

**MINUTES OF THE ORDINARY MEETING
HELD ON 1 FEBRUARY 2017**

PRESENT:

Mayor Wendy Waller
 Councillor Ayyad
 Councillor Balloot
 Councillor Hadchiti
 Councillor Hadid
 Councillor Hagarty
 Councillor Harle
 Councillor Kaliyanda
 Councillor Karnib
 Councillor Rhodes
 Councillor Shelton
 Ms Kiersten Fishburn, Chief Executive Officer
 Mr Gary Grantham, Chief Financial Officer / Director Corporate Services
 Ms Nada Mardini, Acting 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

The meeting commenced at 6.03pm

OPENING

6.03pm

**ACKNOWLEDGEMENT OF
COUNTRY AND PRAYER**

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

APOLOGIES

Nil

CONDOLENCES**Ms Jessica Mudie (read by Mayor Waller)**

I wish to convey sympathies and condolences to the victims of the tremendous tragedy that occurred in Melbourne on Friday that has rocked our nation. This event has had a direct impact on our community with the tragic loss of Ms Jessica Mudie. I know that all of Council's staff and our councillors were deeply distressed at hearing the initial news out of Melbourne, but it has struck close to home when one of our own residents sadly passed as a result.

Liverpool has been deeply affected by the loss Ms Mudie, in this event and many of our residents are feeling the loss of a neighbour, a friend and family member. Our hearts have been truly broken by the deaths and injuries that have occurred. We hope to never see this needless loss of life within our own city.

By all accounts Ms Mudie was someone who truly enjoyed life making her tragic death all the more palpable. The out pouring of love and support from both our local residents and the Melbourne community has been truly heart lifting. These events can bring our cities to a standstill. Yet, through these adversities we build unity and resilience among our people.

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

That Council hold a one minute silence in memoriam for those that lost their lives in the tragedy that occurred in Melbourne.

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

One minute silence was then observed for the people that lost their lives as a result of the tragedy in Melbourne.

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

Representation – Items on agenda

Nil

MAYORAL MINUTE

ITEM NO: MAYOR 01
FILE NO: 021714.2017
SUBJECT: 20 Years of IHAP

In 1997 Liverpool City Council made the break-away decision to implement the first Independent Hearing and Assessment Panel in New South Wales to deal with development applications. Prior to this DA's would be decided in open council with prolonged debate and delay consideration on other important matters. With the delegation of many of these issues to the Panel, Liverpool lead the way in introducing a system that is now being accepted into the state's main planning laws.

I would like to acknowledge particularly the work of former councillor Alex Sanchez, who, as the then Deputy Mayor, lead the debate on installing an IHAP in Liverpool to give councillors more opportunity to discuss the policies and planning that would have the most positive impacts for the most people.

Over the past 20 years the IHAP has played an invaluable role in providing impartial and independent rulings on contentious development approvals while allowing the community and key stakeholders to have their voice heard.

The success of IHAP has made it a mainstay across a number of councils in NSW and is now becoming a vital part of planning in New South Wales. It is to the credit of Liverpool Council that we took the first steps in making this happen.

RECOMMENDATION:

That Council:

1. Acknowledges the success of the Independent Hearing and Assessment Panel over the past 20 years
2. Write to former councillor Alex Sanchez acknowledging the work he put into starting IHAP in Liverpool and the success it has become.

COUNCIL DECISION

Motion: **Moved: Mayor Waller**

That the recommendation be adopted.

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

INDEPENDENT HEARING AND ASSESSMENT PANEL REPORT

ITEM NO: IHAP 01
FILE NO: 008619.2017
SUBJECT: DA-268/2016 - Subdivision of one lot into two Torrens title lots and the construction of a two storey dwelling on the proposed battle-axe lot at 6 Torrens Court, Wattle Grove

RECOMMENDATION

That Council approves Development Application DA-268/2016 subject to the amended recommended conditions of consent (Attachment 4).

COUNCIL DECISION

Motion: **Moved: Clr Hadchiti** **Seconded: Clr Ayyad**

That Council approves Development Application DA-268/2016 subject to the amended recommended conditions of consent (Attachment 4) however with the deletion of condition 3.2.

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

That the recommendation be adopted.

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

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) then became the motion and on being put to the meeting the motion was declared CARRIED.

Vote for

- Mayor Waller
- Clr Hadchiti
- Clr Hagarty
- Clr Harle
- Clr Kaliyanda
- Clr Karnib
- Clr Rhodes
- Clr Shelton

Vote against:

- Clr Ayyad
- Clr Balloot
- Clr Hadid

Applicant Details	Sports Committee Recommendation for funding
Mereana Peyroux	\$200
Essence Crothers To'o	\$200
Rhiannan Dotti	\$500
Breanna Evans	\$200
Phillip Millikin	\$100
Joshua Felimon Ramos Ward	\$100
*Djuro Stojanovic	\$100
Elijah Alia Mohammed	\$100
Terrence Fernandez	\$100
Isobel Biondi	\$500
Dejahn Karora	\$200
Zachary Roberts	\$100
Tegan Lamond	\$200

*Council staff to check on whether Djuro Stojanovic resides in the Liverpool local government area. If not, then his name to be removed from the list.

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

Clr Balloot left the Chambers at 7.12pm.

ITEM NO: CFO 03
FILE NO: 007096.2017
SUBJECT: Floodplain Management Association Conference

RECOMMENDATION

That Council:

1. Receives and notes the program information of the Floodplain Management Association Conference 16 – 19 May 2017.
2. Nominate its delegates to attend the 2017 Floodplain Management Association Conference in Newcastle from 16 May 2017 to 19 May 2017.

COUNCIL DECISION

Motion: **Moved: Clr Hadid** **Seconded: Clr Karnib**

1. Receives and notes the program information of the Floodplain Management Association Conference 16 – 19 May 2017.
2. Nominate Councillor Harle and Councillor Rhodes to attend the 2017 Floodplain Management Association Conference in Newcastle from 16 May 2017 to 19 May 2017 as Council's delegate.

Amendment: **Moved: Clr Hadchiti** **Seconded: Clr Ayyad**

1. Receives and notes the program information of the Floodplain Management Association Conference 16 – 19 May 2017.
2. Nominate Councillor Harle to attend the 2017 Floodplain Management Association Conference in Newcastle from 16 May 2017 to 19 May 2017 as Council's delegate based on his attendance at the Floodplain Management Committee Meetings.

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

Division called:

Vote for: Clr Ayyad
 Clr Hadchiti

Vote against: Mayor Waller
 Clr Hadid
 Clr Hagarty
 Clr Harle
 Clr Kaliyanda
 Clr Karnib
 Clr Rhodes
 Clr Shelton

The motion (moved by Clr Hadid) was then put to the meeting and was declared CARRIED.

Clr Hadchiti requested that his name be recorded as having voted against the Motion.

QUESTIONS WITH NOTICE

ITEM NO: QWN 01
FILE NO: 015679.2017
SUBJECT: Question with Notice - Cllr Harle and Cllr Rhodes

Questions relating to the Safety aspects of the Liverpool CBD.**Background**

During the previous term of Council, Council officers in conjunction with Liverpool Police carried out several safety audits of the Liverpool CBD during both normal business hours and after hours. Members of the audit group included Police Officers, Business owners, Councillors and interested community members. Council produced reports based on those surveys which included recommendations to be implemented.

Please address the following:

1. In summary, what were those recommendations?
2. Have any of the recommendations been implemented?
3. What is the overall cost of implementing those recommendations?
4. How would the implementation of those recommendations impact on the overall effectiveness of the current CCTV monitoring system?
5. What, if any, funding source was suggested to implement any of the recommendations?
6. What funding source has been used to maintain and operate the CCTV system to date, e.g. general ratepayers' rates, Federal and State Government Grants and the City Improvement Fund?
7. What is the overall annual maintenance cost of the CCTV camera monitoring system cost to Council?
8. When does the current funding of the CCTV camera monitoring system cease?
9. Has any of the recordings, captured by the CCTV Cameras, been used in convicting offenders since the system was activated?
10. How many offences and what type of offences were committed in the Liverpool CBD both prior to, and for the same duration of time after the installation of CCTV cameras?

11. Do the CCTV cameras assist in any way in apprehending offenders when the crime is being committed?
12. Does Liverpool Police provide a city beat patrol service in the Liverpool CBD and at what times?

A response to these questions will be provided in the 22 February 2017 business papers.

- About 1,500 additional dwellings currently being added in Liverpool annually (release areas, established area redevelopment and apartments around Liverpool City Centre);
- About 2,300 dwelling capacity for apartments around Liverpool City Centre (not counting future rezonings);
- About 7000 dwelling capacity for apartments in Liverpool City Centre (when Amendment 52 is gazetted);
- About 23-30,000 dwelling capacity in existing Release Areas zoned for residential development (depending on the density that will be achieved);
- Increased number of small lots being created in response to increasing land prices;
- Development contributions in newer release areas are capped at \$30,000 per dwelling;
- The control of planning in the Western Sydney Priority Growth Area is with the State Government (the structure planning for this area is currently being reviewed by the State Government, in response to the airport, in conjunction with Penrith and Liverpool Councils);
- For Council to earmark and prioritise lands it will need to substantial funding for the planning of these areas from its own resources or possibly ask DPE for funding from the SIC;
- To seriously facilitate development, the most fundamental infrastructure is water and sewer (out of Council's control) – this might be the subject of a City Deal.

2. Subdivision Certificate Process

It is important to ensure timely release of subdivision certificates. Council officers have implemented new and streamlined processes which have reduced the turnaround times. Following is a summary of these initiatives:

The implementation of a TRIM workflow that has been tailored for processing incoming Subdivision Certificates (SC's) was created with the objective to:

- Replace the existing manual process with an efficient electronic version
- Introduce a 14 day turn around deadline
- Improve the departments communication
- Customer satisfaction
- Quality assurance
- Replace the manual SC ledger with an electronic version
- Record relevant data and linen plans in TRIM
- Update and introduce electronic check lists

TRIM workflows have been designed to ensure that incoming correspondence is reviewed, passed on to relevant departments with clear instructions for input/action, delivered within a timely manner and filed in TRIM accordingly.

This streamlined process provides quality assurance and customer satisfaction. It also enables Council to track an audit history of the workflow via TRIM to determine if it has been delivered within the allocated time frame of 14 business days.

This has proven to be an effective and productive process. The Development Engineering Department is exceeding the turnaround time frame and in the last two months has been able to complete SC's within 9 business days.

3. Major Infrastructure Delivery New Release Areas– Bernera Road Extension

It is essential that key infrastructure is funded and delivered in a timely manner in new release areas to facilitate new housing. One important project is the extension of Bernera Road (formerly Croatia Avenue) Edmondson Park. The extension of Bernera Road will:

- unlock land for housing development that align with the Council DCP and attract developers, ensuring that the housing development within the precinct is not delayed (3,500 dwellings);
- develop new infrastructure for public (buses) and active transport modes;
- address existing intersection performance (Camden Valley Road/Croatia Avenue), road safety and local access issues;
- improve essential transport linkages (public transport) with significant areas of undeveloped land in Edmondson Park and provide regionally significant access to the Edmondson Park Railway Station;
- allow service authorities to construct new carrier mains to increase capacity and meet future development demand;
- provide certainty for developers, which in turn will facilitate consolidation of fragmented land and development;
- provide certainty for Liverpool City Council to approve development applications;
- ensure that the benefit of significant government investment into the South West Rail Line and South West Priority Land Release Area is maximised.
- create walkable neighbourhoods, with good access to public transport;
- ensure vehicular, pedestrian and cycle ways link efficiently within and between all land uses;
- accommodate access for all people throughout Edmondson Park;
- maximise opportunities for local employment and business in appropriate locations;
- create a compact, vibrant and successful town and village centres;
- protect and enhance riparian corridors, significant trees and vegetation; and
- ensure the timely delivery of critical infrastructure and efficient use of land and existing infrastructure.

The project is funded from;

- S94 contributions,
- S80(a) Developer payments, and
- HAF-3 (Housing Acceleration Fund) funding

NSW Government through Planning NSW have indicated that of the total cost of \$28M, they will fund Council under the HAF-3 program \$16M.

The estimated completion is set for late 2018.

Council officers are now in the process of applying for HAF-4 funds to improve Fifteenth Ave and Edmondson Ave.

4. 149 Certificates

It is important for 149 certificates to be both accurate and issued in a timely manner to enable new home buyers and builders to progress their projects. A dedicated 149 project officer was appointed in June 2016 to undertake a full review of land property information to ensure accuracy and to implement new processes to ensure timely release of certificates and to develop an automated online system. The project has been extremely successful and is close to completion. The following outcomes are noted:

- **Faster:** the average turnaround time has been shortened from 21.3 days in Apr 2016 to 1.3 days in Dec 2016.
- **Easier:** new template and data extracting logic made it easier to use for both council staff and clients.
- **More accurate:** no significant errors found in generated s149 certificates since Dec 2016. **More accountable:** accountability of data quality is established and all related data updates can be tracked.

Work is continuing on developing the automated functionality. It is anticipated this will be launched prior to June 2017.

5. Fast Track & Liverpool ePlanning

Liverpool Council won the 2016 NSW Planning Institute of Australia (PIA) award for Planning Excellence in the Improving Planning Processes and Practices category for our eDA project.

The award recognises the achievements of Liverpool Council in translating good planning policy into improved processes and practices in the workplace and on the ground. The judging panel noted that Liverpool's Fast Track project provides 98% faster assessment, faster lodgements and faster correspondence, with 100% customer satisfaction, which is a significant planning process improvement.

The panel said that a Council which develops an e-portal resulting in 250 residential development applications being determined on average in 4 days is providing a benchmark to all councils across NSW!

Liverpool ePlanning has delivered improvements in development assessment processes and reduced turnaround times, particularly through our Fast Track program. This initiative shows Liverpool ePlanning leading NSW in reducing red tape and facilitating faster approvals for houses including dwellings in the new release areas.

The current Fast Track process only applies to new houses in new release areas. Council officers have finalised the amendments to the DCP Part 8 which will enable the expansion of Fast Track to all houses in the Liverpool LGA including those in established area, as well as for other minor applications including carports, patios, awnings, sheds and swimming pools. The expanded process is being piloted with current Fast Track users and will be rolled out for all users in March 2017. This will yet another significant step forward for improvements in turnaround times for housing and other applications, supporting the demand for new and affordable housing.

Any correspondence with individual schools would have to be advanced on a case by case basis. Such a process would clearly have to take cognisance of both the discussions with the Department of Education and the forthcoming Recreation strategy to ensure integrated planning and service delivery were aligned and mutually reinforcing.

Vote against: Mayor Waller
 Clr Hagarty
 Clr Kaliyanda
 Clr Karnib
 Clr Shelton

Foreshadowed motion: Moved: Clr Shelton Seconded: Clr Hagarty

That the recommendation be adopted.

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

Councillors then discussed the nominations for Chairperson of the respective District Forums and the Intermodal Committee

Motion: Moved: Clr Hadchiti Seconded: Clr Hadid

That Council nominate the following:

- Rural – Clr Harle
- New Release – Clr Hadchiti
- 2168 – Mayor Waller
- Established – Clr Kaliyanda
- City Centre – Clr Shelton
- Eastern District – Clr Rhodes
- Intermodel Committee – Clr Hadchiti

Foreshadowed motion: Moved: Clr Hagarty Seconded: Clr Shelton

That Council nominate the following:

- Rural – Clr Harle
- New Release – Clr Hagarty
- 2168 – Mayor Waller
- Established – Clr Kaliyanda
- City Centre – Clr Shelton
- Eastern District – Clr Rhodes
- Intermodel Committee – Clr Hadchiti

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

The Foreshadowed Motion (moved by Clr Hagarty) then became the motion and on being put to the meeting was declared CARRIED.

CONFIDENTIAL ITEMS

ITEM NO: CONF 01

FILE NO: 007464.2017

SUBJECT: Acquisition of Lot 244 DP 1209408, being part 45-55 Rynan Avenue, Edmondson Park, for drainage purposes

RECOMMENDATION

That Council:

1. Approves the acquisition of Lot 244 DP 1209408, being part 45-55 Rynan Avenue, Edmondson Park, containing an area of approximately 12,830 square metres for the price and terms outlined in the confidential attachment;
2. Upon settlement of the acquisition, classifies Lot 244 DP 1209408, 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: Cllr Harle

Seconded: Cllr Hadid

That Council consider this item in Closed Session at the end of this meeting.

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

COUNCIL IN CLOSED SESSION

Mayor Waller advised that Council would now move into Closed Session to deal with Items CONF 01, CONF 02 and CONF 03 pursuant to the provisions of s10(A)(2)(c) of the Local Government Act because the items contain information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

To allow time for the gallery to leave the Chambers, Mayor Waller called a short recess at 7.40pm.

Mayor Waller resumed the meeting in Closed Session at 7.46pm.

CONFIDENTIAL ITEMS

ITEM NO: CONF 01
FILE NO: 007464.2017
SUBJECT: Acquisition of Lot 244 DP 1209408, being part 45-55 Rynan Avenue, Edmondson Park, for drainage purposes

RECOMMENDATION

That Council:

1. Approves the acquisition of Lot 244 DP 1209408, being part 45-55 Rynan Avenue, Edmondson Park, containing an area of approximately 12,830 square metres for the price and terms outlined in the confidential attachment;
2. Upon settlement of the acquisition, classifies Lot 244 DP 1209408, 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 Harle** **Seconded: Clr Hadid**

That Council consider this item in Committee of the Whole.

5. Notes that a further report will be submitted to Council, if Council is successful in the negotiation of part Lot 103 DP 877139, to seek Council approval for the most appropriate method to fund the acquisition;

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

THE MEETING CLOSED AT 8.15pm

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 22 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 1 February 2017. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.

**MINUTES OF THE ORDINARY MEETING
HELD ON 22 FEBRUARY 2017**

PRESENT:

Mayor Wendy Waller
 Councillor Ayyad
 Councillor Balloot
 Councillor Hadchiti
 Councillor Hadid
 Councillor Hagarty
 Councillor Harle
 Councillor Kaliyanda
 Councillor Karnib
 Councillor Rhodes
 Councillor Shelton
 Ms Kiersten Fishburn, 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 Kevin Smith, Acting Director Infrastructure and Environment
 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 Reverend Manoj Chacko from Liverpool South Anglican Church.
APOLOGIES	Nil
CONDOLENCES	Nil

Vote against: Mayor Waller
Clr Hagarty
Clr Kaliyanda
Clr Karnib
Clr Shelton

5. Notes where appropriate, performance metrics will be developed that capture respective economic, social or cultural outcomes emanating from these programs.

Foreshadowed motion: Moved: Clr Hadchiti Seconded: Clr Hadid

That Council:

1. Receive and note the report.
2. Confirms its intention to host a delegation from Toda to celebrate the 25th anniversary of the Sister City relationship between the two cities; and allocates sufficient funding for the visit.
3. Note that, where appropriate, performance metrics will be developed that capture respective economic, social or cultural outcomes emanating from related programs.
4. Any overseas travel undertaken by Councillors in relation to sister cities be at their own expense.

On being put to the meeting the motion (moved by Clr Shelton) was declared CARRIED.

Division called:

Vote for: Mayor Waller
Clr Hagarty
Clr Harle
Clr Kaliyanda
Clr Karnib
Clr Rhodes
Clr Shelton

Vote against: Clr Ayyad
Clr Ballot
Clr Hadchiti
Clr Hadid

The Foreshadowed motion (moved by Clr Hadchitti) therefore lapsed.

COMMITTEE REPORTS

ITEM NO: CTTE 01

FILE NO: 024295.2017

SUBJECT: Minutes of the Local Traffic Committee Meeting held on 25 January 2017

RECOMMENDATION

That Council:

- 1. Receives and adopts the Minutes of the Local Traffic Committee Meeting held on 25 January 2017.
- 2. Adopts the Local Traffic Committee recommendations as noted in this report.

COUNCIL DECISION

Motion:

Moved: Cllr Hadchiti

Seconded: Cllr Hadid

That Council:

- 1. Receives and adopts the Minutes of the Local Traffic Committee Meeting held on 25 January 2017 subject to the following correction to the wording of Item 7 General Business, relating to G4 Woolworths Loading Dock, Casula to be corrected to read:

“The Committee was advised that heavy vehicles making deliveries to Woolworths, Casula are reversing from the Hume Highway into the loading dock which is a safety concern.

Council is to notify Woolworths to address this concern”.

- 2. Adopts the Local Traffic Committee recommendations as noted in this report.
- 3. That the Mayor and Chair of the Intermodal Committee be delegated to appoint community representatives from the Expressions of Interests received.

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

Clr Hagarty left the Chambers at 7.39pm.
Clr Kaliyanda left the Chambers at 7.41 pm.
Clr Hagarty returned to the Chambers at 7.41pm.
Clr Kaliyanda returned to the Chambers at 7.43pm

QUESTIONS WITH NOTICE

ITEM NO: QWN 01
FILE NO: 034483.2017
SUBJECT: Question with Notice - Clr Harle and Clr Rhodes

Questions relating to the Safety aspects of the Liverpool CBD.

Background

During the previous term of Council, Council officers in conjunction with Liverpool Police carried out several safety audits of the Liverpool CBD during both normal business hours and after hours. Members of the audit group included Police Officers, Businesses, Councillors, interested community members and Council staff. Council produced safety audit reports that included recommendations for implementation through a multi-stakeholder approach.

Please address the following:

1. In summary, what were those recommendations?

The Liverpool CBD Safety Audits were conducted during the day and at night on 8, 14 and 15 March, 2011 and a report was compiled. The following are the summary of recommendations from the report:

- Improve lighting such as replacement of broken and damaged lighting and install new lighting;
- Improve general maintenance such as reduction of overgrown vegetation and trees, removal of graffiti, regular rubbish pick-ups including removal of drug and alcohol items;
- Install a CCTV system;
- Installation of signage including new 'Alcohol Free Zones' signs;
- Installation of fencing around the electrical boxes at Railway S Way (rear); and
- Repair of cracked paths and road ways in Augusta Cullen Park and intersection of Norfolk Serviceway and Memorial Ave.

2. Have any of the recommendations been implemented?

All the recommendations except the fencing around the electrical boxes at Railway S Way have been implemented. The fences around the electrical boxes were not completed as the Endeavour Energy protocol did not support the proposal, however; Endeavour Energy has increased regular maintenance of the electrical boxes since the audit.

3. What is the overall cost of implementing those recommendations?

Historically there is no allocated budget to implement the safety audit recommendations. Therefore, recommendations have been implemented utilising existing resources. For example, the improvement of general maintenance, including rubbish pick up and removal of graffiti, was covered by existing resources within City Presentation. Similarly, maintenance of the street lighting, including replacement and repair of the damaged and broken lights, were addressed by Endeavour Energy through a standing contract between Council and Endeavour Energy.

4. How would the implementation of those recommendations impact on the overall effectiveness of the current CCTV monitoring system?

The implementation of the recommendations has impacted positively on the overall effectiveness of the current CCTV monitoring system. The CCTV cameras in the CBD have been able to capture clear footage due to regular maintenance of overgrown vegetation and trees and the improvement of lighting.

5. What, if any, funding source was suggested to implement any of the recommendations?

There were no identified funding sources recommended at that time of the audit. However, during the period in which the audits were undertaken, Council secured over \$600,000 in funding from NSW Department of Justice and the Attorney-General's Department to implement the CBD safety audit recommendations. Subsequently, work was undertaken that including the installation of new lighting, CCTV system and safety signage, improved car parks and delivering a number of graffiti art projects and community education and awareness programs and activities.

6. What funding source has been used to maintain and operate the CCTV system to date, e.g. general ratepayers' rates, Federal and State Government Grants and the City Improvement Fund?

The maintenance and operation of the CCTV system has been managed by Council.

7. What is the overall annual maintenance cost of the CCTV camera monitoring system cost to Council?

Council's annual cost of CCTV is \$45,303.50.

8. When does the current funding of the CCTV camera monitoring system cease?

Maintenance is charged as an annual service, with January as the start date and expiring in December of each year. The current system is currently under a support agreement until the end of December 2017

9. Has any of the recordings, captured by the CCTV Cameras, been used in convicting offenders since the system was activated?

Council staff do not possess this information. However, Council's legal team have advised that criminal convictions invariably depend on a number of sources of evidence, one of which may be CCTV recordings. Council's Governance team processed 33 requests for CCTV camera footage during 2016 and 4 requests for the period 1 January 2017 – 31 January 2017. Without identifying the nature of particular requests, a number of Police requests have involved footage in connection with the commission of serious criminal offences.

10. How many offences and what type of offences were committed in the Liverpool CBD both prior to, and for the same duration of time after the installation of CCTV cameras?

Council does not possess this information which would have to be supplied by the NSW Police.

11. Do the CCTV cameras assist in any way in apprehending offenders when the crime is being committed?

No. The monitor for the system is now located in Council's Administration Centre, rather than the Liverpool Police Station. Therefore, Police officers cannot view live camera footage. Council was not in a position to fund the relocation of the monitor to the new Police station. Previously, when the monitor was located in the former Police Station on the ground floor of the Moore Street building, designated Police Officers (as per Memorandum of Understanding) were able to view live footage and, on occasion, apprehend persons alleged to be committing criminal offences.

12. Does Liverpool Police provide a city beat patrol service in the Liverpool CBD and at what times?

The Liverpool Local Area Command (LAC) resources are tasked on an intelligence based needs. This includes foot patrol, mobile patrol and bike Police in the CBD area, in both a covert and overt manner depending on the needs identified.

Mayor Waller called a recess at 7.44pm

Mayor Waller resumed the meeting at 7.55pm with all Councillors present.

ITEM NO: QWN 02
FILE NO: 034602.2017
SUBJECT: Question with Notice - Clr Harle

Background

When a development application (DA) is assessed that may have a significant effect on neighbouring properties, Councils' planning policy included notifying surrounding property owners.

Please address the following:

1. To what extent, if any, are neighbouring property owners currently notified in:
 - suburban areas; and
 - rural areas?
2. What criteria are used to determine which property owners surrounding a DA are notified?
3. What are the minimum State planning requirements for the above and does Council exceed those?

A response to these questions will be provided in the 29 March 2017 business papers.

ITEM NO: DPG 03
FILE NO: 028756.2017
SUBJECT: Planning Proposal for Lot 1 Governor Macquarie Drive, Warwick Farm rezoning from B5 Business Zone to R4 High Density Residential Zone

RECOMMENDATION

That Council:

1. Endorses in principle the planning proposal for Lot 1 Governor Macquarie Drive, Warwick Farm, subject to the applicant submitting a modified proposal with a maximum floor space ratio (FSR) of 2:1 which equates to approximately 500 residential dwelling units.
2. Delegates to the CEO the authority to finalise the modified planning proposal and submit to DPE for Gateway approval with a recommendation that detailed traffic and flood modelling be included as Gateway conditions;
3. Notes that the 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;
4. Notes that funds will be sought in the capital program in the 2017/18 budget to progress land acquisitions for the bypass road; and
5. Notes that a report on a draft Warwick Farm precinct plan will be presented to the July 2017 Council meeting.

COUNCIL DECISION

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

That Council defer consideration of the planning proposal until Council has adopted a broader precinct-wide strategy for Warwick Farm and a report be brought back to Council in July 2017.

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

Vote for: Mayor Waller
 Clr Balloot
 Clr Hadchiti
 Clr Hagarty
 Clr Harle
 Clr Kaliyanda
 Clr Karnib
 Clr Rhodes
 Clr Shelton

Vote against: Clr Ayyad
 Clr Hadid

Mayor Waller called a recess at 8.52pm.

The meeting resumed at 8.57pm.

On being put to the meeting the motion (moved by Clr Shelton) was declared CARRIED.

Division called:

Vote for: Mayor Waller
Clr Hagarty
Clr Harle
Clr Kaliyanda
Clr Karnib
Clr Rhodes
Clr Shelton

Vote against: Clr Ayyad
Clr Ballot
Clr Hadchiti
Clr Hadid

The Foreshadowed motion (moved by Clr Ayyad) therefore lapsed.

Urgency Motion – Proposed Moorebank Intermodal

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

That Council deal with this matter as a matter of urgency.

The Mayor ruled that this matter be dealt with at this meeting as a matter of urgency.

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

That Council receive and note the verbal report provided by General Counsel and endorses the actions of the CEO.

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

ITEM NO: CONF 07
FILE NO: 040589.2017
SUBJECT: Proposed Organisational Structure

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. Adopts the organisation structure with identified senior staff positions as provided in Attachment One of this report in accordance with s.333 of the Local Government Act 1993;
3. Notes that the introduction of this structure will be implemented on or before 1st July 2017, subject to the completion of any required recruitment processes; and
4. Directs the CEO to undertake research into Development Board or Corporation models.

COUNCIL DECISION

Motion: **Moved: Clr Hadchiti** **Seconded: Clr Ayyad**

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; and
2. Defers the consideration of the organisation structure.

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

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.

Division called:

Vote for: Mayor Waller
Clr Hagarty
Clr Harle
Clr Kaliyanda
Clr Karnib
Clr Rhodes
Clr Shelton

Vote against: Clr Ayyad
Clr Balloot
Clr Hadchiti
Clr Hadid

Motion: **Moved: Clr Harle** **Seconded: Clr Karnib**

That Council move back into Open Council.

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

Council moved back into Open Session at 9.35pm.

Mayor Waller read the resolutions (as shown on pages 25-28 of these minutes) relating to CONF 06, CONF 07 and also an item which was dealt with as a matter of urgency, which were discussed during Closed Session.

THE MEETING CLOSED AT 9.39pm

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 29 March 2017

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 22 February 2017. 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 29 MARCH 2017**

PRESENT:

Mayor Wendy Waller
 Councillor Ayyad
 Councillor Balloot
 Councillor Hadchiti
 Councillor Hadid
 Councillor Hagarty
 Councillor Harle
 Councillor Kaliyanda
 Councillor Karnib
 Councillor Rhodes
 Councillor Shelton
 Ms Kiersten Fishburn, Chief Executive Officer
 Mr Chris White, Acting Director Corporate Services
 Mr Stephen Joannidis, Acting 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 6.00pm

OPENING	6.00pm
ACKNOWLEDGEMENT OF COUNTRY, PRAYER OF COUNCIL AND AFFIRMATION TO BE READ BY	The prayer of the Council was read by Reverend Bruce Hammonds from Liverpool Presbyterian Church.
APOLOGIES	Nil
CONDOLENCES	Nil

CONFIRMATION OF MINUTES

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

1. That the minutes of the Ordinary Meeting held on 22 February 2017 be confirmed as a true record of that meeting.
2. That the CEO provide advice to Councillors on whether the reports relating to CONF 06 and CONF 07 of the 22 February 2017 Agenda can be made public.

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

DECLARATIONS OF INTEREST

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

NOM 04 Growing the Tourism Economy in Liverpool
Reason: Clr Rhodes is a Committee Member of the not for profit Sydney Southwest Tourism Taskforce.

Clr Rhodes will remain in the Chambers for the duration of this item because:

- As a new Councillor she recently attended the Manning Valley Tourism Conference and has information relevant to Council from that Conference on the topic of Tourism.
- She stated that her association with the Taskforce and as a Councillor is not in conflict. The proposed motion and her participation on all levels fall within the Council Terms of reference of engagement to create a socially just, inclusive and sustainable community by:
 1. Council facilitating avenues so the community have a genuine say in Council's decision making.
 2. Strengthening the relationships between the community and Council, services and other institutions and bonds within the community.
 3. Providing more opportunities for partnerships with the community and self-led community projects.

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

CONF 01 University of Wollongong Equity Scholarship Program
Reason: Clr Hagarty is employed by a competing university, being Western Sydney University

Clr Hagarty will leave the Chambers for the duration of this item.

PUBLIC FORUM

Presentation – items not on agenda

Nil

Representation – items on agenda

1. **Mr Rodger Anderson** addressed the Council on the following matter:

DPG 02 – Review of Council Policies - the use of amplified sound systems in public recreation areas.

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

That a three minute extension of time be given to the speaker.

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

2. **Mr Gerard McSpadden** from Abacus Property (Applicant) addressed the Council on the following matter:

DPG 04 – Draft LLEP 2008 Amendment No. 56

3. **Mr Ian Cady** from Urbis (on behalf of Applicant) addressed the Council on the following matter:

DPG 04 – Draft LLEP 2008 Amendment No. 56

Clr Hadchiti left the Chambers at 6.23pm.

Clr Hadchiti returned to the Chambers at 6.25pm.

Clr Hadid left the Chambers at 6.25pm.

Clr Hadid returned to the Chambers at 6.27pm.

4. **Mr Ian Bailey** addressed the Council on the following matter:

NOM 02 – The Value of Trees

5. **Mr Harry Hunt OAM** addressed the Council on the following matter:

NOM 04 – Growing the Tourism Economy in Liverpool.

Motion: **Moved: Clr Shelton** **Seconded: Clr Hagarty**

That a three minute extension of time be given to the speaker.

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

6. **Mr Erik Rakowski** addressed the Council on the following matter:

CONF 08 - Moorebank Intermodal

Motion: **Moved: Clr Rhodes** **Seconded: Clr Kaliyanda**

That a three minute extension of time be given to the speaker.

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

7. **Ms Jennifer French** addressed the Council on the following matter:

CONF 08 - Moorebank Intermodal

Motion: **Moved: Clr Hagarty** **Seconded: Clr Hadchiti**

That a three minute extension of time be given to the speaker.

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

8. **Mr Michael Byrne** addressed the Council on the following matter:

CONF 08 - Moorebank Intermodal

Motion: **Moved: Clr Hagarty** **Seconded: Clr Harle**

That a three minute extension of time be given to the speaker.

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

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

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

Vote for: Clr Ayyad
Clr Balloot
Clr Hadchiti
Clr Hadid
Clr Harle

Vote against: Mayor Waller
Clr Hagarty
Clr Kaliyanda
Clr Karnib
Clr Rhodes
Clr Shelton

The Foreshadowed Motion (moved by Clr Hagarty) then became the motion and on being put to the meeting the motion was declared CARRIED.

Division called (for the Motion moved by Clr Hagarty)

Vote for: Mayor Waller
Clr Hagarty
Clr Kaliyanda
Clr Karnib
Clr Rhodes
Clr Shelton

Vote against: Clr Ayyad
Clr Balloot
Clr Hadchiti
Clr Hadid
Clr Harle

The Mayor called an adjournment of the meeting at 8.48pm.

The Mayor resumed the meeting at 8.53pm in Open Session and read out the resolution which was carried during Closed Session which was:

That Council:

1. *Direct the CEO to not progress planning appeals against planning consents SSD 5066 and SSD 6766, concerning the Moorebank Intermodal.*
2. *Direct the CEO to make a suitable budget allocation for the 2017-18 and 2018-19 financial years in order to fund subsequent dedicated staff and action to ensure the safety of the residents.*
3. *Council aggressively pursue this.*

Clr Ayyad retired from the Meeting at 9.10pm

ITEM NO: DPG 03
FILE NO: 052180.2017
SUBJECT: Liverpool Development Control Plan - Amendment 25

RECOMMENDATION

That Council:

1. Considers the contents of this report and approves the proposed changes to the exhibited Draft Liverpool Development Control Plan, Part 1 – General Controls for all Development and Part 4 Liverpool City Centre (Amendment No. 25) as outlined in Attachments 1 and 2.
2. Authorises the Chief Executive Officer to finalise Amendment No. 25 including any further minor technical changes which may be required including those recommended by the Liverpool Design Excellence Panel.
3. Adopts Draft Liverpool Development Control Plan - Part 4 Liverpool City Centre as a policy of Council to be used in the assessment of development applications lodged pursuant to Planning Proposal – Amendment 52.
4. Authorises the Chief Executive Officer - upon notification that Planning Proposal Amendment No. 52 has been approved by the Minister for Planning – to bring into effect Draft Liverpool Development Control Plan, Part 1 – General Controls for all Development and Part 4 Liverpool City Centre (Amendment No. 25) in accordance with the Environmental Planning and Assessment Act 1979 and Regulation.

COUNCIL DECISION

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

That Council:

1. Considers the contents of this report and approves the proposed changes to the exhibited Draft Liverpool Development Control Plan, Part 1 – General Controls for all Development and Part 4 Liverpool City Centre (Amendment No. 25) as outlined in Attachments 1 and 2.
2. Authorises the Chief Executive Officer to finalise Amendment No. 25 including any further minor technical changes which may be required including those recommended by the Liverpool Design Excellence Panel.

3. Adopts Draft Liverpool Development Control Plan - Part 4 Liverpool City Centre as a policy of Council to be used in the assessment of development applications lodged pursuant to Planning Proposal – Amendment 52.
4. Authorises the Chief Executive Officer - upon notification that Planning Proposal Amendment No. 52 has been approved by the Minister for Planning – to bring into effect Draft Liverpool Development Control Plan, Part 1 – General Controls for all Development and Part 4 Liverpool City Centre (Amendment No. 25) in accordance with the Environmental Planning and Assessment Act 1979 and Regulation.
5. Councillors are briefed in the near future as to the views of the Greater Sydney Commission on proposed Amendment 52 to the LEP.

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

Councillors voted unanimously for this motion.

Note: Cllr Ayyad was not in the Chambers when this item was voted on.

ITEM NO: DPG 04
FILE NO: 053882.2017
SUBJECT: Draft LLEP 2008 Amendment No. 56

RECOMMENDATION

That Council:

1. Adopts Draft Liverpool Local Environmental Plan 2008 (Draft Amendment 56).
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 Harle** **Seconded: Clr Rhodes**

That the recommendation be adopted.

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

Vote for: Mayor Waller
 Clr Balloot
 Clr Hadid
 Clr Hagarty
 Clr Harle
 Clr Kaliyanda
 Clr Karnib
 Clr Rhodes
 Clr Shelton

Vote against: Clr Hadchiti

Note: Clr Ayyad was not in the Chambers when this item was voted on.

ITEM NO: DPG 05
FILE NO: 054699.2017
SUBJECT: Withdrawal of Draft LLEP 2008 (Amendment 50) - 900 Cowpasture Road, Cecil Hills.

RECOMMENDATION

That Council:

1. Notes the request by the proponent, Sydney Water Corporation, to withdraw the planning proposal for land located at 900 Cowpasture Road, Cecil Hills.
2. Writes to the Minister pursuant to Section 58(4) of the Environmental Planning and Assessment Act 1979 requesting that the matter not proceed.

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.

Councillors voted unanimously for this motion.

Note: Clr Ayyad was not in the Chambers when this item was voted on.

ITEM NO: DPG 06
FILE NO: 054984.2017
SUBJECT: Withdrawal of Planning Proposal for land at 124-144 Newbridge Road,
Moorebank (Flower Power site)

RECOMMENDATION

That Council note the request by the applicant, Flower Power P/L, to withdraw the planning proposal for land at 124-144 Newbridge Road, Moorebank (Lot 2 DP 602988).

COUNCIL DECISION

Motion: **Moved: Cllr Kaliyanda** **Seconded: Cllr Hadchiti**

That the recommendation be adopted.

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

Note: Cllr Ayyad was not in the Chambers when this item was voted on.

ITEM NO: DPG 07
FILE NO: 055170.2017
SUBJECT: Proposed changes to Naming Function and Introduction of Naming Convention Policy

RECOMMENDATION

That Council:

1. Receives and notes this report.
2. Adopts the Naming Convention Policy to take effect immediately.
3. Rescinds the Street Naming Committee Charter.

COUNCIL DECISION

Motion: **Moved: Clr Hadchiti** **Seconded: Clr Rhodes**

That the recommendation be adopted.

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

Note: Clr Ayyad was not in the Chambers when this item was voted on.

ITEM NO: DPG 08
FILE NO: 056921.2017
SUBJECT: Draft LLEP 2008 Amendment No. 63 - Middleton Grange Town Centre

RECOMMENDATION

That Council note the information provided in this report and the options presented for the Middleton Grange planning proposal, and determine which option is most appropriate for adoption.

COUNCIL DECISION

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

That Council defer this item until a full report can be presented to Council for determination.

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

Councillors voted unanimously for this motion.

Note: Cllr Ayyad was not in the Chambers when this item was voted on.

ITEM NO: DPG 10
FILE NO: 061397.2017
SUBJECT: Pre-Planning Proposal Meeting Fees

RECOMMENDATION

That Council:

- 1. Support the introduction of a new pre-planning proposal fee in the 2017/18 budget as follows:
 - Minor planning proposals (Proposals with a CIV < \$1.5m)
 - First meeting - \$760
 - Second and subsequent meetings - \$250
 - Major planning proposals (Proposals with a CIV > \$1.5m)
 - First meeting - \$1,500
 - Second and subsequent meetings - \$450

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**.

.....
Chairperson

COMMUNITY AND CULTURE REPORT

ITEM NO: DCC 01
FILE NO: 057601.2017
SUBJECT: Draft Reconciliation Action Plan 2016-2020 Post Exhibition

RECOMMENDATION

That Council:

1. Adopts the draft Reconciliation Action Plan 2016–2020; and
2. Approves minor changes to the draft Reconciliation Action Plan 2016–2020 in accordance with further review of the documentation by Council staff.

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.

Councillors voted unanimously for this motion.

Note: Clr Ayyad was not in the Chambers when this item was voted on.

ITEM NO: CFO 03
FILE NO: 058330.2017
SUBJECT: 2017 Australian Local Government Women's Association NSW Branch Conference

RECOMMENDATION

That Council nominates delegates to attend the Australian Local Government Women's NSW Conference to be held at Penrith from 4 to 6 May 2017.

COUNCIL DECISION

Motion: **Moved: Clr Hadchiti** **Seconded: Clr Kaliyanda**

That Councillors interested in attending the 2017 Australian Local Government Women's Association NSW Branch Conference to contact the Councillors Support Officer for arrangements to be made and the CEO to nominate two staff (in addition to the CEO) to attend.

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

CITY PRESENTATION REPORT

ITEM NO: DCP 01
FILE NO: 057683.2017
SUBJECT: Sustainable Strategies for Domestic Waste Disposal

RECOMMENDATION

That Council:

1. Exercise the provision to extend Contract ST948 – Waste Acceptance, treatment and Disposal under Clause 4.2 of the contract for a further 5 years (through to 2024); and
2. Authorise the CEO to seek interest from neighbouring Councils in participating in a regional waste disposal contract.

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.

COMMITTEE REPORTS

ITEM NO: CTTE 01
FILE NO: 031165.2017
SUBJECT: Aboriginal Consultative Committee - Minutes of meeting held 2 February 2017

RECOMMENDATION

That Council receives and adopts the minutes of the Aboriginal Consultative Committee Meeting held on 2 February 2017.

COUNCIL DECISION

Motion: **Moved: Clr Hadchiti** **Seconded: Clr Rhodes**

That the recommendation be adopted.

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

ITEM NO: CTTE 03
FILE NO: 049405.2017
SUBJECT: Minutes of the Heritage Advisory Committee meeting held on 14 February 2017

RECOMMENDATION

That Council:

1. Receives and adopts the Minutes of the Heritage Advisory Committee Meeting held on 14 February 2017.
2. Writes to all previous members of the committee thanking them for their involvement with the committee over the last two years.
3. Writes to Vicki Andrews thanking her for her continual commitment and involvement in the Heritage Advisory Committee and her dedication to the promotion and protection of Liverpool's history.

COUNCIL DECISION

Motion: **Moved: Cllr Hadchiti** **Seconded: Cllr Rhodes**

That the recommendation be adopted.

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

ITEM NO: CTTE 04
FILE NO: 057991.2017
SUBJECT: Liverpool Sports Committee - Minutes of meeting 23 February 2017

RECOMMENDATION

That Council:

1. Receives and adopts the minutes of the Liverpool Sports Committee meeting held on 23 February 2017
2. Endorse the Liverpool Sports Committee’s recommendations for the provision of \$1,000 under the Sporting Donations Program, as per Item 3 in the minutes.

COUNCIL DECISION

Motion: **Moved: Cllr Hadchiti** **Seconded: Cllr Rhodes**

That the recommendation be adopted.

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

ITEM NO: CTTE 06
FILE NO: 061590.2017
SUBJECT: Minutes of the Civic Advisory Committee Meeting held 15 March 2017

RECOMMENDATION

That Council receives and adopts the Minutes of the Civic Advisory Committee meeting held on 15 March 2017.

COUNCIL DECISION

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

That Council:

1. Receives and adopts the Minutes of the Civic Advisory Committee meeting held on 15 March 2017 subject to the following change to page 2 of the minutes, so that the corrected motion on that page reads;

“For the avoidance of doubt, the Committee construes that the recommendation of the Committee meeting on 1 March 2017 which did not achieve a quorum as incorporating the following;

- *The recommendation to endorse the assessment panel’s recommendation and support Liverpool Hospital to be the beneficiary of the funds raised from the 2017 Charity Ball, and*
- *Endorse the deletion of Clause 6.5.4 d) of the Civic Events and Ceremonial Functions Policy which currently states that nominations;*

Must not have received funds from Council either through Council’s grants, donations or corporate sponsorship programs or from the Liverpool City Council Charity Ball within the last 12 months”.

2. Investigate and report back to Council by the June 2017 meeting on the cost of a substantial statue equivalent to that of Macquarie to be erected in honour of Thomas Moore and report to the Civic Advisory Committee in June 2017.

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

ITEM NO: CTTE 07
FILE NO: 064088.2017
SUBJECT: Minutes of the Environment Advisory Committee Meeting held on 28 February 2017

RECOMMENDATION

That Council receives and adopts the Minutes of the Environment Advisory Committee Meeting held on 28 February 2017.

COUNCIL DECISION

Motion: **Moved: Clr Hadchiti** **Seconded: Clr Rhodes**

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: 064741.2017
SUBJECT: Question with Notice - Clr Harle

Background

When a development application (DA) is assessed that may have a significant effect on neighbouring properties, Councils' planning policy included notifying surrounding property owners.

Please address the following:

1. To what extent, if any, are neighbouring property owners currently notified in:
 - suburban areas; and
 - rural areas?
2. What criteria are used to determine which property owners surrounding a DA are notified?
3. What are the minimum State planning requirements for the above and does Council exceed those?

Response

Council's Notification Policy for Development Applications is contained within Part 1 of the Liverpool Development Control Plan, Chapter 18.

Notification or advertising of development applications to adjoining neighbours or the wider community is undertaken in accordance with the Notification Policy and is dependent on the type of development application, and where it is located.

For instance, a new dwelling in a residential zone is not notified to adjoining neighbours in accordance with the Policy. However, a child care centre in a residential zone is notified to properties within 75m of the site.

State Government legislation requires the Council to have a notification policy contained within their DCP. There are no minimum requirements for notification. It is up to the Council to determine the appropriate notification requirements for development applications in their area. The only exception to this is development classified as Designed Development or Nominated Integrated Development under the Environmental Planning & Assessment Act. These application require public exhibition of the proposal for 30 days.

It is important that complying low risk applications eg housing are not unnecessarily delayed by notification and to ensure that comprehensive community consultation and engagement is undertaken at LEP stage.

COUNCIL DECISION

Motion:

Moved: Cllr Harle

Seconded: Cllr Rhodes

That Council:

Investigate and report back to Council on the possible updating of the Council's current Notifications of DA's Policies based on distances, and consider possibly changing the policy to be measured in the number of people contacted, to ensure in all circumstances the number of residents that have been notified about an impending development, is in accordance with Council's consultation obligations and the IHAP Objection criteria, noting that the IHAP criteria was recently changed from a minimum of 3 to a minimum of 5 people.

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

NOTICES OF MOTION

ITEM NO: NOM 01
FILE NO: 066662.2017
SUBJECT: Childcare Services - Liverpool CBD

NOTICE OF MOTION

That Council:

- 1. Investigate options for the delivery of a city based service in the Liverpool CBD, which would be primarily for Council staff in the first instance and then the general public as required.
- 2. Identify potential sites
- 3. Present a report to Council on a proposal for the adoption of a city based service to include capital costing for establishment of service, operational costs on the delivery of service, and future return on investment.

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: NOM 02
FILE NO: 069124.2017
SUBJECT: The Value of Trees

NOTICE OF MOTION

That Council investigate the Tree Pricing Policies adopted at Bankstown, Campbelltown, Sutherland and other Councils and report back to Council so that a similar policy might be considered for Liverpool.

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: NOM 03
FILE NO: 069223.2017
SUBJECT: CCTV Cameras

NOTICE OF MOTION

That Council provide a briefing opportunity for Councillors that includes the NSW Police and Independent technical internet service provision advice on;

- a) the current cost and means of delivery of footage captured on Council owned CCTV cameras and delivery to Council Monitor, retrieval and storage of footage;
- b) the cost of moving the Monitor from Moore Street Council premises to Police Station;
- c) The cost of moving the monitor to the Civic Centre when Council moves from Moore Street;
- d) The opportunity to engage a new MoU base on a cost sharing with the NSW Police.

COUNCIL DECISION

Motion: **Moved: Clr Rhodes** **Seconded: Clr Harle**

That Council provide a briefing opportunity for Councillors that includes the NSW Police and Independent technical experts advice on;

- a) the current cost and means of delivery of footage captured on Council owned CCTV cameras and delivery to Council Monitor, retrieval and storage of footage;
- b) the cost of moving the Monitor from Moore Street Council premises to Police Station;
- c) The cost of moving the monitor to the Civic Centre when Council moves from Moore Street;
- d) The opportunity to engage a new MoU base on a cost sharing with the NSW Police.

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

Clr Shelton asked that his name be recorded as having voted against this motion.

.....
Chairperson

ITEM NO: NOM 04
FILE NO: 069255.2017
SUBJECT: Growing the Tourism Economy in Liverpool

NOTICE OF MOTION

That Council endorse at “no cost to Council”, the “not-for-profit” South West Sydney Tourism Taskforce Inc. NSW (SWSTT), to assist in;

- a) the Collaborative lobbying for official recognition of the “South West Sydney Area,” as defined by the Greater Sydney Commission, South West District, as a Distinct Region that is open to the Regional Grants Program;
- b) the collaborative efforts to secure the opportunity to obtain Regional Grants through the NSW Regional Grants Program to advance the tourism economy in our LGA;
- c) the identification and collaboration of any low-cost needs in tourism, (pending grants) that could advance tourism in Liverpool.

COUNCIL DECISION

Motion: **Moved: Clr Harle** **Seconded: Clr Rhodes**

That the recommendation be adopted.

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

That the matter be deferred to a Councillors Briefing Session for Council to get a full briefing on the organisation.

The motion (moved by Clr Harle) was declared LOST.

NOTE: At this stage of the meeting, Clr Hadchiti raised a point of order in relation to a remark made by Clr Rhodes.

In accordance with Clause 42.2.1 of Council’s Code of Meeting Practice, the Mayor asked Clr Rhodes to apologise to Clr Hadchiti for her act of disorder. Clr Rhodes then apologised for her remark.

The Foreshadowed motion (moved by Clr Hadchiti) which then became the motion, was then voted on, and on being put to the meeting was declared CARRIED.

Clr Hagarty left the Chambers at 9.57 pm.

CONFIDENTIAL ITEMS

ITEM NO: CONF 01
FILE NO: 043583.2017
SUBJECT: University of Wollongong Equity Scholarship Program

RECOMMENDATION

That Council:

1. Approve funds of \$10,000 to be included in this financial year's quarterly budget review;
2. Includes \$10,000 p.a. in the projected budgets for the 2017/18 and 2018/19 financial years;
3. That the funds further be distributed as Equity Scholarships through the University of Wollongong as 5 x \$2,000 grants each year.

COUNCIL DECISION

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

That Council:

1. Approve funds of \$10,000 to be included in this financial year's quarterly budget review;
2. Includes \$10,000 p.a. in the projected budgets for the 2017/18 and 2018/19 financial years;
3. That the funds further be distributed as Equity Scholarships through the University of Wollongong as 5 x \$2,000 grants each year.
4. Investigates similar opportunities in relation to Western Sydney University.

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

Clr Hagarty returned to the Chambers at 9.59pm.

ITEM NO: CONF 02
FILE NO: 056538.2017
SUBJECT: Tender ST2607 - Road Network Condition Survey 2016/2017

RECOMMENDATION

That Council:

1. Declines to accept the tender received for ST2607 – Road Network Condition Survey 2016/2017.
2. In accordance with Section 178(3)(b) of the Local Government General Regulation invites fresh open tenders.
3. Makes public its decision regarding Tender ST2607 – Road Network Condition Survey 2016/2017.
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 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.

Note: Clr Ayyad was not in the Chambers when this item was voted on.

ITEM NO: CONF 03
FILE NO: 057641.2017
SUBJECT: Tender WT2606 - Supply and Install Sandstone Retaining Wall - Bigge Park, Liverpool

RECOMMENDATION

That Council:

1. Accepts the Tender from HBS Group Pty Ltd for Tender WT2606 – Supply and Install Sandstone Retaining Wall - Bigge Park for an initial twelve week contract term at the GST exclusive price of \$1,315,507.
2. Makes public its decision regarding Tender WT2606 – Supply and Install Sandstone Retaining Wall - 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: Cllr Shelton** **Seconded: Cllr Hadid**

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

Councillors voted unanimously for this motion.

Note: Cllr Ayyad was not in the Chambers when this item was voted on.

ITEM NO: CONF 04
FILE NO: 058128.2017
SUBJECT: Tender WT2506 - Car Park Safety Crash Barriers

RECOMMENDATION

That Council:

1. Notes that no tenders were received for Tender WT2506 - Car Park Safety Barriers.
2. In accordance with Section 178(3)(e) of the Local Government (General) Regulation 2005, enters into negotiations with Buildcorp Group Pty Ltd for the provision of a car park crash barrier system under Contract WT2546 - Warren Serviceway and Northumberland Street Car Park Structural Repairs and Safety Barrier Improvements.
3. In accordance with Section 178(4) of the Local Government (General) Regulation 2005, notes the following for not calling fresh tenders:
 - a. The public tender process has been unable to elicit a satisfactory outcome and it is considered that inviting fresh tenders for the same proposal is unlikely to result in a different outcome; and
 - b. No significant benefit will be achieved by inviting fresh tenders in view of the time and cost involved in such a process with consequent delays and cost implications to the project.
 - c. Contract WT2546 includes unit rates for car park crash barriers that can be utilised for the expanded scope of works.
4. Authorises the Director Infrastructure and Environment to extend Contract WT2546 to include the additional crash barriers.

COUNCIL DECISION

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

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

Councillors voted unanimously for this motion.

Note: Clr Ayyad was not in the Chambers when this item was voted on.

ITEM NO: CONF 05
FILE NO: 057989.2017
SUBJECT: Proposed Financial Assistance to Cafe Proprietors in Macquarie Mall Liverpool

RECOMMENDATION

That Council:

- Proceeds with offering Financial Assistance to the following Macquarie Mall outdoor dining retailers to the combined total of \$19,239:

Retailer Trading Name
Mr Seafood
Bona Fides Cafe
Casanova Café
La Maison Café

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 07
FILE NO: 065610.2017
SUBJECT: Legal Affairs Report

RECOMMENDATION

That Council receives and notes the report concerning the Legal Affairs of Council.

COUNCIL DECISION

Motion: **Moved: Cllr Karnib** **Seconded: Cllr Rhodes**

That the recommendation be adopted.

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

THE MEETING CLOSED AT 10.00pm

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 26 April 2017

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 29 March 2017. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.



**MINUTES OF THE ORDINARY MEETING
HELD ON 26 APRIL 2017**

PRESENT:

- Mayor Wendy Waller
- Councillor Ayyad
- Councillor Balloot
- Councillor Hadchiti
- Councillor Harle
- Councillor Kaliyanda
- Councillor Karnib
- Councillor Rhodes
- Councillor Shelton
- Ms Kiersten Fishburn, Chief Executive Officer
- Mr Chris White, Acting Director Corporate Services
- Mr Stephen Joannidis, Acting 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
- Mr John Morgan, Director Property and Commercial Development

The meeting commenced at 6:01pm.

OPENING	6:01pm
ACKNOWLEDGEMENT OF COUNTRY, PRAYER OF COUNCIL AND AFFIRMATION TO BE READ BY	The prayer of the Council was read by Reverend John Hall from Open Heaven Church.
APOLOGIES	Councillor Hagarty and Councillor Hadid
CONDOLENCES	Nil

CONFIRMATION OF MINUTES

Motion: **Moved: Clr Hadchiti** **Seconded: Clr Ayyad**

1. That the minutes of the Ordinary Meeting held on 29 March 2017 be confirmed as a true record of that meeting.
2. The reports relating to CONF 06 (Liverpool Service Alliance Staff Survey) and CONF 07 (Proposed Organisational Structure) of the 22 February 2017 agenda be made public.

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

Division called:

Vote for: Clr Ayyad
 Clr Ballot
 Clr Hadchiti

Vote against: Mayor Waller
 Clr Harle
 Clr Kaliyanda
 Clr Karnib
 Clr Rhodes
 Clr Shelton

The following motion was then moved:

Motion: **Moved: Clr Shelton** **Seconded: Clr Kaliyanda**

That the minutes of the Ordinary Meeting held on 29 March 2017 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 item:

Item: DPG 05 Intermodal Committee - Expressions of Interests

Reason: Some of the members nominated are members of the Liberal Party.

Clr Hadchiti will remain in the Chambers for the duration of this item.

Clr Harle declared a non-pecuniary, but significant interest in the following item:

- Item:** CONF 01 Liverpool Heritage Advisory Committee - Expressions of Interest
- Reason:** Clr Harle knows some of the members nominated.

Clr Harle will leave the Chambers for the duration of this item.

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

- Item:** DPG 05 Intermodal Committee - Expressions of Interests
- Reason:** Some of the members nominated are members of the Liberal Party.

Clr Balloot will remain in the Chambers for the duration of this item.

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

- Item:** CONF 01 Liverpool Heritage Advisory Committee - Expressions of Interest
- Reason:** Clr Rhodes knows some of the people nominated for the Committee.

Clr Rhodes will leave the Chambers for the duration of this item.

Clr Shelton declared a non-pecuniary, less than significant interest in the following three items:

- Items:** DCC 02 Grants, Donations and Corporate Sponsorships
NOM 02 Collingwood House
CONF 01 Liverpool Heritage Advisory Committee – Expressions of Interest
- Reason:** He is a member or otherwise associated with the Liverpool and District Historical Society Inc (which is one of the applicants which applied for funding referred to in DCC 02), The Genealogical Society Inc and Friends of Collingwood Inc. He does not however hold any offices in any of those organisations.

Clr Shelton will remain in the Chambers for DCC 02 and NOM 02 and will leave the Chambers for CONF 01.

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

- Item:** DCC 02 Grants, Donations, and Corporate Sponsorship.
- Reason:** She is a non-executive member of the Meals on Wheels organisation which is one of the applicants which applied for funding.

Mayor Waller will remain in the Chambers for the duration of this item

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

Item: DPG 05 Intermodal Committee - Expressions of Interests

Reason: Some of the members nominated are members of the Liberal Party.

Clr Ayyad will remain in the Chambers for the duration of this item.

PUBLIC FORUM

Presentation – items not on agenda

1. **Mr Ian Bailey** addressed Council on the following item:

Domestic Waste at Multi-Unit Dwellings

2. **Ms Criss Moore** addressed Council on the following item:

Thank you from Casula Community

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

That a three minute extension of time be given to the speaker.

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

Representation – items on agenda

1. **Ms Josephine Papandrea** addressed Council on the following item:

CTTE 02: Minutes of Local Traffic Committee Meeting held 15/3/17
Specifically Item 6 – Hanover St, Cecils Hills (Proposed parking restrictions)

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

That a three minute extension of time be given to the speaker.

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

PLANNING AND GROWTH REPORT

ITEM NO: DPG 01
FILE NO: 079868.2017
SUBJECT: On-Site Sewerage Management Systems

RECOMMENDATION

That Council notes the report and not proceed with a "pump-out assistance scheme" due to high on-going annual costs that would be incurred by Council.

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.

.....
Chairperson

ITEM NO: DPG 02
FILE NO: 081986.2017
SUBJECT: Planning Proposal - Reclassification and Rezoning of Community Lands.

RECOMMENDATION

That Council:

1. Notes and endorses the Planning Proposal for the reclassification and rezoning of certain community lands.
2. Forwards the Planning Proposal to the Department of Planning and Environment seeking Gateway Determination.

COUNCIL DECISION

Motion: **Moved: Cllr Shelton** **Seconded: Cllr Karnib**

That Council:

1. Notes and endorses the Planning Proposal for the reclassification and rezoning of certain community lands identified in the report excluding:
 - a) 185 Bigge Street Liverpool (Lot 11 DP 849783 and Lot 11 DP 1084075); and
 - b) Owl Place Green Valley (Lot 4 DP 1007383)
2. Forwards the Planning Proposal to the Department of Planning and Environment seeking Gateway Determination.

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

Councillors voted unanimously for this motion.

ITEM NO: DPG 03
FILE NO: 089784.2017
SUBJECT: Amendment 67 - Liverpool Hospital Helicopter Flight Path

RECOMMENDATION

That Council:

1. Notes the Gateway Determination for Draft LLEP 2008 (Amendment 67) and the results of the public exhibition and community consultation.
2. Forwards the updated Planning Proposal and supporting documentation to the Department of Planning and Environment for finalisation.

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**.

Councillors voted unanimously for this motion.

ITEM NO: DPG 04
FILE NO: 091262.2017
SUBJECT: Renaming Part of the Suburb of Moorebank

RECOMMENDATION

That Council:

1. Receives and notes this report about the renaming of Moorebank, east of Nuwarra Road.
2. Not proceed with the renaming of Moorebank, east of Nuwarra Road as it does not satisfy the intent of the community’s request.
3. Writes to the residents in Moorebank, east of Nuwarra Road, advising of Council’s decision to not proceed.

COUNCIL DECISION

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

That Council submit figure 1 in the report to the Geographical Names Board as Council’s recommendation relating to the renaming of part of the suburb of Moorebank.

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

Councillors voted unanimously for this motion.

ITEM NO: DPG 05
FILE NO: 092335.2017
SUBJECT: Intermodal Committee - Expressions of Interests

RECOMMENDATION

That Council:

1. Receives and notes the appointments to the Intermodal Committee; and
2. Endorses the revised Intermodal Committee Charter as tabled.

COUNCIL DECISION

Motion: **Moved:** Clr Hadchiti **Seconded:** Clr Ayyad

That Council:

1. Receives and notes the appointments to the Intermodal Committee;
2. Endorses the revised Intermodal Committee Charter as tabled subject to the changes to Clauses 7.1 and 7.3 as shown in points 3 and 4 below;
3. That Clause 7.1 of the Charter be amended to read “One Councillor”; and
4. That Clause 7.3 of the Charter be amended to read as follows:

“The Mayor may appoint up to five voting community members to the committee and two alternate community members. Alternate community members representing a voting member are also eligible to vote”.

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

Division called:

Vote for: Mayor Waller
Clr Ayyad
Clr Balloot
Clr Hadchiti
Clr Kaliyanda
Clr Karnib
Clr Shelton

Vote against: Clr Harle
Clr Rhodes

CHIEF EXECUTIVE OFFICER REPORT

ITEM NO: CEO 01
FILE NO: 089907.2017
SUBJECT: Endorsement of Liverpool Community Strategic Plan - Our Home, Liverpool 2027

RECOMMENDATION

That Council adopts the Community Strategic Plan *Our Home - Liverpool 2027*.

COUNCIL DECISION

Motion: **Moved: Cllr Kaliyanda** **Seconded: Cllr Hadchiti**

That the recommendation be adopted.

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

ITEM NO: CEO 02
FILE NO: 090236.2017
SUBJECT: Proposed Payment of Fees for Members of the Audit, Risk and Improvement Committee

RECOMMENDATION

That Council:

1. Approves the scale of payment of fees to the chairperson and independent members of the Audit, Risk and Improvement Committee, as set out in this report.
2. Refers the budget for payment of fees for the chairperson and independent members of the Audit, Risk and Improvement Committee to Council's September quarterly budget review.
3. Adopts the amended Audit, Risk and Improvement Committee Charter, attached to this report.
4. Approves the process for expressions of interest to fill any current vacancy in the Audit, Risk and Improvement Committee, as set out in the amended Charter.
5. Approves the process for external assessment of Council's internal audit functions, as set out in this report.
6. Refers the budget for external assessment of Council's internal audit functions to Council's September quarterly budget review.

COUNCIL DECISION

Motion: **Moved: Cllr Shelton** **Seconded: Cllr Hadchiti**

That Council:

1. Approves the scale of payment of fees to the chairperson and independent members of the Audit, Risk and Improvement Committee, as set out in this report.
2. Refers the budget for payment of fees for the chairperson and independent members of the Audit, Risk and Improvement Committee to Council's September quarterly budget review.
3. Adopts the amended Audit, Risk and Improvement Committee Charter, attached to this report with the following change:

 "External accountability" to be added to point 4 Purpose/Objective of the Charter.
4. Approves the process for expressions of interest to fill any current vacancy in the Audit, Risk and Improvement Committee, as set out in the amended Charter.
5. Approves the process for external assessment of Council's internal audit functions, as set out in this report.
6. Refers the budget for external assessment of Council's internal audit functions to Council's September quarterly budget review.

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

ITEM NO: CEO 03
FILE NO: 091575.2017
SUBJECT: Strategic Panel Minutes 10 April 2017

RECOMMENDATION

That Council receives the minutes of the Strategic Panel held on 10 April 2017.

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: CEO 04
FILE NO: 092326.2017
SUBJECT: Draft Delivery Program 2017-2021 and Operational Plan 2017-2018 and Budget (including Statement of Revenue Policy)

RECOMMENDATION

That Council:

- 1. Places the draft 4-year Delivery Program, Operational Plan 2017-2018 and Budget (including Revenue Pricing Policy) on exhibition for 28 days.
- 2. Receives a further report at the June Council meeting after a review of public submissions.

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.

.....
Chairperson

COMMUNITY AND CULTURE REPORT

ITEM NO: DCC 01
FILE NO: 028861.2017
SUBJECT: Amendments to Grants and Donations Policy

RECOMMENDATION

That Council:

1. Receives and notes this report.
2. Adopts the amendments to the Grants and Donations Policy.
3. Approves the delegation of awarding grants and donations of less than \$1,000 to the Chief Executive Officer, or delegate.

COUNCIL DECISION

Motion: **Moved: Cllr Kaliyanda** **Seconded: Cllr Shelton**

That the recommendation be adopted.

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

ITEM NO: DCC 02
FILE NO: 031003.2017
SUBJECT: Grants, Donations, and Corporate Sponsorship

RECOMMENDATION

That Council endorses the following recommendations:

1. The provision of \$650 (GST exclusive) under Quick Response Grants (General):

Applicant Name	Project Name	Amount
Outer Liverpool Community Services Inc	National Family Day	\$650

2. The provision of \$ 53,967 (GST exclusive) under Community Grants:

Applicant Name	Project Name	Amount
City of Liverpool Meals on Wheels Inc.	Christmas hamper Project for Meals on Wheels	\$5,000
The Junction Works Ltd (Youth)	TJW Youth Clicks Breakfast Club	\$5,000
Bonnie Support Services Ltd	Milk Crate Theatre	\$5,000
Miracle Babies Foundation	Nurture Group Graduate Playgroup for NICU & Special Care Families	\$5,000
The Shepherd Centre	"Hear We Go" – Educative Group Program for children who are deaf or hearing impaired from Liverpool	\$5,000
Liverpool Women's Health Centre	Art Therapy Wellness Group	\$5,000
Liverpool Migrant Resource Centre	Paint Liverpool REaD – CD and promotional materials.	\$5,000
Police Citizens Youth Clubs NSW Ltd	Box with a Cop	\$5,000
Diabetes NSW & ACT	DiaBuddies Day	\$5,000
KARI	Brighter Futures Camping Materials	\$4,797
Liverpool Warriors	Project 2017	\$2,600
Samoa Victim Support Group Inc.	SVSG Sydney Friends of Hope Pacific youth Self Awareness Project	\$1,370
City of Liverpool & District Historical Society Inc.	Flyer and Brochure Printing	\$200

3. The provision of \$154,669 (GST exclusive) under Matching Grants:

Applicant Name	Project Name	Amount
Child Abuse Prevention Service (CAPS (Sydney) Inc.	The Safe Children, Safe Families Program for Parents, Carers, Early Educators, and Children	\$15,000
Ferrington Collaborative	Ferrington Community Park	\$15,000
Liverpool Women's Health Centre Inc.	Emergency Weekend Pack	\$15,000
Diversity Arts Australia	Diverse Futures Liverpool	\$15,000
Life Education NSW	Increasing the Engagement of Disadvantaged Children in Preventative Health Education	\$15,000
Police Citizens Youth Club NSW	Fit for Life	\$14,100
CNA Italian Australian Services and Welfare Centre Inc.	"Senior Life, Better Life" Day Care	\$13,800
Creating Chances	CC's F3 – "Friday Nights, Football, Fair Play"	\$13,450
The Shepherd Centre	Solar Installation and painting works at The Shepherd Centre, Casula	\$13,321
City of Liverpool Meals on Wheels Inc.	Upgrade Office/Kitchen	\$12,098
Liverpool City Robins Sports Club Inc.	50 Year Birthday Celebration	\$ 9,900
Chipping Norton Football Club	Installation of new goal posts and picnic seating at the South Park Precinct.	\$ 3,000

4. The provision of \$9,000 (GST exclusive) under Corporate Sponsorship (Outgoing):

Applicant Name	Project Name	Amount
Police Citizens Youth Club	Time 4 Kids	\$5,000
Wattle Grove Public School P&C Association	Wattle Grove Public School Fair	\$3,000
Precedent Productions	Liverpool City Local Business Awards	\$1,000

COUNCIL DECISION

Motion: **Moved: Clr Hadchiti** **Seconded: Clr Kaliyanda**

That the recommendation be adopted.

Amendment: **Moved: Clr Rhodes** **Seconded: Clr Harle**

That the recommendation be adopted with the exception of the Ferrington Collaborative which is to be deferred to the next meeting until further information is received.

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

The Motion (moved by Clr Hadchiti) was then put to the meeting and was declared CARRIED.

ITEM NO: DCC 03
FILE NO: 067581.2017
SUBJECT: Liverpool Listens Evaluation 1 January 2016 to 31 December 2016

RECOMMENDATION

That Council:

1. Receives and notes this report; and
2. Receives a further report within 12 months with a full evaluation of Council's online engagement and future options.

COUNCIL DECISION

Motion: **Moved: Cllr Rhodes** **Seconded: Cllr Shelton**

That Council:

1. Receives and notes this report; and
2. Receives a further report within 12 months with a full evaluation of Council's online engagement and digital platforms generally and future options.

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

ITEM NO: DCC 04
FILE NO: 091021.2017
SUBJECT: Disability Inclusion Action Plan 2017 - 2021

RECOMMENDATION

That Council:

1. Places the draft Disability Inclusion Action Plan 2017-2021 on public exhibition for a period of 28 days inviting public submissions.
2. Receives a further report on the Disability Inclusion Action Plan 2017-2021, following the public exhibition period, incorporating public feedback.

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: DCC 05
FILE NO: 091399.2017
SUBJECT: Liverpool Sports Committee Review of Sporting Delegates

RECOMMENDATION

That Council:

1. Endorses the following sporting delegates

Sport	Nominated Delegate
Archery	Alistair Dobson
Baseball	Fiona Heath
Dog Training	Monica Anastasi
Football (Soccer)	Ron Hughes
Hockey	John Scott
Netball	Kath Whitely
Remote Control Car Racing	Adrian Rumiz
Softball	Tony Jackson
Tennis	Daniel DiLucca
Delegate representing all sports with less than 100 participants	Brian Martin

2. Endorses continued negotiation with the following sports to encourage the nomination of a Sports Committee delegate:

Sport
Basketball
Australian Football (AFL)
Athletics
Cricket
Rugby League
Swimming
Tag Football

3. Endorses continued negotiation with the Camden Valley Basketball Association and the Liverpool Basketball Association to identify a single delegate to represent basketball.

COUNCIL DECISION**Motion:****Moved:** Cllr Kaliyanda**Seconded:** Cllr Shelton

That Council:

1. Endorses the following sporting delegates

Sport	Nominated Delegate
Archery	Alistair Dobson
Baseball	Fiona Heath
Dog Training	Monica Anastasi
Football (Soccer)	Ron Hughes
Hockey	John Scott
Netball	Kath Whitely
Remote Control Car Racing	Adrian Rumiz
Softball	Tony Jackson
Tennis	Daniel DiLucca
Delegate representing all sports with less than 100 participants	Brian Martin

2. Endorses continued negotiation with the following sports to encourage the nomination of a Sports Committee delegate:

Sport
Basketball
Australian Football (AFL)
Athletics
Cricket
Rugby League
Swimming
Tag Football

3. Endorses continued negotiation with the Camden Valley Basketball Association and the Liverpool Basketball Association to identify a single delegate to represent basketball with the results of those negotiations with the two Associations to be communicated to Councillors through the CEO update.

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

CHIEF FINANCIAL OFFICER

ITEM NO: CFO 01
FILE NO: 087813.2017
SUBJECT: Investment Report March 2017

RECOMMENDATION

That Council receives and notes this report.

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: CFO 02
FILE NO: 090008.2017
SUBJECT: Minutes of Budget Review Panel 23 March 2017

RECOMMENDATION

That Council adopts the minutes of the Budget Review Panel meeting held on 23 March 2017.

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.

ECONOMIC DEVELOPMENT REPORT

ITEM NO: DEE 01
FILE NO: 063546.2017
SUBJECT: Badgerys Creek Airport Taskforce

RECOMMENDATION

That Council:

- 1. Dissolves the charter for the Badgerys Creek Airport Taskforce.
- 2. Writes to the Community members thanking them for their time and input.

COUNCIL DECISION

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

That Council receives and notes the report.

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

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Chairperson

COMMITTEE REPORTS

ITEM NO: CTTE 01
FILE NO: 086791.2017
SUBJECT: Minutes of the Liverpool Community Safety and Crime Prevention Advisory Committee held on Thursday 2 March 2017

RECOMMENDATION

That Council receives and adopts the minutes of the Liverpool Community Safety and Crime Prevention Advisory Committee meeting held on Thursday 2 March 2017.

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: CTTE 02
FILE NO: 089972.2017
SUBJECT: Minutes of the Local Traffic Committee Meeting held on 15 March 2017

RECOMMENDATION

That Council:

1. Receives and adopts the Minutes of the Local Traffic Committee Meeting held on 15 March 2017.
2. Adopts the following recommendations of the Local Traffic Committee Meeting:
 - 2.1 Item 1 - 4-8 Lyn Parade, Prestons - Traffic facility at the driveway.
 - Council defer the consideration of the proposed seagull island for engineering design.
 - 2.2 Item 2 - Nagle Street, Liverpool - Review of existing Children's Crossing.
 - Council notes the Committee's recommendation that the traffic and pedestrian volumes at the existing Children's Crossing do not meet the RMS warrant and that the existing Children's Crossing is to remain.
 - All stakeholders are advised of Council's action.
 - 2.3 Item 3 - O'Brien Parade, Liverpool - Proposed traffic calming devices.
 - Council requests the NSW Police continue speed enforcement along O'Brien Parade for the next six months.
 - Council monitors traffic speeds to determine if a speed cushion is required and report findings to the Local Traffic Committee for further consideration.
 - All stakeholders are advised of Council's action.
 - 2.4 Item 4 - Bernera Road, Edmondson Park - Proposed signs and linemarking scheme for road upgrade.
 - Council approves the signs and linemarking plan for the proposed Bernera Road upgrade, as presented in Attachments 4.2.1 to 4.2.6 with the Traffic Committee approved changes.
 - Council writes to the RMS to approve and arrange installation of the relevant speed limit signs along Bernera Road.
 - 2.5 Item 5 - Moore Street, Liverpool - Proposed changes to existing parking restrictions.
 - Council supports the proposed changes to the existing signs along the

northern side of Moore Street, between George and Bigge Streets.

- All stakeholders are advised of Council's action.

2.6 Item 6 - Hanover Street, Cecil Hills - Proposed parking restrictions

- Council seeks approval from the RMS and police to install 'No Parking, 9pm-5am' restrictions along Hanover Street, Cecil Hills, on both sides between its intersections with Ulster Street.
- Council advises the affected residents that in accordance with Council's policy only two resident parking permits can be provided.
- All stakeholders are advised of Council's action.

2.7 Item 7- Myall Road, Casula - Proposed changes to signs and linemarking in front of Casula High School

- Council approves the amendments to the signs and linemarking as noted in the body of the report along Myall Road, Casula.
- All stakeholders are advised of Council's action.

2.8 Item 8 - Latina Circuit, Prestons - Proposed additional parking restrictions

- Council supports the installation of additional 'No Stopping' restrictions along both sides of Latina Circuit from 8:00am -9:30am and 2:30pm-4:00pm during school days at the following locations for a six month trial:
 - Southern side between house numbers 15 and 41
 - Northern side between house numbers 28 and 68
 - Both sides of the street from house numbers 15-28
- All stakeholders are advised of Council's action.

2.9 Item TD1 - George Street and Northumberland Street - Update on traffic arrangements

- Council to approve the Committee's recommendation that the existing one-way traffic arrangements along George Street and Northumberland Street remain.

2.10 Item TD2 - Memorial Avenue, Liverpool - Existing bus stop/shelter

- Council and the local bus company, Transit System, representatives are to undertake a joint inspection to resolve the issue.

3. Notes that there is provision in Council's Operational Plan for the implementation of each recommendation.

COUNCIL DECISION

Motion:

Moved: Cllr Hadchiti

Seconded: Cllr Shelton

That the recommendation be adopted with the exception of **2.6 Item 6 - Hanover Street, Cecil Hills - Proposed parking restrictions**. With respect to 2.6, Item 6, Council officers to investigate the most suitable solution for this street and the CEO to be delegated the authority to determine this item.

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

CONFIDENTIAL ITEMS

Clr Harle, Clr Rhodes, Clr Kaliyanda, Clr Shelton, Clr Ayyad and Clr Hadchiti left the Chambers at 7:45pm

With the above Councillors leaving the Chambers, the Mayor adjourned the meeting at 7:45pm due to a lack of a quorum (in accordance with Clause 9.1 of Council's Code of Meeting Practice).

Clr Harle, Clr Rhodes, Clr Kaliyanda, Clr Shelton and Clr Hadchiti returned to the Chambers at 7:47pm.

Mayor Waller resumed the meeting at 7:47pm.

ITEM NO: CONF 01
FILE NO: 078680.2017
SUBJECT: Liverpool Heritage Advisory Committee - Expressions of Interest

RECOMMENDATION

That Council:

1. Receives and notes this report.
2. Endorses the recommended community representatives for the Liverpool Heritage Advisory Committee.

COUNCIL DECISION

Mayor Waller advised that this item was not considered at this meeting as a few Councillors left the Chambers due to a Declaration of Interest in relation to the item and as such the meeting did not have a quorum. The Mayor advised that the matter will therefore be delegated to her to determine under delegated authority under the *Local Government Act 1993* subject to obtaining legal advice to confirm that it can be delegated to the Mayor. If it cannot be delegated to the Mayor to determine, then a further motion will come back to Council.

ITEM NO: CONF 02
FILE NO: 088015.2017
SUBJECT: Acquisition of Part Lot 1 DP 547931, Illaroo Road, Prestons for drainage purposes

RECOMMENDATION

That Council:

1. Approves the acquisition of part Lot 1 DP 547931, Illaroo Road, Prestons, containing the area of approximately 3,918 square metres for the price and terms outlined in the confidential attachments;
2. Upon settlement of the acquisition, classifies the portion of Lot 1 DP547931, Illaroo Road, 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 in conduct (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 Rhodes**

That the recommendation be adopted.

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

Clr Ayyad returned to the Chambers at 7:49pm.

ITEM NO: CONF 03

FILE NO: 093367.2017

SUBJECT: Easement for Access over Lot 3 DP 703565, Lot 82 DP 790072 and Lot 1 DP 1196393, Speed Street, Liverpool

RECOMMENDATION

That Council:

1. Approves the granting of an easement for access over Lot 3 DP 703565, Lot 82 DP790072 and Lot 1 DP 1196393, Speed Street, Liverpool, benefiting the owners of 2-4 Speed Street, Liverpool being GP Superclinic Liverpool Pty Ltd;
2. Agrees to transfer the compensation amount into the Property Development Reserve;
3. Authorises its delegated officer to execute any document, under Power of Attorney necessary to give effect to this decision; and
4. Keeps this report confidential pursuant to the provisions of Section 10A(2)(c) of the *Local Government Act* 1993 as this information would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

COUNCIL DECISION

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

That the matter be deferred and that another valuation on the subject land be obtained.

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

THE MEETING CLOSED AT 7:50pm

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 31 May 2017

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 26 April 2017. 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 MAY 2017**

PRESENT:

- Mayor Wendy Waller
- Councillor Ayyad
- Councillor Balloot
- Councillor Hadchiti
- Councillor Hadid
- Councillor Hagarty
- Councillor Harle
- Councillor Kaliyanda
- Councillor Karnib
- Councillor Rhodes
- Councillor Shelton
- Ms Kiersten Fishburn, Chief Executive Officer
- Mr Chris White, Director City Corporate Services
- Ms Lina Kakish, Acting Director Planning and Growth
- Dr Eddie Jackson, Director City 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 6.00pm

OPENING	6.00pm
ACKNOWLEDGEMENT OF COUNTRY, PRAYER OF COUNCIL AND AFFIRMATION TO BE READ BY	The Prayer of the Council was read by Pastor Claudio Alosi from Living Grace Christian Church.
APOLOGIES	Nil

CONDOLENCES

Andy Watts (read by Mayor Waller)

Andy Watts, aged 79, passed away on the 20 May 2017.

As a local resident to Liverpool, Andy was renowned for his strong advocacy for disability access and inclusion across our city. With a background as an electrician, Andy focussed on redressing poor planning decisions on existing infrastructure and leading community consultation on new developments to ensure disability access was considered a priority.

To his family, friends, and the community Andy was known as a humble man with a big heart and a positive attitude. He was courteous and professional, and as a foundation member of the Liverpool Access Committee he was a good influence on members throughout the years.

He encouraged a progressive mindset and we believe this city is a better place to live as a result of his many years of hard work.

May he rest in peace.

RECOMMENDATION

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

That Council writes to the family of Andy Watts expressing our condolences for their loss.

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

Kevin Walter Perry (read by Mayor Waller)

Kevin Walter Perry JP, late of Busby and aged 79, passed away on the 20 May 2017.

As a past President of the City of Liverpool Lions Club, member of Green Valley Lions, a Liverpool Leo Advisor and District Liverpool Leo Chair, Kevin contributed to fundraising for many charitable events over the years.

After years of servicing the Liverpool community as a Justice of the Peace, Kevin started the JP Desk at the Liverpool Courthouse and was a longstanding member of the Liverpool Justices Association and held the position of Desk Coordinator.

Kevin worked at all of the JP Desks in the local community and mentored all new Justices of the Peace.

Liverpool Council acknowledged his charitable and volunteer work in the community and in 2013 Kevin was awarded an Order of Liverpool Award.

Kevin was described as a quiet achiever, who always worked hard for Liverpool and to support the local community.

Kevin is survived by his wife Lorraine, his children Leone, Darren, Rachel and their families.

May he rest in peace.

RECOMMENDATION

Motion: Moved: Mayor Waller Seconded: Cllr Harle

That Council writes to the family of Kevin Walter Perry expressing our condolences for their loss.

On being put to the meeting the motion was declared CARRIED

CONFIRMATION OF MINUTES

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

- 1. That the minutes of the Ordinary Meeting held on 26 April 2017 be confirmed as a true record of that meeting.
- 2. That a transcript of item DPG 01 (from the 26 April 2017 Council meeting) be included as part of the minutes.

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

NOTE: The transcript from DPG 01 from the 26 April 2017 Council meeting (referred to in point 2 above) appears below;

Mayor Waller: The next item on the agenda is the Planning and Growth Report. The recommendation is on page 54.

Clr Hadchiti: Move that way Mayor.

Clr Shelton: Second that, thank you Madam Mayor.

Mayor Waller: Thank you, any discussion?
I'll put it, those in favour, those against, declare it carried.

DECLARATIONS OF INTEREST

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

Item DCC 05 Liverpool City Council Sporting Grants Program 2016/2017

Reason His son plays for a team that is recommended to receive a grant.

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

PUBLIC FORUM

Presentation – items not on agenda

- 1. **Mr Ian Bailey** addressed Council on the following item:
Disposal of hard waste in Liverpool.

2. **Ms Kate Woods** addressed Council on the following item:

Affordable Housing Policy.

Representation – items on agenda

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

CONF 02 Report on Legal Proceedings – Moorebank Recyclers Appeal.

2. **Mr Frank Mosca** from Mosca Pserras Architects addressed Council on the following item:

IHAP 01 DA-582/2016 - Alterations and additions to a mixed use development at 420-446 Macquarie Street, Liverpool.

MAYORAL REPORT

ITEM NO: MAYOR 01
FILE NO: 132315.2017
SUBJECT: Photographic History of Mayors and Councillors

BACKGROUND

Liverpool City Council has a history which spans 145 years this year.

Currently, Liverpool has had 69 Mayors with 50 persons occupying this role. With the exception of myself all Mayors have been male. I am the 69th and 67th Mayor.

Since gaining city status we have featured the Mayoral photographic portraits in our foyer or as we do now outside the chamber. This pictorial history is important for our city's history.

It is important to also display a photographic history of our councillors, where photographs are available. Subsequently, we need to display a group photo of elected councillors since we gained city status in a prominent place for public consumption. This should be also accommodated.

RECOMMENDATION

That Council:

1. Display photos of all Mayors from the time Liverpool became a city in a suitable place in the new Civic Place, and until the Civic Place is made available display such photos outside the current council chambers.
2. Display available group photos of the elected councillors from when Liverpool became a city within their term in an appropriate place now and into the future.

COUNCIL DECISION

Motion: **Moved: Mayor Waller**

That the recommendation be adopted.

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

URGENCY MOTION:

Clr Ayyad requested that a motion dealing with allocating funds for CCTV cameras be dealt with now as a matter of urgency.

The Mayor ruled that the motion can be dealt with at this meeting during item CFO 04 – Budget Review March 2017.

BRING ITEM FORWARD

Moved: Clr Hagarty

Seconded: Clr Hadchiti

That CONF 02 be brought forward and dealt with now.

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

Mayor Waller advised the gallery that Council would move into Closed Session to discuss CONF 02 as the item contains confidential information pursuant to the provisions of S10A(2)(g) of the Local Government Act because it contains advice concerning litigation or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege.

Mayor Waller called a 5 minute recess at 6.20pm to allow members of the public to leave the gallery.

Council moved into Closed Session at 6.25pm

CONFIDENTIAL ITEM

ITEM NO: CONF 02

FILE NO: 127429.2017

SUBJECT: Report on Legal Proceedings - Moorebank Recyclers Appeal

RECOMMENDATION

That Council receive and note the report of staff concerning the outcomes of the Moorebank Recyclers litigation.

COUNCIL DECISION

Motion:

Moved: Clr Hadchiti

Seconded: Clr Hadid

That Council lodge an appeal in the Appeals Court based on the legal advice received from Mr Chris Shaw.

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

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

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 6.58pm.

Mayor Waller then read out the Motion which was passed in Closed Session relating to CONF 02.

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INDEPENDENT HEARING AND ASSESSMENT PANEL REPORT

ITEM NO: IHAP 01

FILE NO: 107961.2017

SUBJECT: DA-582/2016 - Alterations and additions to a mixed use development at 420-446 Macquarie Street, Liverpool

RECOMMENDATION

That Council approves Development Application DA-582/2016 subject to the amended recommended conditions of consent contained in Attachment 4.

COUNCIL DECISION

Motion: **Moved: Clr Harle** **Seconded: Clr Rhodes**

That the recommendation be adopted.

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

Vote for: Clr Ayyad
Clr Ballot
Clr Hadchiti
Clr Hadid
Clr Harle
Clr Rhodes

Vote against: Mayor Waller
Clr Hagarty
Clr Kaliyanda
Clr Karnib
Clr Shelton

PLANNING AND GROWTH REPORT

ITEM NO: DPG 01
FILE NO: 055619.2017
SUBJECT: Cooling the Streets

RECOMMENDATION

That Council:

- 1. Notes Council’s ongoing participation in WSROC’s ‘Turn Down the Heat’ project.
- 2. Requests the CEO to undertake a comprehensive study of the potential strategies to address the impacts of extreme heat in the Liverpool LGA, including the Urban Heat Island Effect and to submit a policy to Council after the completion of the ‘Turn Down the Heat’ framework.

COUNCIL DECISION

Motion: **Moved: Clr Kaliyanda** **Seconded: Clr Hadchiti**

That Council:

- 1. Notes Council’s ongoing participation in WSROC’s ‘Turn Down the Heat’ project.
- 2. Requests the CEO to undertake a comprehensive study of the potential strategies to address the impacts of extreme heat in the Liverpool LGA, including the Urban Heat Island Effect and to submit a policy to Council after the completion of the ‘Turn Down the Heat’ framework.
- 3. Consider the Tree Pricing Policy that went through Council and consider how to integrate these strategies when masterplanning or considering upgrades of areas of the LGA.

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

Councillors voted unanimously for this motion.

COMMUNITY AND CULTURE REPORT

ITEM NO: DCC 01
FILE NO: 206409.2016
SUBJECT: The Mandaean Community of Liverpool - Baptismal Area on the Georges River

RECOMMENDATION

That Council:

1. Defer a decision until risks to the public, identified in this report, are addressed; the real time monitoring of water for indicator organisms is in place; and until such time sufficient evidence is available to confirm the adequacy of water quality in the Georges River for primary contact recreational activities;
2. Install signage along the river to highlight potential dangers of primary contact recreational activities;
3. Report back the findings of this report to the Mandaean community and the outcome of Council's decision;
4. Ensures the Mandaean community is made fully aware of the potential dangers of primary contact recreation in the Georges River; and
5. Advocate to Federal and State Governments for a collaborative approach to improving water quality in the Georges River at Liverpool in order to allow primary contact recreational activities in the long-term.

COUNCIL DECISION

Motion:

Moved: Clr Rhodes

Seconded: Clr Harle

1. Site 3 Haigh Park be the most suitable site and that a further report be brought to Council within six months addressing the risks to the public, identified in this report; the real time monitoring of water for indicator organisms is in place; and until such time sufficient evidence is available to confirm the adequacy of water quality in the Georges River for primary contact recreational activities;
2. Install signage along the river to highlight potential dangers of primary contact recreational activities;
3. Report back the findings of this report to the Mandaean community and the outcome of Council's decision;
4. Ensures the Mandaean community is made fully aware of the potential dangers of primary contact recreation in the Georges River; and

5. Advocate to Federal and State Governments for a collaborative approach to improving water quality in the Georges River at Liverpool in order to allow primary contact recreational activities in the long-term.

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

ITEM NO: DCC 02
FILE NO: 025812.2017
SUBJECT: Draft Community Facilities Strategy

RECOMMENDATION

That Council:

1. Places the draft Community Facilities Strategy on public exhibition for at least 28 days seeking general community feedback;
2. Utilises the District Forums (June quarter) as a mechanism to provide feedback on the Draft Strategy; and
3. Brings forth a report in August noting feedback received and any changes made to the document in line with community feedback.

COUNCIL DECISION

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

That Council:

1. Places the draft Community Facilities Strategy on public exhibition for at least 28 days seeking general community feedback;
2. Utilises the District Forums (June quarter) as a mechanism to provide feedback on the Draft Strategy;
3. Brings forth a report in August noting feedback received and any changes made to the document in line with community feedback;and
4. Commend staff for their work in developing the Draft Strategy.

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

ITEM NO: DCC 03
FILE NO: 098214.2017
SUBJECT: Amendments to Corporate Sponsorship (Outgoing) Policy

RECOMMENDATION

That Council adopts the amendments to the Corporate Sponsorship (Outgoing) Policy.

COUNCIL DECISION

Motion: **Moved: Clr Kaliyanda** **Seconded: Clr Hagarty**

That Council adopts the amendments to the Corporate Sponsorship (Outgoing) Policy subject to changing the cap on the amount that applicants are able to request and receive to \$10,000.

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

ITEM NO: DCC 04
FILE NO: 111210.2017
SUBJECT: Grants, Donations, and Corporate Sponsorship

RECOMMENDATION

That Council endorses the provision of \$27,820 (GST exclusive) under Sustainable Environment Grants:

Applicant Name	Project Name	Amount
Busby West Public School	Sustainable Schools	\$5,000
Liverpool Women's Health Centre	Where Women Grow	\$5,000
Wheels "Towards Independence" Inc.	Water Sustainability Program	\$5,000
Australian Foundation for Disability	Sustainable Recycling for Lurnea Community Participation Day Program	\$5,000
St Therese Primary School	Aboriginal/Indigenous Nature Garden	\$5,000
All Saints Catholic Primary School	Veggie for You	\$2,000
Outer Liverpool Community Services Inc.	The Thirsty and Hungry Community Garden	\$820

COUNCIL DECISION

Motion: **Moved: Clr Kaliyanda** **Seconded: Clr Hadchiti**

That the recommendation be adopted.

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

Clr Hadchiti left the Chambers at 7.25pm.

ITEM NO: DCC 05
FILE NO: 123017.2017
SUBJECT: Liverpool City Council Sporting Grants Program 2016/2017

RECOMMENDATION

That Council approves 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
Austral City Bears Rugby League Club	Electrical and PA System upgrades and purchase of line marking equipment	\$3,282
All Saints Junior Rugby League Football Club	Maintenance equipment, sporting equipment and coach education courses	\$4,647
Fairfield Liverpool Cricket Club	Sporting equipment and player development clinics	\$5,000
Greater West Junior Oztag	Purchase of sporting equipment	\$1,444
Moorebank Baseball Softball Club	Construction of a shelter for the batting cage zone	\$5,000
Moorebank Rugby League Club	Purchase sporting equipment	\$2,000
Prestons Robins Little Athletics Centre	Purchase of line marking equipment	\$2,253
PCYC Liverpool - Miller	Electrical and PA system upgrades and purchase of line marking equipment	\$3,522
Special Needs Ability Program Providers	Purchase of sporting equipment	\$2,852
	Total	\$30,000

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.

Clr Hadchiti returned to the Chambers at 7.26pm

ITEM NO: DCC 06
FILE NO: 127545.2017
SUBJECT: Family and Domestic Violence Workplace Support Policy

RECOMMENDATION

That Council:

1. Endorses the Family and Domestic Violence Workplace Support Policy; and
2. Approves a budget allocation of \$5,000 for the 2017/18 budget and an annual budget thereafter of \$5,000 plus CPI increases for Family and Domestic Violence leave.

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.

Councillors voted unanimously for this motion.

ITEM NO: CFO 02
FILE NO: 120163.2017
SUBJECT: Investment Report April 2017

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.

ITEM NO: CFO 04
FILE NO: 133801.2017
SUBJECT: Budget Review - March 2017

RECOMMENDATION

That Council approves the identified budget variations in accordance with this report.

COUNCIL DECISION

NOTE: Motions were voted on separately on this item as shown below.

Motion: **Moved: Clr Hadchiti** **Seconded: Clr Ayyad**

The identified budget variations not be adopted and that the \$3.5million (Contract Administration Expense identified on page 153 of the Council Agenda) be reported to the Office of the Local Government.

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

Division called:

Vote for: Clr Ayyad
Clr Balloot
Clr Hadchiti
Clr Hadid

Vote against: Mayor Waller
Clr Hagarty
Clr Harle
Clr Kaliyanda
Clr Karnib
Clr Shelton
Clr Rhodes

Motion: **Moved: Clr Ayyad** **Seconded: Clr Hadchiti**

1. Direct the CEO to allocate necessary funds immediately that ensures all CCTV cameras are operational now and into the future.
2. Council investigate any other revenue raising ideas with regards to wireless network.

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

Division called:

Vote for: Mayor Waller
Clr Ayyad
Clr Balloot
Clr Hadchiti
Clr Hadid
Clr Harle
Clr Rhodes

Vote against: Clr Hagarty
Clr Kaliyanda
Clr Karnib
Clr Shelton

Motion: **Moved: Clr Shelton** **Seconded: Clr Hagarty**

That the recommendation be adopted.

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

Division called:

Vote for: Mayor Waller
Clr Hagarty
Clr Harle
Clr Kaliyanda
Clr Karnib
Clr Rhodes
Clr Shelton

Vote against: Clr Ayyad
Clr Balloot
Clr Hadchiti
Clr Hadid

PROPERTY AND COMMERCIAL DEVELOPMENT REPORT

ITEM NO: DPC 01

FILE NO: 125896.2017

SUBJECT: Closing of a Temporary Public Road between Mullumbimby Avenue and Pacific Palms Circuit at Hoxton Park and Transfer to the Original Subdivider.

RECOMMENDATION

That Council:

1. Close the temporary public road identified as Lots 40 & 50 in Deposited Plan 1074539, located between Mullumbimby Avenue and Pacific Palms Circuit in Hoxton Park.
2. Transfer Lots 40 & 50 in Deposited Plan 1074539 to the Original Subdivider, being AV Jennings Properties Limited.
3. Authorises its Delegated Officer to execute any documentation, under Power of Attorney, necessary to give effect to this decision.

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.

COMMITTEE REPORTS

ITEM NO: CTTE 01
FILE NO: 101895.2017
SUBJECT: Minutes of Liverpool Access Committee Meeting held on 9 March 2017

RECOMMENDATION

That Council receives and notes the minutes of the Liverpool Access Committee Meeting held on Thursday 9 March 2017.

COUNCIL DECISION

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

That the recommendation be adopted.

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

PRESENTATIONS BY COUNCILLORS

Clr Hadchiti reported back to Council on his attendance on behalf of the Mayor, to open the NSW Radio Controlled Racing Car Championships held on 5 May 2017 at Helles Park Moorebank.

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NOTICES OF MOTION

ITEM NO: NOM 01
FILE NO: 112563.2017
SUBJECT: Electronic Voting and Recording Systems

BACKGROUND

- At General Council Meetings, it is often difficult for the Chairperson to accurately determine the order and timing of Councillor voting by means of a show of hands or a verbal response.
- Councils Code of Meeting Practice and Code of Conduct states that Councillors should have mutual respect, however the current system does not promote that principle as well as it could by ensuring accurate procedures and results are recorded.
- The current system of Movers and Seconders of Motions and subsequent recording of votes is subjective and does not necessarily reflect the actual and timely responses by Councillors at Council Meetings.
- For the above stated reasons, an Electronic Voting Systems was implemented in the 2008-12 term of Council. At the previous Council Administration Centre at 1 Hoxton Park Road. The Electronic voting and recording system addressed the main problems that may contribute to doubt and transparency on some aspects of Council Meetings.

NOTICE OF MOTION (submitted by Cllr Harle)

Therefore, I move that Council;

1. Prepares a report on the implementation of an electronic voting and recording system based on one that operated at the Hoxton Park Administration Centre in the 2008-12 term of Council and
2. Council further investigates similar systems used in other Councils and State and Federal Parliament.

COUNCIL DECISION

Motion: **Moved: Cllr Hadchiti** **Seconded: Cllr Ayyad**

That Council note the comments of the CEO (as shown at the end of this item).

Foreshadowed Motion

Moved: Cllr Harle

Seconded: Cllr Rhodes

That the recommendation be adopted.

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

CHIEF EXECUTIVE OFFICER'S COMMENT

As part of an external review of the microphone system installed in the Council Chamber, staff have already commissioned a review of possible electronic voting options for Council. This review is currently underway, and it is expected that recommendations will be available from the consultant by the end of June, 2017.

Staff are happy to report the outcomes of that process to a future meeting of Council for debate.

It is noted that at present, there is no specific budget set aside for either new microphones or electronic voting systems. Any progress on these initiatives would need to be funded through a future quarterly budget review process.

ITEM NO: NOM 02
FILE NO: 136393.2017
SUBJECT: Energy Efficiency and Renewables

BACKGROUND

Upon election, all Councillors undertook a commitment to fulfil our duties in the best interests of the Liverpool community. This includes listening and acting upon the voice of our youth. In addition, Council has a responsibility to leave a clean, liveable and safe Liverpool for future generations. One way it can do this is through renewable energy.

Recently, I was approached by the Youth Council to enquire into Council's commitment to solar and other renewable technologies.

Members of the Youth Council and I agree that renewable energy and solar in particular, is an effective means of reducing both carbon emissions and Council's energy costs. A reduction in carbon emissions combats the effects of climate change, while a reduction in energy costs means Council has more funds available to improve community services.

In 2012 Council showed its commitment to energy efficiency and renewables by publishing an Energy Management Plan (EMP). The EMP outlined a series of actions to reduce energy use across major Council assets, including through the use of solar technology where appropriate. It is important this term of Council renew that commitment to energy efficiency by protecting and promoting the use of solar and other renewable technologies in Liverpool.

NOTICE OF MOTION (submitted by Cllr Hagarty)

That Council show its commitment to energy efficiency, solar and other renewable technologies by:

1. Seeking all available avenues of funding, including State and Federal governments, to reduce energy use across existing and future Council's assets through the use solar and other renewable energy sources;
2. Ensuring all future development consider the impact on existing renewable energy production by ensuring any shadowing assessments take into account the impact on neighbouring building's solar panels; and
3. Providing regular updates to Councillors on the 2012 Energy Management Plan (EMP) by incorporating progress into existing reporting, for example within the Quarterly Capital Works Summary.

COUNCIL DECISION

Motion: **Moved: Cllr Hagarty** **Seconded: Cllr Kaliyanda**

That the recommendation be adopted.

On being put to the meeting the motion was declared CARRIED

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ITEM NO: NOM 03
FILE NO: 137262.2017
SUBJECT: Contaminated Site Remediation Policy

BACKGROUND

Where land within the Liverpool LGA is considered to be in need of remediation from contaminants various state and local government instruments are enlivened including Council's policy headed:

Asbestos Policy (with general advice and information) for residents and the public within the Local Government Area, 2017

and state government:

State Environment Planning Policy 55

the former of which indicates, in a footnote, that SEPP 55 is itself subject to an 'ongoing major review'.

Under these instruments, and related provisions, regulatory and enforcement responsibilities for contaminated lands are divided primarily between Councils and the state government's Environmental Protection Agency.

With these matters in mind, guidance may on occasion be required as to the most suitable and acceptable method of remediation to be adopted, where as is often the case, there is more than one possible approach to the question of remediation, and that guidance, on some views, is not to be found as clearly as it might be in the aforementioned instruments.

Differing approaches to remediation might vary on account of longevity, cost, effectiveness, risk, time to implement and so on.

NOTICE OF MOTION (submitted by Cllr Shelton)

That Council:

1. Provides a briefing session to Councillors as to whether there is utility in Council producing a contaminated site remediation policy or document to similar effect either as a stand-alone policy or as an adjunct to the Asbestos Policy (noting asbestos in its various forms is not necessarily the only contaminant which may be an issue) which briefing may, if thought useful, include consideration of a draft of such a policy;
2. Also at the same time updates Councillors on the present relation in this area between Council and SEPP 55 and the EPA given particularly the latter instrument is said to be evolving; and

3. Updates Councillors on any other matter thought to be related to the foregoing.

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.

ITEM NO: DEE 01
FILE NO: 142997.2017
SUBJECT: Badgerys Creek Airport Taskforce

RECOMMENDATION

That Council:

1. Dissolves the charter for the Badgerys Creek Airport Taskforce.
2. Note that matters pertaining to the construction and operation of the new airport will be reported back to Council from the CEO via the District Forums and Council's Strategic Panel.
3. Write to the members of the Taskforce thanking them for their contribution and advising them of the new communication process via the District Forums and Council's Strategic Panel for regular updates on the Western Sydney Airport.

COUNCIL DECISION

Motion: **Moved: Clr Hadchiti** **Seconded: Clr Hagarty**

That the recommendation be adopted.

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

Clr Harle left the Chambers at 7.57pm.

ITEM NO: CTTE 02
FILE NO: 141758.2017
SUBJECT: Minutes of the Intermodal Committee Meeting held on 15 May 2017

RECOMMENDATION

That Council:

- 1. Notes the Minutes of the Intermodal Committee Meeting held on 15 May 2017.
- 2. Delegates authority to the Chief Executive Officer to consider the content of the Minutes, and report back to Council on any relevant issues arising.

COUNCIL DECISION

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

That Council:

- 1. Notes the Minutes of the Intermodal Committee Meeting held on 15 May 2017.
- 2. Correct the Mover and Seconder in the minutes to show that Jennifer French was the Mover for all the motions and John Anderson was the Seconder for all the motions.
- 3. Actions motion 2, motion 3 (desktop review), motion 4 and motion 6 of the recommendations in the Committee Minutes.
- 4. Report back to Council of the costs of motion 1 and motion 5.

Foreshadowed Motion: **Moved: Clr Shelton** **Seconded: Clr Hagarty**

That Council:

- 1. Notes the Minutes of the Intermodal Committee Meeting held on 15 May 2017.
- 2. Delegates authority to the Chief Executive Officer to consider the contents of the Minutes, and report back to Council on any relevant issues arising except with respect to motion 2 and motion 3 (by way of desktop review) of which the CEO is to proceed immediately.

On being put to the meeting the Motion (moved by Clr Hadchiti) was declared CARRIED.

The Foreshadowed Motion (moved by Clr Shelton) therefore lapsed.

Note: Clr Harle was not in the Chambers when this item was being voted on.

ITEM NO: CONF 03
FILE NO: 126473.2017
SUBJECT: Tender ST2601 Receipt and Processing of Household Cleanup Material

RECOMMENDATION

That Council:

1. Accept the Tender from Benedict Recycling Pty Ltd for tender ST2601 – Receipt and Processing of Household Cleanup Materials for an initial three (3) year contract term with the option of extending 2 x 12 months at the GST inclusive schedule of rates of \$302.50 for 25% of waste received and sent to landfill and \$209.00 for 75% of waste received and recovered.
2. Makes public its decision regarding tender ST2601 – Receipt and Processing of Household Cleanup Materials.
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.
5. Extend the existing engagement of Suez Recycling and Recovery Pty Ltd (Suez) to provide receipt and processing of household cleanup material until 30 June 2017 pursuant to 55(3)(i) of the Local Government Act 1993, for the following reasons:
 - a. Suez are the existing supplier of this service to Council;
 - b. The extension is required to ensure the ongoing provision of household cleanup services to the residents of the Liverpool LGA;
 - c. The service has now been market tested, and a new contract for the service will commence effective 1 July 2017.

COUNCIL DECISION

Motion: **Moved:** Clr Harle **Seconded:** Clr Rhodes

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: 141509.2017
SUBJECT: Tender Exemption Report - Infor Pathway

RECOMMENDATION

That Council:

- 1) Extend the engagement of Infor Global Solutions (ANZ) Pty Ltd to provide the annual software license renewal for the Infor Pathway for a period of three (3) years pursuant to 55(3)(i) of the *Local Government Act 1993*, for the following reasons:
 - a) Pathway is an integral software package that allows Council to meet customer service objectives across all service delivery areas.
 - b) Council has successfully used Pathway since late 2001.
 - c) Infor Global Solutions (ANZ) Pty Ltd is the sole supplier of the Pathway software and license renewal.
 - d) To migrate to another system at this timeframe would be both cost prohibitive and difficult to achieve for various technical challenges (refer to background for further information).

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.

THE MEETING CLOSED AT 8.11pm

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 28 June 2017

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 31 May 2017. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.



**MINUTES OF THE ORDINARY MEETING
HELD ON 28 JUNE 2017**

PRESENT:

- Mayor Wendy Waller
- Councillor Ayyad
- Councillor Balloot
- Councillor Hadchiti
- Councillor Hadid
- Councillor Hagarty
- Councillor Harle
- Councillor Kaliyanda
- Councillor Karnib
- Councillor Rhodes
- Councillor Shelton
- Ms Kiersten Fishburn, Chief Executive Officer
- Mr Chris White, Director City Corporate
- Ms Lina Kakish, Acting Director Planning and Growth
- Dr Eddie Jackson, Director City Community and Culture
- Mr Wayne Carter, Director City Presentation
- Ms Julie Scott, Acting Director Economic Development
- Mr Raj Autar, Director Infrastructure and Environment

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 Reverend Phil Hanbury from
Southwestern Community Baptist
Church

APOLOGIES Nil

CONDOLENCES Nil

CONFIRMATION OF MINUTES

Motion: Moved: Clr Shelton Seconded: Clr Karnib

That the minutes of the Ordinary Meeting held on 31 May 2017 be confirmed as a true record of that meeting.

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

DECLARATIONS OF INTEREST

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

Item CONF 01 Legal Affairs Report

Reason She has used the services of the Australian Consulting Architects in the past, and may do so again in the future.

Clr Ayyad remained in the Chambers for the duration of this item.

Ms Kiersten Fishburn, CEO, declared a pecuniary interest in the following item:

Item DPG 02 Draft Liverpool Local Environmental Plan 2008 (Amendment 65) - Shepherd Street Planning Proposal

Reason: Ms Fishburn and her partner have put a deposit on an investment property in the Coronation Development on Shepherd Street.

Ms Fishburn left the Chambers and handed over to Chris White to be Acting CEO in her absence for this item.

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

Item DPG 03 Street and Park Naming Proposals

Reason: There is a proposal to name a park after Judy Pack. Judy Pack was well known to Clr Shelton for many years. Clr Shelton read the condolence motions for both Judy Pack and her husband David when they passed on. Clr Shelton and Judy Pack had been involved in many community groups together.

Clr Shelton left the Chambers for the duration of this item.

PUBLIC FORUM

Presentation – items not on agenda

1. **Mr Ian Bailey** addressed Council on the following item:

Posters, graffiti, chewing gum and butts. The cost to Liverpool.

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

That a three minute extension of time be given to the speaker.

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

Representation – items on agenda

1. **Mr Adam Coburn** from Mecone Pty Ltd addressed Council on the following item:

DPG 02 Draft Liverpool Local Environmental Plan 2008 (Amendment 65) -
Shepherd Street Planning Proposal

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

That a three minute extension of time be given to the speaker.

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

2. **Mr Aras Labutis** from Coronation Property addressed Council on the following item:

DPG 02 Draft Liverpool Local Environmental Plan 2008 (Amendment 65) -
Shepherd Street Planning Proposal

3. **Ms Kate Woods** addressed Council on the following item:

IHAP 01 DA – 1038/2016 – Construction of a 10 unit boarding house and demolition
of existing dwelling at 24 Madang Street, Holsworthy.

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

That a three minute extension of time be given to the speaker.

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

4. **Mr James Bullard** addressed Council on the following item:

IHAP 01 DA – 1038/2016 – Construction of a 10 unit boarding house and demolition of existing dwelling at 24 Madang Street, Holsworthy.

5. **Mr Samer Khamisy** addressed Council on the following item:

NOM 01 Small Business in Liverpool.

6. **Mr James Tran** addressed Council on the following item:

NOM 01 Small Business in Liverpool.

Motion: **Moved: Cllr Shelton** **Seconded: Cllr Hagarty**

That a three minute extension of time be given to the speaker.

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

7. **Mr Sabih Aldoumany** addressed Council on the following item:

NOM 01 Small Business in Liverpool.

INDEPENDENT HEARING AND ASSESSMENT PANEL REPORT

ITEM NO: IHAP 01
FILE NO: 153741.2017
SUBJECT: DA-1038/2016 - Construction of a 10 unit boarding house and demolition of existing dwelling at 24 Madang Street, Holsworthy

RECOMMENDATION

That Council refuse Development Application DA-1038/2016 for the following reasons:

1. The proposed development is considered to be inconsistent with the objectives of the R3 Medium Density zone in so far as it is not a high quality residential development, and the proposed built form is unlikely to preserve and maintain the residential amenity of adjoining residences, pursuant to the provisions of Section 79C(1)(a)(i) of the Environmental Planning and Assessment Act 1979.
2. The proposed development is inconsistent with the provisions of Clause 30A of Division 3 of Part 2 of State Environmental Planning Policy (Affordable Rental Housing) 2009 in that the design of the proposed development is not compatible with the character of the local area and will have an adverse impact on the physical amenity of the neighbourhood, pursuant to the provisions of Section 79C(1)(a)(i) of the Environmental Planning and Assessment Act 1979.
3. The proposed development does not achieve satisfactory compliance with the relevant controls as stipulated in Liverpool Development Control Plan (DCP) 2008 Chapter 3.6 – regarding sections, 3 Site Planning, Section 9 Landscaping and Fencing and Section 10 Amenity and Environmental Impact, pursuant to the provisions of Section 79C(1)(a)(iii) of the Environmental Planning and Assessment Act 1979.
4. The proposed development is inconsistent with the relevant provisions of Clause 46 of the Public Health Regulation 2012 in that a majority of bedrooms for boarding rooms that occupy two lodgers do not provide a floor area of at least 11 square metres, pursuant to the provisions of Section 79C(1)(a)(iv) of the Environmental Planning and Assessment Act 1979.
5. The design of the proposed development will not provide an acceptable level of amenity to the future occupants of the boarding house and is likely to result in an adverse impact on the acoustic and visual privacy of the residents of the dwellings to the east and south of the land, pursuant to the provisions of Section 79C(1)(b) of the Environmental Planning and Assessment Act 1979.

COUNCIL DECISION

Motion: **Moved:** Clr Hadchiti **Seconded:** Clr Ballot

1. That Council refuse Development Application DA-1038/2016 for the following reasons:
 - i. The proposed development is considered to be inconsistent with the objectives of the R3 Medium Density zone in so far as it is not a high quality residential development, and the proposed built form is unlikely to preserve and maintain the residential amenity of adjoining residences, pursuant to the provisions of Section 79C(1)(a)(i) of the Environmental Planning and Assessment Act 1979.
 - ii. The proposed development is inconsistent with the provisions of Clause 30A of Division 3 of Part 2 of State Environmental Planning Policy (Affordable Rental Housing) 2009 in that the design of the proposed development is not compatible with the character of the local area and will have an adverse impact on the physical amenity of the neighbourhood, pursuant to the provisions of Section 79C(1)(a)(i) of the Environmental Planning and Assessment Act 1979.
 - iii. The proposed development does not achieve satisfactory compliance with the relevant controls as stipulated in Liverpool Development Control Plan (DCP) 2008 Chapter 3.6 –regarding sections, 3 Site Planning, Section 9 Landscaping and Fencing and Section 10 Amenity and Environmental Impact, pursuant to the provisions of Section 79C(1)(a)(iii) of the Environmental Planning and Assessment Act 1979.
 - iv. The proposed development is inconsistent with the relevant provisions of Clause 46 of the Public Health Regulation 2012 in that a majority of bedrooms for boarding rooms that occupy two lodgers do not provide a floor area of at least 11 square metres, pursuant to the provisions of Section 79C(1)(a)(iv) of the Environmental Planning and Assessment Act 1979.
 - v. The design of the proposed development will not provide an acceptable level of amenity to the future occupants of the boarding house and is likely to result in an adverse impact on the acoustic and visual privacy of the residents of the dwellings to the east and south of the land, pursuant to the provisions of Section 79C(1)(b) of the Environmental Planning and Assessment Act 1979.
2. Writes to the State Government raising concerns on the lack of car parking spaces required under the affordable housing SEPP.
3. Writes to WSROC and Local Government NSW seeking their support to lobby the government for a review of the boarding house SEPP which was introduced in 2009 under the then state government.

4. Council notes that registration requirements and occupancy principles for registrable boarding houses are set out by the NSW Boarding Houses Act 2012 and the standards that apply to such developments are set out by the State Environmental Planning Policy (Affordable Rental Housing) 2009.

Council notes that under section 30A of the State Environmental Planning Policy (Affordable Rental Housing) 2009, Council as the consent authority, take the compatibility of the development to the character of the local area prior to giving consent.

5. That Council develop controls relating to Section 30A (relating to the development of boarding houses within the Liverpool Local Government area), into the relevant local planning instruments, to provide certainty to the community, developers and the residents that these developments seek to serve.

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

Councillors voted unanimously for this motion.

BRING ITEM FORWARD

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

That NOM 01 be brought forward and dealt with now.

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

NOTICE OF MOTION

ITEM NO: NOM 01
FILE NO: 165817.2017
SUBJECT: Small Business in Liverpool

This council needs to support small business in Macquarie Mall and Liverpool in general by removing unnecessary red tape which makes the business environment more difficult and costly than it already is.

Small businesses are vital to support families, give individuals independence, to employer local residents and allows competition in the marketplace which keep prices down and more affordable.

Council plays a vital part in supporting small businesses. With our support, they can succeed. Without the support of small businesses, they will inevitably cease to exist as the larger corporations put pressure on them. The small business owners and employees will in turn be unemployed and more reliant on welfare.

NOTICE OF MOTION (submitted by Clr Balloot)

That Council:

1. Freeze any additional charges for the outdoor seating;
2. Conduct an urgent study regarding providing additional chairs and umbrellas for shops that may require to provide more seating for their customers;
3. Hold a grand opening for Macquarie mall to assist in informing the public in our LGA that the mall is open for business in order to support struggling small business; and
4. Officers reports back to Council on how best Liverpool Council may be able to further assist small business.

Vote against: Mayor Waller

Clr Hagarty

Clr Kaliyanda

Clr Karnib

Clr Shelton

Vote against: Mayor Waller
Clr Hagarty
Clr Harle
Clr Kaliyanda
Clr Karnib
Clr Rhodes
Clr Shelton

The Foreshadowed motion (moved by Clr Shelton) then became the motion and on being put to the meeting was declared CARRIED.

Vote for: Mayor Waller
Clr Hagarty
Clr Harle
Clr Kaliyanda
Clr Karnib
Clr Rhodes
Clr Shelton

Vote against: Clr Ayyad
Clr Balloot
Clr Hadchiti
Clr Hadid

without contributing to the traffic issues in and around the Liverpool CBD, considering there will be no public transport into the airport construction job opportunities eg. Airport.

On being put to the meeting the motion (moved by Clr Ayyad) was declared LOST.

Vote for: Nil

Vote against: Mayor Waller
Clr Ayyad
Clr Balloot
Clr Hadchiti
Clr Hadid
Clr Hagarty
Clr Harle
Clr Kaliyanda
Clr Karnib
Clr Shelton
Clr Rhodes

The Foreshadowed motion (moved by Clr Harle) then became the motion and on being put to the meeting was declared CARRIED.

Councillors voted unanimously for this motion.

Mayor Waller called a recess of Council at 7.48pm.

The meeting reopened at 7.59pm with the following Councillors present:

Mayor Waller (Chair)
Clr Ayyad
Clr Balloot
Clr Hadchiti
Clr Hagarty
Clr Harle
Clr Karnib
Clr Rhodes

ITEM NO: DPG 04
FILE NO: 170045.2017
SUBJECT: Revised Voluntary Planning Agreement Text - Draft Liverpool Local Environmental Plan 2008 (Amendment 65)

RECOMMENDATION

That Council consider this report and attached draft Voluntary Planning Agreement in company with item DPG 02.

This item was dealt with in conjunction with DPG 02

4. In the event submissions are received concerning the proposed additional amendments to the fees and charges, bring a report to the August meeting of Council detailing the submissions and including recommendations on how to proceed.
5. The increase to the Mayoral and Councillor allowance for the 2017/2018 period be restricted to an increase of 2.5% to that of 2016/2017 allowance, rather than the maximum allowance determined by the Local Government Remuneration Tribunal.

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

ITEM NO: CEO 03
FILE NO: 154869.2017
SUBJECT: Amendments to Audit, Risk and Improvement Committee Charter

RECOMMENDATION

That Council adopt the Draft Audit, Risk and Improvement Committee Charter attached to this report.

COUNCIL DECISION

Motion: **Moved: Clr Kaliyanda** **Seconded: Clr Shelton**

That the recommendation be adopted.

Amendment **Moved: Clr Rhodes** **Seconded: Clr Harle**

That Council adopt the Draft Audit, Risk and Improvement Committee Charter attached to this report subject to the following changes:

- Clause 7.1 “Councillor Representation” be amended to read;
Two Councillors, including the Deputy Mayor or their alternates shall be the Council representatives on the ARIC. Any alternate delegates must have attended the necessary training to participate. All other Councillors are welcome to attend the meetings, however would not have voting rights.
- Clause 9.1 “Quorum” be amended to read;
The quorum for a meeting of the ARIC is three members, including two Councillors, including the Deputy Mayor. Meetings can be held in person, by telephone or by video conference.

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

The Motion (moved by Clr Kaliyanda) was then put to the meeting and declared CARRIED.

ITEM NO: CEO 04
FILE NO: 156005.2017
SUBJECT: Review of the Enterprise Risk Management Policy

RECOMMENDATION

That Council:

1. Adopt the Draft Enterprise Risk Management Policy attached to this report; and
2. Revoke the Enterprise Risk Management Strategy attached to this report.

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.

CITY COMMUNITY AND CULTURE REPORT

ITEM NO: DCC 01
FILE NO: 108067.2017
SUBJECT: Draft Disability Inclusion Action Plan 2017 - 2021 Post Exhibition Report

RECOMMENDATION

That Council:

1. Adopt the draft Disability Inclusion Action Plan 2017-2021; and
2. Approve minor changes to the draft Disability Inclusion Action Plan 2017-2017 in accordance with further review of the documentation by Council staff.

COUNCIL DECISION

Motion: **Moved: Cllr Kaliyanda** **Seconded: Cllr Shelton**

That the recommendation be adopted.

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

ITEM NO: DCC 02
FILE NO: 147372.2017
SUBJECT: Grants, Donations, and Corporate Sponsorship

RECOMMENDATION

That Council:

- 1. Endorses the recommended provision of \$15,000 (GST exclusive) under Community Grants Program:

Applicant Name	Project Name	Amount
Liverpool Women’s Health Centre	Liverpool Women's Health Centre Safety Hub	\$15,000

- 2. Endorses the recommended provision of \$4,000 to support the sponsorship request from Vedic Festival Inc.

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: DCC 03
FILE NO: 155923.2017
SUBJECT: Draft Cultural Policy

RECOMMENDATION

That Council:

- 1. Adopts the Draft Cultural Policy; and
- 2. Brings forth a report in September 2017 detailing a Draft Cultural Strategy and Action Plan for public exhibition.

COUNCIL DECISION

Motion: **Moved: Clr Kaliyanda** **Seconded: Clr Shelton**

That the recommendation be adopted.

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

CITY CORPORATE REPORT

ITEM NO: CFO 01
FILE NO: 153632.2017
SUBJECT: Investment Report May 2017

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.

ITEM NO: CFO 02
FILE NO: 160439.2017
SUBJECT: Minutes of Budget Review Panel 25 May 2017

RECOMMENDATION

That Council adopts the minutes of the Budget Review Panel meeting held on 25 May 2017.

COUNCIL DECISION

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

That Council adopts the minutes of the Budget Review Panel meeting held on 25 May 2017 subject to the spelling of Clr Tony Hadchiti's name being corrected on page 2 of the minutes.

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

ECONOMIC DEVELOPMENT REPORT

ITEM NO: DEE 01
FILE NO: 153974.2017
SUBJECT: Smart Hub Feasibility Report

RECOMMENDATION

That Council:

1. Endorses further investigation on the establishment of a Smart Work Hub or alternative facility in Liverpool; and
2. That a further report on these investigations be bought back to Council in the 2017/18 third quarter

COUNCIL DECISION

Motion: **Moved: Cllr Kaliyanda** **Seconded: Cllr Hadchiti**

That the recommendation be adopted.

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

ITEM NO: CTTE 03
FILE NO: 157532.2017
SUBJECT: Minutes of the Local Traffic Committee Meeting held on 17 May 2017

RECOMMENDATION

That Council adopts the following recommendations in the Minutes as follows:

- i) Item 1 - Governor Macquarie Drive, Warwick Farm, road widening - proposed signs and linemarking.
 - Council notes the signs and linemarking scheme required for the proposed traffic signals, as shown in Attachments 1.1 to 1.6.
 - The approval of signs and linemarking scheme as presented, be deferred until the signs and linemarking scheme associated with the Traffic Control Signals has been approved by the Roads and Maritime Services.
 - The signs and linemarking scheme be presented to the Roads and Maritime Services and Police for approval under delegated authority.
 - Council advises the Australian Turf Club of its decision.

- ii) Item 2 - Flowerdale Road and Memorial Avenue intersection, Liverpool proposed signs and linemarking.
 - Council notes the signs and linemarking scheme required for the proposed traffic signals, as shown in Attachment 2.1.
 - The approval of signs and linemarking scheme as presented, be deferred until the signs and linemarking scheme associated with the Traffic Control Signals has been approved by the Roads and Maritime Services.
 - Council undertakes appropriate community consultation prior to installation of the traffic signals, and associated signs and linemarking scheme.
 - The signs and linemarking scheme is to be presented to the Roads and Maritime Services and Police for approval under delegated authority.

- iii) Item 3 - Proposed change to bus route 827 and associated bus stops, Cecil Hills
 - Council approves the installation of bus zones at:
 - a. Frederick Road near Alice Place on the northern and southern side of the road
 - b. Frederick Road in front of Cecil Hills High School on the northern and southern side of the road

- c. Airfield Drive near Aviation Drive
 - d. Airfield Drive before and after Big W driveway
 - All stakeholders be informed including notification to local residents.
 - The existing bus stops/zone along Gabriella Street and Spencer Street be decommissioned and the existing bus shelters be relocated.
 - Council advises Transport for NSW of the new bus stop locations and decommissioning of bus shelters.
- iv) Item 4 - Newbridge Road and Kelso Crescent intersection, Moorebank - proposed no right turn into Newbridge Road.
- Council approves the installation of a 'No Right Turn' restriction from Kelso Crescent into Newbridge Road, subject to the approval of a Traffic Management Plan by the Roads and Maritime Services.
 - Council advises all stakeholders of its resolution.
- v) Item 5 - Liverpool City Centre - proposed special community event 'Festival of Chariots'
- Council classifies the event as a Class 2 Special Event with all associated conditions including:
 - a. Submission of a Traffic Management Plan
 - b. Police approval and management of the street parade and rolling road closures
 - c. Advertisement of event in the local papers
 - d. Submission of public liability insurance
 - e. Payment of Council fees and charges for occupation of the car park
 - Council notes the closure of the ground floor of Northumberland Street Car Park for the special event between 5.00am and 4:00pm.
 - Council arranges a meeting with the event organisers, Police and Transit Systems to ensure that the impacts of the event are minimised.
 - All stakeholders be notified accordingly.
- vi) Item 6 - Sappho Road, Warwick Farm - proposed marked parking spaces
- Council approves the signs and linemarking of the unrestricted parallel kerbside parking spaces along Sappho Road, Warwick Farm.
 - Council advises Masterton Homes Display Village of its decision and confirms the arrangement for installation and maintenance of the sign and linemarking at no cost to Council.

- vii) Item 7 - Terminus Street and Charles Street, Liverpool - proposed 'No Right Turn' restriction.
- Council approves the installation of 'No Right Turn' restriction from Terminus Street into Charles Street, subject to the approval of a Traffic Management Plan by the Roads and Maritime Services.
 - Council advises all stakeholders of its resolution.
- viii) Item 8 - National Aborigines and Islanders Day Observance Committee (NAIDOC) Street Parade – Liverpool CBD – special community event
- Council classifies the NAIDOC street parade as a Class 4 Special Event with all associated conditions including:
 - a) Submission of a Traffic Management Plan
 - b) Police approval and management of the street parade and rolling road closures
 - c) Advertisement of event in the local papers
 - d) Submission of public liability insurance
 - e) Payment of Council fees and charges for occupation of the car park
 - All stakeholders be notified accordingly.

COUNCIL DECISION

Motion:

Moved: Cllr Hadid

Seconded: Cllr Hadchiti

That the recommendation be adopted with an additional point to be added to Item 4, so that in full it reads as follows:

- iv) Item 4 - Newbridge Road and Kelso Crescent intersection, Moorebank - proposed no right turn into Newbridge Road.
- Council approves the installation of a 'No Right Turn' restriction from Kelso Crescent into Newbridge Road, subject to the approval of a Traffic Management Plan by the Roads and Maritime Services.
 - Council expresses concern that the No Right Turn restriction may create traffic issues down the road at the industrial area and that Council officers provide further information to Councillors on the matter, and if need be, report back to the Traffic Committee.
 - Council advises all stakeholders of its resolution.

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

**Clr Balloot left the Chambers at 8.36pm.
Clr Balloot returned to the Chambers at 8.38pm.**

ITEM NO: CTTE 04
FILE NO: 160847.2017
SUBJECT: Minutes of the Environment Advisory Committee Meeting held on 23 May 2017

RECOMMENDATION

That Council:

1. Receives and notes the Minutes of the Environment Advisory Committee Meeting held on 23 May 2017.
2. Endorses the draft Community Nursery and Environmental Education Centre Options Analysis Report.
3. Establishes a long-term supply contract for the provision of plant and nursery products and services to meet Council's ongoing requirements.
4. Incorporates an Environmental Education Centre into the planning for a future Community Facility.

COUNCIL DECISION

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

That the recommendation be adopted.

Foreshadowed Motion: **Moved Clr Shelton** **Seconded Clr Hagarty**

That Council:

1. Receives and notes the Minutes of the Environment Advisory Committee Meeting held on 23 May 2017.
2. Endorses the draft Community Nursery and Environmental Education Centre Options Analysis Report and continues to take steps in relation to the implementation of Option 2 thereof.

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

Division called (on Clr Hadchiti's motion):

Vote for: Clr Ayyad
Clr Balloot
Clr Hadchiti
Clr Hadid
Clr Harle
Clr Rhodes

Vote against: Mayor Waller
Clr Hagarty
Clr Kaliyanda
Clr Karnib
Clr Shelton

ITEM NO: CTTE 05
FILE NO: 163435.2017
SUBJECT: Minutes of the Civic Advisory Committee Meeting held 13 June 2017

RECOMMENDATION

That Council:

1. Receive and note the Minutes of the Civic Advisory Committee Meeting held on 13 June 2017.
2. Endorse the recommendations in the Minutes, with the exception of the following recommendation, and note that a separate report will be submitted to the July 2017 Council meeting on the following recommendation;

“That the Civic Advisory Committee recommends to Council to proceed with the design of a statue in honour of Thomas Moore and report back to the Committee. Various sites to be examined, with the Committee’s preferred site for the statue being Thomas Moore Park or the Hospital Precinct”.

COUNCIL DECISION

Motion: **Moved: Cllr Harle** **Seconded: Cllr Rhodes**

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: 165895.2017
SUBJECT: Question with Notice - Clr Harle

These questions relate to the current state of the Liverpool CBD.

Visitors to the Liverpool CBD area have expressed concern at the rapidly increasing amounts of black chewing gum ingrained on the pavement including the recently refurbished Mall.

The current state of the pavements detracts from the efforts of Council Staff to maintain areas free from litter. It is also disappointing to see that people are not using rubbish bins within a few metres of where they leave their litter behind.

Please address the following:

- Is Council aware of the increasing amounts of Chewing Gum in the CBD in general and particularly in the Mall?
- Has Council abandoned the use of the Special Purpose Chewing Gum Removal Machine purchased at substantial cost of around \$80,000?
- Has Council considered the use of weekend Corrective Services Detention offenders to remove the chewing gum from pavement surfaces in the CBD as proposed some time ago?
- Does Council have a plan on addressing this issue and littering in the CBD and Mall areas in general?
- Is it possible to display appropriate warning signs that include the scheduled fines in appropriate areas within the CBD?
- Has Council considered fining offenders as per the current applicable scheduled fines?

General littering

Littering is subject to a tiered range of fines under the Protection of the Environment Operations Act 1997:

- \$80 for littering small items, such as bottle tops and cigarette butts
- \$250 for general littering,
- \$250 for an individual littering from a vehicle (\$500 for corporations)
- \$450 for littering in dangerous circumstances, such as depositing a syringe or a lit cigarette (\$900 for corporations).

More information here: <http://www.legislation.nsw.gov.au/regulations/2014-564.pdf>

A response to these questions will be provided in the July 2017 Business Papers.

PRESENTATIONS BY COUNCILLORS

Nil

CONFIDENTIAL ITEMS

ITEM NO: CONF 01
FILE NO: 163379.2017
SUBJECT: Legal Affairs Report

RECOMMENDATION

That Council receives and notes the report concerning the Legal Affairs of Council.

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.

THE MEETING CLOSED AT 8.44pm

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 26 July 2017

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 28 June 2017. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.



MINUTES OF THE ORDINARY MEETING HELD ON 26 JULY 2017

PRESENT:

Mayor Wendy Waller
 Councillor Ayyad
 Councillor Balloot
 Councillor Hadchiti
 Councillor Hadid
 Councillor Hagarty
 Councillor Harle
 Councillor Kaliyanda
 Councillor Karnib
 Councillor Rhodes
 Councillor Shelton
 Ms Kiersten Fishburn, Chief Executive Officer
 Mr Chris White, Director City Corporate
 Ms Lina Kakish, Acting Director Planning and Growth
 Dr Eddie Jackson, Director City Community and Culture
 Mr Raj Autar, Director Infrastructure and Environment

The meeting commenced at 6.00pm

OPENING	6.00pm
ACKNOWLEDGMENT OF COUNTRY, PRAYER OF COUNCIL AND AFFIRMATION TO BE READ BY	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 Shelton** **Seconded: Clr Hadid**

That the minutes of the Ordinary Meeting held on 28 June 2017 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 non-pecuniary, less than significant interest in the following item:

CONF 01 Appointment of Independent Members of the Audit, Risk and Improvement Committee.

Reason Clr Shelton was on the selection panel referred to in that item.

Clr Shelton left the Chambers for the duration of this item.

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

DPG 07 Draft Warwick Farm Precinct Strategy.

Reason Clr Harle has extended family members who reside in the area.

Clr Harle remained in the Chambers for the duration of this item.

Ms Kiersten Fishburn, CEO, declared a pecuniary interest in the following item:

DPG 03 Draft Liverpool Local Environmental Plan 2008 (Amendment 65) - Shepherd Street Planning Proposal

Reason: Ms Fishburn and her partner have put a deposit on an investment property in the Coronation Development on Shepherd Street.

Ms Fishburn left the Chambers and handed over to Chris White to be Acting CEO in her absence for this item.

PUBLIC FORUM

Presentation – items not on agenda

- 1. **Ian Bailey** addressed the Council on the following matter:

Health risks caused by humans in Liverpool. The unseen pollution.

2. **Robert Storey** addressed the Council on the following matter:

The impact flooding has on Liverpool when floodplain land is allowed to be filled.

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

That a three minute extension of time be given to the speaker.

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

Representation – items on agenda

**Agenda Item: DIEN 01
Speaking 4 the Planet (S4P) Event.**

Speaking 4 the Planet (S4P) is a public speaking, drama and visual art competition which recognises and celebrates World Environment Day. S4P invites local high school students to participate by preparing speeches and performances relating to the World Environment Day theme, which this year was “Connecting People to Nature”.

The winners of the prepared and impromptu speech were invited to this Council meeting to deliver their winning speeches.

1. **Prepared Speech Winner - Miss Mahnoor Laiq** from Malek Fahd Islamic School presented her winning speech.
2. **Impromptu Speech Winner - Miss Mufaro Mutowembwa** from All Saints Catholic College presented her winning speech.
3. **Ms Joanducré Khouzame** from Joandrac Realty, on behalf of land owners in Manning Street, Warwick Farm addressed Council on the following matter:

DPG 07 Draft Warwick Farm Precinct Strategy.

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

That a three minute extension of time be given to the speaker.

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

Ms Fishburn, Council's CEO left the Chambers at 6.28pm for the duration of Mr Labutis's address to Council.

4. **Mr Aras Labutis** from Coronation Property addressed Council on the following matter:

DPG 03 Draft Liverpool Local Environmental Plan 2008 (Amendment 65) – Shepherd Street Planning Proposal.

5. **Ms Traecy Martin** addressed Council on the following matter:

IHAP 01 DA – 104/2016 – Demolition of two dwellings and construction of a multi-dwelling housing development at 13 Maxwells Avenue and 4 Devlin Street, Ashcroft.

Motion: **Moved: Cllr Kaliyanda** **Seconded: Cllr Shelton**

That a three minute extension of time be given to the speaker.

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

6. **Ms Sawsan Mouslemani** will address Council on the following matter:

IHAP 01 DA – 104/2016 – Demolition of two dwellings and construction of a multi-dwelling housing development at 13 Maxwells Avenue and 4 Devlin Street, Ashcroft.

MAYORAL MINUTE

ITEM NO: MAYOR 01
SUBJECT: INDEPENDENT HEARING AND ASSESSMENT PANEL (IHAP)
MATTERS DETERMINED BY COUNCIL
REPORT OF: MAYOR WENDY WALLER

Council's Independent Hearing and Assessment Panel (IHAP) has played, and continues to play, an important role in our planning process. Liverpool City Council has led the NSW Local Government sector in the establishment and utilisation of IHAP. Over the past 20 years, Council has won awards for IHAP and the process improvements it has triggered.

Currently Council has a policy which determines when IHAP matters come to the elected representatives of Council for a final decision. This generally requires a number of Councillors to raise a concern and call the matter forward.

Councillors form the bridge between the community and council. As a consequence, councillors can because of their very role add to the merits debate regarding a development issue because of their relationship with the community and the history of a particular development and issues raised within the community itself. I am very conscious some Councillors regularly attend IHAP meetings.

To ensure all Councillors are appropriately engaged in the decision-making process associated with the important development matters coming before IHAP for review, I am moving that all IHAP matters, following review and consideration by IHAP, be brought before the Council as an agenda item for determination.

I believe this will improve the information flow between Councillors, the Community, Staff and IHAP, ensuring ongoing transparency and a more robust decision-making process.

RECOMMENDATION

That Council:

1. Amend existing policies as required in order to mandate that any development issue coming before Council's Independent Hearing and Assessment Panel (IHAP) for review be referred to Council for a final determination.
2. Revoke the delegation to the CEO to determine any planning matter that has been the subject of a review by IHAP.
3. Direct the CEO to ensure that information on IHAP meetings and instructions on how to engage with IHAP be included in all written notification material sent to ratepayers.

COUNCIL DECISION

Motion: **Moved: Mayor Waller**

That Council:

1. Amend existing policies as required in order to mandate that any development issue coming before Council's Independent Hearing and Assessment Panel (IHAP) for review be referred to Council for a final determination;
2. Revoke the delegation to the CEO to determine any planning matter that has been the subject of a review by IHAP;
3. Direct the CEO to ensure that information on IHAP meetings and instructions on how to engage with IHAP be included in all written notification material sent to ratepayers; and
4. Review this policy in 24 months time.

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

INDEPENDENT HEARING AND ASSESSMENT PANEL REPORT

ITEM NO: IHAP 01
FILE NO: 180008.2017
SUBJECT: DA-104/2016 - Demolition of two dwellings and construction of a multi-dwelling housing development at 13 Maxwells Avenue and 4 Devlin Street, Ashcroft

RECOMMENDATION

That Council refuse Development Application DA-104/2016 for the following reasons;

1. The development is inconsistent with Part 5(a)(ii) of the Environmental Planning and Assessment Act 1979. The proposed development results in the isolation of the adjoining site and is therefore not orderly development of land;
2. The development is inconsistent with the zoning objectives of the R3 Medium Density zone in the Liverpool Local Environmental Plan 2008 (LLEP 2008). The development will not ensure a high level of residential amenity is maintained due to potential site isolation. Therefore, the objective regarding residential amenity within the R3 Medium Density zone cannot be achieved, pursuant to Sections 79C(1)(a)(i), 79C(1)(a)(iii) 79C(1)(b) and 79C(1)(c) of the Environmental Planning & Assessment Act 1979 (EP & A Act 1979);
3. The development does not comply with Part 3.6, Section 2 (Subdivision, Frontage and Lot Size) of the LDCP 2008, which stipulates for developments proposed under Section 4 of Part 3.6 a minimum lot width of 18m is required. The proposal does not provide the minimum 18m lot width required for multi-dwelling housing pursuant to Sections 79C(1)(a)(iii), 79C(1)(b), 79C(1)(c) and 79C(1)(d) of the EP & A Act 1979;
4. The subject site is not considered suitable for the development, pursuant to Section 79C(1)(c); and
5. 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.

COUNCIL DECISION

Motion: **Moved: Cllr Hadchiti** **Seconded: Cllr Kaliyanda**

That Council refuse Development Application DA-104/2016 for the following reasons;

1. The development is inconsistent with Part 5(a)(ii) of the Environmental Planning and Assessment Act 1979. The proposed development results in the isolation of the adjoining site and is therefore not orderly development of land;

2. The development is inconsistent with the zoning objectives of the R3 Medium Density zone in the Liverpool Local Environmental Plan 2008 (LLEP 2008). The development will not ensure a high level of residential amenity is maintained due to potential site isolation. Therefore, the objective regarding residential amenity within the R3 Medium Density zone cannot be achieved, pursuant to Sections 79C(1)(a)(i), 79C(1)(a)(iii) 79C(1)(b) and 79C(1)(c) of the Environmental Planning & Assessment Act 1979 (EP & A Act 1979);
3. The development does not comply with Part 3.6, Section 2 (Subdivision, Frontage and Lot Size) of the LDCP 2008, which stipulates for developments proposed under Section 4 of Part 3.6 a minimum lot width of 18m is required. The proposal does not provide the minimum 18m lot width required for multi-dwelling housing pursuant to Sections 79C(1)(a)(iii), 79C(1)(b), 79C(1)(c) and 79C(1)(d) of the EP & A Act 1979;
4. The subject site is not considered suitable for the development, pursuant to Section 79C(1)(c); and
5. 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.
6. That Council notes the comments of IHAP and incorporates their reasons for refusal.

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

Councillors voted unanimously for this motion.

PLANNING AND GROWTH REPORT

ITEM NO: DPG 01
FILE NO: 151297.2017
SUBJECT: Erosion and Sediment Control Policy

RECOMMENDATION

That Council:

1. Adopt and reclassify the revised Erosion and Sediment Control policy included as **Attachment 1** to the report as a Category 3 – Council Operational Policy under the Standards for Council policies and procedure; and
2. Include the Erosion and Sediment Control policy on Council's Policy Register and Council's website.

COUNCIL DECISION

Motion: **Moved: Clr Shelton** **Seconded: Clr Kaliyanda**

1. Adopt and reclassify the revised Erosion and Sediment Control policy included as **Attachment 1** to the report as a Category 3 – Council Operational Policy under the Standards for Council policies and procedure; and
2. Include the Erosion and Sediment Control policy on Council's Policy Register and Council's website.
3. That a copy of this Motion be forwarded to the Georges River Combined Councils' Committee (GRCCC).

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

ITEM NO: DPG 02
FILE NO: 173959.2017
SUBJECT: On-Site Sewage Management Systems DCP Amendment

RECOMMENDATION

That Council:

1. Receives and notes this report detailing the public exhibition of Liverpool Development Control Plan 2008 (Draft Amendment No. 27)
2. Adopt Liverpool Development Control Plan 2008 (Draft Amendment No. 27).

COUNCIL DECISION

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

That Council:

1. Receives and notes this report detailing the public exhibition of Liverpool Development Control Plan 2008 (Draft Amendment No. 27)
2. Adopt Liverpool Development Control Plan 2008 (Draft Amendment No. 27).
3. Continue to lobby the State Government for funding to assist residents who have existing pump out systems.

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

Councillors voted unanimously for this motion.

Ms Fishburn, Council's CEO left the Chambers at 6.56pm for duration of the discussion on Item DPG 03 and handed over to Chris White to be Acting CEO in her absence.

ITEM NO: DPG 03
FILE NO: 180544.2017
SUBJECT: Draft Liverpool Local Environmental Plan 2008 (Amendment 65) - Shepherd Street Planning Proposal

RECOMMENDATION

That Council:

- 1. Note the Gateway Determination for draft Liverpool Local Environmental Plan 2008 (Amendment 65) and the results of the public exhibition and community consultation;
- 2. Subject to Item 3 and Item 4, forwards the updated Planning Proposal and supporting documentation to the Department of Planning and Environment for finalization;
- 3. Endorse and places on public exhibition the draft Planning Agreement offered by the proponent in conjunction with the Planning Proposal; and
- 4. Delegate authority to the CEO, or to her delegate, to execute the Planning Agreement following its public exhibition, if no submissions are received with respect to the Planning Agreement.

COUNCIL DECISION

Motion: **Moved: Clr Ayyad** **Seconded: Clr Rhodes**

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 Hadid
 Clr Hagarty
 Clr Harle
 Clr Karnib
 Clr Rhodes

Vote against: Clr Hadchiti
 Clr Kaliyanda
 Clr Shelton

Ms Fishburn, Council's CEO returned to the Chambers at 7.02pm

ITEM NO: DPG 04
FILE NO: 180729.2017
SUBJECT: Contaminated Site Remediation Policy

RECOMMENDATION

That Council receives and notes the information provided in the report.

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: DPG 05
FILE NO: 183797.2017
SUBJECT: Notification of Development Applications

RECOMMENDATION

That Council:

1. Directs the CEO to amend the Liverpool Development Control Plan Chapter 18 Notification of Development Applications to:
 - a. require all mixed use and residential flat buildings in the Liverpool City Centre to be publicly exhibited
 - b. Require landscaping materials supplies to be publicly exhibited and be notified to properties within 500m (for a rural zone) and 250m (for other zones)
2. Place the amended Liverpool Development Control Plan Chapter 18 on public exhibition for a minimum period of 28 days in accordance with Clause 18 of the *Environmental Planning and Assessment Regulation 2000*
3. Delegates to the CEO the finalisation of the amended Liverpool Development Control Plan Chapter 18 should no submissions be received; or reports back to Council the details of the submissions upon conclusion of the exhibition period.

COUNCIL DECISION

Motion: **Moved:** Clr Hagarty **Seconded:** Clr Karnib

That the recommendation be adopted.

Amendment: **Moved:** Clr Rhodes **Seconded:** Clr Harle

That Council:

1. Directs the CEO to amend the Liverpool Development Control Plan Chapter 18 Notification of Development Applications to:
 - a. require all mixed use and residential flat buildings in the Liverpool City Centre to be publicly exhibited
 - b. Require landscaping materials supplies to be publicly exhibited and be notified to properties within 500m (for a rural zone) and 250m (for other zones)

2. Place the amended Liverpool Development Control Plan Chapter 18 on public exhibition for a minimum period of 28 days in accordance with Clause 18 of the *Environmental Planning and Assessment Regulation 2000*
3. Notifies no less than 5 people opposite and or adjacent to any proposed development for which notification occurs (to ensure that Council is complicit with community consultation in respect to informing the number of people required by IHAP to have any issues raised).

Foreshadowed motion: Moved: Clr Hadchiti Seconded: Clr Ayyad

That Council:

1. Directs the CEO to amend the Liverpool Development Control Plan Chapter 18 Notification of Development Applications to:
 - a. Require landscaping materials supplies to be publicly exhibited and be notified to properties within 500m (for a rural zone) and 250m (for other zones);
2. Place the amended Liverpool Development Control Plan Chapter 18 on public exhibition for a minimum period of 28 days in accordance with Clause 18 of the *Environmental Planning and Assessment Regulation 2000*;
3. Delegates to the CEO the finalisation of the amended Liverpool Development Control Plan Chapter 18 should no submissions be received; or reports back to Council the details of the submissions upon conclusion of the exhibition period; and
4. Notifies no less than 5 people opposite and or adjacent to any proposed development to which a notification occurs (to ensure that Council is complicit with community consultation in respect to informing the number of people required by IHAP to have issues raised).

The Amendment (moved by Clr Rhodes) was voted on first.

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

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

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

ITEM NO: DPG 06
FILE NO: 186198.2017
SUBJECT: Liverpool City Centre Traffic Study 2017

RECOMMENDATION

That Council:

1. Notes the Liverpool City Centre Traffic Study findings and recommendations contained in this report;
2. Receives a further report on implementation plans of the recommended car parking, local roads and transport improvement strategies; and
3. Directs the CEO to continue representations to the Minister for Roads and Ports and the Minister for Transport, for improvements to regional transport infrastructure and services in and around the city centre.

COUNCIL DECISION

Motion: **Moved: Cllr Rhodes** **Seconded: Cllr Harle**

That Council:

1. Notes the Liverpool City Centre Traffic Study findings and recommendations contained in this report;
2. Receives a further report on implementation plans of the recommended car parking, local roads and transport improvement strategies and that traffic and parking form part of the strategic planning weekend to enable Councillor engagement and consultation; and
3. Directs Council to continue representations to the Minister for Roads and Ports and the Minister for Transport, for an increase in developer contributions to meet the demands of the Liverpool LGA and for the CEO to continue to lobby for improvements to regional transport infrastructure and services in and around the Liverpool LGA.

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

ITEM NO: DPG 07
FILE NO: 186735.2017
SUBJECT: Draft Warwick Farm Precinct Strategy

RECOMMENDATION

That Council:

1. Endorses the draft Warwick Farm Precinct Strategy to be placed on public exhibition, with a report back to Council in October 2017 advising on any submissions received in response;
2. Acknowledges that the draft Warwick Farm Precinct Strategy provides discussion on the strategic merit of Planning Proposal RZ-18/2015 for Lot 1 Governor Macquarie Drive, Warwick Farm (Masters Site) to rezone the land from B5 Business Development Zone to R4 High Density Residential Zone and requests that a further report be submitted to Council in August 2017;
3. Acknowledges that the draft Warwick Farm Precinct Strategy provides discussion on the strategic merit of Planning Proposal RZ-4/2016 (36-42 Orange Grove Road) (Schweppes Site), and requests that a further report be submitted to Council in August 2017; and
4. Resolves that there is strategic merit in rezoning land located north-west of the Warwick Farm railway station, as referred to in the Warwick Farm Precinct Strategy, to higher density residential and requests that the CEO undertake a review of the development controls to facilitate the delivery of diverse and affordable housing in the area.

COUNCIL DECISION

Motion: **Moved: Cllr Ayyad** **Seconded: Cllr Rhodes**

That Council:

1. Prepare a draft Warwick Farm Precinct Strategy which reflects a mixed use zoning (specifically for the horse racing precinct), with the input of Councillors and residents;
2. Endorse in principle the planning proposal for Lot 1 Governor Macquarie Drive, Warwick Farm, subject to the applicant submitting a modified proposal with a maximum floor space ratio (FSR) of 2.2:1 which equates to approximately 500 residential units of which 10% will be dedicated to retail;

3. Delegates to the CEO the authority to finalise the modified proposal and submit to DPE for Gateway approval with a recommendation that detailed traffic and flood modelling be included in Gateway conditions;
4. Notes that the CEO will finalise negotiations regarding the proposed VPA 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; and
5. Notes that funds will be sought in the Capital program in the 2017/18 budget to progress land acquisitions for the bypass road.

Foreshadowed motion: Moved: Clr Hagarty Seconded: Clr Kaliyanda

That Council:

1. Does not endorse the proposed Warwick Farm Precinct Strategy;
2. Conduct a strategic planning session with Councillors to provide input into a revised precinct strategy; and
3. Notes the concerns and wishes of the residents of Warwick Farm and work constructively with them towards a mutually beneficial outcome.

On being put to the meeting the Motion (moved by Clr Ayyad) was declared CARRIED and the Foreshadowed Motion (moved by Clr Hagarty) lapsed.

The vote for the Motion (moved by Clr Ayyad) was:

Vote for: Clr Ayyad
 Clr Balloot
 Clr Hadchiti
 Clr Hadid
 Clr Harle
 Clr Rhodes

Vote against: Mayor Waller
 Clr Hagarty
 Clr Kaliyanda
 Clr Karnib
 Clr Shelton

NOTE: A Rescission Motion signed by Councillors Hagarty, Kaliyanda, Karnib and Shelton was subsequently lodged after the meeting. The Rescission Motion will be placed on the 30 August 2017 Council Agenda for consideration.

**Clr Kaliyanda left the Chambers at 7.43pm.
Clr Kaliyanda returned to the Chambers at 7.50pm.**

CHIEF EXECUTIVE OFFICER REPORT

ITEM NO: CEO 01
FILE NO: 181855.2017
SUBJECT: Electronic voting and recording system

RECOMMENDATION

That Council:

1. Endorse the implementation of a replacement solution to the audio visual system equipment used in the Council Chambers as per Option 2 of this report at a cost of \$60,000;
2. Note that funds of \$20,000 are included in the 2017/18 budget and the additional \$40,000 required will need to be approved at the next budget review; and
3. Receive a further report from officers on the options relating to streaming of Council meetings and associated costs.

COUNCIL DECISION

Motion: **Moved: Clr Rhodes** **Seconded: Clr Harle**

1. Endorse the implementation of a replacement solution to the audio visual system equipment used in the Council Chambers as per Option 2 of this report at a cost of \$60,000; and
2. Note that funds of \$20,000 are included in the 2017/18 budget and additional funds as needed will be approved in the next budget review.

Foreshadowed motion: **Moved: Clr Hagarty** **Seconded: Clr Kaliyanda**

That Council:

1. Adopts Option 1 in the report – Simple implementation without voting, \$24K;
2. Note that funds of \$20,000 are included in the 2017/18 budget and additional funds as needed will be approved in the next budget review; and
3. Takes into consideration options for streaming as part of the civic place development.

On being put to the meeting the Motion (moved by Clr Rhodes) was declared LOST.

The Foreshadowed motion (moved by Clr Hagarty) then became the Motion and on being put to the meeting was declared CARRIED.

ITEM NO: CEO 02
FILE NO: 182766.2017
SUBJECT: Application for Title of Lord Mayor for Mayor of Liverpool

RECOMMENDATION

That Council endorse the attached correspondence to be sent to the Premier of NSW seeking to have the status of Lord Mayor bestowed upon the Mayor of Liverpool.

COUNCIL DECISION

Motion: **Moved: Clr Hagarty** **Seconded: Clr Shelton**

That the recommendation be adopted.

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

Mayor Waller called a recess of Council at 8.00pm.

Mayor Waller reopened the meeting at 8.15pm with all Councillors present except Clrs Ayyad and Hagarty.

**Clr Hagarty and Clr Ayyad returned to the Chambers at 8.16 pm.
Clr Kaliyanda left the Chambers at 8.16pm.**

CITY COMMUNITY AND CULTURE REPORT

ITEM NO: DCC 01
FILE NO: 155913.2017
SUBJECT: Cenotaph Update for Council

RECOMMENDATION

That Council approves a budget allocation of \$260,000 (ex GST), for completion of the Rededication of The Cenotaph project (provision for which has been made within the 2017/18 capital works budget).

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: DCC 02
FILE NO: 158713.2017
SUBJECT: Project Scope for Thomas Moore Sculpture

RECOMMENDATION

That Council:

- 1. Notes that a Public Art Strategy is currently being drafted and will be brought to Council for adoption in December 2017;
- 2. Defers allocation of funding until such time as the above strategy is adopted to enable prioritisation of this, and other projects, to be planned and funded in a comprehensive and sustainable manner; and
- 3. Enables further detailed analysis of the preferred location of Thomas Moore Park to be undertaken.

COUNCIL DECISION

Motion: **Moved: Cllr Hadchiti** **Seconded: Cllr Shelton**

That Council:

- 1. Notes that a Public Art Strategy is currently being drafted and will be brought to Council for adoption in December 2017;
- 2. Defers allocation of funding until such time as the above strategy is adopted to enable prioritisation of this, and other projects, to be planned and funded in a comprehensive and sustainable manner;
- 3. Enables further detailed analysis of the preferred location of Thomas Moore Park to be undertaken; and
- 4. Locations in the City Centre also be analysed and looked at.

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

Clr Kaliyanda returned to the Chambers at 8.23pm.

ITEM NO: DCC 03

FILE NO: 169819.2017

SUBJECT: Grants, Donations, and Corporate Sponsorship

RECOMMENDATION

That Council supports the request from Igbo Community Australia Incorporated for financial support, providing \$6,600 (GST exclusive) under the Corporate Sponsorship Program, for the eligible component of their application to provide free entry for 110 young people to attend the African Culture and Dinner Nite.

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: CFO 02
FILE NO: 180717.2017
SUBJECT: Review of the Civic Expenses and Facilities Policy

RECOMMENDATION

That Council:

1. Provides 28 days public notice of its intention to amend the Civic Expenses and Facilities Policy to allow the making of public submissions, as attached to this report; and
2. Upon close of the exhibition period be provided with a further report following receipt and review of any public submissions.

COUNCIL DECISION

Motion: **Moved: Cllr Harle** **Seconded: Cllr Rhodes**

That Council:

1. Provides 28 days public notice of its intention to amend the Civic Expenses and Facilities Policy to allow the making of public submissions, as attached to this report, subject to Clause 4.1.3 being corrected from 'debit' to 'credit', so that Clause 4.1.3 in full reads as follows:
 - 4.1.3 In accordance with Section 248 of the Local Government Act 1993 and the determination by the Tribunal, the Council will determine on an annual basis the fee to be paid to the Mayor and Councillors. Elected members may receive payment by direct credit upon request.
2. Upon close of the exhibition period be provided with a further report following receipt and review of any public submissions.

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

ITEM NO: CFO 03
FILE NO: 183572.2017
SUBJECT: Investment Report June 2017

RECOMMENDATION

That Council receives and notes this report.

COUNCIL DECISION

Motion: **Moved: Clr Shelton** **Seconded: Clr Hagarty**

That the recommendation be adopted.

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

CITY INFRASTRUCTURE AND ENVIRONMENT REPORT

ITEM NO: DIEN 01
FILE NO: 182026.2017
SUBJECT: Speaking 4 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 Rhodes**

That the recommendation be adopted.

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

COMMITTEE REPORTS

ITEM NO: CTTE 01
FILE NO: 181358.2017
SUBJECT: Minutes of the Liverpool Heritage Advisory Committee Meeting held on 19 June 2017

RECOMMENDATION

That Council receive and note the Minutes of the Liverpool Heritage Advisory Committee Meeting held on 19 June 2017.

COUNCIL DECISION

Motion: **Moved: Cllr Hagarty** **Seconded: Cllr Harle**

That the recommendation be adopted.

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

ITEM NO: CTTE 02
FILE NO: 179916.2017
SUBJECT: Minutes of the Liverpool Community Safety and Crime Prevention Advisory Committee held on Thursday 1 June 2017

RECOMMENDATION

That Council receive and note the Minutes of the Liverpool Community Safety and Crime Prevention Advisory Committee meeting held on Thursday 1 June 2017.

COUNCIL DECISION

Motion: **Moved: Cllr Hagarty** **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: 179969.2017
SUBJECT: Minutes of the Liverpool Youth Council 14 June 2017

RECOMMENDATION

That Council receive and note the Minutes of the Liverpool Youth Council Meeting held on 14 June 2017.

COUNCIL DECISION

Motion: **Moved: Clr Hagarty** **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: 180038.2017
SUBJECT: Minutes of the Aboriginal Consultative Community Meeting 4 May 2017

RECOMMENDATION

That Council receives and notes the Minutes of the Aboriginal Consultative Committee Meeting held on 4 May 2017.

COUNCIL DECISION

Motion: **Moved: Clr Hagarty** **Seconded: Clr Harle**

That the recommendation be adopted.

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

ITEM NO: CTTE 05
FILE NO: 186480.2017
SUBJECT: Liverpool Sports Committee - Minutes of Meeting 1 June 2017

RECOMMENDATION

That Council receive and note the Minutes of the Liverpool Sports Committee meeting held on 1 June 2017.

COUNCIL DECISION

Motion: **Moved: Cllr Hagarty** **Seconded: Cllr 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: 192743.2017
SUBJECT: Question with Notice - Clr Harle

These questions relate to the current state of the Liverpool CBD.

Visitors to the Liverpool CBD area have expressed concern at the rapidly increasing amounts of black chewing gum ingrained on the pavement including the recently refurbished Mall.

The current state of the pavements detracts from the efforts of Council Staff to maintain areas free from litter. It is also disappointing to see that people are not using rubbish bins within a few metres of where they leave their litter behind.

Please address the following:

- **Is Council aware of the increasing amounts of Chewing Gum in the CBD in general and particularly in the Mall?**

Chewing gum removal has been a problem encountered in the CBD for many years. No data is available on the actual number of pieces encountered. A range of techniques is required for different surfaces and for different seasons. Removal of gum from the recently installed granite paving requires specialist commercial grade high pressure systems which use vehicle mounted equipment to totally remove gum quickly with no gum residue. The new equipment will be more mobile around the CBD for rapid response intense cleaning and will be operational by September.

- **Has Council abandoned the use of the Special Purpose Chewing Gum Removal Machine purchased at substantial cost of around \$80,000?**

The machine was ineffective in removing gum in an efficient and timely manner and has been sold. The main issues of inefficiency included repeated mechanical failures of the steamer and time consuming removal of gum at a high cost per square meter.

- **Has Council considered the use of weekend Corrective Services Detention offenders to remove the chewing gum from pavement surfaces in the CBD as proposed some time ago?**

A trial of manual gum removal using community service offenders with hand equipment is under way has so far been very effective on brick paver surfaces in the winter season when the gum consistency is very firm and easy to remove. This work has been very successful and will be continued while the resources are available.

These techniques are not suitable for general use on the new granite pavers which are protected by a seal which should not be disturbed by manual equipment.

- **Does Council have a plan on addressing this issue and littering in the CBD and Mall areas in general?**

The state-wide Tosser blitz is currently underway and is managed by EPA NSW. Council is participating in all aspects of the campaign.

In addition, Council's two street sweepers operate a double shift between 4:00am and 11:30pm Monday to Friday, and 4:00am till 11:30am on weekends. The streets and footpaths within the CBD are swept and dedicated CBD cleaners patrol and clean the CBD on a daily basis.

- **Is it possible to display appropriate warning signs that include the scheduled fines in appropriate areas within the CBD?**

Signs can be displayed warning littering is an offence and subject to heavy fines. The schedule of fines does change with time so it is recommended that the schedule not be included on the signage.

- **Has Council considered fining offenders as per the current applicable scheduled fines?**

For a Ranger to issue a fine the name and address of the offender needs to be obtained and this is generally difficult as most people will refuse to provide their details. It is suggested that an education program be considered in consultation with Council's communication team to assist in reinforcing any regulatory signage.

General littering

Littering is subject to a tiered range of fines under the Protection of the Environment Operations Act 1997:

- \$80 for littering small items, such as bottle tops and cigarette butts
- \$250 for general littering,
- \$250 for an individual littering from a vehicle (\$500 for corporations)
- \$450 for littering in dangerous circumstances, such as depositing a syringe or a lit cigarette (\$900 for corporations).

More information here: <http://www.legislation.nsw.gov.au/regulations/2014-564.pdf>

Motion:

Moved: Cllr Hadid

Seconded: Cllr Rhodes

That Council:

1. Form a CBD committee of stakeholders to collaborate on the issues in the CBD and to work with Council to assist in the CBD's operational success as a commercial centre;
2. Establish a Charter for this Committee; and
3. Establish a recruitment process through expressions of interest for membership to this Committee.

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

Clr Ayyad left the Chambers at 9.13pm.

ITEM NO: QWN 02
FILE NO: 193286.2017
SUBJECT: Question with Notice - Clr Hagarty

Over the last 4 to 5 years the Liverpool skyline has been transformed through the construction of numerous high rise apartment buildings.

With the recent Grenfell tragedy in London there have been media reports of Council investigating "as a matter of priority" local high rise buildings to check if any contained - unsafe cladding similar to that used in the Grenfell building.

I note a recent story from the Sydney Morning Herald "NSW government fails to act on proposed building industry reforms for almost two years" dated 27 June 2017. The story details other fire safety issues in addition to unsafe cladding uncovered in apartment complexes across the state, similar in age and scale to those in Liverpool. The issues, mainly related to poor quality private certification, include fire hydrants being installed backwards, poorly maintained fire hose reels and faulty fire escape doors.

Please address the following:

- On the progress of these checks?
- When these checks are expected to be completed?
- Do these checks also include inspection of other fire safety measures such as those mentioned above?
- Of the budgetary impacts these checks will have?
- What changes have been or will be put in place to ensure these retrospective checks need not occur in the future?

A response to these questions will be provided in the August 2017 Business Papers.

PRESENTATIONS BY COUNCILLORS – Cllr Rhodes

Councillor Rhodes made a presentation to Council on the 75th Anniversary of the death of Lieutenant Cantello ceremony held on the 8th June at the Lieutenant Cantello Park.

Cllr Rhodes's presentation is shown below:

"I have been asked to relay John Jewel, Garry Traynor and the community thanks to Council for their organising of the 75 Anniversary of the death of Lieutenant Cantello Ceremony on the 8th June at the Lieutenant Cantello Park.

Liverpool Council assistance to recognise Lieutenant Cantello's sacrifice on that fateful day when Sydney was under attack by Japanese mini submarines, not only contributes enormously to honouring the only American pilot to have lost his life on Australian soil whilst defending this country but also to recognising and appreciating the significance of Liverpool history.

The council effort at such short notice and exasperated by communication difficulties that Kuttabul Commemoration Project Manager, Gary Traynor who comes from the far South Coast had in establishing the contacts necessary to organise this event, is to be commended.

I have been asked to thank Council and in particular the efforts of Dr Eddie Jackson and his team for not only the organising of the infrastructure to ensure the running of the event was a success, but also contacted the various Heritage groups, RSL, MP's, Mayors, Councillors and media to advise them of this event.

I have been asked to mention the extraordinary efforts of Council employee Alyson Infanti, who went above and beyond the call of duty, despite not being well, and having to organise so much in such little time and with such little warning.

They are saddened to hear of health issues that Alyson has since suffered and have asked that their well wishes for a speedy full recovery be extended to her on their behalf.

Gary Traynor said that he has never had such Council assistance as that which was extended to him on this occasion.

Since being made aware of Council's policies and procedures in instrumenting these events they also feel that they are grateful for the knowledge and future expectations of not only this Council's requirements, but also are now more aware for their future endeavours in organising similar events even perhaps in other places.

On behalf of Garry Traynor, John Jewel, and those concerned from the community of Liverpool I extend their thanks and gratitude for Council's assistance in the commemoration of the 75th Anniversary of Lieutenant George Cantello's death".

Clr Ayyad returned to the Chambers at 9.16pm.

NOTICES OF MOTION

ITEM NO: NOM 01
FILE NO: 192676.2017
SUBJECT: Problem Gambling

BACKGROUND

In 2010, a Productivity Commission Report highlighted the link between regular use of electronic gaming or poker machines (EGMs) and high problem gambling prevalence rates.

Problem gambling has been found to have the following impacts:

- financial harm
- relationship breakdown, conflict or disruption
- emotional or psychological distress
- deconditioning of health
- cultural harm
- reduced performance at work/study
- criminal activity

For every person that experiences harm from problem gambling, approximately 5-10 others are impacted, including children. This does not consider full-lifetime impacts of gambling harm or the impacts of less severe problem gambling (Department of Social Services, 2017).

The availability of gambling machines in the community, also called accessibility, is often linked to problem gambling (Vasiliadis et al, 2013). The Liverpool Local Government Area (LGA) ranks in the top 10 LGAs of losses per poker machine, with each machine causing approximately \$87,305 (Alliance for Gambling Reform, 2017).

At the moment, the views of local communities and local governments are routinely ignored when it comes to the placement of poker machines. Local government should have the ability to meaningfully represent residents and have a genuine say on where poker machines are to be located.

In late 2016, following an extended community and legal campaign by local residents and Liverpool Council, the Land and Environment Court rejected a proposal for a pub in Casula with fifteen poker machine licences due to the risk of adverse social impacts that it would have on the area. This is despite the existing Gaming Machines Act requiring that no new venue should be located close to a school. Therefore, what should have been a straightforward case for the application to be denied if the Act was being followed required significant community and Council resources to be expended to fight for a fair and logical outcome.

Recently, the NSW Government invited submissions in response to a review of the rules for determining applications to introduce extra poker machines into an area, known as the Local Impact Assessment (LIA) process. Fairfield Council's submission called for the NSW Government to ban approval of any more machines in areas with high risk of gambling-related harm.

NOTICE OF MOTION (Submitted by Cllr Kaliyanda)

That:

1. The CEO write to Liquor and Gaming NSW to advocate for local governments to have a greater say in the placement of poker machines;
2. Council also publicly advocate for a cap on the number of poker machines in areas with high risk of gambling-related harm;
3. Council reflect this position when reviewing and making comment on liquor license and gaming machine applications as per section 6.4.2 of the Social Impact Assessment Policy; and
4. Council staff provide Councillors with regular reporting on the number of poker machines in the LGA, in line with section 6.4.5 of the Social Impact Assessment Policy.

COUNCIL DECISION

Motion: **Moved: Cllr Kaliyanda** **Seconded: Cllr Shelton**

That Council:

1. The CEO write to Liquor and Gaming NSW to advocate for local governments to have a greater say in the placement of poker machines;
2. Council also publicly advocate for a cap on the number of poker machines in areas with high risk of gambling-related harm;
3. Council reflect this position when reviewing and making comment on liquor license and gaming machine applications as per section 6.4.2 of the Social Impact Assessment Policy;
4. Council staff provide Councillors with regular reporting on the number of poker machines in the LGA, in line with section 6.4.5 of the Social Impact Assessment Policy; and

5. That Council investigate and report back to Councillors on the merits of engaging with Not for Profit Organisations such as Youth Solutions, who are currently operating in LGA's with the Highest Band width of identified problem areas, to address the impact of Gambling, Alcohol, and Drug dependency and addiction.

Foreshadowed motion: Moved: Clr Hadchiti Seconded: Clr Hadid

That Council investigate and report back to Councillors on the merits of engaging with Not for Profit Organisations such as Youth Solutions, who are currently operating in LGA's with the Highest Band width of identified problem areas, to address the impact of Gambling, Alcohol, and Drug dependency and addiction.

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

Division called for Clr Hadchiti's Motion:

Vote for: Clr Ayyad
 Clr Balloot
 Clr Hadchiti
 Clr Hadid
 Clr Harle
 Clr Rhodes

Vote against: Mayor Waller
 Clr Hagarty
 Clr Kaliyanda
 Clr Karnib
 Clr Shelton

ITEM NO: NOM 02
FILE NO: 192707.2017
SUBJECT: Multi-faith Council Prayer

BACKGROUND

The Australian Bureau of Statistics (ABS) recently released preliminary data from the 2016 census. Data for the Local Government Area revealed that Liverpool is more multicultural, multi-faith and religious than the nation as a whole.

Liverpool has large populations of residents with Iraqi, Vietnamese, Indian, Fijian and Lebanese origins of birth relative to the rest of Australia, reflecting large Muslim, Hindu, Sikh and Buddhist religious affiliation. Liverpool is also home to one of the largest Mandaen communities outside of its original homeland.

Since the passing of a Notion of Motion in 2010, Council invites the Ministers Fraternal to conduct prayers of Council at the opening of each Council meeting.

This motion seeks to clarify and expand the previous 2010 motion and explicitly open an invitation to members of all faiths and religious denominations to conduct the Acknowledgement of Country and Prayer of Council, thereby reflecting Liverpool's diverse, multicultural and multi-faith population.

NOTICE OF MOTION (Submitted by Clr Hagarty)

That Council directs the CEO (or their delegate) to:

- Invite an ordained or similarly qualified member of one of Liverpool's many faiths and religious denominations to conduct the Acknowledgement of Country and Prayer at each Council meeting;
- Develop an appropriate standard wording for an Acknowledgement of Country and Prayer to be given at the beginning of each Council meeting; and
- Ensure, where practical and reasonable, a diverse range of faiths and religions are represented.

COUNCIL DECISION

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

That Council receives and notes the CEO comments to the Notice of Motion (as shown below).

Foreshadowed motion: Moved: Clr Hagarty Seconded: Clr Shelton

That Council directs the CEO (or their delegate) to:

- Invite an ordained or similarly qualified member of one of Liverpool's many faiths and religious denominations to conduct the Acknowledgement of Country and Prayer at each Council meeting; and
- Ensure, where practical and reasonable, a diverse range of faiths and religions are represented.

On being put the meeting the Motion (moved by Clr Hadchiti) was declared CARRIED. The Foreshadowed motion (moved by Clr Hagarty) therefore lapsed.

Chief Executive Officer's comment to Notice of Motion:

The matter was last considered by Council at the 18/10/10 Council meeting.

At that meeting Council resolved;

That Council:

1. Invites the Ministers Fraternal to conduct their own prayers of Council at the Council meetings without any suggestions of the wording by the Council.
2. Notifies the Ministers Fraternal on Council's decision.

The Minister's fraternal is a network of ministers, pastors and church leaders in the Liverpool area.

Father John Keane from the West Hoxton Community Church assists in co-ordinating a roster for the reading of the Prayer.

If the motion is adopted, Council staff will extend the invitation to a more diverse range of faiths and religions representative of our population.

Clr Shelton left the Chambers at 9.38pm.

CONFIDENTIAL ITEMS

ITEM NO: CONF 01
FILE NO: 183973.2017
SUBJECT: Appointment of Independent Members of the Audit, Risk and Improvement Committee

RECOMMENDATION

That Council:

1. Amend clause 8.3 of the Audit, Risk and Improvement Committee Charter to increase the term of Independent Members to four years;
2. Appoint Stephen Horne and John Gordon as Independent Members of the Audit, Risk and Improvement Committee each for a four year term; and
3. Re-appoint Andrew McLeod as Independent Chairperson of the Audit, Risk and Improvement Committee for a four year term.

COUNCIL DECISION

Motion: **Moved: Clr Rhodes** **Seconded: Clr Harle**

That Council:

1. Amend clause 8.3 of the Audit, Risk and Improvement Committee Charter to increase the term of Independent Members to four years concurrent with Council terms;
2. Appoint Stephen Horne and John Gordon as Independent Members of the Audit, Risk and Improvement Committee each for a four year term concurrent with Council terms; and
3. Re-appoint Andrew McLeod as Independent Chairperson of the Audit, Risk and Improvement Committee for a four year term.

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

Clr Shelton returned to the Chambers at 9.41pm.

TEM NO: CONF 02
FILE NO: 180623.2017
SUBJECT: Intermodal Committee Update

RECOMMENDATION

That Council:

1. Note the actions undertaken by Council officers in relation to motions 2, 3, 4 and 6 of the Intermodal Committee from 15 May 2017; and
2. Considers the findings of this report as they relate to the costs associated with motions 1 and 5 of the Intermodal Committee from 15 May 2017.

COUNCIL DECISION

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

That Council defer any decisions until such time as the matters have been discussed at the Intermodal Committee meeting.

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

THE MEETING CLOSED AT 9.42pm.

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 30 August 2017

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 26 July 2017. 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 AUGUST 2017

PRESENT:

Mayor Wendy Waller
 Councillor Ayyad
 Councillor Hadchiti
 Councillor Hadid
 Councillor Hagarty
 Councillor Harle
 Councillor Kaliyanda
 Councillor Karnib
 Councillor Rhodes
 Councillor Shelton
 Ms Kiersten Fishburn, Chief Executive Officer
 Mr Tim Moore, Director City Economy Planning and Growth / Deputy CEO
 Mr Chris White, Director City Corporate
 Dr Eddie Jackson, Director City Community and Culture
 Mr Peter Patterson, Director City Presentation
 Mr Madhu Pudasaini, Acting Director Infrastructure and Environment

The meeting commenced at 6.00pm.

OPENING 6.00pm

ACKNOWLEDGMENT OF COUNTRY, PRAYER OF COUNCIL AND AFFIRMATION TO BE READ BY The prayer of the Council was read by Pastor Stephen Reddish from New Life Christian Ministries.

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

APOLOGIES

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

CONDOLENCES **Nil**

CONFIRMATION OF MINUTES

That the minutes of the Ordinary Meeting held on 26 July 2017 be confirmed as a true record of that meeting with the following correction:

- Voting on Item DGP 03 Draft Liverpool Local Environmental Plan 2008 (Amendment 65) – Shepherd Street Planning Proposal be amended to record Clr Karnib as voting against the item rather than for the item.

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

DECLARATIONS OF INTEREST

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

Item DCC 02: Grants, Donations, and Corporate Sponsorship

Reason: His children train with clubs that will be entering the tournament associated with Disco 2017, which is a club which has not been successful in receiving funding under the corporate sponsorship program.

Clr Hadchiti did not leave the Chambers for the duration of the item.

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

Item DCC 02: Grants, Donations, and Corporate Sponsorship

Reason: She has previously been a volunteer with the Friends of India group who have applied for funding under the corporate sponsorship program.

Clr Kaliyanda did not leave the Chambers for the duration of the item.

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

Item NOMR 01: Rescission of DPG 07 Draft Warwick Farm Precinct Strategy from the Council meeting of 26 July 2017

Reason: He has family members who reside in the area.

Clr Harle did not leave the Chambers for the duration of the item.

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

Item DPG 02: Tourism Report

Reason: She is a member of the South West Sydney Tourism Taskforce, which is a not for profit organisation which promotes tourism in Liverpool.

Clr Rhodes did not leave the Chambers for the duration of the item.

The Chief Executive Officer, Ms Kiersten Fishburn declared a pecuniary interest in the following item:

Item CEO 05: Local Government Chief Officers Group

Reason: This item relates to her professional development and potential future earnings.

Ms Fishburn left the Chambers and handed over to Mr Tim Moore to be Acting CEO in her absence for the duration of this item.

PUBLIC FORUM

Presentation – items not on agenda

- 1. **Mr Ian Bailey** addressed Council on the following matter:

City Maintenance: Council and private.

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

Constructing 6 new golf holes in high risk floodplain area at Hammondville.

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

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

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

Representation – items on agenda

- 1. **Ms Jennifer French** from RAID addressed Council on the following item:

NOM 02 Intermodal.

NOTICES OF MOTION OF RESCISSION

ITEM NO: NOMR 01
FILE NO: 226668.2017
SUBJECT: Rescission of DPG 07 Draft Warwick Farm Precinct Strategy from the Council meeting of 26 July 2017

NOTICE OF MOTION OF RESCISSION

We the undersigned move a rescission motion, as per 38.1 of Council's Code of Meeting Practice, to rescind Item DPG 07 Draft Warwick Farm Precinct Strategy (as shown below) that was passed at the Ordinary Council Meeting held on Wednesday 26 July 2017.

"That Council:

1. *Prepare a draft Warwick Farm Precinct Strategy which reflects a mixed use zoning (specifically for the horse racing precinct), with the input of councillors and residents.*
2. *Endorse in principle the planning proposal for Lot 1 Governor Macquarie Drive, Warwick Farm, subject to the applicant submitting a modified proposal with a maximum floor space ratio (FSR) of 2.2:1 which equates to approximately 500 residential units of which 10% will be dedicated to retail.*
3. *Delegates to the CEO the authority to finalise the modified proposal and submit to DPE for Gateway approval with a recommendation that detailed traffic and flood modelling be included in Gateway conditions.*
4. *Notes that the CEO will finalise negotiations regarding the proposed VPA 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.*
5. *Notes that funds will be sought in the Capital program in the 2017/18 budget to progress land acquisitions for the bypass road."*

COUNCIL DECISION

Clr Hadchiti raised a point of order relating to point 38.1 of Council's Code of Meeting Practice (as shown below) and stated that the rescission motion should be ruled out of order as it did not include a proposed replacement motion.

"38.1 A rescission motion means a proposal under section 372 of the Act to either rescind or alter a previous resolution of Council. The rescission motion includes the proposal to rescind or alter and the proposed replacement motion."

Mayor Waller stated that legal advice had been obtained and that the motion is legal and can be dealt with at this meeting. Section 372 of the Local Government Act 1993 (as shown below) transcends Council’s Code of Meeting Practice.

“Rescinding or altering resolutions

372 RESCINDING OR ALTERING RESOLUTIONS

- (1) A resolution passed by a council may not be altered or rescinded except by a motion to that effect of which notice has been duly given in accordance with regulations made under section 360 and, if applicable, the council’s code of meeting practice.*
- (2) If notice of motion to rescind a resolution is given at the meeting at which the resolution is carried, the resolution must not be carried into effect until the motion of rescission has been dealt with.*
- (3) If a motion has been negatived by a council, a motion having the same effect must not be considered unless notice of it has been duly given in accordance with the council’s code of meeting practice.*
- (4) A notice of motion to alter or rescind a resolution, and a notice of motion which has the same effect as a motion which has been negatived by the council, must be signed by 3 councillors if less than 3 months has elapsed since the resolution was passed, or the motion was negatived, as the case may be.*
- (5) If a motion to alter or rescind a resolution has been negatived, or if a motion which has the same effect as a previously negatived motion, is negatived, no similar motion may be brought forward within 3 months. This subsection may not be evaded by substituting a motion differently worded, but in principle the same.*
- (6) A motion to which this section applies may be moved on the report of a committee of the council and any such report must be recorded in the minutes of the meeting of the council.*
- (7) The provisions of this section concerning negatived motions do not apply to motions of adjournment.”*

Motion: **Moved: Clr Kaliyanda** **Seconded: Clr Shelton**

That the resolution relating to DPG 07 Draft Warwick Farm Precinct Strategy from the Council meeting 26 July 2017 be rescinded.

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

Vote for: Mayor Waller
Clr Hagarty

Clr Kaliyanda
Clr Karnib
Clr Shelton

Vote against: Clr Ayyad
Clr Hadchiti
Clr Hadid
Clr Harle
Clr Rhodes

Note: The motion was carried on the Mayor’s casting vote.

Mayor Waller called a recess of Council at 6.47pm.

The meeting reopened at 6.54pm.

Alternate Motion: Moved: Clr Kaliyanda Seconded: Clr Hagarty

That Council:

1. Places the Warwick Farm Precinct Strategy on exhibition and invites consultation with all stakeholders, including residents, landowners, business owners/operators and the racing industry, with a report back to Council in November 2017 advising on submissions received in response.
2. Acknowledges that the draft Warwick Farm Precinct Strategy provides discussion on the strategic merit of creating an employment zone that complements the health and education focus of Liverpool, including the potential for advanced manufacturing, agribusiness, medical research, business park and tourism, and requests that a further report be submitted to Council in November 2017 regarding the progress of this discussion.
3. Acknowledges that the draft Warwick Farm Precinct Strategy provides discussion on the strategic merit of Planning Proposal RZ-4/2016 (36-42 Orange Grove Road) (Schweppes Site), and requests that a further report be submitted to Council in September 2017.
4. Acknowledges that the bypass road to connect the industrial area with Governor Macquarie Drive and initial funding is included in the forward estimates for the 17/18 budget, and invites further consultation from all stakeholders.
5. Acknowledges that the Warwick Farm precinct is the focus of a Collaboration Area involving Council, state government departments and the Greater Sydney Commission, and that it is important not to pre-empt the outcomes that may be achieved.

6. Authorises the CEO to organise a meeting involving all the stakeholders of the Warwick Farm horse training, stabling and racing precinct, and councillors.

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

Note: The motion was carried on the Mayor's casting vote.

Division called:

Vote for: Mayor Waller
Clr Hagarty
Clr Kaliyanda
Clr Karnib
Clr Shelton

Vote against: Clr Ayyad
Clr Hadchiti
Clr Hadid
Clr Harle
Clr Rhodes

This motion was subsequently subject to a rescission motion (lodged by Councillors Ayyad, Hadchiti and Rhodes at this meeting) and dealt with at the end of the meeting - see page 44 - 46 of these minutes for further details and the final resolution.

CITY ECONOMY AND GROWTH REPORT

ITEM NO: DPG 01
FILE NO: 201261.2017
SUBJECT: Amendment to Heritage Advisory Committee Charter

RECOMMENDATION

That Council adopts the revised Heritage Advisory Committee Charter.

COUNCIL DECISION

Motion: **Moved: Cllr Hagarty** **Seconded: Cllr Hadchiti**

That Council:

- 1. Adopts the revised Heritage Advisory Committee Charter; and
- 2. Review the Charter in 12 months time.

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

ITEM NO: DPG 02
FILE NO: 212662.2017
SUBJECT: Tourism Report

RECOMMENDATION

That Council:

- 1. Receives and notes the findings outlined in this report; and
- 2. Resolves to adopt one of the options outlined in Section 3 of this report.

COUNCIL DECISION

Motion: **Moved: Cllr Rhodes** **Seconded: Cllr Harle**

That Council:

- 1. Receives and notes the findings outlined in this report; and
- 2. Reinstates the Tourism and Events Committee and its Charter and be ready for commencement in early 2018.

Foreshadowed motion: **Moved: Cllr Shelton** **Seconded: Cllr Hagarty**

That Council:

- 1. Receives and notes the findings outlined in this report;
- 2. Adopts option 3.3 of Council’s Tourism Report, and explore option 3.2 of the report (as shown below);

3.3 Liverpool City Council’s Destination Management Plan

3.2 Western Sydney Business Connection’s *Western Sydney Visitor Strategy*.
- 3. Develop a What’s On in Liverpool website to set out events in Liverpool.

Foreshadowed motion: **Moved: Cllr Hadchiti** **Seconded: Cllr Hadid**

That Council:

- 1. Receives and notes the findings outlined in this report;
- 2. Adopt option 3.2 of Council’s Tourism Report:

3.2 Council participation in Western Sydney Business Connection’s *Western Sydney Visitor Strategy*

.....
Chairperson

3. Reinstates the Tourism and Events Committee and its Charter and be ready for commencement in November 2017.
4. Look into option 3.3 Liverpool City Council's Destination Management Plan from Council's Tourism Report as a stand-alone item on the Tourism and Events Committee agenda.
5. Develop a What's On in Liverpool website to set out events in Liverpool.
6. That the Tourism and Events Committee review all of these issues and report back to Council.

On being put to the meeting the motion (moved by Clr Rhodes) was declared LOST.

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

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

ITEM NO: CEO 04
FILE NO: 215697.2017
SUBJECT: Committees with staff membership/voting rights

RECOMMENDATION

That Council amend the Charters of the following Committees to remove staff as voting members:

- Budget Review Panel
- Civic Advisory
- CPAC Board
- Environment Advisory
- Heritage Advisory (considered at this Council meeting)
- Sports
- Strategic Panel

COUNCIL DECISION

Motion: **Moved: Cllr Hagarty** **Seconded: Cllr Kaliyanda**

That the recommendation be adopted.

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

The Chief Executive Officer, Ms Kiersten Fishburn left the Chambers at 7.30pm.

ITEM NO: CEO 05
FILE NO: 225809.2017
SUBJECT: Local Government Chief Officers Group

RECOMMENDATION

That Council:

1. Endorse the Chief Executive Officer, Ms Kiersten Fishburn attendance at Local Government Chief Officer Group meetings;
2. Approve all accommodation and travel costs associated with the Local Government Chief Officers’ Group meetings; and
3. That costs incurred for attendance at the Local Government Chief Officers Group be allocated to the Chief Executive Officer’s training and development budget.

COUNCIL DECISION

Motion: **Moved: Clr Ayyad** **Seconded: Clr Shelton**

That Council:

1. Endorse the Chief Executive Officer, Ms Kiersten Fishburn’s attendance at Local Government Chief Officer Group meetings;
2. Approve all accommodation and travel costs associated with the Local Government Chief Officers’ Group meetings;
3. That costs incurred for attendance at the Local Government Chief Officers Group be allocated to the Chief Executive Officer’s training and development budget; and
4. Make a submission for the July 2019 meeting to be held in Liverpool.

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

The Chief Executive Officer, Ms Kiersten Fishburn returned to the Chambers at 7.31pm.

CITY COMMUNITY AND CULTURE REPORT

ITEM NO: DCC 01
FILE NO: 188034.2017
SUBJECT: Children's Services - Liverpool CBD

RECOMMENDATION

That Council resolves to undertake further investigations and plan for the repurposing of an existing Council asset to develop an Early Education and Care Centre in the Liverpool CBD.

COUNCIL DECISION

Motion: **Moved: Cllr Shelton** **Seconded: Cllr Kaliyanda**

That the recommendation be adopted.

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

ITEM NO: DCC 02
FILE NO: 204785.2017
SUBJECT: Grants, Donations, and Corporate Sponsorship

RECOMMENDATION

That Council endorses the funding recommendations outlined below for \$22,000 (GST exclusive) under the Corporate Sponsorship (Outgoing) Program.

Organisation Name	Project	Amount
Friends of India	Ganeshotsava 2017	\$10,000
South West Metro Waratahs Aboriginal Football Club Inc.	Annual NSW Koori Knockout Football Comp	\$7,000
4Community Pty Ltd	South West Disability Expo	\$5,000

COUNCIL DECISION

Motion: **Moved:Clr Hadchiti** **Seconded:Clr Rhodes**

That Council endorse the provision of \$38,000 (GST exclusive) under the Corporate Sponsorship (Outgoing) Program as summarised in the table below.

Organisation Name	Project	Amount
Friends of India	Ganeshotsava 2017	\$10,000
South West Metro Waratahs Aboriginal Football Club Inc.	Annual NSW Koori Knockout Football Comp	\$7,000
4Community Pty Ltd	South West Disability Expo	\$5,000
International Sports Karate Association	ISKA 2017 World Cup Australia	\$8,000
Oz Paranormal & Spiritual Expo	Oz Paranormal & Spiritual Expo	\$8,000

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

ITEM NO: DCC 03
FILE NO: 214991.2017
SUBJECT: Moorebank Liverpool District Hockey Club request for Council funding contribution, upgrade of sand base synthetic hockey surface

RECOMMENDATION

That Council allocate up to a maximum of \$300,000 capital expenditure for the upgrade of the Ernie Smith Reserve sand base hockey field to an Olympic class water base Synthetic Field.

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: DCC 04
FILE NO: 226293.2017
SUBJECT: Draft Community Facilities Strategy Post Exhibition Report

RECOMMENDATION

That Council:

1. Endorse updates made to the Draft Community Facilities Strategy in accordance with feedback received during public exhibition and minor formatting changes; and
2. Adopt the Community Facilities Strategy.

COUNCIL DECISION

Motion: **Moved: Cllr Kaliyanda** **Seconded: Cllr Hagarty**

That the recommendation be adopted.

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

CITY CORPORATE REPORT

ITEM NO: CFO 01
FILE NO: 208894.2017
SUBJECT: Investment Report July 2017

RECOMMENDATION

That Council receives and notes this report.

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**.

CITY INFRASTRUCTURE AND ENVIRONMENT REPORT

ITEM NO: DIEN 01
FILE NO: 217404.2017
SUBJECT: 2016-17 Capital Works Carryover of Projects and Budget Variation

RECOMMENDATION

That Council:

1. Approves the works and services listed in *Attachment 1* with a remaining budget of \$8,522,327 to be carried over from the 2016/17 financial year to the 2017/18 financial year; and
2. Accepts the grant for \$100,000 from the Department of Infrastructure and Regional Development to deliver the lighting upgrade works at Hoxton Park Reserve and allocates \$25,100 from Section 94 funds towards this project.

COUNCIL DECISION

Motion: **Moved: Clr Harle** **Seconded: Clr Rhodes**

That the recommendation be adopted.

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

Clr Ayyad left the Chambers at 7.42pm.

COMMITTEE REPORTS

ITEM NO: CTTE 01

FILE NO: 226384.2017

SUBJECT: Minutes of the Audit, Risk and Improvement Committee 4 August 2017

RECOMMENDATION

That Council:

1. Receives and notes the Minutes of the Audit, Risk and Improvement Committee held on 4 August 2017; and
2. Endorses the recommendations in the Minutes.

COUNCIL DECISION

Motion:

Moved: Clr Hagarty

Seconded: Clr Hadid

That the recommendation be adopted.

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

ITEM NO: CTTE 02
FILE NO: 215378.2017
SUBJECT: Minutes of the Local Traffic Committee Meeting held on 19 July 2017

RECOMMENDATION

That Council adopts the following recommendations in the Minutes as follows:

- i. Item 1 - Lyn Parade, Prestons - Proposed Linemarking and Seagull Island
 - Council approves the proposed linemarking along Lyn Parade, Prestons, as shown in Attachments 1.1-1.4.
 - Council discuss the design of the proposed seagull island with the Roads and Maritime Services.
 - Council advise the business owners prior to undertaking works.

- ii. Item 2 - Rose Street, Liverpool- Proposed Linemarking
 - Council approves linemarking along Rose Street, Liverpool (*between the Hume Highway and Gill Avenue*) as shown in Attachments 2.1 to 2.4.
 - Council approves that three (3) redundant bus stops at the common property boundary of 23/25, 16/18 and front of 28 along Rose Street be removed and that Transport for NSW be advised of Council's action.
 - Interline Bus Services be requested to remove the redundant bus stop signs.
 - All stakeholders be notified accordingly.

- iii. Item 3 - Prestons Industrial Area - Proposed Truck Parking
 - Council approves the proposed truck parking signage along Wulbanga Street and Nuwi Place, Prestons, to permit heavy vehicles to park longer than 1 hour between 7pm – 6am, Monday to Sunday, as per Attachment 3.1.
 - All stakeholders be notified accordingly.

- iv. Item 4 - Kurrajong Road, Prestons - Proposed Traffic Management Works, in front of Amity College
 - Council approves the traffic management changes, as shown in Attachment 4.1.
 - Council approves the installation of 'No Stopping' restrictions 40m further east along Kurrajong Road, Prestons.
 - All stakeholders be notified accordingly.

- v. Item 5 - Reilly Street, Lurnea - Proposed Changes to the Linemarking
 - Council approves the linemarking along Reilly Street at the two road sections between the Hume Highway and Gill Avenue, Liverpool and Wonga Road and Hill Road, Lurnea as shown in Attachments 5.1 to 5.5.
 - All stakeholders be notified accordingly.

Clr Ayyad returned to the Chambers at 7.45pm.

QUESTIONS WITH NOTICE

ITEM NO: QWN 01
FILE NO: 205662.2017
SUBJECT: Question with Notice - Clr Hagarty

Over the last 4 to 5 years the Liverpool skyline has been transformed through the construction of numerous high rise apartment buildings.

With the recent Grenfell tragedy in London there have been media reports of Council investigating "as a matter of priority" local high rise buildings to check if any contained - unsafe cladding similar to that used in the Grenfell building.

I note a recent story from the Sydney Morning Herald "NSW government fails to act on proposed building industry reforms for almost two years" dated 27 June 2017. The story details other fire safety issues in addition to unsafe cladding uncovered in apartment complexes across the state, similar in age and scale to those in Liverpool. The issues, mainly related to poor quality private certification, include fire hydrants being installed backwards, poorly maintained fire hose reels and faulty fire escape doors.

Please address the following:

- On the progress of these checks?
- When these checks are expected to be completed?
- Do these checks also include inspection of other fire safety measures such as those mentioned above?
- Of the budgetary impacts these checks will have?
- What changes have been or will be put in place to ensure these retrospective checks need not occur in the future?

COUNCIL RESPONSE

In July 2015 Council's newly appointed Manager Community Standards put a report to the Director and CEO for the creation of a Fire Safety Unit to meet Council's obligation under the legislation with respect to Fire Safety. The CEO approved the recommendation of the report which led to the following appointments:

- Fire Safety Team Leader
- 2 x Fire Safety Officers
- Essential Services Officer

Council's obligation under the Environmental Planning & Assessment Act (EP&A Act) is to ensure minimum levels of fire safety are adequate across a diverse range of Class 2-9 buildings, these being residential apartment buildings, commercial and industrial buildings.

The workload in this area comes to Council in the form of complaints from the public, referral by NSW Fire and Rescue, referral from NSW Police and from within Council. In response, Council Officers may audit buildings and issue orders to upgrade. The officers will then carry out inspections to ensure the order is progressively being complied with. It will generally take over 12 months to complete work under a fire order, often at significant expense to building owners.

Clause 93 and 94 of Environment Planning and Assessment Regulation requires Council to consider fire safety compliance as part of a DA for any change of use or alterations. This is currently carried out early in assessment of DAs with fire safety compliance upgrades required as a condition of development consent.

Every year property owners of buildings other than private single dwellings are required to submit an Annual Fire Safety Statement (AFSS) to Council which lists all the fire safety essential services within a building with assurances that these are being maintained. Council's Essential Services Officer provides annual reminders to owners to submit AFSS, with follow up letters and if required warning letters. A check of the adequacy of each statement is undertaken by Council officers.

The legislation aims to ensure that existing buildings are maintained and if required upgraded to ensure compliance with the changes in legislation in regards to fire safety. This in turn places an obligation on Council to ensure existing buildings in the LGA meet fire safety requirements.

Building Regulation and Certification Reform

New reforms to improve fire safety will come into effect on 1 October 2017, aimed at improving certification process for high rise buildings. The reforms will require mandatory involvement of competent fire safety practitioners in the design and approval of fire safety systems including new critical stage inspection for certifiers.

Safety Inspection of Cladding

Local Government NSW (LGNSW) have been briefing staff of various councils on their audit of combustible cladding on buildings across Sydney.

It is understood that LGNSW have identified buildings with potentially combustible cladding, including in the Liverpool Local Government Area and they will be writing to the building owners of those buildings to encourage them to inspect the cladding and installation. Council will work with LGNSW and the building owners to ensure all buildings are made safe as a priority.

Council staff have commenced an audit of buildings in the CBD to identify use of potentially combustible cladding. The buildings that are being audited are residential buildings (other than single dwellings) with a rise in storey of 3 or more. It is expected that the audit will be completed by 31 December 2017.

Budgetary Impacts

Nil. Workloads in the fire safety team are now prioritised on this issue. Resources are adequate at this stage.

What changes have been or will be put in place to ensure these retrospective checks need not occur in the future

As discussed above the legislation permits retrospective checks so that buildings can be upgraded in time if required to improve fire safety and keep up with changes in legislation in regard to safety standards and technology.

COUNCIL DECISION

Motion: **Moved: Clr Hagarty** **Seconded: Clr Shelton**

That Council make representations to the State Government, including the relevant Minister, to have the South West Bronto:

- brought back online and based at either Liverpool or St Andrews Fire Station;
- adequately and appropriately staffed with the requisite specialised crew; and
- report back to Council on the outcomes of those representations

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

PRESENTATIONS BY COUNCILLORS

Councillor Kaliyanda – Liverpool Girls High School, Year 12 Major Works

Councillor Kaliyanda advised that she had attended the exhibition of the Year 12 major works at Liverpool Girls High School earlier today. She was asked to communicate their gratefulness for Council's ongoing engagement and to invite other Councillors and members of the public to also view the major works which are on display at the Aunty May Hall for the next week. Those interested can make an appointment with the school office to view. The themes that are explored are very mature and she highly recommended the works.

Councillor Harle – Liverpool City Council's Charity Ball

Councillor Harle congratulated Council staff for the work and effort they put into the Councillors Charity Ball which was held on Saturday 26 April 2017 at the Liverpool Catholic Club. He was particularly impressed with the presentation, lighting and overall atmosphere at the event.

ADDENDUM BOOKLET**ITEM NO:** DPG 03**FILE NO:** 215672.2017**SUBJECT:** Amended Voluntary Planning Agreement Coopers Paddock Warwick Farm**RECOMMENDATION**

That Council:

1. Approve in principle the Deed of Variation to the conformed Voluntary Planning Agreement;
2. Directs the CEO to publicly exhibit the Deed of Variation to the conformed Voluntary Planning Agreement and explanatory note for a period of 28 days, pursuant to section 93G of the *Environmental Planning and Assessment Act 1979*;
3. Delegates authority to the CEO, subject to consideration of any minor changes following exhibition, and subject to agreement by all parties to the VPA of the amendment to Schedule 3, Part 1, Item 2 to approve the execution of the Deed of Variation of the conformed Voluntary Planning Agreement under Power of Attorney;
4. Notes that if changes other than minor changes arise from the public exhibition process and any amendments to Schedule 3, Part 1, Item 2, other than has been recommended by this report that these will be reported back to Council; and
5. Notes that certain variations to the Voluntary Planning Agreement as identified in this report will require a Section 96 modification approval of DA-333/2015 and DA-1211/2015 to reflect the agreed changes.

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

That Council not approve the Deed of Variation to the conformed Voluntary Planning Agreement.

Foreshadowed motion:**Moved: Clr Hagarty****Seconded: Clr Kaliyanda**

That Council:

1. Approve in principle the Deed of Variation to the conformed Voluntary Planning Agreement;

2. Directs the CEO to publicly exhibit the Deed of Variation to the conformed Voluntary Planning Agreement and explanatory note for a period of 28 days, pursuant to section 93G of the *Environmental Planning and Assessment Act 1979*;
3. Delegates authority to the CEO, subject to consideration of any minor changes following exhibition, and subject to agreement by all parties to the VPA of the amendment to Schedule 3, Part 1, Item 2 to approve the execution of the Deed of Variation of the conformed Voluntary Planning Agreement under Power of Attorney;
4. Notes that if changes other than minor changes arise from the public exhibition process and any amendments to Schedule 3, Part 1, Item 2, other than has been recommended by this report that these will be reported back to Council; and
5. Notes that certain variations to the Voluntary Planning Agreement as identified in this report will require a Section 96 modification approval of DA-333/2015 and DA-1211/2015 to reflect the agreed changes.
6. Ensures the traffic issues the traffic works seek to mitigate are adequately mitigated during the period between the issuing of the occupation certificate and the completion of the traffic works.

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

Clr Hagarty left the Chambers at 8.08 pm.

Clr Hagarty returned to the Chambers at 8.09pm.

Clr Harle left the Chambers at 8.26pm.

NOTICES OF MOTION

ITEM NO: NOM 01
FILE NO: 226518.2017
SUBJECT: Heathcote Rd and The Avenue Intersection

BACKGROUND

On 2 August 2017 the Voyager Point community lost a valued member in a tragic car accident that occurred at the intersection of The Avenue and Heathcote Road, Voyager Point.

The intersection in question has long been regarded by residents as a dangerous ‘blindspot’ due to a combination of factors including high traffic volume and speed through the intersection. Recent growth population of Voyager Point as only served to increase the risks at the intersection.

Following community concerns over the last two years, the RMS has identified the need for road widening of the section off Heathcote Road between Infantry Parade and The Avenue. In this financial year’s state budget funding has only been allocated for detailed design but not construction. The initial advice from the RMS is that the road widening may not be completed until 2022.

Voyager Point community members were asked “In the last two years, how often have you been involved in a near miss or incident at the intersection of The Avenue, Voyager Point & Heathcote Rd”. Over the last 2 years the 57 respondents had been involved in 219 near misses or incidents at the intersection.

Without immediate safety measures being implemented, the risk of further incidents is high. Despite Heathcote Rd being an RMS controlled road, in the days following the accident, the Mayor, CEO and Council staff have advocated for the implementation of short term traffic treatments to improve safety at the intersection until the permanent upgrade can be completed in the days following the accident. These include:

- Reduction of the speed limit at The Avenue and Heathcote Rd intersection from 80km/h to 60km/h.
- Signalisation of the intersection, or installation of temporary traffic lights.
- Installation of a speed camera or other speed monitoring system at the intersection to ensure reduction in the speed limit is maintained.

While I note and appreciate these actions, Heathcote Road is RMS controlled and the final authority on any improvement options or actions that can be implemented. Therefore, it is important for Council to continue to represent the interests and advocate for the safety of our residents.

NOTICE OF MOTION (submitted by Clr Kaliyanda)

That Council

1. Directs the Mayor, CEO and Council staff to continue to advocate publicly for early implementation of required traffic and road safety measures at the intersection of The Avenue and Heathcote Road by RMS.
2. Corresponds with the Premier and Minister for Roads in order to highlight the significant community concern and safety issues at The Avenue and Heathcote Road intersection.
3. Continues to assist RMS in order to fast track the works at The Avenue/Heathcote Road intersection.
4. Provides regular updates and communication with Voyager Point residents on the results of representations made to the Premier, Minister for Roads and the RMS.

COUNCIL DECISION

Motion: **Moved: Clr Kaliyanda** **Seconded: Clr Hagarty**

That Council

1. Strongly recommend the Mayor to continue to advocate publicly for early implementation of required traffic and road safety measures at the intersection of The Avenue and Heathcote Road by RMS.
2. Corresponds with the Premier and Minister for Roads in order to highlight the significant community concern and safety issues at The Avenue and Heathcote Road intersection.
3. Continues to assist RMS in order to fast track the works at The Avenue/Heathcote Road intersection.
4. Provides regular updates and communication with Voyager Point residents on the results of representations made to the Premier, Minister for Roads and the RMS.
5. Write to the local state member, Ms Melanie Gibbons to show Council's support for all efforts being made to push the state government to make improvements to roads in this area.

6. Writes to the Minister for Roads The Hon Melinda Pavey supporting the member for Holsworthy, Melanie Gibbons calls to fast track the road upgrades along Heathcote Road at and around the Avenue intersection at Voyager Point, whilst directing the CEO to continue advocating publicly for these upgrades.
7. Notes the Roads Minister at the request of the Local Member visited the crash site on 29 August 2017.
8. Notes that the RMS is currently reviewing the speed limit at Heathcote Road in the vicinity of the Avenue, Voyager Point with the review due for completion October 2017, noting measures such as reducing the speed limit and placing temporary traffic lights are being considered.
9. Notes as a result of the unfortunate recent fatal incident the state government has directed the RMS to investigate safety at the intersection of the Avenue and Pleasure Point Road and that Council calls on the Roads Minister to ensure this happens in a timely manner.
10. Advise the Traffic Committee of this motion for their information.

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

Clr Harle returned to the Chambers at 8.29pm.

ITEM NO: NOM 02
FILE NO: 228270.2017
SUBJECT: Intermodal

BACKGROUND

One of the biggest threats to liveability of our LGA is the proposed Intermodal.

Council for many years has spent considerable time and resources in articulating reasons why this proposal in the proposed location will have a negative impact.

At the March meeting of Council, Council chose not to pursue its own legal challenge and left it up to the community to take it on.

On Thursday August 17th a Section 34 Conciliation Hearing [EP&A Act] was conducted and unfortunately there was no resolution. The matter will now be going to a full hearing in the Land and Environment Court.

The community has currently engaged the EDO to represent them legally, but given that it's now going to a full hearing, more is needed and Council should be at the forefront defending the community against this proposal.

NOTICE OF MOTION (submitted by Clr Hadchiti)

That Council:

1. Direct the CEO to engage a team of experts (internal & external) not limited to legal to work alongside the EDO in defending this matter in the L&E Court on any grounds necessary; and
2. Direct the CEO to make necessary budget allocations.

COUNCIL DECISION

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

That Council:

1. Direct the CEO to offer both on-staff and, where practical, external experts to the Environmental Defenders Office (EDO) for assistance in preparation of their court case at no charge.
2. Notes RAID has benefited from \$50,000 in direct financial support from Council as per a previous Council resolution.

3. Allocate up to \$50,000 to pay lawyers engaged in this matter, on the provision of invoices to Council.
4. Place the all payments in this motion on public exhibition and report back to Council.
5. Investigate the cost of point 1 of this motion.

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

Mayor Waller called a recess of Council at 8.54pm.

Mayor Waller reopened the meeting at 8.59pm.

CONFIDENTIAL ITEMS

ITEM NO: CONF 01
FILE NO: 217831.2017
SUBJECT: Former Council Administration Centre, 1 Hoxton Park Road, Liverpool

RECOMMENDATION

That Council:

1. Delegate authority to the Chief Executive Officer or her delegate to finalise negotiations for the purchase part of Lot 103 DP 877139, comprising an area of approximately 12,950 square metres as set out in the report of staff, from the 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. In the event negotiations are successful, direct that any documentation required to give effect to the purchase be executed under Power of Attorney;
4. Upon settlement of the acquisition, classifies the land so purchased, being part Lot 103 DP 877139, as 'Operational' land in accordance with the *Local Government Act* 1993;
5. 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;
6. Delegate authority to the Chief Executive Officer to fund the purchase, and any additional works required to upgrade the site for Council and other public use, via a loan from the NSW Treasury Corporation up to a value as outlined in the report of staff; and
7. Authorise the execution of any necessary document under Council's Power of Attorney to give effect to this resolution.

COUNCIL DECISION

Motion: **Moved: Clr Shelton** **Seconded: Clr Hagarty**

That the recommendation be adopted.

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

This item was then resubmitted and a Foreshadowed motion was moved.

Foreshadowed Motion: Moved: Clr Hadchiti Seconded: Clr Hadid

That Council receive and note this report.

On being resubmitted and put to the meeting the motion (moved by Clr Shelton) was declared LOST.

The Foreshadowed motion (moved by Clr Hadchiti) then became the motion and on being put to the meeting the motion was declared CARRIED.

ITEM NO: CONF 02
FILE NO: 218529.2017
SUBJECT: ST2639 – LCC Banners Production, Installation and Maintenance Services

RECOMMENDATION

That Council:

- 1. Decline to accept any tenders for ST2639 – LCC Banners Production, Installation and Maintenance Services.
- 3. In accordance with Section 178 (3) (e) of the Local Government (General) Regulation 2005, enter into negotiations with any person (whether or not the person was a tenderer) with a view to entering into a contract in relation to the specified services of the tender, for the following reasons:

 - 4.

 - a. The offers received are not within Council's budget;
 - b. By negotiation a better value for money outcome for Council could be achieved.

- 3. Makes public its decision regarding tender ST2639 – LCC Banners Production, Installation and Maintenance Services.
- 4. Delegate to the Chief Executive Officer all necessary authority to finalise and execute a contract with a party ultimately determined to present the best value for the provision of the specified services under Section 55 (3) (a) of *the Local Government Act 1993*.
- 5. This report has been brought to Council because the Chief Executive Officer's instrument of delegation, approved by Council in accordance with the current provisions of section 377 of the *Local Government Act 1993*, only permits the Chief Executive Officer to approve (and not to reject) tenders up to a value of \$1 million. Therefore, subclauses 178(3) and 178(4) of the *Local Government (General) Regulation 2005* require a decision not to accept any of the tenders for a proposed contract to be made by way of a Council resolution.
- 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: Cllr Shelton** **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: CONF 04
FILE NO: 218044.2017
SUBJECT: Liverpool Civic Place update

RECOMMENDATION

That Council:

1. Receive and note the report of staff in relation to progress on Council's Liverpool Civic Place development at 52 Scott Street, Liverpool;
2. Delegate authority to the CEO to negotiate and execute any changes to the Project Development Agreement with Built Holdings Pty Ltd, subject to legal advice, and direct the CEO to report any such amendment to the Strategic Panel once agreed;
3. Delegate authority to the CEO to progress discussions with the adjoining owner, in relation to the possible purchase of 40-48 Scott Street, for a sum not greater than the upper range referenced in the report of staff, and in the event of agreement, delegate authority to the CEO to do all things necessary to complete the purchase of the property, with any required documentation to be executed under Power of Attorney;
4. Direct that the question of funding for a possible purchase of 40-48 Scott Street be referred to Council's Budget Review Panel for identification of a source of funding;
5. 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; and
6. Authorises the execution of any necessary document under Council's Power of Attorney to give effect to this decision.

COUNCIL DECISION

Motion: **Moved: Cllr Hagarty** **Seconded: Cllr Kaliyanda**

That the recommendation be adopted.

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

Rescission Motion (rescission of the alternate resolution to NOMR 01)**ITEM NO:** NOMR 02**FILE NO:** 226668.2017**SUBJECT:** Rescission of the alternate resolution passed for Item DPG 07 Draft Warwick Farm Precinct Strategy from the Council meeting of 26 July 2017**NOTICE OF MOTION OF RESCISSION (submitted by Cirs Hadchiti, Ayyad and Rhodes)**

As per 38.1 of Council's Code of Meeting Practice, Council rescind the alternate motion passed for Item NOMR 01 Rescission of DPG 07 Draft Warwick Farm Precinct Strategy from the Council meeting of 26 July 2017 (as shown below) that was passed earlier at this meeting;

"That Council:

1. *Places the Warwick Farm Precinct Strategy on exhibition and invites consultation with all stakeholders, including residents, landowners, business owners/operators and the racing industry, with a report back to Council in November 2017 advising on submissions received in response.*
2. *Acknowledges that the draft Warwick Farm Precinct Strategy provides discussion on the strategic merit of creating an employment zone that complements the health and education focus of Liverpool, including the potential for advanced manufacturing, agribusiness, medical research, business park and tourism, and requests that a further report be submitted to Council in November 2017 regarding the progress of this discussion.*
3. *Acknowledges that the draft Warwick Farm Precinct Strategy provides discussion on the strategic merit of Planning Proposal RZ-4/2016 (36-42 Orange Grove Road) (Schweppes Site), and requests that a further report be submitted to Council in September 2017.*
4. *Acknowledges that the bypass road to connect the industrial area with Governor Macquarie Drive and initial funding is included in the forward estimates for the 17/18 budget, and invites further consultation from all stakeholders.*
5. *Acknowledges that the Warwick Farm precinct is the focus of a Collaboration Area involving Council, state government departments and the Greater Sydney Commission, and that it is important not to pre-empt the outcomes that may be achieved.*
6. *Authorises the CEO to organise a meeting involving all the stakeholders of the Warwick Farm horse training, stabling and racing precinct, and councillors."*

COUNCIL DECISION**Motion:** **Moved: Clr Hadchiti** **Seconded: Clr Ayyad**

That this resolution be rescinded with the exception of points 4 and 6 of the resolution (as shown below) which are to be retained.

4. *Acknowledges that the bypass road to connect the industrial area with Governor Macquarie Drive and initial funding is included in the forward estimates for the 17/18 budget, and invites further consultation from all stakeholders.*
6. *Authorises the CEO to organise a meeting involving all the stakeholders of the Warwick Farm horse training, stabling and racing precinct, and councillors.*

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

Division called:

Vote for: Clr Ayyad
Clr Hadchiti
Clr Hadid
Clr Harle
Clr Rhodes

Vote against: Mayor Waller
Clr Hagarty
Clr Kaliyanda
Clr Shelton

Motion (subsequently withdrawn): Moved: Clr Ayyad Seconded: Clr Hadchiti

That Council endorse the planning proposal for lot 1 Governor Macquarie Drive subject to the applicant submitting a modified proposal which reflects the mixed use zoning in collaboration with staff.

Mayor Waller ruled that the above motion was out of order as it is too similar to the original motion that was rescinded earlier in the meeting.

Clr Ayyad and Clr Hadchiti then withdrew this motion and moved the motion below:

Motion: Moved: Clr Hadchiti Seconded: Clr Ayyad

That Council endorses a vision for mixed use development comprising employment, housing and retail for the Warwick Farm Precinct.

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

Vote for:

Clr Ayyad
Clr Hadchiti
Clr Hadid
Clr Harle
Clr Rhodes

Vote against:

Mayor Waller
Clr Hagarty
Clr Kaliyanda
Clr Shelton

.....

THE MEETING CLOSED AT 9.38PM.

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 27 September 2017

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 30 August 2017. 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 AUGUST 2017**

PRESENT:

Mayor Wendy Waller
 Councillor Ayyad
 Councillor Hadchiti
 Councillor Hadid
 Councillor Hagarty
 Councillor Harle
 Councillor Kaliyanda
 Councillor Karnib
 Councillor Rhodes
 Councillor Shelton
 Ms Kiersten Fishburn, Chief Executive Officer
 Mr Tim Moore, Director City Economy Planning and Growth / Deputy CEO
 Mr Chris White, Director City Corporate
 Dr Eddie Jackson, Director City Community and Culture
 Mr Peter Patterson, Director City Presentation
 Mr Madhu Pudasaini, Acting Director Infrastructure and Environment

The meeting commenced at 6.00pm.

OPENING

6.00pm

**ACKNOWLEDGMENT OF COUNTRY,
PRAYER OF COUNCIL AND
AFFIRMATION TO BE READ BY**

The prayer of the Council was read by
 Pastor Stephen Reddish from New Life Christian
 Ministries.

Motion:

Moved: Cllr Harle

Seconded: Cllr Hadchiti

APOLOGIES

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

CONDOLENCES

Nil

CONFIRMATION OF MINUTES

That the minutes of the Ordinary Meeting held on 26 July 2017 be confirmed as a true record of that meeting with the following correction:

- Voting on Item DGP 03 Draft Liverpool Local Environmental Plan 2008 (Amendment 65) – Shepherd Street Planning Proposal be amended to record Clr Karnib as voting against the item rather than for the item.

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

DECLARATIONS OF INTEREST

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

Item DCC 02: Grants, Donations, and Corporate Sponsorship

Reason: His children train with clubs that will be entering the tournament associated with Disco 2017, which is a club which has not been successful in receiving funding under the corporate sponsorship program.

Clr Hadchiti did not leave the Chambers for the duration of the item.

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

Item DCC 02: Grants, Donations, and Corporate Sponsorship

Reason: She has previously been a volunteer with the Friends of India group who have applied for funding under the corporate sponsorship program.

Clr Kaliyanda did not leave the Chambers for the duration of the item.

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

Item NOMR 01: Rescission of DPG 07 Draft Warwick Farm Precinct Strategy from the Council meeting of 26 July 2017

Reason: He has family members who reside in the area.

Clr Harle did not leave the Chambers for the duration of the item.

NOTICES OF MOTION OF RESCISSION

ITEM NO: NOMR 01
FILE NO: 226668.2017
SUBJECT: Rescission of DPG 07 Draft Warwick Farm Precinct Strategy from the Council meeting of 26 July 2017

NOTICE OF MOTION OF RESCISSION

We the undersigned move a rescission motion, as per 38.1 of Council's Code of Meeting Practice, to rescind Item DPG 07 Draft Warwick Farm Precinct Strategy (as shown below) that was passed at the Ordinary Council Meeting held on Wednesday 26 July 2017.

"That Council:

1. *Prepare a draft Warwick Farm Precinct Strategy which reflects a mixed use zoning (specifically for the horse racing precinct), with the input of councillors and residents.*
2. *Endorse in principle the planning proposal for Lot 1 Governor Macquarie Drive, Warwick Farm, subject to the applicant submitting a modified proposal with a maximum floor space ratio (FSR) of 2.2:1 which equates to approximately 500 residential units of which 10% will be dedicated to retail.*
3. *Delegates to the CEO the authority to finalise the modified proposal and submit to DPE for Gateway approval with a recommendation that detailed traffic and flood modelling be included in Gateway conditions.*
4. *Notes that the CEO will finalise negotiations regarding the proposed VPA 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.*
5. *Notes that funds will be sought in the Capital program in the 2017/18 budget to progress land acquisitions for the bypass road."*

COUNCIL DECISION

Clr Hadchiti raised a point of order relating to point 38.1 of Council's Code of Meeting Practice (as shown below) and stated that the rescission motion should be ruled out of order as it did not include a proposed replacement motion.

"38.1 A rescission motion means a proposal under section 372 of the Act to either rescind or alter a previous resolution of Council. The rescission motion includes the proposal to rescind or alter and the proposed replacement motion."

Clr Kaliyanda
Clr Karnib
Clr Shelton

Vote against: Clr Ayyad
Clr Hadchiti
Clr Hadid
Clr Harle
Clr Rhodes

Note: The motion was carried on the Mayor’s casting vote.

Mayor Waller called a recess of Council at 6.47pm.

The meeting reopened at 6.54pm.

Alternate Motion: Moved: Clr Kaliyanda Seconded: Clr Hagarty

That Council:

1. Places the Warwick Farm Precinct Strategy on exhibition and invites consultation with all stakeholders, including residents, landowners, business owners/operators and the racing industry, with a report back to Council in November 2017 advising on submissions received in response.
2. Acknowledges that the draft Warwick Farm Precinct Strategy provides discussion on the strategic merit of creating an employment zone that complements the health and education focus of Liverpool, including the potential for advanced manufacturing, agribusiness, medical research, business park and tourism, and requests that a further report be submitted to Council in November 2017 regarding the progress of this discussion.
3. Acknowledges that the draft Warwick Farm Precinct Strategy provides discussion on the strategic merit of Planning Proposal RZ-4/2016 (36-42 Orange Grove Road) (Schweppes Site), and requests that a further report be submitted to Council in September 2017.
4. Acknowledges that the bypass road to connect the industrial area with Governor Macquarie Drive and initial funding is included in the forward estimates for the 17/18 budget, and invites further consultation from all stakeholders.
5. Acknowledges that the Warwick Farm precinct is the focus of a Collaboration Area involving Council, state government departments and the Greater Sydney Commission, and that it is important not to pre-empt the outcomes that may be achieved.

6. Authorises the CEO to organise a meeting involving all the stakeholders of the Warwick Farm horse training, stabling and racing precinct, and councillors.

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

Note: The motion was carried on the Mayor's casting vote.

Division called:

Vote for: Mayor Waller
Clr Hagarty
Clr Kaliyanda
Clr Karnib
Clr Shelton

Vote against: Clr Ayyad
Clr Hadchiti
Clr Hadid
Clr Harle
Clr Rhodes

This motion was subsequently subject to a rescission motion (lodged by Councillors Ayyad, Hadchiti and Rhodes at this meeting) and dealt with at the end of the meeting - see page 44 - 46 of these minutes for further details and the final resolution.

Clr Karnib retired from the meeting at 7.02pm.

INDEPENDENT HEARING AND ASSESSMENT PANEL REPORT

ITEM NO: IHAP 01
FILE NO: 215404.2017
SUBJECT: DA-1188/2016 - Subdivision of 2 lots into three lots, partial demolition of existing dwelling and construction of a carport on proposed Lot 90; construction of a two storey dwelling on proposed Lot 91 and construction of a two storey dwelling with a secondary dwelling on proposed Lot 92 at 10 Chrysanthemum Avenue, Lurnea

RECOMMENDATION

That Council approves Development Application DA-1188/2016 subject to the amended recommended conditions of consent contained in Attachment 3.

COUNCIL DECISION

Motion: **Moved: Clr Shelton** **Seconded: Clr Hagarty**

That the recommendation be adopted.

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

Councillors voted unanimously for this motion.

CITY ECONOMY AND GROWTH REPORT

ITEM NO: DPG 01
FILE NO: 201261.2017
SUBJECT: Amendment to Heritage Advisory Committee Charter

RECOMMENDATION

That Council adopts the revised Heritage Advisory Committee Charter.

COUNCIL DECISION

Motion: **Moved: Cllr Hagarty** **Seconded: Cllr Hadchiti**

That Council:

- 1. Adopts the revised Heritage Advisory Committee Charter; and
- 2. Review the Charter in 12 months time.

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

ITEM NO: DPG 02
FILE NO: 212662.2017
SUBJECT: Tourism Report

RECOMMENDATION

That Council:

- 1. Receives and notes the findings outlined in this report; and
- 2. Resolves to adopt one of the options outlined in Section 3 of this report.

COUNCIL DECISION

Motion: **Moved: Cllr Rhodes** **Seconded: Cllr Harle**

That Council:

- 1. Receives and notes the findings outlined in this report; and
- 2. Reinstates the Tourism and Events Committee and its Charter and be ready for commencement in early 2018.

Foreshadowed motion: **Moved: Cllr Shelton** **Seconded: Cllr Hagarty**

That Council:

- 1. Receives and notes the findings outlined in this report;
- 2. Adopts option 3.3 of Council's Tourism Report, and explore option 3.2 of the report (as shown below);

3.3 Liverpool City Council's Destination Management Plan

3.2 Western Sydney Business Connection's *Western Sydney Visitor Strategy*.
- 3. Develop a What's On in Liverpool website to set out events in Liverpool.

Foreshadowed motion: **Moved: Cllr Hadchiti** **Seconded: Cllr Hadid**

That Council:

- 1. Receives and notes the findings outlined in this report;
- 2. Adopt option 3.2 of Council's Tourism Report:

3.2 Council participation in Western Sydney Business Connection's *Western Sydney Visitor Strategy*

3. Reinstates the Tourism and Events Committee and its Charter and be ready for commencement in November 2017.
4. Look into option 3.3 Liverpool City Council's Destination Management Plan from Council's Tourism Report as a stand-alone item on the Tourism and Events Committee agenda.
5. Develop a What's On in Liverpool website to set out events in Liverpool.
6. That the Tourism and Events Committee review all of these issues and report back to Council.

On being put to the meeting the motion (moved by Clr Rhodes) was declared LOST.

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

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

CHIEF EXECUTIVE OFFICER REPORT

ITEM NO: CEO 01
FILE NO: 209924.2017
SUBJECT: Biannual Progress Report

RECOMMENDATION

That Council notes and receives the Biannual Progress Report which outlines the progress of the Principal Activities/Key Services detailed in the Delivery Program and Operational Plan 2016-17.

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: CEO 02
FILE NO: 213209.2017
SUBJECT: Mayoral Direction pursuant to Section 226(d) of the Local Government Act 1993

RECOMMENDATION

That Council receive, note and endorse the Mayoral Direction dated 3 August 2017 attached to the report.

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: CEO 03
FILE NO: 213388.2017
SUBJECT: Strategic Panel Minutes

RECOMMENDATION

That Council receives the minutes of the Strategic Panel held on 14 August 2017.

COUNCIL DECISION

Motion: **Moved: Cllr Shelton** **Seconded: Cllr Rhodes**

That Council receives the minutes of the Strategic Panel held on 14 August 2017 with the following correction:

- Cllr Karnib be recorded as an apology for the meeting.

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

ITEM NO: DCC 02
FILE NO: 204785.2017
SUBJECT: Grants, Donations, and Corporate Sponsorship

RECOMMENDATION

That Council endorses the funding recommendations outlined below for \$22,000 (GST exclusive) under the Corporate Sponsorship (Outgoing) Program.

Organisation Name	Project	Amount
Friends of India	Ganeshotsava 2017	\$10,000
South West Metro Waratahs Aboriginal Football Club Inc.	Annual NSW Koori Knockout Football Comp	\$7,000
4Community Pty Ltd	South West Disability Expo	\$5,000

COUNCIL DECISION

Motion: **Moved: Clr Hadchiti** **Seconded: Clr Rhodes**

That Council endorse the provision of \$38,000 (GST exclusive) under the Corporate Sponsorship (Outgoing) Program as summarised in the table below.

Organisation Name	Project	Amount
Friends of India	Ganeshotsava 2017	\$10,000
South West Metro Waratahs Aboriginal Football Club Inc.	Annual NSW Koori Knockout Football Comp	\$7,000
4Community Pty Ltd	South West Disability Expo	\$5,000
International Sports Karate Association	ISKA 2017 World Cup Australia	\$8,000
Oz Paranormal & Spiritual Expo	Oz Paranormal & Spiritual Expo	\$8,000

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

ITEM NO: DCC 03
FILE NO: 214991.2017
SUBJECT: Moorebank Liverpool District Hockey Club request for Council funding contribution, upgrade of sand base synthetic hockey surface

RECOMMENDATION

That Council allocate up to a maximum of \$300,000 capital expenditure for the upgrade of the Ernie Smith Reserve sand base hockey field to an Olympic class water base Synthetic Field.

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: DCC 04
FILE NO: 226293.2017
SUBJECT: Draft Community Facilities Strategy Post Exhibition Report

RECOMMENDATION

That Council:

1. Endorse updates made to the Draft Community Facilities Strategy in accordance with feedback received during public exhibition and minor formatting changes; and
2. Adopt the Community Facilities Strategy.

COUNCIL DECISION

Motion: **Moved: Cllr Kaliyanda** **Seconded: Cllr Hagarty**

That the recommendation be adopted.

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

.....
Chairperson

CITY CORPORATE REPORT

ITEM NO: CFO 01
FILE NO: 208894.2017
SUBJECT: Investment Report July 2017

RECOMMENDATION

That Council receives and notes this report.

COUNCIL DECISION

Motion: **Moved: Clr Shelton** **Seconded: Clr Rhodes**

That the recommendation be adopted.

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

CITY INFRASTRUCTURE AND ENVIRONMENT REPORT

ITEM NO: DIEN 01
FILE NO: 217404.2017
SUBJECT: 2016-17 Capital Works Carryover of Projects and Budget Variation

RECOMMENDATION

That Council:

1. Approves the works and services listed in *Attachment 1* with a remaining budget of \$8,522,327 to be carried over from the 2016/17 financial year to the 2017/18 financial year; and
2. Accepts the grant for \$100,000 from the Department of Infrastructure and Regional Development to deliver the lighting upgrade works at Hoxton Park Reserve and allocates \$25,100 from Section 94 funds towards this project.

COUNCIL DECISION

Motion: **Moved: Clr Harle** **Seconded: Clr Rhodes**

That the recommendation be adopted.

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

.....
Chairperson

Clr Ayyad left the Chambers at 7.42pm.

COMMITTEE REPORTS

ITEM NO: CTTE 01
FILE NO: 226384.2017
SUBJECT: Minutes of the Audit, Risk and Improvement Committee 4 August 2017

RECOMMENDATION

That Council:

- 1. Receives and notes the Minutes of the Audit, Risk and Improvement Committee held on 4 August 2017; and

- 2. Endorses the recommendations in the Minutes.

COUNCIL DECISION

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

That the recommendation be adopted.

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

ITEM NO: CTTE 02
FILE NO: 215378.2017
SUBJECT: Minutes of the Local Traffic Committee Meeting held on 19 July 2017

RECOMMENDATION

That Council adopts the following recommendations in the Minutes as follows:

- i. Item 1 - Lyn Parade, Prestons - Proposed Linemarking and Seagull Island
 - Council approves the proposed linemarking along Lyn Parade, Prestons, as shown in Attachments 1.1-1.4.
 - Council discuss the design of the proposed seagull island with the Roads and Maritime Services.
 - Council advise the business owners prior to undertaking works.

- ii. Item 2 - Rose Street, Liverpool- Proposed Linemarking
 - Council approves linemarking along Rose Street, Liverpool (*between the Hume Highway and Gill Avenue*) as shown in Attachments 2.1 to 2.4.
 - Council approves that three (3) redundant bus stops at the common property boundary of 23/25, 16/18 and front of 28 along Rose Street be removed and that Transport for NSW be advised of Council's action.
 - Interline Bus Services be requested to remove the redundant bus stop signs.
 - All stakeholders be notified accordingly.

- iii. Item 3 - Prestons Industrial Area - Proposed Truck Parking
 - Council approves the proposed truck parking signage along Wulbanga Street and Nuwi Place, Prestons, to permit heavy vehicles to park longer than 1 hour between 7pm – 6am, Monday to Sunday, as per Attachment 3.1.
 - All stakeholders be notified accordingly.

- iv. Item 4 - Kurrajong Road, Prestons - Proposed Traffic Management Works, in front of Amity College
 - Council approves the traffic management changes, as shown in Attachment 4.1.
 - Council approves the installation of 'No Stopping' restrictions 40m further east along Kurrajong Road, Prestons.
 - All stakeholders be notified accordingly.

- v. Item 5 - Reilly Street, Lurnea - Proposed Changes to the Linemarking
 - Council approves the linemarking along Reilly Street at the two road sections between the Hume Highway and Gill Avenue, Liverpool and Wonga Road and Hill Road, Lurnea as shown in Attachments 5.1 to 5.5.
 - All stakeholders be notified accordingly.

- vi. Item 6 - Reilly Street, Lurnea - Proposed Raised Pedestrian Crossing
 - Council approves the upgrade of the existing marked pedestrian crossing on Reilly Street, as shown in Attachment 6.1.
 - All stakeholders be notified accordingly.

- vii. Item 7 - Conroy Road, Wattle Grove - Proposed Traffic Calming Devices
 - Council approves the double barrier linemarking along the whole length of Conroy Road, Wattle Grove.
 - Council conduct a community consultation for a proposed raised threshold, or speed hump across Conroy Road, Wattle Grove.
 - All stakeholders be notified accordingly.

- viii. Item 8 - Gurner Avenue, Austral - Proposed Signs and Linemarking
 - Council approves installation of signs and linemarking in accordance with the attached plans, Attachments 8.1 to 8.3 in the subdivision at 35-37 Gurner Avenue, Austral
 - Council advises the applicant of its decision.

COUNCIL DECISION

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

That the recommendation be adopted.

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

Clr Ayyad returned to the Chambers at 7.45pm.

QUESTIONS WITH NOTICE

ITEM NO: QWN 01
FILE NO: 205662.2017
SUBJECT: Question with Notice - Clr Hagarty

Over the last 4 to 5 years the Liverpool skyline has been transformed through the construction of numerous high rise apartment buildings.

With the recent Grenfell tragedy in London there have been media reports of Council investigating "as a matter of priority" local high rise buildings to check if any contained - unsafe cladding similar to that used in the Grenfell building.

I note a recent story from the Sydney Morning Herald "NSW government fails to act on proposed building industry reforms for almost two years" dated 27 June 2017. The story details other fire safety issues in addition to unsafe cladding uncovered in apartment complexes across the state, similar in age and scale to those in Liverpool. The issues, mainly related to poor quality private certification, include fire hydrants being installed backwards, poorly maintained fire hose reels and faulty fire escape doors.

Please address the following:

- On the progress of these checks?
- When these checks are expected to be completed?
- Do these checks also include inspection of other fire safety measures such as those mentioned above?
- Of the budgetary impacts these checks will have?
- What changes have been or will be put in place to ensure these retrospective checks need not occur in the future?

COUNCIL RESPONSE

In July 2015 Council's newly appointed Manager Community Standards put a report to the Director and CEO for the creation of a Fire Safety Unit to meet Council's obligation under the legislation with respect to Fire Safety. The CEO approved the recommendation of the report which led to the following appointments:

- Fire Safety Team Leader
- 2 x Fire Safety Officers
- Essential Services Officer

Council's obligation under the Environmental Planning & Assessment Act (EP&A Act) is to ensure minimum levels of fire safety are adequate across a diverse range of Class 2-9 buildings, these being residential apartment buildings, commercial and industrial buildings.

The workload in this area comes to Council in the form of complaints from the public, referral by NSW Fire and Rescue, referral from NSW Police and from within Council. In response, Council Officers may audit buildings and issue orders to upgrade. The officers will then carry out inspections to ensure the order is progressively being complied with. It will generally take over 12 months to complete work under a fire order, often at significant expense to building owners.

Clause 93 and 94 of Environment Planning and Assessment Regulation requires Council to consider fire safety compliance as part of a DA for any change of use or alterations. This is currently carried out early in assessment of DAs with fire safety compliance upgrades required as a condition of development consent.

Every year property owners of buildings other than private single dwellings are required to submit an Annual Fire Safety Statement (AFSS) to Council which lists all the fire safety essential services within a building with assurances that these are being maintained. Council's Essential Services Officer provides annual reminders to owners to submit AFSS, with follow up letters and if required warning letters. A check of the adequacy of each statement is undertaken by Council officers.

The legislation aims to ensure that existing buildings are maintained and if required upgraded to ensure compliance with the changes in legislation in regards to fire safety. This in turn places an obligation on Council to ensure existing buildings in the LGA meet fire safety requirements.

Building Regulation and Certification Reform

New reforms to improve fire safety will come into effect on 1 October 2017, aimed at improving certification process for high rise buildings. The reforms will require mandatory involvement of competent fire safety practitioners in the design and approval of fire safety systems including new critical stage inspection for certifiers.

Safety Inspection of Cladding

Local Government NSW (LGNSW) have been briefing staff of various councils on their audit of combustible cladding on buildings across Sydney.

It is understood that LGNSW have identified buildings with potentially combustible cladding, including in the Liverpool Local Government Area and they will be writing to the building owners of those buildings to encourage them to inspect the cladding and installation. Council will work with LGNSW and the building owners to ensure all buildings are made safe as a priority.

PRESENTATIONS BY COUNCILLORS

Councillor Kaliyanda – Liverpool Girls High School, Year 12 Major Works

Councillor Kaliyanda advised that she had attended the exhibition of the Year 12 major works at Liverpool Girls High School earlier today. She was asked to communicate their gratefulness for Council’s ongoing engagement and to invite other Councillors and members of the public to also view the major works which are on display at the Aunty May Hall for the next week. Those interested can make an appointment with the school office to view. The themes that are explored are very mature and she highly recommended the works.

Councillor Harle – Liverpool City Council’s Charity Ball

Councillor Harle congratulated Council staff for the work and effort they put into the Councillors Charity Ball which was held on Saturday 26 April 2017 at the Liverpool Catholic Club. He was particularly impressed with the presentation, lighting and overall atmosphere at the event.

ADDENDUM BOOKLET

ITEM NO: DPG 03
FILE NO: 215672.2017
SUBJECT: Amended Voluntary Planning Agreement Coopers Paddock Warwick Farm

RECOMMENDATION

That Council:

1. Approve in principle the Deed of Variation to the conformed Voluntary Planning Agreement;
2. Directs the CEO to publicly exhibit the Deed of Variation to the conformed Voluntary Planning Agreement and explanatory note for a period of 28 days, pursuant to section 93G of the *Environmental Planning and Assessment Act 1979*;
3. Delegates authority to the CEO, subject to consideration of any minor changes following exhibition, and subject to agreement by all parties to the VPA of the amendment to Schedule 3, Part 1, Item 2 to approve the execution of the Deed of Variation of the conformed Voluntary Planning Agreement under Power of Attorney;
4. Notes that if changes other than minor changes arise from the public exhibition process and any amendments to Schedule 3, Part 1, Item 2, other than has been recommended by this report that these will be reported back to Council; and
5. Notes that certain variations to the Voluntary Planning Agreement as identified in this report will require a Section 96 modification approval of DA-333/2015 and DA-1211/2015 to reflect the agreed changes.

COUNCIL DECISION

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

That Council not approve the Deed of Variation to the conformed Voluntary Planning Agreement.

Foreshadowed motion: **Moved: Clr Hagarty** **Seconded: Clr Kaliyanda**

That Council:

1. Approve in principle the Deed of Variation to the conformed Voluntary Planning Agreement;

2. Directs the CEO to publicly exhibit the Deed of Variation to the conformed Voluntary Planning Agreement and explanatory note for a period of 28 days, pursuant to section 93G of the *Environmental Planning and Assessment Act 1979*;
3. Delegates authority to the CEO, subject to consideration of any minor changes following exhibition, and subject to agreement by all parties to the VPA of the amendment to Schedule 3, Part 1, Item 2 to approve the execution of the Deed of Variation of the conformed Voluntary Planning Agreement under Power of Attorney;
4. Notes that if changes other than minor changes arise from the public exhibition process and any amendments to Schedule 3, Part 1, Item 2, other than has been recommended by this report that these will be reported back to Council; and
5. Notes that certain variations to the Voluntary Planning Agreement as identified in this report will require a Section 96 modification approval of DA-333/2015 and DA-1211/2015 to reflect the agreed changes.
6. Ensures the traffic issues the traffic works seek to mitigate are adequately mitigated during the period between the issuing of the occupation certificate and the completion of the traffic works.

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

Clr Hagarty left the Chambers at 8.08 pm.

Clr Hagarty returned to the Chambers at 8.09pm.

Clr Harle left the Chambers at 8.26pm.

NOTICES OF MOTION

ITEM NO: NOM 01
FILE NO: 226518.2017
SUBJECT: Heathcote Rd and The Avenue Intersection

BACKGROUND

On 2 August 2017 the Voyager Point community lost a valued member in a tragic car accident that occurred at the intersection of The Avenue and Heathcote Road, Voyager Point.

The intersection in question has long been regarded by residents as a dangerous ‘blindspot’ due to a combination of factors including high traffic volume and speed through the intersection. Recent growth population of Voyager Point as only served to increase the risks at the intersection.

Following community concerns over the last two years, the RMS has identified the need for road widening of the section off Heathcote Road between Infantry Parade and The Avenue. In this financial year’s state budget funding has only been allocated for detailed design but not construction. The initial advice from the RMS is that the road widening may not be completed until 2022.

Voyager Point community members were asked “In the last two years, how often have you been involved in a near miss or incident at the intersection of The Avenue, Voyager Point & Heathcote Rd”. Over the last 2 years the 57 respondents had been involved in 219 near misses or incidents at the intersection.

Without immediate safety measures being implemented, the risk of further incidents is high. Despite Heathcote Rd being an RMS controlled road, in the days following the accident, the Mayor, CEO and Council staff have advocated for the implementation of short term traffic treatments to improve safety at the intersection until the permanent upgrade can be completed in the days following the accident. These include:

- Reduction of the speed limit at The Avenue and Heathcote Rd intersection from 80km/h to 60km/h.
- Signalisation of the intersection, or installation of temporary traffic lights.
- Installation of a speed camera or other speed monitoring system at the intersection to ensure reduction in the speed limit is maintained.

While I note and appreciate these actions, Heathcote Road is RMS controlled and the final authority on any improvement options or actions that can be implemented. Therefore, it is important for Council to continue to represent the interests and advocate for the safety of our residents.

NOTICE OF MOTION (submitted by Cllr Kaliyanda)

That Council

1. Directs the Mayor, CEO and Council staff to continue to advocate publicly for early implementation of required traffic and road safety measures at the intersection of The Avenue and Heathcote Road by RMS.
2. Corresponds with the Premier and Minister for Roads in order to highlight the significant community concern and safety issues at The Avenue and Heathcote Road intersection.
3. Continues to assist RMS in order to fast track the works at The Avenue/Heathcote Road intersection.
4. Provides regular updates and communication with Voyager Point residents on the results of representations made to the Premier, Minister for Roads and the RMS.

COUNCIL DECISION

Motion: **Moved: Cllr Kaliyanda** **Seconded: Cllr Hagarty**

That Council

1. Strongly recommend the Mayor to continue to advocate publicly for early implementation of required traffic and road safety measures at the intersection of The Avenue and Heathcote Road by RMS.
2. Corresponds with the Premier and Minister for Roads in order to highlight the significant community concern and safety issues at The Avenue and Heathcote Road intersection.
3. Continues to assist RMS in order to fast track the works at The Avenue/Heathcote Road intersection.
4. Provides regular updates and communication with Voyager Point residents on the results of representations made to the Premier, Minister for Roads and the RMS.
5. Write to the local state member, Ms Melanie Gibbons to show Council's support for all efforts being made to push the state government to make improvements to roads in this area.

6. Writes to the Minister for Roads The Hon Melinda Pavey supporting the member for Holsworthy, Melanie Gibbons calls to fast track the road upgrades along Heathcote Road at and around the Avenue intersection at Voyager Point, whilst directing the CEO to continue advocating publicly for these upgrades.
7. Notes the Roads Minister at the request of the Local Member visited the crash site on 29 August 2017.
8. Notes that the RMS is currently reviewing the speed limit at Heathcote Road in the vicinity of the Avenue, Voyager Point with the review due for completion October 2017, noting measures such as reducing the speed limit and placing temporary traffic lights are being considered.
9. Notes as a result of the unfortunate recent fatal incident the state government has directed the RMS to investigate safety at the intersection of the Avenue and Pleasure Point Road and that Council calls on the Roads Minister to ensure this happens in a timely manner.
10. Advise the Traffic Committee of this motion for their information.

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

Clr Harle returned to the Chambers at 8.29pm.

ITEM NO: NOM 02
FILE NO: 228270.2017
SUBJECT: Intermodal

BACKGROUND

One of the biggest threats to liveability of our LGA is the proposed Intermodal.

Council for many years has spent considerable time and resources in articulating reasons why this proposal in the proposed location will have a negative impact.

At the March meeting of Council, Council chose not to pursue its own legal challenge and left it up to the community to take it on.

On Thursday August 17th a Section 34 Conciliation Hearing [EP&A Act] was conducted and unfortunately there was no resolution. The matter will now be going to a full hearing in the Land and Environment Court.

The community has currently engaged the EDO to represent them legally, but given that it's now going to a full hearing, more is needed and Council should be at the forefront defending the community against this proposal.

NOTICE OF MOTION (submitted by Clr Hadchiti)

That Council:

- 1. Direct the CEO to engage a team of experts (internal & external) not limited to legal to work alongside the EDO in defending this matter in the L&E Court on any grounds necessary; and
- 2. Direct the CEO to make necessary budget allocations.

COUNCIL DECISION

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

That Council:

- 1. Direct the CEO to offer both on-staff and, where practical, external experts to the Environmental Defenders Office (EDO) for assistance in preparation of their court case at no charge.
- 2. Notes RAID has benefited from \$50,000 in direct financial support from Council as per a previous Council resolution.

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Chairperson

3. Allocate up to \$50,000 to pay lawyers engaged in this matter, on the provision of invoices to Council.
4. Place the all payments in this motion on public exhibition and report back to Council.
5. Investigate the cost of point 1 of this motion.

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

Mayor Waller called a recess of Council at 8.54pm.

Mayor Waller reopened the meeting at 8.59pm.

CONFIDENTIAL ITEMS**ITEM NO:** CONF 01**FILE NO:** 217831.2017**SUBJECT:** Former Council Administration Centre, 1 Hoxton Park Road, Liverpool**RECOMMENDATION**

That Council:

1. Delegate authority to the Chief Executive Officer or her delegate to finalise negotiations for the purchase part of Lot 103 DP 877139, comprising an area of approximately 12,950 square metres as set out in the report of staff, from the 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. In the event negotiations are successful, direct that any documentation required to give effect to the purchase be executed under Power of Attorney;
4. Upon settlement of the acquisition, classifies the land so purchased, being part Lot 103 DP 877139, as 'Operational' land in accordance with the *Local Government Act* 1993;
5. 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;
6. Delegate authority to the Chief Executive Officer to fund the purchase, and any additional works required to upgrade the site for Council and other public use, via a loan from the NSW Treasury Corporation up to a value as outlined in the report of staff; and
7. Authorise the execution of any necessary document under Council's Power of Attorney to give effect to this resolution.

COUNCIL DECISION**Motion:****Moved: Clr Shelton****Seconded: Clr Hagarty**

That the recommendation be adopted.

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

This item was then resubmitted and a Foreshadowed motion was moved.

Foreshadowed Motion: Moved: Clr Hadchiti Seconded: Clr Hadid

That Council receive and note this report.

On being resubmitted and put to the meeting the motion (moved by Clr Shelton) was declared LOST.

The Foreshadowed motion (moved by Clr Hadchiti) then became the motion and on being put to the meeting the motion was declared CARRIED.

ITEM NO: CONF 02
FILE NO: 218529.2017
SUBJECT: ST2639 – LCC Banners Production, Installation and Maintenance Services

RECOMMENDATION

That Council:

- 1. Decline to accept any tenders for ST2639 – LCC Banners Production, Installation and Maintenance Services.
- 3. In accordance with Section 178 (3) (e) of the Local Government (General) Regulation 2005, enter into negotiations with any person (whether or not the person was a tenderer) with a view to entering into a contract in relation to the specified services of the tender, for the following reasons:
 - 4.
 - a. The offers received are not within Council's budget;
 - b. By negotiation a better value for money outcome for Council could be achieved.
- 3. Makes public its decision regarding tender ST2639 – LCC Banners Production, Installation and Maintenance Services.
- 4. Delegate to the Chief Executive Officer all necessary authority to finalise and execute a contract with a party ultimately determined to present the best value for the provision of the specified services under Section 55 (3) (a) of *the Local Government Act 1993*.
- 5. This report has been brought to Council because the Chief Executive Officer's instrument of delegation, approved by Council in accordance with the current provisions of section 377 of the *Local Government Act 1993*, only permits the Chief Executive Officer to approve (and not to reject) tenders up to a value of \$1 million. Therefore, subclauses 178(3) and 178(4) of the *Local Government (General) Regulation 2005* require a decision not to accept any of the tenders for a proposed contract to be made by way of a Council resolution.
- 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: Cllr Shelton** **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: CONF 03
FILE NO: 217003.2017
SUBJECT: Extension of Membership Term - Environment Advisory Committee

RECOMMENDATION

That Council extends the current term of membership for community, environment group and industry representatives on the Environmental Advisory Committee until February 2019.

COUNCIL DECISION

Motion: **Moved: Clr Shelton** **Seconded: Clr Kaliyanda**

That:

1. Council extends the current term of membership for community, environment group and industry representatives on the Environmental Advisory Committee until February 2019; and
2. The Committee's Charter be amended to bring in two additional members bearing in mind that the two staff members have been taken out of the Committee (i.e. in terms of no longer having voting rights).

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

ITEM NO: CONF 04
FILE NO: 218044.2017
SUBJECT: Liverpool Civic Place update

RECOMMENDATION

That Council:

1. Receive and note the report of staff in relation to progress on Council's Liverpool Civic Place development at 52 Scott Street, Liverpool;
2. Delegate authority to the CEO to negotiate and execute any changes to the Project Development Agreement with Built Holdings Pty Ltd, subject to legal advice, and direct the CEO to report any such amendment to the Strategic Panel once agreed;
3. Delegate authority to the CEO to progress discussions with the adjoining owner, in relation to the possible purchase of 40-48 Scott Street, for a sum not greater than the upper range referenced in the report of staff, and in the event of agreement, delegate authority to the CEO to do all things necessary to complete the purchase of the property, with any required documentation to be executed under Power of Attorney;
4. Direct that the question of funding for a possible purchase of 40-48 Scott Street be referred to Council's Budget Review Panel for identification of a source of funding;
5. 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; and
6. Authorises the execution of any necessary document under Council's Power of Attorney to give effect to this decision.

COUNCIL DECISION

Motion: **Moved: Clr Hagarty** **Seconded: Clr Kaliyanda**

That the recommendation be adopted.

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

Rescission Motion (rescission of the alternate resolution to NOMR 01)**ITEM NO:** NOMR 02**FILE NO:** 226668.2017**SUBJECT:** Rescission of the alternate resolution passed for Item DPG 07 Draft Warwick Farm Precinct Strategy from the Council meeting of 26 July 2017**NOTICE OF MOTION OF RESCISSION (submitted by Cirs Hadchiti, Ayyad and Rhodes)**

As per 38.1 of Council's Code of Meeting Practice, Council rescind the alternate motion passed for Item NOMR 01 Rescission of DPG 07 Draft Warwick Farm Precinct Strategy from the Council meeting of 26 July 2017 (as shown below) that was passed earlier at this meeting;

"That Council:

1. *Places the Warwick Farm Precinct Strategy on exhibition and invites consultation with all stakeholders, including residents, landowners, business owners/operators and the racing industry, with a report back to Council in November 2017 advising on submissions received in response.*
2. *Acknowledges that the draft Warwick Farm Precinct Strategy provides discussion on the strategic merit of creating an employment zone that complements the health and education focus of Liverpool, including the potential for advanced manufacturing, agribusiness, medical research, business park and tourism, and requests that a further report be submitted to Council in November 2017 regarding the progress of this discussion.*
3. *Acknowledges that the draft Warwick Farm Precinct Strategy provides discussion on the strategic merit of Planning Proposal RZ-4/2016 (36-42 Orange Grove Road) (Schweppes Site), and requests that a further report be submitted to Council in September 2017.*
4. *Acknowledges that the bypass road to connect the industrial area with Governor Macquarie Drive and initial funding is included in the forward estimates for the 17/18 budget, and invites further consultation from all stakeholders.*
5. *Acknowledges that the Warwick Farm precinct is the focus of a Collaboration Area involving Council, state government departments and the Greater Sydney Commission, and that it is important not to pre-empt the outcomes that may be achieved.*
6. *Authorises the CEO to organise a meeting involving all the stakeholders of the Warwick Farm horse training, stabling and racing precinct, and councillors."*

COUNCIL DECISION

Motion: **Moved: Clr Hadchiti** **Seconded: Clr Ayyad**

That this resolution be rescinded with the exception of points 4 and 6 of the resolution (as shown below) which are to be retained.

- 4. Acknowledges that the bypass road to connect the industrial area with Governor Macquarie Drive and initial funding is included in the forward estimates for the 17/18 budget, and invites further consultation from all stakeholders.*

- 6. Authorises the CEO to organise a meeting involving all the stakeholders of the Warwick Farm horse training, stabling and racing precinct, and councillors.*

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

Division called:

Vote for: Clr Ayyad
Clr Hadchiti
Clr Hadid
Clr Harle
Clr Rhodes

Vote against: Mayor Waller
Clr Hagarty
Clr Kaliyanda
Clr Shelton

Motion (subsequently withdrawn): **Moved: Clr Ayyad** **Seconded: Clr Hadchiti**

That Council endorse the planning proposal for lot 1 Governor Macquarie Drive subject to the applicant submitting a modified proposal which reflects the mixed use zoning in collaboration with staff.

Mayor Waller ruled that the above motion was out of order as it is too similar to the original motion that was rescinded earlier in the meeting.

Clr Ayyad and Clr Hadchiti then withdrew this motion and moved the motion below:

Motion: **Moved: Clr Hadchiti** **Seconded: Clr Ayyad**

That Council endorses a vision for mixed use development comprising employment, housing and retail for the Warwick Farm Precinct.

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

Vote for:

Clr Ayyad
Clr Hadchiti
Clr Hadid
Clr Harle
Clr Rhodes

Vote against:

Mayor Waller
Clr Hagarty
Clr Kaliyanda
Clr Shelton

THE MEETING CLOSED AT 9.38PM.

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 27 September 2017

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 30 August 2017. 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 SEPTEMBER 2017**

PRESENT:

- Mayor Wendy Waller
- Councillor Ayyad
- Councillor Balloot (arrived at 6.02pm)
- Councillor Hadchiti
- Councillor Hadid
- Councillor Hagarty
- Councillor Harle
- Councillor Kaliyanda (arrived at 6.02pm)
- Councillor Karnib (arrived at 6.02pm)
- Councillor Rhodes
- Councillor Shelton
- Ms Kiersten Fishburn, Chief Executive Officer
- Ms Julie Scott, Acting Director City Economy and Growth / Deputy CEO
- Mr Vishwa Nadan, Acting Director City Corporate
- Dr Eddie Jackson, Director City Community and Culture
- Mr Stephen Joannidis, Acting Director City Presentation
- Mr Raj Autar, Director City Infrastructure and Environment

The meeting commenced at 6.00pm

OPENING 6.00pm

ACKNOWLEDGMENT OF COUNTRY, PRAYER OF COUNCIL AND AFFIRMATION TO BE READ BY The prayer of the Council was read by Pastor Steve Riethmuller from Cartwright Gospel Chapel.

6.02pm – Cirs Balloot, Kaliyanda and Karnib arrived at the meeting.

APOLOGIES Nil

CONDOLENCES Nil

CONFIRMATION OF MINUTES

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

That the minutes of the Ordinary Meeting held on 30 August 2017 be confirmed as a true record of that meeting subject to the commentary relating to NOMR 02 shown on page 45 of the Minutes being removed.

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

DECLARATIONS OF INTEREST

Clr Harle declared a non pecuniary but significant interest in the following item:

Item: CONF 01 Order of Liverpool Awards

Reason: His wife is one of the nominees.

Clr Harle left the Chambers for the duration of this item.

PUBLIC FORUM

Presentation – items not on agenda

1. **Mr Ian Bailey** addressed the Council on the following matter:

Major Infrastructure and Airport.

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

Landscaping proposal at the industrial site at Coopers Paddock and the rehabilitation of the existing vegetated area at the new reserve known as Foreshore Reserve Warwick Farm.

Motion: Moved: **Clr Shelton** Seconded: **Clr Rhodes**

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

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

Motion: Moved: Cllr Kaliyanda Seconded: Cllr Rhodes

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

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

3. **Mr Bradley Woods** addressed the Council on the following matter:

Unauthorised Events in Chipping Norton Park.

Motion: Moved: Cllr Hadid Seconded: Cllr Kaliyanda

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

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

Representation – items on agenda

Nil

CHIEF EXECUTIVE OFFICER REPORT

ITEM NO: CEO 01
FILE NO: 245065.2017
SUBJECT: Election of Deputy Mayor

RECOMMENDATION

That Council proceeds with the election of the Deputy Mayor to be conducted by the Returning Officer for the September 2017 – September 2018 period.

COUNCIL DECISION**Method of Election**

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

That:

1. Council proceeds with the election of the Deputy Mayor to be conducted by the Returning Officer for the September 2017 – September 2018 period.
2. That the method of election for the position of Deputy Mayor of Liverpool City Council for the term September 2017 – September 2018 be determined by open voting (show of hands).

Foreshadowed Motion: **Moved: Clr Kaliyanda** **Seconded: Clr Shelton**

That:

1. Council proceeds with the election of the Deputy Mayor to be conducted by the Returning Officer for the September 2017 – September 2018 period.
2. The method of election for the position of Deputy Mayor of Liverpool City Council for the term September 2017 – September 2018 be determined by closed voting (Ordinary ballot).

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

ITEM NO: CEO 02
FILE NO: 245299.2017
SUBJECT: Appointment of Councillors to Committees and Affiliated Bodies

RECOMMENDATION

That Council:

1. Appoints Councillors as representatives to the following Committees for the period to September 2018:
 - a. Aboriginal Consultative Committee
 - b. Audit, Risk & Improvement Committee
 - c. Badgerys Creek Airport Taskforce
 - d. Casula Powerhouse Arts Centre Board
 - e. Environment Advisory Committee
 - f. Heritage Advisory Committee
 - g. Intermodal Committee
 - h. Liverpool Access Committee
 - i. Liverpool Sports Committee
 - j. Tourism & Events Committee
 - k. Youth Council

2. Notes that all Councillors are members of the following Committees, and as such specific appointments are not required;
 - l. Budget Review Panel
 - m. Strategic Panel
 - n. Civic Advisory Committee
 - o. Community & Safety Prevention Committee

3. Notes that a separate report will be submitted to the October 2017 Council meeting in relation to the establishment of a CBD Committee as resolved by Council at the 26 July 2017 meeting.

4. Appoints Councillors as representatives to the following community committees and affiliated bodies and notifies them of their representatives for the period to September 2018:
 - a. Georges River Combined Councils Committee
 - b. South West Regional Planning Panel
 - c. Liverpool Migrant Resource Centre
 - d. Liverpool Traffic Committee
 - e. Macarthur Bushfire Management Committee

Liverpool Sports Committee	
<i>Representative</i>	Clr Hadid

Tourism & Events Committee (to be re-established as resolved by Council at 30/8/17 Council meeting)	
<i>Representatives</i>	Deputy Mayor Ayyad, Clr Balloot, Clr Hadid, Clr Hagarty and Clr Rhodes

Youth Council	
<i>Representatives</i>	Mayor Waller, Clr Hagarty and Clr Kaliyanda

Budget Review Panel	
<i>Representatives</i>	All Councillors

Strategic Panel	
<i>Representatives</i>	All Councillors

Civic Advisory Committee	
<i>Representatives</i>	All Councillors

Community and Safety Prevention Committee	
<i>Representatives</i>	All Councillors

2. Notes that a separate report will be submitted to the October 2017 Council meeting relating to the establishment of a CBD Committee and nominates Clr Balloot, Clr Hadid, Clr Hagarty and Clr Rhodes as members.
3. Appoints the following Councillor Representatives to the following external committees and notifies them of Council representatives till September 2018:

Georges River Combined Councils Committee (GRCCC)	
<i>Representatives</i>	Clr Harle and Clr Shelton

Western Sydney Migrant Resource Centre	
<i>Representatives</i>	Clr Hagarty and Clr Karnib with Clr Balloot as an alternate

Liverpool Traffic Committee	
<i>Representatives</i>	Deputy Mayor Ayyad

Macarthur Bushfire Management Committee	
<i>Representative</i>	Clr Harle

Macarthur Zone Bushfire Liaison Committee	
<i>Representatives</i>	Clr Harle

Macarthur/Liverpool Multiculturalism NSW	
<i>Representatives</i>	Clr Hagarty and Clr Harle

NSW Metropolitan Public Libraries Association (NSW MPLA)	
<i>Representative</i>	Clr Kaliyanda

South West Regional Planning Panel	
<i>Representatives</i>	Clr Hadchiti and Clr Hadid, with Clr Harle and Clr Rhodes as the alternates

South West Sydney Academy of Sport (SWSAS)	
<i>Representative</i>	Clr Rhodes

Western Sydney Regional Organisation of Councils (WSROC)	
<i>Representatives</i>	Mayor Waller and Clr Rhodes, with Clr Balloot as the alternate.

4. Holds the Councillor Briefing Session, Strategic Panel and Budget Review Panel during normal business hours.
5. Provide Councillors with agendas and minutes of other external bodies/organisations that are attended by CEO/Mayor such as the City Deals meetings.

Foreshadowed motion: Moved: Clr Hagarty Seconded: Clr Karnib

That Council:

1. Appoints the following Councillors to the Committees, shown below, for the period to September 2018:

Aboriginal Consultative Committee	
<i>Representatives</i>	Mayor Waller, Clr Rhodes and Clr Shelton

Audit, Risk and Improvement Committee	
<i>Representatives</i>	Deputy Mayor Ayyad and Clr Harle

Badgerys Creek Airport Taskforce	
<i>Taskforce to be deleted</i>	

Casula Powerhouse Arts Centre Board	
<i>Representatives</i>	Mayor Waller and Deputy Mayor Ayyad

Environment Advisory Committee	
<i>Representatives</i>	Clr Harle and Clr Shelton

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

Intermodal Committee	
<i>Representative</i>	Clr Hadchiti

Liverpool Access Committee	
<i>Representatives</i>	Mayor Waller and Clr Harle

Liverpool Sports Committee	
<i>Representative</i>	Clr Hadid

Tourism & Events Committee (to be re-established as resolved by Council at 30/8/17 Council meeting)	
<i>Representatives</i>	Deputy Mayor Ayyad, Clr Balloot, Clr Hadid, Clr Hagarty and Clr Rhodes

Youth Council	
<i>Representatives</i>	Mayor Waller, Clr Hagarty and Clr Kaliyanda

Budget Review Panel	
<i>Representatives</i>	All Councillors

Strategic Panel	
<i>Representatives</i>	All Councillors

Civic Advisory Committee	
<i>Representatives</i>	All Councillors

Community and Safety Prevention Committee	
<i>Representatives</i>	All Councillors

2. Notes that a separate report will be submitted to the October 2017 Council meeting relating to the establishment of a CBD Committee and nominates Clr Balloot, Clr Hadid, Clr Hagarty and Clr Rhodes as members.
3. Appoints the following Councillor Representatives to the following external committees and notifies them of Council representatives till September 2018:

Georges River Combined Councils Committee (GRCCC)	
<i>Representatives</i>	Clr Harle and Clr Shelton

Western Sydney Migrant Resource Centre	
<i>Representatives</i>	Clr Hagarty and Clr Karnib with Clr Balloot as an alternate

Liverpool Traffic Committee	
<i>Representatives</i>	Deputy Mayor Ayyad

Macarthur Bushfire Management Committee	
<i>Representative</i>	Clr Harle

Macarthur Zone Bushfire Liaison Committee	
<i>Representatives</i>	Clr Harle

Macarthur/Liverpool Multiculturalism NSW	
<i>Representatives</i>	Clr Hagarty and Clr Harle

NSW Metropolitan Public Libraries Association (NSW MPLA)	
<i>Representative</i>	Clr Kaliyanda

South West Regional Planning Panel	
<i>Representatives</i>	Clr Hadchiti and Clr Hadid, with Clr Harle and Clr Rhodes as the alternates

South West Sydney Academy of Sport (SWSAS)	
<i>Representative</i>	Clr Rhodes

Western Sydney Regional Organisation of Councils (WSROC)	
<i>Representatives</i>	Mayor Waller and Clr Rhodes, with Clr Balloot as the alternate.

4. Provide Councillors with agendas and minutes of other external bodies/organisations that are attended by CEO/Mayor such as the City Deals meetings.

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

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

Vote for: Clr Ayyad
 Clr Balloot
 Clr Hadchiti
 Clr Hadid
 Clr Harle
 Clr Rhodes

Vote against: Mayor Waller
Clr Hagarty
Clr Kaliyanda
Clr Karnib
Clr Shelton

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ITEM NO: CEO 03
FILE NO: 246534.2017
SUBJECT: Local Government NSW Annual Conference

RECOMMENDATION

That Council:

1. Endorse the key issues to be submitted for consideration at the Local Government NSW Annual Conference; and
2. Notes that a further report will be submitted to Council in October 2017 for Council to determine its voting delegates.

COUNCIL DECISION

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

That the recommendation be adopted.

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

CITY COMMUNITY AND CULTURE REPORT

ITEM NO: DCC 01
FILE NO: 026966.2017
SUBJECT: Draft Recreation, Open Space and Sports Strategy

RECOMMENDATION

That Council:

1. Place the Draft Recreation, Open Space and Sports Strategy on public exhibition for at least 28 days, and undertake a comprehensive consultation process in seeking community feedback; and
2. Bring forth a report by January 2018 noting feedback received and any changes made to the draft Strategy in line with community feedback.

COUNCIL DECISION

Motion: **Moved: Cllr Kaliyanda** **Seconded: Cllr Harle**

1. Place the Draft Recreation, Open Space and Sports Strategy on public exhibition for at least 28 days, and undertake a comprehensive consultation process in seeking community feedback;
2. Bring forth a report by January 2018 noting feedback received and any changes made to the draft Strategy in line with community feedback; and
3. That a Councillors workshop session be organised regarding the issue of Woodward Park Masterplan.

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

ITEM NO: DCC 03
FILE NO: 241021.2017
SUBJECT: Grants, Donations, and Corporate Sponsorship

RECOMMENDATION

That Council endorses the funding recommendation to South West Sydney Legal Centre for the Access to Justice Community Day for the amount of \$5,244 (GST exclusive) under the Corporate Sponsorship (Outgoing) Program.

COUNCIL DECISION

Motion: **Moved: Cllr Hagarty** **Seconded: Cllr Kaliyanda**

That the recommendation be adopted.

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

CITY CORPORATE REPORT

ITEM NO: CFO 01
FILE NO: 230375.2017
SUBJECT: Review of Council's Civic Expenses and Facilities Policy

RECOMMENDATION

That Council adopts the amendment to Clause 4.1.3 of the Civic Expenses and Facilities Policy as publicly exhibited, and as attached to this report.

COUNCIL DECISION

Motion: **Moved: Clr Harle** **Seconded: Clr Rhodes**

1. That Council adopts the amendment to Clause 4.1.3 of the Civic Expenses and Facilities Policy as publicly exhibited, and as attached to this report; and
2. The telephone expenses referred to in Clauses 4.7.1 and 4.7.2 of the Civic Expenses and Facilities Policy be changed to a maximum of \$120.00 per month.

Foreshadowed motion: **Moved: Clr Hagarty** **Seconded: Clr Karnib**

That the recommendation be adopted.

On being put to the meeting the Motion (moved by Clr Harle) was declared CARRIED and the Foreshadowed Motion (moved by Clr Hagarty) therefore lapsed.

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

Vote for: Clr Ayyad
Clr Ballot
Clr Hadchiti
Clr Hadid
Clr Harle
Clr Rhodes

Vote against: Mayor Waller
Clr Hagarty
Clr Kaliyanda
Clr Karnib
Clr Shelton

ITEM NO: CFO 02
FILE NO: 244346.2017
SUBJECT: Investment Report August 2017

RECOMMENDATION

That Council receives and notes this report.

COUNCIL DECISION

Motion: **Moved: Cllr Rhodes** **Seconded: Cllr Hadid**

That Council move into closed session at the end of this meeting to discuss this item in accordance with Section 10A(2)(c) of the Local Government Act 1993 as it deals with 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.

COMMITTEE REPORTS

ITEM NO: CTTE 01
FILE NO: 238048.2017
SUBJECT: Minutes of the Environment Advisory Committee Meeting held on 8 August 2017

RECOMMENDATION

That Council receives and notes the Minutes of the Environment Advisory Committee Meeting held on 8 August 2017.

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: CTTE 03
FILE NO: 244922.2017
SUBJECT: Minutes of the Civic Advisory Committee Meeting held 4 September 2017

RECOMMENDATION

That Council receives and notes the Minutes of the Civic Advisory Committee Meeting held on 4 September 2017.

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.

NOTICES OF MOTION

ITEM NO: NOM 01
FILE NO: 254512.2017
SUBJECT: Australian Local Government Association

BACKGROUND

Earlier this year, Councils from across the country came together at the annual Australian Local Government conference.

The conference is an opportune time to discuss issues which are in Councils' jurisdiction.

This year we saw motions calling for the cancellation of Australia Day on January 26 and banning helium balloons, to name a couple, which consumed valuable time for issues Councils have no control over.

What was also disturbing was the fact that these motions were being adopted on the votes of 64 odd Councils. Given that there are over 500 Councils represented by ALGA, 64 is nowhere near a majority and the ALGA needs to put in place a quorum for their meetings.

NOTICE OF MOTION (submitted by Clr Hadchiti)

That Council:

1. Writes to ALGA expressing its concern that:
 - a) matters outside of Councils' jurisdiction were being debated and request this doesn't occur in future conferences;
 - b) no quorum is required at the meetings;
2. Distance itself from other Councils that are calling for the removal of Australia Day on January 26; and
3. Play the two verses of the Australian National Anthem straight after the Prayer of Council at each meeting.

Clr Harle left the Chambers at 7.33pm.

CONFIDENTIAL ITEMS

ITEM NO: CONF 01
FILE NO: 245015.2017
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 Shelton** **Seconded: Clr Rhodes**

That the recommendation be adopted.

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

Clr Harle returned to the Chambers at 7.34pm

COUNCIL IN CLOSED SESSION

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

That Council move into closed session to discuss CFO 02 in accordance with Section 10A(2)(c) of the Local Government Act 1993 as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council conducting (or proposes) to conduct business.

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

Council moved into Closed Session at 7.34pm.

Mayor Waller called a recess of Council at 7.34pm so that members of the public could leave the Chambers.

THE MEETING CLOSED AT 8.06pm

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 25 October 2017

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 27 September 2017. 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 OCTOBER 2017

PRESENT:

Mayor Wendy Waller
 Councillor Ayyad
 Councillor Balloot
 Councillor Hadchiti
 Councillor Hadid
 Councillor Hagarty
 Councillor Harle
 Councillor Kaliyanda
 Councillor Karnib
 Councillor Rhodes
 Councillor Shelton
 Ms Kiersten Fishburn, Chief Executive Officer
 Mr Tim Moore, Director City Economy and Growth / Deputy CEO
 Mr Vishwa Nadan, Acting Director City Corporate
 Dr Eddie Jackson, Director City Community and Culture
 Mr Stephen Joannidis, Acting Director City Presentation
 Mr Raj Autar, Director City Infrastructure and Environment

The meeting commenced at 6.00pm.

OPENING	6.00pm.
ACKNOWLEDGMENT 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.
NATIONAL ANTHEM	The national anthem was played in the Chambers.
APOLOGIES	Nil
CONDOLENCES	Nil

Minutes of the Ordinary Council Meeting held on Wednesday, 25 October 2017 and confirmed on Wednesday, 22 November 2017

.....
Chairperson

CONFIRMATION OF MINUTES

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

That the minutes of the Ordinary Meeting held on 27 September 2017 be confirmed as a true record of that meeting, subject to the following change to Item CEO 01 Election of Deputy Mayor:

- The minutes for that item to be corrected to show that a Foreshadowed Motion was moved in relation to the “Method of Election” by Councillor Kaliyanda and seconded by Councillor Shelton which stated:

That:

1. *Council proceeds with the election of the Deputy Mayor to be conducted by the Returning Officer for the September 2017 – September 2018 period.*
2. *The method of election for the position of Deputy Mayor of Liverpool City Council for the term September 2017 – September 2018 be determined by closed ballot (Ordinary ballot).*

The Foreshadowed Motion was not voted on at the 27 September 2017 meeting as the Primary Motion (for the Method of Election to be conducted by open voting - show of hands) was carried.

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

DECLARATIONS OF INTEREST

Cllr Ayyad declared a non-pecuniary, less than significant interest in the following item:

Item CONF 02: Legal Affairs Report

Reason: The company shown as number 9 on the table attached to the report have been engaged by a family member of Cllr Ayyad and have been paid for their services.

Cllr Ayyad remained in the Chambers for the duration of the item.

CITY CORPORATE REPORT

ITEM NO: CFO 03
FILE NO: 274574.2017
SUBJECT: Annual Financial Reports 2016/17

RECOMMENDATION

That Council:

1. Receives and endorses the 2016-17 audited financial statements;
2. Authorises the Mayor, Deputy Mayor, Chief Executive Officer and the Responsible Accounting Officer to sign the prescribed statement that will form part of the financial statements;
3. Forwards 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 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. Notes 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 Hagarty** **Seconded: Clr Kaliyanda**

That the recommendation be adopted.

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

CITY ECONOMY AND GROWTH REPORT

ITEM NO: DPG 01
FILE NO: 265227.2017
SUBJECT: Street and Park Naming

RECOMMENDATION

That Council:

1. Supports the street and park names noted in this report; and
2. Delegates to the Chief Executive Officer (CEO) to begin the process of gazettal.

COUNCIL DECISION

Motion: **Moved: Cllr Hagarty** **Seconded: Cllr Kaliyanda**

That the recommendation be adopted.

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

ITEM NO: DPG 02
FILE NO: 271924.2017
SUBJECT: CBD Committee Update

RECOMMENDATION

That Council adopts the recommendations outlined in this report.

COUNCIL DECISION

Motion: **Moved: Cllr Hadchiti** **Seconded: Cllr Rhodes**

That Council receive and note the report.

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

ITEM NO: DPG 03
FILE NO: 272393.2017
SUBJECT: Tourism and Events Committee Update

RECOMMENDATION

That Council brings forth a report in December 2017 for endorsement of members of the Tourism and Events Committee.

COUNCIL DECISION

Motion: **Moved: Cllr Rhodes** **Seconded: Cllr Hadchiti**

That the recommendation be adopted.

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

CHIEF EXECUTIVE OFFICER REPORT

ITEM NO: CEO 01
FILE NO: 256414.2017
SUBJECT: Council Meeting Dates - January to December 2018

RECOMMENDATION

That Council:

1. Confirms the Council meeting time as 6.00pm and Council meeting dates for the 2018 calendar year as follows:
 - 7 February 2018
 - 28 February 2018
 - 28 March 2018
 - 26 April 2018
 - 30 May 2018
 - 27 June 2018
 - 25 July 2018
 - 29 August 2018
 - 26 September 2018
 - 31 October 2018
 - 21 November 2018
 - 12 December 2018
2. Hold one Council meeting of 2018 in the rural area (with date to be determined by the CEO subject to venue availability).
3. Places appropriate notices in the local newspapers advising the community of the dates and commencing times of Council meetings for the 2018 calendar year.

COUNCIL DECISION

Motion: **Moved: Clr Shelton** **Seconded: Clr Rhodes**

That the recommendation be adopted.

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

ITEM NO: CEO 02
FILE NO: 271400.2017
SUBJECT: Mayoral Direction pursuant to Section 226(d) of the Local Government Act
 1993

RECOMMENDATION

That Council note and endorse the two Mayoral Directions dated 11 and 13 October 2017 attached to the report.

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: CEO 03
FILE NO: 271674.2017
SUBJECT: Voting delegates for the 2017 Local Government NSW Annual Conference

RECOMMENDATION

That Council determine its voting delegates for the 2017 Local Government NSW Annual Conference and that Local Government NSW be advised accordingly.

COUNCIL DECISION

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

That Council nominate Mayor Waller, Clr Ayyad, Clr Balloot, Clr Hadchiti Clr Hadid, Clr Hagarty, Clr Harle, Clr Kaliyanda, Clr Karnib and Clr Rhodes as its voting delegates for the 2017 Local Government NSW Annual Conference and that Local Government NSW be advised accordingly.

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

Clr Shelton asked that he be recorded as voting for the motion.

CITY COMMUNITY AND CULTURE REPORT

ITEM NO: DCC 01
FILE NO: 255532.2017
SUBJECT: Grants, Donations, and Corporate Sponsorship

RECOMMENDATION

That Council:

1. Endorses the funding recommendation for the amount of \$9,840 (GST exclusive) under the Community Grants Program:

Applicant	Project	Amount Recommended
Liverpool Women's Resource Centre	Trauma training for local community workers	\$4,960
Hume Community Housing Association	Broadening your world view to learn and respect others	\$4,880

2. Endorses the funding recommendation for the amount of \$10,000 (GST exclusive) under the Corporate Sponsorship (Outgoing) Program:

Applicant	Project	Amount Recommended
Liverpool Christians Community Celebrations Inc.	Liverpool Carols in the Park	\$10,000

COUNCIL DECISION

Motion: **Moved: Cllr Shelton** **Seconded: Cllr Kaliyanda**

That the recommendation be adopted.

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

ITEM NO: DCC 02
FILE NO: 264654.2017
SUBJECT: Draft Cultural Strategy

RECOMMENDATION

That Council:

1. Endorse the Draft Cultural Strategy to be placed on public exhibition and undertake a comprehensive consultation process to seek community feedback; and
2. Present a report in December noting feedback received and any changes made to the draft Strategy in line with community feedback.

COUNCIL DECISION

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

That the recommendation be adopted.

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

ITEM NO: DCC 03
FILE NO: 267947.2017
SUBJECT: Amendments to Civic Events and Ceremonial Functions Policy

RECOMMENDATION

That Council:

- 1. Place the proposed amendments to the Civic Events and Ceremonial Functions Policy on public exhibition for a minimum of 14 days; and
- 2. Present Council with a further report following the public exhibition period noting any amendments to the policy resulting from feedback received.

COUNCIL DECISION

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

That Council:

- 1. Place the proposed amendments to the Civic Events and Ceremonial Functions Policy on public exhibition for a minimum of 14 days; and
- 2. Present Council with a further report following the public exhibition period noting any amendments to the policy resulting from feedback received.
- 3. Investigate the previous student exchange program with Toda and the possible feasibility of continuing such a program or similar program. A report to be submitted to Council in December 2017.
- 4. Congratulate and send a letter of thanks to the relevant staff who were involved in hosting the recent Toda delegation to Liverpool, which celebrated the 25th anniversary of the Sister Cities relationship.

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

ITEM NO: DCC 04
FILE NO: 270676.2017
SUBJECT: Nomination of new sporting delegates for the Liverpool Sports Committee

RECOMMENDATION

That Council endorse the following sporting delegates for the Liverpool Sports Committee:

Sport	Nominated Delegate
Athletics	Tracey Liondas
Basketball	Bong Mendoza
Basketball	Scott Frater
Cricket	Peter Moore
Rugby League	Joanne Alvaro
Rugby League	Dave Baker
Swimming	Emma Collyer
Swimming	Blake Medhurst

COUNCIL DECISION

Motion: **Moved: Cllr Kaliyanda** **Seconded: Cllr Shelton**

That the recommendation be adopted.

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

CITY CORPORATE REPORT

ITEM NO: CFO 01
FILE NO: 264768.2017
SUBJECT: Tabling of the Annual Pecuniary Interest Returns for Councillors and Staff

RECOMMENDATION

That Council note that the annual pecuniary interest returns of Councillors and designated persons holding office and occupying positions within Council, as at 30 June 2017, are tabled before this meeting, in accordance with section 450A of the *Local Government Act* 1993.

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.

ITEM NO: CFO 02
FILE NO: 274049.2017
SUBJECT: Investment Report - September 2017

RECOMMENDATION

That Council receives and notes this report.

COUNCIL DECISION

Motion: **Moved: Clr Hadchiti** **Seconded: Clr Rhodes**

That the recommendation be adopted.

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

ITEM NO: CFO 04
FILE NO: 275725.2017
SUBJECT: Amendment to Council's Investment Policy

RECOMMENDATION

That Council considers and adopts suggested changes to its Investment Policy.

COUNCIL DECISION

Motion: **Moved: Clr Hagarty** **Seconded: Clr Harle**

That Council considers and adopts suggested changes to its Investment Policy and receives a future report on property and investment strategies.

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

ITEM NO: CTTE 04
FILE NO: 267076.2017
SUBJECT: Minutes of the Liverpool Access Committee Meeting held on 14 September 2017

RECOMMENDATION

That Council receives and notes the Minutes of the Liverpool Access Committee Meeting held on Thursday 14 September 2017.

COUNCIL DECISION

Motion: **Moved: Clr Kaliyanda** **Seconded: Clr Hadchiti**

That the recommendation be adopted.

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

ITEM NO: CTTE 05
FILE NO: 270462.2017
SUBJECT: Minutes of the Liverpool Sports Committee Meeting held on 31 August 2017

RECOMMENDATION

That Council receives and notes the Minutes of the Liverpool Sports Committee Meeting held on 31 August 2017.

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 06
FILE NO: 270828.2017
SUBJECT: Minutes of the Local Traffic Committee Meeting held on 20 September 2017

RECOMMENDATION

That Council adopts the following recommendations in accordance with attached Minutes:

- i) Item 1 - Kurrajong Road, Carnes Hill - Proposed extension of existing bus zone
 - Council approves, in principal, extension of the existing bus zones adjacent to Carnes Hill Marketplace along the northern and southern sides of Kurrajong Road by 40m and 20m respectively, in consultation with the local bus companies.
- ii) Item 2 - Pine Road, Casula - Proposed pedestrian refuge at Pine Road intersection
 - Council approves the proposed pedestrian refuge across Ingham Drive, west of Pine Road, Casula.
- iii) Item 3 - Jardine Drive, Edmondson Park - Proposed roundabouts at Buchan Avenue and Rynan Avenue intersections
 - Council approves the installation of two roundabouts, along Jardine Drive at its intersection with Rynan Avenue and Buchan Avenue and the signs and linemarking scheme, along sections of Buchan Avenue, and Jardine Drive, Edmondson Park.
- iv) Item 4 - Anzac Road, Wattle Grove - Proposed pedestrian crossing at Delfin Drive intersection
 - Council notes that the Anzac Road and Delfin Drive Wattle Gove roundabout does not meet the Roads and Maritime Services warrant for a marked pedestrian crossing.
 - Council formalises the existing pedestrian refuges at the Anzac Road and Delfin Drive Wattle Grove roundabout.
- v) Item 5 - Flowerdale Road, Liverpool - Proposed raised threshold at the existing pedestrian crossing
 - Council approves upgrade of the existing combined crossing to a raised threshold and installation of central median island in Flowerdale Road, in front of Liverpool West Public School.
 - Council consults with Liverpool West Public School prior to undertaking the proposed changes to the existing pedestrian facilities, signs and line markings

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

That:

1. Council adopts the following recommendations in accordance with attached Minutes, with the exception of item 5, which has been amended as shown below:
 - i) Item 1 - Kurrajong Road, Carnes Hill - Proposed extension of existing bus zone
 - Council approves, in principal, extension of the existing bus zones adjacent to Carnes Hill Marketplace along the northern and southern sides of Kurrajong Road by 40m and 20m respectively, in consultation with the local bus companies.
 - ii) Item 2 - Pine Road, Casula - Proposed pedestrian refuge at Pine Road intersection
 - Council approves the proposed pedestrian refuge across Ingham Drive, west of Pine Road, Casula.
 - iii) Item 3 - Jardine Drive, Edmondson Park - Proposed roundabouts at Buchan Avenue and Rynan Avenue intersections
 - Council approves the installation of two roundabouts, along Jardine Drive at its intersection with Rynan Avenue and Buchan Avenue and the signs and linemarking scheme, along sections of Buchan Avenue, and Jardine Drive, Edmondson Park.
 - iv) Item 4 - Anzac Road, Wattle Grove - Proposed pedestrian crossing at Delfin Drive intersection
 - Council notes that the Anzac Road and Delfin Drive Wattle Gove roundabout does not meet the Roads and Maritime Services warrant for a marked pedestrian crossing.
 - Council formalises the existing pedestrian refuges at the Anzac Road and Delfin Drive Wattle Grove roundabout.
 - v) Item 5 - Flowerdale Road, Liverpool - Proposed raised threshold at the existing pedestrian crossing.
 - This matter is to be referred back to the Traffic Committee for review and returned to Council at the December 2017 Council meeting.
2. The Traffic Committee review the "No Parking" sign on Macquarie Street in front of the medical centre next to the Macquarie Hotel.

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

ITEM NO: CTTE 07
FILE NO: 274632.2017
SUBJECT: Strategic Panel

RECOMMENDATION

That Council receives and notes the Minutes of the Strategic Panel Meeting held on 9 October 2017.

COUNCIL DECISION

Motion: **Moved: Cllr Kaliyanda** **Seconded: Cllr 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: 281465.2017
SUBJECT: Question with Notice - Clr Rhodes

BACKGROUND

Part 3 of the Council resolution from 30 August 2017 regarding DPG 02 Tourism Report, it was resolved that:

“Council reinstate the Tourism and Events Committee and its Charter and be ready for commencement in November 2017”.

QUESTIONS

Please address the following:

Have you set a date for the commencement of the Tourism and Events Committee in November and if so what is that date?

Clr Rhodes no longer requires a response to this question as it was answered in item DPG 03 Tourism and Events Committee Update of this meeting.

ITEM NO: QWN 02
FILE NO: 283992.2017
SUBJECT: Question with Notice - C/r Rhodes

Biodiversity Strategic and Management Plan and Liverpool CBD Street Tree and Landscape Management Plan

Council recently removed several trees from the Liverpool CBD area. Several trees of substantial age and canopy cover have been removed from Governor Macquarie Drive Warwick Farm, as well as several more trees that have been recently marked for removal along Moorebank and Anzac Roads, Moorebank one of which is possibly an aboriginal Scar Tree and others that are on the Significant Tree list.

Noting Liverpool's Biodiversity Strategy and Management Plan was last updated in 2012 and the current Liverpool CBD Street Tree and Landscape Management Plan has mapped strategies and a projected delivery of canopy cover in the Liverpool CBD.

QUESTIONS

Please address the following:

1. Can Council advise on what progress has been made towards targets for canopy delivery in the Liverpool CBD in accordance with the Urban Streetscape Management Plan?
2. What percentage of forest area has been lost in the Liverpool LGA as a result of new development over the last 5 years?
3. What has been the total financial contributions from new developments in the Liverpool LGA towards the biodiversity targets for canopy cover over the last 5 years?
4. What has been the total tree replacement contribution from new developments into Biobanking and or trees offset in public places, parks or private land?
5. What is the percentage of significant trees affected by new development in the Liverpool LGA and managed in the Biodiversity Strategy and Management Plans, Liverpool Council Tree Management Plans and Council Planning Instruments that have been saved from removal over the past 5 years?
6. What is the percentage of significant trees affected by new development in the Liverpool LGA and managed in the Biodiversity Strategy and Management Plans, Liverpool Council Tree Management Plans and Council Planning Instruments that have been removed over the past 5 years?
7. Are Council's subcontract agreements for tree removal in the Liverpool LGA based on an agreement of an estimated quota for number of tree removals per contractual agreement or are the agreements on an "as needed" agreement only?

A response to these questions will be provided in the November 2017 Business Papers.

ITEM NO: QWN 03
FILE NO: 284019.2017
SUBJECT: Question with Notice - Clr Harle

BACKGROUND

Public Speakers at the Council meeting of the 30th July 2017 raised concerns regarding a substantial amount of soil, shale and unclean fill brought onto the New Bright Golf Club at Stewart Avenue Hammondville.

The DA dealing with this matter is: DP 1193300; DA 517/2013

<https://eplanning.liverpool.nsw.gov.au/Pages/XC.Track/SearchApplication.aspx?id=264457>

Residents of the area raised concerns re large amounts of fill brought onto the site, the type of fill and possible flooding effects on the area over time.

QUESTIONS

Please address the following:

1. Has Council investigated the concerns raised by residents and responded to emails?
2. Has Council inspected the site to ensure it complies with DA specifications?
3. Has the EPA inspected the site and raised any concerns?
4. Specifically:
 - a. Does the fill comply with the DA conditions?
 - b. What is the total amount of fill allowed to be brought onto the site? Or
 - c. What is the increased ground height and does that comply with DA requirements?
 - d. What is the type of fill material and source?
 - e. Are there any restrictions as to the specific area that the fill can be deposited?
 - f. Are there any "leaching effects" of the fill onto the surrounding area and or water quality?
 - g. Are there any detrimental effects of flooding in the area that may be caused by the quantity of this fill?

A response to these questions will be provided in the November 2017 Business Papers.

NOTICES OF MOTION

ITEM NO: NOM 01
FILE NO: 283168.2017
SUBJECT: New Train Timetable

BACKGROUND

The State Government recently unveiled the new draft train timetable for Sydney, 'More trains, more services'. According to the Department of Transport, the timetable is an effort to 'spread demand more evenly across the network'. Unfortunately, in that effort, Liverpool has lost out again.

Aspects of this new timetable include:

- Trains from Liverpool to the CBD via the Granville line will take an additional 12 minutes during peak.
- Despite earlier reports of an express service, the new City via Bankstown service will take 54 minutes during the morning peak. The same length of time as the current City via Granville service.
- There are currently 13 services in the morning peak via Granville, there will now be 9 via Bankstown.
- No major changes to the Cumberland line, a route currently serviced by overcrowded and outdated 4 carriage trains that run every half hour during peak.

Earlier this month Council posted a video to our Facebook page where I addressed some of the issues with the new draft timetable outlined above. The response has been overwhelming, as of October 12, the video has had over 20,000 views, 350 likes and 250 comments. A vast majority of the comments have expressed disappointment and anger with the new timetable.

This is a clear mandate from our community to act.

Other major population centres in Western Sydney such as Campbelltown, Blacktown, Penrith and Parramatta have a genuine express service to the CBD. Liverpool deserves better.

NOTICE OF MOTION (submitted by Cllr Hagarty)

That Council:

1. Write to the Minister for Transport expressing Liverpool Council's and our community's disappointment in to the new draft timetable;

Foreshadowed motion: **Moved: Clr Rhodes** **Seconded: Clr Hadchiti**

That Council

1. Research all Council's options offered by the Cities Power Partnership, the State Government Climate Change Fund Strategy, Plan to Save NSW Energy and Money and WSROC's participation in such plans and report to the Strategic Panel so that all options can be carefully tabled and considered to avoid duplication and permit Council to determine what will be the best and the most efficient means for Council to address these issues and with whom such engagements should be made.
2. After point 1 is carried out, then Council write to the CEO of the Climate Council of Australia requesting Liverpool City Council participate in the next round of the Cities Power Partnership.

On being put to the meeting the motion (moved by Clr Hagarty) was declared LOST.

Division called (motion moved by Clr Hagarty):

Vote for: Clr Hagarty
 Clr Kaliyanda
 Clr Karnib
 Clr Shelton

Vote against: Mayor Waller
 Clr Ayyad
 Clr Balloot
 Clr Hadchiti
 Clr Hadid
 Clr Harle
 Clr Rhodes

The Foreshadowed motion (moved by Clr Rhodes) then became the motion and on being put to the meeting was declared CARRIED.

Division called (motion moved by Clr Rhodes):

Vote for: Clr Ayyad
 Clr Balloot
 Clr Hadchiti
 Clr Hadid
 Clr Harle
 Clr Kaliyanda
 Clr Rhodes

Vote against: Mayor Waller
 Clr Karnib
 Clr Hagarty
 Clr Shelton

ITEM NO: NOM 03
FILE NO: 284056.2017
SUBJECT: Compliance Levy

BACKGROUND

Council introduced a 0.25% compliance levy based on construction costs payable on each DA lodged at the application stage.

This was introduced to ensure that moving forward Council had enough resources to ensure that developments remained compliant in the years after being built.

In part it was also to tackle and ensure that Council was on top of things for current developments.

Feedback has been that given the fee is mainly for ongoing compliance and given the fact that a DA may be refused, amended or approved, Council should consider the timing of the fee.

Similar to Section 94 fees, consideration should be given to charging this fee at the 'Prior to the issue of a Construction Certificate' stage.

This then ensures that the correct amount is charged based on the approved construction cost and eliminates the need of issuing refunds if the DA is not approved.

NOTICE OF MOTION (submitted by Cllr Hadchiti)

That Council:

1. Amend the timing of the Compliance Levy to be charged at the 'Prior to the issue of a Construction Certificate' stage, similar to the Section 94 contribution; and
2. All revenue to be used towards development and compliance applications.

COUNCIL DECISION

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

That:

1. Council receive and note the Chief Executive Officer's Comments to the Notice of Motion (as shown below).
2. All revenue to be used towards development and compliance applications.

Foreshadowed motion: Moved: Cllr Shelton Seconded: Cllr Karnib

That Council receive and note the Chief Executive Officer's Comments to the Notice of Motion (as shown below).

On being put to the meeting the motion (moved by Cllr Hadchiti) was declared CARRIED and the foreshadowed motion (moved by Cllr Shelton) LAPSED.

CHIEF EXECUTIVE OFFICER COMMENTS TO THE NOTICE OF MOTION

Section 608 of the *Local Government Act 1993* provides the statutory powers to set fees for a compliance levy. Council requires the levy to be paid at the point of lodgement of a development application because the *Environmental Planning and Assessment Act 1979* does not allow for these fees to be levied with a condition of development consent. Clause 80A of the *Environmental Planning & Assessment Act 1979* sets out the provisions for conditions on a development consents. The provisions only permit conditions that levy fees for either section 94 contributions or a security payment for potential damage to council land or property.

Therefore, a condition requiring the payment of a compliance levy prior to the issue of a construction certificate is not enforceable. The point of lodgement of a development application is the only time that council can require the payment of a compliance levy.

Any compliance levy paid is fully refunded if the development application is withdrawn or refused.

The compliance levy is 0.25% of the capital investment value (CIV) of a proposed development. Calculating CIV requires detailed cost estimation and as such the CIV should not vary significantly between the development application and construction certificate submission stages of a development.

Council resolved in its meeting on 30 September 2015 to charge a compliance levy to provide resources to ensure compliance with the appropriate legislation, given the predicted growth and development within the Liverpool Council area.

Attached is the Council report and publicly available fact sheet which addresses the compliance activities Council is undertaking.

Council's Financial team has provided the following summary of the cost of recurring compliance activities. There is a small amount of the levy which is unspent. A business case is under consideration to increase staffing numbers in the compliance area to meet current operational requirements with any costs to come from the unspent levy amounts.

Recurring Compliance Activities	Actuals		Budget
	FY 15/16	FY 16/17	FY 17/18
Revenue from Environmental Compliance Levy	-1,262,738	-3,145,767	-2,710,000
Employee Costs	869,775	2,378,746	2,201,139
Legal Costs	127,291	197,079	102,000
Tipping Fees	183,686	125,828	147,514
Total Expenditure	1,180,752	2,701,653	2,450,653
(Surplus) / Shortfall	-81,986	-444,115	-259,347

ITEM NO: NOM 04
FILE NO: 284076.2017
SUBJECT: Eleventh Avenue, Austral

BACKGROUND

St Anthony’s are currently constructing an educational establishment at 140 Eleventh Ave Austral.

As part of their DA conditions they have also constructed the half road on Eleventh Ave. Across the road is land owned by Council and the part of it fronts to Craik Park.

Currently there is confusion of where to drive on the road and given that there will be an influx of children in the area, this will be a safety hazard.

Given that we now have half a road built and given that Council is responsible for the other half, consideration should be given to proceed with the construction of the road which is Council responsibility which fronts Craik Park.

NOTICE OF MOTION (submitted by Clr Hadchiti)

That Council:

- 1. Prepare costings on the construction of half the road which fronts Craik Park;
- 2. Direct the CEO to find a funding source if the construction does not qualify for funding under the Section 94 plan for that area; and
- 3. Report back to Council at the second February 2018 meeting.

COUNCIL DECISION

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

That Council receive and note the Chief Executive Officer’s Comments to the Notice of Motion (as shown below).

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

CHIEF EXECUTIVE OFFICER COMMENTS TO THE NOTICE OF MOTION

St Anthony’s of Padua Catholic School, Austral at 140 Eleventh Avenue, Austral opened in early 2017.

The school is in the Austral and North Leppington precinct. The precinct was released in March 2013 and new planning controls were introduced by the NSW Department of Planning & Environment (DPE), in consultation with Council, to enable urban development.

The planning controls include an Indicative Road Layout (ILP) with a road network and associated configurations, recommended to accommodate the planned urban development. The ILP includes reconstruction of most of the existing rural roads including Eleventh Avenue.

Most of the required new roads are being progressively constructed by land developers as subdivisions proceed. In addition to the planning controls, a Section 94 Contributions Plan 2014 (for the precinct) has been adopted to fund other new or upgraded infrastructure.

In keeping with the development assessment policies, used by several Councils, the consent conditions for the construction of the St Anthony's of Padua Catholic School included reconstruction to half road width of Eleventh Avenue, fronting the development site.

The Section 94 plan appropriately includes the reconstruction of half the road width of a 325m road section of Eleventh Avenue, east of Fourth Avenue, including the portion fronting the school and the reserve. The plan includes a funding allocation of \$742,000.

The monetary contribution collected to date for the whole Roads & Traffic Facilities component in the Contributions Plan is \$493,145.

Eleventh Avenue is currently a rural road with a carriage way width of approximately 6m with unsealed road shoulders and without kerb and guttering, hence the half road construction recently completed by the school has created confusion for motorists as raised in this NOM. To address this concern, Council will linemark to demarcate opposing traffic movements.

Council is carrying out design investigation for the required reconstruction of the remaining half road. A cost estimate with possible timing for the reconstruction will be provided to Council's meetings in the December 2017.

Subject to funding availability and approval, the reconstruction would be carried out in 2018.

ITEM NO: NOM 05
FILE NO: 284088.2017
SUBJECT: Section 94 Contributions

BACKGROUND

The Local Government Area is experiencing growth and with growth comes the need for Council to supply more and new community infrastructure.

Infill development is on the rise and Section 94 contributions for those areas seems to be outdated and should be reviewed immediately to ensure that Council has the funds required to ensure that infrastructure is built.

NOTICE OF MOTION (submitted by Clr Hadchiti)

That Council:

1. Direct the CEO to prepare a timeline for a review of the Section 94 Contributions plan; and
2. Report the timeline back to Council in the December meeting.

COUNCIL DECISION

Motion: **Moved: Clr Hadchiti** **Seconded: Clr Ayyad**

That the motion (submitted by Clr Hadchiti) be adopted.

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

.....
 Chairperson

ITEM NO: NOM 06
FILE NO: 284111.2017
SUBJECT: City Centre Renewal

BACKGROUND

Council currently has Amendment 52 to the LLEP before the Department of Planning and should be gazetted by year end.

Amendment 52 focuses on the City Centre Core and is designed to stimulate development and activity within the CBD.

Bonuses will apply to sites based on meeting certain criteria, including size of the land.

The next layer around the core is experiencing growth and what we are seeing is a mix of new development next to older development.

Currently within the CBD under LLEP Section 4.4 Floor Space Ratio, bonuses are given to encourage the amalgamation of sites which produces a better quality built form.

These bonuses start if you have a site area greater than 1000sqm and top out at sites that have a total area of greater than 2500sqm. Standard height limits apply.

Council should give consideration to applying a new level of bonus to the FSR and possibly height to encourage consolidation and redevelopment of the older style building.

Given there is a mismatch between height limits and FSR, it might be possible to, under a new plan, keep height limits the same yet remove increase of the FSR.

NOTICE OF MOTION (submitted by Cllr Hadchiti)

That Council:

1. Direct the CEO to undertake an issues and options report for areas in the city centre not affected by amendment 52 to encourage consolidation of lots and redevelopment opportunities for older housing stock and to consider the viability of an amended bonus scheme;
2. Investigate a bonus scheme which encourages/mandates roof top gardens on RFB's; and
3. Report the findings to the second meeting in February 2018.

COUNCIL DECISION

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

That Council:

1. Direct the CEO to undertake an issues and options report for areas in the city centre not affected by amendment 52 to encourage consolidation of lots and redevelopment opportunities for older housing stock and to consider the viability of an amended bonus scheme subject to this being in line with the draft district plan;
2. Investigate a bonus scheme which encourages/mandates roof top gardens on RFB's; and
3. Staff report the findings to a Council meeting in a reasonable amount of time.

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

.....
 Chairperson

COUNCIL IN CLOSED SESSION

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

That Council move into Closed Session to deal with items CONF 01 and CONF 02 pursuant to:

- The provisions of s10A(2)(c) of the Local Government Act 1993 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; and
- The provisions of s10A(2)(g) of the Local Government Act 1993 because it contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

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

To allow time for the gallery to leave the Chambers, Mayor Waller called a short recess at 8.08pm.

Mayor Waller resumed the meeting in Closed Session at 8.17pm.

ITEM NO: CONF 01
FILE NO: 217831.2017
SUBJECT: Former Council Administration Centre, 1 Hoxton Park Road, Liverpool

RECOMMENDATION

That Council:

1. Delegate authority to the Chief Executive Officer to finalise negotiations and purchase part of Lot 103 DP 877139, comprising an area of approximately 12,950 square metres for the sum set out in the confidential report of staff, from the Health Administration Corporation;
2. In the event negotiations are successful, direct that any documentation required to give effect to the purchase be executed under Power of Attorney;
3. Upon settlement of the acquisition, classifies the land so purchased, being 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; and

Vote for: Mayor Waller
Clr Ayyad
Clr Balloot
Clr Hadchiti
Clr Hadid
Clr Hagarty
Clr Kaliyanda
Clr Karnib
Clr Shelton

Vote against: Clr Harle
Clr Rhodes

ITEM NO: CONF 02
FILE NO: 275615.2017
SUBJECT: Legal Affairs Report

RECOMMENDATION

That Council receives and notes the report concerning the Legal Affairs of Council.

COUNCIL DECISION

Motion: **Moved: Cllr Hadchiti** **Seconded: Cllr Rhodes**

That the recommendation be adopted.

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

MOTION TO MOVE INTO OPEN SESSION

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

That Council move back into Open Session.

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

Mayor Waller reopened the meeting at 8.50pm and read resolutions relating to the following items which were passed in Closed Session:

- CONF 01 Former Council Administration Centre, 1 Hoxton Park Road, Liverpool; and
- CONF 02 Legal Affairs Report

PRESENTATIONS

The Mayor advised that during last week's Toda delegation to Liverpool to celebrate the 25th anniversary of the Sister Cities relationship with Toda, she was presented with a Happy Coat which relates to the Tokyo 2020 Olympics. Due to its significance, she presented it to the Chief Executive Officer at the meeting for it to be preserved appropriately.

THE MEETING CLOSED AT 8.54pm.

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 22 November 2017

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 25 October 2017. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.



**MINUTES OF THE ORDINARY MEETING
HELD ON 22 NOVEMBER 2017**

PRESENT:

- Mayor Wendy Waller
- Councillor Ayyad
- Councillor Balloot
- Councillor Hadchiti
- Councillor Hadid
- Councillor Hagarty
- Councillor Harle
- Councillor Kaliyanda
- Councillor Karnib
- Councillor Rhodes
- Councillor Shelton
- Ms Kiersten Fishburn, Chief Executive Officer
- Mr Tim Moore, Director City Economy and Growth / Deputy CEO
- Mr Chris White, Director City Corporate
- Dr Eddie Jackson, Director City Community and Culture
- Mr Stephen Joannidis, Acting Director City Presentation
- Mr Raj Autar, Director City Infrastructure and Environment

The meeting commenced at 6.08pm.

OPENING	6.08pm.
ACKNOWLEDGMENT OF COUNTRY, PRAYER OF COUNCIL AND AFFIRMATION TO BE READ BY	The prayer of the Council was read by Pastor by John Keane from West Hoxton Community Church.
NATIONAL ANTHEM	The national anthem was played at the meeting.
APOLOGIES	Nil

CONDOLENCES Nil

CONFIRMATION OF MINUTES

Motion: Moved: Clr Hadchiti Seconded: Clr Hadid

1. That the minutes of the Ordinary Meeting held on 25 October 2017 be confirmed as a true record of that meeting.
2. In relation to item "CEO 03 Voting Delegates for the 2017 Local Government NSW Annual Conference" of that meeting, Mayor Waller advised that she will now be unable to attend the conference and will be transferring her voting rights to Clr Shelton.

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

DECLARATIONS OF INTEREST

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

Item DCC 02: Grants, Donations and Corporate Sponsorship

Reason: Clr Shelton is a member of the Liverpool Genealogy Society which is one of the organisations that have applied for a grant.

Clr Shelton left the meeting for the duration of the item.

PUBLIC FORUM

Presentation – items not on agenda

1. **Mr Ian Bailey** addressed the Council on the following matter:
 Summary of topics spoken at Council meetings in 2017 by Mr Bailey.
2. **Ellen Russell** addressed the Council on the following item:
 Commemoration of the Battle of Beersheba.

Representation – items on agenda

Nil.

Motion of Urgency

Motion: **Moved Cllr Hadchiti** **Seconded Cllr Ayyad**

That Council, as a matter of urgency, move into Closed Session to deal with the following matter at the end of the meeting, pursuant to the provisions of s10A(2)(a) of the Local Government Act because it contains personnel matters concerning particular individuals (other than councillors):

- Staffing matter which also involves a resident.

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

CITY ECONOMY AND GROWTH REPORT

ITEM NO: DPG 01
FILE NO: 253224.2017
SUBJECT: Development and Subdivision of Land Policy

RECOMMENDATION

That Council:

- 1. Adopt the revised Development and Subdivision of Land policy included as **Attachment 1** to the report as a Council Policy; and
- 2. Include the Development and Subdivision of Land policy on Council's Policy Register and website.

COUNCIL DECISION

Motion: **Moved: Cllr Shelton** **Seconded: Cllr Rhodes**

That the matter be deferred and considered at the December 2017 Council meeting.

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

.....
Chairperson

ITEM NO: DPG 02
FILE NO: 291630.2017
SUBJECT: Street and Park Naming

RECOMMENDATION

That Council:

- 1. Supports the street and park names noted in this report; and
- 2. Delegates to the Chief Executive Officer (CEO) to begin the process of gazettal.

COUNCIL DECISION

Motion: **Moved: Clr Hagarty** **Seconded: Clr Ayyad**

That the recommendation be adopted.

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

ITEM NO: DPG 03
FILE NO: 292590.2017
SUBJECT: Proposal to position Liverpool as an Innovation City

RECOMMENDATION

That Council:

1. Endorse the proposal for a 12-month trial of a City Innovation Coordinator;
2. Refer the question of funding for the role to the Budget Review Panel for consideration as part of the second quarter budget review process;
3. Direct the CEO to raise a proposal for additional budget funding, to be directed toward a possible partnership with a start-up accelerator, to the Budget Review Panel; and
4. Direct the CEO to report to Council on the progress of this initiative within 6 months of the appointment of the City Innovation Coordinator.

COUNCIL DECISION

Motion: **Moved: Cllr Kaliyanda** **Seconded: Cllr Hagarty**

That the recommendation be adopted.

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

CITY COMMUNITY AND CULTURE REPORT

ITEM NO: DCC 01
FILE NO: 291902.2017
SUBJECT: Problem Gambling, Alcohol and Drug Dependency and Addiction

RECOMMENDATION

That Council receives and notes this report.

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 and asked that this be recorded in the minutes.

Clr Shelton returned to the meeting at 6.49pm.

CITY CORPORATE REPORT

ITEM NO: CFO 01
FILE NO: 300865.2017
SUBJECT: Budget Review - September 2017

RECOMMENDATION

That Council:

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

COUNCIL DECISION

Motion: **Moved: Clr Hagarty** **Seconded: Clr Kaliyanda**

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: 284031.2017
SUBJECT: Question with Notice - Clr Harle

BACKGROUND

Public Speakers at the Council meeting of the 30th July 2017 raised concerns regarding a substantial amount of soil, shale and unclean fill brought onto the New Bright Golf Club at Stewart Avenue Hammondville.

The DA dealing with this matter is: DP 1193300; DA 517/2013
<https://eplanning.liverpool.nsw.gov.au/Pages/XC.Track/SearchApplication.aspx?id=264457>

Residents of the area raised concerns re large amounts of fill brought onto the site, the type of fill and possible flooding effects on the area over time.

Please address the following:

1. Has Council investigated the concerns raised by residents and responded to emails?
2. Has Council inspected the site to ensure it complies with DA specifications?
3. Has the EPA inspected the site and raised any concerns?
4. Specifically:
 - a. Does the fill comply with the DA conditions?
 - b. What is the total amount of fill allowed to be brought onto the site? Or
 - c. What is the increased ground height and does that comply with DA requirements?
 - d. What is the type of fill material and source?
 - e. Are there any restrictions as to the specific area that the fill can be deposited?
 - f. Are there any "leaching effects" of the fill onto the surrounding area and or water quality?
 - g. Are there any detrimental effects of flooding in the area that may be caused by the quantity of this fill?

COUNCIL RESPONSE

Council officers have inspected the site in regards to concerns raised and to determine if the conditions of development consent are being complied with. As a result, Council officers have determined that there are a number of conditions that are not being complied with.

A notice has been issued to New Brighton Golf Club Ltd requesting compliance with a number of development consent conditions and submission of further information regarding the imported fill.

Council officers will follow up to ensure compliance with the notice. If satisfactory information is not provided by mid-November, an order will be issued with 28 days to comply. Once the requested information is submitted Council will be in a position to address specific questions in regards to quantity and quality of fill material.

ITEM NO: QWN 02
FILE NO: 284036.2017
SUBJECT: Question with Notice - C/r Rhodes

BACKGROUND

Biodiversity Strategic and Management Plan and Liverpool CBD Street Tree and Landscape Management Plan

Council recently removed several trees from the Liverpool CBD area. Several trees of substantial age and canopy cover have been removed from Governor Macquarie Drive Warwick Farm, as well as several more trees that have been recently marked for removal along Moorebank and Anzac Roads, Moorebank one of which is possibly an aboriginal Scar Tree and others that are on the Significant Tree list.

Noting Liverpool's Biodiversity Strategy and Management Plan was last updated in 2012 and the current Liverpool CBD Street Tree and Landscape Management Plan has mapped strategies and a projected delivery of canopy cover in the Liverpool CBD.

Please address the following:

1. Can Council advise on what progress has been made towards targets for canopy delivery in the Liverpool CBD in accordance with the Urban Streetscape Management Plan?
2. What percentage of forest area has been lost in the Liverpool LGA as a result of new development over the last 5 years?
3. What has been the total financial contributions from new developments in the Liverpool LGA towards the biodiversity targets for canopy cover over the last 5 years?
4. What has been the total tree replacement contribution from new developments into Biobanking and or trees offset in public places, parks or private land?
5. What is the percentage of significant trees affected by new development in the Liverpool LGA and managed in the Biodiversity Strategy and Management Plans, Liverpool Council Tree Management Plans and Council Planning Instruments that have been saved from removal over the past 5 years?
6. What is the percentage of significant trees affected by new development in the Liverpool LGA and managed in the Biodiversity Strategy and Management Plans, Liverpool Council Tree Management Plans and Council Planning Instruments that have been removed over the past 5 years?

- 7. Are Council’s subcontract agreements for tree removal in the Liverpool LGA based on an agreement of an estimated quota for number of tree removals per contractual agreement or are the agreements on an “as needed” agreement only?

COUNCIL RESPONSE

Council staff comment on trees removed from Liverpool CBD, Governor Macquarie Drive

Several trees have been removed along Governor Macquarie Drive, and have been the subject of approval through various development applications which were accompanied by vegetation management plans.

Replacement vegetation and regeneration of vegetation also forms part of the approved development.

Council staff comment on trees to be removed along Moorebank Avenue and Anzac Rd

These trees are located on the Moorebank Intermodal sites and as such any removal of trees and vegetation is to be undertaken in accordance with the approvals that have been issued by the Department of Planning and Environment. Council is not the consent authority or compliance authority for the Intermodal development which is State Significant Development.

Please address the following:

- 1. Can council advise on what progress has been made towards targets for Canopy delivery in the Liverpool CBD in accordance with the Urban Streetscape Management Plan?**

Council does not have an Urban Streetscape Management Plan. Council has a Liverpool CBD Public Domain Strategy and a Liverpool CBD Street Tree and Landscape Strategy.

Developers are required to plant street trees and street paving as part of any redevelopment of their site, along the frontage of their site.

There is no specific budget allocation for a street tree planting program within the CBD. Tree planning within the CBD is generally undertaken in conjunction with the delivery of programmed infrastructure improvement projects eg. replacement of Kerb & Gutter or footpaths.

Street trees and paving requirements are considered at DA stage and are conditioned to comply with Council’s guidelines.

2. What percentage of forest area has been lost in the Liverpool LGA as a result of new development over the last 5 years?

Based on the vegetation mapping completed in 2016, total reduction in the cover of native vegetation mapped within the LGA is approximately 2.9% since 2012. Council does not have information on the clearance of non-native vegetation and landscaping.

Assessment of DAs considers landscape plans and street tree planting aimed at enhancing the tree canopy in new housing release areas.

3. What has been the total financial contributions from new developments in the Liverpool LGA towards the biodiversity targets for canopy cover over the last 5 years?

Council does not levy s94 contributions specifically for trees under the current s94 Plans. However, Council does levy for embellishment of parks and open space including Woodward Park, Pioneer Park, Bigge Park and George's River Foreshore. The Liverpool Contributions Plan (Liverpool City Centre) identifies \$22m for embellishment works for the above parks. Council has expended \$3.76m from the s94 fund and as at 8/11/17 has \$9.2m in reserve.

In addition, Council has a Township Improvement Fund (levied through rates). These funds are used towards public domain improvements in the City Centre and includes parks and public squares, street tree planting, street paving, public art, lighting and improved signage.

4. What has been the total tree replacement contribution from new developments into Biobanking and or trees offset in public places, parks or private land.

Council does not have a bio-banking or tree off set policy and does not currently have a tree pricing policy, though one is under consideration. In addition, there are no established bio-banking sites that council manages.

5. What is the percentage of significant trees affected by new development in the Liverpool LGA and managed in the Biodiversity Strategy and Management Plans, Liverpool Council Tree Management Plans and Council Planning Instruments that have been saved from removal over the past 5 years?

Council does not have data on this.

6. What is the percentage of significant trees affected by new development in the Liverpool LGA and managed in the Biodiversity Strategy and Management Plans, Liverpool Council Tree Management Plans and Council Planning Instruments that have been removed over the past 5 years?

The impact of tree removal is a matter for consideration as part of all development applications, however Council does not have data on the percentage of trees affected by development.

- 7. Are Council's subcontract agreements for tree removal in the Liverpool LGA based on an agreement of an estimated quota for number of tree removals per contractual agreement or are the agreements on an "as needed" agreement only?**

Agreements are on an "as needed" basis only.

NOTICES OF MOTION

ITEM NO: NOM 01
FILE NO: 310253.2017
SUBJECT: Exemption from IHAP Changes

BACKGROUND

In 1997, Liverpool was the first Council in the state to introduce an Independent Hearing and Assessment Panel (IHAP). For over 20 years Liverpool has led the way in ensuring independent expert advice is considered alongside the voice of community's representatives, its Councillors, when making determinations on important or contentious Development Applications (DAs).

In August the State Government passed legislation mandating IHAP for all Councils in Sydney and Wollongong. Despite bearing the same name, these mandated IHAPs have a number of distinct differences to the one that has been in place at Liverpool. Most notably:

- DAs valued between \$5mil and \$30mil will be determined by the IHAP (currently Liverpool's IHAP makes recommendations to Council, Council makes the determination)
- 3 of the 4 panel members will be appointed by the State Minister for Planning with no requirement that the appointees be from the local community or have an understanding of the community
- DAs that have 10 objections from different households will be referred to IHAP (currently this is any 5 objections)

According to the State Government, the rationale for these changes is to address 'inappropriate relationships between councils and developers'. The Independent Commission Against Corruption (ICAC) is the place to deal with inappropriate relationships between Councillors and developers, not planning laws. In addition to ICAC, Liverpool also has an independent internal ombudsman to assess and inquire into customer complaints and refer them to ICAC if necessary.

As a Council with robust and independent governance processes, with a track record of proactive involvement of the community in the planning process in relation to IHAPs, Liverpool, like Councils outside of Sydney and Wollongong, should be exempted from this legislation.

**Clr Ayyad left the meeting at 7.16pm.
Clr Hagarty left the meeting at 7.18pm.**

**Clr Ayyad returned to the meeting at 7.20pm.
Clr Hagarty returned to the meeting at 7.20pm.**

ITEM NO: NOM 02
FILE NO: 312414.2017
SUBJECT: Advocacy Services NDIS

BACKGROUND

According to the 2016 census, 6.2% of the City of Liverpool's population reported needing help in their day-to-day lives due to disability. This is in comparison with 4.9% of the population of Greater Sydney.

Currently the NSW Government funds approximately 50 disability advocacy, information and peak representational organisations services to provide independent supports through the Department of Ageing Disability and Home Care (ADHC). This is about \$13 million per year.

Under bilateral agreements signed by State and Commonwealth governments to assist in funding the National Disability Insurance Scheme all ADHC funding will be given to the Commonwealth after June 30 2018.

Unfortunately, this will leave significant gaps in advocacy, information and representational services for people with disability – the largest single minority group in NSW, and some of our most vulnerable citizens.

Without a seat at the table, champions to fight for us or experts on our side, it is a whole lot harder for people with disability to belong, and for communities to enjoy the full benefits of everyone's voice, agency and participation.

Disability advocacy organisations undertake both individual and systemic advocacy as well as information provision, representation and capacity building. Their key priority is to protect and uphold the rights of people with disability.

The NDIS clearly states that it will not fund advocacy, either in individual plans, or through the Information, Linkages and Capacity Building (ILC) tier of the NDIS.

The National Disability Strategy, of which all governments agreed to adhere, clearly recognises the importance of advocacy, both individual and systemic. It recognises that advocacy is essential in allowing people with disability to have the opportunity to participate in decisions that affect their lives, and advance their rights, wellbeing and interests.

Foreshadowed motion: Moved: Clr Rhodes Seconded: Clr Hadchiti

That:

1. Council write to the NSW Minister for Disability Services to communicate the need for greater advocacy services to be provided in the Liverpool LGA to address the city's 2.7% above average needs for advocacy when compared to other parts of Sydney; and
2. The funding available for advocacy be determined.

On being put to the meeting the motion (moved by Clr Kaliyanda) was declared LOST.

The Foreshadowed motion (moved by Clr Rhodes) then became the motion and on being put to the meeting was declared CARRIED.

Division called (for the Motion moved by Clr Rhodes):

The motion was carried unanimously.

2. Council also provides options as to appropriate budgetary allocations for as much, noting larger sums than in previous years may be required for this purpose; and
3. The matter be referred to the Tourism and Events Committee.

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

Clr Kaliyanda returned to the meeting at 7.32pm.

ITEM NO: CONF 04

FILE NO: 305145.2017

SUBJECT: Liverpool Civic Place, acquisition of adjoining of land

RECOMMENDATION

That Council:

1. Delegate authority to the Chief Executive Officer to finalise negotiations and purchase of Lot 100 DP 877435, Lot 11 DP 522284, Lot 12 DP 657056 comprising an area of approximately 1561 square metres for the sum set out in the confidential report of staff, from Australia New Century International Pty Ltd and Tongda International Tobacco Pty Ltd;
2. Upon settlement of the acquisition, classifies the land so purchased, as 'Operational' land in accordance with the *Local Government Act 1993*;
3. 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;
4. Authorise the execution of any necessary document under Council's Power of Attorney to give effect to this resolution; and
5. Make appropriate adjustments to Council's 17/18 Budget to accommodate the purchase via the Budget Review process, with funding to be via a NSW Treasury Corporation loan.

COUNCIL DECISION

Motion:

Moved: Clr Harle

Seconded: Clr Hagarty

That the recommendation be adopted.

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

MOTION OF URGENCY

Mayor Waller advised that Council would now move into Closed Session to deal with a staff matter pursuant to the provisions of s10A(2)(a) of the Local Government Act because it contains personnel matters concerning particular individuals (other than councillors).

COUNCIL IN CLOSED SESSION

Mayor Waller allowed time for the gallery to leave the meeting.

Mayor Waller continued the meeting in Closed Session at 7.32pm.

COUNCIL DECISION

In accordance with Clause 16.6.2 of Council’s Code of Meeting Practice, the Mayor ruled that the business proposed to be brought forward was not a matter of urgency.

Council staff will liaise with the owners to discuss the matter and Councillors will be kept informed.

COUNCIL IN OPEN SESSION

Motion

Moved: Cllr Hadid

Seconded: Cllr Harle

That Council move back into Open Council.

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

Council moved back into Open Session at 7.47pm.

Mayor Waller advised of her ruling that the matter of urgency was declined and not considered at this meeting.

THE MEETING CLOSED AT 7.48pm.

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 13 December 2017

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 22 November 2017. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.



MINUTES OF THE ORDINARY MEETING HELD ON 13 DECEMBER 2017

PRESENT:

Mayor Wendy Waller
 Councillor Ayyad
 Councillor Ballot
 Councillor Hadchiti
 Councillor Hadid
 Councillor Hagarty
 Councillor Harle
 Councillor Kaliyanda
 Councillor Karnib
 Councillor Rhodes
 Councillor Shelton
 Ms Kiersten Fishburn, Chief Executive Officer
 Mr Tim Moore, Director City Economy and Growth / Deputy CEO
 Mr Chris White, Director City Corporate
 Dr Eddie Jackson, Director City Community and Culture
 Mr David Brodie, Manager City Works
 Mr Raj Autar, Director City Infrastructure and Environment
 Mr John Morgan, Director Property and Commercial Development

The meeting commenced at 6.00pm

OPENING 6.00pm

ACKNOWLEDGMENT OF COUNTRY, PRAYER OF COUNCIL AND AFFIRMATION TO BE READ BY The prayer of the Council was read by Reverend Paul Mosiejczuk from Liverpool Baptist Church.

APOLOGIES Nil

CONDOLENCES Nil

CONFIRMATION OF MINUTES

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

That the minutes of the Ordinary Meeting held on 22 November 2017 be confirmed as a true record of that meeting.

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

DECLARATIONS OF INTEREST

Clr Rhodes declared a pecuniary, interest in the following items:

Items: CONF 05 Tourism & Events Committee Expressions of Interest; and
CONF 06 CBD Committee Expressions of Interest

Reason: One member who is identified in CONF 05 and CONF 06 advertises in a community magazine for Liverpool that Clr Rhodes produces.

Clr Rhodes left the Chambers and was not in the room when voting for these items took place.

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

Item: CTTE 02 Minutes of the Intermodal Committee Meeting held on 14 November 2017

Reason: Clr Hadchiti has a personal conflict arising from the operation of s440 and s440AA of the Local Government Act 1993.

Items: CONF 05 Tourism & Events Committee Expressions of Interest; and
CONF 06 CBD Committee Expressions of Interest

Reason: The people mentioned in the reports may or may not be Liberal Party members.

Clr Hadchiti remained in the Chambers for the duration of the items.

Clr Balloot declared a non-pecuniary, less than significant interest in the following items:

Items: CONF 05 Tourism & Events Committee Expressions of Interest; and
CONF 06 CBD Committee Expressions of Interest

Reason: The people mentioned in the reports may or may not be Liberal Party members.

Clr Balloot remained in the Chambers for the duration of the items.

Clr Shelton declared a non-pecuniary, less than significant interest in the following items:

Items: CONF 05 Tourism & Events Committee Expressions of Interest; and
CONF 06 CBD Committee Expressions of Interest

Reason: Clr Shelton is on the board of Liverpool Chambers of Commerce and Industry Incorporated, with some of the individuals named in the reports.

Clr Shelton remained in the Chambers for the duration of the items.

Clr Hadid declared a non-pecuniary, less than significant interest in the following items:

Items: CONF 05 Tourism & Events Committee Expressions of Interest; and
CONF 06 CBD Committee Expressions of Interest

Reason: One of the nominees named in the reports may be a member of the Liberal Party.

Clr Hadid remained in the Chambers for the duration of the items.

Clr Ayyad declared a non-pecuniary, less than significant interest in the following items:

Items: CONF 05 Tourism & Events Committee Expressions of Interest; and
CONF 06 CBD Committee Expressions of Interest

Reason: The people mentioned in the reports may or may not be Liberal Party members.

Clr Ayyad remained in the Chambers for the duration of the items.

PUBLIC FORUM

Presentation – item not on agenda

1. **Mr Kane Durrant** addressed the Council on the following matter:

Biodiversity and Developments.

Representation – items on agenda

1. **Ms Signe Westerberg** addressed the Council on the following matter:

CTTE 04 Minutes of the Environment Advisory Committee held on 14 November 2017.

2. **Ms Pam Browne** from Moorebank Heritage Group addressed the Council on the following matter:

DCC 03 Grants, Donations and Corporate Sponsorship.

MAYORAL MINUTE

ITEM NO: MAYOR 01
SUBJECT: Robynne Cooke

On Thursday, 21 December 2017, Robynne will finish her tenure as General Manager and bid Liverpool Hospital farewell to take up the position of Executive Director Operations at Western Sydney Local Health District. She commenced her role as General Manager of Liverpool Hospital in April 2014 and has worked previously as the Executive Director of Medical and Continuing Care Services and as the Chief Nursing Officer for Northern Health in Melbourne. She has also worked in other public health organisations across Melbourne as a senior executive for many years.

Ms Cooke's outstanding leadership skills were formally recognised by Deakin University when she received the Deakin University-Health Super Leadership in Nursing and Midwifery Award. She is also a graduate of the Institute of Company Directors. During her time at Liverpool Hospital, Ms Cooke worked with Council to obtain a second Helipad for the hospital. It is thanks to her efforts that Liverpool Hospital remains one of the most reputable hospitals in New South Wales.

Her contributions to our city extend beyond her role of General Manager at Liverpool Hospital. Ms Cooke has maintained a strong relationship with Council, she has been involved in both the Civic Advisory and Economic Development Committees. She has also contributed to the wider Liverpool community, assisting Casula Powerhouse's Cancer Therapy Centre Exhibition, the Arts and Health Program and the RSL Club's Anzac Day Commemorations. Liverpool City Council's Mayor and Councillors also benefited from her help with the Charity Ball and more than \$40,000 was raised for the Hospital's new Healing Garden this year. Ms Cooke was also involved in the launch of the Health and Education Research Precinct Report, which was launched by Greater Sydney Commissioner Lucy Turnbull. The Report will be instrumental in mapping the future of Liverpool and realising the potential of our CBD and capitalizing on our growing health and education assets.

While Ms Cooke's new appointment is no doubt a milestone in her career, it is also a huge loss for the Liverpool Hospital and the Community. She deserves Council's acknowledgement and congratulations for her contributions towards Liverpool Hospital and the wider Liverpool community.

COUNCIL DECISION

Motion: Moved: Mayor Waller

That Council:

1. Congratulates Robynne Cooke on her new appointment as Executive Director Operations at Western Sydney Local Health District.
2. Acknowledges the contribution Robynne Cooke has made to Liverpool Hospital and the broader Liverpool Community.

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

The Chief Executive Officer, Ms Kiersten Fishburn advised that she would need to leave the meeting and Mr Tim Moore stepped in to the position of Acting Chief Executive Officer for the remainder of the meeting.

MAYORAL MINUTE

ITEM NO: MAYOR 02
SUBJECT: Chief Superintendent Peter Gillam APM

Chief Superintendent Peter Gillam grew up in Green Valley and was based at Liverpool police station when he first joined the force as a new recruit in 1978. Since then, he has had long and distinguished career working in a variety of roles from the tactical response unit to the Witness Security Unit and State Protection Unit. He is also a trained police negotiator and was responsible for the development of the NSW Police Force Witness Protection Program.

As Chief Superintendent, Mr Gillam also oversaw the Liverpool Police Station's relocation to the new purpose-built location on Moore Street and ensured that the station ran smoothly during the transition. During his leadership, Liverpool's city centre became one of the safest CBDs in Sydney South West. In 2016, the recorded rate of robbery in our LGA was ranked in the top thirty out of 120 LGAs that have populations greater than 3000.

Chief Superintendent Gillam has also been an active and supportive member of the Liverpool Community by supporting many local organisations. He was the former secretary of the Liverpool Chamber of Commerce and made himself available to present Police reports to the Chamber Monthly Member meetings. Mr Gillam also offered help transporting the members of the Liverpool Justice of the Peace Association to various community service outlets in the LGA. Chief Superintendent Gillam received the Australian Police Medal in January 2016, a significant honour that acknowledges his great contribution.

Chief Superintendent Gillam is preparing to retire in July 2018 and will continue working on a special project for the Police Department until then. At the time of his retirement, he will return to our city a final time for a "March Out" Police tribute in honour of his years of service and commitment to our city. Chief Superintendent Gillam deserves Council's acknowledgement and congratulations for his tireless efforts and vast contributions towards making our city a better place to live.

COUNCIL DECISION

MOTION: MOVED: Mayor Waller

That Council:

1. Congratulates Chief Superintendent Gillam on his retirement.
2. Acknowledges the contribution Chief Superintendent Gillam has made to Liverpool Police and the broader Liverpool Community.

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

CITY ECONOMY AND GROWTH REPORT

ITEM NO: DPG 01

FILE NO: 303241.2017

SUBJECT: Liverpool City Centre Traffic Study 2017 - Draft Implementation Plan

RECOMMENDATION

That Council:

1. Notes the draft scoping and implementation plan;
2. Considers funding allocation for design investigation for a multi-deck car park at the existing Collimore Car Park in the 2018/2019 budget;
3. Continues to work with the RMS and TfNSW for design investigations, and upgrade of Hume Highway/Hoxton Park Road/Macquarie Street intersection; and
4. Continues representations to the State Government to improve regional traffic and transport infrastructure and services in and around the Liverpool City Centre.

COUNCIL DECISION

Motion:

Moved: Clr Hadchiti

Seconded: Clr Hadid

That Council:

1. Notes the draft scoping and implementation plan;
2. Directs the CEO to immediately allocate funding for design investigation for a multi-deck car park at the existing Collimore Car Park in the 2017/2018 budget;
3. Continues to work with the RMS and TfNSW for design investigations, and upgrade of Hume Highway/Hoxton Park Road/Macquarie Street intersection, whilst seeking the support of the Member for Liverpool & Member for Holsworthy to lobby their respective parties;
4. Continues representations to the State Government to improve regional traffic and transport infrastructure, parking and services in and around the Liverpool City Centre; and
5. Move the construction of Collimore Park parking station to the 0-5 year category.

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

Councillors voted unanimously for this motion.

ITEM NO: DPG 03
FILE NO: 317586.2017
SUBJECT: Draft Tourism & Events Committee Charter

RECOMMENDATION

That Council:

1. Endorse the draft Tourism and Events Committee Charter; and
2. Elect three Councillor representatives to the Tourism and Events Committee.

UPDATED RECOMMENDATION

That Council

1. Consider whether or not to leave clause 8.1.2 of the Charter, 'The Mayor (or delegate) will be Chairperson of the Committee'. If this clause is deleted, then the following should be added to Section 8.1: 'The election of a Chairperson will be conducted at the first meeting of the Committee';
2. Amend clause 8.1.3 of the Charter to indicate that, 'Five Councillors, as elected by Council, will sit on the Committee';
3. Endorse the draft Tourism and Events Committee Charter with the appropriate amendments; and
4. Endorse the nomination of the following Councillors to the Committee: Deputy Mayor Ayyad, Clr Balloot, Clr Hadid, Clr Hagarty and Clr Rhodes.

COUNCIL DECISION

Motion: **Moved: Clr Hagarty** **Seconded: Clr Karnib**

That items DPG 03, DGP 04, CONF 05 & CONF 06 be dealt with in Confidential Session at the end of the meeting.

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

ITEM NO: DPG 07
FILE NO: 327086.2017
SUBJECT: Development and Subdivision of Land Policy

RECOMMENDATION

That Council:

1. Adopt the revised Development and Subdivision of Land policy included as **Attachment 1** to the report as a Council Policy; and
2. Include the Development and Subdivision of Land policy on Council’s Policy Register and website.

UPDATED RECOMMENDATION

That Council:

1. Adopt the revised Development and Subdivision of Land policy included as Attachment 1 to the report as a Council Policy, subject to the following changes:

7.3 Determination within 40 days

Planning legislation requires Council to determine applications within 40 days of receipt of the application, or 60 days where the application requires referral to other authorities. Upon determination of any application, a written notification will be sent to the applicant stating that consent has been granted subject to detailed conditions, or that consent has been refused (with reasons).

Under Section 97 of the Environmental Planning and Assessment Act (EP&A Act) 1979, an applicant has the right to appeal an application if it not determined within the above specified timeframes.

7.4 Review of Determination

If an applicant is dissatisfied with a notice of determination (such as a refusal of an application) or the conditions contained within a notice of determination, Section 82A of the EP&A Act allows the applicant to request a review of the determination within six months after the date on which the application is taken to have been determined.

It is recommended that such an application is lodged within 28 days of the determination of the Development Application as the review of determination must be made within six months, as required by the EP&A Act. Refer to a range of other important provisions relating to Section 82A review applications in the EP&A Act.

2. Include the Development and Subdivision of Land policy on Council's Policy Register and website.

COUNCIL DECISION

Motion:

Moved: Clr Rhodes

Seconded: Clr Hadchiti

That the updated recommendation be adopted.

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

CITY COMMUNITY AND CULTURE REPORT

ITEM NO: DCC 01
FILE NO: 319939.2017
SUBJECT: Civic Events and Ceremonial Functions Policy

RECOMMENDATION

That Council adopt the Civic Events and Ceremonial Functions Policy, superseding the Policy adopted on 23 November 2016.

COUNCIL DECISION

Motion: **Moved: Cllr Kaliyanda** **Seconded: Cllr Ayyad**

That Council adopt the Civic Events and Ceremonial Functions Policy, superseding the Policy adopted on 23 November 2016, with the following amendment:

- That the policy be reviewed every 12 months.

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

ITEM NO: DCC 03
FILE NO: 317518.2017
SUBJECT: Grants, Donations and Corporate Sponsorship

RECOMMENDATION

That Council:

- Endorses the funding recommendation for a total amount of \$5,000 (GST exclusive) under the Corporate Sponsorship (Outgoing) Program for the following project:

Applicant	Project	Amount Recommended
Western Sydney Community Forum	ZEST Community Awards	\$5,000

- Endorses the funding recommendation for a total amount of \$14,836 (GST exclusive) under the Matching Grants Program for the following project:

Applicant	Project	Amount Recommended
Moorebank Heritage Group Inc.	Peace comes to Liverpool	\$14,836

COUNCIL DECISION

Motion: **Moved:** Cllr Kaliyanda **Seconded:** Cllr Hadchiti

That the recommendation be adopted.

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

The meeting reopened at 7.29pm with all Councillors present.

ITEM NO: CTTE 02

FILE NO: 323261.2017

SUBJECT: Minutes of the Intermodal Committee Meeting held on 14 November 2017

RECOMMENDATION

That Council:

1. Receive and note the Minutes of the Intermodal Committee Meeting held on 14 November 2017; and
2. Endorse the recommendations in the Minutes.

COUNCIL DECISION

Motion:

Moved: Clr Hagarty

Seconded: Clr Karnib

That Council:

1. Receive and note the Minutes of the Intermodal Committee Meeting held on 14 November 2017;
2. Notes that Committee members with the initials JA, JF and BW were noted as voting against motions 5, 6, 7, 9, 10, 11 and 12 as shown in the minutes; and
3. Endorse the recommendations in the Minutes with the exception of Motion 3 which was not adopted by Council.

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

ITEM NO: CTTE 03
FILE NO: 324465.2017
SUBJECT: Minutes of the Local Traffic Committee Meeting held on 8 November 2017

RECOMMENDATION

That Council adopts the following recommendations in accordance with attached Minutes:

- i) Item 1 - Speed, Shepherd and Atkinson Streets, Liverpool – Decommissioning of Restricted Access Vehicles Route
 - Council approves the decommissioning of the existing restricted access route (heavy vehicles) along Speed Street, Shepherd Street and Atkinson Street, Liverpool.
 - Council requests the Roads and Maritime Services to remove this restricted access route from their records.

- ii) Item 2 - Subdivision of 1450-1489 Camden Valley Way, East Leppington – Proposed signs and linemarking scheme
 - Council approves the signs and linemarking with the revised roundabout design and two 'Give Way signs' for the subdivision of 1450-1486 Camden Valley Way, East Leppington, as shown in Attachments 2.1 to 2.4.
 - Council advises the developer of its decision.

- iii) Item 3 - Cartwright Avenue, Miller – Decommissioning of Bus Stops and Bus Zones
 - Council approves the decommission of the existing bus stops and bus zones along both sides of Cartwright Avenue, Miller, at the front of St. Therese Catholic Primary School, as indicated in the Attachment 3.1.
 - Council advises Transit Systems to decommission the bus stops and bus zones.
 - Council advises the Transport for NSW of its decision.

- iv) Item 4 - Terminus Street, Liverpool – Proposed 'No Right Turn' restriction at its intersection with Charles Street
 - Council approves 'No Right Turn, 6-10am and 3-6pm, Mon-Fri' on Terminus Street at its intersection with Charles Street, Liverpool, as shown in the Attachment 4.1.
 - Council assesses the impact of 'No Right Turn' restrictions at Charles Street and turning movements at the Terminus/Pierre Streets and Pirie/Nagle Street intersections.
 - Council prepares a TMP for the right turn restriction to the Roads and Maritime Services for approval.

- v) Item 5 - Flowerdale Road, Liverpool – Liverpool West Public School – Request for a raised pedestrian crossing

- Council approves the decommissioning of the existing restricted access route (heavy vehicles) along Speed Street, Shepherd Street and Atkinson Street, Liverpool.
 - Council requests the Roads and Maritime Services to remove this restricted access route from their records.
- ii) Item 2 - Subdivision of 1450-1489 Camden Valley Way, East Leppington – Proposed signs and linemarking scheme
- Council approves the signs and linemarking with the revised roundabout design and two ‘Give Way signs’ for the subdivision of 1450-1486 Camden Valley Way, East Leppington, as shown in Attachments 2.1 to 2.4.
 - Council advises the developer of its decision.
- iii) Item 3 - Cartwright Avenue, Miller – Decommissioning of Bus Stops and Bus Zones
- Council approves the decommission of the existing bus stops and bus zones along both sides of Cartwright Avenue, Miller, at the front of St. Therese Catholic Primary School, as indicated in the Attachment 3.1.
 - Council advises Transit Systems to decommission the bus stops and bus zones.
 - Council advises the Transport for NSW of its decision.
- iv) Item 4 - Terminus Street, Liverpool – Proposed ‘No Right Turn’ restriction at its intersection with Charles Street
- Council approves ‘No Right Turn, 6-10am and 3-6pm, Mon-Fri’ on Terminus Street at its intersection with Charles Street, Liverpool, as shown in the Attachment 4.1.
 - Council assesses the impact of ‘No Right Turn’ restrictions at Charles Street and turning movements at the Terminus/Pierre Streets and Pirie/Nagle Street intersections.
 - Council prepares a TMP for the right turn restriction to the Roads and Maritime Services for approval.
- v) Item 5 - Flowerdale Road, Liverpool – Liverpool West Public School – Request for a raised pedestrian crossing
- Council approves the installation of a raised pedestrian threshold across Flowerdale Road, in front of Liverpool West Public School. As indicated in Attachments 5.1 and 5.2.
 - Council advocates as a priority to the RMS for the installation of speed cameras on Flowerdale Road and Council staff report back to Councillors through the CEO Update on the results of that advocacy.
- vi) Item 6 - Macquarie Street, Liverpool – Request for pick up and set down zone
- Council keeps the ‘No Parking’ restriction outside 265 and 269 Macquarie Street, Liverpool and attaches a supplementary “Pick Up and Set Down Only” sign.

- Council to investigate a similar arrangement for the Medical Centre Tigris MDC at 243-245 George Street.

vii) Item 7 - Local Traffic Committee – Meeting dates for 2018

- Council approves the Committee to meet on the following dates in 2018:
 - 24 January 2018
 - 14 March 2018
 - 16 May 2018
 - 18 July 2018
 - 19 September 2018
 - 7 November 2018
- Council places the Local Traffic Committee meeting dates in the Corporate Diary.

viii) Item 8 - 2017-2018 Black Spot Improvement Projects

- Council approves the following traffic facilities:
 - South Liverpool Road and St Johns Road intersection, Busby – Installation of raised threshold and extension of the median islands at the existing roundabout.
 - Congressional Drive, Liverpool – Installation of raised thresholds on both approaches to the 90° bend.
 - Maxwells Avenue, Ashcroft – upgrade of the existing marked pedestrian crossing to a raised threshold with the marked pedestrian crossing.

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

PRESENTATIONS BY COUNCILLORS

Nil

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Chairperson

CONFIDENTIAL ITEMS

ITEM NO: CONF 01
FILE NO: 297384.2017
SUBJECT: Acquisition of Part Lot 3 DP 29317, 25 Rynan Avenue, Edmondson Park, for drainage and open space purposes

RECOMMENDATION

That Council:

1. Approves the acquisition of Lot 16 in a proposed plan of subdivision of Lot 3 DP 29317, 25 Rynan Avenue, Edmondson Park containing an area of approximately 676 square metres for the price and terms outlined in this report;
2. Upon settlement of the acquisition, classifies Lot 16 in a proposed plan of subdivision of Lot 3 DP 29317, as ‘Community’ land;
3. Keeps confidential this report pursuant to the provisions of Section 10A(2)(c) of the *Local Government Act 1993* as this information would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; and
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 Hadchiti** **Seconded: Clr Shelton**

That the recommendation be adopted.

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

Clr Kaliyanda left the Chambers at 8.11pm.

Clr Kaliyanda returned to the Chambers at 8.15pm.

ITEM NO: CONF 07

FILE NO: 333262.2017

SUBJECT: Establishment of a Panel of Conduct Reviewers

RECOMMENDATION

That Council:

1. In accordance with clause 3.1 of the Code of Conduct Procedures, appoints the following panel of conduct reviewers (being the successful tenderers under RCL 2669) for a term of three years with an extension option of one year:
 - a. O' Connell Workplace Relations Pty Ltd;
 - b. Train Reaction Pty Ltd;
 - c. Sinc Solutions Pty Ltd;
 - d. Armris Pty Ltd trading as Pinnacle Integrity; and
 - e. Jan McClelland & Associates Pty Ltd;
2. Makes public its decision regarding the successful tenderers for RCL 2669;
3. Notes that the Chief Executive Officer or delegate will finalise all details and sign the letters of acceptance for the successful tenderers for RCL 2669, giving contractual effect to their individual tenders in accordance with delegated authority; and
4. Keeps confidential the details supplied in this report containing information on the submissions received, under 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 persons who supplied it.

COUNCIL DECISION

Motion:

Moved: Clr Shelton

Seconded: Clr Rhodes

That the recommendation be adopted.

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

Councillors voted unanimously for this motion.

Foreshadowed motion:

Moved: Cllr Rhodes

Seconded: Cllr Harle

That Council:

1. Endorse the draft CBD Committee Charter, with the following amendments:

8.2 Community Representation

8.2.1 The Committee will include up to 15 Community Representatives / strategic stakeholders who either live, work or own a business in the Liverpool CBD and / or are considered strategic stake holders in the Liverpool CBD.

8.2.2 The appointment of community representatives is through an EOI process which will be called for through Council notices through the local media and Councils online platforms.

8.2.3 The appointment of strategic stakeholders will be by special invitation.

2. Elect four Councillor representatives, being Cllr Balloot, Cllr Hadid, Cllr Hagarty and Cllr Rhodes to the CBD Committee.
3. Make corresponding amendments to the Charter to enable the above changes to be made.
4. Initially invite Liverpool Catholic Club, Club Liverpool, Liverpool Hospital, Chamber of Commerce, Belgravia Leisure, University of Western Sydney, University of Wollongong, Riverside Stables and Austral Bowling Club as strategic stakeholders. Further stakeholders may be co-opted if required.
5. The Mayor or their delegate is the Chair of the Committee as per meeting protocol.

On being put to the meeting the motion (moved by Cllr Shelton) was declared LOST.

Division called:

Vote for:

Mayor Waller
Cllr Hagarty
Cllr Kaliyanda
Cllr Karnib
Cllr Shelton

Vote against:

Cllr Ayyad
Cllr Balloot
Cllr Hadid
Cllr Hadchiti
Cllr Harle
Cllr Rhodes

On being put to the meeting the Foreshadowed motion (moved by Cllr Rhodes) then became the motion and on being put to the meeting was declared CARRIED.

Clr Rhodes left the Chambers at 9.27 pm.

ITEM NO: CONF 06
FILE NO: 327266.2017
SUBJECT: CBD Committee Expressions of Interest

RECOMMENDATION

That Council endorse community representatives to the CBD Committee as advised by the Selection Panel.

COUNCIL DECISION

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

That the following applicants be endorsed as community representatives to the CBD Committee:

- George Germanos
- Matthew Sofi
- Adam Anderson
- James Tran
- Tom Wang

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

Clr Rhodes returned to the Chambers at 9.32pm.

MOTION TO MOVE BACK INTO OPEN SESSION

Motion: **Moved: Clr Hagarty** **Seconded: Clr Shelton**

That Council move back into open session.

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

Open Council resumed at 9.32pm.

Mayor Waller read the resolutions (as shown on pages 45 to 50 of these minutes) relating to items DPG 03, CONF 05, DPG 04, CONF 06 which were dealt with during Closed Session.

THE MEETING CLOSED AT 9.35pm.

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 7 February 2018

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 13 December 2017. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.