveys to households, letters to households, posters, formal invitations, radio commercials and any other means that Council invites the community to any event.
6. Ensures the Mayor's photo is not used on Council invitations or any publication instead a group photo of all Councillors be used.
7. Mayoral Minutes adhere to the OLG Practice Note 16 dated August 2009. An extract of the relevant clause of the practice note is included below:

2.7 Mayoral Minutes

2.7.1 What is a mayoral minute?

The mayor may put to a meeting (without notice) any matter which the council is allowed to deal with or which the council officially knows about (cl.243(1) of the Regulation). This would cover any council function under the Act or other legislation, or any matter that has been brought to the council's attention, for example, by letter to the mayor or the general manager.

INDEPENDENT HEARING AND ASSESSMENT PANEL REPORT

ITEM NO: IHAP 01
FILE NO: 085064.2016
SUBJECT: DA-267/2015 - Two lot Torrens title subdivision, retention of existing dwelling on Lot A and construction of a new dwelling on Lot B at 8 Aberdeen Road, Busby

RECOMMENDATION

That Council approve DA-267/2015 subject to recommended conditions of consent contained within the Council officer's IHAP report (Attachment 2).

COUNCIL DECISION

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

That the recommendation be adopted.

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

Vote for: Mayor Mannoun
Clr Balloot
Clr Hadchiti
Clr Hadid
Clr Harle
Clr Mamone
Clr Ristevski
Clr Shelton

Vote against: Clr Karnib
Clr Stanley
Clr Waller

Clr Hadchiti left the Chambers at 7.02pm.

Clr Hadchiti returned to the Chambers at 7.03pm.

ITEM NO: IHAP 02
FILE NO: 085303.2016
SUBJECT: DA-991/2015 - Construction of 20 detached dwellings and community title subdivision on proposed Lot 18 within stage 3 of a development of Lot 31 DP 1181985 at the former New Brighton Golf Club

RECOMMENDATION

That Council approve DA-991/2015 subject to the recommended conditions of consent attached to the Council officers IHAP report (Attachment 2).

COUNCIL DECISION

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

That:

1. Council approve DA-991/2015 subject to the recommended conditions of consent attached to the Council officers IHAP report (Attachment 2) and the additional condition referred to in point 2 below.
2. The minimum height of trees be 3 metres when planted and it be considered that the relevant Council policy be amended to reflect this.

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

Vote for: Mayor Mannoun
Clr Balloot
Clr Hadchiti
Clr Hadid
Clr Harle
Clr Karnib
Clr Mamone
Clr Ristevski
Clr Shelton
Clr Waller

Vote against: Clr Stanley

Clr Mamone left the Chambers at 7.12pm.

Clr Mamone returned to the Chambers at 7.17pm.

ITEM NO: IHAP 03
FILE NO: 085557.2016
SUBJECT: DA-131/2015 - Demolition of existing structures and construction of a five (5) storey residential flat building containing 10 units and basement carparking at 93 Nuwarra Road, Moorebank.

RECOMMENDATION

That Council approve Development Application DA-131/2015, subject to the amended recommended conditions of consent contained in Attachment 4.

COUNCIL DECISION

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

That Council refuses Development Application DA-131/2015 for the following reasons:

1. The development does not comply with the building separation requirements of the Residential Flat Design Code resulting in unacceptable urban form, amenity and privacy impacts.
2. The application is not in the public interest.

Foreshadowed motion: **Moved: Clr Hadchiti** **Seconded: Clr Balloot**

That the recommendation be adopted.

Foreshadowed motion: **Moved: Clr Hadid** **Seconded: Clr Mamone**

That Council defer this item to allow the applicant to address the non-compliances.

On being put to the meeting the motion (moved by Mayor Mannoun) was declared LOST.

Vote for: Mayor Mannoun
Clr Ristevski
Clr Stanley

Vote against: Clr Balloot
Clr Hadchiti
Clr Hadid
Clr Harle
Clr Karnib
Clr Mamone
Clr Shelton
Clr Waller

The Foreshadowed motion (moved by Clr Hadchiti) then became the motion and on being put to the meeting was declared LOST.

Vote for: Clr Balloot
Clr Hadchiti
Clr Hadid
Clr Karnib
Clr Waller

Vote against: Mayor Mannoun
Clr Harle
Clr Mamone
Clr Ristevski
Clr Shelton
Clr Stanley

The Foreshadowed motion (moved by Clr Hadid) then became the motion and on being put to the meeting was declared LOST.

Vote for: Clr Hadchiti
Clr Hadid
Clr Harle
Clr Mamone

Vote against: Mayor Mannoun
Clr Balloot
Clr Karnib
Clr Ristevski
Clr Shelton
Clr Stanley
Clr Waller

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

The approval motion (moved by Clr Hadchiti) be recommitted and voted on again.

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

The motion to adopt the recommendation (moved by Clr Hadchiti) was then voted on again and on being put to the meeting was declared CARRIED.

Vote for: Clr Balloot
Clr Hadchiti
Clr Hadid
Clr Karnib
Clr Mamone
Clr Waller

Vote against: Mayor Mannoun
Clr Harle

Clr Ristevski
Clr Shelton
Clr Stanley

.....

Chairperson

Mayor Mannoun left the Chambers at 7.32pm and the Deputy Mayor, Clr Hadchiti took the Chair.

ITEM NO: IHAP 04
FILE NO: 085691.2016
SUBJECT: DA-599/2015 - Two lot Torrens title subdivison, retention of existing house on Lot 1 and construction of new house on Lot 2 at 17 Balanada Ave, Chipping Norton

RECOMMENDATION

That Council refuses DA-599/2015 for the reasons contained within Council officer's IHAP report (Attachment 2).

COUNCIL DECISION

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

That the matter be deferred for the applicant to work with Council officers to provide a design which can be supported.

Foreshadowed motion: **Moved: Clr Stanley** **Seconded: Clr Waller**

That the recommendation be adopted.

On being put to the meeting the motion (moved by Mayor Mannoun) was declared LOST.

Vote for: Clr Balloot
Clr Hadchiti
Clr Hadid

Vote against: Clr Harle
Clr Karnib
Clr Mamone
Clr Ristevski
Clr Shelton
Clr Stanley
Clr Waller

The Foreshadowed motion (moved by Clr Stanley) then became the motion and on being put to the meeting was declared CARRIED.

Vote for: Clr Harle
Clr Karnib
Clr Mamone
Clr Ristevski
Clr Shelton
Clr Stanley
Clr Waller

Vote against: Clr Balloot
 Clr Hadchiti
 Clr Hadid

Note: Mayor Mannoun was not in the Chamber when this item was voted on.

Mayor Mannoun returned to the Chambers at 7.34pm.

Clr Stanley left the Chambers at 7.34pm.

Clr Karnib left the Chambers at 7.35pm.

Clr Stanley returned to the Chambers at 7.37pm.

Clr Karnib returned to the Chambers at 7.37pm.

Clr Waller left the Chambers at 7.39pm.

Clr Waller returned to the Chambers at 7.41pm.

Clr Hadid left the Chambers at 8.09pm.

Clr Hadid returned to the Chambers at 8.10pm.

Clr Mamone left the Chambers at 8.11pm.

Clr Hadid left the Chambers at 8.13pm.

Clr Mamone returned to the Chambers at 8.14pm.

Clr Hadid returned to the Chambers at 8.16pm.

Clr Waller left the Chambers at 8.30pm.

Clr Waller returned to the Chambers at 8.32pm.

ITEM NO: CFO 05

FILE NO: 091641.2016

SUBJECT: Draft Delivery Program and 2016-17 Operational Plan and Budget (Including Revenue Pricing Policy)

RECOMMENDATION

That Council:

1. Places the draft Delivery Program and Operational Plan including the draft 2016-17 Budget and Revenue Pricing Policy (Schedule of Fees and Charges) on public exhibition for a period of 28 days to allow for public comments and submissions.
2. Receives a further report after a review of public submissions at the June Council meeting

COUNCIL DECISION

Motion: Moved: Mayor Mannoun Seconded: Clr Hadchiti

That the recommendation be adopted.

Foreshadowed motion: Moved: Clr Ristevski Seconded: Clr Mamone

That:

1. A report (in relation to point 1) to come back to an Extraordinary Council meeting on the reduction of costs and options on how the deficit can be reduced by the CEO in the following areas:
 - i. reducing the Business Improvement Directorate budget by \$250,000
 - ii. reducing the CEOs budget by \$100,000 in the research area.
 - iii. reducing the Strategic Communications & Research budget by 50% and/or \$570,000 whichever is higher.

2. Eliminate expenditure on all consultants in the Strategic Communications and Research budget.

3. Redirect the money from item 1 above to employ six new staff for the Carnes Hill Library rather than redeploy staff from our existing libraries which will put a strain on our resources and impact services to the community.

4. Eliminate the \$500,000 efficiency savings from the budget numbers as these numbers are not real and cannot be quantified.

5. Eliminate the \$800,000 efficiency savings from salaries as there is no specific detail behind the reality of these numbers. At a time when we are already short staffed in many of our front line services, we cannot put at risk our service level agreements with our ratepayers.

6. No rates are to be increased via the domestic waste charge with savings to come from departments and options to be presented by the CEO at the next Council meeting rather than our ratepayers bearing this cost.

7. Review the \$1,425,000 asbestos cleanup cost item in the budget to show supporting working papers on how that item was determined. Considering that \$5,000,000 has been spent in this financial year and that the total cleanup cost are estimated around \$13,000,000, this item needs to be verified. A report is to be provided at the next Council meeting on the estimated clean-up costs of asbestos over the next 5 years. How these numbers were determined considering 6 months ago Councillors were advised that it wasn't even a \$1.

8. No funding to be allocated to the stadium proposal from the budget given the concerns of Oasis in the past and its impact on the budget. Let's not forget that an Administrator was appointed to the Council when our rates went through the roof to pay for the Oasis. This motion will protect ratepayers from the risk associated with the Mayor's stadium funding model as our rates are one of the highest in SW Sydney. If we have \$400m to spend on a stadium let's spend it on rates relief, roads and parks. Council writes to all media in particular the Liverpool Leader and Daily Telegraph advising them of same.
9. Remove all funding for the night markets until the budget is brought back to surplus.
10. Charge a commercial rent on the coffee shop immediately as the current annual rental is only \$1.
11. A 12 month freeze on all non-essential frontline service consultant fees.
12. Reduce the expenditure of the Destination Management Plan by \$200,000.
13. Delete participation in the US studies project and cease all payments to the Mayor advisor Professor Blakely – (that's over \$65,000 a year currently).
14. Mayoral ball to be cost neutral (whatever gets raised is donated over the redemption of costs of the event.)
15. 50% reduction of funding to Starry Sari night whilst the budget is in deficit.
16. Cease budget funding for CCTV whilst the budget is in deficit (this is housed in the police station and has not reduced crime as it was being reduced anyway).
17. A complete analysis of the budget item listed as additional salary savings depot of \$1.2m focusing on how it was calculated and what impact this will have on front line services?
18. Council prepare and submit a reconciliation for the period from 1 July 2015 to 31 January 2016 showing total payments to Propel and details of the savings achieved for the same period focusing on:
 - i. breakdown of how the savings were generated
 - ii. confirm that these savings were made from the first month of the operation of the Alliance
 - iii. Council provide a breakdown of all expenses incurred by Council relating to Propel employed staff for the period 1 July 2015 to date and details on whether Council was reimbursed for these costs
 - iv. confirm if a substantial payment was made to Propel in January 2016

- v. confirm if a purchase order for \$48,000 to buy laptops for the Propel employed management team was raised this month and paid by our ratepayers.

19. The above changes to be incorporated into a new budget with the changes to be brought back to an Extraordinary Council meeting for review.

On being put to the meeting the motion (moved by Mayor Mannoun) was declared LOST.

Division called:

Vote for: Mayor Mannoun
Clr Balloot
Clr Hadchiti
Clr Hadid

Vote against: Clr Harle
Clr Karnib
Clr Mamone
Clr Ristevski
Clr Shelton
Clr Stanley
Clr Waller

The Foreshadowed motion (moved by Clr Ristevski) then became the motion and on being put to the meeting was declared CARRIED.

Division called:

Vote for: Clr Harle
Clr Karnib
Clr Mamone
Clr Ristevski
Clr Shelton
Clr Stanley
Clr Waller

Vote against: Mayor Mannoun
Clr Balloot
Clr Hadchiti
Clr Hadid

Mayor Mannoun called for a recess of Council at 8.52pm.

The meeting reopened at 9.15pm.

PLANNING AND GROWTH REPORT

ITEM NO: DPG 01

FILE NO: 057064.2016

SUBJECT: Draft Heritage Study: Potential Heritage Items

RECOMMENDATION

That Council:

1. Adopts the Draft Heritage Study: Potential Heritage Items and its findings.
2. Undertakes a comprehensive assessment of the identified potential heritage items to determine whether they are suitable to be listed under Schedule 5 of the Liverpool Local Environmental Plan 2008.
3. Undertakes an assessment of the significance of the Skipton Lane Cistern, Prestons and the farm Buildings at 1432 The Northern Road, Bringelly and, if deemed appropriate by the assessment, delegates to the CEO to seek Interim Heritage Orders for them, due to their vulnerable status .

COUNCIL DECISION

Motion:

Moved: Cllr Hadid

Seconded: Cllr Shelton

That Council defer item DGP 01 to the Heritage Advisory Committee for consultation.

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

ITEM NO: DPG 02
FILE NO: 072649.2016
SUBJECT: Advertising Structures and Signage

RECOMMENDATION

That Council:

1. Endorses in principle the proposal to amend Liverpool Local Environmental Plan 2008 to prescribe signage as a use permissible with consent in Zone B3 Commercial Centre and Zone B4 Mixed Use.
2. Requests that the Liverpool Development Control Plan 2008 be amended to incorporate additional design guidelines for signage.
3. Delegates to the CEO the authority to approve a Planning Proposal to permit signage in Zone B3 Commercial Centre and Zone B4 Mixed Use for submission to the Department of Planning and Environment for Gateway Review.
4. Instructs the CEO to undertake an advertising design analysis to identify individual sites or precincts within the SP2 Infrastructure zone where commercial signs may be appropriate as part of the comprehensive review of the Liverpool Local Environmental Plan 2008.

COUNCIL DECISION

Motion: **Moved: Cllr Ristevski** **Seconded: Cllr Waller**

That the recommendation be adopted.

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

ITEM NO: DPG 03
FILE NO: 076123.2016
SUBJECT: Car parking rates for industrial development

RECOMMENDATION

That Council amends the Liverpool Development Control Plan 2008 by inserting the following provision in the sections on “Industry” and “Warehouses” in Table 13: Car Parking, Servicing and Loading Provision:

Warehouse developments of GFA >1000m²: 1 space per 250m² in GFA

COUNCIL DECISION

Motion: **Moved: Cllr Stanley** **Seconded: Cllr Waller**

That the recommendation be adopted.

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

ITEM NO: NOM 02
FILE NO: 088245.2016
SUBJECT: Committee for Liverpool

NOTICE OF MOTION

That all Councillors be invited to sit on the Committee For Liverpool.

COUNCIL DECISION

Motion: **Moved: Cllr Ristevski** **Seconded: Cllr Shelton**

That this item be deferred and considered at the Extraordinary Council meeting in conjunction with CFO 05 from this meeting.

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

ITEM NO: NOM 03
FILE NO: 099000.2016
SUBJECT: Western Sydney Women

NOTICE OF MOTION

That Council:

1. Invite Amanda Rose, founder of Western Sydney Women to address the next council meeting on the work her organization does
2. Give consideration to be a supporting partner of the organization
3. Invite councillors and staff to become members of the organization

COUNCIL DECISION

Motion: **Moved: Clr Mamone** **Seconded: Clr Ristevski**

That Council:

1. Notes that:
 - a. late last year a Women's Forum was adopted by Council in order to formulate some synergies between public and private enterprises with the focus of empowering and supporting women at a Local Government level.
 - b. that this forum was postponed for the first half of 2016 as the date set clashed with Parliamentary sitting dates and questions around amalgamations.
 - c. the new date for the Women's Forum has now been scheduled for June and invitations are being sent out
2. Advertises on its website and Facebook page that it will be holding a Women's Forum with its new scheduled date.
3. Invites Ms Amanda Rose or a representative of Western Sydney Women, and members of NSW ALGWA to the forum and liaise with Ms Amanda Rose and Western Sydney Women to address the forum.
4. Create a bio flyer of all the Women Councillors in the history of Liverpool and send to all ratepayers prior to the event.

.....
Chairperson

Note: The CFO advised that it would cost approximately \$1 to \$2 per household to send a flyer to all 50,000 households and Mayor Mannoun asked that this comment be noted in the Minutes.

Foreshadowed motion: Moved: Clr Hadchiti Seconded: Clr Balloot

That the recommendation be adopted.

On being put to the meeting the motion (moved by Clr Mamone) was declared CARRIED and the Foreshadowed motion (moved by Clr Hadchiti) lapsed.

Division called:

Vote for: Clr Mamone
 Clr Harle
 Clr Karnib
 Clr Ristevski
 Clr Stanley
 Clr Waller

Vote against: Mayor Mannoun
 Clr Balloot
 Clr Hadchiti
 Clr Hadid
 Clr Shelton

ITEM NO: NOM 05
FILE NO: 099870.2016
SUBJECT: Athletics Track

NOTICE OF MOTION

That Council:

1. Explore the feasibility of providing a synthetic athletics track and associated facilities.
2. Report findings with the Recreation and Sports strategy to Council.

COUNCIL DECISION

Motion: **Moved: Clr Stanley** **Seconded: Clr Hadid**

That the recommendation be adopted.

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

CHIEF FINANCIAL OFFICER

ITEM NO: CFO 01
FILE NO: 086832.2016
SUBJECT: Investment Report March 2016

RECOMMENDATION

That Council receives and notes this report.

COUNCIL DECISION

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

That the recommendation be adopted.

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

.....

ITEM NO: CFO 02
FILE NO: 088366.2016
SUBJECT: Comparative Analytical Report: Net Operating Result 2014-15

RECOMMENDATION

That Council receives and notes contents of this paper.

COUNCIL DECISION

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

That the recommendation be adopted.

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

Clr Mamone left the Chambers at 10.05pm.

Clr Mamone returned to the Chambers at 10.07pm.

ITEM NO: CFO 03
FILE NO: 090072.2016
SUBJECT: Mayors' weekend seminar

RECOMMENDATION

That:

1. Council determine whether it wishes to nominate any Councillor/s to attend the seminar on 21-22 May 2016.
2. Any Councillor who wishes to attend the seminar to notify the Acting CEO's office by Friday 29 April 2016.

COUNCIL DECISION

Motion: **Moved: Clr Hadchiti** **Seconded: Clr Shelton**

That the LGNSW be thanked for their invitation to the Mayor's weekend seminar and Council decline the offer.

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

Clr Mamone retired from the meeting at 10.08pm

ITEM NO: CFO 04
FILE NO: 090450.2016
SUBJECT: Local Government NSW Board Elections

RECOMMENDATION

That Council endorse the same 8 voters (as per the Council resolution on 26 August 2015) as its voting representatives for the forthcoming LGNSW Board election, and in addition nominate a further two Councillors.

COUNCIL DECISION

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

That Council endorse the same 8 voters, as per the Council resolution on 26 August 2015 (being Mayor Mannoun, Clr Balloot, Clr Hadchiti, Clr Hadid, Clr Harle, Clr Karnib, Clr Mamone and Clr Ristevski) as its voting representatives for the forthcoming LGNSW Board election, and in addition nominate Clr Shelton and Clr Waller.

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

COMMUNITY AND CULTURE REPORT

ITEM NO: DCC 01
FILE NO: 092509.2016
SUBJECT: Liverpool Sporting Donations

RECOMMENDATION

That Council endorses the Financial Contribution Panel's recommendations for the provision for \$2,100 (GST exclusive) under Sporting Donations Program as summarised in the table below:

Applicant Details	Amount
Ash Eastwood	\$200
Georgia Heath	\$200
Maddison Heath	\$200
Luke Baker	\$100
Claire Kemp	\$100
Maclane Walmsley	\$100
Jordan Richardson	\$500
Luke Stig	\$100
Emily Eker	\$100
Leteine Tikeri	\$200
Page Merriman	\$200
Oliver Eparaima	\$100

COUNCIL DECISION

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

That the recommendation be adopted.

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

ITEM NO: DCC 02
FILE NO: 099180.2016
SUBJECT: Quick Response Grants

RECOMMENDATION

That Council endorses the recommendations for the provision of \$1,000 (GST exclusive) under the Quick Response Grants Program as summarised in the table below:

Applicant Name	Project Name	Amount
Liverpool U3A School for Seniors Inc.	Photocopier	\$1,000

COUNCIL DECISION

Motion: **Moved: Cllr Ballot** **Seconded: Cllr Waller**

That the recommendation be adopted.

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

INFRASTRUCTURE AND ENVIRONMENT REPORT

ITEM NO: DIEN 01
FILE NO: 089100.2016
SUBJECT: Trapping of Indian Myna Birds

RECOMMENDATION

That Council:

1. Adopts a more strategic approach to Pest Management by developing a Pest Management Strategy.
2. Liaises with relevant state agencies with the aim to form a regional action group to address pest control issues, including the Indian Myna bird issue at a regional level.
3. Designs a webpage to inform residents about Indian Myna birds.

COUNCIL DECISION

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

That Council:

1. Adopts a more strategic approach to Pest Management by developing a Pest Management Strategy.
2. Liaises with relevant state agencies with the aim to form a regional action group to address pest control issues, including the Indian Myna bird issue at a regional level.
3. Provide a link on the Council website to relevant information about Indian Myna birds.

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

Clr Shelton left the Chambers at 10.12pm.

COMMITTEE REPORTS

ITEM NO: CTTE 01

FILE NO: 079603.2016

SUBJECT: Minutes of the Heritage Advisory Committee Meeting of 7 March 2016

RECOMMENDATION

That Council receives and adopts the Minutes of the Heritage Advisory Committee Meeting held on 7 March 2016.

COUNCIL DECISION

Motion:

Moved: Clr Hadid

Seconded: Clr Harle

That the recommendation be adopted.

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

ITEM NO: CTTE 02
FILE NO: 085388.2016
SUBJECT: Minutes of the Local Traffic Committee meeting held on 16 March 2016

RECOMMENDATION

That Council:

1. Receives and adopts the minutes of the Local Traffic Committee Meeting held on 16 March 2016
2. Adopts the Local Traffic Committee recommendations as noted in the report below.

COUNCIL DECISION

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

That the recommendation be adopted.

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

ITEM NO: CTTE 03
FILE NO: 085853.2016
SUBJECT: Minutes of the Liverpool Community Safety and Crime Prevention Advisory Committee held on Thursday 3 March, 2016

RECOMMENDATION

That Council receives and adopts the Minutes of the Liverpool Community Safety and Crime Prevention Advisory Committee Meeting held on Thursday, 3 March 2016.

COUNCIL DECISION

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

That the recommendation be adopted.

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

ITEM NO: CTTE 04
FILE NO: 090188.2016
SUBJECT: Minutes of Building Our New City Committee meeting held 6 April 2016

RECOMMENDATION

That Council:

1. Receives and notes the Minutes of the Building our New City Committee Meeting held on 6 April 2016.
2. Notes the Committee endorsed the Public Projection Strategy presented at the Committee meeting.

COUNCIL DECISION

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

That the recommendation be adopted.

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

ITEM NO: CTTE 05
FILE NO: 091823.2016
SUBJECT: Minutes of the Economic Development and Events Committee meeting held 6 April 2016

RECOMMENDATION

That Council receives and notes the Minutes of the Economic Development and Events Committee held on 6 April 2016.

COUNCIL DECISION

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

That the recommendation be adopted.

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

ITEM NO: CTTE 06
FILE NO: 095502.2016
SUBJECT: Planning and Development Committee Minutes of 6 April 2016

RECOMMENDATION

That Council receives and adopts the Minutes of the Planning and Development Committee Meeting held on 6 April 2016.

COUNCIL DECISION

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

That the recommendation be adopted.

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

ITEM NO: CTTE 07
FILE NO: 100072.2016
SUBJECT: Minutes of Committee for Liverpool Meeting held 1 March 2016

RECOMMENDATION

That Council:

1. Receives and notes the Minutes of the Committee for Liverpool Meeting held on 1 March 2016.

2. Endorses the addition of Louise Courtney (Department of Premier and Cabinet), Lillian Saleh (The Sunday Telegraph), Lee Hagipantelis (Brydens) and Michael Parkinson (Ingham Property Group) to the membership of the Committee for Liverpool.

COUNCIL DECISION

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

That the recommendation be adopted.

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

Clr Shelton returned to the Chambers at 10.13pm.

QUESTIONS WITH NOTICE

ITEM NO: QWN 01
FILE NO: 087712.2016
SUBJECT: Question with Notice - Clr Hadchiti

Please address the following:

1. Council owns many buildings.

Are all these buildings compliant with the current fire standards?

Can a register be provided showing these assets and due dates for next fire inspections?

Council currently has on its register of Essential Services (copy attached) 74 council owned buildings which contain fire safety equipment. The equipment is inspected regularly and required to be certified annually. A number of these properties are due for annual certification. However, due to changes to building fire standards since these buildings were occupied, many existing buildings would not comply with current fire standards under the National Standards Codes (BCA). This would also be the case for many privately owned existing buildings. This is because it may not be practical or economically viable to upgrade these buildings to current standards; however, this does not mean the buildings are unsafe. To determine if Council owned buildings are compliant with the current fire standard and the extent of upgrade works needed, an audit of all the buildings would need to be carried out.

2. Recently Council committed to upgrading pocket parks that were the subject of surplus lands.

Has any community consultation taken place in relation to the upgrades of these pocket parks?

Four of the identified pocket parks have been included for renewal/upgrade in Council's four year Delivery Plan. This includes Hazel Bradshaw Park and Tharawal Park which are scheduled for delivery in the 2016/17 financial year, and improvements to Ferrington Park and St Andrews Park to be delivered in financial years 2017/18 and 2018/19 respectively. Council staff have met onsite with residents to discuss a possible community garden at Wendlebury Park, Chipping Norton.

For the planned park upgrades identified in 2016/17 budget, community consultation will be undertaken onsite and using Liverpool Listens in the new financial year.

3. A request has been made by some of our youth for the possibility of building a skate park in the Casula area.

Can I be informed of any issues, besides budget constraints, of constructing a

skate park on the Southern side of Jardine Park along Old Kurrajong Rd?

Skate parks are important youth and family infrastructure. Liverpool currently has two existing smaller skate parks at Kelso Park (Moorebank) and Powell Park (Cartwright), and a third being constructed at Carnes Hill as part of the Community and Recreation Precinct. Council is spending approximately \$160,000 on upgrading Kelso skate park to provide improved amenities and undertake a number of repairs to the park itself. Community engagement with young people undertaken by Council staff over the years has consistently identified a demand for additional skate parks across Liverpool.

Ideally, skate parks should be sited in a prominent location (i.e. close to major thoroughfare or town centre park), co-located with other social infrastructure (e.g. public transport, local shops, library, community facility etc) and supported by infrastructure such as car parking, public toilets, shade, drinking water and lighting. Best practice indicates that a small number of larger district level skate parks are better utilised by the community (catering for a broader age range), and are easier to manage and maintain.

Unfortunately, Jardine Park is unsuitable due to the size of the site, poor natural surveillance and lack of supporting amenities e.g. public toilets, parking, close to shops, public transport. However, there are a range of alternatives in the nearby vicinity including Phillips Park, Lurnea and Collingwood/Discovery Park, Liverpool that can meet the above principles and which can service Casula residents. Planning for Phillips Park is considering a skate park, whilst a forthcoming Recreation Strategy will identify a number of potential locations for future skate parks across Liverpool.

- 4. There is some confusion relating to the name of Phillip Park in Lurnea. At a recent community consultation meeting the granddaughter of Mr Phillip was present and stated that originally it was named Phillips Park. Signs at the park state 'Phillips Park'**

Can the history of naming this park please be looked into?

Can the sign 'Phillips Park' that was originally located on the corner of Hill Road & Reilly St please be re installed?

The Park is named after the 'Phillips' family who lived in Lurnea (formerly Hillview) but was unfortunately, gazetted incorrectly as 'Phillip' Park in 1962. Mrs Margaret James nee Phillips has confirmed that the name of the park should indeed be 'Phillips'. In light of this administrative error, recently installed park signage in the north east corner of park now says 'Phillips'.

In light of this information, Council staff have written to the Geographical Names Board seeking to amend the naming to 'Phillips' Park". Due action will be undertaken by Council once the approval is received from the Geographical Names Board.

- 5. Moorebank Voluntary Acquisition Area**

Has Council served any orders or proposed orders for the demolition of

dwellings within that area?**If so:**

- 1. Has Council done its due diligence on whether these orders could have been served?**
- 2. Has council obtained any legal advice on the prospects of success if these matters were before the courts?**

Legal advice was obtained by Council regarding the Moorebank Voluntary Acquisition Area, which recommended Compliance action be taken regarding unauthorised works carried out on properties within the area. On this basis, Council officers issued orders on 7 properties. The prospects of success if these matters are challenged or enforced in the courts will depend on the merits of each case. There is currently one case that is in the process of court action which once determined, may set a precedent. Council officers will provide a further update of the outcome of the court proceedings once concluded.

Council resolved at its meeting in 28 October 2015 as follows:

- 1. Reinstate the Moorebank Voluntary Acquisition Scheme and commit to purchasing a minimum of one property per year on a voluntary or compulsory basis within Council's fiscal constraints;*
 - 2. Write to the State and Federal Government outlining the financial burden on Council and seeking additional funds to assist with acquisition costs;*
 - 3. Write to residents / owners affected by the Moorebank Voluntary Acquisition Scheme and provide current information with regard to flood constraints, flood evacuation procedures and potential risks associated with living within a flood way;*
 - 4. Recommence compliance action against unauthorised building or structural works on properties within the Moorebank Voluntary Acquisition Scheme area; and*
 - 5. Initiate a dialogue with emergency services regarding emergency procedures and related strategies to assist residents within the Moorebank Voluntary Acquisition Scheme area.*
- 6. Council was looking into changes to the LEP in relation to truck parking in rural areas.
Can an update please be provided on the progress?**

An issues and options report will be brought to the May Council meeting which provides options for truck parking provisions in rural areas. However, prior to this, the Councillors will be briefed on this matter at the May Planning and Development Committee.

- 7. The traffic issues around Westfield's seem to be not going away.
Is Westfield's complying with their TMP?**

Last year, Council officers undertook an extensive search of Council's records in an attempt to locate any development consents or approved plans/documents associated with the development of Westfield and any subsequent additions to the main building. Unfortunately, Council's records for the site only relate to minor alterations and usage of shop applications, which provide no indication of approved traffic and access arrangements for the development.

Council officers have requested copies of development consents and approved plans for the main building and subsequent additions from Westfield; however, this information has not been forthcoming. Council officers will be meeting with Westfield to further discuss traffic concerns and request information relating to previous approvals to be submitted prior to the consideration of any development on the site which is considered to create traffic generation or exacerbate the existing traffic concerns.

What progress has been made with any discussions held with Westfield's in relation to fixing the traffic issues around their centre now, not in the future?

During previous discussions held between Council officers and Westfield regarding the traffic issue, Westfield committed to undertaking short-term improvements for traffic management, particularly during peak times (such as the Christmas period) and investigating long term solutions such as ticketless parking, with an expected delivery timeframe of 2017.

At the next meeting, Council officers will reiterate the need for Westfield to submit their previous approvals and commit to further traffic solutions in the short-term, to enable consideration of any further development on the site.

An update can be provided in respect to the outcomes of the discussions with Westfield once the meeting has been held.

Is Westfield's complying with their DA?

Unfortunately, Council cannot be certain as to whether compliance with their DA for the main building is being achieved, as the consent and approved documentation has not been located as detailed above.

ITEM NO: QWN 02
FILE NO: 087714.2016
SUBJECT: Question with Notice - Cllr Shelton

Please address the following:

Given the likelihood that a container deposit levy or similar container recovery scheme will commence in the state of New South Wales in the foreseeable future, possibly on 1 July 2017, please provide the following information (and, where appropriate, under confidential cover).

- 1. Is it the case under existing collection contracts title to all containers passes to the contractor from the moment of collection? Or does title remain with the Council until a later point, and if so please identify the point when title does pass?**

The current contractual agreement is that all waste currently collected from the kerbside will remain the property of Council, until deposited at the nominated disposal or recycling facility.

- 2. Is it anticipated Council would be able to benefit from the increased value of containers in collections it organises for household and other refuse. If so, how is as much to be implemented, and if not, why not?**

Should a container deposit scheme (CDS) be introduced as planned in 2017, it is anticipated that the amount of recyclable comingled containers collected from kerbside by Council would be significantly reduced, both within the residual waste and recycling streams.

As a result, it is envisaged that Council would stand to benefit in the following ways:

Financially

- Less recyclable beverage containers disposed of in the red-lid residual bin will result in a reduction of waste tonnage disposed of to landfill (and respectively, a reduction in the associated landfill disposal fees); and
- An increase in paper rebate amounts payable to Council, as a result of improved quality of the paper waste collected in the yellow-lid recycling bin (due to reduced contamination from beverage containers).

Operationally

- The reduction of waste volumes within both residual and recycling collection vehicles would enable more kerbside collections to occur, thereby reducing overall operational and maintenance costs; and
- A reduced volume of litter to be collected by Council Litter Collection staff members resulting in increased efficiency and allowing litter hotspots to be targeted quicker.

Aesthetically

- Increased aesthetics of the local natural and built environments due to a reduction of litter volumes.

The position of WSROC, as a representative body of Western Sydney Councils, is that a refund CDS, similar to the model currently operating in South Australia, be established here in New South Wales to minimise the logistical and administrative burden of running such a scheme. Liverpool City Council supports this view.

Ideally, as proposed by WSROC, "Local Government should be able to claim deposits on materials collected via the kerbside system. Bulk redemptions by local government enables the whole community to participate, even if householders choose not to individually redeem the deposit". (WSROC Submission NSW Container Deposit Scheme: Discussion Paper Review, February 2016).

It has not yet been determined as to how the CDS will actually be implemented as the South Australian CDS was operational prior to the introduction of kerbside recycling service, whereas here in New South Wales, a CDS is to be enacted in conjunction with an already well-established kerbside recycling practice. Reference is unable to be made with a comparative Australian situation.

- 3. Have any estimates or calculations been made as to the increased value of waste collected where a deposit or similar benefit is recoverable. Equally, are there estimates available simply as to the quantity of containers collected that might be eligible for a benefit to be paid.**

Reference is unable to be made to any estimates or calculations (relating specifically to New South Wales) in respect to the increased value of waste where a deposit (or similar) is recoverable.

It is, however, estimated that more than 2 billion plastic bottles are littered every year in NSW (Local Government NSW: Understanding the potential impacts of CDS on Local Government Kerbside Collection).

This same report stated that, based on a study commissioned by the Local Government and Shires Associations of NSW and released in 2012, it was found that, should a CDS be introduced in NSW that:

- Kerbside recycling would contain 17% less material;
- 5% of the material in the remaining kerbside bin would be unreturned CDS material;
- Material Recycling Facility (MRF) revenues would be 31% higher (due to the value of unredeemed deposits);
- Recycling is likely to result in a payment (as opposed to a charge to Councils at the MRF gate);
- Council's overall recycling costs would be reduced by 19-47%; and
- NSW council could save \$23 to \$62 million annually on recycling costs.

The current diversion rate of recyclables from landfill attributed to kerbside recycling should not be discounted and the introduction of a CDS, however it is implemented, would only assist in increasing this diversion rate.

ITEM NO: QWN 03
FILE NO: 087718.2016
SUBJECT: Question with Notice - Cllr Harle

Please address the following:

1. Questions relating to the Civic List:

- a. **How current is the civic list?**
- b. **How far back does it go?**
- c. **Are invites to council events extended to all individuals on the civic list?**

The most comprehensive invite list is a list of over 400 people compiled when inviting people to the 2015 Christmas function.

It includes current and former Mayors and Councillors, Members of Parliament, Committee representatives, various government and non-government organisations and representatives, including companies and representatives who have sponsored or attended previous Council events, members of the Civic Advisory Committee and other community stakeholders.

This list is regularly updated and tailored specifically according to the nature, purpose and size of the event. As such, there isn't "one" civic list.

Council staff are working on a "Civic Events and Ceremonial Functions Policy" which will be presented to Councillors in the next month or so. This policy will aim to address the planning procedure for civic events and ceremonial functions.

2. Questions relating to the Propel Management System:

- a. **How much money does propel receive per month?**
- b. **How is the money paid?**

Propel payments are paid via invoice, LCC has made a net payment of \$323,012 to January 2016 on average \$46,000 per month.

The net budget position is zero as payments are made from savings on the contract.

ITEM NO: QWN 04
FILE NO: 099886.2016
SUBJECT: Question with Notice - Clr Stanley

Please address the following:

Can an update be provided on the Wests Tigers plans to move to the fields at Carnes Hill.

When is this likely to happen?

A response to these questions will be provided in the May 2016 business papers.

ITEM NO: QWN 05
FILE NO: 099906.2016
SUBJECT: Question with Notice - Clr Shelton

Please address the following:

1. What is currently the average interval of time to process an application for a certificate a. under s.149(2) of the Environmental Planning and Assessment Act, 1979, and b. an application for a certificate under s.149(5) of the Environmental Planning and Assessment Act, 1979. Please answer separately with respect to residential, commercial/industrial and rural property.
2. Please give the same figures for April of 2015.
3. Please give the same figures for April of 2014.
4. Please give the same figures for April of 2013.
5. Please provide a qualitative description of changes in staffing levels for this function over the years identified.
6. Is the turnaround time for such certificates a performance criteria, of any description, under the Propel terms of engagement. Also, having regard to the Propel terms of engagement is Council actually able to formally set goals for the turnaround of these certificates. These two question may be answered under confidential cover if considered appropriate.
7. Looking to the future what are the goals of Council generally as to the turnaround time for these certificates. Are these goals or will these goals be recorded in any written policy of Council, and if so please identify as much.

A response to these questions will be provided in the May 2016 business papers.

ITEM NO: DPG 05
FILE NO: 075691.2016
SUBJECT: Planning Agreement Policy

RECOMMENDATION

That Council:

1. Endorses the principles of the draft Planning Agreement Policy.
2. Exhibits the draft Planning Agreement Policy.
3. Notes that a report be brought back to Council following exhibition of the draft policy.

COUNCIL DECISION

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

That the recommendation be adopted.

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

ITEM NO: DPG 06
FILE NO: 083466.2016
SUBJECT: Liverpool City Centre Contributions Plan Review

RECOMMENDATION

That Council:

1. Exhibits the Liverpool Contributions Plan 2016 – Liverpool City Centre; and
2. Notes that a report will be brought back to Council following exhibition of the draft plan.

COUNCIL DECISION

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

That Council:

1. Exhibits the Liverpool Contributions Plan 2016 – Liverpool City Centre; and
3. Notes that a report will be brought back to Council following exhibition of the draft plan.
3. Investigate staging payments over the progress of the development.

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

ITEM NO: DPG 07
FILE NO: 084561.2016
SUBJECT: Revised Contributions Plan for Established Areas

RECOMMENDATION

That Council:

1. Exhibits the Liverpool Contributions Plan 2016 – Established Areas;
2. Notes that a study will be undertaken to assess the likely impact that the proposed levy would have on the economic feasibility of development in the established areas;
and
3. Notes that a report will be brought back to Council following exhibition of the draft plan.

COUNCIL DECISION

Motion: **Moved: Cllr Hadid** **Seconded: Cllr Ballot**

That the recommendation be adopted.

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

ITEM NO: CONF 01
FILE NO: 088095.2016
SUBJECT: Endorsement of Liverpool Access Committee 2016

RECOMMENDATION

That Council endorses the applicants outlined in the confidential report as members of the Liverpool Access Committee.

COUNCIL DECISION

Motion: **Moved: Cllr Waller** **Seconded: Cllr Stanley**

That:

1. Council endorses the applicants outlined in the table below as members of the Liverpool Access Committee.

Name	Suburb	Representation Category
Harley Davidson	Lurnea	Category 1
Peter Fraser	Liverpool	Category 1
Jim Simpson	Liverpool	Category 1
Andy Watts	Austral	Category 1
Ollie Lassen	Ashcroft	Category 1
Lyn Bright	Minto	Category 2
Ellie Robertson	Holsworthy	Category 3
Jane Chigley	Liverpool	Category 3
Sean Langshaw	Green Valley	Category 3
Rebecca Scirolli	Lurnea	Category 3

2. The Charter read, "that the quorum be 5 including one Councillor".
3. The Charter read under "Membership", "The Mayor (or their delegate) and a Councillor nominated by Council. This can be the same Councillor".

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

ITEM NO: CONF 02
FILE NO: 088233.2016
SUBJECT: Tender ST2529 - Design and Documentation of Carnes Hill North Sporting Precinct

RECOMMENDATION

That Council:

1. In accordance with Section 178(1)(b) of the Local Government (General) Regulation, declines to accept any of the tenders for ST2529 – Design and Documentation of Carnes Hill North Sporting Precinct and cancels the proposal for the contract.
2. Makes public its decision regarding Tender ST2529 – Design and Documentation of Carnes Hill North Sporting Precinct.
3. Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of Section 10A(2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

COUNCIL DECISION

Motion: **Moved: Clr Hadchiti** **Seconded: Clr Balloot**

That Council:

1. In accordance with Section 178(1)(b) of the Local Government (General) Regulation, declines to accept any of the tenders for ST2529 – Design and Documentation of Carnes Hill North Sporting Precinct and cancels the proposal for the contract.
2. Makes public its decision regarding Tender ST2529 – Design and Documentation of Carnes Hill North Sporting Precinct.
3. Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of Section 10A(2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.
4. Supports officers endeavours to seek reimbursement from the Wests Tigers for the time spent on this application.

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

Councillors voted unanimously for this motion.

Clr Hadid left the Chambers at 10.30pm.

Clr Waller left the Chambers at 10.32pm.

Clr Hadid returned to the Chambers at 10.34pm.

Clr Waller returned to the Chambers at 10.34pm.

ITEM NO: CONF 03

FILE NO: 091846.2016

SUBJECT: Waste Management Audit and Process Review Update

RECOMMENDATION

That Council receives and notes this report.

COUNCIL DECISION

Motion: **Moved: Clr Hadchiti** **Seconded: Clr Balloot**

That the recommendation be adopted.

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

ITEM NO: CONF 04
FILE NO: 094902.2016
SUBJECT: Liverpool Civic Place Project, 52 Scott Street, Liverpool - Development Update and Vacant Possession

RECOMMENDATION

That Council:

1. Agrees to the Vacant Possession agreements with the two existing tenants at 52 Scott Street, Liverpool, as outlined in the confidential report;
2. Authorises the Acting Chief Executive Officer, or his/her nominee, to negotiate and/or formalise both Vacant Possession agreements as outlined in the confidential report;
3. Notes the executed Heads of Agreement with a prominent educational facility to lease space within 33 Moore Street, Liverpool and within the LCPP, once completed;
4. Keeps confidential the attachment supplied under separate cover containing the Vacant Possession agreements 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
5. Authorises the funding for the Vacant Possession agreement to be sourced from the General Property Reserve.

COUNCIL DECISION

Motion: **Moved: Clr Hadid** **Seconded: Clr Balloot**

That the recommendation be adopted.

Foreshadowed motion: **Moved: Clr Ristevski** **Seconded: Clr Stanley**

That:

1. Council write to the State Government and University requesting that they pay for any costs associated with lease terminations on 52 Scott St, Liverpool.
2. A new valuation be conducted based on actual numbers and not assumptions and information be tabled at the Extraordinary Council meeting to discuss the impact of the budget.

On being put to the meeting the motion (moved by Clr Hadid) was declared CARRIED and the Foreshadowed motion (moved by Clr Ristevski) lapsed.

.....

ITEM NO: CONF 05
FILE NO: 095983.2016
SUBJECT: PQ2517 Design and Construct Artwork - Carnes Hill

RECOMMENDATION

That Council:

1. Accept the Tender from Tilt Industrial Design Pty Ltd for Tender PQ2517 – Design and Construct Artwork for Carnes Hill Recreation and Community Precinct at the price specified in the confidential report.
2. Makes public its decision regarding tender **PQ2517** – Design and Construct Artwork at Carnes Hill Recreation and Community Precinct.
3. Notes that the Acting Chief Executive Officer (or his delegate) will finalise all details and sign the Letter of Acceptance following publication of draft Minutes on Council website for the tender, giving it contractual effect, in accordance with delegated authority.
4. Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of Section 10A(2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

COUNCIL DECISION

Motion: **Moved: Cllr Stanley** **Seconded: Cllr Karnib**

That the recommendation be adopted.

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

Councillors voted unanimously for this motion.

ITEM NO: CONF 06
FILE NO: 096058.2016
SUBJECT: ST2492 – Leisure Centre Management

RECOMMENDATION

That Council:

1. Decline to accept any tenders for ST2492 - Leisure Centre Management.
2. In accordance with Section 178(3)(e) of the Local Government (General) Regulation 2005, enter into negotiations with Belgravia Leisure Pty Ltd and YMCA NSW with the view to entering into a contract for the E.G Whitlam Leisure Centre and the Michael Wenden Aquatic Leisure Centre.
3. In accordance with Section 178(3)(e) of the Local Government (General) Regulation 2005, enter into negotiations with any person(s) or parties for the purchase of any equipment and services required for the operation and management of the Carnes Hill Recreation Centre, with a view to entering into a contract, or series of contracts, directed at facilitating the management and operation of that centre.
4. Delegate to the Acting Chief Executive Officer all necessary authority to finalise and execute a contract with the parties ultimately determined to present the best value for provision of the specified services.
5. In accordance with Section 178 (4) of the Local Government Regulations states its reasons for entering into negotiations as follows:
 - a. By further negotiation with Belgravia Leisure Pty Ltd and YMCA NSW, a value for money proposition for Council can be achieved for the Whitlam and Wenden Leisure Centres.
 - b. The timeframe to the Carnes Hill Centre opening does not allow a fresh tender process, and further, that in light of a review of the tendered options as contained in the report of staff, exploration of alternative operating models may be warranted for that centre.
6. Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of Section 10A(2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

COUNCIL DECISION

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

That Council:

1. Decline to accept any tenders for ST2492 - Leisure Centre Management.

2. In accordance with Section 178(3)(e) of the Local Government (General) Regulation 2005, enter into negotiations with Belgravia Leisure Pty Ltd and YMCA NSW with the view to entering into a contract for the E.G Whitlam Leisure Centre and the Michael Wenden Aquatic Leisure Centre.
3. In accordance with Section 178(3)(e) of the Local Government (General) Regulation 2005, enter into negotiations with any person(s) or parties for the purchase of any equipment and services required for the operation and management of the Carnes Hill Recreation Centre, with a view to entering into a contract, or series of contracts, directed at facilitating the management and operation of that centre.
4. Delegate to the Acting Chief Executive Officer all necessary authority to finalise and execute a contract with the parties ultimately determined to present the best value for provision of the specified services.
5. In accordance with Section 178 (4) of the Local Government Regulations states its reasons for entering into negotiations as follows:
 - a. By further negotiation with Belgravia Leisure Pty Ltd and YMCA NSW, a value for money proposition for Council can be achieved for the Whitlam and Wenden Leisure Centres.
 - b. The timeframe to the Carnes Hill Centre opening does not allow a fresh tender process, and further, that in light of a review of the tendered options as contained in the report of staff, exploration of alternative operating models may be warranted for that centre.
6. Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of Section 10A(2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.
7. Negotiations should maintain or enhance current community users including not for profit organisations that are currently using the facilities.
8. At a future meeting a report to come back to Council to look at options for in-house management of the centres.

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

Councillors voted unanimously for this motion.

ITEM NO: CONF 07
FILE NO: 100135.2016
SUBJECT: Tender WT2546 - Warren Service Way and Northumberland Street Car Parks Structural Repair and Crash Protection Barriers Installation Works

RECOMMENDATION

That Council:

1. Accepts the Tender from Buildcorp Group Pty Ltd for Tender WT2546 - Warren Service Way and Northumberland Street Car Park Structural Repair and Safety Barrier Upgrade Works as per Separable Portions 1 and 4, at the price specified in the confidential report.
2. Accepts the Tender from Buildcorp Group Pty Ltd for Tender WT2546 - Warren Service Way and Northumberland Street Car Park Structural Repair and Safety Barrier Upgrade Works as per Separable Portions 3 and 6, at the GST exclusive price of \$310,268. Contract for this Separable Portion is to be awarded following approval of the 2016/17 Budget.
3. Makes public its decision regarding Tender WT2546 - Warren Service Way and Northumberland Street Car Park Structural Repair and Safety Barrier Upgrade Works.
4. Notes that the Director Infrastructure and Environment will finalise all details and sign the Letter of Acceptance following publication of draft minutes on the Council website for the tender, giving it contractual effect, in accordance with delegated authority.
5. Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of Section 10A(2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

COUNCIL DECISION

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

That the recommendation be adopted.

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

Councillors voted unanimously for this motion.

THE MEETING CLOSED AT 10.46pm.

<Signature>

Name: Ned Mannoun

Title: Mayor

Date: 25 May 2016

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 2016. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.



**MINUTES OF THE EXTRAORDINARY MEETING
HELD ON 4 MAY 2016**

PRESENT:

Mayor Ned Mannoun
 Councillor Balloot
 Councillor Hadchiti
 Councillor Hadid
 Councillor Harle
 Councillor Karnib
 Councillor Mamone
 Councillor Ristevski
 Councillor Shelton
 Councillor Waller
 Mr Michael Cullen, Acting Chief Executive Officer
 Mr Gary Grantham, Chief Financial Officer / Director Corporate Services
 Dr Eddie Jackson, Acting Director Community and Culture
 Ms Julie Scott, Acting Director Economic Development
 Mr Raj Autar, Director Infrastructure and Environment
 Mr John Morgan, Director Property and Commercial Development

OPENING 6.07pm.

PRAYER The prayer of the Council was read by Pastor Phil Hanbury from Southwestern Community Baptist Church.

APOLOGIES Nil

CONDOLENCES Nil

DECLARATIONS OF INTEREST

Nil

PUBLIC FORUM

Presentation - items not on the Agenda

Nil

Minutes of the Extraordinary Council Meeting held on Wednesday, 4 May 2016 and confirmed on Wednesday, 25 May 2016

.....
Chairperson

Representation - items on the Agenda

1. **Ms Fiona Macnaught** addressed the Council in opposition to the following item:

Item CFO 01: Draft Delivery Program and 2016-17 Operational Plan and Budget (including Revenue Pricing Policy).

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

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

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

2. **Ms Rebekah Foxe** addressed the Council in opposition to the following item:

Item CFO 01: Draft Delivery Program and 2016-17 Operational Plan and Budget (including Revenue Pricing Policy).

Motion: **Moved: Clr Hadchiti** **Seconded: Clr Ballot**

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

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

3. **Ms Signe Westerberg** addressed the Council in opposition to the following item:

Item CFO 01: Draft Delivery Program and 2016-17 Operational Plan and Budget (including Revenue Pricing Policy).

Motion: **Moved: Clr Hadchiti** **Seconded: Clr Shelton**

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

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

MOTIONS OF URGENCY

ITEM NO: MOU 01
FILE NO: 112890.2016
SUBJECT: Resignation of Councillor Anne Stanley - Request to Minister of Local Government to Dispense with By-election

RECOMMENDATION

That Council:

1. Respectfully seek leave from the Chairperson to deal with this matter as a matter of urgency pursuant to clause 17.2 of Council's Code of Meeting Practice.
2. Note the resignation of Anne Stanley from the role of Councillor for the City of Liverpool, effective Friday, 29 April 2016.
3. Delegate authority to the Acting Chief Executive Officer to write to the Minister for Local Government on behalf of the Council, seeking that the requirement for a by-election to fill Anne Stanley's seat be dispensed with under the provisions of s.294(2)(a) of the Local Government Act 1993.
4. Notify Councillors of the Minister's response as soon as possible after it is received.
5. Thank Anne Stanley for her service to the Council and the residents of the City of Liverpool.

COUNCIL DECISION

Motion: **Moved:** Clr Hadchiti **Seconded:** Clr Shelton

That the recommendation be adopted.

The Mayor ruled that the above item be dealt with as a matter of urgency. The motion was then voted on and on being put to the meeting declared CARRIED.

CHIEF EXECUTIVE OFFICER REPORT

ITEM NO: CEO 01
FILE NO: 114502.2016
SUBJECT: Budget 2016/17

RECOMMENDATION

That Council:

1. Note the Report
2. Note that Management's recommendation is that costs should be reduced across the whole of Council's operations to achieve a budget outcome in line with its Fit for the Future submission consistent with previous and ongoing budget discussions.

COUNCIL DECISION

Motion: **Moved: Cllr Hadchiti** **Seconded: Cllr Balloot**

That items CEO 01 and CFO 01 be dealt with concurrently.

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

Motion: **Moved: Cllr Hadchiti** **Seconded: Cllr Balloot**

That Council:

1. Adopt option 4 (\$864,000 deficit as shown on page 806 of the Agenda for Council meeting 27 April 2016) as presented to Council at its ordinary meeting 27 April 2016 with the following changes:
 - a. A reduction in the salary of the CEO by \$50,000.
 - b. Direct the CEO to implement efficiency savings across the board which may include consultancy fees of \$350,000.
 - c. Cease participation in the US Studies Centre - \$70,000.
 - d. Ensure Mayoral Ball is cost neutral - \$34,000.
 - e. Discontinue the Committee for Liverpool - \$110,000.
 - f. Reduce the budget of Business Improvement Department by \$250,000.
2. Note this will deliver a balanced budget for the financial year 2016/17.
3. Staff respond to the following questions:

Key issues in Council to date that can/do have a budget impact include;
 - a. Asbestos contamination,
 - b. Propel arrangements within Council,
 - c. The Fleet Savings,

- d. Tenders and consultancy arrangements regarding;
 - i. Propel Outsourcing of LCC Records Department,
 - ii. City Presentation Reviews.
4. With regard to the Asbestos contamination; Council to be provided with the following information prior to making any final budget determination;
- a. How did the allegation of an employee allegedly planting asbestos into Council mulch stockpile in the Rose Street Depot carpark arise?
 - b. Who was it reported to?
 - c. What action was taken to investigate the allegation?
 - d. Is the investigation complete? If so please provide a copy.
 - e. What is the anticipated cost to Council to remediate the asbestos sites?
 - f. Has our insurer been notified of the issue?
 - g. Has Westpool indicated Liverpool's insurance premium or membership in Westpool is likely to be adversely affected?
 - h. Who conducted the investigation and how were they engaged?
 - i. What was the cost of the investigation?
 - j. Who from LCC instructed or oversighted the investigation?
 - k. If still awaiting the report or finalisation of the investigation, when is it likely to be completed?
 - l. What were the terms of reference or instructions provided to the investigator;
 - i. To initiate the investigation?
 - ii. During the course of the investigation?
 - iii. At the conclusion of the investigation?
 - m. The investigator provided certified copy of the investigation report to Council.
5. With regard to Propel, Council to be provided with the following information?
- a. List of all payments made to Propel and their associated or affiliated entities, including any natural person made during this Council term.
 - b. Unredacted copy of the Propel contract.
 - c. Funding source used to make those payments.
 - d. Dates of all payments made and who authorised those payments.
 - e. Copies of invoices received from Propel or their associated or affiliated entities, including any natural person requesting payment from LCC.
 - f. The Council resolution authorising the payment.
 - g. ASIC extracts showing all historical and current directors of Propel and associated entities.
 - h. Certifications by the Director of Business Improvement and the Chief Financial Officer that:
 - i. The original terms of engagement regarding Propel have been adhered to,
 - ii. No payments to Propel are in breach of the original engagement terms,
 - iii. Any payments comply with LCC procurement policies and delegations.
6. With regard to the Council Fleet arrangements entered into in 2014, please identify the following information;
- a. Itemised list of all income received from fleet sales of Council's passenger fleet vehicles since 2014,
 - b. Itemised list of all expenditure incurred, including depreciation under the new operating lease arrangement,

- c. All savings realised since commencing the operating lease arrangement,
 - d. The budget line items or reserve identifying where the savings have been recorded.
7. In relation to the following tenders and consultancy arrangements please provide;
- a. Tender to outsource LCC Records Unit;
 - i. Unredacted memos, emails and reports relating to the proposed tender for outsourcing of the Records unit.
 - ii. What is the status of the tender?
 - iii. What costs and funding sources associated with the tender process have been incurred by LCC?
 - b. City Presentation Reviews
 - iv. List of all consultants engaged in 2014, 15 and 16 to undertake reviews of City Presentation.
 - v. Details regarding how consultants were engaged; the letters of instruction provided to the Consultants and any revised / addendum instructions.
 - vi. Costs of all consultants paid by LCC to conduct the review and funding sources.
 - vii. All unredacted reports prepared by each of the consultants.
8. Could the Acting CEO provide;
- a. An itemised list of all decisions made by the CEO in the 30 days preceding 24-03-2016 including but not limited to;
 - i. All contracts signed,
 - ii. All payments authorised,
 - iii. All DA's approved,
 - iv. All tenders released,
 - v. All decisions made under delegated authority,
 - vi. All official letters, emails sent from the CEO.

Foreshadowed Motion: Moved: Clr Harle Seconded: Clr Ristevski

That Council staff address the following questions prior to approving or amending the current Budget:

1. Key issues in Council to date that can/do have a budget impact include;
 - a. Asbestos contamination,
 - b. Propel arrangements within Council,
 - c. The Fleet Savings,
 - d. Tenders and consultancy arrangements regarding;
 - i. Propel Outsourcing of LCC Records Department,
 - ii. City Presentation Reviews.
2. With regard to the Asbestos contamination; Council to be provided with the following information prior to making any final budget determination;
 - a. How did the allegation of an employee allegedly planting asbestos into Council mulch stockpile in the Rose Street Depot carpark arise?
 - b. Who was it reported to?
 - c. What action was taken to investigate the allegation?
 - d. Is the investigation complete? If so please provide a copy.
 - e. What is the anticipated cost to Council to remediate the asbestos sites?

- f. Has our insurer been notified of the issue?
 - g. Has Westpool indicated Liverpool's insurance premium or membership in Westpool is likely to be adversely affected?
 - h. Who conducted the investigation and how were they engaged?
 - i. What was the cost of the investigation?
 - j. Who from LCC instructed or oversaw the investigation?
 - k. If still awaiting the report or finalisation of the investigation, when is it likely to be completed?
 - l. What were the terms of reference or instructions provided to the investigator;
 - i. To initiate the investigation?
 - ii. During the course of the investigation?
 - iii. At the conclusion of the investigation?
 - m. The investigator provided certified copy of the investigation report to Council.
3. With regard to Propel, Council to be provided with the following information?
- a. List of all payments made to Propel and their associated or affiliated entities, including any natural person made during this Council term.
 - b. Unredacted copy of the Propel contract.
 - c. Funding source used to make those payments.
 - d. Dates of all payments made and who authorised those payments.
 - e. Copies of invoices received from Propel or their associated or affiliated entities, including any natural person requesting payment from LCC.
 - f. The Council resolution authorising the payment.
 - g. ASIC extracts showing all historical and current directors of Propel and associated entities.
 - h. Certifications by the Director of Business Improvement and the Chief Financial Officer that:
 - i. The original terms of engagement regarding Propel have been adhered to,
 - ii. No payments to Propel are in breach of the original engagement terms,
 - iii. Any payments comply with LCC procurement policies and delegations.
4. With regard to the Council Fleet arrangements entered into in 2014, please identify the following information;
- a. Itemised list of all income received from fleet sales of Council's passenger fleet vehicles since 2014,
 - b. Itemised list of all expenditure incurred, including depreciation under the new operating lease arrangement,
 - c. All savings realised since commencing the operating lease arrangement,
 - d. The budget line items or reserve identifying where the savings have been recorded.
5. In relation to the following tenders and consultancy arrangements please provide;
- a. Tender to outsource LCC Records Unit;
 - i. Unredacted memos, emails and reports relating to the proposed tender for outsourcing of the Records unit.
 - ii. What is the status of the tender?
 - iii. What costs and funding sources associated with the tender process have been incurred by LCC?

- b. City Presentation Reviews
 - i. List of all consultants engaged in 2014, 15 and 16 to undertake reviews of City Presentation.
 - ii. Details regarding how consultants were engaged; the letters of instruction provided to the Consultants and any revised / addendum instructions.
 - iii. Costs of all consultants paid by LCC to conduct the review and funding sources.
 - iv. All unredacted reports prepared by each of the consultants.
6. If Council Officers are unable to provide all additional information as requested in the preceding motion within sufficient time to allow the 2016/17 budget to become operative then the following interim actions should take place;
- a. CFO identify;
 - i. All operating budget items critical for the day to day activities of Council including but not limited to salaries, utilities, fuel, consumables, waste expenses to be advertised in the usual manner to meet 2016/17 Budget deadlines.
 - ii. All other non critical expenditure is to be quarantined until all outstanding budget enquiries are resolved, including matters such as unawarded tenders, non-contractual works and hold all unfilled vacancies.
 - iii. All usual public notifications within this interim will note the outstanding matters to be clarified by Council Officers prior to the final budget confirmation.
7. Could the Acting CEO provide;
- a. An itemised list of all decisions made by the CEO in the 30 days preceding 24-03-2016 including but not limited to;
 - i. All contracts signed,
 - ii. All payments authorised,
 - iii. All DA's approved,
 - iv. All tenders released,
 - v. All decisions made under delegated authority,
 - vi. All official letters, emails sent from the CEO.
8. Ensure that a contingency budget be prepared as a priority.
9. That the capital budget proceed to public exhibition.

On being put to the meeting the motion (moved by Clr Hadchiti) was declared LOST.

Division Called:

Vote for: Mayor Mannoun
 Clr Balloot
 Clr Hadchiti
 Clr Hadid

Vote against:

Clr Harle
Clr Karnib
Clr Mamone
Clr Ristevski
Clr Shelton
Clr Waller

The Foreshadowed Motion (moved by Clr Harle) was then voted on and on being put to the meeting the motion was declared CARRIED.

.....

CHIEF FINANCIAL OFFICER

ITEM NO: CFO 01
FILE NO: 110357.2016
SUBJECT: Supplementary Report - Draft Delivery Program and 2016-17 Operational Plan and Budget (including Revenue Pricing Policy)

RECOMMENDATION

That Council:

1. Approve the amended 2016/17 Budget with a deficit of \$3.734m as detailed in this report.
2. Delegate to the CEO to amend the draft Delivery Program, draft Operational Plan and the draft Revenue Pricing Policy (Schedule of Fees and Charges) that was presented in CFO 05, 27 April 2016 as a result of changes resulting from the approved 2016/17 Budget.
3. Places the draft Delivery Program and Operational Plan including the draft 2016-17 Budget and Revenue Pricing Policy (Schedule of Fees and Charges) on public exhibition for a period of 28 days to allow for public comments and submissions.
4. Receives a further report after a review of public submissions at the June Council meeting.

COUNCIL DECISION

This item was dealt with in conjunction with item CEO 01 (on page 4 of these minutes).

COUNCIL IN CLOSED SESSION

ITEM NO: CONF 01
FILE NO: 115383.2016
SUBJECT: Information relating to the Propel Partnership and Draft Delivery Program and 2016-17 Operational Plan and Budget (including Revenue Pricing Policy)

RECOMMENDATION

That Council notes the report.

COUNCIL DECISION

Motion: **Moved: Clr Ristevski Seconded: Clr Shelton**

1. That Council move into Closed Session to consider CONF 01.
2. Pursuant to Section10A(2)(di) and 10A(2)(dii) of the Local Government Act 1993, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of:
 - s10(A)(2)(di)of the Local Government Act 1993 because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.
 - s10(A)(2)(dii) of the Local Government Act 1993 because it contains commercial information of a confidential nature that would, if disclosed confer a commercial advantage on a competitor of the Council.

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

Clr Balloot and Clr Hadchiti left the Chambers at 7.10pm.

Council moved into Closed Session at 7.10pm.

Clr Balloot and Clr Hadchiti returned to the Chambers at 7.15pm.

Motion: **Moved: Clr Waller Seconded: Clr Harle**

That Council move back into Open Session.

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

Council move back into Open Session at 7.35pm.

.....
Chairperson

Motion: **Moved: Clr Hadchiti** **Seconded: Clr Ballot**

That Council:

1. Notes the report.
2. That any Councillor can pose questions relating to the contract by COB, 12 May 2016 and those questions be responded to by an external solicitor.

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

.....

THE MEETING CLOSED AT 7.36pm.

<Signature>

Name: Ned Mannoun

Title: Mayor

Date: 25 May 2016

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 4 May 2016. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.



MINUTES OF THE ORDINARY MEETING HELD ON 25 MAY 2016

PRESENT:

Mayor Ned Mannoun
 Councillor Balloot
 Councillor Hadchiti
 Councillor Hadid
 Councillor Harle
 Councillor Karnib
 Councillor Ristevski
 Councillor Shelton
 Mr Michael Cullen, Acting Chief Executive Officer
 Mr Gary Grantham, Chief Financial Officer / Director Corporate Services
 Ms Toni Averay, Director Planning and Growth
 Dr Eddie Jackson, Acting Director Community and Culture
 Mr Wayne Carter, Director City Presentation
 Ms Julie Scott, Acting Director Economic Development
 Mr Raj Autar, Director Infrastructure and Environment
 Ms Hiba Soueid, Acting Director Business Improvement
 Mr John Morgan, Director Property and Commercial Development

The meeting commenced at 6.07pm

OPENING 6.07pm

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

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

APOLOGIES Clr Mamone and Clr Waller

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

CONDOLENCES Nil

CONFIRMATION OF MINUTES

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

That the minutes of the Ordinary Meeting held on 27 April 2016 and the Extraordinary Meeting held on 4 May 2016 be confirmed as a true record of that meeting.

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

DECLARATIONS OF INTEREST

Clr Hadchiti declared a pecuniary interest in the following item:

Item: CONF 01 Tender for Environmental Health Regulatory Inspections

Reason: Clr Hadchiti owns a café which is subject to health inspections

Clr Hadchiti left the Chambers for the duration of the item.

PUBLIC FORUM

(Presentation – items not on agenda)

Nil

(Representation – items on agenda)

Clr Ristevski left the Chambers at 6.10pm.

Clr Ristevski returned to the Chambers at 6.13pm.

1. **Mr Kevin Figueroa** from Allam Homes addressed Council on the following item:

IHAP 01 - DA-675/2015 - 15 Lot Torrens Title subdivision of proposed Lot 2215 (DA-582/2014), with the construction of a dwelling on each lot at Lot 2 Camden Valley Way, Edmonson Park.

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

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

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

2. **Ms Fiona Macnaught** addressed the Council on the following item:

NOM 07 - Referral of Draft Budget for Public Exhibition

3. **Mr Rick Wade** addressed Council on the following item:

NOM 01 - Wests Tigers

Motion:

Moved: Clr Hadid

Seconded: Mayor Mannoun

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

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

MAYORAL REPORT

ITEM NO: MAYOR 01
FILE NO: 138260.2016
SUBJECT: Liverpool Domestic Violence Liaison Committee Concert

Liverpool Council is fully supporting this year's White Ribbon Day campaign against domestic violence in our community. At last year's White Ribbon Day March the Liverpool community and this council pledged their support to opposing domestic violence in any form.

The Liverpool Domestic Violence Liaison Committee has played an integral role in ensuring this important issue remains on the local agenda. To support its campaign the Committee is organising a community concert in December to raise awareness and help prevent domestic violence.

The Committee is asking council to honour its pledge to oppose domestic violence by helping support the concert for the community. The concert will help create a stronger and more peaceful community and offers the opportunity to re-inforce our message that domestic violence is never acceptable. I encourage all councillors to support this event as a demonstration of solidarity with the White Ribbon movement.

RECOMMENDATION

That Council:

1. Sponsors the Liverpool Domestic Violence Liaison Committee's concert scheduled for the 9th December for \$5000.
2. Promotes the event on social media.

COUNCIL DECISION

Motion: **Moved: Mayor Mannoun**

That the recommendation be adopted.

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

ITEM NO: MAYOR 02
FILE NO: 138286.2016
SUBJECT: Welcome University of Wollongong

On Monday 2nd May Liverpool City Council welcomed the University of Wollongong to our city for what I'm confident will be a long and successful partnership in educating our local students.

The University's decision to open a campus in Liverpool means an exciting future for generations of scholars to come.

The University also brings the prospect of creating new jobs, driving commerce and cutting travelling times for students who were travelling vast distances to complete their tertiary education.

When the new campus is built, students will have a world class university on their doorstep.

Hours lost in travelling to universities in other areas can now be used more productively for study or recreation.

The campus will create massive potential for growth in local education needs and also encourage business investment.

Businesses will want to establish themselves around Liverpool because that's where the best graduates will be.

The new campus also re-inforces Liverpool's status as the educational hub of the Great South West.

Liverpool already has some of the brightest and best students in the State. Now we will be able to keep that knowledge where it is most needed – in Liverpool.

The significance of the University's arrival in Liverpool cannot be overstated.

I want to congratulate the hard work of council staff, including the former CEO Carl Wulff, the current acting CEO Michael Cullen and Director of Property and Commercial Development John Morgan for their dedication to achieving their goal of getting the University to Liverpool.

The arrival of the University of Wollongong is just the beginning of major identities in business and education looking at either re-locating to Liverpool or setting up subsidiaries here.

This achievement would never have seen fruition had council not invested back into Liverpool through the Building Our New City Program and the time taken to encourage business investment in the city.

The announcement of the new Wollongong University Campus builds on the investment of Western Sydney University and the confidence of new education facilities growing in the city centre.

Exciting changes are coming as Liverpool becomes increasingly relevant to Sydney's future ambitions in the 21st Century.

This is the biggest development to Liverpool since Thomas Moore laid the grid work for the city in the 18 hundreds and will be one of the cultural and educational cornerstones of our new city.

To repeat the words of NSW Premier Mike Baird at the official launch of the new campus: "Liverpool's time has come."

RECOMMENDATION

That Council:

1. Congratulates all staff involved in organising the highly successful launch of the University's arrival especially Acting CEO Michael Cullen, Director of Property and Commercial Development John Morgan and former CEO Carl Wulff.
2. Thanks Premier Mike Baird and other dignitaries who attended the launch

COUNCIL DECISION

Motion: **Moved: Mayor Mannoun**

That the recommendation be adopted.

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

ITEM NO: MAYOR 03
FILE NO: 138370.2016
SUBJECT: Carl Casey

Liverpool Council has farewelled one of its longest serving and most valued employees after more than a quarter of a century of service.

Carl Casey has been working at council for 28 years now with diligence and professionalism in his role as a Subdivision Administrator with the Department of Planning and Growth.

He has chosen to retire after his long and very successful career and council wishes him every success for the future.

It is always disappointing to lose an individual with such first-hand experience and wealth of knowledge as Mr Casey has acquired in his years with Liverpool Council.

Even though we have talented people coming through council ranks under our strategic recruitment programs, replacing someone as dedicated and committed to his job for such a long time will not be easy.

Mr Casey leaves with our best wishes and our sincere thanks for his service over nearly three decades and the knowledge he has freely shared with his co-workers.

Mr Casey has also been acclaimed by many residents for the understanding and assistance he has offered in too many projects to mention. So I know the community joins this council in offering Mr Casey our sincere thanks for his role in making Liverpool the wonderful place it is to live.

As Mr Casey moves into the next chapter of life we hope he will remember fondly his time at council.

RECOMMENDATION

That Council:

1. Congratulates and thanks Mr Carl Casey for his 28 years of service to the residents of Liverpool.
2. Formally writes to Mr Casey expressing the gratitude of council and encloses a copy of this minute acknowledging his long service to the community.

COUNCIL DECISION

Motion: **Moved: Mayor Mannoun**

That Council:

1. Congratulates and thanks Mr Carl Casey for his 28 years of service to the residents of Liverpool.
2. Formally writes to Mr Casey expressing the gratitude of Council and encloses a copy of this minute acknowledging his long service to the community.
3. Acknowledge and congratulate Mr Carl Casey through Council's social media.

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

ITEM NO: MAYOR 04
FILE NO: 138472.2016
SUBJECT: Go West Awards

The Daily Telegraph's *Go West* Campaign has been a major supporter of putting Sydney's Western suburbs back on to the map for development and investment.

The improvements and growth we have seen, not only in our own city, but in surrounding areas is a testament to the reach and success of this campaign.

On Friday 20th May we celebrated our "Champions of the West" with many luminaries of our area in attendance including former Australian Test Captain, Michael Clark.

I would like to acknowledge the success of our local individuals and organisations Dr Ken Silburn, from Casula High School, and Liverpool's Street University team who both received awards on the night.

Dr Silburn was recognised for his exemplary effort encouraging more students to take part in maths and science through his ISTEM program and was given the prestigious "Champion of Champions People's Choice Award".

Liverpool's Street University received acclaim for their co-ordination of the Street University Clothing organisation, teaching students skills in graphic design and manufacturing as well as getting their foot in the door for future business careers.

They received the Go West 2016 Start Up award.

Both Dr Silburn and the Street University were honoured by Prime Minister Malcolm Turnbull, Opposition Leader Bill Shorten and Premier of NSW Mike Baird all of whom came to support the opportunities Western Sydney has to offer.

RECOMMENDATION

That Council:

1. Congratulates Dr Ken Silburn and the Liverpool Street University for their success at the Go West 2016 Awards Night
2. Acknowledges the success and support that has been achieved by the Daily Telegraph's Go West campaign.

COUNCIL DECISION

Motion: **Moved: Mayor Mannoun**

That the recommendation be adopted.

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

MOTION TO BRING ITEMS FORWARD**Motion****Moved: Clr Hadchiti****Seconded: Clr Balloot**

That items NOM 07, CONF 05 and IHAP 01 be brought forward and dealt with now and that CONF 05 be dealt with in conjunction with NOM 07.

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

ITEM NO: NOM 07
FILE NO: 130683.2016
SUBJECT: Referral of Draft Budget for Public Exhibition

NOTICE OF MOTION

That Council:

1. Adopt option 4 being an \$864,000 deficit as shown on page 806 of the Agenda as presented to Council at its ordinary meeting 27 April 2016 with the following changes:
 - a. A reduction in the salary of the CEO by \$50,000.
 - b. Direct the CEO to implement efficiency savings across the board which may include consultancy fees of \$350,000.
 - c. Cease participation in the US Studies Centre - \$70,000.
 - d. Ensure Mayoral Ball is cost neutral - \$34,000.
 - e. Discontinue the Committee for Liverpool - \$110,000.
 - f. Reduce the budget of Business Improvement Department by \$250,000.
2. Note this will deliver a balanced budget for the financial year 2016/17.
3. Direct the Acting CEO to utilise the Internal Audit Unit to:
 - a. Undertake a review of the accuracy, completeness and veracity of the response provided to matters identified in the NOM at the Extraordinary Meeting of the 5th of May 2016 and provide a written report to councillors by the 22nd of June 2016.
 - b. Investigate all associated costs surrounding the circumstances of the Propel contract including details of all vendor expenditures.
4. Direct the Acting CEO to employ an *independent financial consultant* to coordinate, oversee and verify the accurateness and completeness of the review identified in 3 above.

COUNCIL DECISION**Motion:****Moved: Clr Harle****Seconded: Clr Hadchiti**

That Council:

1. Refer for exhibition the budget proposing an \$864,000 deficit as shown on page 806 of the Agenda as presented to Council at its ordinary meeting 27 April 2016 with the

following changes:

- a. A reduction in the salary of the CEO by \$50,000.
 - b. Direct the CEO to implement efficiency savings across the board which may include consultancy fees of \$350,000.
 - c. Cease participation in the US Studies Centre - \$70,000.
 - d. Ensure Mayoral Ball is cost neutral - \$34,000.
 - e. Discontinue the Committee for Liverpool - \$110,000.
 - f. Reduce the budget of Business Improvement Department by \$250,000.
2. Note this will deliver a balanced budget for the financial year 2016/17.
 3. Hold a briefing session with Councillors to receive advice given by external experts. If Councillors are not happy with the advice received the matter is to be brought back to Council.

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

Clr Karnib and Clr Shelton asked that they be recorded as voting against the motion.

ITEM NO: CONF 05
FILE NO: 122504.2016
SUBJECT: Recommended Action Concerning Resolution - 2016/17 Budget (Item CEO 01, 4 May 2016)

RECOMMENDATION

That Council receive and note the report of staff concerning the resolution passed by Council in item CEO 01 on 4 May 2016, and take whatever action it considers necessary in response to the advice provided.

COUNCIL DECISION

Note: This item was dealt with in conjunction with NOM 07 Referral of Draft Budget for Public Exhibition, included on page 10 of these minutes.

INDEPENDENT HEARING AND ASSESSMENT PANEL REPORT

ITEM NO: IHAP 01
FILE NO: 108960.2016
SUBJECT: DA-675/2015 - 15 Lot Torrens Title subdivision of proposed Lot 2215 (DA-582/2014), with the construction of a dwelling on each lot at Lot 2 Camden Valley Way, Edmonson Park.

RECOMMENDATION

That Council approve Development Application DA-675/2015, subject to the recommended conditions of consent contained in the Council officer's IHAP Report.

COUNCIL DECISION

Motion: **Moved: Clr Hadchiti** **Seconded: Clr Balloot**

That the recommendation be adopted.

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

Vote for: Mayor Mannoun
Clr Balloot
Clr Hadchiti
Clr Hadid

Vote against: Clr Harle
Clr Karnib
Clr Ristevski
Clr Shelton

Note: The motion was carried on the Mayor's casting vote.

NOTICES OF MOTION

ITEM NO: NOM 01
FILE NO: 119656.2016
SUBJECT: Wests Tigers

NOTICE OF MOTION

That Council establish a taskforce to work with the West Tigers board in finding training/facilities suitable to keep the Magpies in Liverpool. The Council representatives on the taskforce to be made up of the following Councilors:

- Wendy Waller
- Peter Harle
- Peter Ristevski

COUNCIL DECISION

Motion: **Moved: Clr Ristevski** **Seconded: Clr Harle**

That Council establish a taskforce to work with the Wests Tigers board in finding training/facilities suitable to keep the Magpies in Liverpool. The Council representatives on the taskforce to be made up all Councillors.

Foreshadowed motion: **Moved: Clr Hadid** **Seconded: Clr Shelton**

1. That this matter be referred to the Sports Committee for their input.
2. That the CEO and the Mayor host a meeting with the Wests Tigers to discuss the needs of the club.
3. The Mayor and the CEO brief the Councillors with the requirements once the meeting has taken place and provide an options paper.

On being put to the meeting the motion (moved by Clr Ristevski) was declared LOST.

The Foreshadowed motion (moved by Clr Hadid) then became the motion and on being put to the meeting was declared CARRIED.

ITEM NO: NOM 02
FILE NO: 119773.2016
SUBJECT: Federal Election – Werriwa

NOTICE OF MOTION

That:

1. The Mayoral car is to be sold with the proceeds to go into front line services in particular the beautification of the pocket parks. This is only for the purpose to avoid its potential use in the Mayors electioneering for his campaign in the Federal seat of Werriwa.
2. The Mayoral office is not to be used for electioneering purposes in his campaign in the Federal seat of Werriwa.
3. The Mayoral column is to cease immediately to avoid the potential use in the Mayors electioneering for his campaign in the Federal seat of Werriwa. The money saved is to go directly into front line services in particular the beautification of the pocket parks.

COUNCIL DECISION

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

That:

1. Council note the Local Government Act 1993 is clear on Councillors using Council resources for electioneering purposes.
2. All Councillor and Mayoral columns cease immediately, until after the Council elections.

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

Mayor Mannoun asked that it be noted that no rescission motion has been lodged regarding the NOM 03 Western Sydney Women, from the Council meeting 27 April 2016.

ITEM NO: NOM 03
FILE NO: 120095.2016
SUBJECT: Community Q & A

NOTICE OF MOTION

That:

1. The Francis Greenway Centre be reserved on Wednesday 15th June 2016 at 6pm for a Community Q&A.
2. Councillors and the general public be invited to attended.
3. The Q&A to be advertised as per Council guidelines.
4. The room to be setup so that microphones are available for the public to be able to ask questions to Councillors.
5. The CEO is the Chair of the meeting.

COUNCIL DECISION

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

That Council receive and note NOM 03.

Foreshadowed motion: **Moved: Clr Ristevski** **Seconded: Clr Shelton**

That:

1. The Francis Greenway Centre be reserved on Wednesday 17th August 2016 at 6pm for a Community Q&A.
2. Councillors and the general public be invited to attended.
3. The Q&A to be advertised as per Council guidelines.
4. The room to be setup so that microphones are available for the public to be able to ask questions to Councillors.
5. The CEO is the Chair of the meeting.

On being put to the meeting the motion (moved by Clr Hadchiti) was declared CARRIED and the Foreshadowed motion (moved by Clr Ristevski) lapsed.

ITEM NO: NOM 04
FILE NO: 120771.2016
SUBJECT: Universities In Liverpool

NOTICE OF MOTION

That:

1. Council congratulate Michael Cullen for his success in bringing both Universities to Liverpool.
2. The CEO is to be the only spokesperson for Council when it comes to the Universities in terms of the media and other engagements.
3. The Mayoral column in the papers is to now become a CEO column to prevent electioneering on ratepayers money.

COUNCIL DECISION

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

That Council receive and note the report.

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

Mayor Mannoun called a recess of Council at 8.03pm.

Mayor Mannoun reopened the meeting reopened at 8.24pm

ITEM NO: NOM 06
FILE NO: 129334.2016
SUBJECT: Overseas Travel

NOTICE OF MOTION

That Council:

1. Prepare a report to come back to the next meeting outlining which councillors have outstanding costs for overseas travel for themselves or any person that they have selected to join them.
2. Require councillors to pay for their own costs of flights and accommodation on trips they undertake as elected representatives of Liverpool Council.

COUNCIL DECISION

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

That Council:

1. Prepare a report to come back to the next meeting outlining which Councillors have outstanding costs for overseas travel for themselves or any person that they have selected to join them.
2. Include in the above report costs incurred by Council due to Councillors who register to attend conferences and other such events and then choose to not attend.
3. Require Councillors to pay for their own costs of overseas flights.
4. Requires Councillors to pay non-refundable costs for not attending conferences and other such events where they are unable to prove unforeseeable mitigating circumstance (e.g. sickness, bereavement etc.).

Foreshadowed motion: **Moved: Cllr Ristevski** **Seconded: Mayor Mannoun**

That Council:

1. Prepare a report to come back to the next meeting outlining which councillors have outstanding costs for overseas travel for themselves or any person that they have selected to join them.
2. Include in the above report costs incurred by Council due to Councillors who register to attend conferences and other such events and then choose to not attend.
3. Require councillors to pay for their own costs of flights and accommodation on trips they undertake as elected representatives of Liverpool Council.

P.A.C Fest	\$3,000 ex gst
------------	----------------

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

Mayor Mannoun, Clr Hadchiti and Clr Ristevski asked that they be recorded as voting for the motion.

Club	Project Description	Proposed Grant Amount
Liverpool City Little Athletics Club	Sporting Equipment -Athletics timing equipment	\$5,000
Chipping Norton Baseball Club	Sporting Equipment - Baseball equipment	\$2,645
South West Tigers Junior AFL	Sporting Equipment - protective post pads	\$3,600
Liverpool BMX Club	Sporting Equipment - Shade Marquees	\$3,000
Chipping Norton Netball Club	Sporting Equipment - First Aid and Netball items	\$2,645
Special Needs Ability Program Providers	Sports Development - Disability Coaching program	\$3,590
Moorebank Sports Netball Club	Sports Education - Coaching and Umpiring Courses	\$1,875
Southern Districts Softball Association Inc.	Ground Maintenance - Mowing Equipment	\$5,000
Bringelly Netball Club	Sports Development and Equipment	\$2,645
Western Suburbs District Rugby League Football Club	Ground Maintenance - line marking equipment and Sports Development – League Development Program (subject to provision of proof of expenditure to Council)	\$5,000
	Total	\$35,000

Amendment:

Moved: Clr Ballot

Seconded: Clr Hadchiti

That:

1. Council adopts the following recommendations for the allocation of the \$30,000 sporting grants funding, as determined by the Liverpool Sports Committee grants assessment panel:

Club	Project Description	Proposed Grant Amount
Liverpool City Little Athletics Club	Sporting Equipment -Athletics timing equipment	\$5,000
Chipping Norton Baseball Club	Sporting Equipment - Baseball equipment	\$2,645
South West Tigers Junior AFL	Sporting Equipment - protective post pads	\$3,600

Liverpool BMX Club	Sporting Equipment - Shade Marquees	\$3,000
Chipping Norton Netball Club	Sporting Equipment - First Aid and Netball items	\$2,645
Special Needs Ability Program Providers	Sports Development - Disability Coaching program	\$3,590
Moorebank Sports Netball Club	Sports Education - Coaching and Umpiring Courses	\$1,875
Southern Districts Softball Association Inc.	Ground Maintenance - Mowing Equipment	\$5,000
Bringelly Netball Club	Sports Development and Equipment	\$2,645
	Total	\$30,000

2. The clubs not successful for grants be requested to resubmit for the next round of grants for consideration.

On being put to the meeting Amendment (moved by Clr Balloot) was declared CARRIED.

The amendment (moved by Clr Balloot) then became the motion and on being put to the meeting was declared CARRIED

Division called:

Vote for: Mayor Mannoun
Clr Balloot
Clr Hadchiti
Clr Hadid

Vote against: Clr Karnib
Clr Harle
Clr Ristevski
Clr Shelton

Note: The motion was carried on the Mayor's casting vote.

5. Staff identify a future Metro Station in the Miller area and indicate this as part of the master plan.

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

QUESTIONS WITH NOTICE

ITEM NO: QWN 01
FILE NO: 099899.2016
SUBJECT: Question with Notice - Clr Stanley

Please address the following:

Can an update be provided on the Wests Tigers plans to move to the fields at Carnes Hill.

When is this likely to happen?

In July 2015, Wests Tigers had determined that Carnes Hill North was the preferred site for their proposed Centre of Excellence.

Wests Tigers and Liverpool City Council entered into a Memorandum of Understanding (MOU) to progress the project.

In March 2016, Wests Tigers informed Council that their existing facilities, at Concord Oval, were now unaffected by WestConnex project and that they were now pursuing Concord Oval as the priority site for the proposed Centre of Excellence.

As a result of this decision, Wests Tigers requested terminating the MOU for a Centre of Excellence at Carnes Hill, while noting their willingness to continue a strategic relationship with Council.

Council is currently progressing with other recreational options for the Carnes Hill North site.

ITEM NO: QWN 02
FILE NO: 099963.2016
SUBJECT: Question with Notice - Clr Shelton

Please address the following:

- 1. What is currently the average interval of time to process an application for a certificate a. under s.149(2) of the Environmental Planning and Assessment Act, 1979, and b. an application for a certificate under s.149(5) of the Environmental Planning and Assessment Act, 1979. Please answer separately with respect to residential, commercial/industrial and rural property.**

The current May 2016 average for s149 (2) / (5) certificates is 4.5 days.
April 2016

Average 19.8 Days - The table on page 2 has a breakdown of the figures as requested.

- 2. Please give the same figures for April of 2015.**

Average 2.6 - The table on page 2 has a breakdown of the figures as requested.

- 3. Please give the same figures for April of 2014.**

Average 4.0 The table on page 2 has a breakdown of the figures as requested.

- 4. Please give the same figures for April of 2013.**

Average 7.8 The table on page 2 has a breakdown of the figures as requested.

- 5. Please provide a qualitative description of changes in staffing levels for this function over the years identified.**

The number of requests for s149 Certificates has increased substantially during the past 4 years. The Table 1 below

Historically this role has been performed by the same permanent s149 Officer, there has been no change in terms of permanent staffing levels during the stated period, however, Council engaged a temporary staff member in August 2015 due the substantial increase in requests for Certificates.

The function was assigned to a temporary staff member and relocated from the ground floor Customer Service Centre to the Level 4 due to a staffing issue in December 2015. The staffing issue was resolved in March 2016 and the temporary staff member was moved back to the Customer Service Centre in April 2016.

At that the point there was a significant backlog and both the Strategic Planning Department and the Alliance redirected considerable resources to ensure the outstanding Certificates were actioned as quickly as possible.

Table 1

Growth in Number of Certificates Issued	Apr 13	Apr 14	Apr 15	Apr 16
Number of Certificates	358	493	486	764
Average Turnaround Time (Days)	2.6	4.0	7.8	19.8
Using 2013 April As Base (%)		38%	36%	113%

6. **Is the turnaround time for such certificates a performance criteria, of any description, under the Propel terms of engagement. Also, having regard to the Propel terms of engagement is Council actually able to formally set goals for the turnaround of these certificates. These two question may be answered under confidential cover if considered appropriate.**

This is not currently a performance criteria for Propel, the issuing of the certificates is not solely the responsibility of the Alliance; there is a requirement for input from the Strategic Planning department.

7. **Looking to the future what are the goals of Council generally as to the turnaround time for these certificates. Are these goals or will these goals be recorded in any written policy of Council, and if so please identify as much.**

Business Improvement has introduced weekly monitoring of the lodgement and issuing of all s149 applications. Due to increasing the staffing resource, we are confident that in most cases they can be issued within 5 days.

There are some instances where due to the complexity of the information and the necessity for scrutiny, this may not be possible. There is now a KPI for Propel from May 2016 to achieve a 5 day turnaround for at least 95% of lodgements.

Additionally, it is useful to also consider the broader context regarding the increased demand for 149 certificates and the long term plans for further improvements. The number of applications for 149 certificates has significantly increased over recent years, and particularly in the last 12 months, as highlighted in the table below. This reflects the growth in population and housing development within the Liverpool LGA. Existing Council resources have been inadequate to deal with this workload and additional resources have had to be dedicated to meet the increased demand. New resources had to be trained to do this work and this contributed to the backlog. Additionally, a review of processes and property data accuracy was also undertaken. This review identified the need for changes to procedures associated with the processing of certificates, as well as a comprehensive review of Council's property records to ensure data integrity and accuracy. The approval process further contributed to the backlog, but it is essential to ensure that all certificates are accurate and reliable. A temporary project officer position has been created to undertake the review of property data. Additionally administrative processes are

being revised to improve efficiency and turnaround times. All certificates are being equally prioritised and generally issued in order of lodgement except in complex cases.

The backlog was cleared at the beginning of May and all certificates are now within the 5 day turnaround time. Concurrent with the data review, process improvements are underway. The goal is to be able to implement on-line 24 hour turnarounds for most certificates within 12 months.

QWN - Zoning certificate
For Month of April

	Apr 13	Apr 14	Apr 15	Apr 16	May 16 to date
Residential Property					
Section 149(2) Certificate					
Number of Certificates	266	365	336	516	97
Average Processing Days	2.7	3.9	7.0	18.9	4.6
Section 149 (5) Certificate					
Number of Certificates				3	
Average Processing Days				12.0	
Section 149(2) & (5) Certificate					
Number of Certificates	66	82	125	215	24
Average Processing Days	2.7	4.5	9.6	21.9	4.0
Total Number of Certificates	332	447	461	734	121
Average Turnaround Time (Days)	2.7	4.0	7.7	19.8	4.6
Rural Property					
Section 149(2) Certificate					
Number of Certificates	7	7	4	3	1
Average Processing Days	2.6	4.0	15.8	10.0	3.0
Section 149 (5) Certificate					
Number of Certificates		1			
Average Processing Days		2.0			
Section 149(2) & (5) Certificate					
Number of Certificates	2	5	7	6	
Average Processing Days	3.0	4.0	8.4	20.2	
Total Number of Certificates	9	13	11	9	1
Average Turnaround Time (Days)	2.7	3.8	11.1	16.8	3.0
Business / Industry Property					
Section 149(2) Certificate					
Number of Certificates	5	27	9	16	3
Average Processing Days	1.8	3.8	7.4	20.9	4.7
Section 149(2) & (5) Certificate					
Number of Certificates	12	6	5	5	1
Average Processing Days	2.4	4.5	9.0	20.6	3.0
Total Number of Certificates	17	33	14	21	4
Average Turnaround Time (Days)	2.2	3.9	8.0	20.9	4.3
ALL PROPERTIES					
Number of Certificates	358	493	486	764	128
Average Turnaround Time (Days)	2.6	4.0	7.8	19.8	4.5



Growth in Number of Certificates Issued	Apr 13	Apr 14	Apr 15	Apr 16
Number of Certificates	358	493	486	764
Average Turnaround Time (Days)	2.6	4.0	7.8	19.8
Using 2013 April As Base (%)		38%	36%	113%

ITEM NO: CFO 05
FILE NO: 136165.2016
SUBJECT: Draft Delivery Program and 2016-17 Operational Plan and Budget (including Revenue Pricing Policy)

RECOMMENDATION

That Council:

1. Approves the Emergency Budget.
2. Delegate to the A/CEO to amend the draft Delivery Program, draft Operational Plan and the draft Revenue Pricing Policy (Schedule of Fees and Charges) that was presented in CFO 05, 27 April 2016 as a result of changes resulting from the approved 2016/17 Budget.
3. Places the draft Delivery Program and Operational Plan including the draft 2016-17 Emergency Budget and Revenue Pricing Policy (Schedule of Fees and Charges) on public exhibition for a period of 28 days to allow for public comments and submissions.
4. Receives a further report after a review of public submissions at the June Council meeting.

COUNCIL DECISION

Motion: **Moved:** Clr Hadchiti **Seconded:** Clr Ballot

That this report be received and noted given that the motion passed in item NOM 07 Referral of Draft Budget for Public Exhibition (on page 10 of these minutes) moved that the budget be put on exhibition.

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

.....
Chairperson

Clr Hadchiti declared a pecuniary interest in this item and left the Chambers for the duration of the item at 9.45pm.

COUNCIL IN CLOSED SESSION

ITEM NO: CONF 01
FILE NO: 113725.2016
SUBJECT: Tender for Environmental Health Regulatory Inspections

RECOMMENDATION

That Council:

- 1. Accept the Tender from Food Safety Management Solutions – Option B for Tender ST2541 – Environmental Health Regulatory Inspections for an initial 3 year contract term with the option of extending the contract by 12 months + 12 months at the GST inclusive price of \$110,488.88 per annum.
- 2. Makes public its decision regarding tender ST2541 – Environmental Health Regulatory Inspections.
- 3. Notes that the Director Planning and Growth will finalise all details and sign the Letter of Acceptance following publication of draft Minutes on Council website for the tender, giving it contractual effect, in accordance with delegated authority.
- 4. Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of Section 10A(2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

COUNCIL DECISION

Motion: **Moved: Clr Hadid** **Seconded: Clr Ristevski**

That this item be deferred to the next Council meeting for further information.

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

Councillors voted unanimously for this motion.

Note: Clr Hadchiti was not in the Chamber when this item was voted on.

Clr Hadchiti returned to the Chambers at 9.53pm.

ITEM NO: CONF 02
FILE NO: 114609.2016
SUBJECT: ST2450 Provision of Lift Maintenance Services

RECOMMENDATION

That Council:

1. Accept the Tender from Otis Elevator Company Pty Ltd for Tender ST2450 – Provision of Lift Maintenance for an initial three (3) year contract term with the option of extending 2 x 12 months at the GST inclusive price of \$58,360.50 for the initial three year term.
2. Makes public its decision regarding tender ST2450 – Provision of Lift Maintenance.
3. Notes that the Director, Property and Commercial Development will finalise all details and sign the Letter of Acceptance following publication of draft Minutes on Council website for the tender, giving it contractual effect, in accordance with delegated authority.
4. Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of Section 10A(2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

COUNCIL DECISION

Motion: **Moved: Clr Hadid** **Seconded: Clr Shelton**

That the recommendation be adopted.

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

Councillors voted unanimously for this motion.

ITEM NO: CONF 03
FILE NO: 128329.2016
SUBJECT: ST2518– Off Site Records Storage and Management Services

RECOMMENDATION

That Council:

- 1. Accept the Tender from Grace Records Management (Australia) Pty Ltd for Tender ST2518– Off Site Records Storage and Management Services Portion A for an initial five years contract term with the option of two x three years extension option.
- 2. Makes public its decision regarding tender ST2518 – Off Site Records Storage and Management Services - Portion A.
- 3. Decline to accept any tenders for Portion B and in accordance with Section 178(3)(f) of the Local Government (General) Regulation 2005 carry out the requirements of Portion B itself.
- 4. Notes that the Chief Executive Officer will finalise all details and sign the Letter of Acceptance following publication of draft Minutes on Council website for the tender, giving it contractual effect, in accordance with delegated authority.
- 5. Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of Section 10A(2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

COUNCIL DECISION

Motion: **Moved: Clr Hadid** **Seconded: Clr Balloot**

That Council:

- 1. Accept the Tender from Grace Records Management (Australia) Pty Ltd for Tender ST2518– Off Site Records Storage and Management Services Portion A for an initial five years contract term with the option of two x three years extension option.
- 2. Makes public its decision regarding tender ST2518 – Off Site Records Storage and Management Services - Portion A.
- 3. Decline to accept any tenders for Portion B and in accordance with Section 178(3)(a) of the Local Government (General) Regulation 2005 carry out the requirements of Portion B itself.
- 4. Notes that the Chief Executive Officer will finalise all details and sign the Letter of Acceptance following publication of draft Minutes on Council website for the tender, giving it contractual effect, in accordance with delegated authority.

Minutes of the Ordinary Council Meeting held on Wednesday, 25 May 2016 and confirmed on Wednesday, 29 June 2016

.....
Chairperson

5. Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of Section 10A(2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

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

Vote for: Mayor Mannoun
Clr Balloot
Clr Hadchiti
Clr Hadid
Clr Harle
Clr Karnib
Clr Shelton

Vote against: Clr Ristevski

THE MEETING CLOSED AT 10.07pm

<Signature>

Name: Tony Hadchiti

Title: Deputy Mayor

Date: 29 June 2016

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 2016. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.



MINUTES OF THE ORDINARY MEETING HELD ON 29 JUNE 2016

PRESENT:

Mayor Ned Mannoun
 Councillor Balloot
 Councillor Hadchiti (Chair)
 Councillor Hadid
 Councillor Harle
 Councillor Karnib
 Councillor Ristevski
 Councillor Shelton
 Councillor Waller
 Mr Michael Cullen, Acting Chief Executive Officer
 Mr Gary Grantham, Chief Financial Officer / Director Corporate Services
 Ms Toni Averay, Director Planning and Growth
 Ms Julie Scott, Acting Director Community and Culture & Acting Director Economic Development
 Mr Madhu Pudasaini, Acting Director Infrastructure and Environment
 Ms Carole Todd, Director Business Improvement
 Mr John Morgan, Director Property and Commercial Development

The meeting commenced at 6.07pm

OPENING <time>

PRAYER The prayer of the Council was read by Pastor Claudio Alosi from Living Grace Christian Church.

Motion: **Moved: Cllr Hadchiti** **Seconded: Cllr Karnib**

APOLOGIES Cllr Mamone

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

CONDOLENCES Nil

Clr Ristevski declared a pecuniary interest in the following item:

Item DPG 03: Shepherd Street Precinct Planning Proposal

Reason: Clr Ristevski has placed a deposit on a unit off the plan at the site.

Clr Ristevski left the Chambers for the duration of the item.

PUBLIC FORUM

Representation – Items on agenda

1. **Mr Matthew Peet** from the Noffs Organisation addressed Council on the following item:

MAYOR 01: Battle Of The Year Competition

2. **Dr Maria Hondronicola** addressed Council on the following item:

DAD 01: DA-820/2015 Demolition of existing structures and the construction of a 5 storey residential flat building at 15-17 Frangipane Avenue, Liverpool.

3. **Mr Vince Carrabs** addressed Council on the following item:

DAD 01: DA-820/2015 Demolition of existing structures and the construction of a 5 storey residential flat building at 15-17 Frangipane Avenue, Liverpool.

4. **Mr Gerrard Turrisi** from GAT & Associates addressed Council on the following item:

DAD 02: DA-1251/2015 Use and Fitout of a shed for a rural industry (servicing of agricultural machinery) at 1212 The Northern Road, Bringelly

Motion: **Moved: Clr Hadchiti** **Seconded: Clr Harle**

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

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

5. **Mr David Bonanno** addressed Council on the following item:

DAD 02: DA-1251/2015 Use and Fitout of a shed for a rural industry (servicing of agricultural machinery) at 1212 The Northern Road, Bringelly

6. **Mr Aras Labutis** addressed Council on the following item:

DPG 03: Shepherd Street Precinct Planning Proposal

Presentation – Items not on agenda

1. **Ms Judith Carter** addressed Council on the following matter:

Impending closure of Renbury Farm & Council's plans to ensure welfare & safety of cats & dogs.

DEPUTY MAYORAL REPORT

ITEM NO: MAYOR 01
FILE NO: 171921.2016
SUBJECT: Battle Of The Year Competition

The Battle Of The Year is the world's largest Breakdance competition. It is a platform for B-Boys and Hip Hop culture in general and an opportunity for all participants to express themselves in a peaceful and non-racist environment.

Each year the German based 'Battle Of The Year' organisation features the best and most innovative B-Boy crews from all over the world, their goal to make this event as international as possible.

The Street University in Liverpool has been offered exclusive rights to host a heat of the Breakdance competition in Australia during July, based on their expertise and strong reputation in this field.

A heat for the 'Battle Of The Year' has not been held in Australia for decades.

The 'Battle Of The Year' 2016 grand final will be held in Germany on the 29th October.

Following a successful heat in Australia, the Australian winners would then fly to New Zealand for the Oceanic leg of the competition as a precursor for the main event in Germany.

Supporting The Street University to stage a heat of this high profile, international Breaking competition would strengthen their reputation hosting world class events and highlight the fantastic work they do with our local youth to realise their dreams, harness their potential and to create positive outcomes for their lives and their community.

The 'Battle Of The Year' competition would also bring some of Australia's leading dancers to the area, as well as many of the world's best.

This is an opportunity not to be missed for Liverpool and it will ensure our local talent have a fighting chance to put our great city on the global Breaking map.

motion

That Council:

1. Congratulate The Street University for the work they do with Liverpool's youth in assisting them to pursuing opportunities to create positive outcomes in a safe and harmonious environment.

ITEM NO: MAYOR 02
FILE NO: 171928.2016
SUBJECT: Nite Under the Stars

One of the best ways to help less fortunate members of our community is to experience the hardship they are forced to confront every day.

At any given night in Australia 1 in 200 people are homeless. With the waiting list for community housing currently at approximately 20 years, many Australian's are faced with being homeless or are at risk of being homeless. It could happen to any one of us, at any time.

The 'Nite Under the Stars' rough sleeping event aims to raise awareness amongst residents, businesses and organisations of homelessness in Fairfield and Liverpool LGAs.

It's a chance for the wider community to get a first-hand look at the desperate life some people are forced to lead because of any number of misfortunes and setbacks.

'Nite Under the Stars' was first held on Friday 9 August 2013 at Fairfield High School and has since grown to be an annual event held in August during the National Homelessness Week.

The event is planned and delivered by a committee of local service providers and has support from both Liverpool and Fairfield Councils, with representatives from both Councils participating as active members of the organising Committee.

The 2016 Sleepout will be held in Liverpool for the first time on Friday, 5 August within the grounds of St Luke's Anglican Church. It is anticipated 200 people will participate to experience sleeping rough for one night during the freezing cold of winter.

This is the third "Night Under The Stars" project and they have all been very successful. More than \$25,000 has been raised through the past two events from raffles and family and friends sponsoring the sleepers.

All money raised goes back into both the Liverpool and Fairfield local communities and helps the homeless in both LGAs, focusing public attention on their plight.

All Councillors are invited to join the public and volunteers to make the night a success.

RECOMMENDATION

That Council:

1. Congratulate the "Night Under The Stars" Committee and the work they do to help the homeless in the Liverpool-Fairfield LGAs.

2. Provide a \$2000 grant towards the 2016 “Night Under the Stars” project.
3. Encourage residents, business owners and staff to participate in the Sleepout.

COUNCIL DECISION

Motion: **Moved: Clr Hadchiti**

That the recommendation be adopted.

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

ITEM NO: MAYOR 03
FILE NO: 171945.2016
SUBJECT: Flooding events of June 2016

Once again the residents of Liverpool LGA are deeply in debt to the fearless generosity of NSW State Emergency Services volunteers.

These wonderful men and women again put their own lives at risk to battle the fierce storms that devastated Sydney earlier this month.

There was carnage across the State as winds of up to 120km an hour and torrential rain caused extensive flooding and destruction.

On Sunday, 5 June the NSW SES Sydney Southern Region issued an evacuation order to residents in areas of Chipping Norton as floodwater rose. According to the Bureau of Meteorology, the Georges River flooded to its highest level in more than 30 years, touching 3.44m at Milperra.

Three people died across the State in the floodwaters which caused damage estimated at tens of millions of dollars.

Once again Council thanks the State Emergency Volunteers for their tireless work in warning residents of the rising waters and helping those in need get to safety.

Liverpool City Council can also be proud of the contribution of its own staff who responded quickly to the emergency. Council staff helped residents forced to evacuate their homes at Chipping Norton when rain flooded several streets, to find shelter and accommodation.

Council Chambers were turned into an emergency evacuation centre for stranded families and Council outdoor maintenance crews have helped clean-up flooded areas as the floodwaters receded.

It was convincing confirmation that Council's programs to cope with emergencies are sound.

RECOMMENDATION

That Council:

1. Writes to the Liverpool SES Unit and Sydney Southern Region Command thanking them for the long hours they contributed to preserving lives, protecting property and keeping Council well informed of the conditions and necessary precautions and action to be taken.
2. Staff be acknowledged for their quick reaction to the storms and the swift implementation of emergency procedures and cooperation with the SES.

COUNCIL DECISION

Motion: **Moved: Cllr Hadchiti**

That the recommendation be adopted.

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

An Alternate Motion was then moved (by Clr Waller)

Motion: **Moved: Clr Waller** **Seconded: Clr Shelton**

That Liverpool Council incorporate strategies to attract women to participate in the pre-candidate seminar being held on 25 July 2016 for the upcoming Council elections.

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

NOTICES OF MOTION

ITEM NO: NOM 01
FILE NO: 163290.2016
SUBJECT: New arrivals from Syria

NOTICE OF MOTION

That Council invites comment from Fairfield City Council and otherwise investigates the establishment of a roundtable taskforce consisting of one third government representation, one third community representation and one third business representation, or something similar, charged with the responsibility of considering ways in which assistance can be given to the resettlement of the additional Syrian refugee intake and to make recommendations accordingly.

COUNCIL DECISION

Motion: **Moved: Clr Shelton** **Seconded: Clr Karnib**

That Council:

- 1. Invites comment from Fairfield City Council and otherwise investigates the establishment of a roundtable taskforce consisting of one third government representation, one third community representation and one third business representation, or something similar, charged with the responsibility of considering ways in which assistance can be given to the resettlement of the additional Syrian refugee intake and to make recommendations accordingly. Further, Council receives and notes the comments (to the Notice of Motion) of the CEO (as published below).

- 2. Liaises with WSROC in relation to the implementation of this motion.

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

Chief Executive Officer’s Comment

Council is working with Federal and State governments, as well as local migrant organisations such as the Migrant Resource Centre (MRC), to ensure adequate service provision is organised in advance of the intake, which will be phased over the next 18 months to 2 years commencing July 2016.

Council is in discussions with Fairfield Council to initiate a working group/taskforce including a terms of reference and charter on purpose and membership.

The aim is that Council, the MRC and local service providers work towards addressing gaps in current service provision and coordinate a localised action plan. The aim of this action plan is to deliver a range of specialised social cohesion and community harmony building

.....
Chairperson

initiatives that are long term, sustainable and progressive. This will assist in helping whole service network to be prepared to respond to the increased intake.

The localised action plan and the outcomes will inform further roundtable discussions with Professor Shergold and his team who are tasked by the Federal government with coordinating the refugee intake.

ITEM NO: NOM 02
FILE NO: 163231.2016
SUBJECT: Liverpool Council Currently Has No Elected Mayor

NOTICE OF MOTION

That Council:

1. Write to the Daily Telegraph and 2GB correcting them that this Mayor HAS NOT stepped aside as Mayor, as they have reported, as he is still presiding over Citizenship and Council meetings.
2. Release a media statement that the Council's new Carnes Hill Library and Leisure Centre development was not solely the work of a particular Councillor. The same media statement should give credit to our relevant Council staff and thank them for the contribution they have made to this project.

COUNCIL DECISION

Motion: Moved: Clr Ristevski Seconded: Clr Harle

That the recommendation be adopted.

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

Chief Executive Officer's Comment

The Mayor has advised the Acting CEO in writing that he will be on leave to 3 July 2016. During this period the Deputy Mayor will be Acting Mayor. The Mayor has indicated he will continue to meet all previous scheduled commitments during this period including chairing Council meetings and presiding over Citizenship ceremonies.

Under Council's Code of Meeting Practice, the Mayor may attend a meeting of Council and form part of the voting quorum unless he is:

1. Suspended from Office; or
2. Not present at the meeting.

Under cl.13 of the Code and s.3679 of the LG Act, the Mayor presides at any meeting he is present at **unless he is absent or requests the Deputy Mayor to preside in his place.**

The Mayor has also requested that a range of measures be put in place to ensure that there can be no misperceptions about the use of Council resources during his period of candidacy for the electorate of Werriwa. These arrangements have been implemented.

The Mayor has also advised that he will not be issuing any media releases as Mayor during this period.

If considered necessary and subject to Council's decision on the motion a letter can be drafted to the Telegraph and 2GB to advise of the above arrangements.

The Carnes Hill Community and Recreation Precinct launch is currently in the planning stages. As part of the launch of the Centre on July 30, a press release will be issued outlining Councillors and staff support and involvement in the project.

INDEPENDENT HEARING AND ASSESSMENT PANEL REPORT

ITEM NO: IHAP 01
FILE NO: 145810.2016
SUBJECT: DA-1271/2015 - Construction of 25 detached dwellings and community title subdivision on proposed Lot 19 within stage 3 of a development of Lot 31 DP 1181985 at the former New Brighton Golf Club

RECOMMENDATION

That Council approves DA-1271/2015 subject to the recommended conditions of consent attached to the Council officer’s IHAP report (Attachment 2).

COUNCIL DECISION

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

That the recommendation be adopted.

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

Vote for: Mayor Mannoun
Clr Balloot
Clr Hadchiti (Chair)
Clr Hadid
Clr Harle
Clr Ristevski
Clr Shelton
Clr Waller

Vote against: Clr Karnib

DEVELOPMENT APPLICATION DETERMINATION REPORT

ITEM NO: DAD 01
FILE NO: 159277.2016
SUBJECT: DA-820/2015 Demolition of existing structures and the construction of a 5 storey residential flat building at 15-17 Frangipane Avenue, Liverpool.

RECOMMENDATION

That Council:

1. Refuse Development Application DA-820/2015 for the following reasons:

- The proposed development is considered unsatisfactory having regard to the provisions of s.79C(1)(a)(i) of the Environmental Planning and Assessment Act, 1979 in that the subject site does not meet the minimum building street frontage required for a Residential Flat Building as specified by Clause 7.14(2)(c) of Liverpool Local Environmental Plan 2008 and the applicant has not submitted a Clause 4.6 Variation to address the non-compliance.
- The proposed development is considered unsatisfactory having regard to the provisions of s.79C(1)(a)(iii) of the Environmental Planning and Assessment Act, 1979 in that the proposal does not satisfy the provisions of Liverpool Development Control Plan 2008 in terms of minimum lot width, driveway access, parking, vehicle manoeuvring and garbage collection.
- The proposed development is considered unsatisfactory having regard to the provisions of s.79C(1)(b) of the Environmental Planning and Assessment Act, 1979 in that the proposed development is likely to result in adverse privacy impacts to adjoining residential properties.
- The proposed development is considered unsatisfactory having regard to the provisions of s.79C(1)(b) of the Environmental Planning and Assessment in that the proposed development is likely to result in overshadowing and privacy impacts to the adjoining residential property to the south being No.19 Frangipane Avenue.
- The proposed development is considered unsatisfactory having regard to the provisions of s.79C(1)(c) of the Environmental Planning and Assessment in that the size, shape and location of the site is inappropriate for a development of the scale proposed.
- The proposed development is considered unsatisfactory having regard to the provisions of s.79C(1)(e) of the Environmental Planning and Assessment in that the proposed development is not considered to be in the public interest as evidenced by the matters raised in the public submissions received in response to the notification of the proposal.

ITEM NO: DAD 02
FILE NO: 159653.2016
SUBJECT: DA-1251/2015 Use and Fitout of a shed for a rural industry (servicing of agricultural machinery) at 1212 The Northern Road, Bringelly

RECOMMENDATION

That Council refuse Development Application DA-1251/2015 for the use and fitout of a shed for a rural industry (servicing of agricultural machinery).

COUNCIL DECISION

Motion: **Moved: Clr Balloot** **Seconded: Clr Harle**

That the item be deferred and be reported back to the next Council meeting.

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

Vote for: Mayor Mannoun
Clr Balloot
Clr Hadchiti (Chair)
Clr Hadid
Clr Harle
Clr Karnib
Clr Shelton
Clr Waller

Vote against: Clr Ristevski

.....

Mayor Mannoun returned to the Chambers at 7.48pm.

CHIEF FINANCIAL OFFICER

ITEM NO: CFO 01
FILE NO: 148887.2016
SUBJECT: Proposed Amendment to Code of Meeting Practice

RECOMMENDATION

That Council:

1. Receive and note this report.
2. Amend the Code of Meeting Practice by adding the following subclauses at the end of clause 18.4:

18.5 Mayoral minutes should not be used to introduce, without notice, matters that are routine, not urgent, or need research or a lot of consideration by the Councillors before coming to a decision. These types of matters would be better placed on the agenda, with the usual period of notice being given to the Councillors.

18.6 Mayoral minutes must adhere to the Office of Local Government Practice Note16 dated August 2009.

COUNCIL DECISION

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

That Council receive and note this report.

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

That the recommendation be adopted.

On being put to the meeting the motion (moved by Clr Hadchiti) was declared LOST. The Foreshadowed motion (moved by Clr Shelton) then became the motion and on being put to the meeting was declared CARRIED.

ITEM NO: CFO 02
FILE NO: 151222.2016
SUBJECT: Travel and conference costs

RECOMMENDATION

That the information be received and noted.

COUNCIL DECISION

Motion: **Moved: Clr Shelton** **Seconded: Clr Waller**

That:

1. The recommendation be adopted.
2. Council note Clr Karnib did not make representations to attend the Local Government NSW Conference in October 2015 and that the date was incorrectly sited in the business papers as October 2016.

Foreshadowed Motion: **Moved: Clr Balloot** **Seconded: Clr Hadchiti**

That:

1. Council staff investigate whether the cost of \$4,368 can be recouped.
2. A policy be developed to ensure that expenses costed to Council for non-attendance (where they are unable to prove unforeseeable mitigating circumstances such as sickness, or other unavoidable circumstances) by Councillors at conferences to be recouped from the Councillor.
3. Council note Clr Karnib did not make representations to attend the Local Government NSW Conference in October 2015 and that the date was incorrectly sited in the business papers as October 2016.

On being put to the meeting the motion (moved by Clr Shelton) was declared CARRIED and the Foreshadowed motion (moved by Clr Balloot) lapsed.

ITEM NO: CFO 03
FILE NO: 151323.2016
SUBJECT: Proposed changes to Council meeting dates

RECOMMENDATION

That Council:

1. Approve the following changes to the Council meeting cycle for September – November 2016:
 - No Council meeting to be held in September 2016
 - Council meeting currently scheduled for 26 October 2016, be changed to Wednesday 12 October 2016
 - Council meeting currently scheduled for 30 November 2016, be changed to Wednesday 23 November 2016.

2. Places appropriate notices in the local newspaper and on Council’s social media advising the community of the change of meeting dates.

COUNCIL DECISION

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

That the recommendation be adopted.

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

.....
Chairperson

ITEM NO: CFO 04
FILE NO: 154457.2016
SUBJECT: Investment Report May 2016

RECOMMENDATION

That Council receives and notes this report.

COUNCIL DECISION

Motion: **Moved:** Clr Shelton **Seconded:** Clr Karnib

That the recommendation be adopted.

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

Clr Waller left the Chambers at 8.06pm.

Clr Waller returned to the Chambers at 8.08pm.

ITEM NO: CFO 05

FILE NO: 154822.2016

SUBJECT: Proposed Amendments to Media Representation Policy

RECOMMENDATION

That Council:

1. Receive and note this report.
2. Adopt the proposed amendment to clause 4.21 of the Media Representation Policy.
3. Reject the proposed amendments to clauses 4.4 and 4.5 of the Media Representation Policy.
4. Adopt the following amendment as clause 4.22 of the Media Representation Policy (renumbering subsequent clauses):

Local government election period and the media

4.22 Prior to Council elections for the period as stated in Civic Expenses and Facilities Policy (section 4.5.1 (d), Council will refrain from:

- a) Publishing any Mayoral or Councillor columns and/ or messages in local newspapers or in electronic media;*
- b) Publishing any media statements by the Mayor and/ or Councillors without the advice and consent of the Chief Executive Officer.*

COUNCIL DECISION

Motion:

Moved: Clr Hadchiti

Seconded: Clr Hadid

The report be received and noted.

Foreshadowed Motion:

Moved: Clr Harle

Seconded: Clr Ristevski

That Council receive and note this report with the following changes:

Clause 4.20: In future, in place of the traditional Mayoral portrait, a group photo of all Councillors including the Mayor, be displayed in the foyer of the Council Chambers in recognition of their contribution during their term of office.

Foreshadowed Motion:

Moved: Clr Ristevski Seconded: Clr Waller

That Council:

1. Receive and note this report.
2. Adopt the proposed amendment to clause 4.21 of the Media Representation Policy.

3. Adopt the following amendment as clause 4.22 of the Media Representation Policy (renumbering subsequent clauses):

Local government election period and the media

4.22 Prior to Council elections for the period as stated in Civic Expenses and Facilities Policy (section 4.5.1 (d), Council will refrain from:

- a) Publishing any Mayoral or Councillor columns and / or messages in local newspapers or in electronic media;*
- b) Publishing any media statements by the Mayor and / or Councillors without the advice and consent of the Chief Executive Officer.*

4. Make the following changes to the policy:

Clause 4.20: In future, in place of the traditional Mayoral portrait, a group photo of all Councillors including the Mayor, be displayed in the foyer of the Council Chambers in recognition of their contribution during their term of office.

On being put to the meeting the motion (moved by Clr Hadchiti) was declared LOST. The Foreshadowed motion (moved by Clr Harle) then became the motion and on being put to the meeting was declared CARRIED. The Foreshadowed motion (moved by Clr Ristevski) lapsed.

Clr Ristevski left the Chambers at 8.38pm.

ITEM NO: DPG 03
FILE NO: 145171.2016
SUBJECT: Shepherd Street Precinct Planning Proposal

RECOMMENDATION

That Council:

1. Endorses in principle the modified planning proposal for 20-33 Shepherd Street, Liverpool for increased density on the existing R4 site;
2. Delegates to the A/CEO the authority to finalise the planning proposal and submit to DPE for Gateway approval, subject to submission of the following:
 - a) An urban design analysis;
 - b) A transport and mobility study; and
 - c) A comprehensive social impact assessment.
3. Notes that the A/CEO will finalise negotiations regarding the proposed voluntary planning agreement and public benefit offer and any other relevant conditions as required to support the proposal, with a report to be presented to a future Council meeting.

COUNCIL DECISION

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

That the recommendation be adopted.

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

Vote for: Mayor Mannoun
 Clr Balloot
 Clr Hadchiti (Chair)
 Clr Hadid
 Clr Harle

Vote against: Clr Karnib
 Clr Shelton
 Clr Waller

Note: Clr Ristevski was not in the Chambers when the item was voted on.

Clr Ristevski returned to the Chambers at 8.40pm.
 Clr Shelton left the Chambers at 8.40pm.

COMMUNITY AND CULTURE REPORT

ITEM NO: DCC 01
FILE NO: 119316.2016
SUBJECT: Grants and Donations Report

RECOMMENDATION

That Council endorses the following recommendations:

1. For the provision of \$18,742 (GST exclusive) under the Community Grants Program as summarised in the table below:

Applicant Name	Project Name	Amount
The Shepherd Centre for Deaf Children	Enhancing the outdoor play area for children	\$4,730
City of Liverpool Meals on Wheels Inc	Christmas Hamper Project	\$4,000
The City of Liverpool & District Historical Society	In the Foot Steps of Thomas Moore Walking Tour	\$500
Liverpool Volunteer Resource Centre	Community & Volunteer Training and Resources	\$3,800
Creative Movement Group	Dancing my Dreams	\$5,000
Greek Orthodox Community NSW	Super Tech Seniors	\$712

2. For the provision of \$100 (GST exclusive) under the Quick Response Grants (Youth) Program as summarised in the table below:

Applicant Name	Project Name	Amount
Louisa Taia	PACFEST	\$100

3. For the provision of \$57,000 (GST exclusive) under the Community Matching Grants Program as summarised in the table below:

Applicant Name	Project Name	Amount
Liverpool Migrant Resource Centre	Community HeART	\$12,000
Mark Grundy Oesophageal Cancer Awareness Group Incorporated	Liverpool Oesophageal Cancer Project	\$15,000
New South Wales Radio Controlled Racing Car Club Inc	Strengthening Collaboration and Engagement within our community	\$15,000
Inspire Community Services	Youth Centre Youth Cafe	\$15,000

COUNCIL DECISION**Motion:****Moved: Clr Hadid****Seconded: Clr Balloot**

That Council endorses the following recommendations:

1. For the provision of \$18,742 (GST exclusive) under the Community Grants Program as summarised in the table below:

Applicant Name	Project Name	Amount
The Shepherd Centre for Deaf Children	Enhancing the outdoor play area for children	\$4,730
City of Liverpool Meals on Wheels Inc	Christmas Hamper Project	\$4,000
The City of Liverpool & District Historical Society	In the Foot Steps of Thomas Moore Walking Tour	\$500
Liverpool Volunteer Resource Centre	Community & Volunteer Training and Resources	\$3,800
Creative Movement Group	Dancing my Dreams	\$5,000
Greek Orthodox Community NSW	Super Tech Seniors	\$712

2. For the provision of \$100 (GST exclusive) under the Quick Response Grants (Youth) Program as summarised in the table below:

Applicant Name	Project Name	Amount
Louisa Taia	PACFEST	\$100

3. For the provision of \$57,000 (GST exclusive) under the Community Matching Grants Program as summarised in the table below:

Applicant Name	Project Name	Amount
Liverpool Migrant Resource Centre	Community HeART	\$12,000
Mark Grundy Oesophageal Cancer Awareness Group Incorporated	Liverpool Oesophageal Cancer Project	\$15,000
New South Wales Radio Controlled Racing Car Club Inc	Strengthening Collaboration and Engagement within our community	\$15,000
Inspire Community Services	Youth Centre Youth Cafe	\$15,000

4. That the deficit amount for the Corporate Sponsorships budget be transferred from the Community Matching Grants budget.

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

Clr Shelton returned to the Chambers at 8.49pm.

INFRASTRUCTURE AND ENVIRONMENT REPORT

ITEM NO: DIEN 01
FILE NO: 119158.2016
SUBJECT: Water Management Policy

RECOMMENDATION

That Council adopts the Water Management Policy.

COUNCIL DECISION

Motion: **Moved: Clr Shelton** **Seconded: Clr Karnib**

That:

1. Council adopts the Water Management Policy with the following amendments:
Add a Clause 5.7.8 to read:

“That Council also liaise with the Georges River Combined Councils’ Committee in relation to the implementation of this water management policy.”
2. Council also send a copy of this policy to the Georges River Combined Councils’ Committee (GRCCC).
3. Based on recent major flooding events in the Liverpool Local Government area, Council generates a report re-evaluating the need for a Flood Management Committee. If possible, the report is to be presented to the next Council meeting. The report is to include the Charter of the previous Committee.

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

PLANNING AND GROWTH REPORT

ITEM NO: DPG 01
FILE NO: 088058.2016
SUBJECT: Draft Amendment Liverpool Local Environmental Plan 2008 - Leppington Pastoral Company

RECOMMENDATION

That Council:

1. Endorses in principle the Planning Proposal to amend the Liverpool Local Environmental Plan 2008, to allow with consent a maximum of 25 dwellings (dwellings and rural workers' dwellings) on 1675 The Northern Road, Greendale;
2. Delegates to the A/CEO the authority to finalise a modified Planning Proposal as detailed in this report, and submit to DPE for Gateway approval.

COUNCIL DECISION

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

That the recommendation be adopted.

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

Vote for: Mayor Mannoun
Clr Balloot
Clr Hadchiti (Chair)
Clr Hadid
Clr Harle
Clr Karnib
Clr Ristevski
Clr Waller

Vote against: Clr Shelton

COMMITTEE REPORTS

ITEM NO: CTTE 01
FILE NO: 144088.2016
SUBJECT: Minutes of the Heritage Advisory Committee Meeting of 6 June 2016

RECOMMENDATION

That Council receives and adopts the Minutes of the Heritage Advisory Committee Meeting held on 6 June 2016.

COUNCIL DECISION

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

That the item be deferred to the next Council meeting, pending clarification of item 5 of the Heritage Advisory Committee meeting minutes from 6 June 2016 relating to the Heritage Officer update on pages 215 and 216 of the Council Agenda.

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

ITEM NO: CTTE 02
FILE NO: 119546.2016
SUBJECT: Minutes Liverpool Aboriginal Consultative Committee 3 March 2016

RECOMMENDATION

That Council receives and adopts the Minutes of the Aboriginal Consultative Committee Meeting held on 3 March 2016.

COUNCIL DECISION

Motion: **Moved: Cllr Harle** **Seconded: Cllr Ballot**

That the recommendation be adopted.

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

ITEM NO: CTTE 03
FILE NO: 144478.2016
SUBJECT: Minutes of the Environment Advisory Committee Meeting held on 9 May 2016

RECOMMENDATION

That Council receives and adopts the Minutes of the Environment Advisory Committee Meeting held on 9 May 2016.

COUNCIL DECISION

Motion: **Moved: Cllr Harle** **Seconded: Cllr Ballot**

That the recommendation be adopted.

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

ITEM NO: CTTE 04
FILE NO: 144911.2016
SUBJECT: Minutes of the Local Traffic Committee Meeting held on 18 May 2016

RECOMMENDATION

That Council:

1. Receives and adopts the Minutes of the Local Traffic Committee Meeting held on 18 May 2016.
2. Adopts the Local Traffic Committee recommendations as noted in the report below.

COUNCIL DECISION

Motion: **Moved: Cllr Harle** **Seconded: Cllr Balloot**

That the recommendation be adopted.

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

ITEM NO: CTTE 05
FILE NO: 145013.2016
SUBJECT: Minutes of Liverpool Access Committee Meeting held on 12 May 2016

RECOMMENDATION

That Council receives and notes the minutes of the Liverpool Access Committee Meeting held on Thursday, 12 May 2016.

COUNCIL DECISION

Motion: **Moved: Clr Harle** **Seconded: Clr Balloot**

That the recommendation be adopted.

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

ITEM NO: CTTE 06
FILE NO: 151695.2016
SUBJECT: Minutes of Building Our New City Committee meeting held 1 June 2016

RECOMMENDATION

That Council:

1. Receives and notes the Minutes of the Building our New City Committee Meeting held on 1 June 2016.
2. Notes that the Committee supported the development of a prioritised project list with timelines that could be funded by external sources that can be made available for project proponents to consider.
3. Notes that the Committee supported the preparation of a functional brief for the proposed “lifestyle” community hub on the Georges River.

COUNCIL DECISION

Motion: **Moved: Clr Harle** **Seconded: Clr Balloot**

That the recommendation be adopted.

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

ITEM NO: CTTE 08
FILE NO: 161290.2016
SUBJECT: Minutes of the No Intermodal Committee Meeting held on 14 June 2016

RECOMMENDATION

That Council receives and adopts the Minutes of the No Intermodal Meeting held on 14 June 2016.

COUNCIL DECISION

Motion: **Moved: Cllr Harle** **Seconded: Cllr Balloot**

That the recommendation be adopted.

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

ITEM NO: CTTE 10
FILE NO: 163219.2016
SUBJECT: Minutes of the Budget and Finance Committee held on 1 June 2016

RECOMMENDATION

That Council receives and adopts the Minutes of the Budget and Finance Committee Meeting held on 1 June 2016.

COUNCIL DECISION

Motion: **Moved: Cllr Harle** **Seconded: Cllr Ballot**

That the recommendation be adopted.

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

7. Funding for *Destination Liverpool* program is to be discontinued.
8. Funding for the Night Markets program is to be discontinued.
9. Funding for the CCTV program is to be discontinued.
10. Funding for *Starry Sari* night is to be discontinued.

B. That Council also makes the rates and charges for the financial year commencing 1 July 2016 as outlined in the Revenue Pricing Policy and exhibited in the draft Delivery Program and Operational Plan and Budget.

Council notes it is anticipated the average bottom line rate payment increase for ratepayers in Liverpool in the 2016-2017 rating year will be approximately two and a half times the rate of inflation (and more where there is an increase in property value). Further, Council notes that even with the aforementioned cutbacks in programs and a bottom line average rate increase being two and a half times the rate of inflation it is still not anticipated the budget will be in surplus (but merely in a more manageable deficit) and therefore further cutbacks in programs should be anticipated.

Last, it is noted the CFO in the business papers for the March 2016 general meeting, page 361, referred to the Council as being in a state of 'serious budget stress'; and by no means can Council's budgetary issues be explained solely by referring to the 'asbestos' and other harmful materials remediation issues/problems Council currently faces.

- C. That Council writes to the individuals who provided a submission, thanking them for their submission and provides a response to their feedback and or comments.
- D. That a further report be provided to Council as to the feasibility (to the extent as much is not already covered in the comments on submitters presently contained in the business papers) of implementing:
- i. The maintenance items identified by a submitter with respect to *Ida Kennedy Reserve*, Green Valley;
 - ii. Addressing the drainage issues in the vicinity of Hoxton Park Road, as identified by a submitter;
 - iii. The improvements sought with respect to *Edenbrook Reserve* as identified by a submitter;
 - iv. The amendments sought by *Bike Liverpool*; and
 - v. The landscaping issues raised by a submitter with respect to the Georges Fair area, and identifying ways in which the participation of women and girls in sport might be enhanced as described by a submitter.

Note: Cllr Ristevski accused Deputy Mayor Hadchiti of breaching the Code of Meeting Practice.

Note: Mayor Mannoun asked that it be noted that Council is unaware of the financial implications of this motion at the time of voting.

Note: Subsequent to the meeting a notional operational budget surplus of \$294,000 is estimated by staff in relation to these changes as well as a potential reduction in capital expenditure of approximately \$700,000. However, these figures are notional only and subject to further review. There may also be other as yet unknown, cost implications arising from this resolution that need to be considered. Where relevant these matters will be considered as part of Council's normal quarterly reporting process.

Foreshadowed Motion: Moved: Mayor Mannoun Seconded: Clr Balloot

That Council:

1. Adopts the 4-year Delivery Program and 2016-17 Operational Plan and Budget with the changes outlined in the report and the additional changes identified below:
 - a) That any increases to charges for Council’s swimming pools be limited to CPI increases only.
 - b) That Council cleaning contract be put out for tender and Councillors to consider any recommendations made by Council staff, in a report to Council, as a result of the tender.
2. Makes the rates and charges for the financial year commencing 1 July 2016 as outlined in the Revenue Pricing Policy and exhibited in the draft Delivery Program and Operational Plan and Budget.
3. Writes to the individuals who provided a submission, thanking them for their submission and provides a response to their feedback and, or comments.

On being put to the meeting the motion (moved by Clr Shelton) was declared LOST. The Foreshadowed motion (moved by Mayor Mannoun) then became the motion and on being put to the meeting was declared LOST.

Division called (for the motion moved by Mayor Mannoun):

Vote for: Mayor Mannoun
Clr Balloot
Clr Hadchiti (Chair)
Clr Hadid

Vote against: Clr Harle
Clr Karnib
Clr Ristevski
Clr Shelton
Clr Waller

The Chairperson (Clr Hadchiti) called a recess of Council at 10.15pm.

The Chairperson reopened at 10.24pm.

MOTION TO RESUBMIT

Motion: Moved: Clr Waller Seconded: Clr Karnib

That the motion (moved by Clr Shelton) be resubmitted.

On being put to the meeting the motion (moved by Clr Waller to resubmit Clr Shelton’s motion) was declared CARRIED.

On being resubmitted and put to the meeting the motion (moved by Clr Shelton) was declared CARRIED and the Foreshadowed motion (moved by Mayor Mannoun) lapsed.

Division called (for the motion moved by Clr Shelton):

Vote for: Clr Harle
Clr Karnib
Clr Ristevski
Clr Shelton
Clr Waller

Vote against: Mayor Mannoun
Clr Balloot
Clr Hadchiti (Chair)
Clr Hadid

ITEM NO: CONF 02
FILE NO: 144958.2016
SUBJECT: Tender for Environmental Health Regulatory Inspections

RECOMMENDATION

That Council:

1. Accept the Tender from Food Safety Management Solutions – Option B for Tender ST2541 – Environmental Health Regulatory Inspections for an initial 3 year contract term with the option of extending the contract by 12 months + 12 months at a schedule of rates of \$124.30 GST inclusive per hour with a minimum of 1.8 inspections per hour. Based on 1,600 inspections per year is a total of \$110,488.88 per annum GST inclusive.
2. Makes public its decision regarding tender ST2541 – Environmental Health Regulatory Inspections.
3. Notes that the Director Planning and Growth will finalise all details and sign the Letter of Acceptance following publication of draft Minutes on Council website for the tender, giving it contractual effect, in accordance with delegated authority.
4. Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of Section 10A(2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

COUNCIL DECISION

Motion: **Moved: Cllr Ristevski** **Seconded: Cllr Waller**

That Council:

1. Accept the Tender from Food Safety Management Solutions – Option B for Tender ST2541 – Environmental Health Regulatory Inspections for an initial 3 year contract term with the option of extending the contract by 12 months + 12 months at a schedule of rates of \$124.30 GST inclusive per hour with a minimum of 1.8 inspections per hour. Based on 1,600 inspections per year is a total of \$110,488.88 per annum GST inclusive.
2. Makes public its decision regarding tender ST2541 – Environmental Health Regulatory Inspections.
3. Notes that the Director Planning and Growth will finalise all details and sign the Letter of Acceptance following publication of draft Minutes on Council website for the tender, giving it contractual effect, in accordance with delegated authority.

.....

4. Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of Section 10A(2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.
5. Staff investigate whether it can be written into the contract that Option B is never to exceed the cost of Option A.

Foreshadowed motion: Moved: Clr Hadid Seconded: Clr Balloot

That the recommendation be adopted.

On being put to the meeting the motion (moved by Clr Ristevski) was declared CARRIED and the Foreshadowed motion (moved by Clr Hadid) lapsed.

Vote for:
Clr Harle
Clr Karnib
Clr Ristevski
Clr Shelton
Clr Waller

Vote against:
Mayor Mannoun
Clr Balloot
Clr Hadchiti (Chair)
Clr Hadid

ITEM NO: CONF 03
FILE NO: 152808.2016
SUBJECT: WT2447 - Liverpool Civic Place Project

RECOMMENDATION

That Council:

1. Endorses the recommendation of the Evaluation Panel for the Liverpool Civic Place Project, as outlined in the confidential report;
2. Approves the expenditure for the project, as outlined in the confidential report;
3. Authorises the Acting Chief Executive Officer and/or his delegate to:
 - (a) Negotiate the final commercial and legal terms for the necessary documents for the Liverpool Civic Place Project;
 - (b) Execute all necessary documents to proceed with the development;
4. Keeps confidential the attachment supplied under separate cover 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.

MOTION TO MOVE INTO CLOSED SESSION

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

That Council move into closed session to discuss CONF 03 for the following reason:

CONF 03 is confidential 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.

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

Council went into Closed Session at 10.49pm.

Mayor Mannoun left the Chambers at 10.52pm.
Mayor Mannoun returned to the Chambers at 10.53pm.
Cllr Waller left the Chambers at 10.54pm.
Cllr Waller returned to the Chambers at 10.56pm.
Cllr Ristevski left the Chambers at 10.57pm.

COUNCIL DECISION

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

That the recommendation be adopted.

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

Vote for: Mayor Mannoun
 Clr Balloot
 Clr Hadchiti (Chair)
 Clr Hadid
 Clr Harle
 Clr Shelton

Vote against: Clr Karnib
 Clr Waller

Note: Clr Ristevski was not in the Chambers when this item was voted on.

MOTION TO BRING ITEM FORWARD

Motion: **Moved: Clr Hadchiti Seconded: Clr Harle**

That CONF 07 25-35 Scott Street Liverpool - Voluntary Planning Agreement be brought forward and dealt with now.

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

ITEM NO: CONF 04
FILE NO: 151730.2016
SUBJECT: Liverpool City Council Pound Facility

RECOMMENDATION

That Council:

1. Authorise the A/CEO to enter into negotiations to lease the Renbury pound for a period of 2 years.
2. Note that a financial review of Renbury’s financial statement will be undertaken.
3. Note that a report considering long term pound facility options will be commissioned.

COUNCIL DECISION

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

That the recommendation be adopted.

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

ITEM NO: CONF 05
FILE NO: 156804.2016
SUBJECT: Approval for Works-In-Kind Tender for DA-582/2014, DA-104/2014, DA-2795/2002 and DA-720/1998

RECOMMENDATION

That Council:

1. Accept the tender WIK proposal by the developer subject to capping the WIK credit to the amounts indicated on the Liverpool Contributions Plan 2009.
2. Notes that the Acting Chief Executive Officer finalise and sign a WIK agreement in accordance with the delegated authority.
3. Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of Section 10A(2)(d)(i) of the Local Government Act 1993, as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

COUNCIL DECISION

Motion: **Moved: Clr Hadid** **Seconded: Clr Balloot**

That the recommendation be adopted.

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

Vote for: Mayor Mannoun
Clr Balloot
Clr Hadchiti (Chair)
Clr Hadid
Clr Harle
Clr Shelton

Vote against: Clr Karnib
Clr Waller

Note: Clr Ristevski was not in the Chambers when this item was voted on.

ITEM NO: CONF 06
FILE NO: 153703.2016
SUBJECT: Waste Management Audit and Process Review Update

RECOMMENDATION

That Council receives and notes the report.

COUNCIL DECISION

Motion: **Moved:Clr Hadid** **Seconded:Clr Balloot**

That the recommendation be adopted.

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

MOTION FOR EXTENSION OF TIME**Motion:** **Moved: Cllr Ballot** **Seconded: Cllr Waller**

An extension of time be granted to continue the meeting past 11pm.

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

Cllr Ristevski returned to the Chambers at 11.01pm.

MOTION OF URGENCY

Cllr Harle sought to raise a matter of urgency to be discussed in Closed Session in relation to events occurring before the next Council meeting.

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

That Council move into Closed Session to deal with this matter pursuant to the provisions of s10(A)(2)(a) and (g) of the Local Government Act because it contains personnel matters concerning particular individuals (other than Councillors); AND 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.

The matter was then discussed in Closed Session.

During Closed Session, Mayor Mannoun moved a point of order against the extension of time, citing Clause 5.2 of the Code of Meeting Practice which states:

“Ordinary meetings of Council shall be held according to a schedule approved by the Council from time to time. Meetings will commence at 6.00pm and conclude by 11.00pm without an extension.”

The Chair of the meeting, Cllr Hadchiti upheld the point of order.

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

That Cllr Ristevski be expelled from the Chambers.

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

Mayor Mannoun and Cllr Ballot left the meeting at 11.11pm.

The meeting moved into Open Session at 11.12pm.

Note: There was no substantive motion moved during closed session.

THE MEETING CLOSED AT 11.12pm.

<Signature>

Name: Ned Mannoun

Title: Mayor

Date: 27 July 2016

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 2016. 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 2016

PRESENT:

Mayor Ned Mannoun
 Councillor Balloot
 Councillor Hadchiti
 Councillor Hadid
 Councillor Harle
 Councillor Karnib
 Councillor Mamone
 Councillor Ristevski
 Councillor Shelton
 Councillor Waller
 Mr Michael Cullen, Acting Chief Executive Officer
 Mr Gary Grantham, Chief Financial Officer / Director Corporate Services
 Ms Toni Averay, Director Planning and Growth
 Dr Eddie Jackson, Acting Director Community and Culture
 Mr Wayne Carter, Director City Presentation
 Ms Julie Scott, Acting Director Economic Development
 Mr Raj Autar, Director Infrastructure and Environment
 Mr John Morgan, Director Property and Commercial Development

The meeting commenced at 6.05pm

OPENING	6.05pm
PRAYER	The prayer of the Council was read by Father Paul Monkerud from All Saints Liverpool.
APOLOGIES	Nil

CONFIRMATION OF MINUTES

Motion: **Moved: Clr Shelton** **Seconded: Clr Hadid**

That the minutes of the Ordinary Meeting held on 29 June 2016 be confirmed as a true record of that meeting.

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

DECLARATIONS OF INTEREST

Nil

PUBLIC FORUM

Presentation – Items not on agenda

Nil

Representation – Items on agenda

- 1. **Mr Kevin Callinan** addressed Council on the following item:

NOMR 01: Rescission of DBI 01 Endorsement of the Delivery Program 2013-17 and Operational Plan 2016-17 including 2016-17 Budget from Council meeting 27 July 2016

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

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

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

- 2. **Mr Alvan Freeman** addressed Council on the following item:

NOMR 01: Rescission of DBI 01 Endorsement of the Delivery Program 2013-17 and Operational Plan 2016-17 including 2016-17 Budget from Council meeting 27 July 2016

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

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

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

3. **Mr John Jewell** addressed Council on the following item:

NOMR 01: Rescission of DBI 01 Endorsement of the Delivery Program 2013-17 and Operational Plan 2016-17 including 2016-17 Budget from Council meeting 27 July 2016

4. **Ms Marilyn Tek** addressed Council on the following item:

DIEN 02: Speaking for the Planet (S4P) Event

Note: Speaking for the Planet is a public speaking and drama competition that recognises and celebrates World Environment Day. The competition invites local high school students to participate by preparing speeches and performances related to the World Environment Day theme "Go Wild for Life".

The winner of the impromptu speech, Marilyn Tek was invited to deliver her winning speech. One of the other winners was unable to make the meeting and will deliver her winning speech at next month's meeting.

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

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

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

Clr Ristevski left the Chambers at 6.40pm.

5. **Mr Gerard Turrisi** from GAT & Associates addressed Council on the following item:

CONF 07: DA-1251/2015 Use and Fitout of a shed for a rural industry (servicing of agricultural machinery) at 1212 The Northern Road, Bringelly

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

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

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

6. **Mr Gilbert de Chalain** from Hub Planning addressed Council on the following items:

IHAP 01: DA-1228/2015 - Construction of two commercial buildings, to be used as food and drink premises with associated site works, signage, landscaping and car parking on Proposed Lot 4 in the subdivision of Lot 29 in DP 1044841 at 501 Cowpasture Road, Len Waters Estate.

and

IHAP 02: DA-1136/2015 - Construction and operation of a service station with an associated convenience store and fast food restaurant with drive through facility on Proposed Lot 3 in the subdivision of Lot 29 DP 1044841 at 501 Cowpasture Road, Len Waters Estate.

7. **Mr Wayne Gersbach** from MacroPlan Dimasi addressed Council on the following item:

DPG 03: Liverpool City Centre LEP Review - Response to submissions

Clr Ristevski returned to the Chambers at 6.45pm.

8. **Mr Leon Shriner** addressed Council on the following item:

DCC 01: Public Safety Closed Circuit Television (CCTV) in the Liverpool City Centre

9. **Ms Judith Carter** addressed Council on the following item:

NOM 01: Renbury Farm – No Kill Policy

Motion: **Moved: Clr Hadchiti** **Seconded: Clr Mamone**

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

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

NOTICES OF MOTION OF RESCISSION

ITEM NO: NOMR 01
FILE NO: 193120.2016
SUBJECT: Rescission of DBI 01 Endorsement of the Delivery Program 2013-17 and Operational Plan 2016-17 including 2016-17 Budget from Council meeting 27 July 2016

NOTICE OF MOTION OF RESCISSION

That Council rescinds the following points from the resolution relating to DBI 01 Endorsement of the Delivery Program 2013-17 and Operational Plan 2016-17 including 2016-17 Budget from the Council Meeting 27 July 2016:

- A1) The budgetary allocation for Council's media unit be reduced by 50%.
- A6) Funding for the Mens' Shed program is to be discontinued.
- A8) Funding for the Night Markets program is to be discontinued.
- A9) Funding for the CCTV program is to be discontinued.
- A10) Funding for *Starry Sari* night is to be discontinued.

COUNCIL DECISION

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

That the following points of DBI 01 Endorsement of the Delivery Program 2013-17 and Operational Plan 2016-17 including 2016-17 Budget from Council meeting 27 July 2016 be rescinded:

- A1) The budgetary allocation for Council's media unit be reduced by 50%.
- A6) Funding for the Mens' Shed program is to be discontinued.
- A8) Funding for the Night Markets program is to be discontinued.
- A9) Funding for the CCTV program is to be discontinued.
- A10) Funding for *Starry Sari* night is to be discontinued.

On being put to the meeting the rescission motion was declared LOST.

Division called:

Vote for: Mayor Mannoun
Clr Balloot
Clr Hadchiti
Clr Hadid

Vote against: Clr Harle
Clr Karnib
Clr Mamone
Clr Ristevski
Clr Shelton
Clr Waller

NOTICES OF MOTION

ITEM NO: NOM 01
FILE NO: 191715.2016
SUBJECT: Renbury Farm - No Kill Policy

NOTICE OF MOTION

That Council is to operate Renbury Farm with a no kill policy.

COUNCIL DECISION

Motion: **Moved: Clr Ristevski** **Seconded: Clr Mamone**

That Council is to operate Renbury Farm with a no kill policy and otherwise notes the comments of the CEO (shown below).

Amendment: **Moved: Clr Hadchiti** **Seconded: Clr Hadid**

That this item be deferred until after the new Council is elected in September 2016 given that there are budget implications.

On being put to the meeting the Amendment (moved by Clr Hadchiti) was declared LOST.

The motion (moved by Clr Ristevski) was then voted on and on being put to the meeting was declared CARRIED.

Chief Executive Officer Comment

Council resolved in response to a Notice of Motion by Councillor Sabrina Mamone at the Council meeting of 26 August 2015 as follows:

That Council:

- 1. Review the current 'Animal Management' document to introduce and consider a 'Low Kill' Policy.*
- 2. Include details, of healthy pets from Animal Shelters in Liverpool that are ready to be adopted, in the Council Monthly newsletter.*
- 3. Report back to Council at the next Council meeting on how a 'Low Kill Policy' affects the running of the animal shelters.*

A report recommending Council approve the revised Animal Management Policy was presented to the Council meeting of 16 December 2015. Council resolved to approve the revised policy. The issue of euthanasia was discussed in the report and it was noted that all feral cats that are seized are euthanised as they cannot be rehomed. It was recommended

that an educational program be conducted to encourage desexing of cats and reduce the feeding of stray cats in an effort to reduce the number of feral and stray cats.

The recent pound tender included a low euthanasia policy requiring that the pound not euthanise impounded animals unless the animal has been assessed unsuitable to be homed because it is aggressive, diseased, feral or there are no other options available. Note that Council is currently negotiating with the Pound operator on possible short term lease arrangements noting the pending closure of the current facility. Any future lease would be operated on a Low Kill basis. Council is also liaising with WSROC Councils on long term regional pound options.

It should also be noted that Council has commissioned the RSPCA to undertake a recent inspection of the Renbury facility. The inspection has not identified any evidence of animal cruelty or mistreatment.

Clr Waller left the Chambers at 7.39pm.

Clr Waller returned to the Chambers at 7.41pm.

ITEM NO: NOM 02
FILE NO: 191293.2016
SUBJECT: Removal of Dangerous Tree

NOTICE OF MOTION

That Council:

- 1. Immediately remove the tree located between 21 & 23 Lavington Ave Chipping Norton.
- 2. Plant other trees in the vicinity of the area.

COUNCIL DECISION

Motion: **Moved: Clr Hadchiti** **Seconded: Clr Harle**

That Council:

- 1. Immediately remove the tree located between 21 & 23 Lavington Ave Chipping Norton.
- 2. Plant another mature tree in the vicinity of the area.
- 3. Trees such as 'widow makers' not be planted in dangerous locations.

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

INDEPENDENT HEARING AND ASSESSMENT PANEL REPORT

ITEM NO: IHAP 01
FILE NO: 180577.2016
SUBJECT: DA-1228/2015 - Construction of two commercial buildings, to be used as food and drink premises with associated site works, signage, landscaping and car parking on Proposed Lot 4 in the subdivision of Lot 29 in DP 1044841 at 501 Cowpasture Road, Len Waters Estate.

RECOMMENDATION

That Council approve Development Application DA-1228/2015 as a Deferred Commencement Consent subject to the updated recommended conditions of consent attached.

COUNCIL DECISION

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

That the recommendation be adopted.

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

Councillors voted unanimously for this motion.

Clr Balloot left the Chambers at 7.51pm.

ITEM NO: IHAP 02
FILE NO: 181034.2016
SUBJECT: DA-1136/2015 - Construction and operation of a service station with an associated convenience store and fast food restaurant with drive through facility on Proposed Lot 3 in the subdivision of Lot 29 DP 1044841 at 501 Cowpasture Road, Len Waters Estate.

RECOMMENDATION

That Council approve Development Application DA-1136/2015 as a Deferred Commencement Consent subject to the updated recommended conditions of consent attached.

COUNCIL DECISION

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

That the recommendation be adopted.

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

Councillors voted unanimously for this motion.

BUSINESS IMPROVEMENT REPORT

ITEM NO: DBI 01
FILE NO: 174709.2016
SUBJECT: Liverpool City Council Community Strategic Plan 2017-2027 - Community Engagement Strategy 2016-2017

RECOMMENDATION

That Council that Council endorses the Community Engagement Strategy 2016-17.

COUNCIL DECISION

Motion: **Moved: Cllr Hadid** **Seconded: Cllr Karnib**

That the recommendation be adopted.

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

CHIEF FINANCIAL OFFICER

ITEM NO: CFO 01
FILE NO: 179410.2016
SUBJECT: Local Government NSW Annual Conference

RECOMMENDATION

That:

1. Any Councillors who wish to attend the 2016 Local Government NSW Annual Conference notify the Councillor Support Officer by 1 August 2016.
2. Council consider and endorse any motions it may wish to submit to the conference.

COUNCIL DECISION

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

That Council reserve 10 positions for the Local Government NSW Conference and successful Councillors in the election in September 2016 be asked whether they want to attend.

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

Clr Balloot returned to the Chambers at 7.54pm.

ITEM NO: CFO 02
FILE NO: 180471.2016
SUBJECT: Investment Report June 2016

RECOMMENDATION

That Council receives and notes this report.

COUNCIL DECISION

Motion: **Moved: Clr Shelton** **Seconded: Clr Harle**

That the recommendation be adopted.

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

ITEM NO: CFO 03
FILE NO: 180904.2016
SUBJECT: Review of the Civic Expenses and Facilities Policy after Public Exhibition

RECOMMENDATION

That Council:

- 1. Receive and note this report;
- 2. Adopt the Civic Expenses and Facilities Policy, as attached to this report; and
- 3. Provide a copy of the policy and the related public notice to the Chief Executive of the Office of Local Government within 28 days of the date of this Council resolution.

COUNCIL DECISION

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

That the item be deferred until after the Council elections in September 2016.

Foreshadowed motion: **Moved: Clr Waller** **Seconded: Clr Ristevski**

That Council:

- 1. Receive and note the report.
- 2. Adopt the Civic Expenses and Facilities Policy, as attached to this report with the deletion of clause 4.18, which reads:

“Mobile offices

So that the Mayor and Councillors can hold “mobile offices” at locations with a frequency at their discretion, the Mayor and Councillors are to be provided with the resources necessary to assist with holding such mobile offices including but not limited to staffing, mailing and advertising of the mobile office, tables, chairs etc. funded from the Councillor Reserve up to a maximum of \$30,000 per annum.”

- 3. Provide a copy of the policy and the related public notice to the Chief Executive of the Office of Local Government within 28 days of the date of this Council resolution.

On being put to the meeting the motion (moved by Clr Harle) was declared CARRIED and the Foreshadowed motion lapsed.

.....
Chairperson

ITEM NO: CFO 04
FILE NO: 182916.2016
SUBJECT: Legal Costs - Moorebank Recyclers Legal Appeal

RECOMMENDATION

That Council:

- 1. Approve the commitment of a further \$378,500 in funding to Council’s Planning and Development legal budget, to cover expected expenses arising from the hearing of the Class 1 appeal relating to the proposed concrete recycling facility at Newbridge Road, Moorebank.
- 2. Direct the CEO to address the question of a source for these funds through the quarterly budget review process.

COUNCIL DECISION

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

That the recommendation be adopted.

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

CITY PRESENTATION REPORT

ITEM NO: DCP 01
FILE NO: 167578.2016
SUBJECT: Waste Pick-up Cycle

RECOMMENDATION

That Council defer decisions on changing the yellow bin collection services to a weekly basis until a comprehensive evaluation of impacts on waste collection services after commencement of the Container Deposit Scheme.

COUNCIL DECISION

Motion: **Moved: Clr Harle** **Seconded: Clr Shelton**

That the recommendation be adopted.

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

Clr Ristevski left the Chambers at 8.15pm.

Clr Mamone left the Chambers at 8.24pm.

COMMUNITY AND CULTURE REPORT

ITEM NO: DCC 01

FILE NO: 173470.2016

SUBJECT: Public Safety Closed Circuit Television (CCTV) in the Liverpool City Centre

RECOMMENDATION

That Council:

1. Receives and notes this report; and
2. Adopts the Public Safety Closed Circuit Television (CCTV) Policy, attached to this report.

COUNCIL DECISION

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

That Council:

1. Receives and notes this report; and
2. Adopts the Public Safety Closed Circuit Television (CCTV) Policy, attached to this report.
3. Issues a statement making it clear that council will never support a program that will encourage the use of illicit drugs in our LGA.
4. Condemn the comments made by members of Parliament and former Premier Bob Carr supporting "ice" smoking rooms.
5. Acknowledges and welcomes the efforts of Melanie Gibbons MP working to prevent an "ice" smoking room being developed in the area.
6. Thanks the Federal Government for their funding of CCTV cameras in Liverpool City Centre.

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

Division Called:

Vote for: Mayor Mannoun
Clr Balloot
Clr Hadchiti
Clr Hadid

Vote against: Clr Harle
Clr Karnib
Clr Shelton
Clr Waller

Note: the motion was passed on the Mayor’s casting vote.

Note: Clr Mamone and Clr Ristevski were not in the Chamber when this item was voted on.

Mayor Mannoun called for a recess of Council at 8.24pm.

Mayor Mannoun reopened the meeting at 8.50pm.

Clr Mamone and Clr Ristevski were in the Chamber when the meeting reopened.

MOTION TO BRING ITEM FORWARD

Motion **Moved: Clr Hadchiti** **Seconded: Clr Harle**

That Item CONF 07 DA-1251/2015 Use and Fitout of a shed for a rural industry (servicing of agricultural machinery) at 1212 The Northern Road, Bringelly be brought forward and dealt with now.

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

ITEM NO: CONF 07
FILE NO: 189845.2016
SUBJECT: DA-1251/2015 Use and Fitout of a shed for a rural industry (servicing of agricultural machinery) at 1212 The Northern Road, Bringelly

RECOMMENDATION

That Council refuse Development Application DA-1251/2015 for the use and fitout of a shed for a rural industry (servicing of agricultural machinery) for the following reasons:

- a) The proposed 'Vehicle repair station' is a prohibited form of development in the RU4 zone as per the Liverpool Local Environmental Plan 2008 (LLEP 2008), pursuant to Section 79C(1)(a)(i) of the Environmental Planning and Assessment Act 1979 (EP & A Act).
- b) Pollution hazard upon the downstream properties and water runoff to Thompsons Creek is likely to occur as the submitted information does not demonstrate appropriate waste drainage treatment to the area used for the proposed 'Vehicle repairs station' in accordance with Clause 6 (4) of the Sydney Regional Environmental Plan No. 20 – Hawkesbury Nepean River (No. 2 - 1997), pursuant to Section 79C(1)(a)(i) and Section 79C(1)(b) of the EP & A Act 1979.
- c) The proposed development does not comply with Section 6 (Water Cycle Management) and Section 7 - (Development near a watercourse) of Part 1 of the Liverpool Development Control Plan 2008 (LDCP 2008). Stormwater drainage of the proposed carpark area and impacts upon the riparian corridor have not been demonstrated, pursuant to Section 79C(1)(a)(iii) of the EP & A Act 1979.
- d) Information submitted does not adequately demonstrate a suitable method of entirely containing the liquid waste generated from the servicing of the vehicles, pursuant to Section 79C(1)(b) and Section 79C(1)(c) of the EP & A Act 1979.
- e) Due to the above reasons, approval of the application is not in the public interest pursuant to Section 79C(1)(e) of the EP & A Act 1979.

ITEM NO: DCC 02
FILE NO: 177636.2016
SUBJECT: Liverpool City Council Aboriginal Cultural Protocols

RECOMMENDATION

That Council:

1. Receives and notes this report; and
2. Adopts the Draft Aboriginal Cultural Protocols, attached to this report.

COUNCIL DECISION

Motion: **Moved: Cllr Shelton** **Seconded: Cllr Hadchiti**

That the recommendation be adopted.

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

ITEM NO: DCC 03
FILE NO: 183230.2016
SUBJECT: Liverpool Sporting Donations

RECOMMENDATION

That Council endorse the Liverpool Sports Committee's recommendations for the provision of \$700 under the Sporting Donations Program as summarised in the table below:

Applicant Details	Amount
Jake Vartuli	\$500
Logan Kemp	\$200

COUNCIL DECISION

Motion: **Moved: Cllr Hadchiti** **Seconded: Cllr Shelton**

That the recommendation be adopted.

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

ECONOMIC DEVELOPMENT REPORT

ITEM NO: DEE 01
FILE NO: 179389.2016
SUBJECT: Charitable Collections on Council Controlled Lands Policy

RECOMMENDATION

That Council adopts the attached proposed Charitable Collections on Council Controlled Land Policy.

COUNCIL DECISION

Motion: **Moved: Cllr Shelton** **Seconded: Cllr Mamone**

That the recommendation be adopted.

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

ITEM NO: DEE 02
FILE NO: 179418.2016
SUBJECT: Hoardings Policy

RECOMMENDATION

That Council adopts the attached proposed Hoardings Policy.

COUNCIL DECISION

Motion: **Moved: Cllr Shelton** **Seconded: Cllr Karnib**

That Council adopts the attached proposed Hoardings Policy, with the deletion of clause 4.2 as shown below:

"4.2 City Branding

4.2.1 Objectives

The objectives of the Liverpool City brand - The Great South West include:

- a) Using the Great South West brand to represent a cohesive marketing image for the City*
- b) Ensuring a consistent message from all Liverpool's partners when promoting the City*

City branding aims to build:

- a) Increased regional awareness resulting in a positive impact on investment, jobs, residents, visitors and events*
- b) Increased investment in business, health and education, real estate and infrastructure*
- c) Integrated city development as the physical, social, economic, cultural and sporting aspects work together to deliver to brand promise*
- d) Growth in city pride as the residents, workers, businesses, investors and institutions experience a stronger sense of purpose and direction*

Refer to Attachment 2 for specific marketing/brandings guidelines and examples.

4.2.2 Council encourages applicants to include Liverpool City's Great South West brand on construction hoardings. It is recommended that applicants consult with Council's strategic communications and research team when developing all construction signage.

4.2.3 If a hoarding incorporates the City branding, Liverpool City Council may consider payment for that component of the hoarding advertising. This would be proportionally paid against the total amount of hoarding advertising. Council will not pay for any private developer's advertising elements. Discussions on hoarding imagery are encouraged early in the development of construction hoarding signage."

Amendment: **Moved: Mayor Mannoun** **Seconded: Clr Hadchiti**

That the recommendation be adopted.

On being put to the meeting the Amendment (moved by Mayor Mannoun) was declared CARRIED.

The Amendment then became the motion and on being put to the meeting was declared CARRIED.

The motion moved by Clr Shelton lapsed.

INFRASTRUCTURE AND ENVIRONMENT REPORT

ITEM NO: DIEN 01
FILE NO: 181403.2016
SUBJECT: 2015-2016 Capital Works Carryover of Projects and Funds

RECOMMENDATION

That Council:

1. Receives and notes the report.
2. Approves the works and services listed in *Attachment 1* with a remaining budget of \$9,617,202 to be carried over from the 2015/16 financial year to the 2016/17 financial year.

COUNCIL DECISION

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

That the recommendation be adopted.

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

ITEM NO: DIEN 02
FILE NO: 183034.2016
SUBJECT: Speaking for the Planet (S4P) Event

RECOMMENDATION

That Council writes to each winner and congratulates them on their success.

COUNCIL DECISION

Motion: **Moved: Cllr Hadchiti** **Seconded: Cllr Shelton**

That the recommendation be adopted.

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

Note: After the motion was passed, Cllr Waller asked that a letter be sent to Marilyn Tek to congratulate her on the presentation she made to Council earlier in the Council meeting.

ITEM NO: DIEN 03
FILE NO: 185743.2016
SUBJECT: Floodplain Management Committee

RECOMMENDATION

That Council:

1. Investigate public interest and the feasibility of forming a Floodplain Management Committee and provide a further report to Council on the outcome of the investigations (option A); or
2. Review the Environmental Advisory Committee charter to extend its advisory role to include floodplain management related matters and revise the charter as outlined below (option B):
 - Section 4 of the charter be revised to read "...to consider and provide input to Council's environment and water management programs by making recommendations to Council";
 - An additional clause to be included in Section 5 to read "...consider key floodplain management issues facing Liverpool and make recommendations to Council"; and
 - Clause 6(b) be revised to read "...provide input to Council with respect to the development of environmental and water related policies for Liverpool."

COUNCIL DECISION

Motion: **Moved: Cllr Karnib** **Seconded: Cllr Harle**

That Council investigate public interest and the feasibility of forming a Floodplain Management Committee and provide a further report to Council on the outcome of the investigations (option A).

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

PLANNING AND GROWTH REPORT

ITEM NO: DPG 01
FILE NO: 154627.2016
SUBJECT: Housing affordability in Liverpool

RECOMMENDATION

That Council:

1. Notes the information presented in this report.
2. Endorses the preparation of an Affordable Housing Policy and notes that a further report will be presented to Council in November 2016.
3. Notes that a cost benefit and feasibility analysis will be undertaken to determine appropriate affordable housing percentages in large developments as part of future VPAs.

COUNCIL DECISION

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

That Council:

1. Notes the information presented in this report.
2. Endorses the preparation of an Affordable Housing Policy and notes that a further report will be presented to Council in November 2016.
3. Notes that a cost benefit and feasibility analysis will be undertaken to determine appropriate affordable housing percentages in large developments as part of future VPAs.
4. Staff establish clear KPI's during the development of the policy.

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

ITEM NO: DPG 03
FILE NO: 169937.2016
SUBJECT: Liverpool City Centre LEP Review - Response to submissions

RECOMMENDATION

That Council:

1. Receives and note this report.
2. Supports the proposal to rezone approximately 25ha of land in Liverpool City Centre from B3 – Commercial Core to B4 – Mixed Use.
3. Supports the retention of approximately 12ha of land zoned B3 – Commercial Core in Liverpool City Centre.
4. Supports amendments to Liverpool Local Environmental Plan 2008 as detailed in the planning proposal (Attachment 1).
5. Adopts the recommendations of the Acid Sulfate Soils Study of Liverpool City Centre outlined in the report.
6. Delegates to the A/CEO the authority to finalise the planning proposal on receipt of the Liverpool City Centre Traffic and Transport Study and to submit the proposal to the Department of Planning and Environment for finalisation pursuant to s59 of the Environmental Planning and Assessment Act 1979.

COUNCIL DECISION

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

That Council defer this item until the meeting after the September 2016 Council elections.

Foreshadowed motion: **Moved: Mayor Mannoun** **Seconded: Clr Mamone**

That the recommendation be adopted.

On being put to the meeting the motion (moved by Clr Waller) was declared LOST.

The Foreshadowed motion (moved by Mayor Mannoun) then became the motion and on being put to the meeting was declared CARRIED.

ITEM NO: DPG 05
FILE NO: 173544.2016
SUBJECT: Planning Agreement Policy

RECOMMENDATION

That Council:

1. Receives and notes this report.
2. Adopts the Planning Agreement Policy.

COUNCIL DECISION

Motion: **Moved: Cllr Shelton** **Seconded: Cllr Hadchiti**

That the recommendation be adopted.

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

ITEM NO: DPG 06
FILE NO: 188804.2016
SUBJECT: Works in Kind Policy

RECOMMENDATION

That Council:

1. Notes this report.
2. Adopts the Revised Works In Kind Policy attached to this report

COUNCIL DECISION

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

That the recommendation be adopted.

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

ITEM NO: CTTE 02
FILE NO: 171170.2016
SUBJECT: Minutes of the Liverpool Community Safety and Crime Prevention Advisory Committee held on Thursday 2 June, 2016

RECOMMENDATION

That Council receives and adopts the Minutes of the Liverpool Community Safety and Crime Prevention Advisory Committee Meeting held on Thursday 2 June 2016.

COUNCIL DECISION

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

That the recommendation be adopted.

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

QUESTIONS WITH NOTICE

ITEM NO: QWN 01
FILE NO: 191668.2016
SUBJECT: Question with Notice - Clr Shelton

Please address the following:

1. The current position with respect to the redirection of traffic flows in George and Northumberland Streets in the CBD,
2. the nature and extent of works carried out to date, including dates at which each stage was completed,
3. when it is anticipated this project will be finalised, and
4. whether it is assessed there are any pedestrian or vehicular safety concerns at present.

A response to these questions will be published in the August 2016 business papers.

ITEM NO: CONF 04
FILE NO: 179556.2016
SUBJECT: Proposed road closure and disposal of part Norfolk Serviceway, Liverpool

RECOMMENDATION

That Council:

1. Agrees to the road closure of part Norfolk Serviceway, Liverpool, as outlined in the confidential report;
2. Subject to a successful road closure, agrees to the sale of part Norfolk Serviceway, Liverpool, to the adjoining owners, on the terms outlined in the confidential report;
3. Keeps confidential the attachment supplied under separate cover containing the purchase price pursuant to the provisions of Section 10A(2)(c) of the *Local Government Act* 1993 as this information would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business;
4. Authorises its delegated officer to execute any document, under Power of Attorney, necessary to give effect to this decision; and
5. Transfers the proceeds of sale into the General Property Reserve.

COUNCIL DECISION

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

That the recommendation be adopted.

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

ITEM NO: CONF 05
FILE NO: 180847.2016
SUBJECT: Acquisition of part Lot 17 DP 81842, Lot 2 and 3 DP 229979, and Lot 1 DP 507070 being Tenancy A, 52 Scott Street, Liverpool, for a public purpose

RECOMMENDATION

That Council:

1. Proceeds with the compulsory acquisition of the Lessee's interest in part Lot 17 DP 81842, part Lot 2 and 3 DP 229979, and part Lot 1 DP 507070, being Tenancy A, 52 Scott Street, Liverpool, for a public purpose;
2. Proceeds with making the necessary application to the Minister for Local Government and the Governor in accordance with Section 187(2) of the *Local Government Act* 1993 to obtain approval to give an acquisition notice to the Lessee of part Lot 17 DP 81842, part Lot 2 and 3 DP 229979, and part Lot 1 DP 507070, being Tenancy A, 52 Scott Street, Liverpool and commence compulsory acquisition under the *Land Acquisition (Just Terms Compensation) Act* 1991;
3. Authorizes the Director Property & Commercial Development to continue negotiations with the Lessee for the acquisition of the Lessee's interest in part Lot 17 DP 81842, part Lot 2 and 3 DP 229979, and part Lot 1 DP 507070, being Tenancy A, 52 Scott Street, Liverpool, up to the amount contained in this confidential attachment without having to submit a further report to Council for approval;
4. Keeps confidential the attachment supplied under separate cover containing details of the proposed acquisition pursuant to the provisions of Section 10A(2)(c) of the *Local Government Act* 1993 as this information would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; and
5. Authorises its delegated officer to execute any document, under Power of Attorney necessary to give effect to this decision.

COUNCIL DECISION

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

That the recommendation be adopted.

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

Mayor Mannoun and Cllr Mamone returned to the Chambers at 9.37pm.

ITEM NO: CONF 06
FILE NO: 183853.2016
SUBJECT: ST2528 - Provision of Security Services

COUNCIL DECISION

Motion: **Moved: Cllr Hadid** **Seconded: Cllr Ristevski**

That the item be deferred until information regarding the date range of the stated expenditure on the current security contract can be clarified (on page 961 of the Agenda for this meeting).

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

Councillors voted unanimously for this motion.

ITEM NO: CONF 09
FILE NO: 199858.2016
SUBJECT: Termination of Director Business Improvement

RECOMMENDATION

That Council:

1. Consider this matter in Closed Council under s.10A(2)(a) of the Local Government Act 1993, as it is a staff matter.
2. Consider this matter as a matter of urgency under clause 16.6 of Council's Code of Meeting Practice.
3. Receive and note the report of the Acting Chief Executive Officer in relation to this matter.
4. Approve termination of the contract of the current incumbent of the Director Business Improvement as proposed by the Acting Chief Executive Officer, in order to contribute to the required budget savings in the Business Improvement Directorate.
5. Delegate all necessary authority to the Acting CEO to give effect to this resolution.
6. Refer any resulting costs to the quarterly budget review process for funding.

COUNCIL DECISION

Motion: **Moved: Clr Waller** **Seconded: Clr Ristevski**

That the recommendation be adopted.

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

That Council:

1. Consider this matter in Closed Council under s.10A(2)(a) of the Local Government Act 1993, as it is a staff matter.
2. Consider this matter as a matter of urgency under clause 16.6 of Council's Code of Meeting Practice.
3. Receive and note the report of the Acting Chief Executive Officer in relation to this matter.
4. Approve termination of the contract of the current incumbent of the Director Business Improvement as proposed by the Acting Chief Executive Officer, in order to contribute to the required budget savings in the Business Improvement Directorate.
5. Delegate all necessary authority to the Acting CEO to give effect to this resolution.

6. Refer any resulting costs to the quarterly budget review process for funding.
7. Communicate to the public the total amount spent on redundancies, including the CEO, Director of Business Improvement, Outdoor staff and Communications staff.

On being put to the meeting the Amendment (moved by Mayor Mannoun) was declared LOST.

Division called:

Vote for: Mayor Mannoun
Clr Balloot
Clr Hadid

Vote against: Clr Hadchiti
Clr Harle
Clr Karnib
Clr Mamone
Clr Ristevski
Clr Shelton
Clr Waller

The motion (moved by Clr Waller) was then put to the meeting and on being put to the meeting was declared CARRIED.

Division called:

Vote for: Clr Harle
Clr Karnib
Clr Mamone
Clr Ristevski
Clr Shelton
Clr Waller

Vote against: Mayor Mannoun
Clr Balloot
Clr Hadchiti
Clr Hadid

THE MEETING CLOSED AT 10.10pm

<Signature>

Name: Ned Mannoun

Title: Mayor

Date: 31 August 2016

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 2016. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.



MINUTES OF THE ORDINARY MEETING HELD ON 31 AUGUST 2016

PRESENT:

Mayor Ned Mannoun
Councillor Balloot
Councillor Hadchiti
Councillor Hadid
Councillor Harle
Councillor Karnib
Councillor Mamone
Councillor Ristevski
Councillor Shelton
Councillor Waller
Mr Michael Cullen, Acting Chief Executive Officer
Mr Gary Grantham, Chief Financial Officer / Director Corporate Services
Ms Toni Averay, Director Planning and Growth
Dr Eddie Jackson, Acting Director Community and Culture
Ms Julie Scott, Acting Director Economic Development
Mr Raj Autar, Director Infrastructure and Environment
Ms Hiba Soueid, Acting Director Business Improvement
Mr John Morgan, Director Property and Commercial Development

The meeting commenced at 6.06pm.

OPENING	6.06pm
PRAYER	The prayer of the Council will be read by Pastor Steve Riethmuller from Cartwright Gospel Chapel.
APOLOGIES	Nil

CONDOLENCES

Mr Edward Banks – read by Cllr Waller

Edward Banks, 'Ted' was born on the 6th of April 1934 and passed away on the 30.7.16 after a lengthy illness. Ted and his wife Judith are well known in the Liverpool area. Ted was born in Liverpool and spent all his years up until recent times at the family farm in Austral. When Ted was moved to a nursing home Judith visited every day. Ted worked the farm all his life but he also contributed to fundraising for many charitable events over the years and he created the Provost club of Liverpool. Liverpool Council acknowledged his charitable works. Ted was described as intelligent, caring and inventive by his daughter Heather, a man who was soft in manner but cared very much for his family and the community.

Ted is survived by his wife Judith, his children David, Heather and Keith and his grandchildren Krystal, Stacey, Nicole, Sara, Rebecca, Lachlan and Aidan.

May he rest in peace.

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

That condolences be sent to Mr Banks family.

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

CONFIRMATION OF MINUTES

Motion: **Moved: Clr Hadchiti** **Seconded: Clr Balloot**

That the minutes of the Ordinary Meeting held on 27 July 2016 be confirmed as a true record of that meeting.

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

DECLARATIONS OF INTEREST

Clr Hadchiti declared a non-pecuniary, less than significant interest in the following items:

Item CONF 03: Order of Liverpool Awards

Reason: He is related to one of the nominees for an award.

Clr Hadchiti left the Chambers for the duration of the item.

Clr Harle declared a non-pecuniary, less than significant interest in the following items:

Item CONF 03: Order of Liverpool Awards

Reason: He is related to one of the nominees for an award.

Clr Harle left the Chambers for the duration of the item.

PUBLIC FORUM

Presentation – items not on agenda

1. **Ms Sidrah Asad Mahboob** addressed Council on the following matter:

“2016 Speaking for the Planet Event”

Ms Mahboob was unable to attend last month's Council meeting and has attended tonight's meeting to deliver her winning speech from the 2016 Speaking for the Planet Event.

Speaking for the Planet is a public speaking and drama competition that recognises and celebrates World Environment Day. The competition invites local high school students to participate by preparing speeches and performances related to the World Environment Day theme “Go Wild for Life”.

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

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

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

Representation – items on agenda

1. **Mr David Ryan** from Liverpool Hospital addressed Council on the following item:

DPG 02: Liverpool Hospital HLS and Flight Path

2. **Mr Guy Smith** from Goodman Property addressed Council on the following item:

DPG 01: Draft Georges River Master Plan

3. **Mr Vele Trpevski**, The Macedonian Ambassador to Australia was granted permission to address Council on the following item:

NOM 03: Devastating Floods In Macedonia

Note: Mr Trpevski was unable to attend tonight's Council meeting due to illness and had requested Cllr Ristevski read a letter on his behalf. The letter was read prior to dealing with the item.

MAYORAL MINUTE

ITEM NO: MAYOR 01
FILE NO: 236781.2016
SUBJECT: Liverpool's Olympians

The Olympics is one of the greatest challenges of an athlete's life, competing against the best in the world. Recognition at this level comes with great difficulty and it is such an achievement to simply participate in these games.

Liverpool produced 6 remarkable champions who travelled to Rio and represented Australia this year. 4 of our athletes, Carmen and Caroline Marton, Hayder Shkara and Safwan Khalil, all competed in their respective weight divisions in judo this year, doing Australia proud against a tough line up of fighters from around the world.

Special mention must of course go to Chloe and Max Esposito who competed in the highly complex modern pentathlon. Across the 5 disciplines of fencing, show jumping, swimming, shooting and running Chloe became our golden Olympic champion. Chloe's gold was the 150th ever won by Australia and meant that Liverpool officially made up 1/8th of Australia's total gold for Rio. Chloe's brother Max finished 6 seconds off bringing home his own medal in the men's modern pentathlon.

All of these champions deserve the acknowledgement of Council and the entire country. 6 young individuals from Liverpool representing our nation among the best in the world demonstrates our city's ability to produce world class sporting champions. I would like to encourage all children in Liverpool to aim for high aspirations like Olympic gold or Australian Test Cricket Captain. Time and again we have proven that we are capable of fostering and supporting these talents to produce world class athletes who can achieve their dreams.

RECOMMENDATION:

That Council:

1. Acknowledges and congratulates all the Olympians and their families from Liverpool who represented Australia in the Rio Olympics.
2. Sends Chloe Esposito a copy of this minute congratulating her on winning gold at the Rio Olympics and also congratulate the other local Olympians.
3. Includes Chloe in the Liverpool Sporting hall of fame at Liverpool Library.

COUNCIL DECISION

Motion: **Moved: Mayor Mannoun**

That the recommendation be adopted.

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

ITEM NO: MAYOR 02
FILE NO: 236786.2016
SUBJECT: Thank You Liverpool Council Staff

Through the hard work of this council over the past four years we have seen some of the greatest achievements in our city's history. The efforts of council staff have produced some of the finest designs and events that this city can truly be proud of.

Over this term of council we have seen the conclusion of many major projects such as the extension of Kurrajong Road and the opening of the Michael Clarke Recreation Centre which have been many years in the making.

We have also started many more projects which we are starting to come to fruition. The revitalised city centre is now a more colourful space with street art and murals across many of our once blank walls and Macquarie Mall can now live up to its potential as a booming night space for culture and entertainment.

These are all projects that our staff have taken under their wing and can be immensely proud of. Without the effort invested in this city by council staff none of these projects would ever get off the ground.

The extra work that staff have put in across the board over this period has been truly remarkable. Our frontline maintenance teams have consistently worked above and beyond to help repair Liverpool following multiple destructive storms and floods and I would like to acknowledge their assistance in setting up our major events. Many of our back room and customer service staff have also put in extra hours at train stations early in the morning gaining support for the extension of the South West Metro and out on weekends to assist with events and mobile offices. It has been a great honour to work with such dedicated staff who are committed to the betterment of our great city.

Our trusted and valued staff have worked with over the past four years and produced impressive results. It is with their assistance that we have attracted two major universities to Liverpool developing the city into a major regional education hub. As I depart as Mayor I look forward to seeing other projects developed by our staff such as the Miller Masterplan and the development of Moorebank and Liverpool City into a prosperous residential and business sector that will grow us as the capital of the Great South West.

RECOMMENDATION:

That Council:

1. Receive and note this minute.
2. Congratulate all staff in all areas for their dedication and commitment to their work for the people of Liverpool.

COUNCIL DECISION

Motion: **Moved: Mayor Mannoun**

That the recommendation be adopted.

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

Clr Hadchiti asked that his thanks to Council staff also be noted.

MOTION TO BRING ITEM FORWARD

Motion

Moved: Clr Ristevski

Seconded: Clr Shelton

That item CONF 06 Forensic Audit of Liverpool Services Alliance be brought forward and dealt with after the Notices of Motion.

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

NOTICES OF MOTION

ITEM NO: NOM 01
FILE NO: 226607.2016
SUBJECT: Development Applications Lodged During This Council By This Mayor

NOTICE OF MOTION

That Council Receive and note the attached memo from the CEO.

COUNCIL DECISION

Motion:

Moved: Clr Ristevski Seconded: Clr Waller

That:

1. Council Receive and note the memo from the CEO.
2. That the DAs lodged by this Mayor during this Council term be assessed by an external consultant for its bona fides with a report to come back to Council within three months. This is in line with the new policy that was adopted in May 2016.

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

Mayor Mannoun and Clr Hadchiti asked that they be noted as voting for the motion.

ITEM NO: NOM 02
FILE NO: 226656.2016
SUBJECT: Congratulation To Our Frontline Service Staff

NOTICE OF MOTION

That Council:

- 1. Acknowledge the hard work and effort that our frontline service staff have put in during this Council term.
- 2. Engage with the USU on a quarterly basis on ways to improve staff morale.

COUNCIL DECISION

Motion: Moved: **Clr Risteovski** Seconded: **Clr Waller**

That Council:

- 1. Acknowledge the hard work and effort that our frontline service staff have put in during this Council term.
- 2. Engage (consulting, regular meetings) with the USU on a quarterly basis on ways to improve staff morale.
- 3. Prepare a media strategy that acknowledges the hard work of our staff during this term of Council.

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

Clr Karnib left the Chambers at 7.02pm.

Clr Karnib returned to the Chambers at 7.06pm.

ITEM NO: NOM 03
FILE NO: 226674.2016
SUBJECT: Devastating Floods In Macedonia

NOTICE OF MOTION

That Council:

1. Write to the Ambassador for Macedonia and express their support and condolence to the people of Macedonia for the devastation and lives lost in the recent floods.
2. Offer financial support in the amount of \$5000 via the Macedonian Embassy in Australia.

COUNCIL DECISION

Motion: **Moved: Clr Mamone** **Seconded: Clr Ristevski**

That Council:

1. Write to the Ambassadors for Macedonia and Italy and express their support and condolence for the floods in Macedonia and the earthquake in Italy.
2. Offer financial support in the amount of \$5000 via the Macedonian Embassy in Australia and \$10,000 via the Italian embassy in Australia.
3. Make adjustments to the budget accordingly.

Amendment: **Moved: Clr Hadchiti** **Seconded: Mayor Mannoun**

That Council:

1. Write to the Ambassadors for Macedonia and Italy and express their support and condolence for the floods in Macedonia and the earthquake in Italy.
2. Offer financial support in the amount of \$5000 via the Macedonian Embassy in Australia and \$10,000 via the Italian Embassy in Australia.
3. That the \$15,000 contribution come from Councillor allowances.

Amendment:

Moved: Clr Hadid

Seconded: Clr Balloot

That Council:

1. Write to the Ambassadors for Macedonia and Italy and express their support and condolence for the floods in Macedonia and the earthquake in Italy.
2. That the offer of financial support in the amount of \$5000 via the Macedonian Embassy in Australia and \$10,000 via the Italian embassy in Australia be deferred and decided by the new Council.

On being put to the meeting the Amendment (moved by Clr Hadchiti) was declared LOST.

Division called:

Vote for: Mayor Mannoun
Clr Hadchiti
Clr Ristevski

Vote against: Clr Balloot
Clr Hadid
Clr Harle
Clr Mamone
Clr Shelton
Clr Waller

Note: Clr Karnib was not in the Chamber when the Amendment (moved by Clr Hadchiti) was voted on.

The Amendment (moved by Clr Hadid) was then voted on and on being put to the meeting was declared LOST.

Division called:

Vote for: Mayor Mannoun
Clr Balloot
Clr Hadid
Clr Shelton

Vote against: Clr Harle
Clr Karnib
Clr Mamone
Clr Ristevski
Clr Waller

The motion (moved by Clr Mamone) was then voted on and on being put to the meeting was declared CARRIED

Division called:

Vote for: Mayor Mannoun
Clr Hadchiti
Clr Harle
Clr Karnib
Clr Mamone
Clr Ristevski
Clr Waller

Vote against: Clr Balloot
Clr Hadid
Clr Shelton

Clr Waller left the Chambers at 7.59pm.

Clr Waller returned to the Chambers at 8.01pm.

Clr Mamone left the Chambers at 8.04pm.

Clr Mamone returned to the Chambers at 8.06pm.

Clr Karnib left the Chambers at 8.06pm.

ITEM NO: CONF 06
FILE NO: 227025.2016
SUBJECT: Forensic Audit of Liverpool Services Alliance

RECOMMENDATION

That Council note and receive report.

COUNCIL DECISION

Motion: **Moved: Clr Ristevski** **Seconded: Clr Waller**

That Council:

1. Seek the written consent of Prosperity Audit Services to provide a copy of 'Liverpool City Council Investigation Report Undertakings with respect to Propel August 2016' ("The Report") to ICAC.
2. Terminate the Liverpool Services and Resourcing Agreement, Liverpool Alliance Agreement, and Deed of Guarantee and Indemnity (and all other collateral arrangements).
3. Seek the written consent of Prosperity Audit Services to provide a copy of the report to the independent external legal counsel referred to in two (2) above.

Mayor Mannoun ruled that point 2 of the motion was out of order as Council is currently in Caretaker mode.

MOTION TO MOVE INTO CLOSED SESSION

Motion: **Moved: Clr Ristevski** **Seconded: Clr Hadchiti**

That Council move into Closed Session to discuss the item.

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

Council went into Closed Session at 7.17pm.

Motion: **Moved: Clr Shelton** **Seconded: Clr Waller**

That Council:

1. Recommends the Acting CEO forthwith implement recommendations 4.2.1 and 4.3.3 of the *Prosperity Audit Services* in addition to those which management has already indicated it will implement.
2. Directs the Acting CEO to otherwise provide to Councillors well prior to the next Council meeting a detailed accounting as to the progress generally in acting on the recommendations of *Prosperity Audit Services*.
3. Directs the Acting CEO to prepare and distribute for comment a draft charter for an advisory committee of Council of which all Councillors shall be members to be termed the *Liverpool Service Alliance Review Committee* the functions of which shall be to oversee Council's actions resulting from or otherwise relating to the matters referred to in the reports and responses contained in business item CONF 06.
4. Provides copies of this motion and all reports referred to in business item CONF 06 to any newly elected Councillor not present today as soon as the results of the Liverpool Local Government Election scheduled for 10 September 2016 have been declared.
5. Seek independent external legal advice on Council's ability to terminate the Liverpool Services and Resourcing Agreement and related subsidiary agreements, Liverpool Alliance Agreement, and Deed of Guarantee and Indemnity (and all other collateral arrangements) without incurring a monetary liability for the cancellation.
6. Seek the written consent of Prosperity Audit Services to provide a copy of their report to the independent external legal counsel referred to in five (5) above.

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

During this item Mayor Mannoun asked that it be noted that Cllr Ristevski called him a liar.

Council went into recess at 8.08pm.

Mayor Mannoun reopened the meeting at 8.29pm. Open Session resumed at 8.29pm.

Mayor Mannoun read out the above resolution which was dealt with in Closed Session

Note: CONF 06 was subject to a Rescission Motion later at the meeting. As such, the above resolution was rescinded and a new resolution moved and carried. See pages 43 and 44 of these minutes for details.

ITEM NO: CEO 02
FILE NO: 221377.2016
SUBJECT: Corporate Sponsorships

RECOMMENDATION

That Council endorses the Financial Contributions Panel's recommendations for the provision of \$12,500 (GST exclusive) under the Corporate Sponsorship Program as summarised in the table below. The final amount of Corporate Sponsorship monies available for 2016/17 are still being compiled. This latest allocation will absorb almost all of the remaining surplus.

Applicant name	Amount
Liverpool Christians community Celebrations	\$5,000 ex gst
Southern Districts Soccer Football Association Inc	\$3,000 ex gst
Angel Babies T.M	\$500 ex gst
Western Sydney University	\$2,000 ex gst
Fiji First	\$2,000 ex gst

COUNCIL DECISION

Motion: **Moved: Clr Hadid** **Seconded: Clr Karnib**

Defer CEO 02 until the first Council meeting after the election.

Foreshadowed motion: **Moved: Mayor Mannoun** **Seconded: Clr Mamone**

That the recommendation be adopted.

On being put to the meeting the motion (moved by Clr Hadid) was declared LOST. The Foreshadowed motion (moved by Mayor Mannoun) then became the motion and on being put to the meeting the motion was declared CARRIED.

ITEM NO: DBI 02
FILE NO: 211421.2016
SUBJECT: Growing Liverpool 2023 - Six-monthly Progress Report

RECOMMENDATION

That Council receives and notes the six-monthly Progress Report which outlines the progress of all Principal Activities/Key Services contained in the 4-year Delivery Program including 2015-16 Operational Plan.

COUNCIL DECISION

Motion: **Moved: Cllr Shelton** **Seconded: Cllr Harle**

That the recommendation be adopted.

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

CHIEF FINANCIAL OFFICER

ITEM NO: CFO 01
FILE NO: 210531.2016
SUBJECT: Investment Report July 2016

RECOMMENDATION

That Council receives and notes this report.

COUNCIL DECISION

Motion: **Moved: Clr Hadid** **Seconded: Clr Shelton**

That the recommendation be adopted.

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

COMMUNITY AND CULTURE REPORT

ITEM NO: DCC 01
FILE NO: 214514.2016
SUBJECT: Liverpool Sporting Donations

RECOMMENDATION

That Council endorse the Liverpool Sports Committee's recommendations for the provision of \$2,400 under the Sporting Donations Program as summarised in the table below:

Applicant Details	Amount
Declan Grohala	\$200
Natalie Vukovic	\$200
Peter Bastow	\$500
Jade Errington	\$200
Ellesse Carini	\$200
Blake Jackson	\$500
Norsiha Berry	\$100
Brandon Ma	\$200
Georgia McNamara	\$100
Taylah Watson	\$100
Isobelle Padilla	\$100

COUNCIL DECISION

Motion: **Moved: Cllr Mamone** **Seconded: Cllr Harle**

That the recommendation be adopted.

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

INFRASTRUCTURE AND ENVIRONMENT REPORT

ITEM NO: DIEN 01
FILE NO: 215723.2016
SUBJECT: Sustainable Environment Grants

RECOMMENDATION

That Council:

1. Approves the following grants to be awarded under the Sustainable Environment Grants Program at a total value of \$59,328.

Applicant Name	Project Name	Amount
Outer Liverpool Community Services Inc.	Action & Connection Community Garden	\$2,000
Bringelly Public School	Environmental Outdoor Learning Space	\$4,896
Dalmeny Public School	Dalmeny Reduce, Recycle and Reuse	\$3,500
Cartwright Public School	Environmental Club - The Den	\$3,435
Rossmore Public School	Indigenous Story Garden	\$5,000
Liverpool Public School	Sustainable Kitchen and Garden Refugee Project	\$5,000
William Carey Christian School (Primary Department)	Our Veggie Patches	\$4,695
St Therese Catholic Primary School	School Vegetable Garden	\$4,891
Miller Public School	Rejuvenated Indigenous Garden	\$4,311
Anzac Village Preschool Association Incorporated	Sustainable practice	\$5,000
Cecil Hills Public School	Environmental Science	\$2,780
St Christopher's Catholic Primary School	Classroom Veggie Patch	\$5,000
Hoxton Park Public School	Native bush tucker garden	\$4,300
Liverpool Action Group	Plan to Restore Environmental Assets	\$4,520

2. Authorises the Director Infrastructure and Environment to notify all applicants of the outcome of their application.

COUNCIL DECISION

Motion: **Moved: Clr Harle** **Seconded: Clr Shelton**

That the recommendation be adopted.

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

PLANNING AND GROWTH REPORT

ITEM NO: DPG 01
FILE NO: 185938.2016
SUBJECT: Draft Georges River Master Plan

RECOMMENDATION

That Council:

1. Receives and notes this report.
2. Authorises the A/CEO to place the Georges River Master Plan on public exhibition and to undertake community consultation.
3. Notes that a further report will be prepared for Council following exhibition and consultation.

COUNCIL DECISION

Motion: **Moved: Clr Mamone** **Seconded: Clr Harle**

That the recommendation be adopted.

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

ITEM NO: DPG 02
FILE NO: 196533.2016
SUBJECT: Liverpool Hospital HLS and Flight Path

RECOMMENDATION

That Council:

1. Endorses in principle an amendment to the Liverpool Local Environmental Plan 2008 as detailed in this report.
2. Delegates to the Acting CEO the authority to finalise a Planning Proposal to amend the LLEP and submit to the Department of Planning and Environment for Gateway approval.

COUNCIL DECISION

Motion: **Moved: Clr Mamone** **Seconded: Clr Hadchiti**

That the recommendation be adopted.

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

ITEM NO: CTTE 02
FILE NO: 206027.2016
SUBJECT: Minutes of the Local Traffic Committee Meeting held on 20 July 2016

RECOMMENDATION

That Council:

1. Receives and adopts the Minutes of the Local Traffic Committee Meeting held on 20 July 2016.
2. Adopts the Local Traffic Committee recommendations as noted in this report.

COUNCIL DECISION

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

That the recommendation be adopted.

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

ITEM NO: CTTE 04
FILE NO: 212520.2016
SUBJECT: Minutes of Aboriginal Consultative Committee meeting held on 4 August 2016

RECOMMENDATION

That Council receives and adopts the Minutes of the Aboriginal Consultative Committee Meeting held on 4 August 2016.

COUNCIL DECISION

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

That the recommendation be adopted.

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

ITEM NO: CTTE 07
FILE NO: 221427.2016
SUBJECT: Planning and Development Committee Meeting Minutes of 3 August 2016

RECOMMENDATION

That Council:

- 1. Receives and adopts the Minutes of the Planning and Development Committee Meeting held on 3 August 2016.
- 2. Adopts the Committee recommendation regarding the proposed changes to the IHAP Charter.

COUNCIL DECISION

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

That the recommendation be adopted.

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

ITEM NO: CTTE 08
FILE NO: 222992.2016
SUBJECT: Minutes of the Civic Advisory Committee Meeting held 16 August 2016

RECOMMENDATION

That Council receives and notes the Minutes of the Civic Advisory Committee Meeting held on 16 August 2016.

COUNCIL DECISION

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

That the recommendation be adopted.

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

QUESTIONS WITH NOTICE

ITEM NO: QWN 01
FILE NO: 223976.2016
SUBJECT: Question with Notice - Clr Shelton

Please address the following:

1. The current position with respect to the redirection of traffic flows in George and Northumberland Streets in the CBD,

The proposed two way traffic flow along George and Northumberland Streets required detailed traffic assessment of seven affected traffic signals by the Road and Maritime Services (RMS). The RMS has now completed its traffic assessment and has provided comments on the traffic signals design drawings.

Required changes to the traffic signal drawings are being made by Council's traffic signals consultant. It is expected the drawings will be approved in September 2016. This will be followed by approval of electrical and telecommunications modifications, which will take approximately 4-6 weeks.

2. the nature and extent of works carried out to date, including dates at which each stage was completed,

Works carried out to date include civil works consisting of adjustments to kerb ramps, kerb alignments and treatment of the road surface at the intersections of the Serviceways off George Street (George and Hanwell). This generally occurred in February 2016.

3. when it is anticipated this project will be finalised, and

Subject to the approval of the RMS and in order to minimise traffic impact during the Christmas trading period, it is planned to recommence site works in February 2017 with completion anticipated in May 2017.

4. whether it is assessed there are any pedestrian or vehicular safety concerns at present.

Pedestrian and vehicular movements and the associated safety at the intersections of the Serviceways off George Street have been assessed. Pedestrian safety has been improved by constructing kerb ramps to Australian Standards and providing them at grade thresholds. Some initial issues occurred with vehicle movements, however drivers appear to now generally work with the improvements. Water filled barriers were installed for several weeks to assist motorists and no complaints have been received so far. While the need for additional signage was investigated, the existing measures were found to be satisfactory and no further signage is considered necessary until full completion of the works.

COUNCIL IN CLOSED SESSION

ITEM NO: CONF 01
FILE NO: 196994.2016
SUBJECT: ST2555 – Streetscape Weed Control

COUNCIL DECISION

Motion: **Moved: Clr Ristevski** **Seconded: Clr Waller**

That the item be deferred.

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

Councillors voted unanimously for this motion.

ITEM NO: CONF 02
FILE NO: 206037.2016
SUBJECT: Legal Affairs Report

RECOMMENDATION

That Council receives and notes the report concerning the Legal Affairs of Council.

COUNCIL DECISION

Motion: **Moved: Clr Shelton** **Seconded: Clr Hadid**

That:

- 1. The recommendation be adopted.
- 2. Future reports include costs incurred to date.

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

Clr Hadchiti and Clr Harle left the Chambers at 8.46pm

ITEM NO: CONF 03
FILE NO: 222696.2016
SUBJECT: Order of Liverpool Awards

RECOMMENDATION

That Council adopts the award recipients as recommended by the Civic Advisory Committee as set out in this report.

COUNCIL DECISION

Motion: **Moved: Clr Mamone** **Seconded: Clr Shelton**

That the recommendation be adopted.

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

Clr Hadchiti and Clr Harle returned to the Chambers at 8.47pm.

ITEM NO: CONF 04
FILE NO: 222985.2016
SUBJECT: Proposed Financial Assistance to Cafe Proprietors in Macquarie Mall
Liverpool

RECOMMENDATION

That Council:

1. Proceeds with offering Financial Assistance to affected Macquarie Street Mall Outdoor dining retailers with a total budget not exceeding \$100,000, in accordance with the publicly exhibited sum advertised by Council between 13 July 2016 and 10 August 2016.
2. Delegates authority to the CEO to assess applications for Financial Assistance under this program on merit, based on the following criteria:
 - a. Loss of revenue
 - b. Business hardship
 - c. Impact of works
 - d. Other
3. Report awards under this program to Council at the Ordinary Meeting scheduled for November 2016.

COUNCIL DECISION

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

That the recommendation be adopted.

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

ITEM NO: CONF 05
FILE NO: 217246.2016
SUBJECT: ST2528 - Provision of Security Services

COUNCIL DECISION

Motion: **Moved: Clr Ristevski Seconded: Clr Mamone**

That portions A and B of the contract be split to utilise savings and the report be brought back to the next Council meeting.

Foreshadowed motion: **Moved: Clr Hadchiti Seconded: Clr Hadid**

That the item be deferred until the end of the caretaker period.

On being put to the meeting the motion (moved by Clr Ristevski) was declared LOST.

Vote for: Clr Harle
Clr Mamone
Clr Ristevski

Vote against: Mayor Mannoun
Clr Balloot
Clr Hadchiti
Clr Hadid
Clr Karnib
Clr Shelton
Clr Waller

The Foreshadowed motion (moved by Clr Hadchiti) then became the motion and on being put to the meeting the motion was declared CARRIED.

Vote for: Mayor Mannoun
Clr Balloot
Clr Hadchiti
Clr Hadid
Clr Karnib
Clr Mamone
Clr Shelton
Clr Waller

Vote against: Clr Harle
Clr Ristevski

RESCISSION MOTION

During the meeting a rescission motion for item CONF 06 Forensic Audit of Liverpool Services Alliance, which was dealt with earlier in this meeting (see pages 14 and 15 of these minutes) was received by Clrs Karnib, Shelton and Waller.

Motion **Moved: Clr Waller** **Seconded: Clr Shelton**

That item CONF 06 Forensic Audit of Liverpool Services Alliance, which was dealt with earlier in this meeting (see pages 14 and 15 of these minutes) be rescinded.

On being put to the meeting the Rescission Motion was declared CARRIED.

CONF 06 was then dealt with in Closed Session as shown below.

MOTION TO MOVE INTO CLOSED SESSION

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

That Council move into Closed Session to discuss item CONF 06 Forensic Audit of Liverpool Services Alliance.

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

Council moved into Closed Session at 9.14pm.

ITEM NO: CONF 06

FILE NO: 227025.2016

SUBJECT: Forensic Audit of Liverpool Services Alliance

RECOMMENDATION

That Council note and receive report.

COUNCIL DECISION

Motion: **Moved: Clr Shelton** **Seconded: Clr Waller**

1. Refers all reports and responses contained in business item CONF 06 to relevant government agencies (as agreed during this meeting and confirmed by memo from the Acting Chief Executive Officer), subject only to obtaining the prior consent of the authors of such reports where the Acting Chief Executive Officer determines it necessary to do so.

2. Recommends the Acting Chief Executive Officer forthwith implement recommendations 4.2.1 and 4.3.3 of the *Prosperity Audit Services* in addition to those which management has already indicated it will implement.

3. Directs the Acting Chief Executive Officer to otherwise provide to Councillors well prior to the next Council meeting a detailed accounting as to the progress generally in acting on the recommendations of *Prosperity Audit Services*.
4. Directs the Acting Chief Executive Officer to prepare and distribute for comment a draft charter for an advisory committee of Council of which all Councillors shall be members to be termed the *Liverpool Service Alliance Review Committee* the functions of which shall be to oversee Council's actions resulting from or otherwise relating to the matters referred to in the reports and responses contained in business item CONF 06.
5. Provides copies of this motion and all reports referred to in business item CONF 06 to any newly elected Councillor not present today as soon as the results of the Liverpool Local Government Election scheduled for 10 September 2016 have been declared.
6. Expresses its concern regarding issues raised in the report.
7. Seek independent external legal advice on Council's ability to terminate the Liverpool Services and Resourcing Agreement and related subsidiary agreements, Liverpool Alliance Agreement, and Deed of Guarantee and Indemnity (and all other collateral arrangements) without incurring a monetary liability for the cancellation.
8. Seek the written consent of *Prosperity Audit Services* to provide a copy of their report to the independent external legal counsel referred to in seven (7) above.

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

Council moved back into open session at 9.44pm.

Mayor Mannoun read out the above resolution which was dealt with in Closed Session.

THE MEETING CLOSED AT 9.47pm.

<Signature>

Name:

Title: Mayor

Date: 12 October 2016

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 2016. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.



MINUTES OF THE ORDINARY MEETING HELD ON 12 OCTOBER 2016

PRESENT:

Mayor Wendy Waller
 Councillor Ayyad
 Councillor Balloot
 Councillor Hadchiti
 Councillor Hadid
 Councillor Hagarty
 Councillor Harle
 Councillor Kaliyanda
 Councillor Karnib
 Councillor Rhodes
 Councillor Shelton
 Mr Michael Cullen, Acting Chief Executive Officer
 Mr Gary Grantham, Chief Financial Officer / Director Corporate Services
 Ms Toni Averay, Director Planning and Growth
 Ms Kiersten Fishburn, Director Community and Culture
 Dr Eddie Jackson, Acting Director Community & Culture
 Mr Wayne Carter, Director City Presentation
 Mr Raj Autar, Director Infrastructure and Environment
 Mr John Morgan, Director Property and Commercial Development and Acting Director
 Economic Development
 Ms Hiba Soueid, Acting Director Business Improvement

The meeting commenced at 6.00pm.

OPENING	6.00pm
ACKNOWLEDGEMENT OF COUNTRY	The Acknowledgement of Country was performed by Uncle Stephen Williams.
PRAYER	The prayer of the Council was read by Reverend Manoj Chacko from Liverpool South Anglican Church.
APOLOGIES	Nil

Minutes of the Ordinary Council Meeting held on Wednesday, 12 October 2016 and confirmed on Wednesday, 23 November 2016

.....
Chairperson

OATH OR AFFIRMATION OF COUNCIL As required under s233A of the Local Government Act 1993, the Mayor and each Councillor took an oath of office or made an affirmation of office at this meeting, being the first meeting of the Council.

The following Councillors took the Oath of Office:

Mayor Waller
Clr Karnib
Clr Harle
Clr Hadid
Clr Balloot
Clr Rhodes
Clr Ayyad
Clr Hadchiti

The following Councillors took the Affirmation of Office:

Clr Hagarty
Clr Kaliyanda
Clr Shelton

CONDOLENCES Nil

CONFIRMATION OF MINUTES

Motion: **Moved: Clr Harle** **Seconded: Clr Shelton**

That the minutes of the Ordinary Meeting held on 31 August 2016 be confirmed as a true record of that meeting.

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

DECLARATIONS OF INTEREST

Clr Hagarty declared a non-pecuniary, less than significant interest in the following item:

Item: CEO 01 Corporate Sponsorships

Reason: His employer, Western Sydney University, is part of the partnership, along with the UNSW and SWSLHD that form the Ingham Institute.

Clr Hagarty left the Chambers for the duration of the item.

Clr Harle declared a pecuniary interest in the following item:

Item: CFO 05 Review of the Civic Expenses and Facilities Policy after Public Exhibition

Reason: Depending on the outcome of the item, Cllr Harle may need to pay for non-attendance at a function.

Cllr Harle left the Chambers for the duration of the item.

Cllr Shelton declared a non-pecuniary, less than significant interest in the following item:

Item: DCC 01 Grants and Donations

Reason: He is an Ordinary Member of the City of Liverpool and District Historical Society.

Cllr Shelton left the Chambers for the duration of the item.

PUBLIC FORUM

Presentation – items not on agenda

Nil

Representation – items on agenda

1. **Mr Gilbert de Chalain** from HUB Planning addressed Council on the following item:

IHAP 01: DA-1025/2015 - Construction of food and drink premises and retail premises, including car parking, landscaping and signage on Proposed Lot 2 in the subdivision of Lot 29 in DP1044841 at 501 Cowpasture Road, Len Waters Estate.

NOTICES OF MOTION

ITEM NO: NOM 01
FILE NO: 263252.2016
SUBJECT: No "Ice" Room

NOTICE OF MOTION

That Council:

- 1. Reaffirms its position that it will never support a program that encourages the use of illicit drugs in our LGA.
- 2. Writes to Mr Matt Noffs making it clear that an "ice" room is not welcome here
- 3. Support programs that encourage users to get off these deadly drugs (rehabilitation centres)
- 4. Writes to each State & Federal member that represent our LGA requesting their support to ensure no "ice" room is established in Liverpool noting that Melanie Gibbons MP has already made her position of no support clear.

COUNCIL DECISION

Motion **Moved: Clr Hadchiti** **Seconded: Clr Ayyad**

That the recommendation be adopted.

Amendment: **Moved: Clr Rhodes** **Seconded: Clr Harle**

That Council:

- 1. Confirm Councillors as the elected representatives for Liverpool ratepayers/stakeholders are opposed to the development of any Ice Safe Rooms or any Ice Inhalation rooms in Liverpool.
- 2. Write to Matt Noffs advising him that Council has undertaken a vote on this matter and that Council have voted to oppose and reject any development of any form of Ice Inhalation and or Ice Safe Room facilities in Liverpool.

Motion: **Moved: Clr Shelton** **Seconded: Clr Kaliyanda**

That Clr Rhodes be allowed an extension of time to speak.

On being put to the meeting the motion to allow an extension of time was declared **CARRIED**.

Foreshadowed motion: Moved: Clr Shelton Seconded: Clr Karnib

That Council:

1. Does not support the abrupt manner in which the concept of an ice smoking room was raised for the Liverpool LGA.
2. Notes the work over the last term of Council of the community roundtables which met on multiple occasions under the chairmanship of the former Mayor with a view toward dispelling myths and perceptions around the use of methadone and other harmful substances in the community.
3. Notes the importance of rational evidence based discussions in the community assisted by advice as to effective means of dealing with issues of prevention, rehabilitation and education with respect to illicit drugs (and also alcohol).
4. Notes that the politicisation of these issues is not helpful.
5. Notes that Councillor Rhodes was not consulted with prior to the proposed Notice of Motion or its preamble being published, and
6. That a report be brought back to Council seeking an amendment to its Code of Meeting Practice that all Councillors initiated Notices of Motion are henceforward to be dealt with as the final item of business on the meeting agenda.

On being put to the meeting the Amendment (moved by Clr Rhodes) was declared LOST.

The motion (moved by Clr Hadchiti) was then voted on and on being put to the meeting was declared LOST.

Division called:

Vote for: Clr Ayyad
 Clr Ballot
 Clr Hadchiti
 Clr Hadid

Vote against: Mayor Waller
 Clr Hagarty
 Clr Harle
 Clr Kaliyanda
 Clr Karnib
 Clr Rhodes
 Clr Shelton

The Foreshadowed motion (moved by Clr Shelton) was then put to the meeting and was declared CARRIED.

Councillors voted unanimously for this motion.

Motion

Moved: Cllr Balloot

Seconded: Cllr Hadchiti

That:

1. Councillor Cllr Karnib be declared the Deputy Mayor of Liverpool City Council for the term October 2016 to September 2017.
2. Council's Register of Delegations be amended accordingly.
3. All ballot papers be collected and destroyed by the returning officer.

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

ITEM NO: CFO 02
FILE NO: 241360.2016
SUBJECT: Appointment of Councillors to committees and Affiliated Bodies

RECOMMENDATION

That Council:

1. Notes the information relating to Council Committees and makes the following changes:
 - i. Removes the following Committees:
 - Budget and Finance Committee
 - Building Our New City
 - Economic Development and Events Committee
 - Master Planning Steering Committee (to sit with the Planning and Development Committee instead)
 - No Intermodal Committee
 - Street Naming Committee
 - Warwick Farm Racing Precinct Steering Committee
 - ii. Changes the meeting frequency of the following Committees:
 - Aboriginal Consultative Committee (from monthly to quarterly)
 - Casula Powerhouse Arts Centre Board (from bi-monthly to quarterly)
 - Liverpool Access Committee (from monthly to quarterly)
 - Liverpool Sports Committee (from bi-monthly to quarterly)
2. Notes the report on this Council Agenda relating to the establishment of the Liverpool Service Alliance Review Committee as an advisory committee of the Council (all Councillors will be members of this Committee which will meet quarterly).
3. Notes that a further report is to be submitted to Council following the conclusion of the community consultation process regarding the possible establishment of a Floodplain Management Committee.
4. Appoints Councillors as representatives to the following Committees for the period to September 2017:
 - a. Aboriginal Consultative Committee
 - b. Audit and Risk Committee
 - c. Badgerys Creek Taskforce
 - d. Casula Powerhouse Arts Centre Board
 - e. Civic Advisory Committee
 - f. Environment Advisory Committee
 - g. Heritage Advisory Committee
 - h. Liverpool Access Committee
 - i. Liverpool Sports Committee
 - j. Multicultural Advisory Committee
 - k. Planning and Development Committee
 - l. Youth Council

5. Appoints Councillors as representatives to the following community committees and affiliated bodies and notifies of their representatives for the period to September 2017:
 - a. Floodplain Management Association
 - b. Georges River Combined Councils Committee
 - c. Joint Regional Planning Panel
 - d. Liverpool Migrant Resource Centre
 - e. Liverpool Traffic Committee
 - f. Macarthur Bushfire Management Committee
 - g. Macarthur Zone Bushfire Liaison Committee
 - h. Macarthur/Liverpool Community Relations Commission Regional Advisory Council
 - i. NSW Metropolitan Public Libraries Association
 - j. The South West Sydney Academy of Sport
 - k. Westpool
 - l. Western Sydney Regional Organisation of Councils.

COUNCIL DECISION

Motion

Moved: Cllr Hadchiti

Seconded: Cllr Hadid

That Council:

1. Notes the information relating to Council Committees and makes the following changes:
 - i. Master Planning Steering Committee sit with the Planning and Development Committee.
 - ii. Changes the meeting frequency of the following Committees:
 - Aboriginal Consultative Committee (from monthly to quarterly)
 - Casula Powerhouse Arts Centre Board (from bi-monthly to quarterly)
 - Liverpool Access Committee (from monthly to quarterly)
 - Liverpool Sports Committee (from bi-monthly to quarterly)
2. Notes the Committees below remain as per the Charters and Council to appoint representatives to these Committees:
 - Budget and Finance Committee
 - Building Our New City
 - Economic Development and Events Committee
 - No Intermodal Committee
 - Street Naming Committee
 - Warwick Farm Racing Precinct Steering Committee
3. Notes the report on this Council Agenda relating to the establishment of the Liverpool Service Alliance Review Committee as an advisory committee of the Council (all Councillors will be members of this Committee which will meet quarterly).

- b. Audit and Risk Committee**
Clr Karnib and Clr Shelton
- c. Badgerys Creek Taskforce**
Clr Balloot, Clr Hadchiti, Clr Hagarty, Clr Harle and Clr Rhodes
- d. Casula Powerhouse Arts Centre Board**
Mayor Waller and Clr Kaliyanda
- e. Civic Advisory Committee**
Mayor Waller and Clr Shelton
- f. Community Safety and Crime Prevention Committee**
Mayor and all Councillors
- g. Environment Advisory Committee**
Clr Harle and Clr Shelton
- h. Heritage Advisory Committee**
Clr Balloot and Clr Harle
- i. Liverpool Access Committee**
Mayor Waller
- j. Liverpool Sports Committee**
Clr Kaliyanda
- k. Multicultural Advisory Committee**
Clr Balloot, Clr Hagarty and Clr Karnib
- l. Planning and Development Committee**
Mayor and all Councillors
- m. Youth Council**
Clr Ayyad, Clr Kaliyanda and Clr Hagarty

2. Appoints the following Councillors as representatives to the following community committees and affiliated bodies and notifies of their representatives for the period to September 2017:

- a. Floodplain Management Association**
Clr Harle
- b. Georges River Combined Councils Committee**
Clr Harle and Clr Shelton
- c. Joint Regional Planning Panel**
Mayor Waller and Clr Hadchiti with Clr Harle and Clr Rhodes as alternates
- d. Liverpool Migrant Resource Centre**
Clr Hagarty and Clr Karnib
- e. Liverpool Traffic Committee**
Mayor Waller
- f. Macarthur Bushfire Management Committee**
Clr Harle
- g. Macarthur Zone Bushfire Liaison Committee**
Clr Harle
- h. Macarthur/Liverpool Community Relations Commission Regional Advisory Council**
Clr Balloot
- i. NSW Metropolitan Public Libraries Association**
Nil
- j. The South West Sydney Academy of Sport**
Clr Kaliyanda
- k. Westpool**
Mayor Waller

I. Western Sydney Regional Organisation of Councils.

Mayor Waller, Cllr Rhodes and Cllr Shelton as an alternate.

3. All Charters be altered to allow all Councillors to be involved and have voting rights in Committees.

On being put to the meeting the Amendment (moved by Cllr Ayyad) was declared CARRIED and then became the motion.

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

.....

ITEM NO: CFO 04
FILE NO: 257413.2016
SUBJECT: Terms of Reference - Liverpool Services Alliance Review Committee

RECOMMENDATION

That Council:

1. Establish the Liverpool Services Alliance Review Committee as an advisory committee of the Council.
2. Adopt the Terms of Reference for the Liverpool Services Alliance Review Committee in the form attached to the report of staff.

COUNCIL DECISION

Motion

Moved: Cllr Shelton

Seconded: Cllr Harle

That item CFO 04 be dealt with in conjunction with CONF 02.

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

Note: Item CFO 04 was dealt with in conjunction with CONF 02, in Closed Session at the end of the Council meeting pursuant to the provisions of s10(A)(2)(c), (d)(i), (d)(iii) and (g) of the Local Government Act 1993.

Clr Harle left the Chambers at 7.47pm.

Clr Hadid left the Chambers at 7.53pm.

ITEM NO: CFO 05

FILE NO: 259610.2016

SUBJECT: Review of the Civic Expenses and Facilities Policy after Public Exhibition

RECOMMENDATION

That Council:

1. Receive and note this report;
2. Adopt the Civic Expenses and Facilities Policy, as attached to this report; and
3. Provide a copy of the policy and the related public notice to the Chief Executive of the Office of Local Government within 28 days of the date of this Council resolution.

COUNCIL DECISION

Motion

Moved: Clr Hadchiti

Seconded: Clr Balloot

That Council:

1. Receive and note this report.
2. Adopt the Civic Expenses and Facilities Policy, as attached to this report with the following amendments:
 - Clause 4.10.4 (as shown below) be removed from the policy and replaced with a clause that emulates the State Government Policy on interstate and international travel.

“4.10.4 Councillors must pay their own costs of overseas flights.”
 - Clause 4.8.7 (as shown below) be removed from the policy.

*“4.8.7 Non-attendance at conferences
Councillors must pay non-refundable costs for not attending conferences and any similar events where they are unable to prove unforeseeable mitigating circumstances, for example sickness or bereavement.”*
3. Provide a copy of the policy and the related public notice to the Chief Executive of the Office of Local Government within 28 days of the date of this Council resolution.

4. The cost of a standard return flight from Sydney to Japan be reimbursed to Mayor Waller for attending the 50th anniversary of the Toda City (which is our Sister City) event.

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

Councillors voted unanimously for this motion.

Clr Harle returned to the Chambers at 7.54pm.

Clr Hadid returned to the Chambers at 7.54pm.

ITEM NO: CFO 06
FILE NO: 259842.2016
SUBJECT: Tabling of the Annual Pecuniary Interest Returns for Councillors and Designated Persons

RECOMMENDATION

That Council note that the annual pecuniary interest returns of Councillors and designated persons, holding office or occupying positions within Council, as at 30 June 2016, are tabled before this meeting of Council in accordance with section 450A of the *Local Government Act 1993*.

COUNCIL DECISION

Motion **Moved: Clr Shelton** **Seconded: Clr Hadchiti**

That the recommendation be adopted.

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

ITEM NO: CFO 07
FILE NO: 262768.2016
SUBJECT: Investment Report August 2016

RECOMMENDATION

That Council receives and notes this report.

COUNCIL DECISION

Motion **Moved: Cllr Shelton** **Seconded: Cllr Harle**

That the recommendation be adopted.

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

Clr Shelton left the Chambers at 8.00pm.

COMMUNITY AND CULTURE REPORT

ITEM NO: DCC 01
FILE NO: 226445.2016
SUBJECT: Grants and Donations

RECOMMENDATION

That Council endorses the following recommendations:

1. For the provision of \$300 (GST exclusive) under Quick Response Grants (Youth)

Applicant Name	Project Name	Amount
Sandra Yazbeck	Turning Pointe Dance Co	\$200
Sanaa Rana	Take A Stand	\$100

2. For the provision of \$19756.82 (GST exclusive) under Community Grants

Applicant Name	Project Name	Amount
Wheels "Towards Independence" Inc	Harmony In Design	\$5,000
The Shepherd Centre - For Deaf Children	'Ready Set Go'	\$5,000
The City of Liverpool and District Historical Society	Conservation Workshop	\$770
Taste Cultural Food Tours Inc	Liverpool Tastes Great	\$4,060
Salvation Army FYRST	Youthlink Drug and Alcohol Awareness Program	\$4,926.82

COUNCIL DECISION

Motion

Moved: Clr Hadchiti

Seconded: Clr Hadid

That the recommendation be adopted.

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

Clr Shelton returned to the Chambers at 8.01pm.

ECONOMIC DEVELOPMENT REPORT

ITEM NO: DEE 01
FILE NO: 245267.2016
SUBJECT: City Centre Activation Program

RECOMMENDATION

That Council:

1. Note the report; and
2. Approve recurrent funding of \$200,000 p.a. from the City Development Fund for a Place Manager (City Centre) position and program budget.

COUNCIL DECISION

As there was no mover for the motion, the motion lapsed.

PLANNING AND GROWTH REPORT

ITEM NO: DPG 01
FILE NO: 241758.2016
SUBJECT: Car parking rates for industrial development post-exhibition report

RECOMMENDATION

That Council adopts the Liverpool Development Control Plan Draft 2008 (Draft Amendment No. 23) and forward a copy of the Development Control Plan to the Department of Planning and Environment for notification.

COUNCIL DECISION

Motion **Moved: Clr Hadchiti** **Seconded: Clr Harle**

That the recommendation be adopted.

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

Vote for: Mayor Waller
Clr Ayyad
Clr Balloot
Clr Hadchiti
Clr Hadid
Clr Hagarty
Clr Harle
Clr Kaliyanda
Clr Karnib
Clr Rhodes

Vote against: Clr Shelton

ITEM NO: DPG 02
FILE NO: 254161.2016
SUBJECT: Offer to enter into a Voluntary Planning Agreement - DA-582/2016 at 420 Macquarie Street, Liverpool

RECOMMENDATION

That Council:

1. Accepts in principle the proposed offer to enter into a planning agreement for a monetary contribution for restoration works to Collingwood House as a public benefit and directs the CEO to prepare a planning agreement and explanatory note and to publicly exhibit the documents for a period of 28 days.
2. Delegates authority to the 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 alterations.
3. Notes that if changes other than minor changes arise from the public exhibition process these will be reported back to Council.
4. Notes that this delegation is within the powers that can be dedicated under Section 377 of the Local Government Act 1993.
5. Notes that any planning agreement will be subject to approval of development application DA-582/2016.
6. Notes that in accepting the proposed offer to enter into a planning agreement, Council retains full discretion to determine development application DA-582/2016 on its merits in accordance with the requirements of the Environmental Planning and Assessment Act 1979.

COUNCIL DECISION

Motion

Moved: Clr Hadid

Seconded: Clr Hadchiti

That Council place on exhibition and delegate to the A/CEO to determine DA-582/2016 at 420 Macquarie Street, Liverpool and the related Voluntary Planning Agreement.

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

Vote for:

Clr Ayyad
 Clr Balloot
 Clr Hadchiti
 Clr Hadid

Vote against: Mayor Waller
Clr Hagarty
Clr Harle
Clr Kaliyanda
Clr Karnib
Clr Rhodes
Clr Shelton

Mayor Waller called a recess of Council at 8.21pm.

Mayor Waller reopened the Council meeting at 8.39pm.

COMMITTEE REPORTS

ITEM NO: CTTE 01

FILE NO: 253120.2016

SUBJECT: Casula Powerhouse Arts Centre Board Minutes from Meeting 18 August 2016

RECOMMENDATION

That Council receives and adopts the Minutes of the Casula Powerhouse Arts Centre Meeting held on 18 August 2016.

COUNCIL DECISION

Motion

Moved: Clr Karnib

Seconded: Clr Balloot

That the recommendation be adopted.

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

.....

ITEM NO: CTTE 02
FILE NO: 253532.2016
SUBJECT: Minutes of Liverpool Access Committee Meeting held on 11 August 2016

RECOMMENDATION

That Council receives and notes the minutes of the Liverpool Access Committee Meeting held on Thursday, 11 August 2016.

COUNCIL DECISION

Motion **Moved: Cllr Karnib** **Seconded: Cllr Balloot**

That the recommendation be adopted.

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

ITEM NO: CTTE 03
FILE NO: 255435.2016
SUBJECT: Minutes of the Liverpool Community Safety and Crime Prevention Advisory Committee held on Thursday 1 September, 2016

RECOMMENDATION

That Council receives and adopts the Minutes of the Liverpool Community Safety and Crime Prevention Advisory Committee Meeting held on Thursday 1 September 2016.

COUNCIL DECISION

Motion **Moved: Clr Karnib** **Seconded: Clr Balloot**

That the recommendation be adopted.

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

ITEM NO: CTTE 04
FILE NO: 252107.2016
SUBJECT: Minutes of the Environment Advisory Committee Meeting held on 8 August 2016

RECOMMENDATION

That Council receives and adopts the Minutes of the Environment Advisory Committee Meeting held on 8 August 2016.

COUNCIL DECISION

Motion **Moved: Cllr Karnib** **Seconded: Cllr Ballot**

That the recommendation be adopted.

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

QUESTIONS WITH NOTICE

ITEM NO: QWN 01
FILE NO: 264251.2016
SUBJECT: Question with Notice - Clr Harle

Please address the following:

1. Does Council have a policy relating to Footpath/Nature Strip Mowing and if so is that currently being applied?
2. At a previous Council meeting it was agreed to write to the state government regarding the maintenance of Nature strips by owners of properties bordering nature strips, has the Government responded?

A response to these questions will be provided in the November 2016 business papers.

ITEM NO: CFO 08
FILE NO: 267309.2016
SUBJECT: Annual Financial Reports 2015/16

RECOMMENDATION

That Council:

1. Receives and endorses this report.
2. Approves an Extraordinary Meeting to be held on Wednesday October 26, 2016 for management to present its audited financial reports, together with the auditor’s reports.

COUNCIL DECISION

Motion **Moved: Clr Harle** **Seconded: Clr Karnib**

That the recommendation be adopted.

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

ITEM NO: CFO 09
FILE NO: 266078.2016
SUBJECT: Additional voting delegates at the 2016 Local Government Conference

RECOMMENDATION

That Council allocates 1 additional vote to a Councillor attending the 2016 LGNSW Conference subject to Cr Hadid being nominated as a Council voting delegate (in addition to his vote entitlement as a Board member).

COUNCIL DECISION

Motion **Moved: Clr Shelton** **Seconded: Clr Karnib**

That Council allocates 1 additional vote to Mayor Waller at the 2016 LGNSW Conference and Cr Hadid be nominated as a Council voting delegate (in addition to his vote entitlement as a Board member).

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

COUNCIL IN CLOSED SESSION

ITEM NO: CONF 01
FILE NO: 247369.2016
SUBJECT: Memorandum of Understanding - Commonwealth/RMS - Badgery's Creek Road Network

RECOMMENDATION

That Council:

1. Receive and note the report of staff concerning the ongoing negotiations between the Federal Government, Roads and Maritime Services, and Council in relation to proposed improvements to the road network around the proposed airport at Badgery's Creek.
2. Delegate authority to the Chief Executive Officer to negotiate, settle and execute the Memorandum of Understanding between the parties on the terms as outlined in the report of staff.

COUNCIL DECISION

Motion **Moved: Clr Harle** **Seconded: Clr Karnib**

That the recommendation be adopted.

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

ITEM NO: CONF 02
FILE NO: 255364.2016
SUBJECT: Report on Legal Advice - Audit of Prosperity Audit Services

RECOMMENDATION

That Council receive and note the report of staff concerning the legal advice obtained in relation to the audit of Prosperity Audit Services.

COUNCIL DECISION

Motion **Moved: Cllr Shelton** **Seconded: Cllr Karnib**

That this item be dealt with in Closed Session at the end of the meeting.

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

Note: CFO 04 was dealt with in conjunction with this item. See pages 52 and 53 of these minutes for the resolution of this item.

Clr Hadid returned to the Chambers at 8.44pm.

ITEM NO: CONF 03
FILE NO: 256492.2016
SUBJECT: ST2553 – Provision of Fire Testing Services and Associated Consultancy Services

RECOMMENDATION

That Council:

1. Accept the Tender from Newsound Fire Services Pty Ltd for Portion A of Tender ST2553 – Provision of Fire Testing Services and Associated Consultancy Services for an initial three years contract term with the option of extending 2 x 12 months at the GST inclusive price of \$98,967.
2. Makes public its decision regarding tender ST2553 Provision of Fire Inspection and Testing Services – Portion A.
3. Decline to accept any tenders for Portion B and in accordance with Section 178(3)(a) of the Local Government (General) Regulation 2005 postpone or cancel the proposal for the contract.
4. Notes that the Director Property & Commercial Development will finalise all details and sign the Letter of Acceptance following publication of draft Minutes on Council website for the tender, giving it contractual effect, in accordance with delegated authority.
5. Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of Section 10A(2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

COUNCIL DECISION

Motion

Moved: Clr Hadchiti

Seconded: Clr Harle

That the recommendation be adopted.

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

Councillors voted unanimously for this motion.

ITEM NO: CONF 04
FILE NO: 258857.2016
SUBJECT: Organisational Restructure of Council Operations

RECOMMENDATION

That Council:

- 1. Consider this matter in closed Council under s.10A (2)(a) of the Local Government Act 1993, as it has staff implications.

- 2. Under its requirement for a mandatory review of Council's structure agree to a 5 Directorate model of City Infrastructure, Community and Culture, Corporate Services, Commercial and Economic Development and Planning and Growth.

- 3. Note that future fine-tuning of the structure will be undertaken by an incoming Chief Executive officer and consultation with staff and unions will be undertaken including provision of information to the Joint Consultative Committee.

COUNCIL DECISION

Motion **Moved: Clr Hadchiti** **Seconded: Clr Ayyad**

That the item be deferred until the appointment of a CEO.

On being put to the meeting the motion (moved by Clr Hadchiti) was declared LOST.

Recommittal of item: **Moved: Clr Karnib** **Seconded: Clr Hagarty**

That the recommendation be adopted.

On being recommitted and put to the meeting the motion (moved by Clr Karnib) was declared LOST.

ITEM NO: CONF 05
FILE NO: 259204.2016
SUBJECT: ST2555 – Streetscape Weed Control

RECOMMENDATION

That Council:

1. Under Section 178 (3) (e) of the Local Government Act Council resolves to decline all tenders and nominates to enter into negotiations with Garden Growing Solutions Pty Ltd with a view to entering into a contract for 12 months to provide Streetscape Weed Control services.
2. Makes public its decision regarding tender ST2555 – Streetscape Weed Control.
3. Notes that the Chief Executive Officer will finalise all details and sign the Letter of Acceptance following publication of draft Minutes on Council website for the tender, giving it contractual effect, in accordance with delegated authority.
4. Acceptance takes effect following publication of draft Minutes on Council website for the tender in accordance with delegated authority.
5. Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of Section 10A(2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

COUNCIL DECISION

Motion

Moved: Cllr Hadchiti

Seconded: Cllr Harle

That Council:

1. Under Section 178 (3) (e) of the Local Government Act Council resolves to decline all tenders and nominates to enter into negotiations with Garden Growing Solutions Pty Ltd with a view to entering into a contract for 12 months to provide Streetscape Weed Control services.
2. Makes public its decision regarding tender ST2555 – Streetscape Weed Control.
3. Notes that the Chief Executive Officer will finalise all details and sign the Letter of Acceptance following publication of draft Minutes on Council website for the tender, giving it contractual effect, in accordance with delegated authority.
4. Acceptance takes effect following publication of draft Minutes on Council website for the tender in accordance with delegated authority.

5. Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of Section 10A(2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.
6. Investigates the possibility of carrying out this task with other means.

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

Councillors voted unanimously for this motion.

ITEM NO: CONF 07
FILE NO: 259152.2016
SUBJECT: Recruitment of Chief Executive Officer

RECOMMENDATION

That Council:

1. Receive and note the report of staff concerning the process of appointing a Chief Executive Officer;
2. Appoint a suitable independent consultant to assist in scoping, advertising and assessing applications for the position of Chief Executive Officer, based on the quotes obtained by staff and included as a confidential attachment.
3. Establish a working group with delegation from Council to undertake the following tasks:
 - a. Work with the appointed independent consultant to draft and finalise a Position Description for the Chief Executive Officer role;
 - b. Provide instruction to the appointed independent consultant on advertising and interview arrangements;
 - c. With guidance and assistance from the appointed independent consultant, complete interviews for the role and undertake an assessment of the interviewed candidates;
 - d. With guidance and assistance from the appointed independent consultant, negotiate and agree on in-principle contract terms, subject to approval by Council, with the preferred candidate;
 - e. With guidance and assistance 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.
4. Appoint the Mayor, Deputy Mayor and 3 Councillors to the working group.
5. Notes that the final decision to appoint a Chief Executive Officer will be made by the Council, as required by s.377 of the Local Government Act 1993;
6. Appoints Ms Kiersten Fishburn as Acting Chief Executive Officer, with all delegated authority currently assigned to the position of Chief Executive Officer, for up to 6 months from October 22, 2016 (inclusive) or until such time as a new permanent Chief Executive Officer is appointed, and commences the position, whichever is the lesser period.
7. Delegate authority to the Mayor to negotiate, on behalf of Council, suitable terms with Ms Fishburn for her appointment to the role of Acting Chief Executive Officer.
8. 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 Chief Executive Officer.

COUNCIL DECISION

Motion

Moved: Cllr Harle

Seconded: Cllr Hadid

That Council:

1. Receive and note the report of staff concerning the process of appointing a Chief Executive Officer.
2. Appoint a suitable independent consultant to assist in scoping, advertising and assessing applications for the position of Chief Executive Officer, based on the quotes obtained by staff and included as a confidential attachment.
3. Establish a working group with delegation from Council to undertake the following tasks:
 - a. Work with the appointed independent consultant to draft and finalise a Position Description for the Chief Executive Officer role;
 - b. Provide instruction to the appointed independent consultant on advertising and interview arrangements;
 - c. With guidance and assistance from the appointed independent consultant, complete interviews for the role and undertake an assessment of the interviewed candidates;
 - d. With guidance and assistance from the appointed independent consultant, negotiate and agree on in-principle contract terms, subject to approval by Council, with the preferred candidate;
 - e. With guidance and assistance 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.
4. Appoint the Mayor, Deputy Mayor, Cllr Harle, Cllr Rhodes, Cllr Balloot, and Cllr Hadid to the working group.
5. Notes that the final decision to appoint a Chief Executive Officer will be made by the Council, as required by s.377 of the Local Government Act 1993.
6. Appoints Ms Kiersten Fishburn as Acting Chief Executive Officer, with all delegated authority currently assigned to the position of Chief Executive Officer, for up to 6 months from October 22, 2016 (inclusive) or until such time as a new permanent Chief Executive Officer is appointed, and commences the position, whichever is the lesser period.
7. Delegate authority to the Mayor to negotiate, on behalf of Council, suitable terms with Ms Fishburn for her appointment to the role of Acting Chief Executive Officer.
8. 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 Chief Executive Officer.

Amendment: **Moved: Clr Kaliyanda** **Seconded: Clr Shelton**

That Council:

1. Receive and note the report of staff concerning the process of appointing a Chief Executive Officer;
2. Appoint a suitable independent consultant to assist in scoping, advertising and assessing applications for the position of Chief Executive Officer, based on the quotes obtained by staff and included as a confidential attachment.
3. Establish a working group with delegation from Council to undertake the following tasks:
 - a. Work with the appointed independent consultant to draft and finalise a Position Description for the Chief Executive Officer role;
 - b. Provide instruction to the appointed independent consultant on advertising and interview arrangements;
 - c. With guidance and assistance from the appointed independent consultant, complete interviews for the role and undertake an assessment of the interviewed candidates;
 - d. With guidance and assistance from the appointed independent consultant, negotiate and agree on in-principle contract terms, subject to approval by Council, with the preferred candidate;
 - e. With guidance and assistance 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.
4. Appoint the Mayor, Deputy Mayor, Clr Hagarty, Clr Hadchiti and Clr Rhodes to the working group.
5. Notes that the final decision to appoint a Chief Executive Officer will be made by the Council, as required by s.377 of the Local Government Act 1993;
6. Appoints Ms Kiersten Fishburn as Acting Chief Executive Officer, with all delegated authority currently assigned to the position of Chief Executive Officer, for up to 6 months from October 22, 2016 (inclusive) or until such time as a new permanent Chief Executive Officer is appointed, and commences the position, whichever is the lesser period.
7. Delegate authority to the Mayor to negotiate, on behalf of Council, suitable terms with Ms Fishburn for her appointment to the role of Acting Chief Executive Officer.
8. 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 Chief Executive Officer.

On being put to the meeting the Amendment (moved by Clr Kaliyanda) was declared LOST.

On being put to the meeting the motion (moved by Clr Harle) was declared CARRIED

ITEM NO: CONF 08
FILE NO: 260944.2016
SUBJECT: ST2528 - Provision of Security Services

RECOMMENDATION

That Council:

1. Accept the Tender from BSMS Security for Portion A and Portion B of Tender ST2528 - Provision of Security Services for an initial three years contract term with the option of extending 2 x 12 months at the price of \$510,542.00 GST inclusive for the initial three years contract.
2. Makes public its decision regarding tender ST2528 – Provision of Security Services.
3. Notes that the Chief Executive Officer will finalise all details and sign the Letter of Acceptance following publication of draft Minutes on Council website for the tender, giving it contractual effect, in accordance with delegated authority.
4. Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of Section 10A(2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person *who supplied it*.

COUNCIL DECISION

Motion

Moved: Clr Hadchiti

Seconded: Clr Harle

That this item be dealt with in Closed Session at the end of the meeting.

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

ITEM NO: CONF 09
FILE NO: 259786.2016
SUBJECT: Liverpool City Council Pound Facility

RECOMMENDATION

That Council:

1. Authorise the A/CEO to finalise negotiations and execute a lease agreement with the owner for a period of 2 years.
2. Note that Council officers will explore alternative long term future options and report back to Council during the lease period.

COUNCIL DECISION

Motion

Moved: Cllr Harle

Seconded: Cllr Shelton

That the recommendation be adopted.

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

Council moved into Closed Session at 9.05pm pursuant to the provisions of s10(a)(2)(c), (d)(i), (d)(iii), and (g) of the Local Government Act 1993.

Note: Item CFO 04 Terms of Reference - Liverpool Services Alliance Review Committee was dealt with in conjunction with CONF 02.

ITEM NO: CONF 02
FILE NO: 255364.2016
SUBJECT: Report on Legal Advice - Audit of Prosperity Audit Services

COUNCIL DECISION

Motion: **Moved: Cllr Shelton** **Seconded: Cllr Karnib**

That Council

1. Directs and delegates authority to the Chief Executive Officer to do all things reasonably necessary to terminate and otherwise bring a lawful commercial end to the arrangements known as the Liverpool Services Alliance and without limiting the generality of the foregoing the Liverpool Services and Resourcing Agreement, the Liverpool Alliance Agreement, and the Deed of Guarantee and Indemnity (and all other collateral arrangements).
2. Inform the Propel Manager that Council is evaluating disputing the termination payment clause of the agreements on the basis amongst other matters that it is not deemed a genuine loss on termination and invoking the dispute resolution clauses within the agreements.
3. Recommends the Acting CEO or future CEO negotiates with all relevant stakeholders to minimize any termination payments and if the CEO deems it necessary or advisable disputes the termination fee as contained in the model and agreements.
4. Recommends the Acting CEO or future CEO takes all necessary steps to avoid the Propel Management from deleting or destroying entirely or permanently materials or remove confidential information and ensure a due handover is provided.
5. Directs the CEO to advise Council on any such exit costs once they are known, and that such costs be referred through quarterly budget review process for identification of a suitable funding source.

Motion: **Moved: Clr Hadchiti** **Seconded: Clr Harle**

That Council move into Committee of the Whole to discuss the matter.

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

Mayor Waller left the Chambers at 9.46pm and Clr Karnib took the Chair.

Mayor Waller returned to the Chambers at 9.49pm.

Clr Rhodes left the Chambers at 9.58pm.

Clr Rhodes returned to the Chambers at 9.59pm.

Clr Hagarty left the Chambers at 10.07pm.

Clr Hagarty returned to the Chambers at 10.08pm.

Foreshadowed motion: **Moved: Clr Ayyad** **Seconded: Clr Hadchiti**

That:

1. The matter be deferred until Council staff have reported back to Council with the results of a staff survey, which should include both a yes / no response and a comments section and until a new substantive CEO is in place.
2. The report should also indicate which KPI's are being met and also an indication of the model's strengths and weaknesses.
3. The report to include information on the KPI's of other Councils.
4. The comments and concerns raised by the CFO and General Counsel be noted.

On being put to the meeting the motion (moved by Clr Shelton) was declared LOST.

On being put to the meeting the Foreshadowed motion (moved by Clr Ayyad) was declared CARRIED.

ITEM NO: CONF 08
FILE NO: 260944.2016
SUBJECT: ST2528 - Provision of Security Services

COUNCIL DECISION

Motion: **Moved: Clr Hadchiti** **Seconded: Clr Ayyad**

That Council:

1. Accepts the tender as provided by Southern Cross Protection.
2. Note that this motion goes against the staff recommendation because we have an existing and effective relationship with Southern Cross Protection and that they were ranked number 2 by the evaluation panel.

Vote for: Mayor Waller
Clr Ayyad
Clr Balloot
Clr Hadchiti
Clr Hadid
Clr Harle
Clr Kaliyanda
Clr Rhodes

Vote against: Clr Hagarty
Clr Karnib
Clr Shelton

MATTER ARISING FROM CONF 07 RECRUITMENT OF CHIEF EXECUTIVE OFFICER

Motion: **Moved: Cllr Hadchiti** **Seconded: Cllr Hagarty**

That Council appoint LGNSW to assist scoping, advertising and assessing applications for the position of Chief Executive Officer.

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

Mayor Waller reopened the meeting at 10.38pm and read the above three resolutions which were dealt with in Closed Session.

THE MEETING CLOSED AT 10.40pm

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 23 November 2016

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 12 October 2016. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.



**MINUTES OF THE EXTRAORDINARY MEETING
HELD ON 26 OCTOBER 2016**

PRESENT:

- Mayor Wendy Waller
- Councillor Balloot
- Councillor Hadchiti
- Councillor Hadid
- Councillor Hagarty
- Councillor Harle
- Councillor Kaliyanda
- Councillor Karnib
- Councillor Rhodes
- Councillor Shelton
- Mr Kiersten Fishburn, Acting Chief Executive Officer
- Mr Gary Grantham, Chief Financial Officer / Director Corporate Services
- Mr Raj Autar, Director Infrastructure and Environment

OPENING 6.00pm

ACKNOWLEDGEMENT OF COUNTRY, AFFIRMATION OF COUNCIL AND PRAYER The Acknowledgement of Country, Affirmation of Council and Prayer were read by Pastor John Keane from West Hoxton Community Church.

Motion: Moved: Cllr Hadchiti Seconded: Mayor Waller

APOLOGIES Cllr Ayyad

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

CONDOLENCES

Nil

DECLARATIONS OF INTEREST

Nil

PUBLIC FORUM

Representation - items on the Agenda

1. **Ms Caroline Karakatsanis**, Director Financial Audit Services from the Audit Office NSW addressed Council on the following item:

CFO 01 Annual General Purpose Financial Statements 2015/16

CHIEF FINANCIAL OFFICER

ITEM NO: CFO 01
FILE NO: 284231.2016
SUBJECT: Annual General Purpose Financial Statements 2015/16

RECOMMENDATION

That Council:

1. Receives and endorses the 2015/16 audited financial reports;
2. Authorises the Mayor, Deputy Mayor, Acting Chief Executive Officer and the Responsible Accounting Officer (CFO) to sign the prescribed statement that will form part of the financial reports;
3. Forward a copy of the financial reports together with the auditor’s report to the Office of Local Government in accordance with Section 417(5) of the Local Government Act 1993.
4. Authorises the Acting Chief Executive Officer to issue a public notice containing a summary of financial results and put the financial statements on exhibition for 7 days to seek public submissions; and
5. Note that the financial statements and a summary of public submissions received will be presented to Council at its next meeting for consideration and adoption.

COUNCIL DECISION

Motion: **Moved: Clr Shelton** **Seconded: Clr Hadchiti**

That the recommendation be adopted.

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

THE MEETING CLOSED AT 6.22pm

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 23 November 2016

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 2016. 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 NOVEMBER 2016

PRESENT:

Mayor Wendy Waller
 Councillor Ayyad
 Councillor Balloot
 Councillor Hadchiti (arrived at the meeting at 6.25pm)
 Councillor Hadid
 Councillor Hagarty
 Councillor Harle
 Councillor Kaliyanda
 Councillor Karnib
 Councillor Rhodes
 Councillor Shelton
 Mr Kiersten Fishburn, Acting Chief Executive Officer
 Mr Gary Grantham, Chief Financial Officer / Director Corporate Services
 Ms Toni Averay, Director Planning and Growth
 Dr Eddie Jackson, Acting Director Community and Culture
 Mr Wayne Carter, Director City Presentation
 Ms Julie Scott, Acting Director Economic Development
 Mr Madhu Pudasaini, Acting Director Infrastructure and Environment
 Ms Hiba Soueid, Acting Director Business Improvement
 Mr John Morgan, Director Property and Commercial Development

The meeting commenced at 6.00pm.

OPENING	6.00pm
ACKNOWLEDGEMENT OF COUNTRY, PRAYER OF COUNCIL AND AFFIRMATION TO BE READ BY	The Prayer of the Council was read by Father Anthony Morgan from St George and Prince Tadros Coptic Orthodox Church.
APOLOGIES	Nil

Minutes of the Ordinary Council Meeting held on Wednesday, 23 November 2016 and confirmed on Wednesday, 14 December 2016

.....
Chairperson

DECLARATIONS OF INTEREST

Clr Rhodes declared a pecuniary interest in the following item:

Item IHAP 01: DA-1059/2015 - Fitout and use of Unit 3 as a Sex Services Premises at 3/5 Weld Street, Prestons

Reason: The Catholic Club lodged an objection to the application and is an occasional advertiser in a publication she produces.

Clr Rhodes left the Chambers for the duration of the item.

Clr Ayyad declared a pecuniary interest in the following item:

Item DPG 03: Development Applications lodged with an interest declared by Councillors

Reason: Clr Ayyad and her husband own property which is referred to in the report.

Clr Ayyad left the Chambers for the duration of the item.

Clr Hagarty declared a non-pecuniary, less than significant interest in the following item:

Item DCC 02: Strong Children and Communities Project

Reason: Clr Hagarty's daughter is in the Children's Parliament.

Clr Hagarty left the Chambers for the duration of the item.

PUBLIC FORUM

Presentation – Items not on agenda

1. **Ms Ellie Robertson** addressed Council on the following matter:

Lighting and CCTV Cameras at Wattle Grove Lake

Clr Hadid left the Chambers at 6.10pm.

Clr Hadid returned to the Chambers at 6.12pm.

Clr Hadid left the Chambers at 6.13pm.

Clr Hadid returned to the Chambers at 6.14pm.

Representation – Items on agenda

1. **Mr Robert Gizzi** from Design Workshop Australia addressed Council on the following item:

DPG 04: Post Exhibition Report - Draft Liverpool Local Environmental Plan 2008 (Amendment 60), 311 Hume Highway, Liverpool.

2. **Mr Peter Tomasetti** on behalf of Mr Giuseppe Calarco addressed Council on the following item:

CONF 02: Acquisition of Part Lot 2 DP 1196541, 185 Gurner Avenue, Austral, for open space purposes

Motion: **Moved: Clr Shelton** **Seconded: Clr Hadid**

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

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

3. **Mr Frank Mosca** from Mosca Pserras Architects addressed Council on the following item:

DPG 02: Offer to enter into a Voluntary Planning Agreement - DA-582/2016 at 420 Macquarie Street, Liverpool

Motion: **Moved: Clr Balloot** **Seconded: Clr Hadid**

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

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

Clr Hadchiti arrived to the meeting at 6.25pm.

NOTICES OF MOTION

ITEM NO: NOM 01
FILE NO: 301470.2016
SUBJECT: Drug and Alcohol Testing

NOTICE OF MOTION

That:

1. The Mayor and Councillors be required to undertake mandatory drug and alcohol testing.
2. The Acting CEO report back to Council on the benefits and drawbacks of implementing mandatory drug and alcohol testing for all council staff.

COUNCIL DECISION

Motion: **Moved: Clr Ballot** **Seconded: Clr Hadid**

That this motion be withdrawn.

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

ITEM NO: NOM 03
FILE NO: 302891.2016
SUBJECT: Cooling the Street - Western Sydney

NOTICE OF MOTION

That Council:

1. Investigates whether it is possible, formally or informally, to participate in the 'Cool Streets' project (or other projects with similar objectives,
2. Writes to WSROC expressing its interest in this and future projects/applications for funding of a similar nature, and
3. Where as much is not already programmed to happen in any event reports to councillors as to possible future applications, individual or joint, for 'Building Resistance to Climate Change' funding and more generally participation in future programs of a similar nature as they become available.

COUNCIL DECISION

Motion: **Moved: Clr Shelton** **Seconded: Clr Hadchiti**

That Council:

1. Investigates whether it is possible, formally or informally, to participate in the 'Cool Streets' project (or other projects with similar objectives,
2. Writes to WSROC expressing its interest in this and future projects/applications for funding of a similar nature, and
3. Where as much is not already programmed to happen in any event reports to Councillors as to possible future applications, individual or joint, for 'Building Resistance to Climate Change' funding and more generally participation in future programs of a similar nature as they become available.
4. Notes also the comments of the CEO with respect to this motion (as shown below) and investigates the environmental levy as a funding source in the event there is a shortfall after receipt of grant funding.

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

CHIEF EXECUTIVE OFFICER COMMENTS

WSROC has established a working which is progressing a range of activities to tackle urban heat in the region. These activities are described below.

Urban Heat Working Party

An urban heat working party has been established, currently consisting of Parramatta, Blacktown, Penrith and Canterbury-Bankstown. The four member Councils have implemented a range of actions in their LGAs as follows:

- Parramatta has a Cool Parramatta program: http://coolparramatta.com.au/about_us and has also done thermal mapping of the LGA.
- Penrith has a [Cooling the cities program](#).
- Blacktown has implemented a cool streets program.
- Canterbury-Bankstown has done thermal heat mapping of their LGA.

WSROC has advised they would welcome Liverpool joining the working party.

Microclimate and Urban Heat Island Mitigation Decision-Support Tool

WSROC has partnered with UNSW on a research project to develop a Microclimate and Urban Heat Island (UHI) Mitigation Decision-Support Tool. The project aims to develop an Urban heat mitigation decision support tool to inform development assessment and planning practices for local government and other stakeholders. It will collate and integrate a whole range of scientific models and mitigation techniques to ultimately develop an UHI mitigation performance index. Other project partners include Swinburne University of Technology, City of Sydney, Greater Sydney Commission, NSW Office of Environment and Heritage (OEH), UrbanGrowth NSW, BlueScope Steel, AECOM, Stocklands and Parramatta Council.

A copy of the project outline is attached to this report for the information of Councillors.

Urban greening project – Cooling the Streets-Western Sydney

WSROC has applied for funding for an urban greening project (Cooling the Streets – Western Sydney) under the Building Resilience to Climate Change funding. This project is a partnership between WSROC, Blacktown, City of Parramatta, Canterbury-Bankstown and the three Local Health Districts (West, South-West and Nepean Blue mountains). Cool Streets aims to assist councils with choosing the right green cover to mitigate urban heat and has a strong focus on council staff and community education.

The proposed project aims to:

- Develop a plan for implementing effective street tree canopy cover across Western Sydney
- Measure economic and social benefits
- Build community and stakeholder participation and support

The project is to be implemented in several stages:

- Research modelling which quantifies the climate change mitigation and adaptation benefits from retrofitting suburban streets (eight pilot sites).
- Education and skills-building of key stakeholders (council staff).
- Community engagement and education.
- Implementation of street tree planting in eight Western Sydney streets.

The total estimated project cost is \$129,720 (excl GST)

The maximum funding available through the Building Resilience to Climate change funding is \$80,000. Therefore, should the application be successful, WSROC proposes that the balance of \$49,720 should be divided evenly among the participating councils. If Liverpool wishes to participate, the cost would be \$12,430 per council based on four councils participating. If the funding application is unsuccessful, the cost would be \$32,430 per council if four councils participate.

There is currently no funding identified in the 2016/17 budget and funds would need to be identified if Council wishes to participate.

Conclusion

It is recommended Council write to WSROC to confirm our request to join the working party.

If Council also wishes to participate in the Cooling the Streets – Western Sydney project, funds would need to be identified in the current budget.

Clr Rhodes left the Chambers at 6.32pm.

INDEPENDENT HEARING AND ASSESSMENT PANEL REPORT

ITEM NO: IHAP 01
FILE NO: 288322.2016
SUBJECT: DA-1059/2015 - Fitout and use of Unit 3 as a Sex Services Premises at 3/5 Weld Street, Prestons

RECOMMENDATION

It is recommended that Council approve Development Application DA-1059/2015 subject to the recommended conditions of consent (Attachment 2).

COUNCIL DECISION

Motion: **Moved: Clr Hadchiti** **Seconded: Clr Kaliyanda**

That the recommendation be adopted.

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

Vote for: Mayor Waller
Clr Ayyad
Clr Balloot
Clr Hadchiti
Clr Hagarty
Clr Harle
Clr Kaliyanda
Clr Shelton

Vote against: Clr Hadid
Clr Karnib

Clr Rhodes returned to the Chambers at 6.40pm.

BUSINESS IMPROVEMENT REPORT

ITEM NO: DBI 01
FILE NO: 292968.2016
SUBJECT: Draft Strategic Panel Charter

RECOMMENDATION

That Council:

1. Approves and adopts the Strategic Panel Charter.
2. Notes that the first Strategic Panel meeting will be held on Wednesday 30 November.
3. Removes the street naming function from the Panel, and allows that function to report at Council meetings.
4. That a further report be provided to the December meeting on the Policy and Procedures for determining street names.

COUNCIL DECISION

Motion: **Moved: Clr Shelton** **Seconded: Clr Kaliyanda**

That Council:

1. Approves and adopts the Strategic Panel Charter, with a view to the panel meeting monthly, with the following amendments:

That the words “and other community oriented bodies” be added to 5.1b so that the clause reads:

“Review recommendations from local precinct forums and other community oriented bodies and assess these against Council’s overall strategic direction.”
2. Notes that the first Strategic Panel meeting will be held on Wednesday 30 November.
3. Removes the street naming function from the Panel, and allows that function to report at Council meetings.
4. That a further report be provided to the December meeting on the Policy and Procedures for determining street names.

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

CHIEF FINANCIAL OFFICER

ITEM NO: CFO 01
FILE NO: 270501.2016
SUBJECT: Revocation of Media Representation Policy

RECOMMENDATION

That Council:

1. Receive and note this report;
2. Revoke the Media Representation Policy, attached to this report;
3. In future, in place of the previous traditional Mayoral portrait, a group photo of all Councillors, including the Mayor, be displayed in the foyer of the Council Chambers in recognition of their contribution during their term of office.

COUNCIL DECISION

Motion: **Moved: Clr Hadchiti** **Seconded: Clr Shelton**

That:

1. Council receive and note this report;
2. Council revoke the Media Representation Policy, attached to this report;
3. Council, in future, in place of the previous traditional Mayoral portrait, a group photo of all Councillors, including the Mayor, be displayed in the foyer of the Council Chambers in recognition of their contribution during their term of office.
4. The Acting CEO establish whether or not an operational policy or procedure is required in relation to the handling of media enquiries and the use of media by members of council staff.

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

3. Receive a further report about the receipt of any public submissions in respect of clause 4.9.2 of the Policy at the first meeting of Council in 2017.

Foreshadowed motion: Moved: Clr Hadchiti Seconded: Clr Hadid

That the recommendation be adopted.

On being put to the meeting the motion (moved by Clr Rhodes) was declared LOST.

Division called:

Vote for: Clr Harle
 Clr Rhodes

Vote against: Mayor Waller
 Clr Ayyad
 Clr Balloot
 Clr Hadchiti
 Clr Hadid
 Clr Hagarty
 Clr Kaliyanda
 Clr Karnib
 Clr Shelton

The Foreshadowed motion (moved by Clr Hadchiti) was then voted on and on being put to the meeting was declared CARRIED.

ITEM NO: CFO 03
FILE NO: 270931.2016
SUBJECT: Recent amendments to the Local Government Act 1993

RECOMMENDATION

That Council receive and note this report.

COUNCIL DECISION

Motion: **Moved: Clr Rhodes** **Seconded: Clr Shelton**

That the recommendation be adopted.

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

ITEM NO: CFO 04
FILE NO: 276473.2016
SUBJECT: Minor Amendment to the Code of Meeting Practice

RECOMMENDATION

That Council:

1. Receive and note this report;
2. Adopt the minor amendments to clause 20 of the Code of Meeting Practice, as attached to this report.

COUNCIL DECISION

Motion: **Moved: Clr Rhodes** **Seconded: Clr Shelton**

That the recommendation be adopted.

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

ITEM NO: CFO 05
FILE NO: 280122.2016
SUBJECT: Review of Delegations

RECOMMENDATION

That Council:

- 1. Receive and note this report;
- 2. Note that the Chief Executive Officer exercises the functions, role and delegations of *“general manager”* under the *Local Government Act 1993*;
- 3. Delegate to the Chief Executive Officer the delegations set out in the Delegations to the Chief Executive Officer in Attachment 1 to this report;
- 4. Authorise the Mayor to sign the Instrument of Delegation to the Chief Executive Officer.
- 5. Confirm Council’s delegations for any functions or powers conferred or imposed on Council by or under any legislation in accordance with section 22 of the *Local Government Act 1993*.

COUNCIL DECISION

Motion: **Moved: Cllr Shelton** **Seconded: Cllr Hagarty**

That Council:

- 1. Receive and note this report;
- 2. Note that the Chief Executive Officer exercises the functions, role and delegations of *“general manager”* under the *Local Government Act 1993*;
- 3. Delegate to the Chief Executive Officer the delegations set out in the Delegations to the Chief Executive Officer in Attachment 1 to this report subject to the following changes:

That clause 3.3.7 be changed so that the limit of the value of tenders that can be accepted by the CEO be changed from \$5 million to \$1 million. The clause would then read:

“3.3.7 Accepting tenders by the Council for a value of \$1 million or more.”

- 4. Authorise the Mayor to sign the Instrument of Delegation to the Chief Executive Officer.

5. Confirm Council's delegations for any functions or powers conferred or imposed on Council by or under any legislation in accordance with section 22 of the *Local Government Act 1993*.

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

ITEM NO: CFO 06
FILE NO: 282131.2016
SUBJECT: Revocation of Mayor's Policy-Making Functions Between Council Meetings
Policy

RECOMMENDATION

That Council:

- 1. Receive and note this report;
- 2. Revoke the Council's Mayor's Policy-Making Functions Between Council Meetings Policy, attached to this report;
- 3. Whenever the Mayor exercises, in cases of necessity, the policy-making functions of the governing body of Council between meetings of the Council, receive a report concerning details of the exercise of such functions for the next Council meeting.

COUNCIL DECISION

Motion: **Moved: Cllr Shelton** **Seconded: Cllr Karnib**

That the recommendation be adopted.

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

ITEM NO: CFO 07
FILE NO: 284258.2016
SUBJECT: Annual Code of Conduct Complaints Report

RECOMMENDATION

That Council receive and note this report and the attached Complaints Statistics Report, prepared for submission to the Office of Local Government.

COUNCIL DECISION

Motion: **Moved: Cllr Hadid** **Seconded: Cllr Rhodes**

That the recommendation be adopted.

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

ITEM NO: CFO 08
FILE NO: 284546.2016
SUBJECT: Councillor Briefings

RECOMMENDATION

That Council:

1. Receive and note this report.
2. Decide whether or not to continue Councillor Briefings in their current format.

COUNCIL DECISION

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

That Council:

1. Receive and note this report.
2. Continue to hold the Councillor Briefing Sessions monthly and in their current format.

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

ITEM NO: CFO 09
FILE NO: 288761.2016
SUBJECT: Council Meeting Dates - January to December 2017

RECOMMENDATION

That Council:

1. Confirms the Council meeting time as 6.00pm and Council meeting dates for the 2017 calendar year as follows:

- 1 February 2017
- 22 February 2017
- 29 March 2017
- 26 April 2017
- 31 May 2017
- 28 June 2017
- 26 July 2017
- 30 August 2017
- 27 September 2017
- 25 October 2017
- 22 November 2017
- 13 December 2017

2. Places appropriate notices in the local newspapers advising the community of the dates and commencing times of Council meetings for the 2017 calendar year.

COUNCIL DECISION

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

That the recommendation be adopted.

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

ITEM NO: CFO 10
FILE NO: 292583.2016
SUBJECT: Draft Budget Review Panel Charter

RECOMMENDATION

That Council:

- 1. Receive and note this report;
- 2. Approve and adopt the Budget Review Panel Charter.

COUNCIL DECISION

Motion: **Moved: Cllr Rhodes** **Seconded: Cllr Harle**

That the recommendation be adopted.

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

ITEM NO: CFO 12
FILE NO: 295489.2016
SUBJECT: Investment Report September 2016

RECOMMENDATION

That Council receives and notes this report

COUNCIL DECISION

Motion: **Moved: Cllr Rhodes** **Seconded: Cllr Shelton**

That the recommendation be adopted.

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

ITEM NO: CFO 13
FILE NO: 296305.2016
SUBJECT: Budget Review - September 2016

RECOMMENDATION

That Council:

1. Receives and notes the report;
2. Approves the identified budget variations in accordance with this report.

COUNCIL DECISION

Motion: **Moved: Cllr Rhodes** **Seconded: Cllr Harle**

That:

1. Council receives and notes the report;
2. Council approves the identified budget variations in accordance with this report.
3. Council, with regard to the item regarding Syrian Refugees Action Plan on page 208 of the Council agenda, notify the State government as to the true cost of this item and that this is another example of cost shifting onto local Council.
4. The Acting CEO review the Capital Expenditure Budget to accommodate the expenditure of \$600,000 to undertake the urgently needed upgrade of 16 Woodward Park Netball Courts and report back via the CEO Update on variations to the capital program required to fund this.

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

ITEM NO: CFO 14
FILE NO: 296465.2016
SUBJECT: Investment Report October 2016

RECOMMENDATION

That Council receives and notes this report

COUNCIL DECISION

Motion: **Moved: Clr Shelton** **Seconded: Clr Karnib**

That the recommendation be adopted.

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

ITEM NO: DCP 02
FILE NO: 292896.2016
SUBJECT: Maintenance of Nature Strips

RECOMMENDATION

That Council note the conclusion of the report and adopts the footpath mowing policy.

COUNCIL DECISION

Motion: **Moved: Clr Hadid** **Seconded: Clr Ayyad**

That the recommendation be adopted.

Foreshadowed Motion: **Moved: Clr Rhodes** **Seconded: Clr Harle**

That:

1. A report be brought back to Council on other Councils procedures and costs that they incur to maintain nature strips on all major roads in their local areas.
2. Council provide quotations to subcontract the maintenance of nature strips to see if a more cost effective way of delivering this service is available.
3. Council to investigate the possibility of using steam instead of the herbicide Glyphosate.

On being put to the meeting the motion (moved by Clr Hadid) was declared CARRIED and the Foreshadowed motion (moved by Clr Rhodes) LAPSED.

Clr Hagarty returned to the Chambers at 7.38pm.

Mayor Waller called a recess of Council at 7.38pm.

Mayor Waller reopened the meeting at 7.51pm with all Councillors present except Clr Kaliyanda.

ITEM NO: DCC 03
FILE NO: 280863.2016
SUBJECT: Grants and Donations

RECOMMENDATION

That Council endorses the following recommendations:

1. For the provision of \$300 (GST exclusive) under Quick Response Grants (School) for a student who has excelled in citizenship, academic studies, artistic endeavours, or sporting proficiency.

Applicant	Project	Amount
Hoxton Park High School	Student award donation	\$100
Lurnea High School	Student award donation	\$100
William Carey Christian School	Student award donation	\$100

2. For the provision of \$61,764 (GST exclusive) under Matching Grants.

Applicant	Project	Amount
Kultour	The Gathering	\$15,000
Inspire Community Services	Sadlier Social Inclusion Zone	\$15,000
Ted Noffs Foundation	Training Pathways Liverpool Street University	\$14,400
City of Liverpool Meals on Wheels Inc	Freezer Replacement	\$ 6,964
Guntawang Aboriginal Resources Inc	Working together as One	\$ 6,900
Moorebank Heritage Group Inc	Exhibition - Liverpool to Holsworthy Military Railway Line	\$ 2,500
Language Festival Association	Liverpool Language Festival 2017	\$ 1,000

COUNCIL DECISION

Motion: **Moved: Clr Harle** **Seconded: Clr Ayyad**

That Council endorses the following recommendations:

1. For the provision of \$300 (GST exclusive) under Quick Response Grants (School) for a student who has excelled in citizenship, academic studies, artistic endeavours, or sporting proficiency.

Applicant	Project	Amount
Hoxton Park High School	Student award donation	\$100
Lurnea High School	Student award donation	\$100
William Carey Christian School	Student award donation	\$100

2. For the provision of \$61,764 (GST exclusive) under Matching Grants.

Applicant	Project	Amount
Kultour	The Gathering	\$15,000
Inspire Community Services	Sadlier Social Inclusion Zone	\$15,000
Ted Noffs Foundation	Training Pathways Liverpool Street University	\$14,400
City of Liverpool Meals on Wheels Inc	Freezer Replacement	\$ 6,964
Guntawang Aboriginal Resources Inc	Working together as One	\$ 6,900
Moorebank Heritage Group Inc	Exhibition - Liverpool to Holsworthy Military Railway Line	\$ 2,500
Language Festival Association	Liverpool Language Festival 2017	\$ 1,000

3. That an up to date report be provided to Council on the amount of monies paid to Inspire Community Services historically and the details of each of the amounts of funds.

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

ITEM NO: DCC 04
FILE NO: 293446.2016
SUBJECT: Investigation of in-house management options for Council's Leisure Centres

RECOMMENDATION

That Council:

1. Note this report.
2. Require a report on the options for in-house management of Council's three leisure centres to be reported to Council at its November 2017 meeting.

COUNCIL DECISION

Motion: **Moved: Cllr Shelton** **Seconded: Cllr Karnib**

That the recommendation be adopted.

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

PLANNING AND GROWTH REPORT

ITEM NO: DPG 01
FILE NO: 278219.2016
SUBJECT: Exemption from Tendering Process

RECOMMENDATION

That Council exempt the engagement of planning consultants Cardno Pty Ltd, engaged to provide advice and prepare submissions on behalf of Council in relation to the proposed Moorebank Intermodal project from the tendering requirements pursuant to s.55(3)(i) of the *Local Government Act 1993*, for the following reasons:

- a. The Moorebank Intermodal project is a complex and technical proposal, being assessed under the transitional provisions of Part 3A of the *Environmental Planning and Assessment Act 1979*, and requires specialist planning advice, not otherwise available to Council, to assess and respond to;
- b. Upon the initial engagement of the chosen planning consultants, Council staff at the time solicited a number of quotes, and found the chosen consultant to present the best value proposition;
- c. The chosen consultant, Cardno Pty Ltd, has now performed a significant volume of detailed work on the project, and in the process, has established an in-depth understanding of the issues to the satisfaction of Council staff; and
- d. Changing the consultant at this stage would potentially result in additional cost (for a new consultant reviewing the brief), as well as potential delay, and may jeopardise Council's ability to provide quality input into the process as a result.

COUNCIL DECISION

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

That the recommendation be adopted.

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

ITEM NO: DPG 02
FILE NO: 294691.2016
SUBJECT: Offer to enter into a Voluntary Planning Agreement - DA-582/2016 at 420 Macquarie Street, Liverpool

RECOMMENDATION

That Council:

1. Accepts in principle the proposed offer to enter into a planning agreement for a monetary contribution for restoration works to Collingwood House as a public benefit and directs the CEO to prepare a planning agreement and explanatory note and to publicly exhibit the documents for a period of 28 days.
2. Delegates authority to the 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 alterations.
3. Notes that if changes other than minor changes arise from the public exhibition process these will be reported back to Council.
4. Notes that this delegation is within the powers that can be delegated under Section 377 of the Local Government Act 1993.
5. Notes that any planning agreement will be subject to approval of development application DA-582/2016.
6. Notes that in accepting the proposed offer to enter into a planning agreement, Council retains full discretion to determine development application DA-582/2016 on its merits in accordance with the requirements of the Environmental Planning and Assessment Act 1979.
7. Creates a reserve for any funds collected with these funds quarantined until sufficient budget becomes available to undertake the upgrade works to Collingwood House.

COUNCIL DECISION

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

That the recommendation be adopted.

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

Vote for:
Clr Ayyad
Clr Balloot
Clr Hadchiti
Clr Hadid
Clr Harle
Clr Rhodes

.....
Chairperson

Vote against:

Mayor Waller
Clr Hagarty
Clr Kaliyanda
Clr Karnib
Clr Shelton

.....

Chairperson

Clr Ayyad left the Chambers at 8.10pm.

ITEM NO: DPG 03
FILE NO: 298800.2016
SUBJECT: Development Applications lodged with an interest declared by Councillors

RECOMMENDATION

That Council receives and notes this report

COUNCIL DECISION

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

That the recommendation be adopted.

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

ITEM NO: DPG 05
FILE NO: 294819.2016
SUBJECT: 2016-17 Operational Plan and Budget - Proposed new fees and charges - Master Plan Development Application Fee

RECOMMENDATION

That Council:

- 1. Approves the Master Plan Development Application fee of \$12,000 excluding GST to be placed on public exhibition.
- 2. Approves the modification to a Master Plan Development Application fee of 50% of the Master Plan DA fee excluding GST.

COUNCIL DECISION

Motion: **Moved: Cllr Hadchiti** **Seconded: Cllr Shelton**

That the recommendation be adopted.

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

Clr Ayyad returned to the Chambers at 8.15pm.

ITEM NO: DPG 04
FILE NO: 299967.2016
SUBJECT: Post Exhibition Report - Draft Liverpool Local Environmental Plan 2008 (Amendment 60), 311 Hume Highway, Liverpool.

RECOMMENDATION

That Council:

- 1. Adopts Draft Liverpool Local Environmental Plan 2008 (Draft Amendment 60).
- 2. Forwards a copy of the attached draft amendment and supporting documentation to the Department of Planning and Environment for finalisation.

COUNCIL DECISION

Motion: **Moved: Clr Hadchiti** **Seconded: Clr Ayyad**

That the recommendation be adopted.

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

Vote for: Clr Ayyad
 Clr Balloot
 Clr Hadchiti
 Clr Hadid
 Clr Harle
 Clr Rhodes

Vote against: Mayor Waller
 Clr Hagarty
 Clr Karnib
 Clr Kaliyanda
 Clr Shelton

ITEM NO: DPG 06
FILE NO: 304981.2016
SUBJECT: Warren Serviceway Car Park Proposed Changes to Fees and Charges

RECOMMENDATION

That Council approve the Warren Serviceway Car Park fees as follows:

<i>Casual Parking</i>	Proposed Fees 2016/2017
<i>Up to 1 hr</i>	\$2.00
<i>>1hr - 2hrs</i>	\$4.00
<i>>2hrs - 3hrs</i>	\$6.00
<i>>3hrs - 4hrs</i>	\$8.00
<i>>4hrs - 5hrs</i>	\$10.00
<i>5 hrs +</i>	\$14.00
<i>Maximum day rate</i>	\$14.00

COUNCIL DECISION

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

That the recommendation be adopted.

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

COMMITTEE REPORTS

ITEM NO: CTTE 01
FILE NO: 275783.2016
SUBJECT: Minutes of the Local Traffic Committee Meeting held on 21 September 2016

RECOMMENDATION

That Council:

1. Receives the Minutes of the Local Traffic Committee Meeting held on 21 September 2016.
2. Adopts the Local Traffic Committee recommendations as noted in this report.

COUNCIL DECISION

Motion: **Moved: Clr Shelton** **Seconded: Clr Hadchiti**

That:

1. Council receives the Minutes of the Local Traffic Committee Meeting held on 21 September 2016.
2. Council adopts the minutes of the Local Traffic Committee as noted in this report, with the exception of Item 7: "Nagle Street Liverpool pedestrian crossing", which Council refers back to the Traffic Committee and expresses its reservations as to the recommendations previously made.
3. The Traffic Committee meeting minutes be amended to note that for Item TD1: "Myall Road, Casula – Request for Traffic Calming Devices", the Committee recommended installing a pedestrian crossing, with police to monitor speed.
4. The Traffic Committee to review the reasoning behind a "No Parking" sign outside the medical centre on Macquarie Street, next door to the function centre and to investigate the feasibility of implementing a 15 minute parking time limit for the area.

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

ITEM NO: CTTE 02
FILE NO: 293074.2016
SUBJECT: Minutes of the Civic Advisory Committee Meeting held on 31 October 2016

RECOMMENDATION

That Council receives and adopts the minutes of the Civic Advisory Committee meeting held on 31 October 2016.

COUNCIL DECISION

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

That the recommendation be adopted.

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

ITEM NO: CTTE 03
FILE NO: 294427.2016
SUBJECT: Planning and Development Committee Meeting Minutes of 2 November 2016

RECOMMENDATION

That Council receives and adopts the Minutes of the Planning and Development Meeting held on 2 November 2016.

COUNCIL DECISION

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

That the recommendation be adopted.

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

QUESTIONS WITH NOTICE

ITEM NO: QWN 01
FILE NO: 301457.2016
SUBJECT: Question with Notice - Clr Harle

Please address the following:

1. Does Council have a policy relating to Footpath/Nature Strip Mowing and if so is that currently being applied?
2. At a previous Council meeting it was agreed to write to the state government regarding the maintenance of Nature strips by owners of properties bordering nature strips, has the Government responded?

A response to these questions has been provided with report DCP 02 Maintenance of Nature Strips, from this Agenda. See page 29 of these minutes for the resolution from this item.

COUNCIL IN CLOSED SESSION**ITEM NO:** CONF 01**FILE NO:** 249120.2016**SUBJECT:** Endorsement of Liverpool Access Committee 2016-2018**RECOMMENDATION**

That Council re-endorses the applicants outlined in the table below as members of the Liverpool Access Committee for an additional two year period:

Name	Suburb	Representation Category
Harley Davidson	Lurnea	Category 1
Peter Fraser	Liverpool	Category 1
Jim Simpson	Liverpool	Category 1
Andy Watts	Austral	Category 1
Ollie Lassen	Ashcroft	Category 1
Lyn Bright	Minto	Category 2
Ellie Robertson	Holsworthy	Category 3
Jane Chigley	Liverpool	Category 3
Sean Langshaw	Green Valley	Category 3
Rebecca Scirrolli	Lurnea	Category 3

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

That the recommendation be adopted.

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

ITEM NO: CONF 02
FILE NO: 289494.2016
SUBJECT: Acquisition of Part Lot 2 DP 1196541, 185 Gurner Avenue, Austral, for open space purposes

RECOMMENDATION

That Council:

1. Directs, and delegates authority to, the Acting Chief Executive Officer or their delegate to acquire part Lot 2 DP 1196541, 185 Gurner Avenue, Austral, being that part zoned 'RE1 Public Recreation', under the provisions of Section 23 of the *Land Acquisition (Just Terms Compensation) Act 1991*;
2. Notes that the relevant land to be acquired is only the land designated for a public purpose for the purposes of Section 21 of the *Land Acquisition (Just Terms Compensation) Act 1991* and pursuant to Section 23(4) of the Act, Council is not required to acquire more land than it requires for the designated purpose;
3. Directs the Acting Chief Executive Officer or their delegate to commence negotiations with the landowners to acquire part Lot 2 DP 1196541, 185 Gurner Avenue, Austral, being that part zoned 'RE1 Public Recreation', for open space purposes;
4. Authorises the Acting Chief Executive Officer or their delegate to enter into a contract for the sale and purchase of land to finalise the acquisition of part Lot 2 DP 1196541, 185 Gurner Avenue, Austral, being that part zoned 'RE1 Public Recreation', once a purchase price is agreed;
5. In the event agreement cannot be reached, direct and delegate authority to the Acting Chief Executive Officer or their delegate to:
 - a) Acquire part Lot 2 DP 1196541, 185 Gurner Avenue, Austral, being that part of the lot zoned 'RE1 Public Recreation', by compulsory process under the *Land Acquisition (Just Terms Compensation) Act 1991*, for the purposes of a public recreation reserve;
 - b) Proceed with making the necessary application to the Minister for Local Government and the Governor in accordance with Section 187(2) of the *Local Government Act 1993*, to obtain approval to give an acquisition notice to the owners of Lot 2 DP 1196541, 185 Gurner Avenue, Austral, and commence compulsory acquisition under the *Land Acquisition (Just Terms Compensation) Act 1991*;
 - c) Authorise the execution of any documents required to give effect to the purchase under Power of Attorney;
6. Upon settlement of the acquisition, classifies the land so acquired, being part Lot 2 DP 1196541, as 'Community' land for the purposes of the *Local Government Act 1993*;

7. Notes that a follow up report will be submitted to Council advising of the agreed purchase price;
8. Keeps confidential the attachment supplied under separate cover containing details of the hardship claim pursuant to the provisions of Section 10A(2)(b) of the *Local Government Act 1993* as the matter deals with the hardship of a resident and ratepayer.

COUNCIL DECISION

Motion: **Moved: Cllr Shelton** **Seconded: Cllr Hadchiti**

That the recommendation be adopted.

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

ITEM NO: CONF 03
FILE NO: 290216.2016
SUBJECT: Proposed easement for drainage purposes over Lot 737 DP 533701, 219 Memorial Avenue, Liverpool, known as 'Ireland Park'

RECOMMENDATION

That Council:

1. Grants an easement for drainage purposes over Lot 737 DP 533701, 219 Memorial Avenue, Liverpool, known as 'Ireland Park', as outlined in the confidential report;
2. Keeps confidential the attachment supplied under separate cover containing the compensation amount pursuant to the provisions of Section 10A(2)(c) of the *Local Government Act 1993* as this information would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business;
3. Transfers the compensation amount into the General Property Reserve; and
4. Authorises the relevant documentation necessary for the formalization of the easement to be signed under Power of Attorney by Council's delegated officer.

COUNCIL DECISION

Motion: **Moved: Cllr Hadchiti** **Seconded: Cllr Shelton**

That the recommendation be adopted.

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

ITEM NO: CONF 05
FILE NO: 292907.2016
SUBJECT: Compulsory acquisition of Lot 39 DP 1160527 & Lot 39 DP 1167333, Swoffer Avenue, Middleton Grange, for drainage purposes

RECOMMENDATION

That Council:

1. Proceeds with the compulsory acquisition of Lot 39 DP 1160527 & Lot 39 DP 1167333, Swoffer Avenue, Middleton Grange, for a public purpose;
2. Proceeds with making the necessary application to the Minister for Local Government and the Governor in accordance with Section 187(2) of the *Local Government Act* 1993 to obtain approval to give an acquisition notice to the owners of Lot 39 DP 1160527 & Lot 39 DP 1167333, Swoffer Avenue, Middleton Grange, and commence compulsory acquisition under the *Land Acquisition (Just Terms Compensation) Act* 1991;
3. Upon settlement of the acquisition, classifies Lot 39 DP 1160527 & Lot 39 DP 1167333, Swoffer Avenue, Middleton Grange, as ‘Community’ land;
4. Keeps confidential the attachment supplied under separate cover containing details of the acquisition pursuant to the provisions of Section 10A(2)(c) of the *Local Government Act* 1993 as this information would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; and
5. Authorises its delegated officer to execute any document, under Power of Attorney necessary to give effect to this decision.

COUNCIL DECISION

Motion: **Moved: Cllr Shelton** **Seconded: Cllr Balloot**

That the recommendation be adopted.

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

ITEM NO: CONF 06
FILE NO: 293187.2016
SUBJECT: Acquisition of part Lot 7, 7A and 8A DP 29317, 65-75 Rynan Avenue, Edmondson Park, for drainage purposes

RECOMMENDATION

That Council:

1. Approves the acquisition of part Lot 7, 7A and 8A DP 29317, 65-75 Rynan Avenue, Edmondson Park, containing an area of approximately 11,700 square metres for the price and terms outlined in the confidential attachment;
2. Upon settlement of the acquisition, classifies the portion of Lot 7, 7A and 8A DP 29317, 65-75 Rynan Avenue, Edmondson Park, being acquired as 'Community' land;
3. Keeps confidential the attachment supplied under separate cover containing the acquisition price pursuant to the provisions of Section 10A(2)(c) of the *Local Government Act* 1993 as this information would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business;
4. Notes that funding for the acquisition will be sourced from the Section 94 Contribution Fund; and
5. Authorises its delegated officer to execute any document, under Power of Attorney necessary to give effect to this decision.

COUNCIL DECISION

Motion: **Moved: Clr Shelton** **Seconded: Clr Karnib**

That the recommendation be adopted.

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

ITEM NO: CONF 07
FILE NO: 293802.2016
SUBJECT: Proposed easement for access over Lot 6 DP 1193300, Lt Cantello Reserve, Hammondville

RECOMMENDATION

That Council:

1. Grants an easement for access over Lot 6 DP 1193300, Lt Cantello Reserve, Hammondville, on the terms and conditions outlined in the confidential report;
2. Keeps confidential the attachment supplied under separate cover containing the compensation amount pursuant to the provisions of Section 10A(2)(c) of the *Local Government Act* 1993 as this information would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business;
3. Transfers the compensation amount into the General Property Reserve; and
4. Authorises the relevant documentation necessary for the formalization of the easement to be signed under Power of Attorney by Council's delegated officer.

COUNCIL DECISION

Motion: **Moved:** Clr Rhodes **Seconded:** Clr Harle

That the recommendation be adopted.

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

.....
Chairperson

ITEM NO: CONF 08
FILE NO: 293762.2016
SUBJECT: Proposed easement for drainage purposes over Lot 62 DP 1036287, 20 Bumbera Street, Prestons

RECOMMENDATION

That Council:

- 1. Grants an easement for drainage purposes over Lot 62 DP 1036287, 20 Bumbera Street, Prestons, on the terms outlined in the confidential report;
- 2. Keeps confidential the attachment supplied under separate cover containing the compensation amount pursuant to the provisions of Section 10A(2)(c) of the *Local Government Act* 1993 as this information would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business;
- 3. Transfers the compensation amount into the General Property Reserve; and
- 4. Authorises the relevant documentation necessary for the formalization of the easement to be signed under Power of Attorney by Council's delegated officer.

COUNCIL DECISION

Motion: **Moved: C/r Rhodes** **Seconded: C/r Hagarty**

That the recommendation be adopted.

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

ITEM NO: CONF 09
FILE NO: 294021.2016
SUBJECT: Proposed easement for transmission line over Lot 201 DP 1194243, Kurrajong Road, Carnes Hill

RECOMMENDATION

That Council:

1. Grants an easement for overhead transmission lines over Lot 201 DP 1194243, Kurrajong Road, Carnes Hill, on the terms and conditions outlined in the confidential report;
2. Keeps confidential the attachment supplied under separate cover containing the compensation amount pursuant to the provisions of Section 10A(2)(c) of the *Local Government Act* 1993 as this information would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business;
3. Authorises the relevant documentation necessary for the formalization of the easement to be signed under Power of Attorney by Council's delegated officer.

COUNCIL DECISION

Motion: **Moved: Clr Hadid** **Seconded: Clr Ayyad**

That the recommendation be adopted.

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

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

Councillors voted unanimously for this motion.

Clr Hadchiti left the Chambers at 8.45pm.

Clr Hadchiti returned to the Chambers at 8.46pm.

ITEM NO: CONF 11
FILE NO: 294369.2016
SUBJECT: ST2567 – VoIP Cloud Contact Centre

RECOMMENDATION

That Council:

1. Accept the Tender from ipScape Pty Ltd for Tender ST2567 – VoIP Cloud Contact Centre at the GST inclusive price of \$111,430 for an initial 2 year term with the option of extending the services for 12 months.
2. Makes public its decision regarding tender ST2567 – VoIP Cloud Contact Centre.
3. Notes that the Director will finalise all details and sign the Letter of Acceptance following publication of draft Minutes on Council website for the tender, giving it contractual effect, in accordance with delegated authority.
4. Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of Section 10A(2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

COUNCIL DECISION

Motion: **Moved: Clr Harle** **Seconded: Clr Hagarty**

That Council:

1. Accept the Tender from ipScape Pty Ltd for Tender ST2567 – VoIP Cloud Contact Centre at the GST inclusive price of \$111,430 for an initial 2 year term with the option of extending the services for 12 months.
2. Makes public its decision regarding tender ST2567 – VoIP Cloud Contact Centre.
3. Notes that the Director will finalise all details and sign the Letter of Acceptance following publication of draft Minutes on Council website for the tender, giving it contractual effect, in accordance with delegated authority.
4. Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of Section 10A(2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

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

Councillors voted unanimously for this motion.

ITEM NO: CONF 12
FILE NO: 294977.2016
SUBJECT: Minutes of Civic Advisory Committee - 2017 Australia Day Awards

RECOMMENDATION

That Council:

1. Endorse the recommended award recipients as proposed in this report.
2. Keep the report and nominations containing the recommended award recipients confidential, pursuant to the provision of Section 10A(2)(a) of the Local Government Act 1993.

COUNCIL DECISION

Motion: **Moved: Clr Shelton** **Seconded: Clr Hadid**

That the recommendation be adopted.

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

ITEM NO: CONF 13
FILE NO: 297427.2016
SUBJECT: Acquisition of part Lot 6 DP 1065574, Newbridge Road, Moorebank, for road purposes

RECOMMENDATION

That Council:

1. Approves the acquisition of part Lot 6 DP 1065574, Newbridge Road, Moorebank, and authorises the Chief Executive Officer or her delegate to commence negotiations with the landowners;
2. Proceeds with the compulsory acquisition of part Lot 6 DP 1065574, Newbridge Road, Moorebank, for road purposes, if negotiations are unsuccessful;
3. Proceeds with making the necessary application to the Minister for Local Government and the Governor in accordance with Section 187(2) of the *Local Government Act* 1993 to obtain approval to give an acquisition notice to the owners’ of Lot 6 DP 1065574, Newbridge Road, Moorebank, and commence compulsory acquisition under the *Land Acquisition (Just Terms Compensation) Act* 1991 and the *Roads Act* 1993;
4. Notes that a further report will be submitted to Council if an acquisition price has been agreed to by negotiation;
5. Upon settlement of the acquisition, dedicates part Lot 6 DP 1065574, Newbridge Road, Moorebank, being acquired as ‘Public Road’;
6. Keeps confidential the attachment supplied under separate cover containing details of the proposed acquisition pursuant to the provisions of Section 10A(2)(c) of the *Local Government Act* 1993 as this information would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; and
7. Authorises its delegated officer to execute any document, under Power of Attorney necessary to give effect to this decision.

COUNCIL DECISION

Motion: **Moved: Cllr Shelton** **Seconded: Cllr Rhodes**

That the recommendation be adopted.

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

ITEM NO: CONF 14
FILE NO: 298344.2016
SUBJECT: Proposed disposal of part Copeland Street, Liverpool

RECOMMENDATION

That Council:

1. Subject to a successful road closure and rezoning, agrees to the sale of part Copeland Street, Liverpool, containing an area of approximately 300 square metres, for the price and terms set out in this confidential report;
2. Keeps confidential the attachment supplied under separate cover containing the purchase price pursuant to the provisions of Section 10A(2)(c) of the *Local Government Act* 1993 as this information would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business;
3. Transfers the proceeds of sale into the General Property Reserve; and
4. Authorises its delegated officer to execute any document, under Power of Attorney necessary to give effect to this decision.

COUNCIL DECISION

Motion: **Moved: Cllr Shelton** **Seconded: Cllr Karnib**

That the recommendation be adopted.

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

PRESENTATIONS BY COUNCILLORS

Cllr Hagarty made a presentation to Council regarding the Annual General Meeting of the Liverpool Migrant Resource Centre and tabled the book titled “Courageous Journeys, A Family Portrait”.

Cllr Kaliyanda made a presentation to Council regarding an award received from Share Care for ongoing support from Council.

THE MEETING CLOSED AT 8.51pm.

<Signature>

Name: Ned Mannoun

Title: Mayor

Date: 14 December 2016

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 23 November 2016. 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 2016

PRESENT:

Mayor Wendy Waller
 Councillor Ayyad
 Councillor Balloot
 Councillor Hadchiti
 Councillor Hadid
 Councillor Hagarty
 Councillor Harle
 Councillor Kaliyanda
 Councillor Karnib
 Councillor Rhodes
 Councillor Shelton
 Mr Kiersten Fishburn, Acting Chief Executive Officer
 Mr Gary Grantham, Chief Financial Officer / Director Corporate Services
 Ms Toni Averay, Director Planning and Growth
 Dr Eddie Jackson, Acting Director Community and Culture
 Mr Wayne Carter, Director City Presentation
 Mr Raj Autar, Director Infrastructure and Environment

The meeting commenced at 6.01pm.

OPENING	6.01pm
ACKNOWLEDGEMENT OF COUNTRY AND PRAYER	The prayer of the Council was read by Pastor Paul Mosiejczuk from Liverpool Baptist Church.
APOLOGIES	Nil
CONDOLENCES	Nil

CONFIRMATION OF MINUTES

Motion: **Moved: Clr Shelton** **Seconded: Clr Hadid**

That the minutes of the Ordinary Meeting held on 23 November 2016 be confirmed as a true record of that meeting subject to the following change:

Item IHAP 01 from the Council meeting from the 23rd November 2016 be amended so that Clr Ayyad is shown to have voted against the Motion.

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

DECLARATIONS OF INTEREST

Clr Hagarty declared a declared a non-pecuniary, less than significant interest in the following Item :

NOM 03: Children’s Parliament
Reason: Clr Hagarty’s daughter has been selected to be a representative of the Children’s Parliament

Clr Hagarty left the Chambers for the duration of the item.

Clr Hadchiti declared a pecuniary interest in the following item:

CONF 05: Tender ST2575 – Austral and Leppington North – Design of Water Management Infrastructure

Reason: Clr Hadchiti owns land in the Leppington North Precinct. This land is in the Camden Council area. The Camden site may receive a benefit.

Clr Hadchiti left the Chambers for the duration of the item.

PUBLIC FORUM

Presentation – Items not on agenda

- 1. **Ms Kate Woods** addressed Council on the following matter:

DA 1038/216 – 24 Madang Street Holsworthy - a ten unit boarding house and demolition of existing dwelling.

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

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

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

2. **Mr Paul Mogan** addressed Council on the following matter:

DA 1038/216 – 24 Madang Street Holsworthy - a ten unit boarding house and demolition of existing dwelling.

Motion: **Moved:** **Clr Shelton** **Seconded:** **Clr Hadchiti**

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

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

3. **Mr Gavin Symes** addressed Council on the following matter:

DA 1038/216 – 24 Madang Street Holsworthy - a ten unit boarding house and demolition of existing dwelling.

4. **Ms Judith Carter** addressed Council on the following matter:

Liverpool Animal Shelter

Representation – items on agenda

Nil

MAYORAL MINUTE

ITEM NO: MAYOR 01
FILE NO: 334756.2016
SUBJECT: Selection of Chief Executive Officer

On 12 October, Council resolved to appoint Local Government Management Solutions (LGMS) to assist scoping, advertising and assessing applications for the position of Chief Executive Officer.

LGMS advertised the position in the Sydney Morning Herald from Friday, 21 October 2016, and applications closed on Monday, 14 November 2016.

The Recruitment Working Group interviewed seven candidates on Monday 5 and Tuesday 6 December 2016.

The Working Group selected three candidates to make a presentation to Council in Closed Session at the Ordinary Meeting on 14 December 2016. It is proposed that the candidate presentations be conducted after the Notices of Motion in the Agenda. It is further proposed that, following these presentations, a vote be taken to determine the successful candidate.

It is proposed that Christian Morris, Senior Consultant, Local Government Management Solutions, who sat on the Working Group, be in attendance at the Ordinary Meeting to facilitate the candidate presentations.

Recommendation:

1. That the Mayoral Minute to the Ordinary Council Meeting on 14 December 2016 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 Working Group on 6 December 2016 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 by secret ballot for the candidate of their choice and the candidate who receives the highest number of votes be named as the successful candidate.
4. That the Mayor act as returning officer for the secret ballot, and Christian Morris of Local Government Management Solutions act as scrutineer of ballots.
5. In the case of a tie in votes for candidates, the Mayor will cast the deciding vote.
6. That the successful candidate be offered the position of Chief Executive Officer of Liverpool City Council and the Mayor be authorised, with advice from the Recruitment Consultant to finalise negotiations based on the following:

- a) A four (4) year performance-based Contract.
 - b) A 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.
7. 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.
 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 Mayor, Deputy Mayor and two other Councillors as members of the Chief Executive Officer's Performance Review Panel in accordance with the Guidelines for the Appointment and Oversight of General Managers issued by the Office of Local Government.
 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.

COUNCIL DECISION

Motion: **Moved: Mayor Waller**

That the recommendation be adopted.

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

ITEM NO: CEO 02
FILE NO: 325206.2016
SUBJECT: Cost Benefit Analysis of the Proposed Internal Ombudsman

RECOMMENDATION

That Council:

1. Delegate authority to the Acting Chief Executive Officer to give effect to the proposed Internal Ombudsman model, as outlined in the staff report.
2. Direct that the question of funding for the position be managed through the quarterly budget review process.

COUNCIL DECISION

Motion: **Moved: Clr Hadchiti** **Seconded: Clr Kaliyanda**

That Council:

1. Approve in principle the Internal Ombudsman model as outlined in the staff report.
2. Direct that the question of funding for the position be managed through the quarterly budget review process.
3. Receive a report on the guidelines of the final model at the first Council meeting in February 2017.

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

CHIEF FINANCIAL OFFICER

ITEM NO: CFO 01
FILE NO: 320698.2016
SUBJECT: Investment Report November 2016

RECOMMENDATION

That Council receives and notes this report

COUNCIL DECISION

Motion: **Moved: Clr Shelton** **Seconded: Clr Hadid**

That the recommendation be adopted.

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

COMMUNITY AND CULTURE REPORT

ITEM NO: DCC 01
FILE NO: 288995.2016
SUBJECT: Reconciliation Action Plan 2016 - 2020

RECOMMENDATION

That Council:

1. Receives and notes this report;
2. Approves the Draft Reconciliation Action Plan for public exhibition; and
3. Receives a further report following public exhibition seeking to adopt the final Reconciliation Action Plan.

COUNCIL DECISION

Motion: **Moved: Clr Shelton** **Seconded: Clr Karnib**

That Council:

1. Receives and notes this report.
2. Approves the Draft Reconciliation Plan for public exhibition subject to the following changes:
 - Clause 1.4 be amended so that the workshops to educate new and existing staff of the local Aboriginal history also be extended to Councillors.
 - Clause 3.2.1 be amended to read:
“Actively investigate Aboriginal and Torres Strait Islander cultural tourism activities and develop a cultural tourism brochure and investigate the feasibility and possibility of an Aboriginal and Torres Strait Islander Arts and Cultural facility to service overseas visitors”.
 - The Measureable Target in Clause 2.3 be amended to read:
“Record the increase of members of Council’s Aboriginal Consultative Committee participating in committees/ networks.

Record the number of Aboriginal stakeholders that participate in Council Committees”.

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

ITEM NO: DCC 02
FILE NO: 296905.2016
SUBJECT: Precinct Co-ordination - Carnes Hill and City Centre

RECOMMENDATION

That Council:

1. Receives and notes this report; and
2. Approves the incorporation of two Precinct Co-ordination positions within the Community Planning and Development and Economic Development teams.

COUNCIL DECISION

Motion: **Moved: Clr Ayyad** **Seconded: Clr Karnib**

That Council:

1. Receives and notes this report;
2. Approves the incorporation of two Precinct Co-ordination positions within the Community Planning and Development and Economic Development teams; and
3. Any future significant precinct developments include an ongoing operational budget for one of these positions.

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

PLANNING AND GROWTH REPORT

ITEM NO: DPG 01
FILE NO: 322595.2016
SUBJECT: Planning Proposal for Leppington Pastoral Company at 1675 The Northern Road, Greendale

RECOMMENDATION

That Council:

1. Supports amendments to Liverpool Local Environmental Plan 2008 as detailed in the Planning Proposal (Attachment 1).
2. Delegates to the A/CEO the authority to finalise the planning proposal subject to receipt of a Stage 1 – Preliminary Site Investigation contamination study applying to the site, and to submit the proposal to the Department of Planning and Environment for finalisation pursuant to s59 of the Environmental Planning and Assessment Act 1979.

COUNCIL DECISION

Motion: **Moved: Clr Hadchiti** **Seconded: Clr Ayyad**

That the recommendation be adopted.

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

Councillors voted unanimously for this motion.

ITEM NO: DPG 02
FILE NO: 323163.2016
SUBJECT: Planning Proposal for 6, 8 and 16 Bridges Road and 361 Newbridge Road, Moorebank (Residential and Business Uses and changes to maximum height, floor space ratio and minimum lot size)

RECOMMENDATION

That Council:

- 1. Receives and notes the planning proposal for land owned by Coronation Property Pty Ltd comprising Lot 10 DP 875626, Lot 111 DP1133744, Lot 1 DP329572 and Lot 101 DP827141 to enable the creation of a mixed use urban renewal precinct;
- 2. Defers consideration of the Planning Proposal in order to enter into a collaborative working relationship with the proponent to determine the appropriate controls, including height and FSR, to apply to the precinct in the context of the draft South West District Plan and draft Georges River Master Plan;
- 3. Seeks further information in relation to the type and delivery framework for appropriate non-residential land uses; urban design analysis to identify appropriate height and massing outcomes; housing choice and affordable housing opportunities; traffic impact, infrastructure requirements, delivery mechanisms and staging; and the sequencing of development across the site; and
- 4. Notes that a further report will be prepared following the submission and assessment of a revised planning proposal, informed by additional studies and plans, including the Georges River Master Plan and the South West District Plan and incorporating the changes recommended by this report.

COUNCIL DECISION

Motion: **Moved: Cllr Rhodes** **Seconded: Cllr Harle**

That the recommendation be adopted.

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

Councillors voted unanimously for this motion.

ITEM NO: DPG 04
FILE NO: 323313.2016
SUBJECT: Planning Proposal for 1 Moorebank Avenue and 3 Helles Avenue, Moorebank

RECOMMENDATION

That Council:

- 1. Receives and notes the planning proposal for land owned by Goodman Pty Ltd comprising Lot 201 DP 1131171 and Lot 211 DP 829555, to enable the creation of a mixed use urban renewal precinct;
- 2. Defers consideration of the Planning Proposal in order to enter into a collaborative working relationship with the proponent to determine the appropriate controls, including height and FSR, to apply to the precinct in the context of the draft South West District Plan and draft Georges River Master Plan;
- 3. Seeks further information in relation to the type and delivery framework for appropriate non-residential land uses; urban design analysis to identify appropriate height and massing outcomes; housing choice and affordable housing opportunities; traffic impact, infrastructure requirements, delivery mechanisms and staging; and the sequencing of development across the site; and
- 4. Notes that a further report will be prepared following the submission and assessment of a revised planning proposal, informed by additional studies and plans, including the Georges River Master Plan and the South West District Plan and incorporating the changes recommended by this report.

COUNCIL DECISION

Motion: **Moved: Clr Rhodes** **Seconded: Clr Harle**

That the recommendation be adopted.

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

Councillors voted unanimously for this motion.

.....
Chairperson

COMMITTEE REPORTS

ITEM NO: CTTE 01
FILE NO: 312905.2016
SUBJECT: Liverpool Youth Council Meeting Minutes 9 November, 2016

RECOMMENDATION

That Council:

1. Receives and adopts the Minutes of the Liverpool Youth Council Meeting held on Wednesday 9 November, 2016.

COUNCIL DECISION

Motion: **Moved: Cllr Shelton** **Seconded: Cllr Karnib**

That the recommendation be adopted.

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

Clr Hadchiti left the Chambers at 7.39pm.

ITEM NO: CTTE 02
FILE NO: 319647.2016
SUBJECT: Minutes of the Local Traffic Committee Meeting held on 9 November 2016

RECOMMENDATION

That Council:

1. Receives the Minutes of the Local Traffic Committee Meeting held on 9 November 2016.
2. Adopts the Local Traffic Committee recommendations as noted in this report.

COUNCIL DECISION

Motion: **Moved: Clr Rhodes** **Seconded: Clr Harle**

That the recommendation be adopted.

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

ITEM NO: CTTE 03
FILE NO: 325297.2016
SUBJECT: Minutes of Strategic Panel 30 November 2016

RECOMMENDATION

That Council receives and adopts the Minutes of the Strategic Panel meeting held on 30 November 2016.

COUNCIL DECISION

Motion: **Moved: Cllr Harle** **Seconded: Cllr Karnib**

That the recommendation be adopted.

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

Clr Hadchiti returned to the meeting at 7.43pm

NOTICES OF MOTION

ITEM NO: NOM 01
FILE NO: 326131.2016
SUBJECT: Open and Green Spaces Strategy

NOTICE OF MOTION

That a report be prepared for Council by no later than June 2017 detailing current strategies and recommended future strategies for open and green space planning and usage within the Liverpool LGA. The report should address the following:

1. Current Council LEP and DCP provisions, and open and green space planning.
2. Potential for VPAs to deliver shared use of open space and recreational facilities to support open and green space planning.
3. Key priorities for green spaces and recreational facilities within the Liverpool LGA.
4. Heat island considerations for the Liverpool LGA and at risk locations.
5. Actions required to increase tree canopy coverage in at risk areas; and to protect and enhance the urban canopy. Strategies to enhance participation and use of open and green space.
6. Considerations for making the most of open and green space through effective management.
7. Strategies to incorporate a mix of green and open space types and experiences.
8. Budget implications and potential funding sources.

COUNCIL DECISION

Motion: **Moved: Clr Kaliyanda** **Seconded: Clr Rhodes**

That Council investigate the feasibility of the following and a report be prepared for Council by no later than June 2017 detailing current strategies and recommended future strategies for **open, green space and sustainable city planning** within the Liverpool LGA. The report should address the following:

1. Current Council LEP and DCP to include provisions, to address the need to maintain and increase open, green space and a sustainable city plan.

2. Investigate the feasibility of the potential for VPA's and other means to deliver positive outcomes for a sustainable city that includes but not exclusive to shared use of open space, recreational facilities, maximising traffic flow through CBD, maximisation of underground parking, installation of roof top gardens and delivery of vertical urban gardens.
3. Provide a map of all current green space areas within the Liverpool LGA that also identifies all opportunity sites to increase green space and tree canopies in order to maintain and increase green space and recreational facilities within the Liverpool LGA.
4. Provide a heat map of commercial and high-density areas within the Liverpool LGA.
5. Possible strategies to enhance participation and use of open green space that includes variations of types and experiences.
6. Provide a strategic plan for the Liverpool CBD to address building height variation to minimise shadowing and wind tunnels that might be created by future possible developments.
7. Investigate and report budget implications and potential funding, grants and partnership sources with but not restricted to organisations such as WSROC.
8. Green and sustainable city to be included as an item on the agenda of the Environment Committee to discuss possible new ways of making Liverpool LGA more green and sustainable.
9. Council representation at The Green Cities Conference 6-8 March 2017

Foreshadowed motion: Moved: Cllr Hadchiti Seconded: Cllr Balloot

That the recommendation be adopted.

On being put to the meeting the motion (moved by Cllrs Kaliyanda and Rhodes) was CARRIED.

Cllr Hadchiti requested that his name be recorded as having voted against the motion.

The Foreshadowed Motion (moved by Cllrs Hadchitti and Balloot) lapsed.

ITEM NO: NOM 02
FILE NO: 326312.2016
SUBJECT: Basketball

NOTICE OF MOTION

That Council:

1. Direct the Acting CEO to commence discussions with Basketball NSW in order to develop a strategy that can cater for the future needs of the sport in our LGA.
2. Allocate necessary resources for this strategy to develop from the existing budget.

COUNCIL DECISION

Motion: **Moved: Clr Hadchiti** **Seconded: Clr Ayyad**

That Council:

1. Direct the Acting CEO to commence discussions with Basketball NSW and any participants in basketball in the Liverpool LGA in order to develop a strategy that can cater for the future needs of the sport in our LGA.
2. Allocate necessary resources for this strategy to develop from the existing budget.

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

Clr Hagarty left the Chambers at 7.50pm

ITEM NO: NOM 03
FILE NO: 326361.2016
SUBJECT: Children's Parliament

NOTICE OF MOTION

That Council:

1. Invites the Children's Parliament to hold their parliamentary sessions in the Liverpool Council Chambers in the Francis Greenway Centre provided as much can be accommodated without interfering with any existing usage commitments and provides also an electronic whiteboard and other electronic aids as may reasonably be required. Also to the extent this offer is found to be feasible and is taken up relieves the Children's Parliament and associated bodies from any hire commitments which may have already been entered with respect to other Council community facilities.

2. Invites delegates or 'ambassadors' from the Children's parliament to:
 - i. periodically provide a brief summary to Council of issues debated in the Children's Parliament, and
 - ii. attend ordinary Council meetings in observer capacity.

COUNCIL DECISION

Motion: **Moved: Clr Shelton** **Seconded: Clr Hadchiti**

That Council:

1. Invites the Children's Parliament to hold their parliamentary sessions in the Liverpool Council Chambers in the Francis Greenway Centre provided as much can be accommodated without interfering with any existing usage commitments and provides also an electronic whiteboard and other electronic aids as may reasonably be required. Also to the extent this offer is found to be feasible and is taken up relieves the Children's Parliament and associated bodies from any hire commitments which may have already been entered with respect to other Council community facilities.

2. Invites delegates or 'ambassadors' from the Children's parliament to:
 - i. periodically provide a brief summary to Council of issues debated in the Children's Parliament, and
 - ii. attend ordinary Council meetings in observer capacity.

3. That this item be read in conjunction with DCC 02 (Strong Children and Communities Project) from the 23 November 2016 Council Meeting.

4. The Liverpool Youth Council be kept informed of what transpires within the Children's Parliament.

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

.....

ITEM NO: CFO 02
FILE NO: 332479.2016
SUBJECT: Tender Exemption - Library Staff at Carnes Hill Library

RECOMMENDATION

That Council:

- 1) Approve an exemption to the tendering requirements under s.55(3)(i) of the *Local Government Act 1993* for the ongoing appointment of Clarius Group Ltd (and their related trading entities) for the purposes of supply of temporary library staff to the Carnes Hill Library, for the following reasons:
 - a) These staff were appointed on a temporary basis, in anticipation of permanent recruitment being effected as soon as possible.
 - b) A tender was not originally required for these appointments, as they were not expected to breach the \$150,000 tender threshold set out in cl.163 of the *Local Government (General) Regulation 2005*.
 - c) Permanent recruitment was delayed as a result of budget cuts passed in 29 June 2016, and was further delayed by a failed rescission motion applying to these cuts that was debated in July 2016.
 - d) As such, and to keep the Carnes Hill Library open, temporary staff appointments were extended beyond the period originally anticipated.
 - e) The budget for these permanent staff positions was only settled at Council's Ordinary Meeting on 23 November 2016.
 - f) Permanent recruitment can now begin, but owing to the imminent Christmas break, is not likely to be completed until at least March 2017.
 - g) As such, the appointments must be further extended, and the tender threshold of \$150,000 will be breached, making an exemption from Council necessary to satisfy legislative requirements.

COUNCIL DECISION

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

That the recommendation be adopted.

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

CONFIDENTIAL ITEMS

ITEM NO: CONF 01
FILE NO: 294081.2016
SUBJECT: Waste Management Audit and Process Review Update

RECOMMENDATION

That Council:

1. Receives and notes this report.
2. Approves the draft Asbestos Policy.

COUNCIL DECISION

Motion: **Moved: Cllr Shelton** **Seconded: Cllr Rhodes**

That the recommendation be adopted.

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

Clr Hagarty returned to the Chambers at 7.59pm.

ITEM NO: CONF 02
FILE NO: 316248.2016
SUBJECT: Legal Affairs Report

RECOMMENDATION

That Council receives and notes the report concerning the Legal Affairs of Council.

COUNCIL DECISION

Motion: **Moved: Clr Hadid** **Seconded: Clr Balloot**

That the recommendation be adopted.

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

ITEM NO: CONF 03
FILE NO: 303428.2016
SUBJECT: Tender WT2592 - Supply and Install Automatic Irrigation System - Bigge Park

RECOMMENDATION

That Council:

- 1. Accepts the Tender from Never Stop Irrigation Pty Ltd for Tender WT2592 – Supply and Install Automatic Irrigation System – Bigge Park at the GST exclusive price of \$225,000.
- 2. Makes public its decision regarding Tender WT2592 – Supply and Install Automatic Irrigation System – Bigge Park.
- 3. Notes that the Director, Infrastructure and Environment will finalise all details and sign the Letter of Acceptance following publication of the draft minutes on Council’s website for the tender, giving it contractual effect, in accordance with delegated authority.
- 4. Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of Section 10A(2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

COUNCIL DECISION

Motion: **Moved:Clr Hadid** **Seconded:Clr Balloot**

That the recommendation be adopted.

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

Councillors voted unanimously for this motion.

ITEM NO: CONF 04
FILE NO: 323957.2016
SUBJECT: Tender WT2591 - Spa Renewal Works at Whitlam Leisure Centre

RECOMMENDATION

That Council:

1. Accepts the Tender from Crystal Pools Pty Ltd for Tender WT2591 – Spa Renewal Works at Whitlam Leisure Centre at the GST exclusive price of \$217,000.

2. Makes public its decision regarding Tender WT2591 – Spa Renewal Works at Whitlam Leisure Centre.

3. Notes that the Director, Infrastructure and Environment will finalise all details and sign the Letter of Acceptance following publication of the draft minutes Council’s website for the tender, giving it contractual effect, in accordance with delegated authority.

4. Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of Section 10A(2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

COUNCIL DECISION

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

That the recommendation be adopted.

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

Councillors voted unanimously for this motion.

Clr Hadchiti returned to the meeting at 8.03pm.

ITEM NO: CONF 06
FILE NO: 325284.2016
SUBJECT: Acquisition of part of three properties at Edmondson Park for the realignment of Croatia Avenue

RECOMMENDATION

That Council:

1. Proceeds with the compulsory acquisition of the below mentioned properties for road purposes:
 - Part Lot 1 DP 1129337, Lot 1 Camden Valley Way, Edmondson Park;
 - Part Lot 36 DP 1197095, Lot 36 Croatia Avenue, Edmondson Park;
 - Part Lot 37 DP 1197095, Lot 37 Croatia Avenue, Edmondson Park.
2. Proceeds with making the necessary application to the Minister for Local Government and the Governor in accordance with Section 187(2) of the *Local Government Act* 1993 to obtain approval to give an acquisition notice and commence compulsory acquisition of the abovementioned properties in accordance with the *Land Acquisition (Just Terms Compensation) Act* 1991 and the *Roads Act* 1993;
3. Authorizes the Director Property & Commercial Development and/or his nominee to negotiate with all the respective landowners, to acquire part of those lots required for road purposes;
4. Upon settlement of the acquisitions, dedicates all the properties being acquired as public road;
5. Keeps confidential the attachment supplied under separate cover containing the potential acquisition prices pursuant to the provisions of Section 10A(2)(c) of the *Local Government Act* 1993 as this information would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; and
6. Authorises its delegated officer to execute any document, under Power of Attorney necessary to give effect to this decision.

COUNCIL DECISION

Motion: **Moved: Clr Hadid** **Seconded: Clr Ballot**

That the recommendation be adopted.

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

ITEM NO: CONF 07
FILE NO: 324900.2016
SUBJECT: Acquisition of an easement over part Lot 101 DP 1143458, 306 Macquarie Street, Liverpool

RECOMMENDATION

That Council:

- 1. Proceeds with the compulsory acquisition to extinguish the easement for Light and Air over Lot 101 DP 1143458, 306 Macquarie Street, Liverpool, for a public purpose;
- 2. Proceeds with making the necessary application to the Minister for Local Government and the Governor in accordance with Section 187(2) of the *Local Government Act* 1993 to obtain approval to give an acquisition notice and commence compulsory acquisition to extinguish the easement for light and air over Lot 101 DP 1143458, under the *Land Acquisition (Just Terms Compensation) Act* 1991;
- 3. Keeps confidential the attachment supplied under separate cover containing details of the proposed acquisition pursuant to the provisions of Section 10A(2)(c) of the *Local Government Act* 1993 as this information would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; and
- 4. Authorises its delegated officer to execute any document, under Power of Attorney necessary to give effect to this decision.

COUNCIL DECISION

Motion: **Moved: Clr Shelton** **Seconded: Clr Hadchiti**

That Council defer the matter and a further report be submitted to the next Council meeting for Council’s consideration.

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

ITEM NO: CONF 08
FILE NO: 323903.2016
SUBJECT: Proposed road closure and disposal of part Scott and Terminus Street, Liverpool and Newbridge Road, Liverpool

RECOMMENDATION

That Council:

1. Agrees to the road closure of part Scott and Terminus Street and part Newbridge Road, Liverpool, as outlined within the confidential report;
2. Subject to a successful road closure, agrees to the sale of part Scott and Terminus Street and part Newbridge Road, Liverpool, containing an area of approximately 662 square metres, for the price and terms set out in this confidential report;
3. Keeps confidential the attachment supplied under separate cover containing the purchase price pursuant to the provisions of Section 10A(2)(c) of the *Local Government Act* 1993 as this information would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business;
4. Transfers the proceeds of sale into the General Property Reserve; and
5. Authorises its delegated officer to execute any document, under Power of Attorney necessary to give effect to this decision.

COUNCIL DECISION

Motion: **Moved:** Clr Harle **Seconded:** Clr Rhodes

That this matter be deferred for discussion at a Councillors Briefing Session before coming back to Council.

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

ITEM NO: CONF 09
FILE NO: 323458.2016
SUBJECT: Former Council Administration Centre, 1 Hoxton Park Road, Liverpool

RECOMMENDATION

That Council:

1. Agrees to the purchase of part Lot 103 DP 877139, comprising an area of approximately 12,950 square metres and authorises the Acting Chief Executive Officer, or her delegate, to commence negotiations with Health Administration Corporation;
2. Authorises a purchase price for part Lot 103 DP 877139, comprising an area of approximately 12,950 square metres, up to the amount contained in the confidential attachment;
3. Upon settlement of the acquisition, classifies part Lot 103 DP 877139, as 'Operational' land in accordance with the *Local Government Act 1993*;
4. Keeps confidential the attachment supplied under separate cover containing details of a potential purchase pursuant to the provisions of Section 10A(2)(c) of the *Local Government Act 1993* as this information would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business;
5. Notes that further report will be submitted to Council, if Council is successful in the purchase of part Lot 103 DP 877139, to seek Council approval for the most appropriate method to fund the acquisition;
6. Authorises its delegated officer to execute any document, under Power of Attorney necessary to give effect to this decision.

COUNCIL DECISION

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

That the matter be deferred.

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

ITEM NO: CONF 10
FILE NO: 311982.2016
SUBJECT: Floodplain Management Committee Review

RECOMMENDATION

That Council:

1. Extends the Environmental Advisory Committee’s advisory role to include water and floodplain management related matters;
2. Adopts the revised Draft EAC Charter; and
3. Authorises the Director Infrastructure & Environment to invite the following applicants to become additional members of the Environmental Advisory Committee as community representatives, subject to nominees agreeing to abide by Council’s Code of Conduct:
 - Mr. Matthew Rodgers;
 - Mr. Gary Lucas; and
 - Ms. Rosalyn Faddy.

COUNCIL DECISION

Motion: **Moved: Cllr Shelton** **Seconded: Cllr Karnib**

That the recommendation be adopted.

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

MOTION TO MOVE INTO CLOSED SESSION

Motion **Moved: Mayor Waller** **Seconded: Clr Hagarty**

That Council move into Closed Session to deal with the Mayoral Minute relating to the selection of the Chief Executive Officer pursuant to the provisions of s10A(2)(a) of the Local Government Act because it contains personnel matters concerning particular individuals (other than Councillors).

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

A 5 minute recess was called by the Mayor at 8.09pm following which Council moved into Closed Session at 8.14pm.

Council moved back into Open Session at 10:00pm

MAYORAL MINUTE

ITEM NO: MAYOR 01
FILE NO: 334756.2016
SUBJECT: Selection of Chief Executive Officer

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

1. That a person has been agreed upon in regards to the CEO position and an offer will be made.

2. The CEO’s Performance Review Panel shall consist of the Mayor, Deputy Mayor, Councillor Rhodes, Councillor Hadchiti and a further Councillor to be selected by the new CEO.

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

All those involved in the recruitment process were thanked by the Mayor for their participation.

THE MEETING CLOSED AT 10.01pm.

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 1 February 2017

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 2016. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.