

**MINUTES OF THE ORDINARY MEETING
HELD ON 6 FEBRUARY 2019**

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
Ms Tina Sangiuliano, Acting Director City Community and Culture
Dr Eddie Jackson, Director City Deal
Mr Peter Patterson, Director City Presentation
Mr Raj Autar, Director City Infrastructure and Environment

The meeting commenced at 6.01pm.

OPENING	6.01pm
ACKNOWLEDGMENT OF COUNTRY, PRAYER OF COUNCIL AND AFFIRMATION TO BE READ BY	The prayer of the Council was read by Minister Bruce Hammonds from Liverpool Presbyterian Church
NATIONAL ANTHEM	The National Anthem, recorded and performed by Rebecca Ferro was played at the meeting.
APOLOGIES	Nil

CONDOLENCES

Ms Cath Penning (read by Mayor Waller)

Catherine Margaret Penning, aged 83, passed away on 23 January 2019 after a long illness. Cath was a member of the Liverpool Netball Association (LNA) for 40 years, serving in various secretarial positions in its executive before becoming President from 1998 to 2018. Cath was also LNA's Representative Manageress for the association's junior representative teams from 1983 to 1990.

Her major contributions to LNA include helping the association acquire its building in Collimore Park and campaigning for the grounds at Woodward Park to be allocated to netball.

In 1991, Cath became the first woman to receive the Leo Sullivan Sports Award and she also won the Liverpool City Heritage Award in the same year. In 1998, she received the Ann Clark Service Award and in 2000, she was an Australian Sports Medal Recipient.

LNA remembers Cath as an integral force in its executive committee and will also miss her deeply as a dear friend of more than 40 years.

On behalf of all at Liverpool City Council, I express my deepest condolences to Cath Penning's family and friends at this difficult time. I am sure that Cath's enthusiasm for sport and her tireless community spirit will live on in all those who had the pleasure of knowing her.

May she rest in peace.

Mr Timothy Proctor (read by Mayor Waller)

Timothy Proctor passed away in Liverpool Hospital on 3 February 2019 after a motor vehicle accident in Lucas Heights on 31 January 2019.

He was 29 years old and worked as a Probationary Constable at the Liverpool Police Area Command. He graduated from the NSW Police Force Academy on 27 April 2018 and his first shift was on 30 April 2018.

Timothy joined the Police Force after volunteering as a fire-fighter. He had a great passion and commitment for all emergency services and the community.

The Liverpool Police Area Command remember Timothy as enthusiastic, diligent, and hardworking.

NSW Police Commissioner Mick Fuller said that Timothy was on his way to a wonderful policing career and was well respected by his colleagues and everyone who knew him.

On behalf of all at Liverpool City Council, I express my deepest condolences to Timothy Proctor's family, in particular his wife Dianne, and friends at this difficult time.

May he rest in peace.

Mr Thomas Alfred Jones JP (read by Mayor Waller)

Thomas Alfred Jones, aged 88, passed away on the 20 December 2018.

Tom served as President of the John Edmondson VC Memorial Club, Club Liverpool from 2008 until the time of his death. He was also Deputy President from 2006 to 2007 and a Club Director from 2001 to 2005. Tom sat on many of the Club's sub-committees including indoor sports, outdoor bowls, snooker and entertainment.

As President of John Edmondson VC Memorial Club, Club Liverpool, Tom contributed to fundraising for many charitable events and causes over the years.

Tom enjoyed giving back to the community, attending annual ClubGrants events and Scholarship presentations at Hurlstone, John Edmondson and Holsworthy High Schools.

Tom had been a member of the Club since 1967 and was also an active member of the City of Liverpool RSL sub-Branch since 1987, attending meetings, events and memorial services for Anzac and Remembrance Day both in his capacity as Club President and a sub-Branch member.

Tom was described as a private man who was very caring and concerned for the Liverpool Area. He will be dearly missed by the local community.

On behalf of all at Liverpool City Council, I express my deepest condolences to Tom's family and friends.

May he rest in peace.

CONFIRMATION OF MINUTES

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

That the minutes of the Ordinary Meeting held on 12 December 2018 be confirmed as a true record of that meeting.

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

DECLARATIONS OF INTEREST

Cllr Rhodes declared a pecuniary interest in the following item:

CONF 03: Tourism and CBD Committee - Community Representative
Reason: One of the individuals named in the report works for an organisation who advertises in "Your Liverpool" which is a publication that Cllr Rhodes produces.

Cllr Rhodes declared a non-pecuniary but significant interest in the following item:

CONF 04: WSROC Contract- WR03-12/13- Road Rehabilitation and Asphalt Services - Contract Extension Request
Reason: Cllr Rhodes is the Treasurer of WSROC.

Cllr Rhodes left the Chambers for the duration of the above two items.

PUBLIC FORUM

Presentation – items not on agenda

Nil

Representation – items on agenda

1. **Dr John Crozier** addressed Council on the following item:

NOM 01 Green Valley Hotel.

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

That a three minute extension of time be given to Dr Crozier.

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

Motion: **Moved: Clr Kaliyanda** **Seconded: Clr Hadid**

That a further three minute extension of time be given to Dr Crozier.

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

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

NOM 01 Green Valley Hotel.

Motion: **Moved: Clr Harle** **Seconded: Clr Shelton**

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

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

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

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

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

3. **Mr Michael Andjelkovic** addressed Council on the following item:

NOM 04 NSW State Government & Federal Government Announcements –
Edmondson Park Train Station Car Parking & Lurnea Community Hub.

Clr Hadid left the Chambers at 6.34pm.

Clr Hadid returned to the Chambers at 6.37pm.

Motion: **Moved: Clr Shelton** **Seconded: Clr Harle**

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

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

NOTICE OF MOTION (submitted by Cllr Harle)

That Council:

1. Write to the Independent Liquor and Gaming Authority (ILGA) requesting an extension of time to reconsider the “Liquor license Application DA 1-7077453741 Green Valley Hotel, MILLER 2168 - extended trading hours application” noting the application was posted (19 December 2018) close to the Christmas/New Year holiday period and closed on 18 January 2019. Some community-based organisations surrounding the pub have suggested they were not notified of the application. Other groups such as school P&Cs may not have been able to consider the application;
2. Liverpool City Council requests that the application be considered by ILGA in the first instance given the likely high level of negative social impact of the application and the existing very high levels of social/economic disadvantage, domestic and non-domestic violence near this licensed premise;
3. Re advertise the DA for Community consultation and consideration;
4. Undertake a review of the DA’s Social Impact Assessment by an industry recognised independent expert and taking into consideration the safety, health and welfare of the Miller community;
5. Reconsider the previous Council DA recommendation based on the Independent review of the Social Impact Assessment;
6. Review and amend Councils SIA procedures to prevent future adverse outcomes involving vulnerable communities within our LGA.; and
7. Receive a report to reflect outcomes of this Motion to be presented to May 2019 Council Meeting.

Mayor Waller called a recess of Council at 6.45pm.

Mayor Waller reopened Council at 6.52pm.

COUNCIL DECISION

Motion:
Kaliyanda

Moved: Cllr Harle

Seconded:

Cllr

That Council:

1. Write to the Independent Liquor and Gaming Authority (ILGA) requesting an extension of time to reconsider the "Liquor license Application 1-7077453741 Green Valley Hotel, MILLER 2168 - extended trading hours application" noting the application was posted (19 December 2018) close to the Christmas/New Year holiday period and closed on 18 January 2019. Some community-based organisations surrounding the pub have suggested they were not notified of the application. Other groups such as school P&Cs may not have been able to consider the application;
2. Liverpool City Council requests that the application be considered by ILGA in the first instance given the likely high level of negative social impact of the application and the existing very high levels of social/economic disadvantage, domestic and non-domestic violence near this licensed premise;
3. Request that the liquor licence application be readvertised for Community consultation and consideration;
4. Review the liquor licence application's Social Impact Assessment by an industry recognised Independent expert and taking into consideration the safety, health and welfare of the Miller community;
5. Reconsider the previous Council DA recommendation based on the Independent review of the Social Impact Assessment;
6. Review and amend Councils SIA procedures to prevent future adverse outcomes involving vulnerable communities within our LGA;
7. Receive a report to reflect outcomes of this motion, presented to May 2019 Council meeting;
8. Is informed (through the CEO Update or similar) when an application for a proposal or an amendment to a licence goes to ILGA for liquor or gaming; and
9. Direct the CEO to continue to work with ILGA to improve the liquor licence consultation processes.

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

Councillors voted unanimously for this motion.

2. Receive a report in March 2019 detailing any submissions received and for the adoption of the Destination Management Plan, or if no submissions are received, delegate to the CEO to adopt the plan.

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

ITEM NO: EGROW 02
FILE NO: 353398.2018
SUBJECT: Adoption of City Innovation Strategy

RECOMMENDATION

That Council adopt the Liverpool City Innovation Strategy.

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.

CHIEF EXECUTIVE OFFICER REPORT

ITEM NO: CEO 01
FILE NO: 013140.2019
SUBJECT: Councillor Induction and Professional Development Program

RECOMMENDATION

That Council:

1. Adopt the Councillor Induction and Professional Development Policy attached to the report;
2. Direct the CEO to commence the development of an ongoing professional development plan for the Mayor and each Councillor; and
3. Amend Council's Civic Expenses and Facilities Policy to allow for the CEO to determine and approve funds for professional development activities.

COUNCIL DECISION

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

That Council:

1. Adopt the Councillor Induction and Professional Development Policy attached to the report (with the inclusion of point 4 of this resolution);
2. Direct the CEO to commence the development of an ongoing professional development plan for the Mayor and each Councillor;
3. Amend Council's Civic Expenses and Facilities Policy to allow for the CEO to determine and approve funds for professional development activities; and
4. Include a clause in the Policy that it be strongly recommended that any new Councillor do the Local Government Director's Course within 12 months of becoming a Liverpool Councillor.

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

ITEM NO: CEO 02
FILE NO: 323133.2018
SUBJECT: Councillor Access to Information and Interaction with Staff Policy

RECOMMENDATION

That Council endorse the Councillor Access to Information and Interaction with Staff Policy.

COUNCIL DECISION

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

That Council endorse the Councillor Access to Information and Interaction with Staff Policy with restrictions lifted on obtaining legal advice.

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

That the recommendation be adopted.

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

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

Clr Hagarty, Clr Kaliyanda and Clr Shelton asked that they be recorded as voting against the motion moved by Cr Hadchiti.

ITEM NO: CTTE 03
FILE NO: 351908.2018
SUBJECT: Tourism and CBD Committee Meeting Minutes of 13 December 2018

RECOMMENDATION

That Council:

1. Receives and notes the Minutes of the Tourism and CBD Meeting held on 13 December 2018; and
2. Endorse the recommendations in the Minutes.

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.

1. Receives and notes the Minutes of the Liverpool Heritage Advisory Committee Meeting held on 13 November 2018; and

2. Endorse the following recommendation of the Committee which will have an operational and financial impact:

That Council undertake a feasibility study that:

- a) *Investigate the circumstances with the Commonwealth grant used to build the Liverpool Regional Museum and any ongoing obligations to maintain it as a museum;*
- b) *Consider the suitability of the Collingwood site to be developed as a historic precinct;*
- c) *Consider the suitability of the School of Arts for a museum;*
- d) *Consider the costs associated with the move to the School of Arts; and*
- e) *Consider the potential enhancements to the existing museum and associated costs to provide accommodation for Council's collection of artefacts.*

3. Note the following motion:

That the Committee congratulate Council for its initiative with the underground penetration survey and encourage Council to continue with further investigation of the site.

4. Endorses the Liverpool Heritage Advisory Committee Charter for a period of two years, with the following amendments:

- The text on page 4 of the Charter, point 7 Membership, be clarified so that it is clear that the Committee shall consist of eight Community members, *in addition* to two Councillors.
- Clause 7.2 Membership, on page 4 of the Charter be amended to replace the word "persons" with "Community Representatives".
- Clause 7.4a, on page 5 of the Charter be amended so that it reads:
"Councillors other than those appointed to the Committee may attend and observe and contribute, but not move or second motions or vote on motions."

5. Delegate to the Chief Executive Officer the consideration and endorsement of the membership for the Liverpool Heritage Advisory Committee 2019/2021.

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

QUESTIONS WITH NOTICE

ITEM NO: QWN 01
FILE NO: 014243.2019
SUBJECT: Question with Notice - Cllr Hadchiti - Alternative Methods of Waste Disposal

Please address the following:

Given the increase in rates of waste being disposed legally & illegally, has Council considered/looked into other alternatives to dispose of waste?

Response

Liverpool City Council has a number of contracts in place to collect and process the waste generated within the LGA. Council is committed to these contracts until they expire in 2024.

The increase in the volume and rates of waste generated is a regional issue. LCC continues to participate in the WSROC Waste Managers Forum, regional waste projects and EPA communications/consultations to ensure alternative waste disposal options are considered.

Council has committed to participate in Project 24 which is a regional waste processing/disposal project across five Councils. LCC will partner with four other Councils (Camden, Campbelltown, Wollondilly and Wingecarribee). The rationale for the project is based on the understanding that no one single council's annual volume of domestic waste is sufficient to create a financial incentive for a waste company to invest in the construction and operation of a new processing facility while maintaining reasonable gate fees.

The Councils have received approval from the Australian Competition and Consumer Commission for authorisation to collaboratively tender and contract for the provision of a joint processing/disposal services, under Section 88 of the Competition and Consumer Act 2010 (Cth).

The planning and project management process has already commenced, in order that the contract may be awarded in 2019 and commence the processing and disposal of waste in 2024.

Project 24 will work within the guidelines supplied by the NSW EPA legislation pertaining to waste. The EPA have recently made some changes to Alternative Waste Treatment regulations. This has impacted industries ability to continue with current approaches to waste management. Planning for Project 24 will include consultation with industry to develop an innovative response to waste management for the region.

In addition, Council is proactively looking at new technologies to manage waste. This includes waste to energy technologies such as those used in Japan and visited by Mayor and

Councillors on the recent Toda Sister City visit. The Mayor has proactively written to the Premier and relevant Ministers expressing interest in exploring these technologies. Council has been referred to the E.P.A. for discussion and the Chief Executive will co-ordinate these meetings.

In addition, in recognition of potential interest in these technologies from other councils, the Chief Executive has been negotiating a possible study tour for Western Sydney Councils on waste to energy technologies. Liverpool City Council would be able to send Councillors and staff on this tour.

ITEM NO: QWN 02
FILE NO: 014250.2019
SUBJECT: Question with Notice - Clr Harle - Council Policy on Public Address Systems

Background

A motion was generated from the floor at its General Council Meeting of the 29 of March 2017 which stated the following:

DPG 02 File; 046276.2017 Review of Council Policies.

“Recommendation:

That Council revokes the following policies:

- *The use of Public Address (PA) Systems on Council Owned Properties; and*
- *Signage on Council land.*

Council Decision:

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

That the existing Policies be retained, reviewed and strengthened and a report be brought back to Council in June about the status of that action.

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

Councillors voted unanimously for this motion.”

Please address the following:

- 1. In view of the recent complaints by many residents adjoining Black Muscat Park within Chipping Norton, has Council carried out the intent of the Motion raised at its March 29th, 2017 Council Meeting?**

Noise management is legislated under a number of State Acts and controlled by various State legislation including the Local Government Act, the Environment Planning and Assessment Act and the Protection of the Environment Operations Act. This allows Council to control the use of Public Address (PA) Systems on Council land including the authority to require a person to obtain prior Council approval. If approved, conditions controlling noise levels and hours of use can be placed on the approval.

Under these Acts it is an offence for a person to use a PA system without prior Council approval. Council is therefore empowered to take action under the legislation detailed above.

In March 2017, as part of an ongoing process to reduce duplicated and/or redundant Policy, a Council report was submitted for consideration that suggested that as the local Policy was essentially redundant to the State Acts that it be revoked. At the March 2017 Council meeting, Council chose to retain the local Policy and asked for it to be reviewed and strengthened.

2. If so is that report available and what are its recommendations?

The review was undertaken and Councillors were provided a briefing in July 2017 that detailed the result of the review.

In summary, Council's own 'Use of Public Address (PA) Systems on Council Owned Properties' Policy mimics the authority in the Local Government Act, the Environment Planning and Assessment Act and the Protection of the Environment Operations Act. While it codifies these Acts into a local Policy, Council cannot add additional authority to that detailed in State legislation. Council's authority is issued from the Local Government Act and we cannot act outside of that authority.

Instead, council staff continue to look at options for ensuring compliance and managing noise at Black Muscat Park. This has included the re-introduction of a paid security presence and improvements to customer service messaging for customer complaints. Staff are currently reviewing signage and, as part of the broader masterplan for Chipping Norton Lakes, will look at design solutions to manage issues with large groups.

ITEM NO: QWN 03
FILE NO: 014276.2019
SUBJECT: Question with Notice - Clr Hagarty - Issuing of Demerit Points

Introduction

Recent changes to the law now give parking inspectors the ability to issue demerit points in addition to fines.

Please address the following:

- 1. What offences do these changes relate to?**
- 2. What are the demerit penalties for each?**

From the 1 July 2018 the following offences incurred demerit points, as set out below.

Offence	Penalty	Demerit points
Stop within 20 metres of an intersection (traffic lights)	\$337	2
Stop within 10 metres of an intersection (no traffic lights)	\$337	2
Stop on/near children's crossing	\$337	2
Stop on/near pedestrian crossing	\$337	2
Stop on/near marked foot crossing	\$337	2
Stop near bicycle crossing lights	\$337	2
Stop on/near level crossing	\$337	1
Stop in intersection	\$337	2

Prior to the 1 July 2018 changes, demerit points were already applicable to the range of offences in the table below.

Offence	Penalty	Demerit points
Stop in intersection in school zone	\$448	2
Stop within 20 metres of an intersection (traffic lights) – school Zone	\$337	2
Stop on/near children's crossing (in school zone)	\$448	2
Stop on/near pedestrian crossing	\$337	2
Stop on/near pedestrian crossing (in school zone)	\$448	2
Stop in bus zone (in school zone)	\$337	2
Obstruct access to ramp/path/passageway in school zone	\$337	2
Stop on/across driveway etc to/from land (in school zone)	\$337	2
Stop on traffic island in school zone	\$187	2
Stop on painted island in school zone	\$187	2
Stop on path/strip in built-up area (in school zone)	\$337	2

Public bus driver stop at bus stop when not permitted – School Zone	\$337	2
Stop on/near marked foot crossing (in school zone)	\$448	2
Stop near bicycle crossing lights in school zone	\$448	2
Stop in intersection in school zone	\$448	2
Not parallel park in direction of travel in school zone	\$337	2
Parallel park close to dividing line/strip in school zone	\$337	2
Stop within 10 metres of an intersection (no traffic lights) - school zone	\$448	2
Stop in disabled parking area without current permit displayed	\$561	1

3. Do parking inspectors have discretion in the issuing of the demerit point component of these penalties?

4. Can Council resolve to not issue demerit point penalties?

The current legislation does not give Council or the Parking Officers any discretion in relation to demerit points. Whenever the fines listed above are issued, the relevant demerit point are automatically applied.

Motion:

Moved: Cllr Hagarty

Seconded: Cllr Hadchiti

That Council undertake a public awareness campaign to inform the public of these changes, including inserting information about this in the regular Council newsletter, Liverpool Life.

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

ITEM NO: QWN 04
FILE NO: 017919.2019
SUBJECT: Question with Notice - Cllr Kaliyanda - Single Use Plastics Reduction

Please address the following:

Does Council:

1. Include the reduction of single use plastics, such as straws, balloons and plastic bags, within its waste education program?
2. How does this program interact with local businesses in the area, particularly those within the hospitality sector?
3. Have a policy or focus of reducing use of these plastics during Council run or sponsored events?
4. Actively seek funding that could assist in reducing our waste footprint?

A response to these questions will be provided in the 27 February 2019 Council meeting business papers.

NOTICES OF MOTION

ITEM NO: NOM 02
FILE NO: 019147.2019
SUBJECT: Moorebank R4 Zoning

BACKGROUND

In August 2008 the Administrator adopted a new LLEP which had wide ranging changes for zonings in the LGA.

It has been shown that very little, if any, consultation was undertaken with the community prior to LLEP 2008 being adopted and some areas, particularly Moorebank, saw a dramatic increase in density.

Over the years and three Council terms the blame game has been on as to who is responsible for the zoning and which Government authority needs to take action. Some Councillors have tried to wash their hands of the zoning issues and continue to put the blame on other Government bodies.

At the end of the day the LLEP is a responsibility for Councils elected body and it's the elected bodies' role to present any LLEP to State Government for Gateway Determination.

In December 2018 a letter undated and with no reference number was sent to residents in Moorebank (**see attached**) from Council's CEO in relation to concerns arising from developments occurring in Moorebank.

The letter in part states 'The NSW Government has issued a Ministerial Direction stating that councils must not reduce the permissible density of land'.

Whilst this there is a Ministerial Direction in place, the letter fails to state that there are avenues available for planning proposals to be inconsistent with the Ministerial Direction:

"If the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:

- (a) justified by a strategy which:*
 - (i) gives consideration to the objective of this direction, and*
 - (ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and*
 - (iii) is approved by the Director-General of the Department of Planning, or*

3. Immediately start separate community consultation with the residents of Moorebank with a view of reducing the density in the R4 zone, including promoting the ideas that came from the Councillors LEP Workshop to the residents to get their feedback; and
4. Present these findings to Council at the March meeting.

Foreshadowed Motion: Moved: Clr Hagarty Seconded: Clr Kaliyanda

That Council:

1. Notes that while a proposal to rezone/downzone the current R4 in Moorebank could have been called for by any Councillor since September 2008, best practise dictates a holistic review of the LEP across the entire LGA consistent with Council and State Government strategies;
2. Notes that it is the Councillors responsibility to make recommendations for any zoning changes in the Moorebank area but that planning is a collaborative process between the State Government and Councils and ultimate responsibility lies with the Planning Minister;
3. Notes that Council is well under way in reviewing the LEP and have held a number of sessions with staff and Councillors specifically about density in Moorebank;
4. Start as soon as is practical, community consultation with the residents of Moorebank with a view of reducing the density in the R4 zone as part of the LEP review, including promoting the ideas that came from the Councillors LEP Workshop to the residents to get their feedback; and
5. Present these findings to Council at a future meeting.

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

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

Clr Kaliyanda asked that she be recorded as voting for the motion moved by Clr Hadchiti.

ITEM NO: NOM 04
FILE NO: 017916.2019
SUBJECT: NSW State Government & Federal Government Announcements – Edmondson Park Train Station Car Parking & Lurnea Community Hub

BACKGROUND

What a fantastic week for announcements in the Liverpool LGA.

The State & Federal Governments will be contributing nearly \$13,000,000 towards Councils planned development at Phillips Park Lurnea.

Council had previously authorised the CEO to take out borrowings should they be required and now with thanks to both the NSW State Government & the Federal Government very little funds if any need to be borrowed.

The other great piece of news was the \$40,000,000 announced for approximately 700 more car parking spaces at Edmondson Park train station by the Premier Gladys Berejiklian & the Member for Holsworthy Melanie Gibbons.

Council and the community have been calling for more parking spaces and these budgeted funds, not an election promise, will certainly relieve the stress on our hard working train commuters.

NOTICE OF MOTION (submitted by Cllr Hadchiti)

That Council:

1. Write to Prime Minister Morrison thanking him and his Government for the \$6,500,000 grant for the construction of the Lurnea Community Hub;
2. Write to Premier Berejiklian thanking her and her Government for the \$6,500,000 grant for the construction of the Lurnea Community Hub;
3. Write to Premier Berejiklian & the Member for Holsworthy Melanie Gibbons thanking them for listening to Council and the community and for the budget allocation of \$40,000,000 for car parking at Edmondson Park train station; and
5. Acknowledge the efforts of all community members who played a part in calling for the extra car parking spaces.

Mayor Waller called a recess of Council at 8.39pm.

Council reopened at 8.49pm.

Clr Kaliyanda left the Chambers at 8.50pm.

Clr Kaliyanda returned to the Chambers at 8.51pm.

COUNCIL DECISION

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

That Council:

1. Write to Prime Minister Morrison thanking him and his Government for the \$6,500,000 grant for the construction of the Lurnea Community Hub;
2. Write to Premier Berejiklian thanking her and her Government for the \$6,500,000 grant for the construction of the Lurnea Community Hub;
3. Write to Premier Berejiklian & the Member for Holsworthy Melanie Gibbons thanking them for listening to Council and the community and for the budget allocation of \$40,000,000 for car parking at Edmondson Park train station;
4. Acknowledge the efforts of all community members who played a part in calling for the extra car parking spaces;
5. Note that the tennis courts at Phillips Park in Lurnea have been there for 80 years and service three schools and 200 people per week and a small business is run from the location;
6. Note that the tennis courts at Phillips Park in Lurnea have had the surface upgraded at a significant cost to Council ratepayers, in excess of \$100,000;
7. Investigate the age of the courts at Phillips Park in Lurnea; and
8. Send further representations to the state government seeking funding for parking at Leppington train station.

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

That Council:

1. Welcomes any commitment of funding for Liverpool from all sides of politics at both a State the Federal level;
2. Continue to lobby politicians and parties from all sides of politics at a State and Federal level for further funding commitments in Liverpool; and

3. As a matter of courtesy write to relevant politicians when a confirmed commitment of funding in Liverpool is made.

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

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

Clr Shelton asked that he be recorded as voting against the motion moved by Clr Hadchiti.

Clr Balloot retired from the meeting at 9.07pm.

ITEM NO: NOM 05
FILE NO: 018028.2019
SUBJECT: Street and Public Art in Liverpool

BACKGROUND

Street and public art are important in contributing to a vibrant urban culture. In cities like Melbourne, street art is internationally renowned and has become an attraction for local and overseas visitors experiencing Melbourne's creative ambience.

Whilst research and community consultation show that most people do not like graffiti 'tagging' (a person writing their graffiti name or 'tag' on a wall with marker or paint), many people appreciate 'street art' such as larger, more artistic pieces, or murals placed in appropriate locations with the required permission. Evidence suggests that street art may help to reduce tagging.

Council has a Graffiti Management Strategy that differentiates between:

- the need to remove unwanted graffiti applied without permission; and
- street art placed on walls and infrastructure with the blessing of property owners.

Liverpool takes a strong stance against illegal graffiti and has a number of measures in place to ensure that the city stays clean.

Given the growth of our City, it is important that we consider ways to work with residents and businesses in order to ensure that our city is vibrant and demonstrates the talents of our people.

NOTICE OF MOTION (submitted by Clr Kaliyanda)

That Council:

1. Develop a street art strategy to identify appropriate spaces for street art within the Liverpool LGA;
2. Incorporate street art within the available youth art education and engagement programs at CPAC;
3. Look for appropriate State and Federal grant funding that can help deliver street and public art programs and initiatives; and

4. Consider ways in which the process for commissioning of street art by business owners and residents can be made easier.

COUNCIL DECISION

Motion:
Hagarty

Moved: Cllr Kaliyanda

Seconded: Cllr

That the recommendation be adopted.

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

ITEM NO: NOM 06
FILE NO: 018784.2019
SUBJECT: Access to facilities in hot weather

BACKGROUND

Recent heatwaves across NSW resulted in a spike in the number of people hospitalised with heat-related illnesses.

Health officials have encouraged people to limit their exposure to the heat and take precautions to protect themselves. The day following Australia Day (27 January) has historically proven to be a peak time for heat related deaths in Australia. This has been attributed to factors including the combination of hot weather, outdoor activities and alcohol consumption.

In Liverpool, the mercury has been in the high 30s and low 40s consistently over the last month. Residents have sought relief in airconditioned spaces and water play areas, such as Bigge Park and Macquarie Mall. Access to air-conditioned spaces such as CPAC and public libraries were also taken up by the community.

For those that don't have air conditioning, it is important to have access to a cool space, such as a library or shopping centre. Hydration and access to water is also crucial in mitigating the impact of the heat, especially for children. In future, perhaps free water can be provided at our public libraries and CPAC during extreme hot weather.

However, equity of access to such facilities, especially water facilities must be addressed. Currently, there is no mechanism for the CEO to organise free entry to the Whitlam Centre or Michael Wendon Centre without delegation from Council. This is not ideal given that awareness of weather conditions often occurs outside of the Council meeting cycle.

NOTICE OF MOTION (submitted by Cllr Kaliyanda)

That Council:

1. Subsidise free entry to swimming pools at the Whitlam Centre and Michael Wendon Centre on days when the temperature is above 40C.
2. Provide delegation to the CEO to do so.
3. Consider other measures that can be undertaken within the LGA to provide relief to the community during extreme hot weather and report back to the February 27 meeting.

COUNCIL DECISION

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

That Council:

1. Consider other measures that can be undertaken within the LGA to provide relief to the community during extreme hot weather and report back to the 27 February Council meeting.
2. Work with Belgravia Leisure to look at strategies to support access to leisure centres.
3. Look at strategies which could include providing additional water parks in the LGA and consider new locations, including new growth areas, for the water parks. The following matters are to be considered:
 - Pricing;
 - Ample parking;
 - Seating;
 - Shade; and
 - Other options.
4. Develop a strategy to inform the community as to where savings can be made on services for families.

Foreshadowed Motion: **Moved: Cllr Ayyad** **Seconded: Cllr Hadid**

That Council:

1. Look at strategies which could include providing additional water parks in the LGA and consider new locations, including new growth areas, for the water parks. The following matters are to be considered:
 - Pricing;
 - ample parking;
 - seating;
 - shade; and
 - other options.
2. Develop a strategy to inform the community as to where savings can be made on services for families.

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

The motion (moved by Cllr Kaliyanda) was then voted on and on being put to the meeting was declared CARRIED.

CONFIDENTIAL ITEMS

ITEM NO: CONF 01

FILE NO: 010828.2019

SUBJECT: Tender WT2789 - Whitlam Leisure Centre Pool Plant Rooms Refurbishment

RECOMMENDATION

That Council:

1. Declines the tender received for WT2789 – Whitlam Leisure Centre Pool Plant Rooms Refurbishment and in accordance with Section 178(3)(f) of the Local Government (General) Regulation 2005 carries out the requirements of the proposed contract itself;
2. Makes public its decision regarding Tender WT2789 – Whitlam Leisure Centre Pool Plant Room, Spa Plant Room and Truck Hardstand Drainage Works;
3. 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 reject) tenders up to a value of \$1 million. Therefore, subclause 178(3) of the Local Government (General) Regulation 2005 requires a decision not to accept any of the tenders for a proposed contract to be made by way of a Council resolution; and
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 Hadchiti

That the recommendation be adopted.

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

Councillors voted unanimously for this motion.

ITEM NO: CONF 04
FILE NO: 000140.2019
SUBJECT: WSROC Contract- WR03-12/13- Road Rehabilitation and Asphalt Services - Contract Extension Request

RECOMMENDATION

That Council:

1. Offers an extension to the below listed contractors until new contracts have been established for the Tender WR03-12/13 Road Rehabilitation and Asphalt Services, and places those contractors who accept the extension on a panel of preferred contractors;

Contract Portion	List of Contractors
Asphalt Deliver and Lay	<ul style="list-style-type: none"> • State Asphalt Services Pty Ltd • Bernipave Pty Ltd • Borthwick & Pengilly Asphalts Pty Ltd
Asphalt Ex -Bin	<ul style="list-style-type: none"> • State Asphalt Services Pty Ltd • Fulton Hogan Industries Pty Ltd (Minto/Wallgrove)
Crack Sealing	<ul style="list-style-type: none"> • SuperSealing Pty Ltd
Mill and Fill	<ul style="list-style-type: none"> • State Asphalt Services Pty Ltd
Pavement Restoration	<ul style="list-style-type: none"> • Bernipave Pty Ltd • J&G Excavations & Asphalting (NSW) Pty Ltd • Borthwick & Pengilly Asphalts Pty Ltd
Profiling	<ul style="list-style-type: none"> • Stabilised Pavements Of Australia Pty Ltd • State Asphalt Services Pty Ltd • Borthwick and Pengilly Pty Ltd
Spray Sealed Bituminous Surfacing	<ul style="list-style-type: none"> • State Asphalt Services Pty Ltd
Stabilisation and/or Unbound Pavement Reconstruction	<ul style="list-style-type: none"> • Stabilised Pavements of Australia Pty Ltd
Surface Preservation, Enrichment or Rejuvenation	<ul style="list-style-type: none"> • Downer EDI Works Pty Ltd
Asphalt Pavement Reconstruction	<ul style="list-style-type: none"> • Borthwick and Pengilly Pty Ltd • J and G Excavations Pty Ltd • Stabilised Pavements of Australia Pty Ltd

2. That such an extension be offered pursuant to s.55(3)(i) of the Local Government Act 1993, for the following reasons:
 - a) The listed contractors, and the rates in question, were subject to detailed market testing as part of a WSROC tender performed in 2013 and accepted by Council at the time;
 - b) Following a review by staff, it is considered that these rates remain highly competitive, and offer excellent value when compared to prevailing market rates for the same types of supply;
 - c) The listed suppliers have performed to a satisfactory standard during the contract period; and
 - d) The extension being sought is required to allow the calling of fresh tenders for the supply in question.
3. Notes that the Director - City Infrastructure and Environment will finalise all details and extend the contract following acceptance by the tenderers of Council's offer; and
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

That the recommendation be adopted.

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

Councillors voted unanimously for this motion.

Clr Rhodes returned to the Chambers 9.34pm.

ITEM NO: CONF 05

FILE NO: 005242.2019

SUBJECT: Proposed Acquisition of Lot 45 DP657031, 6 Newbridge Road, Chipping Norton under the Moorebank Voluntary Acquisition Scheme

RECOMMENDATION

That Council:

1. Approves the acquisition of Lot 45 DP657031, 6 Newbridge Road, Chipping Norton under the provisions of the Moorebank Voluntary Acquisition Scheme for the price and terms outlined in this report;
2. Upon settlement of the acquisition, classifies Lot 45 DP657031, 6 Newbridge Road, Chipping Norton as 'Community' land;
3. Keeps confidential this report pursuant to the provisions of Section 10A(2)(c) of the Local Government Act 1993 as this information would, if disclosed confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; and
4. Authorises its delegated officer to execute any documents, under Power of Attorney necessary to give effect to this decision.

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.

THE MEETING CLOSED AT 9.37pm.

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 27 February 2019

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 6 February 2019. 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 FEBRUARY 2019**

PRESENT:

Mayor Wendy Waller
Councillor Ayyad
Councillor Balloot
Councillor Hadchiti
Councillor Hadid
Councillor Hagarty
Councillor Harle
Councillor Kaliyanda (arrived at 6.30pm)
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
Ms Tina Sangiuliano, Acting Director City Community and Culture
Dr Eddie Jackson, Director City Deal
Mr Peter Patterson, 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 Ragy Atalla from Liverpool Presbyterian Arabic Church.

NATIONAL ANTHEM The National Anthem, recorded and performed by Rebecca Ferro was played at the meeting.

APOLOGIES Nil

4. **Domenic Penna** addressed Council on the following item:

EGROW 07 Post Exhibition Report Liverpool Local Environmental Plan 2008 – Draft Amendment 54 (Reclassification of Community Land and rezoning of Part Lot 10 DP 1162812) Hammondville Park, Hammondville.

Motion: **Moved: Clr Rhodes** **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.

5. **Jeff Gibbs** addressed Council on the following item:

EGROW 07 Post Exhibition Report Liverpool Local Environmental Plan 2008 – Draft Amendment 54 (Reclassification of Community Land and rezoning of Part Lot 10 DP 1162812) Hammondville Park, Hammondville.

6. **Mohamed El Dardiry** from Architecture Design Studio (NSW) P/L on behalf of the applicant addressed Council on the following item:

EGROW 06 Proposed Amendment to Liverpool Local Environmental Plan 2008 – Rezoning of land at 4-8 Hoxton Park Road, Liverpool.

MAYORAL REPORT

ITEM NO: MAYOR 01
FILE NO: 048338.2019
SUBJECT: Re-Establishment of Sister City Relationship with Calabria

At the Council meeting of 26 July 1993, a Mayoral Minute was presented that proposed the establishment of a Sister City relationship between Calabria and Liverpool. In part this was proposed due to community of Italians generally and Calabrians specifically who have made Liverpool their home. The Motion was supported by Council and in November of that year a formal agreement between the two cities was signed.

Over the years of that agreement, there have been sporadic connections made between Calabria and Liverpool. These have included visits from dignitaries from Calabria to Liverpool and delegations from Council visiting Calabria. In 2011 during my previous term as Mayor, I visited Calabria at my own expense.

In February 2015, Council hosted a Calabrian delegation visiting Australia to a morning tea at Casula Powerhouse. The visiting group consisted of Father Rocco from St Francis of Paola Monastery (Calabria Italy) and his Religious Assistant (also a Journalist), Assunta Orlando. Whilst in Sydney Father Rocco conducted a mass for the Italian community devotees of St Francis at Mount Carmel Church in Liverpool.

At that time the Calabrian delegates and local Italian business people in attendance expressed a desire for the re-establishment of the Sister City relationship.

In February 2016, Council resolved that Officers were to reconnect with our sister city in Calabria to explore opportunities to develop and enhance the cultural relationship between the two cities in ways that are mutually beneficial, including a delegation from Council to attend Calabria.

An invitation has now been received to participate in the Calabrian Sister City program anticipating a visit to Rocella in early July 2019 for a cultural festival, which includes a blessing of the fleet and other cultural activities.

RECOMMENDATION

Motion: **Moved: Mayor Waller**

That Council:

1. Acknowledge the invitation and receive a more detailed report at the March meeting of Council on cultural connections between Rocella and Liverpool; and

2. Approve the disposal to the adjoining owner, being the Coptic Orthodox Church (NSW) Property Trust, of land at McLean Street, Liverpool, consisting of Part Lot 17, DP 31683 (approximately 135m² in area) as identified by Council correspondence to the Coptic Church dated 31 May 2011 (“**Parcel 3**”), reference 093036.2011.
3. That the sale price of Parcels 1 and 2 be that amount previously agreed between the parties and subject to Council resolution on 14 September 2009 (GFSR05), with adjustments in Council’s favour as necessary to cover Council’s costs of road closure and land disposal as outlined in Council’s report of 23 May 2011 (CORS 02, 2007/0636), and consistent with the following correspondence between the parties:
 - a. Letter from Council to the Coptic Church, dated 25 March 2009 (offering to sell property for stated price);
 - b. Letter from Council to the Coptic Church, dated 20 July 2009 (confirming Council’s offer to sell property for stated price); and
 - c. Letter from the Coptic Church to Council, dated 26 August 2009 (accepting Council’s offer and forming the basis of the staff report to Council GFSR05 on 14 September 2009).
4. That the sale price of Parcel 3 be a per-square-metre price consistent with Council’s most recent valuation of the “Part Tepper Park” parcels dated 29 October 2018 (undertaken by Kenny & Good Pty Ltd), and communicated to the Church on 8 January 2019 (Council reference 004527.2019).
5. That the combined sale of parcels 1, 2 and 3 be subject to the approval of a development application for subdivision and consolidation.
6. Transfer proceeds of the combined sales to the Property Development Reserve.
7. Keeps confidential this information 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.
8. Authorises its delegated officer to execute any documents, under power of attorney, necessary to give effect to this decision.
9. That all valuations are deemed valid for three months from the date of Council Resolution. If no exchange has taken place within three months, the land or properties are subject to further current valuations; which are then valid for three months.

10. Thank the committee and congregation members from the St George & Prince Theodore Coptic Orthodox Church Liverpool for their patience in this matter and their overall contribution to Liverpool.

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

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

*Mayor Waller did not vote for or against the motion. Therefore, in accordance with Clause 36.3 of Council's Code of Meeting Practice (as shown below), she is recorded as voting against the motion:

"A Councillor who is present at a meeting of Council but who fails to vote on a motion put to the meeting is taken to have voted against the motion."

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

3. Forwards the planning proposal to the Department of Planning and Environment, pursuant to Section 3.34 of the Environmental Planning and Assessment Act 1979, seeking a Gateway determination;
4. Subject to Gateway determination, undertake public exhibition and community consultation in accordance with the conditions of the Gateway determination;
5. Receive a further report on the outcomes of public exhibition and community consultation; and
6. Notify the applicant of Council's decision.

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

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

Vote against: Clr Hagarty
Clr Karnib
Clr Shelton

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

"We have run surveys, a petition, made expert submissions and met with countless bureaucrats and politicians. We will not stop standing up for the people of Liverpool and I would encourage members of the community to let the NSW Government know what they think."

5. Note the SMH report on the 14th of October 2015 headed 'Foley proposes Bankstown metro extension to Liverpool, Badgerys Creek which in part states 'The state opposition is calling on the government to consider extending the Bankstown line, planned to be converted to a "metro" rail link, in a straight line to Liverpool and then perhaps beyond to Badgerys Creek.
6. Note that after extensive lobbying by Council the State Government included the Metro from Bankstown to Liverpool in their plans.
7. Note that the State Labor Leader vowed mid February 2019 to spend \$8 billion to "fast-track" a new metro train line between Parramatta and the central city with some of the funds coming from cancelling the Sydney Metro City & Southwest.
8. Note that Liverpool is the Gateway to the Southwest, the third CBD and is sick of having much needed funds and links diverted to improve Parramatta.
9. Direct the CEO to immediately lobby the State Opposition Leader in all ways possible requesting that this transport project is not cancelled should his Party be elected to govern.
10. Direct the CEO to immediately commence a community awareness campaign using all means possible, not limited to print and social, voicing our outrage on the promise by the State Opposition Leader to cancel the Sydney Metro City & Southwest, should his party be elected to govern, highlighting the benefits this project would bring to our residents.
11. Direct the CEO to use funds from the Unrestricted Reserves to ensure our message is heard loud and clear.
12. Lobby for the Bankstown Metro Line to go to Liverpool.

Clr Hagarty left the Chambers at 8.03pm.

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 Karnib
Clr Shelton

Note: Clrs Kaliyanda, Hagarty and Balloot were not in the Chambers when this item was being voted on.

Clr Hagarty returned to the Chambers at 8.05pm.

COMMITTEE REPORTS

ITEM NO: CTTE 01
FILE NO: 025057.2019
SUBJECT: Minutes of the Liverpool Pedestrian, Active Transport and Traffic Committee Meeting

RECOMMENDATION

That Council adopts the following recommendations of the Committee:

1. Item 1 – Lucas Avenue, Moorebank, proposed pedestrian crossing facility
 Installation of a pedestrian refuge in Lucas Avenue, Moorebank. Location of the pedestrian refuge is to be decided in consultation with the Nuwarra Public School.
2. Item 2 – Moore Street, Liverpool, changes to the existing bus transit lane
 - ‘No Right Turn’ restriction for westbound traffic on Moore Street at Bigge Street intersection.
 - Extension of the existing 10m ‘No Stopping’ restriction to 20m and additional 10m ‘No Parking’ restriction on Moore Street on the westbound approach to its intersection with Bathurst Street.
3. Item 3 – Proposed RMS pinch point program works in the Liverpool LGA
 - The sign and linemarking scheme of the proposed intersection improvements as indicated in Attachments 3.1 to 3.10 of the minutes:
 - Hoxton Park Road/Whitford Road/Spire Court intersection, Hinchinbrook, with:
 - a) Installation of edgeline marking along the western side of Whitford Road, between Hoxton Park Road and Topnot Avenue to demarcate the traffic lane and kerbside parking lane.
 - b) Installation of ‘50’ numerical pavement marking near the proposed speed limit sign.
4. Item 4 – Mallow Avenue and Second Avenue, West Hoxton – Proposed roundabout
 Installation of a roundabout at the intersection of Mallow Avenue and Second Avenue, West Hoxton.
5. Item 5 – Memorial Avenue, Liverpool – Traffic management changes

- The installation of:
 - a) A 0.5m wide median island along Memorial Avenue between Copeland Street and Bathurst Street;
 - b) Pedestrian refuges on Castlereagh Street approaches to Memorial Avenue; and
 - c) Installation of a raised threshold at the existing marked pedestrian crossing across the left-turn slip lane off Copeland Street.
 - The RMS be requested to install a 'Bus Zone' along the eastern side of the Hume Highway, south of Memorial Avenue.
 - The existing 'Bus Zone' on Memorial Avenue, west of Castlereagh Street, be removed following decommissioning of the existing bus stop.
6. Item 6 - Speeding Concerns in the Liverpool LGA
- Installation of a raised threshold across Flynn Avenue between Monkton Avenue and Bonython Avenue.
 - Undertake speed classification along Walder Road and Feodore Drive and investigate the need for additional traffic calming devices.
 - The NSW Police Force be requested to undertake appropriate enforcement of speeding along Feodore Drive, Flynn Avenue, Walder Road and the surrounding streets.
7. Item 7 - Items approved under Delegated Authority
- Notes the minor traffic facilities approved under delegated authority.
8. Item 8 - Kingsbury Road and Peronne Road, Edmondson Park - Proposed Intersection Treatment
- Notes the intersection change approved under delegated authority.
 - Undertakes traffic surveys along both streets to consider the need for traffic calming devices, including a roundabout.
9. Item 9 - Liverpool Pedestrian, Active Transport and Traffic Committee Charter update
- Notes the updated Liverpool Pedestrian, Active Transport and Traffic Committee Charter.

- c) Installation of a raised threshold at the existing marked pedestrian crossing across the left-turn slip lane off Copeland Street.
 - The RMS be requested to install a 'Bus Zone' along the eastern side of the Hume Highway, south of Memorial Avenue.
 - The existing 'Bus Zone' on Memorial Avenue, west of Castlereagh Street, be removed following decommissioning of the existing bus stop.
6. Item 6 - Speeding Concerns in the Liverpool LGA
- Installation of a raised threshold across Flynn Avenue between Monkton Avenue and Bonython Avenue.
 - Undertake speed classification along Walder Road and Feodore Drive and investigate the need for additional traffic calming devices.
 - The NSW Police Force be requested to undertake appropriate enforcement of speeding along Feodore Drive, Flynn Avenue, Walder Road and the surrounding streets.
7. Item 7 - Items approved under Delegated Authority
- Notes the minor traffic facilities approved under delegated authority.
8. Item 8 - Kingsbury Road and Peronne Road, Edmondson Park - Proposed Intersection Treatment
- Notes the intersection change approved under delegated authority.
 - Undertakes traffic surveys along both streets to consider the need for traffic calming devices, including a roundabout.
9. Item 9 - Liverpool Pedestrian, Active Transport and Traffic Committee Charter update
- Notes the updated Liverpool Pedestrian, Active Transport and Traffic Committee Charter.
10. This Committee notes the advice from the RMS and recommends that Council write to the RMS requesting consideration be given to a heavy vehicle inspection bay, similar to bays recently installed on Narellan Road, and those existing on the Northern Road and other such roads in Metropolitan Sydney.

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

QUESTIONS WITH NOTICE

ITEM NO: QWN 01
FILE NO: 026486.2019
SUBJECT: Question with Notice - Clr Kaliyanda - Single Use Plastics Reduction

Please address the following:

Does Council:

1. **Include the reduction of single use plastics, such as straws, balloons and plastic bags, within its waste education program?**

Council's waste education programs focus on household waste, particularly the waste hierarchy- Reduce, Reuse, Recycle. Waste reduction is discussed as the most desirable waste management action, encouraging waste avoidance of as much waste as possible, including but not limited to single use plastics.

In 2018 over 2,100 residents participated in a waste education workshop/event.

2. **How does this program interact with local businesses in the area, particularly those within the hospitality sector?**

Council endorses the Bin Trim Program, a free education program for local businesses under the Environmental Protection Agency. The Bin Trim program provides free help and support to NSW businesses to maximise their recycling and minimise their waste to landfill and may also help save time and money, while considering the environment. This program educates local business on reuse and recycling.

3. **Have a policy or focus of reducing use of these plastics during Council run or sponsored events?**

There has been a cross-departmental working group running since late last year on the issue of single-use plastics.

We are looking at how the organisation can reduce the use of plastic. The initial focus is internal – with a view to a more outward focus once our own plastic is reduced.

Recently, we have been successful in encouraging staff to supply their own dishware for barbecue events held at Moore Street and Rose Street locations.

We are also looking at how we can encourage staff to reduce plastic use daily through container re-use, plus how we can manage sustainable procurement (ie responsibly

sourced items)

Currently, the working group is discussing policy development in this area.

4. Actively seek funding that could assist in reducing our waste footprint?

Council actively seeks funding to assist with waste reduction. A good example being the Love Food Hate Waste program funded by the Environmental Protection Agency. This education program focuses on reducing food waste, encourages environmentally friendly food storage and promotes avoidance of single-use plastics; i.e. cling-wrap and ziplock bags.

ITEM NO: QWN 02
FILE NO: 036986.2019
SUBJECT: Question with Notice - Cllr Hagarty - Small Streets

Background

Liverpool has many small suburban streets. When vehicles park on the verge in these streets they are fined. When they park in these small streets, occasionally garbage trucks are unable to pass.

Please address the following:

What is the minimum width a street needs to be for a garbage truck to pass:

- With no cars parked in it?
- If a car is parked on one side?
- If cars are parked on either side?

A response to these Questions with Notice will be provided in the 27th March 2019 Council Business Papers.

ITEM NO: NOM 02
FILE NO: 036947.2019
SUBJECT: Clean Air For Liverpool

BACKGROUND

Earlier this month Doctors for the Environment (DEA) released a report entitled 'Clean Air for New South Wales: 2018 Update'.

The report found that fine and coarse particle air pollution was getting worse across the State. Liverpool was the worst place in New South Wales for fine particle air pollution, measuring 10.1 micrograms per cubic metre of air.

Fine particle air pollution is linked to heart disease, stroke, diabetes, low birth weight for babies, and restricted lung growth in children.

With the Moorebank Intermodal on the way and Western Sydney Airport set to open without a fuel line, the amount of diesel fuelled trucks in our LGA is set to substantially increase and with it, fine particle air pollution.

NOTICE OF MOTION (submitted by Cllr Hagarty)

That Council:

1. Report back within 6 months on the most effective ways to:
 - Monitor and report on air quality in the Liverpool LGA.
 - Improve air quality in the Liverpool LGA.
 - Fund these activities (e.g. State or Federal funding).

2. Write to the relevant State and Federal Ministers expressing Council's concerns about the report's findings and seek responses to the report's recommendations, namely:
 - Modernising coal power stations to require the capture of sulphur dioxide and nitrogen dioxide.
 - Better pollution checks to remove high air pollution emitting vehicles from our roads.
 - Higher fees for the existing Load Based Licensing system for industry, so that they better reflect the health costs imposed on the community.
 - Restrictions on the installation and use of wood fired heaters in urban areas.

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

That Council:

1. Report back within 6 months on the most effective ways to:
 - Monitor and report on air quality in the Liverpool LGA.
 - Improve air quality in the Liverpool LGA.
 - Fund these activities (e.g. State or Federal funding).

2. Write to the relevant State and Federal Ministers expressing Council's concerns about the report's findings and seek responses to the report's recommendations, namely:
 - Modernising coal power stations to require the capture of sulphur dioxide and nitrogen dioxide.
 - Better pollution checks to remove high air pollution emitting vehicles from our roads.
 - Higher fees for the existing Load Based Licensing system for industry, so that they better reflect the health costs imposed on the community.
 - Restrictions on the installation and use of wood fired heaters in urban areas.

3. Investigate potential revisions to the DCP that:
 - Investigate obligatory requirements to install equipment and procedures to capture air quality data on an hourly basis that is to be available to Council upon request for all new manufacturing facilities that risk emitting pollutants into the air.
 - All existing manufacturing facilities who risk air quality to have installed within 5 years equipment and procedure to capture the air quality data on an hourly basis and for that to be available to Council upon request.

4. Investigate the number of trees required to ensure the Liverpool LGA is carbon neutral.

5. Write to all MP's State and Federal to support changes to the legislation that:
 - Will ensure that all manufacturing facilities at risk of emitting air pollutants must install air monitoring equipment and procedure to capture data on an hourly basis that is to be available to the EPA and Councils upon request with statutory limits that are enforceable through stringent fines or possible closure of operation.

- Remove cars that do not comply with current emission regulations with the exception of vintage registered vehicles, in order to take high polluting vehicles off the road.
- Introduce tax initiatives to encourage the up-take of electric powered vehicles in order to phase out the reliance on fossil fuels.

Foreshadowed motion: Moved: Cllr Hadchiti Seconded: Cllr Ayyad

That Council:

1. Engages a suitably qualified consultant to peer review the air quality report by Dr Ben Altwood, whilst incorporating other data from local reports and Council's air quality monitoring data, and report these findings back to the Intermodal Committee.
2. Investigate the number of trees required to ensure the Liverpool LGA is carbon neutral.
3. Report back within 6 months on the most effective ways to:
 - Monitor and report on air quality in the Liverpool LGA.
 - Improve air quality in the Liverpool LGA.
 - Fund these activities (e.g. State or Federal funding).

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

Cllr Hadchiti asked that he be recorded as voting against the motion.

ITEM NO: NOM 04
FILE NO: 037277.2019
SUBJECT: Inclusion of all Correspondence in and out from CEO's and Mayor's Office, Council Managers and Councillors into the Monthly Council Agenda

BACKGROUND

In previous meetings of Liverpool Council it was a meeting procedure to include all correspondence in and out of the CEO Office.

This transparent and honest noting of all correspondence assisted Council in addressing all issues of concern as well as fully informing all councillors and constituents of issues before Council.

Currently there is no correspondence reporting from the Mayor's office and although the CEO does a CEO report to all Councillors, that information is considered confidential and so is not reported to constituents and there is no accountability that all correspondence received or sent is being reported on.

In instances where the correspondence is considered to be confidential those items would be declared in the confidential section of each meeting.

The tabling of all Council correspondence will restore the opportunity for all councillors to be fully informed and enable them to better perform with due diligence their representation of the local community for which they were elected to do.

The inclusion of all correspondence in and out of Council is in the best interest of honesty, transparency it is in the best interest of the local community and is in the best interest of better engagement practice with all councillors and the constituents they were elected to serve.

NOTICE OF MOTION (submitted by Cllr Rhodes)

That Council:

1. Reinstigate the process of reporting to Council those items and matters currently contained within the Correspondence Register in the weekly CEO Update to councillors, including those items of correspondence directed to be sent by resolution of Council, and any relevant replies received;

Vote against: Mayor Waller

- Clr Ayyad
- Clr Hadchiti
- Clr Hadid
- Clr Hagarty
- Clr Karnib
- Clr Kaliyanda

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

Clr Rhodes returned to the Chambers at 9.05pm.

ITEM NO: CONF 03

FILE NO: 032887.2019

SUBJECT: Closing and Transfer of a Temporary Road that is part of the Bernera Road/Croatia Avenue extension at Edmondson Park.

RECOMMENDATION

That Council:

1. Close the temporary public road identified as Lot 1 in DP 1129337 located on Croatia Avenue at the intersection with Camden Valley, Edmondson Park;
2. Transfer the closed temporary public road identified as Lot 1 in DP 1129337 to the Original Subdivider (Owner) or the Original Subdivider's (Owner's) successor in title;
3. Authorises its Delegated Officer/s to execute any documentation, under Power of Attorney, necessary to give effect to this decision; and
4. Keeps confidential this Report pursuant to the provisions of Section 10(A)(2)(c) of the *Local Government Act 1993* as it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

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.

THE MEETING CLOSED AT 10.54pm.

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 27 March 2019

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 27 February 2019. 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 MARCH 2019**

PRESENT:

Mayor Wendy Waller
Councillor Ayyad
Councillor Balloot
Councillor Hadchiti
Councillor Hadid
Councillor Hagarty
Councillor Harle
Councillor Kaliyanda
Councillor Karnib
Councillor Rhodes
Councillor Shelton (arrived at 6.15pm)
Mr Tim Moore, Acting Chief Executive Officer
Mr Chris White, Director City Corporate
Ms Tina Sangiuliano, Acting Director City Community and Culture
Dr Eddie Jackson, Director City Deal
Mr Peter Patterson, Director City Presentation
Mr Raj Autar, Director City Infrastructure and Environment
Mr David Smith, Acting Director City Economy and Growth
Mr David Maguire, Internal Ombudsman

The meeting commenced at 6.00pm.

ACKNOWLEDGMENT OF COUNTRY, PRAYER OF COUNCIL AND AFFIRMATION TO BE READ BY The prayer of the Council was read by Reverend David Clarke from Hoxton Park Anglican Church.

NATIONAL ANTHEM The National Anthem performed and recorded by Rebekah Ferro was played at the meeting.

APOLOGIES Nil

CONDOLENCE (read by Mayor Waller)

Victims of Christchurch Shootings

On 15 March 2019, 50 lives were lost and dozens were injured in shootings at two mosques in Christchurch.

The victims were ordinary people – men, women and children who were attending sacred Friday prayers. To see lives of citizens peacefully following their religion so brutally taken away by an act of terrorism reminds us how fragile harmony can be.

Many people in Liverpool, particularly our Muslim community members, were deeply affected by this horrific act. Many are grieving and three staff members at the Western Sydney Migrant Resource Centre lost family members in the attack.

I express my deepest condolences to the families and friends of the victims at this devastating time. Everybody has the right to feel safe, included and respected, no matter where they live or whatever religion they follow.

To our Muslim brothers and sisters, I offer my solidarity and the commitment that Council will continue to support and value Liverpool's multicultural diversity as one of our greatest strengths.

On Thursday 21 March 2019, people from many religious faiths, Members of Parliament, Councillors and community groups gathered in Macquarie Mall to sign Liverpool's Declaration on Cultural and Religious Harmony. The event was organised by the Western Sydney Migrant Resource Centre and Liverpool City Council.

It was a powerful reminder that we must continue to uphold the values that make us who we are as we continue creating harmony in diversity and demonstrating resilience in such tough times.

RECOMMENDATION:

Motion: Moved: Mayor Waller

That Council:

1. Write to the Mayor of Christchurch City Council expressing our condolences;
2. Direct the CEO to write to the CEO of Christchurch City Council offering Council's assistance in these difficult times;
3. Write to Islamic places of worship and faith based schools in the LGA offering solidarity with any community member who may feel they have been impacted by these events; and

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

Item COM 01: Grants, Donations and Corporate Sponsorship

Reason: Clr Hagarty is a member of the Liverpool and District Historical Society.

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

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

Item COM 01: Grants, Donations and Corporate Sponsorship

Reason: Clr Shelton is an ordinary member of the Liverpool and District Historical Society.

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

Clr Hagarty declared a pecuniary interest in the following item:

Item CORP 01: Sydney Western City Planning Panel - Remuneration for Council representatives

Reason: Clr Hagarty is an alternate delegate on the Planning Panel and would receive a fee for attending meetings.

Clr Hagarty left the meeting during consideration of this item and was not in attendance for the vote.

PUBLIC FORUM

Presentation – items not on agenda

Nil.

Representation – items on agenda

1. **Reverend Stuart Pearson** addressed Council on the following item:

NOM 03 Celebrating St Luke’s Church 200 Years.

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.

MAYORAL REPORT

ITEM NO: MAYOR 01
FILE NO: 074183.2019
SUBJECT: Announcement of Future Food Systems CRC

Liverpool City Council is one of more than 70 partners in the newly-formed Future Food Systems Cooperative Research Centre announced today by Minister for Industry, Science and Technology Karen Andrews. Ms Andrews announced \$35 million in funding for the centre, which will cost \$187 million over 10 years.

Liverpool will be the location for one of six food hubs, where researchers, growers and manufacturers will work together to find new ways to meet the growing demand for Australia's high-quality produce locally and internationally.

We have the perfect opportunity with the development of Western Sydney International (Nancy-Bird Walton) Airport and the Aerotropolis to include a new food precinct.

The flow-on benefits to Liverpool's agricultural, manufacturing and transport and logistics sectors will be significant. Farming has formed an important part of Liverpool's economic output since its establishment. Today, Liverpool's farmers supply poultry and eggs, vegetables, flowers and dairy to the Sydney market and beyond.

We look west to our rural lands for their productive and sustainable potential, not just the suburbs in the waiting.

Council's City Economy Unit will work with our partners to deliver capability programs to help local producers take advantage of this industry led Cooperative Research Centre.

RECOMMENDATION

1. That Council receives and notes this minute; and
2. Congratulate all the staff involved.

Motion: Moved: Mayor Waller

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

MOTION TO BRING ITEM FORWARD

Motion

Moved: Clr Ayyad

Seconded: Clr Shelton

That item NOM 03 Celebrating St Luke's Church 200 Years be brought forward and dealt with now.

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

ITEM NO: NOM 03
FILE NO: 064929.2019
SUBJECT: Celebrating St Luke's Church 200 Years

NOTICE OF MOTION (Submitted by Councillor Ayyad)

That Council:

1. Congratulate St Luke's Church on its amazing achievement of serving the Liverpool community, in the name of God, continuously for over 200 years;
2. Support the celebration of the 200 year anniversary in any means possible, including delegating to the CEO the ability to provide support (staffing etc);
3. Provide \$50,000 for the Church community events that they have planned so that the City and people of Liverpool can partake in this historical occasion. This should include a plaque, where possible, marking this event; and
4. Provide the printing and installation of the street banners in Liverpool around the month of September/October 2019 (in discussion with the Church).

COUNCIL DECISION

Motion:

Moved: Clr Ayyad

Seconded: Clr Hadid

That Council:

1. Resolves to provide \$40,000 to St Luke's Church as a contribution towards the celebration of the 200 year anniversary of St Luke's Church and also for the community day to be held in September 2019 and book launch in 2020;
2. Advertise the payment for a period of 28 days under s.356 of the Local Government Act, and if no submissions in objection are received, the CEO be delegated authority to progress the payment;

3. Provide St Luke's Church with a plaque marking the 200-year anniversary as a gift from Liverpool Council and the wider Liverpool community;
4. Congratulate St Luke's Church on its amazing achievement of serving the Liverpool community, in the name of God, continuously for over 200 years; and
5. Seek suitable grant funding from Office of Environment and Heritage regarding appropriate funding that could reconcile the \$40,000.

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

NOTICES OF MOTION OF RESCISSION

ITEM NO: NOMR 01
FILE NO: 059687.2019
SUBJECT: Rescission of EGROW 08 Responses to Advocacy, Liverpool's Time is Now from the Council meeting of 27 February 2019

NOTICE OF MOTION OF RESCISSION (Submitted by Cllr Hagarty, Cllr Shelton and Mayor Waller)

We the undersigned move a rescission motion to rescind item EGROW 08 Responses to Advocacy, Liverpool's Time is Now (as shown below) that was passed at the Ordinary Council Meeting held on Wednesday 27 February 2019.

"That Council:

1. *Note that Infrastructure Australia has listed Sydney Metro City & Southwest as a 'High Priority Project'.*
2. *Note that the Sydney Metro City & Southwest will provide in part:*
 - a. *48 extra services in peak on the Airport & South line.*
 - b. *72 extra services for each of the Western, Blue Mountains, Inner West lines & Leppington lines.*
3. *Note that a survey on Liverpool Listens was undertaken asking 'Do you support a metro rail extension from Bankstown to Liverpool?' which attracted 182 respondents of which 161 responded 'yes' and 21 'no'.*
4. *Note the media release issued by Council on the 23rd of October 2017 which in part states:*

"Liverpool is missing out again," said Liverpool City Council CEO Kiersten Fishburn. "People can't be made to wait decades for the infrastructure they need now. These are critical rail links which will make an enormous difference to the quality of people's lives – connecting people with jobs.

Already, Liverpool commuters are struggling with one of the slowest lines in Sydney, Ms Fishburn said.

"We desperately need express services to get people to work in reasonable time. Many residents are losing up to three hours a day commuting," she said.

"Mayor Wendy Waller and the councillors want the best for the city's residents which is why we have worked so hard on this issue," she said.

"We have run surveys, a petition, made expert submissions and met with countless bureaucrats and politicians. We will not stop standing up for the people of Liverpool

and I would encourage members of the community to let the NSW Government know what they think.”

5. *Note the SMH report on the 14th of October 2015 headed ‘Foley proposes Bankstown metro extension to Liverpool, Badgerys Creek which in part states ‘The state opposition is calling on the government to consider extending the Bankstown line, planned to be converted to a "metro" rail link, in a straight line to Liverpool and then perhaps beyond to Badgerys Creek.*
6. *Note that after extensive lobbying by Council the State Government included the Metro from Bankstown to Liverpool in their plans.*
7. *Note that the State Labor Leader vowed mid February 2019 to spend \$8 billion to "fast-track" a new metro train line between Parramatta and the central city with some of the funds coming from cancelling the Sydney Metro City & Southwest.*
8. *Note that Liverpool is the Gateway to the Southwest, the third CBD and is sick of having much needed funds and links diverted to improve Parramatta.*
9. *Direct the CEO to immediately lobby the State Opposition Leader in all ways possible requesting that this transport project is not cancelled should his Party be elected to govern.*
10. *Direct the CEO to immediately commence a community awareness campaign using all means possible, not limited to print and social, voicing our outrage on the promise by the State Opposition Leader to cancel the Sydney Metro City & Southwest, should his party be elected to govern, highlighting the benefits this project would bring to our residents.*
11. *Direct the CEO to use funds from the Unrestricted Reserves to ensure our message is heard loud and clear.*
12. *Lobby for the Bankstown Metro Line to go to Liverpool.”*

The above Rescission Motion was lodged by Clr Hagarty, Clr Shelton and Mayor Waller.

The Mayor ruled that the original motion (passed on 27 February 2019) is unlawful, and as a result, the Rescission Motion is out of order and would not be dealt with.

- a) Replace Clause 15.14 (as shown below) with Clause 15.15 (as shown below);

15.14 All chairpersons of meetings of the council and committees of the council are authorised under this code to expel any person, including any councillor from a council or committee meeting, for the purposes of section 10(2)(b) of the Act.

15.15 All chairperson of meetings of the council and committees of the council are authorised under this code to expel any person other than a councillor, from a council or committee meeting, for the purposes of section 10(2)(b) of the Act. Councillors may only be expelled by resolution of the council or the committee of the council.

- b) Remove Clause 5.14 and Clause 5.15 (non-mandatory clauses) as shown below;

5.14 Where, prior to the commencement of a meeting, it becomes apparent that a quorum may not be present at the meeting, or that the safety and welfare of councillors, council staff and members of the public may be put at risk by attending the meeting because of a natural disaster (such as, but not limited to flood or bushfire), the mayor may, in consultation with the CEO and, as far as is practicable, with each councillor, cancel the meeting. Where a meeting is cancelled, notice of the cancellation must be published on the council's website and in such other manner that the council is satisfied is likely to bring notice of the cancellation to the attention of as many people as possible.

5.15 Where a meeting is cancelled under clause 5.14, the business to be considered at the meeting may instead be considered, where practicable, at the next ordinary meeting of the council or at an extraordinary meeting called under clause 3.3.

- c) Clause 5.22 to be changed to read:

With regards to webcast recording of each meeting of Council and Committee of Council, the webcasting recording is to be retained on Council's website for a four year rolling term.

2. Receives a further report to Council following the public consultation period, or if no submissions are received, delegate to the CEO to adopt the Code of Meeting Practice as exhibited.

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.

6. Direct the CEO to bring a report to Council, listing all commitments made by the Government relating to the Liverpool LGA during the election campaigning period and also specifically related to the delivery of commuter carparking.

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

Clr Hadchiti left the meeting at 8.46pm.
Clr Hadchiti returned to the meeting at 8.48pm.

CITY INFRASTRUCTURE AND ENVIRONMENT REPORT

ITEM NO: INF 01
FILE NO: 051012.2019
SUBJECT: Conservation of Koala Habitat Corridors

RECOMMENDATION

That Council receives and notes the report.

COUNCIL DECISION

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

That Council receive and accept the report and:

1. Write to Sutherland Council seeking their support for the need for a koala corridor that links the Liverpool LGA and the Sutherland LGA through the Military owned land;
2. Seek their support to also contact the Minister of Defence seeking support for a connecting corridor;
3. Contact the Minister of Defence after the May election to maintain avocation for Koala corridor through the Defence land; and
4. Report back to the July Council meeting on all outcomes.

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

QUESTIONS WITH NOTICE

ITEM NO: QWN 01
FILE NO: 036987.2019
SUBJECT: Question with Notice - Clr Hagarty - Small Streets

Background

Liverpool has many small suburban streets. When vehicles park on the verge in these streets they are fined. When they park in these small streets, occasionally garbage trucks are unable to pass.

Please address the following:

What is the minimum width a street needs to be for a garbage truck to pass:

- With no cars parked in it.
- If a car is parked on one side.
- If cars are parked on either side.

Response

Liverpool's local streets are generally designed to cater for the width and turning circle of what is known as a "service vehicle" of 8.8m in length. Liverpool City Council garbage trucks are generally 9.5 - 9.9 metres long, 2.5 metres wide and have a minimum turning radius of 10.3 metres. This is slightly larger than the standard service vehicle for which most roads are designed.

The following table outlines the minimum street widths for garbage trucks to operate without hindrance, including situations in which there are parked vehicles.

Street with On-Street Parking Arrangements	Minimum local street carriageway widths	Minimum high-order road carriageway widths
With no cars parked (on either side)	6.0 m	7.0 m
If a car is parked on one side	8.1 m	9.3 m
If cars are parked on either side	10.2 m	11.6 m

Additional information

Austrroads *Guide to Road Design Part 3 – Geometric Design* recommends a desirable general traffic lane width of 3.5 m for higher order roads such as arterial, sub-arterial and distributor roads carrying high traffic volumes and 3.0m for local streets in a low speed environment. These

widths are sufficient for garbage trucks to utilise when un-obstructed.

Australian Standards *AS 2890.5: 1993 Parking Facilities Part 5: On-Street Parking* outlines requirements for on-street parking design and specifies minimum on-street parallel lane widths of 2.1 m for cars and 2.3 m for light commercial vehicles.

In addition to the Austroads Guidelines and Australian Standards, in 1995 the then Commonwealth Department of Housing and Regional Development established an expert panel to prepare an Australian Model Code for Residential Developments (AMCORD): A National Resource Document for Residential Development.

The Code specifies the following requirements including carriageway widths for different classes of residential streets. The design of roads in older release areas such as West Hoxton, Wattle Grove and Prestons makes reference to the AMCORD requirements, as shown in the table below.

Table - Characteristics of Roads in Residential Subdivision Road Networks

Road type	Traffic Volume (vpd)	Maximum Speed (km/h)	Carriageway Width (m) (two lanes)		Parking provisions within road reserve
			Minimum m	Maximum	
Access Street/Cul de sac	300	25	6.5	6.5	Kerb-side in Carriageway
Local Street	300 - 1,000 vpd	40	7.0	7.5	Kerb-side in Carriageway Kerb-side in Carriageway
	1000to 2,000 vpd	40	7.5	9.0	
Collector Street	2,000 - 3,000 vpd	50	7.5/9.5 for bus routes	9.5	Carriageway/ Indented parking Rollover
Local Sub-Arterial Road/Truck Collector	6,000 (no access to single dwelling residential allotments)	60	7.5/9.5 m for bus routes	9.5	Parking not permitted on carriageway

Council's current engineering design specification (Aus-Spec, 2001, NSW Development Design Specification D1 Geometric Road Design (Urban and Rural) adopts narrower carriageway widths of 6.5m to 7.0m wide inclusive of parking compared to the minimum recommended road width of 8.1m based on the Austroads Design Guides and Australian Standards.

ITEM NO: QWN 02
FILE NO: 065198.2019
SUBJECT: Question with Notice - Clr Shelton - Busking Policy

Please address the following:

1. Noting Council's 'Busking Policy' is shortly due for renewal in any event, please advise what steps would be required, and to what extent it is thought feasible, to wholly or partially exempt persons of aboriginal descent from compliance with this policy?

A response to this Question with Notice will be provided in the 17 April 2019 Council meeting business papers.

ITEM NO: QWN 03
FILE NO: 065217.2019
SUBJECT: Question with Notice - Cllr Shelton - Solar Panels on Council Buildings

Please address the following:

1. Please in broad terms advise the extent to which it is feasible and cost effective to implement a program of progressive installation of solar panels on Council buildings?
2. As a supplementary matter please also broadly advise whether the installation of energy storage batteries at any time in the foreseeable future would be beneficial?

A response to these Questions with Notice will be provided in the 17 April 2019 Council meeting business papers.

Clr Hadchiti left the meeting at 9.17pm.

Clr Hagarty left the meeting at 9.19pm.

Clrs Hagarty and Hadchiti returned to the meeting at 9.21pm.

PRESENTATIONS BY COUNCILLORS

Councillor Rhodes made a presentation on the Tourism Conference as follows:

I attended the Local Government Tourism Conference held this month in Terrigal.

The Conference was well attended particularly from Regional NSW.

I advised the Conference about the 200,000 Chinese/Asian tourists that currently stay predominately in the Liverpool LGA each year. At the conference I suggested mutual co-operation and possible partnership arrangement with the Regional LGA's who have the opportunity to obtain funding, to partner with Liverpool accommodation providers to promote their regional tourism opportunities to the 200,000 International Tourists we have staying with us each year.

The regional areas of NSW have access to State funding that is not available to metropolitan areas like Liverpool.

At the conference I proposed that Liverpool has the opportunity to promote directly to the tourists they are seeking and that regional areas have access to funding to promote their attractions to that clearly defined and captured market in Liverpool.

The mutual co-operation would benefit Liverpool in helping us to provide a better visitor experience for our International Tourist by providing 3D promotion booths showing the tourism assets of Regional NSW. The booths being funded by the Regional LGA's through funding available to them that is not available to Liverpool.

The benefit to participating regional LGA's is that they have the opportunity to increase their visitation numbers.

The benefit to Liverpool is that by providing an additional information service to the International market we are more likely to have return or additional International Tourists who choose Liverpool as their desired base destination in preference to other LGA's who do not offer a similar service.

My proposal was met with enthusiastic applause and already there are a number of Regional LGA's or Tourism information centres who have expressed their interest in such partnerships.

The second interest to me attending the Conference was to find out more about Agritourism, which presented another Liverpool opportunity through A Fruit Wine operation who has established a possible export market into the Chinese market, but is delaying this opportunity until they can guarantee supply.

This information presented a two-fold opportunity for Liverpool, to again utilise our existing Chinese Tourism market.

The first opportunity is through the promotion of product information, wine tastings etc that the Central Coast operation has expressed a desire to partner with the hotel operators in Liverpool to do. This again would increase the value of visitor experience and help consolidate Liverpool as a destination of choice by this International Market. By Liverpool value adding to their visitation experience through activities such as this we will encourage more International Tourists to choose Liverpool as a destination of preference.

Fruit Wine is very popular with the Chinese who have expressed their desire to be able to purchase such produce that is otherwise unavailable to them in China.

This presented the second opportunity for Liverpool to participate in agriculture production, where there is not only an identified market but there is also an identified need for greater production in order to guarantee the supply for a Fruit Wine Chinese export market.

The Terrigal operator is more than willing to participate in forums to educate and investigate the opportunities this market presents.

This is of particular interest in regard to the recently announced Future Food Systems CRC where Liverpool has been identified as a participating Hub and I will help Council spread the word to those people already participating in Agriculture of this particular already identified product and market opportunity.

I did purchase a case of the fruit wine that I intend to use to educate people on the product and the opportunity it presents for Liverpool agriculture.

Since my return to Sydney I have also been advised of a further possible \$10 to \$15m in the hospitality industry wishing to invest into the Liverpool area, based on the growing strength and opportunity that the Chinese/Asian market presents, and who is requesting a meeting which I will pass onto the appropriate council manager.

I thank Liverpool Council for the opportunity to attend the Local Government Tourism Conference.

NOTICES OF MOTION

ITEM NO: NOM 01
FILE NO: 065167.2019
SUBJECT: Governance of Political Corflute Placements on Public Property

BACKGROUND

Council currently does not allow the placement of election corflutes on public property and despite this, corflutes, advertising candidates for State election has already cost Council rate payers money by the Council expense of having to remove the offending corflutes.

Every election this is a needless expense to rate payers and a waste of Council resources.

With the State, Federal and Local elections all due in 2019 to 2020 it is time Council took greater control through better, more clearly defined Liverpool Council regulations, governing the placement of political corflutes that should be promoted heavily on the Liverpool Council website.

Instead of Council and rate payers picking up the tab for the removal of offending corflutes, the candidates could be fined for the misplacement or non-removal of the corflutes to cover the Council expense of misplacement and removal and make the candidates themselves financially responsible rather than Liverpool rate payers.

It is important that Council support the citizen's responsibility to vote at all elections and the placement of corflutes on public space in a controlled manner would address that public responsibility.

To better manage the process Council could impose limits to the number of corflutes per candidate, on any public property, or the candidate would be fined for each offending corflute at a substantial dollar amount per day for each day the offending number of corflutes are displayed.

Council could control through imposing fines in a similar manner on the commencement date for the permissible number of corflute placements and the date by which all corflutes should be removed or fines per day would be imposed upon the candidate.

Council could also, in time improve on the fine system by developing an identification of public property and an application to place corflute through a placement fee on all corflutes erected on public spaces.

Council could clearly advise on the Council website the governance of political corflutes that outlines:

- a) When the corflutes are permitted to be placed;
- b) When the corflutes have to come down;
- c) How many corflutes each candidate may place at each location; and
- d) The dollar amount fine for each offending corflute per day.

Having a limit to the maximum number of permissible corflutes per candidate permitted at any individual public space is a democratic approach that balances the Council's responsibility to promote the need for citizens to vote, against the opportunity for any one particular candidate or party dominating to the exclusion of all other candidates or party's opportunity to place corflutes at the same site.

NOTICE OF MOTION (Submitted by Councillor Rhodes and Councillor Harle)

That Council:

1. Immediately allocate funds to update the Political Corflute Policy to include the following:
 - a) Make available public property for the purpose of placement of political corflutes to advise citizens of their need to vote at a forthcoming election;
 - b) Impose that each candidate or party can place no more than 4 corflutes at any one public site;
 - c) Advise that a daily fine of (\$ amount set by council) per day for each offending corflute will apply for each corflute that:
 - i) Is outside the maximum number of permissible corflutes at any one public place; and
 - ii) Is outside the permissible dates of placement and removal at any public place.
 - d) Clearly advise the date for permissible commencement for placement of corflutes and the date of removal of corflutes; and
 - e) Promote the policy update and imposed fines on the Home page of the Council website.
2. Also Investigate and report back to the council meeting:

- i. Identifiable suitable Council land to build a public car park in the Liverpool CBD large enough to accommodate all the current on-street parking plus further parking space to accommodate up to 3 times the number of the on-street parking spaces;
- ii. Investigate the most competitive costs utilising internationally advanced construction of public parking facilities;
- iii. Investigate all possible funding and or PP's to develop a final parking and traffic flow solution that shifts the on-street parking in the Liverpool CBD to a Public Parking Station, permitting the CBD streets free of parked cars to move better and create a better traffic flow into and out of the CBD; and
- iv. Include in the report a financial plan where it shows that it would be possible to pay off the public car park facility utilising the funds collected for parking from the station.

Foreshadowed Motion

Moved: Clr Ayyad

Seconded: Clr Hadid

That Council:

1. Increase the 15-minute free time limit currently in place to 30 minutes; and
2. That all revenue from carparking go to parking related activities.

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 Hadchiti
 Clr Hadid

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

Note: Clr Ballot was not in the meeting when this item was voted on.

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

The Foreshadowed Motions moved by Clrs Rhodes and Ayyad therefore lapsed.

CONFIDENTIAL ITEMS**ITEM NO:** CONF 01**FILE NO:** 001359.2019**SUBJECT:** Vehicle Hydraulic, Repairs and External Servicing Services**RECOMMENDATION**

That Council:

1. In accordance with clause 178(1)(b) of the Local Government (General) Regulation 2005 declines to accept any of the tenders received for Tender RCL2785 – Vehicle Hydraulic Services, and RCL2784 – Supply of External Vehicles Servicing & Repairs including Registration Check Services;
2. In accordance with Section 178(3)(e) of the Local Government (General) Regulation 2005, delegates authority to the CEO or her nominee to enter into negotiations with local suppliers (whether or not the company was a tenderer), with a view to entering into a contract or panel arrangement in relation to Vehicle Hydraulic Services and External Vehicle Servicing & Repairs, including Registration Checks;
3. In accordance with clause 178(4) of the Local Government (General) Regulation 2005, notes that the reasons for entering into negotiations and not calling fresh tenders are:
 - a. The market response was not as expected, resulting in insufficient submissions to form a panel arrangement.
 - b. Local offerings within the Liverpool LGA have not been fully explored. By proceeding with direct negotiations, Council will be able to engage with local suppliers and promote awareness of Council's purchasing procedures, facilitating local economic development in the process.
4. Makes public its decision regarding Tender RCL2785 – Vehicle Hydraulic Services, and RCL2784 – Supply of External Vehicles Servicing & Repairs including Registration Check Services; and
5. Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of section 10A(2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

THE MEETING CLOSED AT 10.04pm.

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 17 April 2019

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 27 March 2019. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.



**MINUTES OF THE ORDINARY MEETING
HELD ON 17 APRIL 2019**

PRESENT:

Mayor Wendy Waller
Councillor Hadid
Councillor Hagarty
Councillor Harle
Councillor Kaliyanda
Councillor Karnib
Councillor Rhodes
Councillor Shelton
Ms Kiersten Fishburn, Chief Executive Officer
Mr David Smith, Acting Director City Economy and Growth
Mr Chris White, Director City Corporate
Ms Tina Sangiuliano, Acting Director City Community and Culture
Dr Eddie Jackson, Director City Deal
Mr Peter Patterson, Director City Presentation
Mr Raj Autar, Director City Infrastructure and Environment
Mr Vishwa Nadan, Chief Financial Officer
Mr John Milicic, Manager Property
Mr Andrew Stevenson, Manager Communications
Mr George Georgakis, Manager Council and Executive Services
Ms Susan Ranieri, Coordinator Council and Executive Services (minutes)

The meeting commenced at 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 Luke's Anglican Church.

NATIONAL ANTHEM The National Anthem performed and recorded by Rebekah Ferro was played at the meeting.

MAYORAL MINUTES

Nil.

CITY ECONOMY AND GROWTH REPORT

ITEM NO: EGROW 01

FILE NO: 011109.2019

SUBJECT: Post exhibition report - Draft Liverpool Local Environmental Plan 2008 (Amendment 70) - Rezoning land from RE1 Public Recreation to B2 Local Centre at Carnes Hill Marketplace

RECOMMENDATION

That Council:

1. Notes the Gateway determination for the draft *Liverpool Local Environmental Plan 2008* (Amendment 70) and the results of the public exhibition and community consultation;
2. Endorses the offer to enter into a Deed of Commitment for road improvement works in the vicinity of the Carnes Hill Shopping Centre and delegates authority to the CEO to execute the Deed of Commitment; and
3. Approves Amendment 70 and delegates authority to the CEO to liaise with the Parliamentary Counsel's Office to finalise the planning proposal, once the Deed of Commitment has been executed.

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.

Councillors voted unanimously for this motion.

CITY COMMUNITY AND CULTURE REPORT**ITEM NO:** COM 01**FILE NO:** 066565.2019**SUBJECT:** Grants, Donations and Corporate Sponsorship**RECOMMENDATION**

That Council endorses the funding recommendation of \$20,000 (GST exclusive) under the Corporate Sponsorship (Outgoing) Program subject to the events being held in the Liverpool Local Government Area for the following projects:

Applicant	Project	Recommended
Fono Samoa NSW Organisation Incorporated	Samoa Day	\$10,000
International Eid Festival Pty Ltd	International Eid Festival	\$10,000

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: CTTE 02
FILE NO: 073076.2019
SUBJECT: Minutes of the Liverpool Pedestrian, Active Transport and Traffic Committee Meeting

RECOMMENDATION

That Council adopts the following recommendations of the Committee:

- Item 1 Old Kurrajong Road, Casula – Rehabilitation and associated signs and linemarking scheme.
- Council approves the following traffic facilities as part of the proposed rehabilitation works; installation of two pedestrian refuges, seagull island treatment at the Old Kurrajong Road/Reserve Road intersection and associated signs and linemarking scheme, as indicated in Attachment 1.1-1.3 of the minutes.
- Item 2 Kingsford Smith Avenue, Middleton Grange – Proposed signs and linemarking scheme.
- Council approves the signs and linemarking scheme along the section of Kingsford Smith Avenue, between Fifteenth Avenue and Flynn Avenue, as indicated in Attachment 2.1-2.2 of the minutes.
- Item 3 Sixteenth Avenue, Hall Circuit intersection, Middleton Grange – Intersection modification with associated signs and linemarking scheme.
- Council approves the signs and line marking scheme for realignment works along Sixteenth Avenue (Flynn Avenue) between Qantas Boulevard and Broadbent Avenue and intersection treatment of the Sixteenth Avenue/Qantas Boulevard/Hall Circuit intersection, as indicated in Attachment 3.1-3.4 of the minutes.
- Item 4 Bigge Street, Liverpool – Proposed changes to existing timed parking
- Council approves the following amended parking arrangements along the eastern side of Bigge Street between Elizabeth Street and Warren Serviceway:
- No Stopping 6am–10am (existing) and 3pm-6pm Monday to Friday
 - 1P Ticket 10am to 3pm Monday to Friday
 - 1P 10am to 1pm, Saturday.

QUESTIONS WITH NOTICE

ITEM NO: QWN 01
FILE NO: 065789.2019
SUBJECT: Question with Notice - Clr Shelton - Busking Policy

Please address the following:

1. Noting Council's 'Busking Policy' is shortly due for renewal in any event, please advise what steps would be required, and to what extent it is thought feasible, to wholly or partially exempt persons of aboriginal descent from compliance with this policy?

Response

Council's Buskers Policy is due for review in May 2019. Council officers can now confirm that they have commenced the review process. As part of this review, officers will consider the potential for individual exemptions for specific applicants, including persons of Aboriginal descent, with reference to the following specific assessment criteria:

- Requirement for public liability insurance
- Limitations on busking times and locations

The newly revised Policy, to be presented to Council for consideration in the coming months will outline a clear and transparent application and assessment process for the issuing of busking permits. It is anticipated that this will further encourage and enrich activation of the CBD.

ITEM NO: QWN 02
FILE NO: 065790.2019
SUBJECT: Question with Notice - Cllr Shelton - Solar Panels on Council Buildings

Please address the following:

1. Please in broad terms advise the extent to which it is feasible and cost effective to implement a program of progressive installation of solar panels on Council buildings?
2. As a supplementary matter please also broadly advise whether the installation of energy storage batteries at any time in the foreseeable future would be beneficial?

Response

Solar Panel Installation Program

Council's adopted Energy Management Plan (EMP) identifies a list of practical energy saving measures for key energy using facilities. The underlying principles of the EMP continue to guide the delivery of a range of energy saving measures across Council's facilities.

To date, Council has installed twelve solar systems ranging in capacity between 5kw to 10kw across its many facilities including the Central Library, numerous childcare and community centres.

Due to its relatively long life span and low maintenance costs, solar panel systems have provided a cost effective and efficient alternative for the provision of electricity to council's many facilities. With a payback period of between four and five years, Council's assessment based on trends show that the solar panel systems have resulted in:

- A reduction in the overall energy consumption by up to 30% during the period between 2013 and 2019; and
- A reduction in the overall energy costs by up to 40%.

Council plans to continue its program of solar panel installation across our buildings, and a detailed investigation is underway for the installation of a 100kW solar panel system for the Casula Powerhouse Arts Centre building.

Solar Battery Storage

With regards to the feasibility of installing energy storage batteries, Council's assessment shows that the installation of energy storage batteries is far more feasible for buildings that have high levels of night time electricity demand to provide power to plant and equipment. Council has recently installed an energy storage battery to service the amenities building at the Casula Parklands, and will be monitoring its performance over time.

ITEM NO: QWN 03
FILE NO: 081482.2019
SUBJECT: Question with Notice - Cllr Hagarty - Realising Opportunity in the Transformation of Western Sydney

Introduction

Western Sydney is undergoing rapid transformation. The City Deal, Western Sydney Airport and the Aerotropolis are set to deliver unprecedented employment, education, social and cultural benefits to the region.

It's vitally important the people of Liverpool and Western Sydney, including the most disadvantaged, are the primary beneficiaries of these opportunities.

Please address the following:

1. What percentage of the executive and boards of the Western City and Aerotropolis Authority and WSA Co. live in Western Sydney?
2. What pathways from primary to high schools to TAFE and/or University are being provided for the people of Liverpool and Western Sydney as part of the City Deal, Western Sydney Airport and other related initiatives?
3. What is being done to address the digital divide as part of the City Deal's 'Digital connectivity and smart technology' deliverable?

A response to these Questions with Notice will be provided in the 29 May 2019 Council Business Papers.

ITEM NO: QWN 04
FILE NO: 085591.2019
SUBJECT: Question with Notice - Clr Hadchiti - Council Buildings Compliance

Please address the following:

1. Do all Council buildings comply with The Building Code of Australia (BCA)?
2. Do all Council buildings comply with current fire standards?

A response to these Questions with Notice will be provided in the 29 May 2019 Council Business Papers.

ITEM NO: QWN 05
FILE NO: 085621.2019
SUBJECT: Question with Notice - Clr Rhodes - Western Sydney Planning Partnership

Please address the following:

1. Can Council please give details about Liverpool Council's engagement in the Western Sydney Planning Partnership concerning the transition for planning the Western Sydney Aerotropolis from the Department of Planning and Environment to the Planning Partnership?
2. What part will Liverpool Council be playing in the recommendation, determination and or delivery of plans for Zoning, Land Use, Infrastructure and Precinct Plans for the Aerotropolis and South Creek lands in the Liverpool LGA?
3. What is Liverpool Council's community consultation process and how and when will it be addressed in the decision making process in regard to Liverpool Council's engagement as a partner in the Planning Partnership?
4. Will the Western Sydney Planning Partnership still be in place if there is a change of Federal Government at the upcoming elections?

A response to these Questions with Notice will be provided in the 29 May 2019 Council Business Papers.

ITEM NO: QWN 06
FILE NO: 086188.2019
SUBJECT: Question with Notice - Cllr Shelton - Parking

Please address the following:

1. A constituent has enquired as to whether the very modest provision of some dedicated motor scooter and motor bike parking areas within the CBD would go some small way toward alleviating parking congestion, that is, by not requiring a motor scooter or motor bike to occupy one whole space (acknowledging they do not always do this). At any rate, please advise whether there are any plans to create in a limited way such dedicated parking areas; and
2. Whether also there is any research (even anecdotal) as to the likely impact of as much even if negligible on parking availability, and whether it is thought there is a benefit in addressing as much in a more detailed manner in the future.

A response to these Questions with Notice will be provided in the 29 May 2019 Council Business Papers.

its importance and issues specifically relating to Local Government will not have a seat at the leadership table;

3. Write to Premier and Minister for Local Government expressing its opposition to the abolition of the Office of Local Government and seek clarification on how the OLG's existing resources and functions will operate and be funded; and
4. Write to local State and Federal MPs asking for their support of the above.

Foreshadowed Motion: Moved: Clr Rhodes Seconded: Clr Hadid

That Council:

1. Notes the OLG and the Minister of Local Government's advice; and
2. Updates Council at such time on any changes on how the OLG's existing resources, functions and funding may alter from the current advice.

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

Vote for: Mayor Waller
 Clr Hagarty
 Clr Kaliyanda
 Clr Karnib

Vote against: Clr Hadid
 Clr Harle
 Clr Rhodes
 Clr Shelton

Note: The motion was carried on the Mayor's casting vote.

2. Review and update where necessary all relevant policies and procedures related to mosquito (and related pests) management;
3. Work with the multitude of other stakeholders in and around the areas of concern, including, but not limited to NSW Health, the Defence Force, the intermodal, Sydney Water and adjoining Councils;
4. Conduct an annual communications campaign in the lead up to mosquito breeding season to inform residents on effective methods to prevent and reduce mosquito numbers. Any treatment of the issue be mindful of people with sensitivities to any herbicides, pesticides or chemicals that are used and include that in the communications around this issue; and
5. Congratulate the Director of City Presentation, Peter Patterson and his staff for their prompt action on this issue.

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

ITEM NO: CONF 02
FILE NO: 038258.2019
SUBJECT: Tender WT2770 – Georges River Footbridge Renewal at Voyager Point

RECOMMENDATION

That Council:

1. In accordance with Section 178(1) (b) of the Local Government (General) Regulation 2005, declines to accept the tender received for WT2770 – Georges River Footbridge Renewal at Voyager Point;
2. In accordance with Section 178(3) (e) of the Local Government (General) Regulation 2005, enters into negotiations with EPTEC Services Pty Ltd (Eptec) with the view to entering into a contract for the Georges River Footbridge Renewal Project;
3. In accordance with Section 178(4) of the Local Government (General) Regulation 2005, notes the reasons for entering into negotiations and not calling fresh tenders are:
 - a) A clear lump sum price can be negotiated with Eptec following completion of the load capacity assessments and based on the assessed scope of additional works. Further, Council will be appointing a Quantity Surveyor to verify and ensure agreed prices are reasonable and represents value for money;
 - b) The public tender process has resulted in only a single tender submission from Eptec, and independent reference checks have confirmed Eptec's ability to undertake the required works to a satisfactory standard. It is therefore considered that inviting fresh tenders for almost the same proposal is unlikely to result in a different outcome;
 - c) It is also considered that 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. Further the active corrosion and resultant rapid deterioration warrants that required works be undertaken without delay; and
 - d) Council's own enquiries with other contractors suggest that calling fresh tenders is unlikely to elicit a wider response due to the specialised nature of the works and limited market capacity for such bridge rehabilitation works.
4. Makes public its decision regarding tender WT2770 – Georges River Footbridge Renewal at Voyager Point;
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

THE MEETING CLOSED AT 6.57pm.

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 29 May 2019

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 17 April 2019. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.

.....



**MINUTES OF THE ORDINARY MEETING
HELD ON 29 MAY 2019**

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 and Growth / Deputy CEO
Mr Vishwa Nadan, Acting Director City Corporate
Ms Tina Sangiuliano, Acting Director City Community and Culture
Dr Eddie Jackson, Director City Deal
Mr Peter Patterson, Director City Presentation
Mr Raj Autar, Director City Infrastructure and Environment
Mr John Morgan, Director Property & Commercial Development
Mr Charles Wiafe, Service Manager Traffic and Transport,
Ms Margaret Diebert, Manager Operational Facilities, City Presentation
Mr Andrew Stevenson, Manager Communications
Mr Michael Knight, Acting General Counsel Manager Governance Legal
Mr David Petrie, Manager City Design and Public Domain
Ms Galavizh Ahmadi Nia, Manager Community Development and Planning
Mr George Georgakis, Manager Council and Executive Services
Ms Susan Ranieri, Coordinator Council and Executive Services (minutes)

The meeting commenced at 6.00pm.

ACKNOWLEDGMENT OF COUNTRY, The Prayer of the Council was read by Pastor
PRAYER OF COUNCIL AND John Keane from West Hoxton Community Church.
AFFIRMATION TO BE READ BY

Clr Rhodes declared a pecuniary interest in the following item:

ITEM: CONF 08 The Voice.

REASON: Clr Rhodes had a financial dealing with the father of the individual named in the report.

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

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

ITEM: NOM 05 Warwick Farm.

REASON: Clr Harle has family members in the Warwick Farm area.

Clr Harle remained 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:
The Success of Podcasting Meetings.

Clr Hadchiti left the Chambers at 6.15pm.

Clr Hadchiti returned to the Chambers at 6.17pm.

- 2. **Ms Ellen Russell** addressed Council on the following item:
Thanking Council for their service to Liverpool as part of the National Day of Thanksgiving.

- 3. **Mr Mauro Poletti** addressed Council on the following item:
Warwick Farm South Precinct Rezoning.

Motion: **Moved: Clr Shelton** **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.

3. *Write to Premier and Minister for Local Government expressing its opposition to the abolition of the Office of Local Government and seek clarification on how the OLG's existing resources and functions will operate and be funded; and*

4. *Write to local State and Federal MPs asking for their support of the above."*

COUNCIL DECISION

Motion

Moved: Clr Rhodes

Seconded: Clr Hadchiti

That Council rescind item NOM 01 Abolition of Office of the Local Government that was passed at the Ordinary Council Meeting on 17 April 2019.

On being put to the meeting the Rescission Motion was declared LOST.

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

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

The Rescission Motion was lost on the Mayor's casting vote.

BRING ITEM FORWARD**Moved: Cllr Harle****Seconded: Cllr Shelton**

That item no: NOM 05 Warwick Farm be brought forward and dealt with now.

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

ITEM NO: NOM 05
FILE NO: 119816.2019
SUBJECT: Warwick Farm

Background

Warwick Farm has undergone a massive change since the opening of the William Inglis Hotel last year. Parking has become very difficult around the train station making it difficult for the horse training industry. Truck usage has increased and conflicts between horses and trucks are getting worse. The unique feeling of Governor Macquarie Drive has been lost with the removal of the beautiful trees that lined it.

This motion calls on council to address these issues.

NOTICE OF MOTION (submitted by Cllr Ayyad)

That Council:

1. Investigate parking restrictions on the streets of Warwick Farm near the horse trainers precinct and report back to council at our next meeting. This should include 4 hour parking or parking permits for residents;
2. Investigate ways to improve, beautify, and increase maintenance in Warwick Farm acknowledging there has been a significant change in the last year and a half with the opening of the 5 star William Inglis Hotel and conference centre. Report this back to Council at our July meeting;
3. Investigate ways to replant the large trees on Governor Macquarie Drive that were lost with the recent road widening and plant a boulevard of mature trees with a report to come back to Council in July; and
4. Conduct a count of truck usage with a report to come back to Council about solutions and strategies on how to minimise truck movements and improve safety for residents and horse trainers.

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

That Council:

1. Investigate parking restrictions on the streets of Warwick Farm near the horse trainers precinct and report back to Council at our next meeting. This should include 4 hour parking or parking permits for residents;
2. Investigate ways to improve, beautify, and increase maintenance in Warwick Farm acknowledging there has been a significant change in the last year and a half with the opening of the 5 star William Inglis Hotel and conference centre. Report this back to Council at our July meeting;
3. Investigate ways to replant the large trees on Governor Macquarie Drive that were lost with the recent road widening and plant a boulevard of mature trees with a report to come back to Council in July;
4. Conduct a count of truck usage with a report to come back to Council about solutions and strategies on how to minimise truck movements and improve safety for residents and horse trainers. Previous counts to be put forward also;
5. Note the land acquisition funds are in the general reserves budget to be used to finalise the by-pass road for trucks travelling through Warwick Farm. Note that Council is waiting on the RMS report and request a report to be submitted to the June 2019 Council meeting as to the progress.
6. Council staff to consult with the Warwick Farm residents within the first two weeks in July 2019 on the Local Strategic Planning Statement (LSPS).

A community meeting to also subsequently be convened with residents, landowners, and other stakeholders as soon as practicable on the future of the Warwick Farm equine precinct.
7. Bring any outstanding proposals to Council as soon as practicable with an update (which includes when information will be received) to be provided to the June 2019 Council meeting.

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

Councillors voted unanimously for this motion.

RECESS OF COUNCIL

Mayor Waller called a recess of Council at 7.37pm.

Mayor Waller reopened the meeting at 7.49pm with all Councillors present except for Councillor Hadid.

Clr Hadid returned to the meeting at 7.50pm.

Clr Ayyad left the Chambers at 7.50pm.

Clr Ayyad returned to the Chambers at 7.54pm.

CITY ECONOMY AND GROWTH REPORT

ITEM NO: EGROW 01

FILE NO: 072850.2019

SUBJECT: Heritage Incentives - Investigation of City of Perth and City of Adelaide.

RECOMMENDATION

That Council:

1. Undertake further research and report back to Council on the viability (including the budget implications) of the following:
 - a. Conservation grants (to fund minor and major conservation works);
 - b. Conservation management grants (for technical advice and management documentation);
 - c. Development of local heritage policies and procedures for heritage exemptions; and
 - d. Development of guidelines for the use of conservation incentives including permissible development, FSR bonuses and height bonuses.

COUNCIL DECISION

Motion

Moved: Clr Hadchiti

Seconded: Clr Kaliyanda

1. Undertake further research and report back to Council on the viability (including the budget implications) of the following:
 - a. Conservation grants (to fund minor and major conservation works);
 - b. Conservation management grants (for technical advice and management

documentation);

- c. Development of local heritage policies and procedures for heritage exemptions; and
- d. Development of guidelines for the use of conservation incentives including permissible development, FSR bonuses and height bonuses.

- 2. That Council undertakes an expression of interest to determine market interest in operating Council's heritage buildings such as Collingwood House.

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

- (b) Reduce any proposed fee increases above 10% to no greater than 10%;
 - (c) Identify a line item that ensures Council is in a position to introduce on line bookings for services such as hall hire and garbage pick ups;
 - (d) Identify a line item that ensures that garbage collections wait time is no greater than two weeks;
 - (e) Identify a line item for the introduction of improved technology to monitor rubbish dumping across the LGA;
 - (f) Removal of the anticipated Moorebank Intermodal Company ex gratia payments; and
 - (g) Identify a line item that replaces the trees on Terminus Street and Pirie Street in Liverpool with mature plain trees. Also plant mature plain trees on Kurrajong Road. The green fence along Kurrajong Road to also be covered with a crawler that is evergreen or with colour which flower in some seasons;
2. Place eleven (11) nominated amendments to the adopted Statement of Revenue Policy 2019-20 on public exhibition for 28 days;
 3. Include the nominated amendments in the Statement of Revenue Policy 2019-20, subject to no opposing submissions being received, effective 1 July 2019;
 4. Provide a revised bottom line report at the next Council meeting; and
 5. Look at holding an additional briefing session to Councillors on Council's annual budget prior to it being released for public exhibition.
- On being put to the meeting the motion was declared CARRIED.

ITEM NO: COM 02
FILE NO: 086589.2019
SUBJECT: Grants, Donations and Corporate Sponsorship

RECOMMENDATION

That Council endorses the funding recommendation of **\$20,000** (GST exclusive) under the **Corporate Sponsorship (Outgoing) Program** for the following projects:

Applicant	Project	Recommended
Igbo Community Australia	African Cultural & Dinner Nite 2019	\$10,000
South West Sydney Waratahs	Aboriginal Koori Knock Out Carnival 2019	\$10,000

That Council endorses the funding recommendation of **\$31,500** (GST exclusive) under the **Community Grants Program** for the following projects:

Applicant	Project	Recommended
Cancer Patients Foundation	Look Good Feel Better	\$5,000
The Junction Works Limited	Baby and Child CPR & First Aid	\$5,000
Chipping Norton Public School P&C Association	Chess Tables for playground	\$5,000
The Australian Foundation for Disability	Engaging Our People with Disabilities in Community Life	\$5,000
The Shepherd Centre	Talk Together	\$5,000
St Vincent de Paul Society NSW Sydney Archdioceses	Men's Fresh Start Program	\$5,000
Language Festival Association	Liverpool Language	\$1,500

That Council endorses the funding recommendation of **\$105,000** (GST exclusive) under the **Matching Grants Program** for the following projects:

Applicant	Project	Recommended
Miracle Babies Foundation Ltd	NICU Graduate Bags for Families of Premature and Sick Newborn Babies	\$15,000
Life Education NSW	'Face the Facts'	\$15,000

Child Abuse Prevention Service (CAPS)	Safe Children Safe Families for Children with Special Needs	\$15,000
Sumer Association for Culture and Arts Incorporated	100 Souls, 100 Stories	\$15,000
NSW Radio Controlled Racing Car Inc.	Field Lighting - New Options, New Future	\$15,000
Liverpool Neighbourhood Connections	Backpack beds for Liverpool's Homeless	\$15,000
Think & Do Tank Foundation	Wandering Books	\$15,000

That Council endorses the funding recommendation of **\$48,500** (GST exclusive) under the **Sustainable Environment Grants Program** for the following projects:

Applicant	Project	Recommended
Warwick Farm Public School	Aboriginal Bush Tucker & Yarning Circle	\$5,000
Nuwarra Public School	Sustainability Squad	\$5,000
Cecil Hills Public School	School Gardening Group	\$4,000
St. Mark's Coptic Orthodox College	School Agricultural Garden	\$5,000
Malek Fahd Islamic School Limited	School Garden	\$4,500
Cecil Hills High School	Chilled Water Stations (Reduce Single-Use Plastic)	\$5,000
FoodFaith Ltd	Liverpool B and B Highway (Bed & Breakfasts for Birds, Bees and Biodiversity)	\$5,000
Holsworthy Preschool	Native indigenous Garden	\$5,000
SCRAP (School Communities Recycling All Paper) Ltd	Holsworthy Community Garden Biodiversity	\$5,000
AFFORD	Creating a sustainable environment	\$5,000

Foreshadowed motion: Moved: Clr Hagarty Seconded: Clr Kaliyanda

That Council:

1. Endorses the repurposing of the property at 75-77 Hill Road, Lurnea for housing including community housing;
2. Present Councillors with a financial options paper;
3. Delegates authority to the Chief Executive Officer to invite Expressions of Interest and enter into subsequent negotiations to contract with a suitably qualified and competent Community Housing Provider to deliver the development in accordance with the principles in Confidential Attachment A;
4. Directs the Chief Executive Officer to include sufficient funds to implement the works in the 2019/20 budget; and
5. Note that a further report will be provided, to seek Council approval to affect any necessary legal agreements to deliver the affordable/community housing.

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 the motion was declared CARRIED.

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

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

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

Note: the Motion (moved by Clr Hagarty) was carried on the Mayor's casting vote.

COMMITTEE REPORTS

Clr Ayyad left the Chambers at 9.48pm.

Clr Ayyad returned to the Chambers at 9.51pm.

ITEM NO: CTTE 01

FILE NO: 116535.2019

SUBJECT: Minutes of the Intermodal Committee meeting held on 14 May 2019

RECOMMENDATION

That Council:

1. Receives and notes the minutes of the Intermodal Committee meeting held on 14 May 2019;
2. Endorse the recommendations in the minutes, except recommendation 1 which has a financial implication; and
3. Requests the Independent Planning Commission carry out an independent traffic related peer review during the assessment and determination of the relevant development applications.

COUNCIL DECISION

Motion

Moved: Clr Hadchiti

Seconded: Clr Rhodes

That Council:

1. Receives and notes the minutes of the Intermodal Committee meeting held on 14 May 2019;
2. Endorse the recommendations in the minutes, except recommendation 1 to be changed to read:

Approve funds of up to \$30,000 for a peer review of the traffic modelling on the proviso that it can be used for future council submissions or be submitted and completed in time for the current proposal.

3. Requests the Independent Planning Commission carry out an independent traffic related peer review during the assessment and determination of the relevant development applications.

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

QUESTIONS WITH NOTICE

ITEM NO: QWN 01
FILE NO: 081484.2019
SUBJECT: Question with Notice - Clr Hagarty - Realising Opportunity in the Transformation of Western Sydney

Introduction

Western Sydney is undergoing rapid transformation. The City Deal, Western Sydney Airport and the Aerotropolis are set to deliver unprecedented employment, education, social and cultural benefits to the region.

It's vitally important the people of Liverpool and Western Sydney, including the most disadvantaged, are the primary beneficiaries of these opportunities.

Please address the following:

1. What percentage of the executive and boards of the Western City and Aerotropolis Authority and WSA Co. live in Western Sydney?

Western Sydney Airport Company was established in August 2017 to develop and operate Western Sydney Airport. Its offices are in the Liverpool CBD.

Western Sydney Airport is a Government Business Enterprise incorporated under the *Corporations Act 2001* (Cth) and operates under the *Public Governance, Performance and Accountability Act 2013* (Cth). Western Sydney Airport is wholly owned by the Australian Government, represented by the Minister for Finance and the Minister for Urban Infrastructure as shareholder ministers.

An experienced Chair and Board have been appointed to govern Western Sydney Airport's work on the airport project. A Board Charter sets out, amongst other things, conditions relating to the Governance Legal Framework, the role and responsibility of the Board, and the Board size, composition and independence.

The Authority's Board was appointed in February 2019 by Federal Minister for Cities, Urban Infrastructure and Population and the NSW Minister for Western Sydney. Based on publically available information, the Board is comprised of a Chairperson and six Directors, two of whom are long-time residents of western Sydney.

The Board is responsible, subject to consultation with the Shareholder Ministers for the appointment, removal or replacement of the CEO. Other Executive positions are appointed on the basis of the Australian Public Service Commission recruitment guidelines and must be based on merit.

The Western City and Aerotropolis Authority (WCAA) is a NSW Government Agency and was jointly established by the NSW and Australian Governments, under the Western Sydney City Deal, to facilitate the design and delivery of the Western Sydney Aerotropolis and support the growth of the Western Parkland City.

Based on publically available information, the Board is comprised of a Chairperson and four Directors, one of whom is a former CEO of a western Sydney Council and a long-time resident of western Sydney.

The WCAA CEO was appointed in November 2018. All other Executive appointments will be in accordance with the merit-selection rules under the Government Sector Employment Act 2013.

It should be noted that in August 2018, a skills matrix was endorsed by the Western Sydney City Deal Leadership Group, as a tool to guide nominations of directors to the Board of the WCAA, following earlier consideration by Mayors and General Managers and CEOs of the eight Councils. Of the thirteen skills identified, two referred explicitly to “Local Government Expertise” and “Local Knowledge” (specifically a background or experience in western Sydney).

2. What pathways from primary to high schools to TAFE and/or University are being provided for the people of Liverpool and Western Sydney as part of the City Deal, Western Sydney Airport and other related initiatives?

The Western Sydney City Deal has set an ambitious target of creating 200,000 new jobs within the Western Parkland City across a wide range of industries over the next 20 years.

The Western Sydney Airport and the adjoining Aerotropolis are central to the tri-government efforts to supercharge jobs creation in the region by acting as a catalyst for employment growth in the metropolitan centres of Liverpool, Penrith and Campbelltown as well as the broader region.

A suite of initiatives are planned or have commenced under associated commitments that seek to provide a comprehensive and integrated framework for maximising pathways from education and training through to employment in existing and emerging areas. Examples are as follows:

- With regard to the Aerotropolis, the NSW Government has stated its intent to achieve an integrated education system with good secondary/VET/University pathways. Giving effect to this is at a preliminary stage amongst the Aerotropolis foundation partners but already a Statement of Intent has been signed by the four members of a potential new STEM University (UNSW, University of Newcastle, UOW and WSU). Other elements within the overall approach include a Vocational Education Training facility with a focus on construction, aviation and aeronautical-related engineering; and a new Public High School with vocational links to Western Sydney Airport and

- the aerospace and aviation industries, preparing students for future job opportunities.
- Particular efforts are being placed on Indigenous, social and local participation targets through employment and procurement for construction projects. WSA Co, for example, has committed a 2.4 percent Indigenous employment target during the airport's construction, and a 3 percent Indigenous procurement target for construction projects. More broadly, an Indigenous small business and skills package will be delivered across the region.
 - WSA Co have also committed to a 30 percent local workforce target during construction and 50 percent once operational.
 - Within Liverpool, Council officers continue to work with State and Federal colleagues around the establishment of a TAFE Skills Exchange located near the airport to provide local training for the workers needed to construct the airport and other major projects; and the opening of an Indigenous Opportunity Hub for young Aboriginal students to improve educational and training outcomes linked to job opportunities within Liverpool.
 - With regard to the Liverpool Innovation Precinct, education pathways was the subject of discussion within a recent workshop involving DET, TAFE, UNSW, WSU, UOW and the SWSLHD to explore issues and opportunities and start to map out a forward plan of action. Across the region, the Department of Education are committed to learning pathways as a key element of its educational rationale.
 - Similarly, UOW offers a number of pathways to university through the UOW College. For example, the University Access Program provides an alternate pathway to UOW, and successful completion of college diplomas guarantees a spot on university courses. UOW also has an Outreach and Pathways Team that delivers programs in 16 high schools in and around Liverpool to raise aspirations and support access to higher education (including university and TAFE).

TAFE NSW supports local school students through a number of pathways:

- Providing courses for disengaged Youth through Community Service Obligation funding. Courses are delivered over 45 hours in a variety of industry areas to give students an experience in Adult Learning, and to encourage re-engagement in education. There are 7 programs scheduled for delivery across Liverpool and Miller in Term 2 for over 100 students.
- Training 243 students across nine TVET course offerings including Community Services, Construction, Electro technology, Plumbing, Screen and Media, Business Services, Financial Services, Retail Cosmetics and Salon Assistant.
- Staff also host college tours, Career Advisor Days, Taste of TAFE days. They attend Career Information Sessions and speak to student cohorts. TAFE also participate in local career expos to promote pathway options, such as the Making the Connection

for Health Event at Liverpool Hospital.

- TAFE NSW is an active member of the Liverpool Innovation Precinct, and chair for the Integrated Health High School Sub Committee for Liverpool, focused on student transition and pathway planning in partnership with local universities and health.

3. What is being done to address the digital divide as part of the City Deal's 'Digital connectivity and smart technology' deliverable?

The stated vision for the new Western Parkland City is that it will be one of Australia's most connected cities in which innovative public transport, aviation and digital infrastructure will bring residents closer to jobs, centres, and education. Enhanced connectivity and accessibility for all are thus regarded as crucial outcomes to the collective efforts.

The City Deal set out four commitments to develop digital infrastructure and create one of Australia's most connected cities:

- 5G strategy which includes a trial of 5G technology in the Western Parkland City;
- Western Sydney Digital Action Plan (led by local government);
- Smart Western City Program to enable NSW agencies to embed interoperable smart and secure technology – such as transport and utility monitoring systems – into new infrastructure as it is rolled out;
- Openly available data sets.

A steering group comprising Liverpool, Campbelltown and Wollondilly Councils, along with State and Federal government representatives has met regularly for the past six months to oversee and ensure integration of the four commitments. A group of the eight councils was also formed last year to lead the Digital Action Plan and the Western Sydney Sensor Project (the roll-out of a Federally funded Smart City grant).

Last year a decision was made to run an industry-engagement process for the four commitments. The technology sector was invited to co-develop the digital Western Parkland City and build a world leading Smart City. The intention is to hear about the available technology that complements and enhances major development projects. The expectation is that connectivity, energy and utility management, smart phones, smart poles, personal applications and the issue of data to generate insight will be part of the digital Western Sydney Parkland City.

A briefing was held in February. The prospectuses are now being assessed and a selected number will be invited to pitch their solution and some will be invited to a co-development incubation process.

More information can be found here:

<https://launch.innovation.nsw.gov.au/DigitalWesternParklandCity>

ITEM NO: QWN 02
FILE NO: 085670.2019
SUBJECT: Question with Notice - Clr Hadchiti - Council Buildings Compliance

Please address the following:

1. Do all Council buildings comply with The Building Code of Australia (BCA)?

Council buildings are required to meet the prevailing building standards at the time of construction, in this respect Council buildings would have been required to have met the Ordinance 70 or subsequent BCA regulations at the time of construction. Although BCA standards and requirements may change over time, the obligation to upgrade to the current BCA standards is only required upon any substantial building upgrades or renovations being undertaken. It is therefore considered that all Council buildings meet the requirements of the BCA, though older facilities are not compliant with the current building standards.

2. Do all Council buildings comply with current fire standards?

Council has a Fire Consultant engaged to undertake Annual Fire Safety Statement (AFSS) certificates for Council buildings. Annual Fire Safety Statements are maintained in order to ensure that subject buildings comply with relevant fire testing standards. The Fire Consultant engaged by Council has undertaken inspections for all buildings for which an AFSS is required. There are buildings where final certificates have not been issued due to non-compliance or defects having been identified at the time of inspection. Councillors have been supplied with ongoing and updated lists of these facilities progressively over the past 6 months. In order to address necessary outstanding upgrades, buildings works are currently in progress to ensure compliance, after which a final AFSS can be issued for those facilities.

Clr Hadchiti left the Chambers at 10.02pm.
Clr Hadchiti returned to the Chambers at 10.05pm.

ITEM NO: QWN 03
FILE NO: 085674.2019
SUBJECT: Question with Notice - Clr Rhodes - Western Sydney Planning Partnership

Please address the following:

- 1. Can Council please give details about Liverpool Council's engagement in the Western Sydney Planning Partnership concerning the transition for planning the Western Sydney Aerotropolis from the Department of Planning and Environment to the Planning Partnership?**

The Western Sydney Planning Partnership (WSPP) is one of the 38 commitments within the Western Sydney City Deal. This City Deal commitment has been promoted to:

- Deliver better, more efficient planning outcomes within the regions;
- Accelerate the transformation and development of the region; and
- Maximise the benefit from the new Western Sydney Airport.

Liverpool Council is a representative of the WSPP, a new and collaborative approach to planning involving eight other council's, the GSC, DPE, TfNSW, Syd Water and INSW.

Liverpool Council's engagement in the WSPP has, to date involved:

- Assisting with the establishment of the WSPP Project Office including recruitment of staff funded by State and Commonwealth resources with the Director administratively employed by Council (paid by State);
- Identifying staff to work on secondment within WSPP project teams;
- Liaison with DPE regarding funding to support WSPP operations and the scope of works for priority projects to be undertaken by the WSPP; and
- Chairing of the WSPP Project Control Group (PCG) by our Director City Economy and Growth.

- 2. What part will Liverpool Council be playing in the recommendation, determination and or delivery of plans for Zoning, Land Use, Infrastructure and Precinct Plans for the Aerotropolis and South Creek lands in the Liverpool LGA?**

Stage 1 of the WS LUIIP was prepared by the DPE and exhibited for public comment from 21 August to 2 November 2018.

The Stage 1 LUIIP - a high-level structure plan for how development in the Aerotropolis

could be arranged - identifies three initial precincts.

The Minister for Planning has requested that the WSPP prepare the next more detailed stage of the LUIP and more detailed planning to rezone the three initial precincts.

Liverpool will play a role on this work via staff seconded to work within project teams and through the PCG. The WSPP will then make recommendations to the Minister for Planning in relation to land use, zoning and infrastructure.

The Stage 2 LUIP and detailed precinct plans will be subject to further detailed community engagement, ahead of any decision that the Minister for Planning will make in relation to these plans. The WSPP is working with the DPE and the Minister for Planning to confirm the timelines for when the Stage 2 LUIP and detailed precinct plans will be completed.

3. What is Liverpool Council's community consultation process and how and when will it be addressed in the decision making process in regard to Liverpool Council's engagement as a partner in the Planning Partnership?

Through council's involvement the need for deep and regular engagement with the community has been tabled and the WSPP has acknowledged this.

A communications strategy will be prepared by the Partnership Office and endorsed by the WSPP PCG, and will form the basis of all communications over the life of the Planning Partnership.

Staff will keep councillors informed of any community engagement strategies to guide this work, as they are developed.

4. Will the Western Sydney Planning Partnership still be in place if there is a change of Federal Government at the upcoming elections?

With the result of the federal election, this is no longer relevant.

For the record, on 14 August 2018 the Shadow Minister for Infrastructure, Transport, Cities and Regional Development Anthony Albanese wrote to the Mayor and confirmed that a Federal Labor Government would continue with the work established with the City Deal, subject to some reform and renaming it City Partnerships.

The letter acknowledged the hard work that Western Sydney councils have put into the City Deal and that there would be no changes that diminish any of the benefits Local government has achieved.

ITEM NO: QWN 04
FILE NO: 086194.2019
SUBJECT: Question with Notice - Cllr Shelton - Parking

Please address the following:

1. A constituent has enquired as to whether the very modest provision of some dedicated motor scooter and motor bike parking areas within the CBD would go some small way toward alleviating parking congestion, that is, by not requiring a motor scooter or motor bike to occupy one whole space (acknowledging they do not always do this). At any rate, please advise whether there are any plans to create in a limited way such dedicated parking areas; and
2. Whether also there is any research (even anecdotal) as to the likely impact of as much even if negligible on parking availability, and whether it is thought there is a benefit in addressing as much in a more detailed manner in the future.

Response

1. Motorcycle parking provision

Council presently provides approximately eight dedicated motorcycle parking spaces in the Northumberland Street and Bathurst Street car parks.

In addition, on-street motorcycle parking is permitted where vehicle parking is permitted. In the Liverpool City Centre, motor cyclists are allowed to park without the need to display a parking meter ticket as a result of a Council resolution from the meeting of Council held on 23 July 2012.

The current motorcycle parking spaces are not fully occupied. As a result, Council has no immediate plans to increase the number of dedicated motorcycle parking space in the short term.

Council's Development Control Plan (DCP) requires developers to provide at least 1 on-site motorcycle space per 20 car spaces in all developments in the Liverpool City Centre to ensure that adequate provision is made for motorcycle parking.

In addition, Council will be completing a review of the 2017 Liverpool City Centre Precinct Car Parking Strategy report prepared by GTA Consultants within the next 3 months to ensure alignment with the Liverpool City Centre Public Domain Master Plan. This review will include motorcycle parking demand in the City Centre and if required, recommend staged provision of additional spaces.

2. Research - impact of motorcycle parking

There is no available information about motorcycle usage in the Liverpool Local Government Area and its impact on car parking demand. However, as a transport mode, it is recognised that motorcycle usage can reduce car parking demand. The advantage of motorcycle parking is that it occupies less parking area compared to a motor vehicle. In general, one parallel car parking space can be linemarked to accommodate five motorcycles.

ITEM NO: QWN 05
FILE NO: 119747.2019
SUBJECT: Question with Notice - Clr Hadchiti - Mosquitoes

Please address the following:

1. What progress has been made in relation to the Mosquito issue?

A response to this Question with Notice will be provided in the 26 June 2019 Council Business Papers.

ITEM NO: QWN 06
FILE NO: 119752.2019
SUBJECT: Question with Notice - Clr Hadchiti - Voluntary Planning Agreements (VPA's)

Please address the following:

1. Are there current issues or issues looming with any VPA's the Council has entered into?

A response to this Question with Notice will be provided in the 26 June 2019 Council Business Papers.

PRESENTATIONS BY COUNCILLORS

Nil.

NOTICES OF MOTION

ITEM NO: NOM 01
FILE NO: 116853.2019
SUBJECT: Emergency Services Levy

Background

Each year, the NSW Government collects payments from councils and insurers to fund emergency services agencies in NSW, with councils required to pay 11.7 per cent of the budget required by NSW Emergency Services. These charges are embedded in council rates and insurance premiums.

From 1 July 2019 the NSW Government plans to collect an additional \$160 million (in 2019/20) from NSW councils, communities and those paying insurance premiums to provide better workers' compensation coverage for volunteer and career firefighters who are diagnosed with one of 12 specific work-related cancers.

Councils were sent bills with a letter from Revenue NSW in May 2019, saying NSW council contributions will increase by \$19 million in 2019/20. The letter also foreshadowed increases in the following year, but not the amount.

The total emergency services levy contribution for Liverpool City Council for the 2019/2020 financial year will be \$2,155,621.39. This is an increase of \$292,095.51 on last year's levy, or 16%. This will mean council will need to find additional funds and/or cut planned initiatives or services.

Council no doubt supports career and volunteer firefighters in NSW – as it does all emergency services workers and volunteers. Indeed, many council staff and councillors are volunteers.

However, the sector was at no point advised that it would be required to cover the cost via significant increases to the emergency services levy, or what this cost would be.

The extra \$292,095.51 Liverpool is being asked to pay is a large amount and the impact of this unplanned cost will certainly be felt by the community.

It only fair that the NSW Government fund the first 12 months of this extra cost and work with local governments to ensure the implementation of the funding mechanism is fairer into the future.

NOTICE OF MOTION (submitted by Cllr Hagarty)

That Council:

A. Notes:

- a. That last December, the NSW Government enacted laws to provide better workers compensation coverage for firefighters who are diagnosed with one of twelve specific work-related cancers.
- b. That in many areas of NSW, fire services are made up of elected and staff members of local government, and that local governments strongly support this expanded workers compensation scheme.
- c. That as a result of these changes, the State Government has decided to implement the new scheme by charging local governments an increased Emergency Services Levy, without consultation.
- d. That the expected increase in costs to local governments will be \$19m in the first year alone, and that there is little or no time to enshrine this charge in Council's 2019/2020 budgets.
- e. That Local Government NSW has long advocated for the Emergency Services Levy to be significantly modified to ensure it is transparent, equitable and accountable.

B. That this Council supports Local Government NSW's calls for:

- a. The NSW Government to cover the initial additional \$19m increase to local governments for the first year; and
- b. the NSW Government to work with NSW local governments to redesign the funding mechanism for the scheme to ensure fairness into the future.

C. Requests that the CEO liaise with Local Government NSW to provide information on:

- a. The impact on council budgets; and
- b. Council advocacy actions undertaken.

D. Directs the CEO to:

- a. Write to the NSW Premier and NSW Interim Opposition Leader, NSW Minister for Customer Services, NSW Minister for Emergency Services, Minister for Local Government and Shadow Minister for Local Government, and local state member/s to:

- i. call upon the NSW Government to fund the 12 months of this extra cost rather than requiring councils to find the funds at short notice when budgets have already been allocated.
 - ii. explain how this sudden increase will impact council services / the local community.
 - iii. highlight that councils were not warned of the increased cost until May 2019, despite the new laws being passed in November 2018.
 - iv. explain that the poor planning and implementation of the increase is inconsistent with the Government's commitment to work in partnership with the sector.
 - vi. ask the Government to work with local governments to redesign the implementation of the scheme to ensure it is fairer for councils and communities into the future.
- b. Copy the above letter to Local Government NSW.

COUNCIL DECISION

Motion

Moved: Cllr Hagarty

Seconded: Cllr Shelton

That the recommendation be adopted.

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

ITEM NO: NOM 02
FILE NO: 116935.2019
SUBJECT: Wood Encouragement Policy

Background

Wood Encouragement Policies require responsibly sourced wood to be considered, where feasible, as the primary construction material in Government building and fit out projects.

Canada, Japan, France, Finland, Netherlands and the UK, over a dozen Councils across Australia and Tasmania have all adopted a Wood Encouragement Policy.

The use of wood as a building material has many benefits over other building materials. Amongst them:

- faster to build, saving time and money
- uses much less energy to produce
- tackles climate change through carbon sequestration
- is naturally renewable and abundant

Recent examples of wooden public buildings include Melbourne City Council's 'Library at the Dock', Bunjil Place in the City of Casey and Bold Park Aquatic Centre in WA.

With a large capital works program, including a number of notable public buildings, planned for Liverpool over the coming years, Council should have a Wood Encouragement Policy in place. This will ensure a cost effective, aesthetically pleasing and environmentally friendly building product is considered for these projects.

NOTICE OF MOTION (submitted by Cllr Hagarty)

That Council:

1. Commence work on a draft Wood Encouragement Policy and bring this back to Council by the November 2019 Council Meeting;
2. Provide Councillors a briefing on:
 - the benefits of a Wood Encouragement Policy; and
 - examples of wooden public buildings that have been developed as a result of Wood Encouragement Policy.

COUNCIL DECISION

Motion

Moved: Cllr Hagarty

Seconded: Cllr Kaliyanda

That Council:

1. Commence work on a draft Wood Encouragement Policy and bring this back to Council by the November 2019 Council Meeting;
2. Provide Councillors a briefing on:
 - the benefits of a Wood Encouragement Policy; and
 - examples of wooden public buildings that have been developed as a result of Wood Encouragement Policy.
3. Submit a motion to the Local Government Conference on this matter.

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

- b) Has plans for a carpark at the southern end of the CBD that accommodates the maximum number of cars possible; and
- 3. Should the above not be completed with concrete plans by the December meeting, all parking meters be switched off the day after the Council meeting in December.

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

ITEM NO: CONF 06
FILE NO: 113215.2019
SUBJECT: Acquisition of part of five properties at Edmondson Park for the construction of Basin 14

RECOMMENDATION

That Council, in relation to:

- Part Lot 2 DP 1228502, 10 Croatia Avenue, Edmondson Park;
- Part Lot 4 DP 1228502, 30 Croatia Avenue, Edmondson Park;
- Part Lot 304 DP 1238463, Lot 304 Dagoon Road, Edmondson Park;
- Part Lot 164 DP 1218597, Lot 164 Manchuria Road, Edmondson Park; and
- Part Lot 1 DP 1052613, 2094 Camden Valley Way, Edmondson Park.

as delineated in plans included in the report of staff (collectively, “the Properties”):

1. Directs the CEO and her delegates to continue to negotiate with owners and occupiers of the Properties in an attempt to acquire the necessary parts by negotiation within the statutory periods outlined in the Land Acquisition (Just Terms Compensation) Act 1991;
2. Delegates authority to, and directs the CEO and her delegates, in the event agreement cannot be reached, to proceed with all necessary steps to give effect to the compulsory acquisition of the Properties for open space and drainage purposes;
3. Delegates authority to, and directs the CEO and her delegates to proceed with making the necessary application to the Minister for Local Government and the Governor in accordance with Section 187(2) of the *Local Government Act* 1993 to obtain approval to give an acquisition notice and commence compulsory acquisition of the abovementioned properties in accordance with the Land Acquisition (Just Terms Compensation) Act 1991;
4. Delegates authority to the CEO and her delegates to negotiate with all the respective landowners, to acquire part of those lots required for open space and drainage purposes, up to the amount contained in this confidential attachment, without having to submit a further report to Council for approval;
5. Upon finalising the purchase of each of the Properties, that the Properties be classified as “operational” land in accordance with the Local Government Act, 1993.
6. Keeps confidential the information contained in the report of staff concerning the potential acquisition prices pursuant to the provisions of Section 10A(2)(c) of the *Local Government Act* 1993 as this information would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; and

Cirs Hadchiti, Rhodes and Hadid returned to the Chambers at 10.38pm.

ITEM NO: CONF 07

FILE NO: 057844.2019

SUBJECT: RMS Acquisition and Lease being Part of Lot 11 DP 115118 at Corner of Copeland Street and Hoxton Park Road, Liverpool being Crown Land managed by Council (Crown Land Manager)

RECOMMENDATION

That Council:

1. Note the determination of compensation by the Valuer General as outlined in this report; and
2. Authorises the execution of any document necessary to claim the payment of compensation under Power of Attorney, as required.

COUNCIL DECISION

Motion

Moved: Clr Shelton

Seconded: Clr Harle

That the recommendation be adopted.

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

OPEN SESSION

Council moved back into Open Session at 10.50pm

Clr Rhodes returned to the Chambers at 10.50pm.

Mayor Waller advised of the outcome of the motions considered in Closed Session as shown on pages 68 and 69 of these minutes.

THE MEETING CLOSED AT 10.51pm.

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 26 June 2019

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 29 May 2019. 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 26 JUNE 2019**

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
- Ms Tina Sangiuliano, Acting Director City Community and Culture
- Mr Peter Patterson, Director City Presentation
- Mr Michael Zengovski, Acting Director City Infrastructure and Environment
- Mr John Milicic, Manager, Property
- Mr Michael Knight, Acting General Counsel Manager Governance Legal
- Mr David Smith, Manager Planning & Transport Strategy
- Mr Charles Wiafe, Service Manager Traffic and Transport
- Mr Andrew Stevenson, Manager Communications
- Mr George Georgakis, Manager Council and Executive Services
- Ms Susan Ranieri, Coordinator Council and Executive Services (minutes)

The meeting commenced at 6.00pm.

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

Item EGROW 04: Update on planning proposal to rezone land at 240 Governor Macquarie Drive, Warwick Farm.

Reason: Clr Harle has family members that live in the area.

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

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

Item COM 01: Grants, Donations and Corporate Sponsorship.

Reason: Clr Ayyad's children attend Thomas Hassall Anglican College.

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

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

Item EGROW 02: Proposed amendment to Liverpool Local Environmental Plan 2008 - Rezoning land subject to Basin 14 and Bernera Road, Edmondson Park.

Reason: Clr Hadid is the President of the Australian Islamic House, the landowner of 2094 Camden Valley Way, Edmondson Park.

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

PUBLIC FORUM

Presentation – items not on agenda

Nil.

Representation – items on agenda

1. **Mr Gary Portelli** addressed Council on the following item:

EGROW 04 – Update on planning proposal to rezone land at 240 Governor Macquarie Drive, Warwick Farm.

2. Supports in principle the planning proposal to amend the *Liverpool Local Environmental Plan 2008* to rezone land and amend development standards for certain land subject to proposed Basin 14 and Bernera Road, Edmondson Park;
3. Supports in principle the amendments to the Liverpool Development Control Plan 2008, including a review of whether the left hand deceleration from Camden Valley Way into Bernera Road can be lengthened;
4. Notes the need to undertake a revised stormwater drainage plan to minimise the harmful and negative effects of open drains and channel systems;
5. Delegates to the CEO to make any typographical or other editing amendments to the planning proposal and Development Control Plan if required;
6. Forwards the planning proposal to the Department of Planning and Environment pursuant to Section 3.34 of the *Environmental Planning and Assessment Act 1979*, seeking a Gateway determination;
7. Subject to Gateway determination, undertake public exhibition and community consultation for both the planning proposal and Development Control Plan in accordance with the conditions of the Gateway determination; and
8. Receive a further report on the outcomes of public exhibition and community consultation.

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

Councillors voted unanimously for this motion.

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

Clr Hadid returned to the Chambers at 6.31pm.

ITEM NO: EGROW 03

FILE NO: 136186.2019

SUBJECT: Proposed amendment to Schedule 1 Liverpool Local Environmental Plan 2008 - additional permitted use for 'Car Parks' at Collimore Park, Liverpool

RECOMMENDATION

That Council:

1. Notes the advice of the *Liverpool Local Planning Panel*;
2. Supports in principle the planning proposal to amend Schedule 1 of the *Liverpool Local Environmental Plan 2008* to permit car parks as a land use permitted with consent at Collimore Park;
3. Delegates to the CEO to make any typographical or other editing amendments to the planning proposal if required;
4. Forwards the planning proposal to the Department of Planning and Environment pursuant to Section 3.34 of the *Environmental Planning and Assessment Act 1979*, seeking a Gateway determination;
5. Subject to Gateway determination, undertakes public exhibition and community consultation in accordance with the conditions of the Gateway determination; and
6. Receives a further report on the outcomes of public exhibition and community consultation.

COUNCIL DECISION

Motion:

Moved: Clr Rhodes

Seconded: Clr Harle

That Council:

1. Notes the advice of the *Liverpool Local Planning Panel*;
2. Supports in principle the planning proposal to amend Schedule 1 of the *Liverpool Local Environmental Plan 2008* to permit car parks as a land use permitted with consent at Collimore Park;
3. Delegates to the CEO to make any typographical or other editing amendments to the planning proposal if required;

4. Forwards the planning proposal to the Department of Planning and Environment pursuant to Section 3.34 of the *Environmental Planning and Assessment Act 1979*, seeking a Gateway determination;
5. Subject to Gateway determination, and Council investigation of opportunities to utilise demountable stacked multi-storey parking construction further undertakes public exhibition and community consultation in accordance with the conditions of the Gateway determination; and
6. Receives a further report on the outcomes of public exhibition and community consultation.

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

Councillors voted unanimously for this motion.

2. Council's Grants team contact the Alliance for Gambling Reform to see if there are suitable grants available for their KaChing Community Language Dubbing Project.

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

ITEM NO: CTTE 02
FILE NO: 121909.2019
SUBJECT: Minutes of the Liverpool Pedestrian, Active Transport and Traffic Committee Meeting

RECOMMENDATION

That Council adopts the following recommendations of the Committee:

Item 1 Nuwarra Road and Marshall Avenue intersection, Moorebank – proposed roundabout.

- Council requests the RMS to:
 - a) Consider modification to the existing traffic signals at the intersection of Nuwarra Road and Brickmakers Drive to provide gaps in southbound traffic along Nuwarra Road; and
 - b) Approve the installation of ‘Keep Clear’ pavement marking to supplement the existing ‘Do Not Queue across Intersection’ signposting at the Nuwarra Road and Marshall Avenue intersection.
- Council investigates:
 - a) Alternate intersection treatment subject to the RMS position on the abovementioned changes.
 - b) Imposition of a 5 tonne load limit along the section of Nuwarra Road between Heathcote Road and Newbridge Road.

Item 2 Nuwarra Road, Moorebank – Proposed signs and line marking scheme

- Installation of the line marking scheme as presented in Attachment 2.1 of the minutes to demarcate the traffic and parking lanes along the section of Nuwarra Road between Newbridge Road and Heathcote Road, Moorebank.

Item 3 The Boulevard, Holsworthy – proposed pedestrian refuge

- Installation of a pedestrian refuge across The Boulevard, Holsworthy east of Wenton Road, as shown in Attachment 3.1 of the minutes.

Item 4 Sandringham Drive and Edinburgh Circuit intersection, Cecil Hills – proposed intersection treatment

- Replacement of the existing 'Give Way' control with 'Stop' control and reconfiguration of the median island to accommodate a seagull island arrangement as shown in Attachment 4.1 of the minutes.
- Item 5 Bigge Street, Liverpool - request for a pedestrian crossing facility
- Council notes that current traffic and pedestrian volumes do not meet the RMS warrant for a marked pedestrian crossing across the section of Bigge Street between Elizabeth Street and Campbell Street.
 - Review the existing parking restrictions along the section of Bigge Street between Elizabeth Street and Campbell Street, in consultation with the local bus companies and the school.
- Item 6 Regentville Drive, Elizabeth Hills – proposed pedestrian refuge
- Installation of a pedestrian refuge on Regentville Drive, Elizabeth Hills, as shown in Attachment 6.1 of the minutes.
- Item 7 Falcon Circuit, Green Valley - proposed pedestrian refuge
- Installation of a pedestrian refuge across the section of Falcon Circuit, between Ospray Avenue and Winnal Reserve, as shown in Attachment 7.1 of the minutes.
- Item 8 Graham Avenue and McKell Avenue intersection, Casula – proposed line marking scheme
- Installation of 'BB' line along McKell Avenue, 'C1' line and 'C3' No Stopping lines at the intersection of Graham Avenue and McKell Ave, as shown in Attachment 8.1 of the minutes.
- Item 9 Viscount Place, Warwick farm – proposed traffic facilities
- Council approves the proposed traffic facilities including a roundabout, a marked pedestrian crossing and associated signs and line marking, as shown in Attachment 9.1 of the minutes.
- Item 10 Items Approved Under Delegated Authority
- Council notes the traffic facilities approved by the Liverpool Pedestrian, Active Transport and Traffic Committee Delegated Authority by the RMS and Police representatives over the last two month period, between 5 March and 8 May 2019.

QUESTIONS WITH NOTICE

ITEM NO: QWN 01
FILE NO: 138839.2019
SUBJECT: Question with Notice - Clr Hadchiti - Mosquitoes

Please address the following:

1. What progress has been made in relation to the Mosquito issue?

On Tuesday 4 June 2019, City Presentation directorate initiated a meeting with various stakeholders including adjoining Councils, NSW Health, Sydney Water, Sydney Olympic Park and Georges River Keeper to discuss current community concerns about the increase in the mosquito population and the request for councils to take action and develop a management plan. NSW Health expert on Entomology, Dr. Cameron Webb presented on "Mosquitoes of Pest and Public Health concern in the Georges River region" and "Managing Mosquitoes in Georges River Liverpool".

Dr. Webb provided much insight on various mosquito species, the difference between nuisance mosquitoes and disease borne mosquitoes, options for mosquito management and the benefits of public education and awareness. Options discussed for mosquito management included spray application of a bacterial larvicide *Bacillus thuringiensis* subspecies *israelensis* (Bti). Bti is a natural occurring bacterium found in soils and has been approved by the EPA for use in residential, commercial and agricultural settings primarily for control of mosquito larvae. Bti is a selective larvicide that targets saltwater species of mosquitoes and is currently considered safe for humans, pets and other fauna in the environment.

Following the presentation Director City Presentation, Peter Patterson stated that this was an opportunity for a collaborative discussion on formulating a unified approach to mosquito management. The option was put to all stakeholders to participate in a working group, sharing resources, costs and developing a single management plan for all councils to buy into.

The outcome from the initial meeting was all that all stakeholders agreed to engage Dr. Cameron Webb to undertake a preliminary program of mapping and surveillance of key hot spots along the Georges River. From these findings, Dr. Webb will produce a draft mosquito management plan to the working group. A Memorandum of Understanding will be drafted by the Council for all stakeholders to participate as a working group.

In the interim, Council staff will be working on the development of a fact sheet about mosquito management and personal protection for the community, including provisions for signage to be displayed in mosquito active areas. Furthermore, Council will work on a mapping plan to identify known mosquito breeding areas within the LGA and research engagement considerations for the potential seasonal spraying application of Bti.

At this time, we are working towards a regional management approach, however in the event that other councils or key stakeholder land owners do not wish to participate, Liverpool will continue working towards preparation of a standalone approach to mosquito management within our LGA. Dr Webb is expected to have the draft regional and standalone management plans completed by end of August 2019.

During discussion on QWN 02, Mayor Waller advised that Council would later move into Closed Session to deal with Items QWN 02, QWN 05 and CONF 02 pursuant to the provisions of S10(A)(2)(g) of the Local Government Act because the items contain 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.

ITEM NO: QWN 02
FILE NO: 138841.2019
SUBJECT: Question with Notice - Clr Hadchiti - Voluntary Planning Agreements (VPA's)

This item was dealt with later in the meeting in closed session.

ITEM NO: QWN 03
FILE NO: 142087.2019
SUBJECT: Question with Notice - Clr Hagarty - Buses in New Release Suburbs

Liverpool's new release areas are poorly serviced by public transport. Suburbs such as Middleton Grange, Elizabeth Hills and Len Waters Estate are barely serviced by single, infrequent routes with limited stops.

The on-demand bus service in Edmondson Park also has issues. According to figures from Transport for NSW, the average cost per passenger of operating on-demand services across all the trial areas is \$34.56 per trip. The near by and now abandoned Wetherill Park trial cost taxpayers \$940 per passenger. The buses must be booked online, by phone or via an app. This disadvantages commuters who have digital literacy and access issues as well as people from CALD backgrounds.

Better public transport, including bus services, means more cars off the road, less pressure on commuter car parking and reduced greenhouse gas emissions. Research has also shown that riding a bus is 90 times safer than car travel.

With more housing developments coming in suburbs such as Austral, Liverpool needs better existing and future public transport including buses.

Please address the following:

1. Are additional, more frequent bus services planned for Liverpool? Specifically new release suburbs and estates including Parkbridge Estate?
2. Are additional on-demand bus services planned for Liverpool?
3. What is the cost per passenger of the Edmondson Park on-demand bus service?
4. What measures are in place to ensure the on-demand bus service is inclusive and accessible?

**A response to these Questions with Notice will be provided in the 31 July 2019
 Council Business Papers**

ITEM NO: QWN 04
FILE NO: 142113.2019
SUBJECT: Question with Notice - Clr Hagarty - Oversized Load Carrying Vehicles

I have received numerous complaints from residents in new release suburbs about oversized load carrying vehicle movements in the early morning. These vehicles are used to transport other vehicles used in the construction of new housing developments.

Because of their size and speed the RMS restricts their movement to not impede the peak hour traffic. However, this means residents are burdened with significant amounts of sound and light pollution at all hours of the night.

Surely a common sense solution can be found to lessen the impact on residents.

Please address the following:

1. What is the time window imposed by the RMS for transporting an oversized load carrying vehicle?
2. Does Council also impose time restrictions?
3. Can Council legally impose time restrictions?
4. Are nearby residents within the vicinity of the drop off point informed about these movements beforehand?
5. Is it legally possible to enforce that nearby residents of the drop off point are informed about these movements?

A response to these Questions with Notice will be provided in the 31 July 2019 Council Business Papers.

ITEM NO: QWN 05
FILE NO: 144178.2019
SUBJECT: Question with Notice - Clr Hadchiti - Occupation Certificates

This item was dealt with later in the meeting in closed session.

ITEM NO: QWN 06
FILE NO: 144983.2019
SUBJECT: Question with Notice - Clr Hagarty - Smoking Kiosks

Please address the following:

1. Are smoking kiosks legal in NSW?

A response to this Question with Notice will be provided in the 31 July 2019 Council Business Papers.

PRESENTATIONS BY COUNCILLORS

- i. Cllr Harle made a presentation to Council regarding the recent National General Assembly Conference in Canberra as shown below.

The Mayor, several Councillors and I attended the National Local Government Association Conference held in Canberra between the 15th and 19th of June.

The conference purpose is to represent Local Government areas and Councils from all over Australia to lobby the Federal Government for support in addressing issues relevant to Local Councils. To some extent it is like our Local Government Conference, which is scheduled for later this year and to be held at William Inglis Conference Centre at Warwick Farm, where it is aimed at the State Government for support on issues raised by Local Government.

As a Councillor I found the conference very informative as it gave me an opportunity to appreciate the concerns and issues that affect Councils across Australia, not just NSW.

Of interest to me was a highly informative session on the increasing problem of waste disposal, waste recycling and the State Governments' levy on waste disposed of in landfill that Councils want returned to them in exchange for projects that reduce waste going to landfill. That topic generated considerable debate.

Unfortunately, I was less impressed with the lack of information regarding the millions of tons of combustible waste that goes to landfill every week, and particularly plastics that are currently not easy to recycle and take up huge areas of valuable storage space. I am referring to plastics that range between 2 and 7 on the scale within the recycle triangle, with seven being extremely difficult to recycle if ever.

PET plastics such as drink containers rate a 1 and are the most valuable and easily turned into products including clothes.

I asked questions relating to the progress of Waste to Energy Incinerators that produce cheap electricity for community use as is done in many countries throughout the world with few negative effects on the planet and arguably on “global warming” or “climate change”.

The response was that in Western Australia a 17-Megawatt Unit has been approved and is currently in the construction phase. It will produce enough electricity to power around 21,000 homes, with another plant under evaluation.

Due to the extremely high operating temperature, around 1800 degrees Celsius, and a waste reduction ratio of 20 to 1, few if any toxic materials are produced. Extremely effective filter systems remove any that may be produced. The ash is used for road construction and building materials while the heat produces steam driving a Turbine Generator/Alternator to produce electricity.

The waste heat may also be used to heat land for agricultural purposes and/or community use such as swimming pools near the plant.

Some of the exhaust air, which is super clean and mainly Carbon Dioxide may be directed into green houses as food for rapid plant growth.

The points of interest are that these Waste to Energy Incinerators would eliminate the problems of disposing single use plastics ending up in the environment.

At present, it is uneconomical to recycle most plastics and so they are either stored for much later use or are buried in landfill and remain there for thousands of years.

Since plastics are basically a product of oil and coal, would it not be better to incinerate these now and use the energy stored to produce electricity rather than bury it and pollute the environment for who knows how long?

Modern Waste to Energy Incinerators are a far better alternative to landfill with more than 170 currently in use around the world.

It is dilemma all Councils currently face, but who will take positive steps to address it?

- ii. Clr Hagarty made a presentation to Council regarding the 60th anniversary function of the City of Liverpool and District Historical Society which he attended on Saturday 22 June 2019 with the Mayor, Councillors Shelton and Kaliyanda, the Federal Member for Werriwa Anne Stanley and former Councillor Alf Vella.
- iii. Clr Kaliyanda made a presentation to Council regarding the International Eid Festival Opening Ceremony which she attended on Saturday 8 June 2019. She advised that the organisers wished to thank Council for the ease in accessing the Council facilities as well as the ability to hold the function within the Liverpool LGA.
- iv. Clr Rhodes tabled a petition on behalf of residents opposed to the demolition of Phillips Park tennis courts.

Clr Ayyad retired from the meeting at 7.46pm.

CONFIDENTIAL ITEMS

ITEM NO: CONF 01

FILE NO: 135568.2019

SUBJECT: Appointment of Community representatives on Civic Advisory Committee

RECOMMENDATION

That Council appoints June Young (to continue as one of the community representatives) and Ellie Roberston to the Civic Advisory Committee as community representatives.

COUNCIL DECISION

Motion:

Moved: Clr Hadchiti

Seconded: Clr Rhodes

That Council:

1. Appoints June Young (to continue as one of the community representatives) and Ellie Roberston to the Civic Advisory Committee as community representatives; and
2. Amongst other members re-endorse all former Mayors and Councillors of Liverpool City Council.

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

ITEM NO: CONF 02
FILE NO: 137304.2019
SUBJECT: Fire and Rescue NSW Referrals

This item was dealt with later in the meeting in closed session.

ITEM NO: CONF 03
FILE NO: 140103.2019
SUBJECT: Acquisition of Lot 2 DP 1250846 being Part of 19-21 Enterprise Circuit, Prestons for drainage purposes.

RECOMMENDATION

That Council:

1. Approves the acquisition of Lot 2 DP 1250846, being part of 19-21 Enterprise Circuit, Prestons on the terms outlined in this confidential report;
2. Authorises the CEO or her delegated officer to execute any document, under Power of Attorney, necessary to give effect to this decision;
3. Classify the land as ‘operational’ in accordance with section 31(2) of the Local Government Act 1993; and
4. Keeps confidential this report pursuant to the provisions of section 10A(2)(c) of the *Local Government Act 1993* as this information would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.

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.

CLOSED SESSION

Mayor Waller advised that Council would now move into Closed Session to deal with Items CONF 02, QWN 05 and QWN 02 pursuant to the provisions of S10(A)(2)(g) of the Local Government Act as the items contain advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

Prior to moving into Closed Session, Mayor Waller called a short recess at 7.50pm to allow the gallery to leave the Chambers.

Council meeting resumed at 7.53pm in Closed Session with all Councillors present except Clr Hadchiti.

Clr Hadchiti returned to the Chambers at 7.54pm.

ITEM NO: CONF 02
FILE NO: 137304.2019
SUBJECT: Fire and Rescue NSW Referrals

RECOMMENDATION

That Council:

1. In relation to 1 Browne Parade Warwick Farm (also known as 34-40 Hume Highway Warwick Farm)
 - a) notes the inspection report by Fire and Rescue NSW, as shown in Attachment 1; and
 - b) exercises its power to issue a Fire Safety Order as recommended by Council's Fire Safety Officer to address the identified fire safety deficiencies.
2. In relation to 14 Homepride Parade Warwick Farm
 - a) notes the inspection report by Fire and Rescue NSW, as shown in Attachment 2; and
 - b) exercises its power to issue a Fire Safety Order as recommended by Council's Fire Safety Officer to address the identified fire safety deficiencies.

COUNCIL DECISION

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

That Council:

1. In relation to 1 Browne Parade Warwick Farm (also known as 34-40 Hume Highway Warwick Farm)
 - a) notes the inspection report by Fire and Rescue NSW, as shown in Attachment 1; and
 - b) exercises its power to issue a Fire Safety Order as recommended by Council's Fire Safety Officer to address the identified fire safety deficiencies.

2. In relation to 14 Homepride Parade Warwick Farm
 - a) notes the inspection report by Fire and Rescue NSW, as shown in Attachment 2; and
 - b) exercises its power to issue a Fire Safety Order as recommended by Council's Fire Safety Officer to address the identified fire safety deficiencies.
3. Write to the relevant State Minister to lobby for similar initiatives to the Victorian government in relation to cladding and other strata issues.

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

Clr Hadid left the Chambers at 8:17pm.

Clr Hadid returned to the Chambers at 8:19pm.

ITEM NO: QWN 05

FILE NO: 144178.2019

SUBJECT: Question with Notice - Clr Hadchiti - Occupation Certificates

Please address the following:

1. In the event Council becomes aware that there is a possibility of a private certifier issuing occupation certificates for properties that Council believes do not comply fully with conditions of consent, is the option of applying to the courts for an injunction to prevent these certificates from being issued available to Council?

A response to this Question with Notice will be provided in the 31 July 2019 Council Business Papers.

COUNCIL DECISION:

A discussion took place in relation to the above item and a verbal response was provided. It was agreed that a written response be provided at a later date.

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

ITEM NO: QWN 02
FILE NO: 138841.2019
SUBJECT: Question with Notice - Clr Hadchiti - Voluntary Planning Agreements (VPA's)

Please address the following:

1. Are there current issues or issues looming with any VPA's the Council has entered into?

Response

Council has utilised voluntary planning agreements to deliver a range of public benefits to the City over a number of years to support rezoning of land or specific development applications. Generally, these agreements between developers and Council operate successfully with little interaction with Council. However, given the sometimes complex nature of development, there are can be challenges with the implementation of VPAs.

At present, there are a number of executed VPAs that have outstanding work items. These VPAs, as well as recently completed VPAs, are available here -

<https://www.liverpool.nsw.gov.au/development/planning-the-future/planning-agreements>.

The following VPAs have complexities that may present a challenge to Council in relation to delivery of specific items:

Location	Overview	Matters being monitored	Action
Shepherd Street	<ul style="list-style-type: none"> • Agreement with Coronation, Shepherd Street Developments and Shepherd Property Nominee. • Range of VPA items include: <ul style="list-style-type: none"> ○ Shuttle bus service ○ Bike share pods ○ Car share spaces ○ Woodbrook Road underpass ○ Bank stabilisation ○ Pedestrian and cycle path ○ Riparian zone rehabilitation • Provision of 	<ul style="list-style-type: none"> • Final sign-off on portion of pedestrian/cycle path constructed along Georges River. • Payment of funds, in lieu of works is an option for works within Lighthorse Park, to allow council to integrate works in line with the Masterplan for this land. • Timing of the delivery of the infrastructure items. • Community issues as residents begin to occupy apartments at a point when all adjacent public improvement works are incomplete. 	<ol style="list-style-type: none"> 1. Ongoing liaison with Coronation to facilitate delivery of items through meetings and formal correspondence. 2. Monitor the issuing of OCs in collaboration with the private certifier. 3. Council communications team to work with Coronation on messaging to

	<p>infrastructure items linked to number of dwellings with occupation certificates (OC).</p> <ul style="list-style-type: none"> • Significant infrastructure items required at the 500th and 600th OC (currently 309 OCs issued). 	<ul style="list-style-type: none"> • Direct contact with private certifier of the project to reinforce the obligations under the development consent and the VPA (formal letter sent 21/05/2019). 	<p>new residents.</p>
Brickmakers Drive	<ul style="list-style-type: none"> • Agreement with Mirvac Homes and New Brighton Golf Club. • Range of VPA items include: <ul style="list-style-type: none"> ○ pedestrian/cycle paths ○ landscaping and improvements to open space areas ○ public access to Georges River ○ local drainage facilities, and ○ land dedication along Georges River. • Provision of infrastructure items generally linked to release of specific Subdivision Certificates. • Residential component of development completed. 	<ul style="list-style-type: none"> • Key issue is coordination of delivery of pedestrian/cycle path • Provision of pedestrian/cycle path through Council land and along river frontage still outstanding. • Resolving issues with delivery of final part of pedestrian/cycle path will enable the remainder of outstanding items to be delivered. 	<ol style="list-style-type: none"> 1. Continue to liaise with developer to resolve issues associated with the delivery of path on Council land and adjacent to the Georges River.

Warwick Farm – Coopers Paddock	<ul style="list-style-type: none"> • Agreement with Australian Turf Club. • Range of VPA items include: <ul style="list-style-type: none"> ○ Remediation of the designated land ○ Environmental management of the designated land ○ Ecological offset works ○ Traffic improvements, including road widening, intersections and services, and ○ Shared bike/pedestrian paths. • Provision of infrastructure items related to timing of subdivision of occupation certificates 	<ul style="list-style-type: none"> • Maintenance period associated with Road widening about to expire in next two months. • Awaiting completion of shared pathway through Coopers Paddock to connect up with GMD. • Land swaps are yet to occur along GMD - awaiting DA from ATC • The Vegetation Management Plan for Coopers Paddock has been approved. Now needs to be implemented by ATC prior to handing over to Council. • Balance of Coopers Paddock is to be handed over to Council when works are completed. 	<ol style="list-style-type: none"> 1. Continue to work proactively with ATC on various remaining outstanding items.
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COUNCIL DECISION

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

That a further report be brought back to Council on the matter.

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

OPEN SESSION

Council moved back into Open Session at 8.30am.

Mayor Waller then read out the outcome of items QWN 02, QWN 05 and CONF 02 (as shown on pages 40-45 of these minutes) which were considered in Closed Session.

THE MEETING CLOSED AT 8.31pm.

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 31 July 2019

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 26 June 2019. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.

.....

Chairperson



**MINUTES OF THE ORDINARY MEETING
HELD ON 31 JULY 2019**

PRESENT:

Mayor Wendy Waller
Councillor Ayyad
Councillor Balloot
Councillor Hadchiti
Councillor Hadid
Councillor Hagarty
Councillor Harle
Councillor Kaliyanda
Councillor Karnib
Councillor Rhodes
Councillor Shelton (arrived at 6.14pm)
Ms Kiersten Fishburn, Chief Executive Officer
Mr Tim Moore, Director City Economy and Growth / Deputy CEO
Mr Chris White, Director City Corporate
Ms Tina Sangiuliano, Acting Director City Community and Culture
Dr Eddie Jackson, Director City Deal
Mr Peter Patterson, Director City Presentation
Mr Raj Autar, Director City Infrastructure and Environment
Mr John Milicic, Manager, Property
Mr Michael Knight, Acting General Counsel, Manager Governance Legal
Mr David Smith, Manager Planning & Transport Strategy
Mr Andrew Stevenson, Manager Communications
Mr David Maguire, Internal Ombudsman
Mr David Petrie, Manager City Design and Public Domain,
Mr George Georgakis, Manager Council and Executive Services
Ms Susan Ranieri, Coordinator Council and Executive Services (minutes)

The meeting commenced at 6:01pm.

STATEMENT REGARDING WEBCASTING OF MEETING

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

ACKNOWLEDGMENT OF COUNTRY, PRAYER OF COUNCIL AND AFFIRMATION TO BE READ BY

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

NATIONAL ANTHEM

The National Anthem performed by Rebekah Ferro was played at the meeting.

APOLOGIES

Nil.

CONDOLENCES

Mr Anthony Micallef (read by Mayor Waller)

Anthony Micallef passed away on 30 June 2019.

Anthony joined Liverpool City Council in October 2016 as a Swimming Pool Officer after working at Campbelltown City Council.

A valued member of our organisation, Anthony was hard-working and committed to enhancing and promoting swimming pool safety.

He was also very active socially at Council. Anthony played for Council's soccer team and helped to coordinate the team's participation in the upcoming Johnny Warren & Les Murray Memorial Cup, a soccer tournament between councils across Sydney.

Anthony will be remembered for his community spirit and enthusiasm.

On behalf of Liverpool City Council, I humbly express my deepest condolences to Anthony's friends and family during this difficult time.

May he rest in peace.

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

That Council writes to the family of Mr Anthony Micallef expressing our condolences for their loss.

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

Mr Joseph Durrant (read by Mayor Waller)

Former Liverpool Mayor Joseph (Joe) Durrant passed away at 88 years of age on Tuesday 23 July.

Joe served as a Councillor at Liverpool City Council from 1966 – 1976 and 1980 – 1987.

During his tenure, Joe was elected Deputy Mayor in 1969 and 1972 to 1973 before being elected Mayor in 1973 and serving for one year.

Joe was awarded a Certificate of Service in 1987 and has also received an Officer of the Order of Liverpool and a Companion of the Order of Liverpool.

He served as a Board representative of the Friends of Liverpool Regional Museum and Collingwood House and as Chairman of the Parks and Gardens Committee and Finance Committee.

Together with former Mayor Kevin Napier, Joe was a driving force in discussions with Stocks and Holdings resulting in the safeguarding of Collingwood House and the establishment of the Liverpool Regional Museum.

He also served on the Board of Prospect County Council and as Chairman of the Joint Councils of Liverpool, Camden, Campbelltown and Wollondilly seeking grants from the Federal Government – many of which were received by Liverpool City Council.

On behalf of Liverpool, I express my deepest condolences to Joe's wife Jackie, sons Shane and Mark and daughter Karen.

I also acknowledge how much the family endured following the tragic loss of son Joseph Durrant Jr in 2007.

May Joe rest in peace and his contributions to Liverpool be remembered for years to come.

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

That Council writes to the family of Mr Joseph Durrant expressing our condolences for their loss.

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

Aunty Gladys Nimmitt (read by Mayor Waller)

Aunty Gladys Nimmitt passed away on 23 July 2019.

She was a long-term community member on the Aboriginal Consultative Committee and she was an Aboriginal Community Representative on the Community 2168 Management Committee. She has also represented the latter at Council's annual Gift of Time Awards.

Aunty Gladys was a member of the Gandangara Aboriginal Land Council and the Aboriginal Women's Group.

She was also a keen knitter, a founding member of the 2168 Community Markets and participated as a member on various community groups including the NAIDOC Week working group.

Aunty Gladys will be remembered for her passion and pride in being Aboriginal and her vibrant community spirit.

On behalf of Liverpool City Council, I humbly express my deepest condolences to her family and friends during this difficult time.

May she rest in peace.

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

That Council writes to the family of Aunty Gladys Nimmitt expressing our condolences for their loss.

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

Mr Anwar Khoshaba (read by Clr Hadchiti)

Mr Khoshaba was a former Labor Mayor from Fairfield City Council. He was a long serving Mayor there and he was the first elected Australian Assyrian to ever serve in public office. As he was a long serving Mayor from a neighbouring Council who dedicated himself as well to the community, Councillor Hadchiti asked that we remember Mr Khoshaba in our prayers and express our condolences to his family.

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

That Council writes to the family of Mr Anwar Khoshaba expressing our condolences for their loss.

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

One minute silence was then observed for Mr Anthony Micallef, Mr Joseph Durrant, Aunty Gladys Nimmitt and Mr Anwar Khoshaba.

CONFIRMATION OF MINUTES

Motion: **Moved: Clr Hadid** **Seconded: Clr Kaliyanda**

That the minutes of the Ordinary Meeting held on 26 June 2019 be confirmed as a true record of that meeting.

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

Clr Shelton arrived at the meeting at 6.14pm.

DECLARATIONS OF INTEREST

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

NOM 05: A Prominent Permanent Home for the City of Liverpool and District Historical Society.

Reason: Councillor Hagarty is a member of the Liverpool and District Historical Society

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

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

NOM 05: A Prominent Permanent Home for the City of Liverpool and District Historical Society.

Reason: Councillor Kaliyanda is a member of the Liverpool and District Historical Society.

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

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

COM 01: Grants, Donations and Corporate Sponsorship.

Reason: Councillor Kaliyanda was a previous participant of Friends of India Australia events.

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

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

NOM 05: A Prominent Permanent Home for the City of Liverpool and District Historical Society.

Reason: Councillor Rhodes was a prior member (she is unsure if she is still a current member) of the City of Liverpool and District Historical Society.

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

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

NOM 05: A Prominent Permanent Home for the City of Liverpool and District Historical Society.

Reason: Councillor Shelton is an ordinary member, who holds no office, of the Liverpool and District Historical Society.

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:

EGROW 04: Planning proposal to rezone land at 240 Governor Macquarie Drive, Warwick Farm.

Reason: Councillor Harle has family members that live in the area.

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

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

NOM 03: Infrastructure Funding Priorities.

Reason: Councillor Hadchiti sits on a State Panel that assesses grant applications.

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

Council's Chief Executive Officer, Kiersten Fishburn declared a declared a pecuniary interest in the following item:

CONF 03: Mayoral Direction pursuant to Section 226(d) of the Local Government Act 1993.

Reason: Ms Fishburn has an investment property at a site mentioned in the report.

Ms Fishburn left the Chambers when that item was discussed and directed Deputy Chief Executive Officer to take her seat for the duration of the item.

PUBLIC FORUM

Presentation – items not on agenda

Nil.

Representation – items on agenda

Agenda Item: INF 02 Speaking 4 the Planet Event.

Speaking 4 the Planet is a public speaking, drama and visual art competition which recognises and celebrates World Environment Day. Speaking 4 the Planet invites local high school students to participate by preparing speeches and performances relating to the World Environment Day theme, which this year was "Air Pollution. "

The winner of the prepared speech was invited to the Council meeting to deliver her winning speech.

1. **Prepared Speech Winner – Ms Maysa Maarban** from Unity Grammar College addressed Council and delivered her winning speech.
2. **Mr Scott Barwick** addressed Council on the following item:

EGROW 04 - Planning proposal to rezone land at 240 Governor Macquarie Drive, Warwick Farm.

Motion: **Moved: Cllr Rhodes** **Seconded: Cllr Hadid**

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

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

3. **Mr Mauro Poletti** addressed Council on the following item:

EGROW 04 - Planning proposal to rezone land at 240 Governor Macquarie Drive, Warwick Farm.

Clrs Hadchiti and Hagarty left the Chambers at 6.28pm.

4. **Mr Rohan Dickson** on behalf of landowners of 18 Munday St and 12 Bull St, Warwick Farm addressed Council on the following item:

EGROW 04 - Planning proposal to rezone land at 240 Governor Macquarie Drive, Warwick Farm.

Clrs Hadchiti and Hagarty returned at 6.29pm.

5. **Ms M'Leigh Brunetta** addressed Council on the following item:

NOMR 01 - Rescission of EGROW 04 - Middleton Grange Town Centre Planning Proposal Planning – Post Exhibition report from the Council meeting of 12 December 2018.

Motion: Moved: Clr Hadchiti Seconded: Clr Rhodes

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 David Stroud** addressed Council on the following item:

NOMR 01 - Rescission of EGROW 04 - Middleton Grange Town Centre Planning Proposal Planning – Post Exhibition report from the Council meeting of 12 December 2018.

Motion: Moved: Clr Shelton Seconded: Clr Rhodes

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 James Matthews** addressed Council on the following item:

NOMR 01 - Rescission of EGROW 04 - Middleton Grange Town Centre Planning Proposal Planning – Post Exhibition report from the Council meeting of 12 December 2018.

Motion:

Moved: Cllr Karnib

Seconded: Cllr Rhodes

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

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

MAYORAL MINUTES

Nil.

NOTICES OF MOTION OF RESCISSION

ITEM NO: NOMR 01
FILE NO: 182661.2019
SUBJECT: Rescission of EGROW 04 - Middleton Grange Town Centre Planning Proposal – Post exhibition report from the Council Meeting of 12 December 2018

NOTICE OF MOTION OF RESCISSION

We the undersigned move a rescission motion to rescind item EGROW 04 Middleton Grange Town Centre Planning Proposal – Post exhibition report (as shown below) that was passed at the ordinary Council meeting held on Wednesday 12 December 2018.

“That Council:

1. *Notes the gateway determination issued by the Department of Planning & Environment;*
2. *Notes the submissions received during the public exhibition of the planning proposal, including public agency comments;*
3. *Notes that significant infrastructure upgrades will likely be required to support the planning proposal, including regional road upgrades;*
4. *Notes that no funding mechanism for infrastructure and public benefits has been advanced by the proponent to date;*
5. *Notes the issues identified in the assessment report in relation to the proposed built form, environmental impacts and density and the area not serviced with regular and reliable public transport services;*
6. *Withdraws support for the planning proposal pursuant to Section 3.35 of the Environmental Planning & Assessment Act 1979;*
7. *Writes to the Minister of Planning and the Greater Sydney Commission to request that the planning proposal not proceed pursuant to Section 3.35(4) of the Environmental Planning & Assessment Act 1979;*
8. *Writes to the proponent and all those who made a public submission to advise of Council’s decision;*
9. *Notes that the current zoning and land use controls enable the development of a*

local shopping centre for the Middleton Grange community which is consistent with the Liverpool Retail Centres Strategy; and

10. *Work with the applicant to explore the option of some form of temporary retail on the site.”*

And moves the following motion:

That:

1. Council notes that no exploration of some form of temporary retail on the site has occurred in accordance with Council’s resolution of 12 December 2018.
2. Council notes the Council and the Community support the development of a town centre at the Middleton Grange site and acknowledges that the process for the development of the town centre in that location has been years in the making.
3. Council acknowledges the urgent need for the commencement of roads and civil infrastructure within the town centre at Middleton Grange to begin the process of activating that area.
4. Council notes the Fifteenth Avenue smart transit corridor connecting Liverpool and Badgerys Creek via Middleton Grange with public transport as contained in the draft Liverpool local strategic planning statement.
5. Council notes that exhibition of the Planning Proposal included a Draft DCP to facilitate the provision of roads, civil infrastructure and open space that matches the subdivision approval granted by Council in 2015.
6. Council endorses the Middleton Grange DCP as exhibited in 2018 (which included amendments) to facilitate the immediate delivery of civil infrastructure and roads infrastructure for the town centre at Middleton Grange.
7. Council notes the State Significant Development application for Hospital and Medical Centre at lot 2 and provides in principle support for the provision of these services and ancillary roads infrastructure in the Middleton Grange Town Centre.
8. Council notes the community opposition to the Planning Proposal as exhibited and the issues raised regarding proposed building heights and the number of residential apartments.
9. Council notes that the Planning Proposal is with the Minister for Planning for finalisation.
10. Council now supports the planning proposal if the following changes to that which was exhibited are made to it:

- a. A decrease in maximum building heights from 12 levels to 9 levels.
- b. An endorsement of the density as exhibited (2.3:1, 1:1) but with a requirement for a decrease in the number of residential apartments by approximately 250.
- c. The ability for the provision of a Hospital and Medical Centre and ancillary social infrastructure on lot 12.
- d. The provision of an increase in the amount of community accessible open space as exhibited in the town centre Planning Proposal with the additional accessible open space to be provided for public access at no cost to council.

- 11. Council direct the CEO to immediately meet with the applicant to progress negotiations on the provision of additional publicly accessible open space as listed in point 10.d.
- 12. Council notes that the Middleton Grange 7.11 Infrastructure contributions plan applies to the Middleton Grange town centre for the delivery of local public infrastructure benefits.
- 13. Council immediately write to the Minister for Planning advising of this resolution of Council and request that the amendment of the Planning Proposal be progressed, with the consideration of appropriate mechanisms to fund relevant state roads infrastructure and public transport, as a priority to enable the delivery of services to the community at Middleton Grange.

Signed:

- Clr Peter Harle**
- Clr Karress Rhodes**
- Clr Tony Hadchiti**
- Clr Gus Balloot**
- Clr Mazhar Hadid**
- Clr Tina Ayyad**

Mayor Waller ruled the Rescission Motion out of order as parts of the resolution from the 12 December 2018 meeting have been enacted. The Mayor was willing to consider an urgent Notice of Motion on the matter.

COUNCIL DECISION

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

That Council:

- 1. Reaffirms the December 2018 resolution opposing the increase in density and heights as proposed for the Middleton Grange Town Centre at the time;

- 2. Direct the CEO to write to all residents, via direct mail, in Middleton Grange once a further report is provided to Council in September 2019, clarifying the range of residential units under the current zoning controls;
- 3. Direct the CEO to provide a report back to the September 2019 Council Meeting with the following information:
 - a. Assumed outcomes for development of the site under the current zoning;
 - b. Assumed outcomes for development of the site referencing the document handed over by the proponent to residents at their meeting on Sunday the 28th of July; and
 - c. Assumed outcomes for development of the site referencing the Draft DCP which takes into account zone boundary changes and road realignments.

Outcomes in the context above means assumed yields for dwellings /retail/commercial space as well as infrastructure & contributions, noting assumptions will need to be used particularly in relation to the amount of commercial/business and retail uses. The assumptions used are to be clearly outlined in the report back to Council.

- 4. Commit that if any amendments were to be made by the proponent for the Middleton Grange Town Centre planning proposal an exhibition/community consultation period of 28 days would be undertaken;
- 5. Writes to the Department of Planning advising of Council's action and above resolution; and
- 6. Investigate after 6 months if no application is lodged for the Middleton Grange Town Centre other areas in Middleton Grange that would be appropriate for retail.

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

Councillors voted unanimously for this motion.

Motion: **Moved: Cllr Hadchiti** **Seconded: Cllr Hagarty**

That Council makes public the webcast of item NOMR 01 of this meeting for 28 days for residents of Middleton Grange that could not attend the meeting.

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

Mayor Waller called a recess at 7.39pm.

Mayor Waller resumed the meeting at 7.49pm with all Councillors present except Cirs Hadchiti, Hadid, Rhodes and Shelton.

Cirs Hadchiti, Hadid, Rhodes and Shelton returned at 7.50pm.

CITY ECONOMY AND GROWTH REPORT

ITEM NO: EGROW 01

FILE NO: 120970.2019

SUBJECT: Draft Liverpool Pioneers' Memorial Park Conservation Management Plan

RECOMMENDATION

That Council:

1. Place the Draft Liverpool Pioneers' Memorial Park Conservation Management Plan on exhibition for a period of 28 days; and
2. Delegates to the CEO the finalisation of the Draft Liverpool Pioneers' Memorial Park Conservation Management Plan if no submissions are received; or receive a further report outlining details of the submissions received at the conclusion of the exhibition period.

COUNCIL DECISION

Motion:

Moved: Cllr Ayyad

Seconded: Cllr Shelton

That the recommendation be adopted.

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

ITEM NO: EGROW 02
FILE NO: 140175.2019
SUBJECT: Community Participation Plan

RECOMMENDATION

That Council:

1. Endorses the draft Community Participation Plan;
2. Place the draft Community Participation Plan on public exhibition for a minimum period of 28 days in accordance with Schedule 1 of the *Environmental Planning and Assessment Act 1979*; and
3. Delegates to the CEO the finalisation of the Community Participation Plan and subsequent amendments to the Liverpool Development Control Plans should no submissions be received; or receive a further report outlining details of the submissions received at the conclusion of the exhibition period.

COUNCIL DECISION

Motion: **Moved: Clr Shelton** **Seconded: Clr Ayyad**

That the recommendation be adopted.

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

ITEM NO: EGROW 04
FILE NO: 158005.2019
SUBJECT: Planning proposal to rezone land at 240 Governor Macquarie Drive, Warwick Farm

RECOMMENDATION

That Council:

1. Note the advice provided by the *Liverpool Local Planning Panel*;
2. Endorses in principle the planning proposal for 240 Governor Macquarie Drive, Warwick Farm, subject to the applicant submitting a modified proposal with a maximum floor space ratio (FSR) of 2:1 equating to approximately 58,600m² GFA or 500 dwellings with access to the bonus FSR provisions contained within Clause 4.4 (2B) of the Liverpool Local Environmental Plan (LEP) (up to 3:1), a maximum height of buildings of 45m and the preparation of a site specific Development Control Plan;
3. Delegate to the CEO authority to negotiate a revised VPA offer with the proponent, agree the terms of the offer with the proponent and report back to Council the details of the VPA prior to exhibition of the planning proposal, consistent with Council's Planning Agreements Policy;
4. Endorses in principle the potential public benefit contributions of the VPA, to be further negotiated, include:
 - Monetary contributions towards the cost of local road improvements;
 - Funding appropriate road works including a 2.5m wide shared path, public domain improvements including street trees and landscaping along Governor Macquarie Drive between Hume Highway and Munday Street in accordance with Council's design plan for the Hume Highway/Governor Macquarie Drive intersection upgrade and Warwick Street between the Hume Highway and Manning Street;
 - Improved pedestrian and bicycle access to and from the site and Warwick Farm railway station and north and south of the Hume Highway;
 - Provision of 5% of the dwelling yield as affordable housing (to be dedicated to Council) to be managed as affordable rental housing by a community housing provider; and
 - Providing a retail/commercial space in the development for a period of 5 years at a reduced commercial rent for a community organisation/s to be agreed between the proponent and Council; and

Vote against: Clr Ayyad
Clr Hadid*
Clr Karnib
Clr Shelton

**Clr Hadid did not vote for or against the motion. Therefore, in accordance with Clause 10.4 of Council's Code of Meeting Practice (as shown below), he is recorded as voting against the motion:*

"A Councillor who is present at a meeting of Council but who fails to vote on a motion put to the meeting is taken to have voted against the motion."

Clr Balloot left the Chambers at 8.16 pm.

Clr Balloot returned to the Chambers at 8.18pm.

ITEM NO: EGROW 05

FILE NO: 172041.2019

SUBJECT: Results of pilot study for providing on-street parking spaces on narrow streets

RECOMMENDATION

That Council:

- 1. Notes the findings contained in this report, including costs;
- 2. Requests the CEO develop guidelines for the assessment and prioritisation of requests for additional parking on narrow streets by December 2019, noting the significant cost savings associated with Option 2 compared to Option 1; and
- 3. Considers an appropriate funding allocation to deliver on-street parking projects when preparing the 2020/21 budget.

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**.

CHIEF EXECUTIVE OFFICER REPORT

ITEM NO: CEO 01
FILE NO: 159689.2019
SUBJECT: Local Government NSW Conference 2019

RECOMMENDATION

That Council:

1. Endorse its voting delegates for voting on motions (being the Mayor and all Councillors (except Clr Hadid, noting that Clr Hadid already has a vote as he is a Director of the Association)) and determine its voting delegates for voting in the Board election (noting that Council is entitled to 9 voting delegates and Clr Hadid is entitled to a vote as he is a Director of the Association); and
2. Endorse the key issues to be submitted for consideration at the Local Government NSW Annual Conference.

COUNCIL DECISION

Motion: **Moved: Clr Kaliyanda** **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: 164323.2019
SUBJECT: Annual report to Council by the Internal Ombudsman

RECOMMENDATION

That Council receive and note this report.

COUNCIL DECISION

Motion: **Moved: Cllr Shelton** **Seconded: Cllr Ayyad**

That the recommendation be adopted.

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

ITEM NO: COM 03
FILE NO: 169430.2019
SUBJECT: Draft Liverpool Aquatic and Leisure Centres Strategy

RECOMMENDATION

That Council:

- 1. Endorses the draft Liverpool Aquatic and Leisure Centre Strategy to be placed on public exhibition; and
- 2. Receive a report at the completion of the public exhibition period noting feedback received and any changes made to the draft Strategy in line with community feedback, or if no submissions are received, delegate authority to the CEO to endorse the draft Liverpool Aquatic and Leisure Centres Strategy.

COUNCIL DECISION

Motion: **Moved: Cllr Kaliyanda** **Seconded: Cllr Ayyad**

That the recommendation be adopted.

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

Clr Ayyad left the Chambers at 8.43pm.

CITY CORPORATE REPORT

ITEM NO: CORP 01
FILE NO: 165286.2019
SUBJECT: Investment Report June 2019

RECOMMENDATION

That Council receives and notes this report.

COUNCIL DECISION

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

That Council:

- 1. Receives and notes this report; and
- 2. Congratulates staff, Director of City Corporate, Mr Christopher White and Chief Executive Officer, Ms Kiersten Fishburn on the work and effort which ensured that Council received confirmation of approval of payment to Council pursuant to the agreed fee-for-service model in relation to the Moorebank Intermodal Terminal. This represents a payment equivalent to 100% of the rates payable on the site annually, were it held privately.

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

CITY INFRASTRUCTURE AND ENVIRONMENT REPORT

ITEM NO: INF 01

FILE NO: 168550.2019

SUBJECT: Update on Governor Macquarie Drive, Warwick Farm - Response to NOM05

RECOMMENDATION

That Council receives and notes the report.

COUNCIL DECISION

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

That the recommendation be adopted.

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

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COMMITTEE REPORTS

ITEM NO: CTTE 01

FILE NO: 171309.2019

SUBJECT: Minutes of the Liverpool Community Safety and Crime Prevention Advisory Committee Meeting held on 6 June 2019

RECOMMENDATION

That Council receives and notes the Minutes of the Liverpool Community Safety and Crime Prevention Advisory Committee Meeting held on 6 June 2019.

COUNCIL DECISION

Motion:

Moved: Clr Rhodes

Seconded: Clr Hadchiti

That the recommendation be adopted.

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

ITEM NO: CTTE 02
FILE NO: 171336.2019
SUBJECT: Minutes of the Liverpool Youth Council Meeting held on 5 June 2019

RECOMMENDATION

That Council receives and notes the Minutes of the Liverpool Youth Council Meeting held on 5 June 2019.

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.

ITEM NO: CTTE 03
FILE NO: 160030.2019
SUBJECT: Minutes of the Environment Advisory Committee Meeting held on 4 June 2019

RECOMMENDATION

That Council receives and notes the Minutes of the Environment Advisory Committee Meeting held on 4 June 2019.

COUNCIL DECISION

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

That the recommendation be adopted.

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

ITEM NO: CTTE 04
FILE NO: 164111.2019
SUBJECT: Minutes of the Liverpool Sports Committee held on 30 May 2019

RECOMMENDATION

That Council receives and notes the Minutes of the Liverpool Sports Committee Meeting held on 30 May 2019.

COUNCIL DECISION

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

That the recommendation be adopted.

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

ITEM NO: CTTE 06
FILE NO: 166621.2019
SUBJECT: Minutes of the Strategic Panel - 11 June 2019

RECOMMENDATION

That Council receives and notes the Minutes of the Strategic Panel Meeting held on 11 June 2019.

COUNCIL DECISION

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

That the recommendation be adopted.

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

Clr Ayyad returned to the Chambers at 8.47pm.

QUESTIONS WITH NOTICE

ITEM NO: QWN 01

FILE NO: 145000.2019

SUBJECT: Question with Notice - Clr Hagarty - Buses in New Release Suburbs

Liverpool's new release areas are poorly serviced by public transport. Suburbs such as Middleton Grange, Elizabeth Hills and Len Waters Estate are barely serviced by single, infrequent routes with limited stops.

The on-demand bus service in Edmondson Park also has issues. According to figures from Transport for NSW, the average cost per passenger of operating on-demand services across all the trial areas is \$34.56 per trip. The near by and now abandoned Wetherill Park trial cost taxpayers \$940 per passenger. The buses must be booked online, by phone or via an app. This disadvantages commuters who have digital literacy and access issues as well as people from CALD backgrounds.

Better public transport, including bus services, means more cars off the road, less pressure on commuter car parking and reduced greenhouse gas emissions. Research has also shown that riding a bus is 90 times safer than car travel.

With more housing developments coming in suburbs such as Austral, Liverpool needs better existing and future public transport including buses.

Please address the following:

1. Are additional, more frequent bus services planned for Liverpool? Specifically new release suburbs and estates including Parkbridge Estate?
2. Are additional on-demand bus services planned for Liverpool?
3. What is the cost per passenger of the Edmondson Park on-demand bus service?
4. What measures are in place to ensure the on-demand bus service is inclusive and accessible?

Response

The State government funds the provision of public passenger bus services and the services are administered by Transport for NSW (TfNSW). In the Liverpool Local Government Area, Transport for NSW has contracts for the provision of bus services with the following three local bus companies: Interline Bus Services, Transit Systems and Transdev.

Interline and Transit Systems provide bus services in the new release areas of Middleton Grange, Edmondson Park, Austral and Leppington.

Are additional, more frequent bus services planned for Liverpool? Specifically new release suburbs and estates including Parkbridge Estate?

Transport for NSW assess public transport demand in new release areas and periodically approves extension of existing bus services to service new release areas subject to State government funding allocation. As an example, Interline Bus Services currently provides services to the southern portion of Middleton Grange. However services are yet to be extended to the northern portion including Parkbridge Estate.

Transport for NSW have advised that the service has not been extended because funding is yet to be allocated for this service. In the meantime this year's State budget includes a commitment for 14,000 extra weekly bus services across Sydney, Illawarra, Central Coast and the Lower Hunter. This commitment includes more than 1000 additional weekly services for routes in South West Sydney including 400 services for route 895 from Carnes Hill to Edmondson Park.

Council has been making and will continue to make representations for bus services to be extended to new release areas including Parkbridge Estate.

Are additional on-demand bus services planned for Liverpool?

The only current on demand bus service in Liverpool is the service in Edmondson Park. This service was introduced in part to reduce car parking demand at Edmondson Park train station.

Council has discussed with Transport for NSW (TfNSW) whether they have plans for additional on demand bus services in the Liverpool Local Government Area (LGA). To date TfNSW has advised that there are no plans for additional on demand services to be provided in the Liverpool LGA.

What is the cost per passenger of the Edmondson Park on-demand bus service?

According to Interline Bus Services website, the cost per passenger for a full fare is \$2.60 whilst the Concession is \$1.30.

An On Demand travel credit trial is now underway. For passengers using this service at Edmondson Park, a transfer credit of up to \$2 applies every time a passenger transfers (within 60 minutes) from an Interline bus to an Opal bus or train service. Passengers need to sign up for an On Demand travel credit account to link an Opal card and Interline app account. Further details can be found on TfNSW website

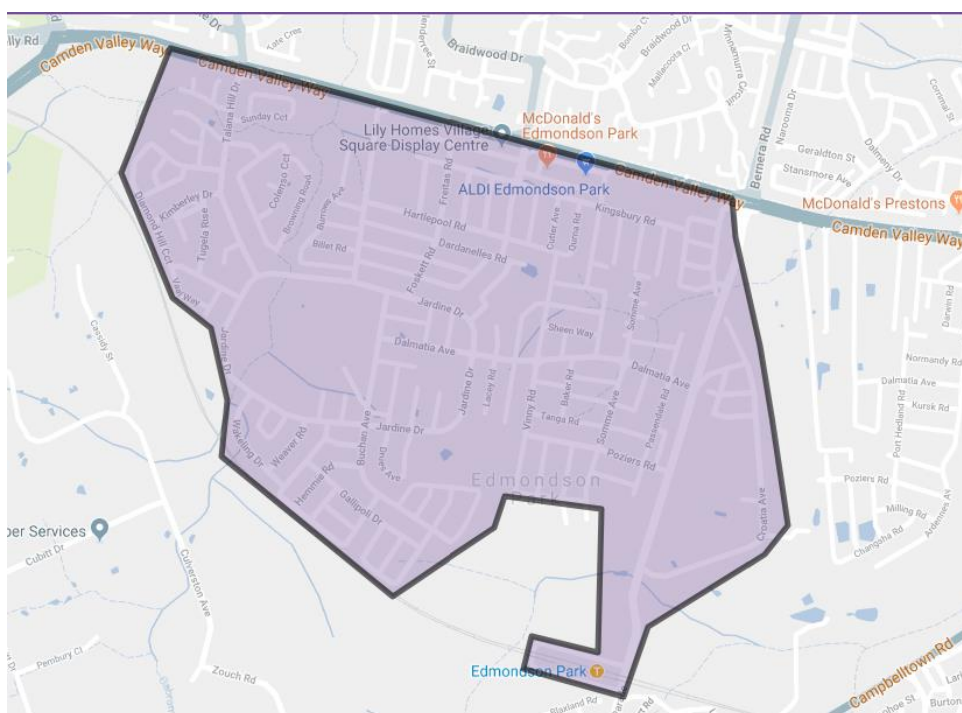
<https://transportsw.info/travel-info/ways-to-get-around/on-demand/edmondson-park>

What measures are in place to ensure the on-demand bus service is inclusive and accessible?

Interline advises that their current service (in Edmondson Park) is accessible and inclusive in accordance with the Disability Discrimination Act.

The service arrangement is such that passengers can elect to be picked up from a nominated point and dropped off at Edmondson Park Train Station.

The service is available to residents of Edmondson Park within the area shown below.



COUNCIL DECISION

Motion: Moved: Clr Hagarty Seconded: Clr Hadchiti

That Council:

1. Notes the report; and
2. Continues to lobby for more bus services and for additional bus routes that service our suburbs and major transport nodes.

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

ITEM NO: QWN 02
FILE NO: 145004.2019
SUBJECT: Question with Notice - Clr Hagarty - Oversized Load Carrying Vehicles

I have received numerous complaints from residents in new release suburbs about oversized load carrying vehicle movements in the early morning. These vehicles are used to transport other vehicles used in the construction of new housing developments.

Because of their size and speed the RMS restricts their movement to not impede the peak hour traffic. However, this means residents are burdened with significant amounts of sound and light pollution at all hours of the night.

Surely a common sense solution can be found to lessen the impact on residents.

Please address the following:

Q1 What is the time window imposed by the RMS for transporting an oversized load carrying vehicle?

Response

To operate on the public road network, oversized vehicles require permits issued by the National Heavy Vehicle Regulator (NHVR) or the Roads and Maritime Services (RMS). To minimise traffic impacts, the NHVR or RMS requires oversized vehicle operators to use the road network outside peak traffic periods.

Where the NHVR or the RMS considers that proposed haulage routes could have an impact on local roads, the agencies may request Council's input as part of their approvals. However, both organisations can issue a permit without consultation with Council and with no time restrictions such as early morning or late at night.

In circumstances where Council is afforded the opportunity to comment on a permit application, Council would recommend to the RMS or NHVR specific haulage routes or times e.g. prohibit the use of Nuwarra Road as a haulage route during school pickup/drop off times to minimise traffic impacts and maintain amenity.

Q2 Does Council also impose time restrictions?

Response

If an application is referred to Council, our advice includes comments on access arrangements and haulage times to minimise traffic and amenity impacts.

Q3 Can Council legally impose time restrictions?**Response**

Council cannot legally impose time restrictions as Council does not issue permits. Council's involvement is limited to providing input to NHVR and/or RMS. Where the haulage routes do not include the significant use of local streets NHVR and RMS may issue permits without referral to Council.

Q4 Are nearby residents within the vicinity of the drop off point informed about these movements beforehand?**Response**

As indicated above, NHVR and RMS can issue permits without referral to Council. In such circumstances nearby residents within the vicinity of drop off points are not informed. Council can request the NHVR and RMS to impose conditions on a permit requiring the transport operators to notify nearby residents.

Q5 Is it legally possible to enforce that nearby residents of the drop off point are informed about these movements?**Response**

It is not possible for Council to legally enforce this. As indicated in response to Q3 Council's role in the assessment of oversized vehicle permits is to provide input in the assessment of permits. The RMS or NHVR are responsible for issuing of permits.

COUNCIL DECISION

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

That Council requests the NHVR and RMS to impose conditions on a permit requiring that transport operators notify nearby residents to inform them of movements beforehand.

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

ITEM NO: QWN 04
FILE NO: 180499.2019
SUBJECT: Question with Notice - Cllr Hagarty - Upkeep of Vacant Lots

Introduction

The push for densification has resulted in the demolition of older dwellings and resulted in vacant lots. The recent drop in house prices has meant these sites have stayed demolished and vacant longer.

Too often the sites are riddled with overgrown grass, feral cats and other pests to the detriment of the neighbouring community.

Please address the following:

1. What power does Council have to ensure the reasonable upkeep of vacant lots?

A response to these questions will be provided in the 28 August 2019 Council meeting business papers.

ITEM NO: QWN 05
FILE NO: 180510.2019
SUBJECT: Question with Notice - Cllr Hagarty - Community Wealth Building

Introduction

When a purchase is made at a local business, that money is likely to stay in Liverpool longer. It is more often spent on local services and at local stores, restaurants and cafes. This multiplier effect results in more local businesses and more local jobs.

As such, Council should do its utmost to spend as much as is practical on local businesses. We should also encourage other large employers and institutions, such as the hospital, the Universities, clubs etc., to do the same.

Please address the following:

1. What legislative impediments are there preventing Council and other large employers to preference local businesses, particularly social enterprises, the awarding of contracts? e.g. cleaning and catering?

A response to these questions will be provided in the 28 August 2019 Council meeting business papers.

ITEM NO: QWN 06
FILE NO: 180732.2019
SUBJECT: Question with Notice - Clr Ayyad - Middleton Grange Town Centre

At Council's December 2018 meeting, a motion regarding Middleton Grange Town Centre was resolved by Council. Point 10 of that motion states:

10. Work with the applicant to explore the option of some form of temporary retail on the site.

Please address the following:

1. Who from Council is responsible to implement this part of the motion?
2. When was the applicant contacted about this? (Please provide us with copies of correspondence relating to this)
3. What is the progress of getting temporary retail on site as Councillor Hagarty moved in his motion noting that it has been 7 months since Council resolved this motion?
4. Has the applicant lodged any amended plans for the site with any government body?

A response to these questions will be incorporated into the report to come back to Council in September 2019 (as part of the resolution of NOMR 01 of these minutes).

ITEM NO: QWN 07
FILE NO: 180923.2019
SUBJECT: Question with Notice - Cllr Hadchiti - Middleton Grange Town Centre

Please address the following:

In relation to the Middleton Grange Town Centre proposal that was before Council in the December 2018 meeting:

1. What action has Council taken to satisfy point 10 of the recommendation which reads 'Work with the applicant to explore the option of some form of temporary retail on site'?
2. The proposal included a Middleton Grange DCP. Were there merits to that DCP as proposed?

A response to these questions will be incorporated into the report to come back to Council in September 2019 (as part of the resolution of NOMR 01 of these minutes).

ITEM NO: QWN 08
FILE NO: 181034.2019
SUBJECT: Question with Notice - Clr Rhodes - Tennis Petition

Please address the following:

1. What action has Council taken to address the Petition against the removal of the Tennis Courts in Phillip Park?
2. Why were the constituents who applied to speak at Council at both the May and June Meetings refused their opportunity to address Council and hand in their petition?
3. Has Council refused to permit constituents from addressing Council before and if so why were they refused?

A response to these questions will be provided in the 28 August 2019 Council meeting business papers.

ITEM NO: QWN 09
FILE NO: 181101.2019
SUBJECT: Question with Notice - Cllr Rhodes - Visitation Survey

Council recently engaged a consultant to prepare a report addressing the current visitation figures in the Liverpool LGA. The Survey was proposed at the Tourism and CBD Committee so that Liverpool would have a base understanding of the current market and also provide Liverpool Council the opportunity to substantiate the number of international tourists staying in Liverpool at our hotels as the figures included in the Liverpool Council Destination Plan (TBC).

The report when presented to the Tourism and CBD Committee was missing the information needed to substantiate the international visitation figures reported by Liverpool hotels and already included in the Liverpool Council Destination Plan.

Please address the following:

1. Have the consultants been instructed to contact all the hotels in the Liverpool LGA to substantiate the International visitation figures quoted in the Destination Management Plan?
2. Have the consultants revised the report to include the International Visitation figures for Liverpool?
3. Will the revised report be made available to Councillors?

A response to these questions will be provided in the 28 August 2019 Council meeting business papers.

ITEM NO: QWN 10
FILE NO: 181119.2019
SUBJECT: Question with Notice - Cllr Rhodes - Liverpool Collaboration Area

“Liverpool City Council is identified in the Collaboration Area Place Strategy as the primary stakeholder in addressing the action of increasing above the targets set out in a Metropolis of Three Cities to improve and increase social and affordable housing”.

Please address the following:

1. What is the definition of Primary stakeholder in the above context?
2. What are the Targets set out in the Metropolis of Three Cities for:
 - a. Social Housing?
 - b. Affordable Housing?
3. How much is Liverpool as the Primary Stakeholder Increasing above these Targets for:
 - a. Social Housing
 - b. Affordable Housing?
4. Does this mean that Liverpool will be providing more social and or affordable Housing than other Western Sydney Cities?

A response to these questions will be provided in the 28 August 2019 Council meeting business papers.

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

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

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

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

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

ITEM NO: NOM 02
FILE NO: 180785.2019
SUBJECT: Proactive Building Inspections

Background

The building industry is currently in crisis:

- The Opal building, Mascot towers, a Zetland apartment complex and the Sugar cube development in Erskineville have forced hundreds to abandon their homes.
- More than 600 buildings in NSW are at risk from flammable cladding, including 23 in Liverpool.
- Private certifiers are issuing occupation certificates for non-compliant buildings in a rush to beat State Government reforms.

All the while, the State Government has expanded compliant development while steadily stripping Councillors of their powers.

The current process at Council is too reactive and reliant on complaints from neighbours. Many issues are only apparent once a development is complete and dwellings occupied. As a result, residents feel powerless and that the system is stacked against them in favour of developers.

A proactive team of compliance officers directed to randomly inspect a range of sites under construction would uncover issues before they became 'too hard' to fix and restore confidence in the process.

We can finger point and wait for the State and Federal Governments to reform the sector or we can act ourselves.

NOTICE OF MOTION (Submitted by Councillor Hagarty)

That Council direct the CEO to:

- Establish a proactive building inspection and compliance program for sites under construction; and
- Provide a regular report to Council on the program.

ITEM NO: NOM 03
FILE NO: 180699.2019
SUBJECT: Infrastructure Funding Priorities

Background

The Prime Minister has recently brought up the prospect of working with other levels of government to bring forward 'shovel ready' projects as a way of stimulating the economy.

Liverpool is almost doubling in size and requires a significant and constant infrastructure investment by all levels of government.

We as a Council should lead the way for our residents by providing the means and processes required to enable the maximum amount of Federal and State Government grants. This motion calls for that.

NOTICE OF MOTION (Submitted by Councillor Ayyad)

That Council:

1. Prepare a list of 'shovel ready' projects to the next council meeting that we can endorse and send to our local members and other levels of government at the next council meeting;
2. Seek feedback from Councillors about what projects they would like to have put on the list that that are currently not shovel ready;
3. The CEO write to local community groups, schools (private and government), NGO's and other groups within the Liverpool area to enquire about what grants they are seeking from other levels of government and what council can do to assist with them;
4. Have an official policy that acknowledges that grants can be time sensitive and therefore will be treated as a priority from Council's point of view with regards to assessing development applications or any other statutory approvals. This policy applies to any project that the applicant can demonstrate will be the recipient of government funding (part or full funding); and
5. Implement this motion immediately and direct the CEO to apply all parts of this motion immediately.

Clr Hadchiti declared a declared a non-pecuniary, less than significant interest during discussion of this item.

Clr Hadchiti left the Chambers at 9.24 pm.

Following this process, Council will further review other Council owned or controlled land which may provide repurposing opportunities for affordable housing. The EOI process and negotiation will enhance the Council's understanding of future site selection and required development considerations. This will be reported to Council as per the proposed Notice of Motion; depending on the outcome of the EOI this may be later than December 2019.

It will be suggested that Council staff develop suitable selection criteria to determine potential site suitability, such as:

1. The land being surplus Council land and currently under-utilised
2. The land being designated 'operational land'
3. The land being within 400 meters of transport hubs
4. The land being of suitable proximity to amenities
5. The land/ site is not part of Council's short-term Delivery Program of works
6. There site is not earmarked for any specific strategic or delivery program for the long-term
7. The land has economic potential which, with affordable housing development, assist Council to realise the delivery of other infrastructure needs
8. The land is designated 'community land' but there is a strong business case to rezone and reclassify a portion of the land to provide affordable/ community housing.

Clr Hadchiti returned to the Chambers at 9.34 pm.

Clr Shelton, Clr Hagarty, Clr Kaliyanda and Clr Ayyad left the Chambers at 9.34 pm.

Clr Ayyad returned to the Chambers at 9.37pm.

ITEM NO: NOM 05

FILE NO: 181077.2019

SUBJECT: A Prominent Permanent Home for the City of Liverpool and District Historical Society

Background

The City of Liverpool and District Historical Society was established in 1959 by a small group of residents who were from old Liverpool families such as Fitzpatrick, Collimore, Rowe, Kelly, Hill and Havard.

They were proud of Liverpool's history and were committed to preserving and promoting its unique story. Their first meeting was held at the old Liverpool Town Hall on Moore Street in 1959 and was presided over by the then Mayor Ron Dunbier who was also a member. Since then, the society has lead a nomadic existence in its search to find a home.

From the old Liverpool Hospital/TAFE to the now demolished Colonial Hall to the Old Court House to our once home at the Bi-centennial Museum. In the fourth oldest town in Australia, The Liverpool City of Liverpool and District Historical Society is still looking for an appropriate heritage place to call a permanent home.

Their collection is currently stored in 'Eber's Bunker' under Liverpool Library.

The Society needs a home to be able to proudly, permanently, publicly, display approximately 10,000 items for residents and visitors to Liverpool to enjoy, learn and understand our rich and unique history.

It is interesting if you look at the provisions made for some of Liverpool's other great clubs and associations such as;

The Barefoot Waterski Club, was formed in 1960 and has a permanent home in Liverpool Helles park.

The New South Wales Radio Controlled Racing Car Club Inc established in the 1980's they have had a permanent home in Liverpool since the mid 1990's.

The Liverpool District Men's Shed has a permanent home provided for them in Liverpool.

The Liverpool City Brass Band, was formed in 1883, ceased during WWI and was reformed in 1924, it was given a Liverpool permanent home in 1962.

The City of Liverpool and District Historical Society was established in 1959 and yet Liverpool has been unable to find them a permanent home in 60 years.

Liverpool prides itself on the fact that we are the 4th oldest founded city in Australia.

This fact alone makes Liverpool's history unique.

Liverpool is fortunate to have the members of the Historical Society who have collected and maintained over 10,000 historic items for over 60 years.

It is time for Liverpool Council to recognise and utilise this Liverpool asset. How lucky Liverpool is to have the individuals who have done the work, who have dedicated their time to preserving Liverpool's history.

It is in as much Liverpool's best interest as the Historical Society for Council to provide them with a permanent prominent home from which they can publicly, permanently display with pride Liverpool's unique history.

Liverpool's history is one of Liverpool's greatest assets.

Liverpool Council's investment in Liverpool's History by providing the Society a permanent home will reward Liverpool by increasing the visitation economy which will support and attract more business which will contribute to the vitality of Liverpool.

By promoting Liverpool's History you will help to educate people on, who we are, how we got here, where we have come from and who were the original Australians.

It is the "Australian story" that with the new airport will become increasingly more important.

Council needs to value the assets that will enable Liverpool to tell that story.

One needs only to visit our neighbours at Camden, Campbelltown and Nepean Historic Society Museums to see what their Councils do and how they have maximised all opportunities their historic assets have to offer.

The provision of a permanent prominent home for the City of Liverpool and District Historical Society will benefit Liverpool's visitation economy. It will help to promote Liverpool as a destination. It will add Vitality to Liverpool. It will help to distinguish Liverpool from other Western Sydney Cities. It will benefit Liverpool in a way that is not possible by any other Liverpool Club and or organisation.

I move the Councillors to support this motion to find a permanent and prominent home from which Liverpool can proudly publicly present our Liverpool history.

NOTICE OF MOTION (Submitted by Councillor Rhodes)

That Council prepares a report back to the September 2019 meeting, for Council to consider all suitable public buildings, preferably historic, as a home for the City of Liverpool and District Historical Society, from which they may present a permanent public exhibition of Liverpool's proud history as well as provide a work space to manage, maintain and store their collection for the benefit of current and future generations.

COUNCIL DECISION

Motion: **Moved: Cllr Rhodes** **Seconded: Cllr Hadid**

That the recommendation be adopted.

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

Councillors voted unanimously for this motion.

Note, Cllrs Shelton, Hagarty and Kaliyanda were not in the Chambers for this item.

Mayor Waller advised that Council would now move into Closed Session to deal with Items CONF 01, CONF 02, CONF 03, CONF 04, CONF 05, CONF 06 and CONF 07 pursuant to the Local Government Act 1993 as shown below:

- **CONF 01, CONF 02 and CONF 06** is confidential pursuant to the provisions of S10A(2) (g) of the Local Government Act because they contain advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.
- **CONF 03** is confidential pursuant to the provisions of s10A(2)(e) of the Local Government Act because it contains information that would, if disclosed, prejudice the maintenance of law.
- **CONF 04** and **CONF 05** is confidential because they contain information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.
- **CONF 07** is confidential because it contains personal matters concerning particular individuals (other than councillors).

To allow the gallery to leave the Chambers, Mayor Waller called a five minute recess at 9.39pm.

Council resumed at 9.44pm in Closed Session with all councillors present.

The CEO left the Chambers at 9.44pm and the Deputy CEO assumed the seat of the CEO for this item.

Clr Hadchiti asked that CONF 03 - Mayoral Direction pursuant to Section 226(d) of the Local Government Act 1993 be dealt with in conjunction with CONF 01.

Mayor Waller agreed that CONF 01 is to be dealt with CONF 03.

CONFIDENTIAL ITEMS

ITEM NO: CONF 01

FILE NO: 145013.2019

SUBJECT: Question with Notice - Clr Hadchiti - Occupation Certificates

Please address the following:

1. In the event Council becomes aware that there is a possibility of a private certifier issuing occupation certificates for properties that Council believes do not comply fully with conditions of consent, is the option of applying to the courts for an injunction to prevent these certificates from being issued available to Council?

COUNCIL DECISION

Motion:

Moved: Clr Hadchiti

Seconded: Clr Hadid

That Council receive and note the response provided in the Confidential Book.

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

ITEM NO: CONF 03
FILE NO: 166979.2019
SUBJECT: Mayoral Direction pursuant to Section 226(d) of the Local Government Act 1993

RECOMMENDATION

That Council note and endorse the Mayoral Direction dated 5 July 2019 attached to the report.

COUNCIL DECISION

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

That the recommendation be adopted.

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

The CEO returned to the Chambers at 10:14pm.

ITEM NO: CONF 02
FILE NO: 175441.2019
SUBJECT: Legal Affairs Report

RECOMMENDATION

That Council receives and notes the report concerning the legal affairs of Liverpool City Council.

COUNCIL DECISION

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

That the recommendation be adopted.

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

ITEM NO: CONF 04
FILE NO: 176696.2019
SUBJECT: Acquisition of Lot 299 DP 2475 being 50 Sixteenth Avenue, Austral for drainage purposes

RECOMMENDATION

That Council:

- 1. Approves the acquisition of Lot 299 DP2475, being 50 Sixth Avenue, Austral on the terms outlined in this confidential report;
- 2. Authorises the CEO or her delegated officer to execute any document, under Power of Attorney, necessary to give effect to this decision;
- 3. Resolves to classify Lot 299 DP2475 as “operational” land in accordance with the Local Government Act, 1993; and
- 4. Keeps confidential this report pursuant to the provisions of Section 10A(2)(c) of the Local Government Act 1993 as this information would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.

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.

THE MEETING CLOSED AT 10.48pm.

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 28 August 2019

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 31 July 2019. 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 AUGUST 2019**

PRESENT:

Mayor Wendy Waller
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 Peter Patterson, Director City Presentation
Mr Raj Autar, Director City Infrastructure and Environment
Mr Andrew Stevenson, Chief Strategy and Engagement Officer
Mr Vishwa Nadan, Chief Financial Officer
Ms Tina Sangiuliano, Special Projects Officer
Mr John Morgan, Director Property and Commercial Development
Mr Charles Wiafe, Acting Manager Planning and Transport Strategy
Ms Galavizh Ahmadi Nia, Manager Community Development and Planning
Mr George Georgakis, Manager Council and Executive Services
Ms Susan Ranieri, Coordinator Council and Executive Services (minutes)

The meeting commenced at 6.00pm.

**STATEMENT REGARDING WEBCASTING
OF MEETING**

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

**ACKNOWLEDGMENT OF COUNTRY,
PRAYER OF COUNCIL AND
AFFIRMATION TO BE READ BY**

The prayer of the Council was read by Pastor Steve Riethmuller from Cartwright Gospel Chapel.

MAYORAL REPORT

ITEM NO: MAYOR 01
FILE NO: 218726.2019
SUBJECT: Liverpool Boys High School Named Secondary School of the Year

Congratulations to Liverpool Boys High School on being named Secondary School of the Year – Government at the 2019 Australian Education Awards.

On Friday 23 August, I presented Liverpool Boys High principal Michael Saxon, deputy principal Vince Surace and student leaders Jareef Ahmed and David Phan with a certificate of recognition to mark the achievement.

Our community is proud to see a local school being recognised for its innovation and excellence at a national level.

Education is critical to the growth of Liverpool as Sydney's third CBD – and Liverpool Boys High School is blazing a trail to the future.

The school's introduction of Project Based Learning in 2014 was a significant game-changer and since then the school has only enhanced its reputation for education innovation.

Flexible, personalised learning is key to Liverpool Boys' success. The school's programs include the Big Picture Academy in which students are encouraged to pursue their passions and attend internships in areas such as physiotherapy, veterinary studies and media production.

The focus is on equipping students with the skills they will need for the jobs of the future, many of which will be in Liverpool as it thrives alongside Western Sydney International (Nancy-Bird Walton) Airport and the Aerotropolis.

This award win by Liverpool Boys High School is further confirmation of Liverpool's growing reputation as a centre of education excellence.

RECOMMENDATION

Motion: **Moved: Mayor Waller**

That Council receive and note this minute.

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

MAYORAL REPORT

ITEM NO: MAYOR 02
FILE NO: 221471.2019
SUBJECT: Delegation Visit to Sister City Calabria

Council formed a sister city relationship with Roccella in Calabria in 1993 to recognise the number of Italians, particularly Calabrians, who have made Liverpool their home. Council has sent two delegations to Calabria and received visits from Calabrian dignitaries.

In recent years, Councillors, previous Calabrian delegates and local Italian business people have expressed the desire to strengthen our sister city relationship and to foster stronger cultural links between our two cities and, in February 2016, Council resolved that Officers were to reconnect with our sister city in Calabria.

Apart from English, Italian is the most widely recorded overseas ancestry for residents of Liverpool and Council is maintaining strong cultural connections with the Italian community through partnerships with community groups and cultural activities.

Earlier this year I attended a business lunch with the Italian Chamber of Commerce and Industry in Australia at which there was a keen interest in developing a further relationship with Liverpool and opportunities around Western Sydney International Airport.

Council has received an official invitation from the Mayor of Roccella to visit.

Council's Civic Expenses and Facilities Policy provides for a Council delegation, comprised of Mayor, CEO and two other delegates, to be sent to a Sister City every two years. Other Councillors may join official delegations (with Mayor's approval) but meet all their own costs except accommodation and other expenses agreed to by the host Sister City.

There is funding within the 2019/20 Sister City Program budget to cover this expenditure.

In response to the Mayor's invitation, and in the interest of maintaining a strong cultural connection and relationship between our two cities, it is proposed that a delegation be sent from Liverpool to Roccella in October. As suggested by the liaison of the Sister City Committee, it is proposed that a visit to Parliament in Rome be organised as part of the delegation visit. The official delegation is expected to be approximately four days.

RECOMMENDATION

Motion: Moved: Mayor Waller

That:

1. Council receive and note this minute, acknowledging cultural connections between Roccella and Liverpool;
2. Council facilitate arrangements for a delegation from Liverpool to Calabria in October 2019, funded from the Sister City Program budget with a report to come back to Council on the outcomes of the visit;
3. The two other delegates to attend be Cirs Balloot and Hadchiti, with Clr Rhodes being a reserve should one not be able to attend. Council call for a further nomination should a further delegate not be able to attend.

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

CITY ECONOMY AND GROWTH REPORT

ITEM NO: EGROW 01

FILE NO: 072557.2019

SUBJECT: Draft Amendment 69 - Liverpool Local Environmental Plan 2008 - Advertising Signage in the Liverpool City Centre

RECOMMENDATION

That Council:

1. Not proceed with draft Amendment 69 to the Liverpool Local Environmental Plan; and
2. Writes to the Minister for Planning & Public Spaces requesting that the planning proposal not proceed pursuant to Section 3.35(4) of the *Environmental Planning and Assessment Act 1979*.

COUNCIL DECISION

Motion:

Moved: Clr Hadchiti

Seconded: Clr Rhodes

That Council:

1. That Council defer a decision until the public domain master plan is submitted to Council and community consultation is undertaken; and
2. Publicly exhibit draft Amendment 69 and the draft DCP amendment concurrently to seek feedback.

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

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

Vote Against: Clr Shelton

CHIEF EXECUTIVE OFFICER REPORT

ITEM NO: CEO 01
FILE NO: 195643.2019
SUBJECT: Biannual Progress Report

RECOMMENDATION

That Council notes and receives the Biannual Progress Report which outlines the progress of the principal activities detailed in the Delivery Program 2017-2021 and Operational Plan 2018-19.

COUNCIL DECISION

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

That Council defer this report to allow the CEO to review the document and update as necessary.

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

ITEM NO: CEO 02
FILE NO: 212457.2019
SUBJECT: Western Sydney City Deal Study Tour

RECOMMENDATION

That Council endorse the Mayor and CEO taking part in the Airport City Study Program with Western Sydney City Deal Mayors and the Minister for Population, Cities and Urban Infrastructure Alan Tudge.

COUNCIL DECISION

Motion: **Moved: Cllr Shelton** **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: COM 01

FILE NO: 196096.2019

SUBJECT: Access to facilities in Hot Weather and Measures to Cool the City

RECOMMENDATION

That Council:

1. Endorses the identified sites for the inclusion of water play facility, subject to further investigation and feasibility through the detailed design phase and masterplanning process; and
2. Endorses one of the 3 options identified for inflatable water park provision recommended under short-term measures for action.

COUNCIL DECISION

Motion:

Moved: Clr Rhodes

Seconded: Clr Harle

That Council:

1. Endorses the identified sites for the inclusion of water play facility, subject to further investigation and feasibility through the detailed design phase and masterplanning process; and
2. Endorse option 3 identified in the report for inflatable water park provision recommended under short-term measures for action, to coincide with the 2020 Australia Day Celebrations at Woodward Park.

Foreshadowed motion:

Moved: Clr Kaliyanda

Seconded: Clr Hadchiti

That Council:

1. Receives and notes the report;
2. Encourages the provider to go through the normal channels to hire the facility;
3. Directs the CEO to work with the provider to undertake market research; and
4. Thank Council staff for their hard work.

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

CITY CORPORATE REPORT

ITEM NO: CORP 01
FILE NO: 193503.2019
SUBJECT: Investment Report July 2019

RECOMMENDATION

That Council receives and notes this report.

COUNCIL DECISION

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

That the recommendation be adopted.

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

ITEM NO: CORP 02
FILE NO: 203779.2019
SUBJECT: Investment Policy - Proposed Amendments to Permit Borrowing from Section 7.11 Reserve

RECOMMENDATION

That Council:

1. Endorse the proposed amendments to Council's Investment Policy, included as **Attachment 7** to the report of staff;
2. Publicly exhibit the proposed amended policy for a period of not less than 28 days; and
3. In the event no negative submissions are received; delegate authority to the CEO to adopt the policy following the expiration of the 28 day exhibition period.

COUNCIL DECISION

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

That:

1. Council endorse the proposed amendments to Council's Investment Policy, included as **Attachment 7** to the report of staff;
2. Council publicly exhibit the proposed amended policy for a period of not less than 28 days;
3. In the event no negative submissions are received; delegate authority to the CEO to adopt the policy following the expiration of the 28 day exhibition period;
4. Prior to the issue of any debentures, the Minister for Local Government or the Treasurer approve this document; and
5. Once and if Ministerial approval is received, that it be immediately communicated to Councillors.

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

CITY INFRASTRUCTURE AND ENVIRONMENT REPORT

ITEM NO: INF 01
FILE NO: 166812.2019
SUBJECT: Master Plan for Ernie Smith Reserve

RECOMMENDATION

That Council adopts the Final Master Plan and Report for Ernie Smith Reserve as attached.

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: INF 02
FILE NO: 169923.2019
SUBJECT: 2018-19 Capital Works Carryover of Projects

RECOMMENDATION

That Council approves the works and services listed in Attachment 1 with a remaining budget of \$17,289,582 to be carried over from the 2018-19 Program Year to the 2019-20 Program Year.

COUNCIL DECISION

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

That the recommendation be adopted.

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

ITEM NO: INF 03
FILE NO: 199432.2019
SUBJECT: Clean Air for Liverpool

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

That Council deal with this item at the end of the meeting in Confidential Session in accordance with S10(A)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.

This item was dealt later in the meeting in Closed Session.

COMMITTEE REPORTS**ITEM NO:** CTTE 01**FILE NO:** 185641.2019**SUBJECT:** Minutes of the Liverpool Youth Council Meeting held on 3 July 2019**RECOMMENDATION**

That Council:

1. Receives and notes the Minutes of the Liverpool Youth Council Meeting held on 3 July 2019; and
2. Notes the progress of the Youth Council's members supporting Council's efforts to become single-use plastic free.

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

That the recommendation be adopted.

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

ITEM NO: CTTE 02
FILE NO: 196430.2019
SUBJECT: Minutes of the Heritage Advisory Committee meeting on 12 June 2019

RECOMMENDATION

That Council receives and notes the minutes of the Heritage Advisory Committee meeting held on 12 June 2019.

COUNCIL DECISION

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

That the recommendation be adopted.

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

ITEM NO: CTTE 03
FILE NO: 196725.2019
SUBJECT: Minutes of the Liverpool Pedestrian, Active Transport and Traffic Committee Meeting

RECOMMENDATION

That Council adopts the following recommendations of the Committee:

Item 1 Twentieth Avenue, Hoxton Park – Proposed Children’s Crossing

- Approves the installation of a Children’s crossing across Twentieth Avenue in front of Good Shepherd Catholic Primary School subject to community consultation.

Item 2 First Avenue and Twentieth Avenue intersection, Hoxton Park – Proposed Roundabout

- Approves installation of a roundabout at the intersection of First Avenue and Twentieth Avenue, subject to community consultation.

Item 3 Kingsbury Road and Peronne Road intersection, Edmondson Park – Proposed Roundabout

- Approves installation of a roundabout at the Kingsbury Road and Peronne Road intersection, subject to community consultation.

Item 4 Manning Street and Warwick Farm, Warwick Farm – Proposed Parking Arrangement

- Approves 4P parking restrictions along the section of Manning Street, between Munday Street and Priddle Street, subject to TfNSW support and community consultation.

Item 5 Hume Drive, West Hoxton – Proposed Linemarking Scheme

- Approves installation of signs and line marking scheme on Hume Drive, West Hoxton (as shown in Attachment 5.1 of the minutes).

Item 6 Feodore Drive, Cecil Hills – Proposed Traffic Facilities

- Approves installation of three raised thresholds across sections of Feodore Drive, Cecil Hills subject to community consultation.

ITEM NO: CTTE 04
FILE NO: 202535.2019
SUBJECT: Minutes of the Audit, Risk and Improvement Committee Meeting held on 26 July 2019

RECOMMENDATION

That Council receives and notes the Minutes of the Audit, Risk and Improvement Committee Meeting held on 26 July 2019.

COUNCIL DECISION

Motion: **Moved: Cllr Rhodes** **Seconded: Cllr 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: 180567.2019
SUBJECT: Question with Notice - Clr Hagarty - Upkeep of Vacant Lots

Introduction

The push for densification has resulted in the demolition of older dwellings and resulted in vacant lots. The recent drop in house prices has meant these sites have stayed demolished and vacant longer.

Too often the sites are riddled with overgrown grass, feral cats and other pests to the detriment of the neighbouring community.

Please address the following:

1. What power does Council have to ensure the reasonable upkeep of vacant lots?

Response

Council has powers under the Local Government Act 1993 to issue orders to owners/occupiers of land if the land is not in a safe or healthy condition. Council staff use the guidelines in Council's Overgrown Procedures to help determine when action is advised.

COUNCIL DECISION

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

That Council undertake a public awareness campaign about the expected standards for the upkeep of vacant lots and how the public can assist in reporting potential breaches.

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

ITEM NO: QWN 02
FILE NO: 180568.2019
SUBJECT: Question with Notice - Clr Hagarty - Community Wealth Building

Introduction

When a purchase is made at a local business, that money is likely to stay in Liverpool longer. It is more often spent on local services and at local stores, restaurants and cafes. This multiplier effect results in more local businesses and more local jobs.

As such, Council should do its utmost to spend as much as is practical on local businesses. We should also encourage other large employers and institutions, such as the hospital, the Universities, clubs etc., to do the same.

Please address the following:

- 1. What legislative impediments are there preventing Council and other large employers to preference local businesses, particularly social enterprises, the awarding of contracts? e.g. cleaning and catering?**

Response

In short, there are no specific legislative provisions preventing Liverpool City Council from implementing a local preference policy.

The relevant statutory provision relating to Council's requirements for tendering are set out in section 55 of the *Local Government Act 1993*. There is nothing in that section that specifically precludes Council from showing preference to local suppliers. Part 7 of the *Local Government (General) Regulation 2005* sets out applicable framework to be applied by Council in the tendering process. There is nothing in the relevant clauses (163-179) to prevent preference being shown to local suppliers.

Relevantly, in October 2009 the Department of Local Government (as it then was) produced tendering guidelines titled "Tendering Guidelines for NSW Local Government" (the guidelines). While the guidelines fall short of having legislative authority and are not necessarily mandatory for council's to follow, they do provide a useful insight into the issue of local supplier preferencing. One of the standards of behaviour and ethical principles set out in the guidelines is reproduced below:

No improper advantage: Councils must not engage in practices that aim to give a potential tenderer an advantage over others, unless such advantage stems from an adopted Council procurement policy such as a local preference policy.

Under the heading "1.6 Local Preferencing Policy" the guidelines note that local preferencing poses some "inherent risks in terms of anti-competitiveness and the maintenance of defensibility, accountability and probity". The guidelines state:

ITEM NO: QWN 03
FILE NO: 181742.2019
SUBJECT: Question with Notice - Clr Ayyad - Middleton Grange Town Centre

At Council's December 2018 meeting, a motion regarding Middleton Grange Town Centre was resolved by Council. Point 10 of that motion states:

10. Work with the applicant to explore the option of some form of temporary retail on the site.

Please address the following:

1. Who from Council is responsible to implement this part of the motion?
2. When was the applicant contacted about this? (Please provide us with copies of correspondence relating to this)
3. What is the progress of getting temporary retail on site as Councillor Hagarty moved in his motion noting that it has been 7 months since Council resolved this motion?
4. Has the applicant lodged any amended plans for the site with any government body?

A response to these questions will be provided in the report submitted to September Council meeting as per resolution of NOMR 01 from 31 July 2019 Council meeting.

ITEM NO: QWN 04
FILE NO: 207635.2019
SUBJECT: Question with Notice - Clr Hadchiti - Middleton Grange Town Centre

Please address the following:

In relation to the Middleton Grange Town Centre proposal that was before Council in the December 2018 meeting:

1. What action has Council taken to satisfy point 10 of the recommendation which reads 'Work with the applicant to explore the option of some form of temporary retail on site'?
2. The proposal included a Middleton Grange DCP. Were there merits to that DCP as proposed?

A response to these questions will be provided in the report submitted to September Council meeting as per resolution of NOMR 01 from 31 July 2019 Council meeting.

ITEM NO: QWN 05
FILE NO: 181752.2019
SUBJECT: Question with Notice - Cllr Rhodes - Tennis Petition

Please address the following:

1. What action has Council taken to address the Petition against the removal of the Tennis Courts in Phillip Park?
2. Why were the constituents who applied to speak at Council at both the May and June Meetings refused their opportunity to address Council and hand in their petition?
3. Has Council refused to permit constituents from addressing Council before and if so why were they refused?

Response

1. What action has Council taken to address the Petition against the removal of the Tennis Courts in Phillip Park?

The petition, tabled by Cllr Rhodes at the 26 June 2019 Council meeting on behalf of the residents, was acknowledged by Council via a letter from the CEO on 27 June 2019. Council staff had organised a meeting with a representative group of petitioners on 4 July, which was postponed at the residents' request due to wet weather.

The Community Development team have made regular contact with the group to reschedule the meeting. A meeting was held with the residents on 1 August, attended by 7 residents and A/Director City Community & Culture, Manager Community Development and Planning and Manager Recreation and Community Outcomes.

The purpose of the meeting was to hear residents' concerns, inform them that the project is now in a delivery phase, and offer alternative arrangements to minimise the impact on their play time, including transportation, while the new facilities in Miller are being constructed. Residents were advised of the reasons for the decline of residents' request to speak at a Council meeting. The group is not satisfied with Council's decision and request at least 1-2 courts be retained. Council staff discussed the strategic and operational rationale for the decision and offered to provide a copy of the Council report which outlines diverse factors and details on the need to relocate the tennis courts. The group was also informed that Council is fast-tracking the construction of 4 tennis courts at McGirr Park, forecast for completion by the end of 2019.

As an interim measure and to reduce the impact on all existing users while the construction works are underway, Council officers met with the tennis court licensee

ITEM NO: QWN 06
FILE NO: 181754.2019
SUBJECT: Question with Notice - Clr Rhodes - Visitation Survey

Council recently engaged a consultant to prepare a report addressing the current visitation figures in the Liverpool LGA. The Survey was proposed at the Tourism and CBD Committee so that Liverpool would have a base understanding of the current market and also provide Liverpool Council the opportunity to substantiate the number of international tourists staying in Liverpool at our hotels as the figures included in the Liverpool Council Destination Plan (TBC).

The report when presented to the Tourism and CBD Committee was missing the information needed to substantiate the international visitation figures reported by Liverpool hotels and already included in the Liverpool Council Destination Plan.

Please address the following:

- 1. Have the consultants been instructed to contact all the hotels in the Liverpool LGA to substantiate the International visitation figures quoted in the Destination Management Plan?**

The consultants were not instructed to directly contact hotels in the Liverpool LGA in the process of conducting the Baseline Figures Report.

- 2. Have the consultants revised the report to include the International Visitation figures for Liverpool?**

No revisions have been made to the report.

- 3. Will the revised report be made available to Councillors?**

Council staff will contact hotels in the Liverpool LGA to obtain their visitor numbers for both domestic and international stays. This raw data will be presented to the next Tourism & CBD Committee meeting on 1 October 2019.

It should be noted that the analysis and data contained in the Liverpool Baseline Figures Report was sourced directly from Tourism Research Australia's database for the National Visitor Survey and International Visitor Survey. This is the single, largest and most accurate set of visitor data in the country. It is the basis for all government planning regarding tourism and is used extensively by government tourism bodies, including Tourism Australia and Destination NSW. The data supplied in the report achieves a confidence level of 95%, at a confidence interval of +/-5%, which is industry standard.

The findings of the report are consistent with other available sources, including the following: The Tourism in Liverpool – A Snapshot 2017 report by Urbis which outlined international visitation to Liverpool at 34,982 in 2016.

Destination NSW’s Western Sydney Visitor Profile for year ending June 2018 indicates that there were 530,000 international visitors to Western Sydney; Parramatta LGA was the most visited (30%), followed by Canterbury-Bankstown and Blacktown LGAs (15% each). The remaining 212,000 international visitors were spread amongst the other Western Sydney LGAs, which include Hawkesbury, Penrith, the Hills Shire, Cumberland, Fairfield, Liverpool, Camden, Campbelltown and Wollondilly.

ITEM NO: QWN 07
 FILE NO: 181756.2019
 SUBJECT: Question with Notice - Clr Rhodes - Liverpool Collaboration Area

“Liverpool City Council is identified in the Collaboration Area Place Strategy as the primary stakeholder in addressing the action of increasing above the targets set out in a Metropolis of Three Cities to improve and increase social and affordable housing”.

Please address the following:

1. What is the definition of Primary stakeholder in the above context?
2. What are the Targets set out in the Metropolis of Three Cities for:
 - a. Social Housing?
 - b. Affordable Housing?
3. How much is Liverpool as the Primary Stakeholder Increasing above these Targets for:
 - a. Social Housing
 - b. Affordable Housing?
4. Does this mean that Liverpool will be providing more social and or affordable Housing than other Western Sydney Cities?

Response

“Liverpool City Council is identified in the Collaboration Area Place Strategy as the primary stakeholder in addressing the action of increasing above the targets set out in a Metropolis of Three Cities to improve and increase social and affordable housing”.

Action 10 of the Liverpool Collaboration Area Place Strategy states that Council as the primary stakeholder supported by Land and Housing Corporation will “Investigate the potential for master planned precincts (such as NSW Land and Housing Corporation properties in Warwick Farm and rezoned land) to improve and increase social and affordable housing above the targets set out in the *Metropolis of Three Cities*.”

1. What is the definition of Primary stakeholder in the above context?

The definition of primary stakeholder in this instance is the agency or authority that takes the lead role in implementing the action.

2. What are the Targets set out in the Metropolis of Three Cities for:

a. Social Housing?

b. Affordable Housing?

The targets in the *Metropolis of Three Cities* are quite vague. The plan states “*Within Greater Sydney, targets generally in the range of 5-10 per cent of new residential floor space are viable, noting that these targets will be tailored to each nominated area.*” The Greater Sydney Commission and the Department of Planning, Industry and Environment will work together to “*develop mechanisms required to implement the proposed Affordable Housing Targets*”.

3. How much is Liverpool as the Primary Stakeholder Increasing above these Targets for:

a. Social Housing

b. Affordable Housing?

Liverpool Council has been applying the rule of thumb that developers proposing rezoning to residential should incorporate between 5 and 10% affordable housing in their developments, noting however that the percentage needs to consider the impact on the viability of the proposal. Council is preparing an Affordable Housing Contributions Scheme as part of the Local Housing Strategy to be considered by Council later this year.

4. Does this mean that Liverpool will be providing more social and or affordable Housing than other Western Sydney Cities?

No. The District Plan identifies 5-10% affordable housing for areas subject to rezoning. This is a consistent goal across Western Sydney.

Clr Kaliyanda left the Chambers at 7.13pm.

Clr Harle left the Chambers at 7.14pm.

ITEM NO: QWN 08

FILE NO: 211189.2019

SUBJECT: Question with Notice - Clr Hadchiti - Timeframe for response to calls and emails from residents or proponents

Please address the following:

1. Is there a policy in place in the organisation, covering all departments, for timeframes that calls/emails must be responded to from residents or proponents dealing with Council?
2. If so who monitors it?
3. If monitored what does the data show?

A response to these questions will be provided in the 25 September 2019 Council meeting business papers.

Clr Kaliyanda returned to the Chambers at 7.15pm.

ITEM NO: QWN 09

FILE NO: 211289.2019

SUBJECT: Question with Notice - Clr Ayyad - Status of Item CORP 03 from 27 March 2019 Council Meeting - Provision of Public Parking to City Centre South

Please address the following:

1. 'What is the status of the items resolved in the attached'?

A response to this question will be provided in the 25 September 2019 Council meeting business papers.

PRESENTATIONS BY COUNCILLORS

- i. Cllr Rhodes made a presentation regarding WSROC's initiatives as shown below:

"As treasurer of The Western Sydney Region Organisation of Councils (WSROC) I would like to provide Council an update on new and emerging opportunities for Council through WSROC Programs and initiatives.

WSROC is currently investigating a contract opportunity for road surfacing materials that is made from recycled products.

Another WSROC procurement initiative is to negotiate with a renewable energy supplier via a Power Purchasing Agreement that will supply cheaper electricity to residents in Council's LGA and possibly under the independent Councils own branding.

WSROC through its Outreach Program will within 12 months deliver the opportunity for collaborative procurement for rooftop solar installations.

WSROC within 2 years will be delivering the opportunity for Council procurement of transport infrastructure that delivers a low carbon, low cost transport solutions.

Continuing WSROC's Light Years Ahead Program through participating partnership Councils have converted more than 20,000 streetlights to efficient LED Lighting avoiding 17,000 tonnes of greenhouse emissions each year and saving \$1.2m annually.

WSROC has recently met with:

Minister For Planning and Public Spaces Minister, Rob Stokes 13 June; Minister for Energy and Environment Minister, Matt Kean 29 July; and Minister for Local Government, Minister Shelly Hancock 31 July this year to address needs specific to Western Sydney.

Some of the Matters raised with various Ministers included:

- 1. Urban Heat mitigation and adaption where it was explained that heat was rising in Sydney's West at twice the rate as the Sydney CBD.*

Our current Planning systems is delivering outcomes that exacerbate urban heat and compromise the resilience and health of our communities. There is a need for collaboration across all relevant agencies to develop appropriate collaborative design and planning policies that will deliver better outcomes for our communities.

WSROC asked the Minister to engage with Local Government to review the current planning framework and to consider SEPPs, LEPs, DCP,s BASIX, BCA and the national Construction Code in consideration of better design outcomes.

WSROC is already working with Resilient Sydney, Greater Sydney Commission and UNSW to develop a tool to assist in design and build of cooler communities. As well as is also working with NAROC councils to ensure that urban heat provisions are included in the LSPS and LEP reviews.

2. Planning for Waste Infrastructure and Service Delivery

WSROC asked that:

- 1. The Minister note the limited availability of land for new waste facilities and work with local government to ensure industrial lands are identified and protected from future residential encroachment.*
- 2. That the importance of Waste delivery be elevated in the planning process.*
- 3. The Minister recognise Waste as an essential service of equal importance to electricity, water and transport.*
- 4. The Government re-invest a greater proportion of monies collected under the NSW Waste Levy to enable innovative waste technologies for improved environmental outcomes through policy, research and evaluation.*

3. Social Infrastructure Funding

WSROC asked that:

- 1. Community facilities be included on the essential works list so that Councils can levy funding to build these under section 7.11.*
- 2. That NSW Government work with Councils to review mechanisms for funding regional infrastructure.*

4. Energy and Opportunities

WSROC asked that:

- 1. The Government work with Local Councils on energy related opportunities in Western Sydney to achieve emissions and cost savings and increase grid stability.*

5. Common operating environment for local Government

- 1. There is an opportunity for collaboration between State and Local Government to develop a best practice digital operating environment that encompasses both front of house and back office in a similar way as Service NSW providing a consistent experience*

for the community and baseline data sets across local Government.

2. *Independent Hearing Assessment Panels were imposed on Councils at Council's cost, with little consideration given to how the panels would be funded of the direct or indirect cost-implications in sitting fees and or the panel referring matters to the Land and Environment Court.*

There are far too many issues raised with the Ministers to put in this report, and a full WSROC report will be delivered to Council”.

- ii. Cllr Hagarty made a presentation to Council regarding the re-opening of Ferrington Park event that he attended on Sunday 25th August 2019.

The refurbishment of Ferrington Park is the result of a collaboration project between Liverpool City Council, The Liverpool District Men’s Shed and the Ferrington Collaborative (residents of Liverpool). Councillor Hagarty attended the event along with Mayor Waller and other Councillors and wanted to commend Council, the Liverpool District Men’s Shed and the community on the initiative.

The result of the project has been the upgrade of a public space by “the people” of the community in collaboration with the Council.

**Clr Hagarty left the Chambers at 7.25pm.
Clr Hagarty returned to the Chambers at 7.26pm.**

NOTICES OF MOTION

ITEM NO: NOM 01
FILE NO: 211179.2019
SUBJECT: Coaching and Development

Background

The coaching and development of staff is paramount to the success to an organisation no matter their size or the types of products or services they offer.

Currently in Council's customer service centre, calls are recorded for coaching and staff development purposes and I have no doubt improvements have been made to the customer experience and also to the development of staff as a result of this practise.

Given this process is in place for the customer service centre Council should now consider rolling this out across the organisation.

NOTICE OF MOTION (submitted by Councillor Hadchiti)

That Council:

- 1. Direct the CEO in consultation with relevant stakeholders to expand the current policy that allows for calls to be recorded in the customer service centre to include the whole organisation;
- 2. Direct the CEO to report back to Council on the cost to implement such policy; and
- 3. Direct the CEO to report back to Council in the October 2019 meeting on the above.

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**.

Mayor Waller and Councillor Shelton asked that they be recording as having voted against the motion.

Clr Hadid left the meeting at 7.30pm.

CONFIDENTIAL ITEMS

ITEM NO: CONF 01
FILE NO: 192335.2019
SUBJECT: Tender WT2827 - Construction of Cirillo Reserve Complex

RECOMMENDATION

That Council:

1. Accepts the Tender from Glascott Landscape & Civil Pty Ltd for Tender WT2827 - Construction of Cirillo Reserve Sports Complex for 12-month contract term at the GST exclusive price of \$6,598,937 for all four portions;
2. Makes public its decision regarding Tender WT2827 - Construction of Cirillo Reserve Sports Complex;
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; and
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 Hadchiti**

That the recommendation be adopted.

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

Councillors voted unanimously for this motion.

Note: Councillor Hadid was not in the Chambers when the item was voted on.

Councillor Ayyad was not at the meeting.

ITEM NO: CONF 02
FILE NO: 201484.2019
SUBJECT: Acquisition of part of Lot 1 DP 567321 (Proposed Lot 101 Plan of Acquisition) being 2072 Camden Valley Way, Edmondson Park for open space/drainage purposes

RECOMMENDATION

That Council:

1. Approves the acquisition of proposed Lot 101, being part of Lot 1 DP 567321 (2072 Camden Valley Way, Edmondson Park) on the terms outlined in this confidential report;
2. Authorises the CEO or her delegated officer to execute any document, under Power of Attorney, necessary to give effect to this decision;
3. Resolves to classify proposed Lot 101 as “operational” land in accordance with the Local Government Act, 1993; and
4. Keeps confidential this report pursuant to the provisions of Section 10A(2)(c) of the *Local Government Act 1993* as this information would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.

COUNCIL DECISION

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

That the recommendation be adopted.

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

Clr Hadid returned to the meeting at 7.35pm.

Clr Balloot left the meeting at 7.39pm.

ITEM NO: CONF 03

FILE NO: 202201.2019

SUBJECT: Proposed Disposal of Council Land Lot 88 DP 1236888 Kurrajong Road, Prestons

RECOMMENDATION

That Council:

1. Approves the disposal of Lot 88 DP 1236888 for the price and terms as outlined in this report;
2. Approves the transfer of the SP2 – Drainage land identified in this report back to Council at nil value;
3. Approves the removal of the Restriction as to User on the title on the terms outlined in this report;
4. Allocates the transfer proceeds on the basis outlined in this report, which includes repayment of s94 funding (including interest) for the portion of funds attributable to the original purchase, with the balance to be allocated to the Property Reserve;
5. Delegates authority to the CEO and her delegates to negotiate any relevant terms of the contract on the basis that the purchase price remains as outlined in this report.
6. Keeps confidential this report pursuant to the provisions of section 10A(2)(c) of the Local Government Act 1993 as this information would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business; and
7. Authorises its delegated officer to execute any documents, under power of attorney necessary to give effect to this decision.

COUNCIL DECISION

Motion:

Moved: Clr Hadchiti

Seconded: Clr Harle

That Council:

1. Approves the disposal of Lot 88 DP 1236888 for the price and terms as outlined in this report;

2. Approves the transfer of the SP2 – Drainage land identified in this report back to Council at nil value;
3. Approves the removal of the Restriction as to User on the title on the terms outlined in this report;
4. Allocates the transfer proceeds which includes repayment of s94 funding (including interest) for the portion of funds attributable to the original purchase, with the balance to be allocated to the Carnes Hill Stage 2 Precinct Development;
5. Delegates authority to the CEO and her delegates to negotiate any relevant terms of the contract on the basis that the purchase price remains as outlined in this report.
6. Keeps confidential this report pursuant to the provisions of section 10A(2)(c) of the Local Government Act 1993 as this information would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business; and
7. Authorises its delegated officer to execute any documents, under power of attorney necessary to give effect to this decision.

Foreshadowed Motion: Moved: Clr Rhodes Seconded Clr Shelton

That Council:

1. Not sell Lot 88 DP 1236888; and
2. Land banks this site until there is such a time that Liverpool Council has a need to develop it.

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

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

Vote for: Mayor Waller
 Clr Hagarty
 Clr Karnib
 Clr Kaliyanda
 Clr Hadid
 Clr Hadchiti

Vote against: Clr Shelton
 Clr Rhodes
 Clr Harle

Note: Councillor Balloot was not in the Chambers when the item was voted on.
Councillor Ayyad was not at the meeting.

ITEM NO: INF 03
FILE NO: 199432.2019
SUBJECT: Clean Air for Liverpool

RECOMMENDATION

That Council receives and notes this report.

COUNCIL DECISION

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

That Council:

1. Receives and notes this report; and

2. Explore costs and ways to expand the scope of air monitoring to include sites that are known to generate higher levels of pollution such as resource recovery operations, materials recycling sites and concrete manufacturing plants.

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

Council moved back into Open Session at 8.06pm.

Mayor Waller then read out the above motion which was passed in Closed Session.

THE MEETING CLOSED AT 8.07pm.

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 25 September 2019

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 28 August 2019. 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 SEPTEMBER 2019

PRESENT:

Mayor Wendy Waller
Councillor Ayyad
Councillor Balloot (arrived at the meeting at 6.34pm)
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
Ms Tina Sangiuliano, Special Projects Officer
Mr Peter Patterson, Director City Presentation
Mr Raj Autar, Director City Infrastructure and Environment
Mr Andrew Stevenson, Chief Strategy and Engagement Officer
Mr John Morgan, Director Property and Commercial Development
Mr David Smith, Manager Planning & Transport Strategy
Mr Edward Steane, Project Lead Fifteenth Avenue Smart Transit Corridor
Ms Julie Scott, Manager City Economy
Mr George Georgakis, Manager Council and Executive Services
Ms Susan Ranieri, Coordinator Council and Executive Services (minutes)

The meeting commenced at 6.01pm.

**STATEMENT REGARDING WEBCASTING
OF MEETING**

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

DECLARATIONS OF INTEREST

Clr Ayyad declared a declared a pecuniary interest in the following item:

EGROW 02: Phase 1 of LEP Review to establish the Liverpool Local Environmental Plan 2020.

Reason: Clr Ayyad and her husband own a property in Moorebank.

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

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

EGROW 02: Phase 1 of LEP Review to establish the Liverpool Local Environmental Plan 2020.

Reason: He has family members that live in Warwick Farm.

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

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

EGROW 05 Draft Liverpool Contributions Plan 2019 – Austral and Leppington North

Reason: Clr Hadchiti owns a property in Leppington North on the Camden Council side.

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

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

EGROW 03 Response to NOM 05 - A Prominent Permanent Home for the City of Liverpool and District Historical Society.

Reason: Cllr Shelton is an ordinary member of the Liverpool and District Historical Society.

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

Cllr Kaliyanda declared a non-pecuniary, less than significant interest in the following item:

EGROW 03 Response to NOM 05 - A Prominent Permanent Home for the City of Liverpool and District Historical Society.

Reason: Cllr Kaliyanda is an ordinary member of the Liverpool and District Historical Society.

Cllr Kaliyanda left the Chambers for the duration of this item.

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

EGROW 03 Response to NOM 05 - A Prominent Permanent Home for the City of Liverpool and District Historical Society.

Reason: Cllr Hagarty is an ordinary member of the Liverpool and District Historical Society.

Cllr Hagarty left the Chambers for the duration of this item.

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

EGROW 03 Response to NOM 05 - A Prominent Permanent Home for the City of Liverpool and District Historical Society.

Reason: Cllr Rhodes is not a current financial member, but was a financial member of the Liverpool District Historical Society in the past.

Cllr Rhodes remained in the Chambers for the duration of this item.

PUBLIC FORUM

Presentation – items not on agenda

1. **Ms Jennifer French** addressed Council on the following item:

Traffic Crisis in Liverpool.

MAYORAL REPORT

ITEM NO: MAYOR 01
FILE NO: 235061.2019
SUBJECT: Eat Your Heart Out Liverpool 2019

Liverpool hosted its third annual Eat Your Heart Out festival on Saturday, 31 August 2019.

This event started as a celebration of our revitalised city centre in 2016 and three years on, we still have plenty to celebrate.

It was a lively day full of music, food and art. The main stage, which was curated by Settlement Services International, was buzzing with a fantastic line-up of Western Sydney performers who reflected the region's diversity and got the audience dancing. The 'Desi Experience' by Bindi Bosses was a particular highlight – showcasing a high-energy blend of traditional and modern dance and music styles that drew a large crowd.

Liverpool-born-and-raised headliner L-FRESH The LION also brought his incredible live performance to the festival, which included reminiscing about his youth in Liverpool. I particularly agree with his reference to Liverpool as a 'village' where diversity isn't a buzz word, but our way of life.

Through the workshops, artistic performances, children's games and lots of lights, Eat Your Heart Out transformed the Norfolk Serviceway and adjoining car parks, bringing the site to life, particularly as the festivities went on into the night. There was a contemporary urban atmosphere that still maintained Liverpool's authenticity, thanks in large part to the 5,000 festival goers that attended.

In addition, over fifteen food vendors offered cuisines from across the globe – everything from Indian to Mexican, Vietnamese to German. It was great to see that half of these food vendors were local businesses coming out to participate. El Topo Cantina, Nefiz, Al Israa, Tropicana, Indian Taste Liverpool, Bun Me Baguette, The Spot and Macquarie Bistro presented their signature offerings to customers, many of whom were discovering these businesses for the first time.

It was heartening to see that the businesses attached to the car park were willing to share their space, with many generously assisting in preparing the site for the event. This cooperation also allowed Council to install an ambitiously long mural along the back of one of the buildings, facing the carpark. This beautiful piece of art will remain as a legacy of the event that reflects the cultural diversity of the business owners in that little corner of the CBD.

ITEM NO: CEO 02
FILE NO: 225232.2019
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 2020:
 - a. Aboriginal Consultative Committee
 - b. Audit, Risk & Improvement Committee
 - c. Casula Powerhouse Arts Centre Board
 - d. District Forums
 - e. Environment Advisory Committee
 - f. Heritage Advisory Committee
 - g. Intermodal Committee
 - h. Liverpool Access Committee
 - i. Liverpool Sports Committee
 - j. Tourism & CBD Committee
 - k. Youth Council

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

3. Appoints Councillors as representatives to the following community committees and affiliated bodies and notifies them of their representatives for the period to September 2020:
 - a. Georges River Combined Councils Committee
 - b. Western Sydney Migrant Resource Centre
 - c. Liverpool Pedestrian, Active Transport and Traffic Committee
 - d. Macarthur Bushfire Management Committee
 - e. NSW Metropolitan Public Libraries Association
 - f. South West Regional Planning Panel
 - g. South West Sydney Academy of Sport (SWSAS)
 - h. Western Sydney Regional Organisation of Councils (WSROC)

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

That Council:

1. Appoints Councillors as representatives to the following Committees for the period to September 2020:

Aboriginal Consultative Committee	
<i>Representatives</i>	Mayor Waller and Clr Shelton

Audit, Risk & Improvement Committee	
<i>Representatives</i>	Deputy Mayor Karnib and Clr Shelton

Casula Powerhouse Arts Centre Board	
<i>Representatives</i>	Mayor Waller and Clr Kaliyanda

Rural District	
<i>2019-2020 Representative</i>	Clr Harle

New Release/Established District	
<i>Representative</i>	Clr Hagarty

2168 District	
<i>Representative</i>	Mayor Waller

Eastern District	
<i>Representative</i>	Clr Rhodes

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 Kaliyanda

Tourism & CBD Committee	
<i>Representatives</i>	Clrs Balloot, Hadid, Hadchiti, Hagarty and Shelton

Youth Council Committee	
<i>Representatives</i>	Mayor Waller, Clr Hagarty and Clr Kaliyanda

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

3. Appoints Councillors as representatives to the following community committees and affiliated bodies and notifies them of their representatives for the period to September 2020:

Georges River Combined Councils Committee (GRCCC)	
<i>Representatives</i>	Clr Harle and Clr Shelton

Western Sydney Migrant Resource Centre (WSMRC)	
<i>Representative</i>	Deputy Mayor Karnib

Liverpool Pedestrian, Active Transport and Traffic Committee	
<i>Representative</i>	Clr Hagarty

Macarthur Bushfire Management Committee	
<i>Representative</i>	Clr Harle

NSW Metropolitan Public Libraries Association (NSW MPLA)	
<i>Representative</i>	Clr Kaliyanda

South West Regional Planning Panel	
<i>Representatives</i>	Mayor Waller and Clr Harle, with Clrs Hagarty and Karnib as alternates.

South West Sydney Academy of Sport (SWSAS)	
<i>Representative</i>	Clr Kaliyanda

Western Sydney Regional Organisation of Councils (WSROC)	
<i>Representatives</i>	Clr Rhodes and Clr Balloot

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

CHANGE TO THE ORDER OF BUSINESS

As Dr Webb, Entomologist from NSW Health was present to answer any questions relating to PRES 01 Mosquito Management plan, that item was brought forward and dealt with now.

CITY PRESENTATION REPORT

ITEM NO: PRES 01
FILE NO: 230220.2019
SUBJECT: Mosquito Management Plan

RECOMMENDATION

That Council:

1. Notes this report on progress with implementing the mosquito management plan; and
2. Allocates \$30,000 in the 2019/2020 Operational Plan to address mosquitoes in Liverpool.

COUNCIL DECISION

Motion: **Moved: Clr Shelton** **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: EGROW 01

FILE NO: 213498.2019

SUBJECT: Liverpool Health and Innovation Trade Delegation to New Zealand 2020

RECOMMENDATION

That Council:

1. Authorise the CEO to facilitate arrangements for a trade and civic delegation to Auckland, New Zealand, in March 2020;
2. Determine which Councillors will attend as members of the delegation;
3. Endorse expenditure for this delegation of up to \$17,500; and
4. Request a report on the outcomes of the visit.

COUNCIL DECISION

Motion:

Moved: Clr Hadchiti

Seconded: Clr Rhodes

That:

1. Council authorise the CEO to facilitate arrangements for a trade and civic delegation to Auckland, New Zealand, in March 2020;
2. The Mayor, Deputy Mayor Karnib, Clr Kaliyanda, and Clr Hadid attend as members of the delegation;
3. Council endorse expenditure for this delegation of up to \$17,500; and
4. Council request a report on the outcomes of the visit.

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

Clr Ayyad left the Chambers at 7.01pm.

ITEM NO: EGROW 02
FILE NO: 213509.2019
SUBJECT: Phase 1 of LEP Review to establish the Liverpool Local Environmental Plan 2020

RECOMMENDATION

That Council:

1. Notes the advice of the *Liverpool Local Planning Panel*;
2. Supports in principle the planning proposal to establish the *Liverpool Local Environmental Plan 2020*;
3. Delegates to the CEO to make any typographical or other editing amendments to the planning proposal if required;
4. Forwards the planning proposal to the Department of Planning, Industry and Environment pursuant to Section 3.34 of the *Environmental Planning and Assessment Act 1979*, seeking a Gateway determination;
5. Subject to Gateway determination, undertake public exhibition and community consultation in accordance with the LEP Review Community Engagement Action Plan and conditions of the Gateway determination; and
6. Receive a further report on the outcomes of public exhibition and community consultation.

COUNCIL DECISION

Motion: **Moved: Clr Hagarty** **Seconded: Clr Karnib**

That the recommendation be adopted.

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

Vote against: Clr Balloot
Clr Hadid
Clr Harle
Clr Rhodes

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

**Clr Shelton and Clr Hagarty returned to the Chambers at 7.26pm
Clr Kaliyanda returned to the Chambers at 7.31pm.**

ITEM NO: EGROW 04
FILE NO: 225868.2019
SUBJECT: Middleton Grange Town Centre

RECOMMENDATION

That Council receive and note the report.

COUNCIL DECISION

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

That Council:

- 1. Receives and notes the report;
- 2. Notes that the proponent seeks to lodge a revised planning proposal that offers to address all the previous concerns raised by constituents;
- 3. Supports in principle the development of a Town Centre;
- 4. Should the proponent submit a revised proposal, delegates to the CEO to allocate appropriate council resources to progress a preliminary assessment and place on exhibition the revised planning proposal in order to deliver a Town Centre for the people of Middleton Grange in the most timely manner possible;
- 5. Support the principle of the grid road layout in Middleton Grange; and
- 6. Undertake community consultation in conjunction with the assessment of an application and that the community consultation to not overlap the December/January holiday period.

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

That Council:

- 1. Receives and notes the report;
- 2. Supports in principle the development of a Town Centre;
- 3. Should the proponent submit a revised proposal, delegates to the CEO to allocate appropriate council resources to progress a preliminary assessment and place on exhibition the revised planning proposal in order to deliver a

.....
Chairperson

Town Centre for the people of Middleton Grange in the most timely manner possible;

4. Support the principle of the grid road layout in Middleton Grange; and
5. Undertake community consultation in conjunction with the assessment of an application and that the community consultation to not overlap the December/January holiday period.

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

Councillors voted unanimously for this motion.

RECESS OF COUNCIL

Mayor Waller called a recess of Council at 7.49pm.

Mayor Waller reopened the meeting at 8.00pm with all Councillors present except Clr Karnib and Councillor Hadid.

Clr Hadid returned to the Chambers at 8.01pm.

Clr Hagarty and Clr Kaliyanda left the Chambers at 8.01pm.

CITY COMMUNITY AND CULTURE REPORT

ITEM NO: COM 01

FILE NO: 211119.2019

SUBJECT: Grants, Donations and Corporate Sponsorship

RECOMMENDATION

That Council:

- Endorses the recommendation of **\$40,000** (GST exclusive) under the **Corporate Sponsorship Program** for the following projects:

Applicant	Project	Recommended
Western Sydney Community Forum	2020 ZEST Community Awards	\$10,000
Liverpool Christians Community Celebrations	2019 Carols in the Park	\$10,000
Turbans 4 Australia	Guru Nanak 550 th Birthday Celebrating Peace, Harmony and Service to Humanity	\$10,000
Fiji First Australia Association Inc.	Fiji Independence Day Celebration	\$10,000

- Endorses the recommendation of **\$15,000** (GST exclusive) under the **Matching Grants Program** for the following project:

Applicant	Project	Recommended
Ingham Institute for Applied Medical Research	Multicultural First Aid Program	\$15,000

COUNCIL DECISION

Motion: **Moved: Clr Shelton** **Seconded: Clr Ayyad**

That the recommendation be adopted.

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

Clr Karnib returned to the Chambers at 8.02pm.

ITEM NO: COM 02
FILE NO: 224703.2019
SUBJECT: Lighthorse Park Landscape Masterplan

RECOMMENDATION

That Council:

1. Adopts the Draft Landscape Masterplan attached for the redevelopment of Lighthorse Park; and
2. Develops detailed designs for the redevelopment of Lighthorse Park on the basis of the Draft Landscape Masterplan.

COUNCIL DECISION

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

That the recommendation be adopted.

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

Clr Karnib left the Chambers at 8:03pm.
Clr Hagarty returned to the Chambers at 8.03pm.

ITEM NO: COM 03
FILE NO: 227376.2019
SUBJECT: Draft Civic Events and Ceremonial Functions Policy

RECOMMENDATION

That Council:

1. Endorse the draft Civic Events and Ceremonial Functions Policy for public exhibition;
and
2. Receive a report at the completion of the public exhibition period noting feedback received and any changes made to the draft Policy in line with community feedback, or if no submissions are received, delegate authority to the CEO to endorse the draft Civic Events and Ceremonial Functions Policy.

COUNCIL DECISION

Motion: **Moved: Clr Hagarty** **Seconded: Clr Rhodes**

That the recommendation be adopted.

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

Clr Karnib and Clr Kaliyanda returned to the Chambers at 8:05pm.

ITEM NO: COM 04
FILE NO: 233221.2019
SUBJECT: Helles Park Radio Control Car Racing Track Refurbishment Update

RECOMMENDATION

That Council:

1. Confirms the May 29 resolution to “Provide funding of up to \$120,000 for the resurfacing and drainage works to the Radio Control Racing Track at Helles Park”;

or

2. Provides new direction regarding the NSW Radio Control Racing Car Club’s request for financial assistance for improvements to the Helles Park racing track at Moorebank.

COUNCIL DECISION

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

That Council confirms the May 29 resolution to “Provide funding of up to \$120,000 for the resurfacing and drainage works to the Radio Control Racing Track at Helles Park”.

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

CITY CORPORATE REPORT

ITEM NO: CORP 01
FILE NO: 224453.2019
SUBJECT: Tender Exemption Report - Corporate Applications

RECOMMENDATION

That Council:

1) Delegate authority to the CEO to negotiate directly with:

Assetic Australia PTY LTD
Infor Global Solutions PTY LTD
HPE Content Manager (Kapish PTY LTD); and
Technology One Ltd

to extend their engagement with Council to provide annual software license renewals and maintenance for up to five (5) years (to September 2024) pursuant to 55(3)(i) of the *Local Government Act 1993*, for the following reasons:

- a) The above mentioned systems are integral software packages that allow Council to meet customer service objectives across all service delivery areas.
- b) Council has successfully used the systems for many years as stated above.
- c) To migrate to alternative systems at this time would be both cost prohibitive and difficult to achieve for various technical reasons.
- d) Staff are investigating and evaluating a consolidated corporate software solution which will take up to 12 months to procure, and an additional period of years to adopt for all relevant systems.

COUNCIL DECISION

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

That the recommendation be adopted.

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

Councillors voted unanimously for this motion.

ITEM NO: CORP 02
FILE NO: 225129.2019
SUBJECT: Investment Report August 2019

RECOMMENDATION

That Council receives and notes this report.

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: CTTE 01
FILE NO: 217328.2019
SUBJECT: Minutes of the Tourism and CBD Committee meeting held on 6 August 2019

RECOMMENDATION

That Council:

- 1. Receives and notes the Minutes of the Tourism and CBD Committee Meeting held on 6 August 2019; and
- 2. Endorse the recommendations and actions in the Minutes.

COUNCIL DECISION

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

That the recommendation be adopted subject to the following change to the Minutes (as shown on page 198 of the Council Agenda).

In the last paragraph under ‘‘General Business’’, the minutes state:

‘‘Mr Wang advised the data was very general and that there are uncertainties around accuracies and analytical conclusions, therefore this should be taken into consideration before utilising this information for Council’s efforts.’’

Cllr Rhodes advised that Mr Wang was referring to the information regarding the number of international tourists collected through the STR not information collected directly from the hotels in the Liverpool LGA.

The minutes to be corrected to reflect the above change.

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

ITEM NO: CTTE 02
FILE NO: 220225.2019
SUBJECT: Minutes of the Civic Advisory Committee meeting held on Monday 2
 September 2019

RECOMMENDATION

That Council receives and notes the Minutes of the Civic Advisory Committee meeting held on 2 September 2019.

COUNCIL DECISION

Clr Rhodes advised that the minutes were missing information that was discussed and recommendations made. They are:

- That Council change the Civic Awards Policy with respect to the Order of Liverpool Awards to include guidelines for expected quality and length of voluntary service to have served in order to be nominated for an award.
- Voluntary Service must be through a long established Not for Profit Organisation.

Highest Award (Companion of the Order of Liverpool) 20 years' service.

Second level (Officer of the Order of Liverpool) 10 years' service.

Third level (Member of the Order of Liverpool) 5 years' service.

The change was to preserve the quality of the Awards.

It was also recommended that there should not be an award given to just anyone who applies and that awards should be given to only those people who meet the service requirement.

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

That Council defer this item until the minutes have been investigated.

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

ITEM NO: CTTE 03
FILE NO: 221433.2019
SUBJECT: Minutes of the Environment Advisory Committee Meeting held on 6 August 2019

RECOMMENDATION

That Council receives and notes the Minutes of the Environment Advisory Committee Meeting held on 6 August 2019.

COUNCIL DECISION

Motion: **Moved: Cllr Kaliyanda** **Seconded: Cllr Hadid**

That the recommendation be adopted.

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

ITEM NO: CTTE 04
FILE NO: 222670.2019
SUBJECT: Notes of Aboriginal Consultative Committee Meeting held on 2 May 2019 and Minutes of the Aboriginal Consultative Committee Meeting held on 1 August 2019

RECOMMENDATION

That Council receives and notes the Notes of the Aboriginal Consultative Committee meeting held on 2 May 2019; and the Minutes of the Aboriginal Consultative Committee meeting held on 1 August 2019.

COUNCIL DECISION

Motion: **Moved: Clr Kaliyanda** **Seconded: Clr Hadid**

That the recommendation be adopted.

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

ITEM NO: CTTE 05
FILE NO: 222717.2019
SUBJECT: Minutes of the Liverpool Youth Council Meeting held 7 August 2019

RECOMMENDATION

That Council receives and notes the Minutes of the Liverpool Youth Council Meeting held on 7 August 2019.

COUNCIL DECISION

Motion: **Moved: Clr Kaliyanda** **Seconded:Clr Hadid**

That the recommendation be adopted.

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

Clr Ayyad left the meeting at 8.19pm.

ITEM NO: CTTE 06

FILE NO: 228073.2019

SUBJECT: Minutes of the Intermodal Committee Meeting held on 14 August 2019

RECOMMENDATION

That Council:

1. Receives and notes the minutes of the Intermodal Committee meeting held on 14 August 2019;
2. Endorse the recommendations in the minutes; and
3. Determine whether to continue with or disband the Intermodal Committee.

COUNCIL DECISION

Motion:

Moved: Clr Hadchiti

Seconded: Clr Hagarty

That this item be moved into Closed Session under Section 10A(2)(a) of the Local Government Act 1993 because it contains personal matters concerning particular individuals (other than councillors).

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

Note: This item was dealt with later in the meeting in Closed Session.

ITEM NO: CTTE 07
FILE NO: 229245.2019
SUBJECT: Minutes of the Strategic Panel - 12 August 2019

RECOMMENDATION

That Council receives and notes the Minutes of the Strategic Panel Meeting held on 12 August 2019.

COUNCIL DECISION

Motion: **Moved: Cllr Kaliyanda** **Seconded: Cllr Hadid**

That the recommendation be adopted.

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

Clr Ayyad returned to the Chambers at 8.23pm.

QUESTIONS WITH NOTICE

ITEM NO: QWN 01

FILE NO: 214432.2019

SUBJECT: Question with Notice - Clr Hadchiti - Timeframe for response to calls and emails from residents or proponents

Please address the following:

1. Is there a policy in place in the organisation, covering all departments, for timeframes that calls/emails must be responded to from residents or proponents dealing with Council?
2. If so who monitors it?
3. If monitored what does the data show?

Response

- 1. Is there a policy in place in the organisation, covering all departments, for timeframes that calls/emails must be responded to from residents or proponents dealing with Council?**

A copy of Council's Customer Service and Communication Policy is attached.

The intent of this policy is to enable continuous improvement of service and communication between Council and the community. It includes various service levels for, among other things, written correspondence and emails (clause 4.4.1), and telephone calls (cl. 4.4.2).

Following the migration of Council's Customer Experience team to internal management, the policy has been under review for the past 12 months, with a view to migrating the policy to something more akin to a Customer Service Charter.

In light of the August 2019 resolution of Council directing consultation on revised changes allowing the recording of staff calls, this review is now expected to be completed around November 2019. The review will include changes providing for basic service level expectations for responses to customer enquiries.

- 2. If so who monitors it?**

The monitoring of communications is conducted at a local level. With the adoption of the Internal Ombudsman model by Council in 2017, issues are often escalated to Council's Internal Ombudsman in accordance with the Internal Ombudsman Policy (copy attached).

3. If monitored what does the data show?

Council-wide data is not available. However, and for enquiries lodged via Council's Internal Ombudsman, a six-monthly report is provided to ARIC in accordance with the Internal Ombudsman Policy.

ITEM NO: QWN 02
FILE NO: 214437.2019
SUBJECT: Question with Notice - Clr Ayyad - Status of Item CORP 03 from 27 March 2019 Council Meeting - Provision of Public Parking to City Centre South

Please address the following:

1. 'What is the status of the items resolved in the attached'?

Response

Council, at its meeting held on 27 March 2019 considered a report regarding the provision of additional parking and resolved the following:

That Council:

1. *Approves the implementation of the additional at-grade car parking proposal at Woodward Park;*
2. *Directs the CEO to include sufficient funds to implement the works in the 2019/20 budget;*
3. *Approves the repurposing of 68 Speed Street, Liverpool (Lot 231 DP635209) as public car parking;*
4. *Delegates authority to the CEO to negotiate with the interested parties to achieve favourable commercial terms on 68 Speed Street in both financial outcome and public benefit, and advise Councillors of progress through the CEO update process;*
5. *Advocates for the delivery of commitments in relation to commuter carparks as promised by the State Government;*
6. *Direct the CEO to bring a report to Council, listing all commitments made by the Government relating to the Liverpool LGA during the election campaigning period and also specifically related to the delivery of commuter carparking.*

The following provides an update on actions taken to effect the above resolution of Council.

1. Additional at-grade car park at Woodward Park

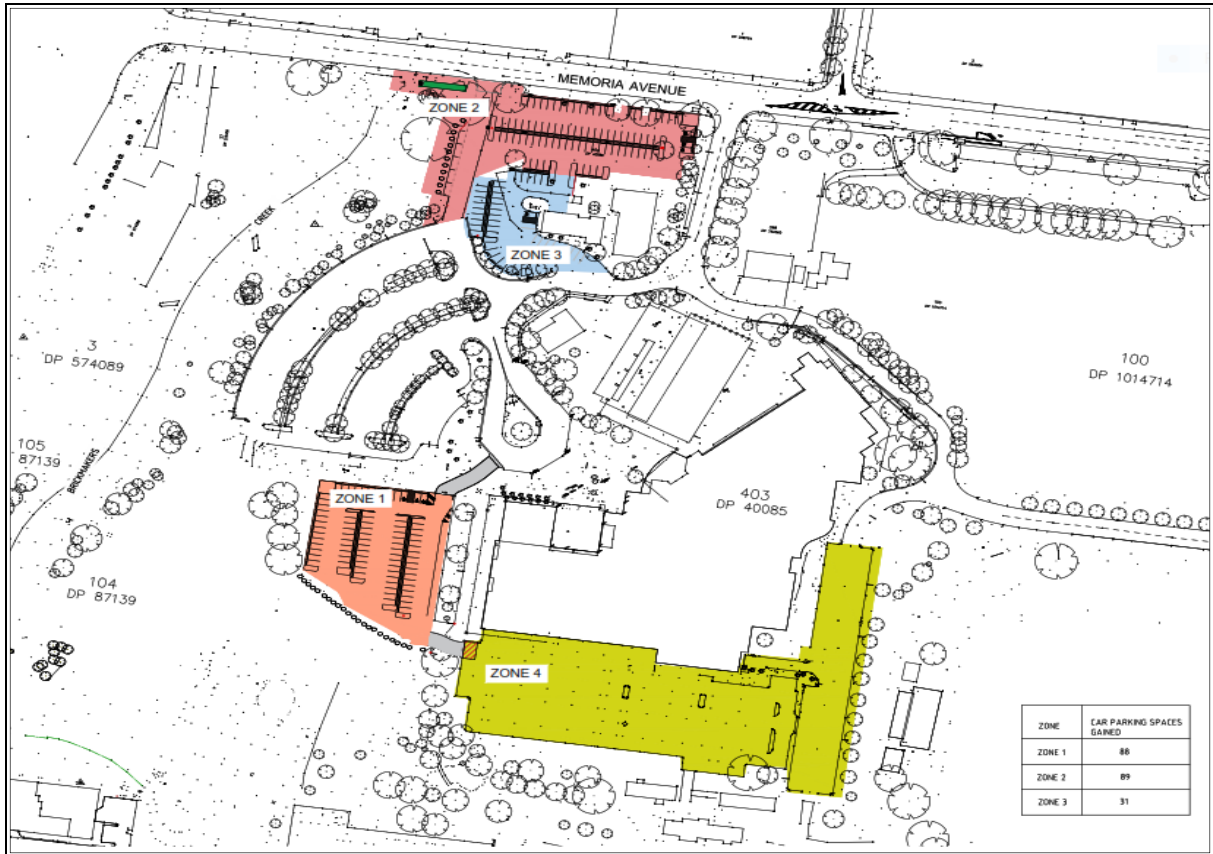
Council accepted the following program of improvement works to provide additional parking capacity at Woodward Park.

Stage 1 - refer to plan below

Location	spaces provided	Scope
Zone 1	88 additional spaces	Conversion into car park, new road links
Zone 4	49 existing spaces	Existing car park, new sign posts

Stage 2 - refer to plan below

Zone 2	89	New car park
Zone 3	31	Reconfigured car park



Council is pleased to advise that Stage 1 of the program was successfully completed in June 2019, with a total of 106 additional parking spaces created through line marking and appropriate signposting.

With regards to Stage 2 of the Program, detailed designs are being progressed to enable construction works to be completed in December 2019. Council is concurrently liaising with the Aboriginal Land Council in relation to pending Aboriginal Land Claim over the subject site.

2. 68 Speed Street Carpark

Construction of the Speed Street car park will involve the demolition of the existing decommissioned community building and provision of controlled earthworks to fully encapsulate the contaminated underlying surface.

A Development Application is being prepared to enable demolition works to be undertaken later this year followed by car park construction works. At this stage, the car park works are anticipated to be completed in early 2020.

3. Delegates authority to the CEO to negotiate with the interested parties to achieve favourable commercial terms on 68 Speed Street in both financial outcome and public benefit, and advise Councillors of progress through the CEO update process;

Recent discussions with the interested party (Coronation Pty Ltd) have revealed that at this time they do not wish to proceed with the car park.

4. Advocates for the delivery of commitments in relation to commuter carparks as promised by the State Government;

Council has written on several occasions to the NSW Government about commuter carparking commitments. The issue has also been raised with local MPs, stakeholders and government agencies on a regular basis.

5. Direct the CEO to bring a report to Council, listing all commitments made by the Government relating to the Liverpool LGA during the election campaigning period and also specifically related to the delivery of commuter carparking.

A report listing election commitments made by the NSW Government, including those relating to commuter carparking, was provided to the April 2019 Council meeting.

ITEM NO: QWN 03
FILE NO: 236467.2019
SUBJECT: Question with Notice - Cllr Harle - Excessive Noise and Use of Public Address Systems in Recreational Areas

For over a decade Council has been experiencing consistent negative feedback due to objectional and excessive noise generated by unauthorised use of Public Address systems at Council owned recreational facilities. Considering the high number of complaints, particularly around the Chipping Norton Lakes area and Black Muscat Park, Council needs to take positive action as it detrimentally affects all users of the park and nearby residential homes.

It is obvious current action by Councils is not having the desired effect both from a park user and nearby residents point of view.

Please address the following:

1. Can Council issue substantial fines for using PA systems contrary to signage and if so, what are the maximum penalties that can be applied and how can these be enforced and by whom?
2. Can Council legally confiscate the offending equipment?
3. If so, can Council ensure signage includes applicable penalty notices?
4. Does Council have practical enforceable suggestions to prevent this continuing problem?

A response to these questions will be provided in the 28 October 2019 Council meeting business papers.

ITEM NO: QWN 04
FILE NO: 236227.2019
SUBJECT: Question with Notice - Cllr Hagarty - Edmondson Park Commuter Car Park

Background

Despite allocating just \$212,000 in this year's budget, the New South Wales Government continues to commit to a 'mid 2020' time frame for the completion of a multi-storey car park at Edmondson Park station.

Potential risks to the project's completion date of have been given as "weather, Liverpool Council and other land holders".

Please address the following:

1. Does Council own land within the vicinity of Edmondson Park train station suitable for a multi-storey car park?
2. Has Council been approached by the State Government about the use of Council owned land for a multi-storey car park at Edmondson Park? If so when?
3. What approvals would Liverpool Council need to give for a multi-storey car park at Edmondson Park?
4. Are there any other delays or impediments Council could potentially cause to the timely completion of this project?

A response to these questions will be provided in the 28 October 2019 Council meeting business papers.

ITEM NO: QWN 05
FILE NO: 236180.2019
SUBJECT: Question with Notice - Cllr Hadchiti - Basketball

Please address the following:

1. Has Council undertaken any studies which identify a need for more basketball facilities in the LGA?

A response to this question will be provided in the 28 October 2019 Council meeting business papers.

COUNCIL DECISION

Motion: **Moved: Cllr Hadchiti** **Seconded: Cllr Hagarty**

That:

1. Council note that Aquatic Leisure Centre Strategy incorporating a Recreation & Open Sport Strategy;
2. Council note that these strategies identified a deficit in indoor sporting and basketball facilities;
3. Council note that Council Staff have received an unsolicited proposal to provide indoor basketball facilities in the Liverpool LGA;
4. Council note that Council staff across different areas are looking into the proposal at a high level and need to ensure that this proposal is dealt with in a transparent manner;
5. Council support discussions being held with the Association that provided the proposal to deliver indoor basketball facilities in the LGA;
6. Council support, subject to any issues identified, Council owned sites being made available to facilitate these facilities; and
7. The CEO agree to also have the Acting General Counsel look into the proposal and the process of its handling.

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

ITEM NO: QWN 06
FILE NO: 236196.2019
SUBJECT: Question with Notice - Cllr Hadchiti - Parking Meters

Please address the following:

1. Have there been any issues brought to Councils attention in relation to the roll out of the new parking meters?

A response to this question will be provided in the 28 October 2019 Council meeting business papers.

COUNCIL DECISION

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

That Council under Section 10A(2)(e) of the Local Government Act 1993 go into Closed Session at the end of the meeting to discuss this item as the item deals with information that would, if disclosed, prejudice the maintenance of law.

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

Note: This item was dealt with later in the meeting in Closed Session.

ITEM NO: EGROW 05
FILE NO: 222530.2019
SUBJECT: Draft Liverpool Contributions Plan 2019 – Austral and Leppington North

RECOMMENDATION

That Council:

1. That Council endorse draft *Liverpool Contributions Plan 2019 – Austral and Leppington North* for public exhibition in accordance with the provisions of the *Environmental Planning and Assessment Act, 1979* and *Environmental Planning and Assessment Regulation 2000*;
2. Delegate authority to the CEO to make any typographical or other editing amendments to the draft *Liverpool Contributions Plan 2019 – Austral and Leppington North* prior to exhibition if required; and
3. Delegate authority to the CEO to finalise *Liverpool Contributions Plan 2019 – Austral and Leppington North* following its public exhibition if no submissions are received or report back to Council the results of any submissions received and how the plan addresses those submissions.

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.

Councillors voted unanimously for this motion.

Clr Hadchiti left the Chambers at 8:29pm.

PRESENTATIONS BY COUNCILLORS

Councillor Kaliyanda advised that she attended an event earlier in September, on behalf of the Mayor, which was a presentation from the Miracle Babies Foundation to thank their supporters over the course of the year. Councillor Kaliyanda wanted to highlight some of the ways Liverpool City Council's contribution to the organisation has been used, which is detailed below:

Over the 18/19 financial year, Liverpool City Council has generously contributed a total of \$26,800 to allow Miracle Babies Foundation to deliver the following projects:

1. **October 2018 – \$11,800 in Matched funding** to support the **design, printing and distribution of Miracle Babies' 'Dear Dad' flyer** - a valuable resource specifically created to assist Dad on his journey with a premature or sick baby in the Liverpool Hospital NICU. Funding also enabled this vital resource – along with **Miracle Babies' 'Family & Friends' flyer**, which provides vital information for extended family and friends on how to support and care for families with a child in the NICU – **to be translated into nine languages** to ensure that they are as accessible as possible to the Liverpool community.

The content included in the 'Dear Dad' and 'Family & Friends' information flyers have been developed in consultation with NICU and Allied Health Professionals, and parents who themselves have experienced the NICU journey. Each piece contains information that will improve relationships during what can be a very strained time, resulting in a direct positive impact on 1) the Dad's, who are given specific support relating to their circumstance, and 2) extended family and friends, who are given guidance on how to approach, behave and best assist families during this traumatic experience; something that can allude many. Overall both materials provide significant positive impact directly to the parents and immediate family of the sick or premature newborn, aiding in positive mental health and emotional wellbeing.

2. **May 2019 – \$15,000 in Matched Funding** to support the production and distribution of **400 NICU Graduate Bags** containing resources to support families transitioning from Liverpool Hospital's NICU back into the community. Designed in consultation with healthcare professionals, hospital staff and families, NICU Graduate Bags contain educational material including a Parent Handbook providing information and support on baby's discharge from specialised care, transitioning to the community, and accessing community-based support for longer-term mental health and family wellbeing. The overall goal is to empower families to best care for their child to achieve a better, healthier outcome.

Clr Hadchiti returned to the Chambers at 8:31pm.

NOTICES OF MOTION

ITEM NO: NOM 01
FILE NO: 232466.2019
SUBJECT: Outdoor Dining Policy

Background

As Councillors we should all strive to be cutting red tape and making it easier for small businesses to get on with doing business.

The NSW Small Business Commissioner recently released an Outdoor Dining Policy. The NSW Outdoor Dining Policy is intended to replace Council's comparable policy and therefore make it easier and more cost effective for restaurants, bars and cafes to expand their existing dining activities outdoors.

According to the Commissioner, the benefits include:

- a streamlined and simplified approach for outdoor dining approvals
- cutting red tape for small businesses and local Councils
- user-friendly, online assessment and approval
- lower costs and compliance burdens on small businesses

With Amendment 52 now passed and the City Centre Public Domain Master Plan imminent, the Liverpool CBD is on the cusp of realising Council's objective of an 18 hour economy. Adopting policies such as the NSW Outdoor Dining Policy will help Council realise this vision.

NOTICE OF MOTION (submitted by Councillor Hagarty)

That Council review the NSWBC Government's Outdoor Dining Policy and Guide as part of the development of the City Centre Public Domain Master Plan with a view to repealing Council's existing Outdoor Dining Policy and adopting the NSW Policy and Guide

COUNCIL DECISION

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

That Council review the NSWBC Government's Outdoor Dining Policy and Guide as part of the development of the City Centre Public Domain Master Plan with a view to repealing Council's existing Outdoor Dining Policy and adopting the NSW Policy and Guide.

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

**Clr Hagarty left the Chambers at 8:35pm.
Clr Hagarty returned to the Chambers at 8:37pm.**

ITEM NO: NOM 03
FILE NO: 233180.2019
SUBJECT: Changes to the Code of Meeting Practice

Background

Council Meetings are held mid-week at the busiest time for our constituents and therefore they may not always be available to watch the Live stream or attend Council meetings.

Live streaming the Council meetings and then removing the video recording once the Council Meeting has finish means some people are less informed than others for no other reason than they could not be available on the night of the Council Meeting.

All constituents have the same right to ease of access to that information contained in the Video recordings as those people who were able to attend or watch the Live Stream on the night of the meeting.

Council recently chose to upload a video recording onto the Council website because Council understood that by uploading that video onto the Council website they were providing the maximum opportunity for all of the public to have the same factual information as those people who were fortunate enough to either attend the meeting or watch via the Live Stream.

For Council to make a decision about what information they upload onto the website and what information they do not upload onto the website for public access could be perceived as Council controlling what information it is willing to share with the public and what information it is not willing to share.

It is also permitting Council to make a decision on what they feel is important rather than permitting the public to have access to the entire video recordings in order for them to decide for themselves what is important to them.

It is in the best interest of Liverpool that the public is fully informed at the same time to the facts of each meeting that is included in the entire video recording of each Council meeting. This can only be attained by uploading the video recordings of each meeting onto the Council website after the meeting has concluded for full public access in a similar way as the Minutes are made publicly available.

We need to upload the video recordings onto the Council website because not all people are available to watch the live stream of the meeting.

In Liverpool we have over 80% of constituents who have to leave the Liverpool LGA each day to work. At the time our Council meetings are being live streamed on our Council website, many residents are not even home from work.

When they do get home, they are busy providing family meals and preparing for work or school the next day.

In Liverpool we have a high percentage of constituents who work night shift making them unavailable to watch the live stream of the Council Meeting.

We pride ourselves on being a Health and Education Hub and yet Doctors, Nurses, Educators, Students, Night Time shift workers and Hospitality workers all people who work nights are being excluded if we do not upload video recordings onto the website. That is the only way they can engage, at a time when they are available.

If we do not upload the video recording after the council meeting onto the Council website we are excluding all the above people from having the same right of access to council information.

This Council has nothing to hide from our constituents, and yet by limiting the access to the recording of Council Meetings, that is what some constituents may think, "What is Liverpool Council hiding"?

The recordings of Council meetings are there to validate and substantiate the written minutes. The recordings cannot undermine the minutes of the meetings as councillors were previously advised. In writing the minutes of Council Meetings the recordings of the meetings are often referenced to assure the accuracy of those minutes, that is not undermining but is actually validating the written minutes.

Director of the Institute for Public Policy and Governance at the University of Technology, Associate Professor Roberta Ryan, said research showed that people held their councils in higher regard when they had more contact and more exposure to what their councils did.

It is difficult for the constituents to understand the range of things that councils do – or the complexity of the decisions that they have to make – if you are not involved with councils. It is only by maximising access to the video recordings of Council meetings that the constituents have that greater understanding and engagement.

Other councils who have embraced the opportunity to better engage with their community through making the video recordings available on their websites are Wollongong, Northern Beaches, Wollondilly, Inner West Council, with Parramatta and Campbelltown set to implement by next year.

General Manager of Northern Beaches said webcasting encouraged the community to understand and be involved with local issues.

Our neighbouring Councils Wollondilly, said “This is a great accomplishment for council as it is one step closer to bringing the Wollondilly community closer together”.

Wollondilly Council’s general manager said webcasting council meetings is an excellent way to enhance access to the democratic decision-making process.

Local government has a very broad range of responsibilities and makes decisions that can affect the whole community.

Uploading the video recording onto Council’s website will provide Liverpool Council the opportunity to:

- Extend its transparency and maximise the opportunity for public access and participation in council meetings.
- Increase the value of our relationship between council and our community.
- Allow everyone equal and inclusive access to the opportunity to observe the decision-making process regardless of meeting time.

We as Councillors have a duty of care to the constituents of Liverpool, who elected us to be their voice in the decision making processes.

As Councillors we have an obligation to maximise all opportunities for our local community to be engaged, to have access to knowledge about what is going on in our community. That is our job, what we were elected to do.

It is the right thing to do for our constituents, it is the right thing to do for Liverpool. We ask that you vote in favour of this motion.

NOTICE OF MOTION (submitted by Councillor Rhodes and Councillor Harle)

That Council change the Code of Meeting Practice to:

1. Live stream the Council meeting and up-load the video recording onto the Council website after the conclusion of each meeting.
2. Place all past and future video recording of Council Meetings onto the Council website for full public access, for the same duration as the Council Minutes are made available to the public.
3. Ensure a link to the video recordings is prominently displayed on the home page of the Council website for easy public access to the recordings at all times.
4. Change section 5.13 Entitlement of the public to attend council meetings to include section 3.22 from the previous code of meeting practice.

5. Update the Code of Meeting Practice to reflect the above decision of Council shown below:

Code of Meeting Practice May 2019
Change the Webcasting of meetings

Change Section 5.19 (Page 11) to:

- 5.19 A recording of each meeting of the council and committee of the council is to be livestreamed onto the Council's website and on the conclusion of each meeting to be further uploaded for public viewing onto the Council website for the same period of time as the minutes of each meeting. Recordings of meetings may be disposed of in accordance with the State Records Act 1998.

Code of Meeting Practice May 2019
Change section 5.13 Entitlement of the public to Attend Council Meetings (Page 10)
to re-insert and include section 3.22 from the previous Code of Meeting practice.

- 5.13 Everyone is entitled to attend a meeting of the council and committees of the council. The Council must ensure that all meetings of the council and committees of the council are open to the public.

(Re-insert and include from the Previous Code of Meeting Practice:
Principals Subsection (3.22) below:

“Meetings should be a part of Council’s commitment to Open Government and maximise the access and participation available to the City’s residents”.

COUNCIL DECISION

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

That Council change the Code of Meeting Practice to:

1. Live stream the Council meeting and up-load the video recording onto the Council website after the conclusion of each meeting for a period of 12 months;
2. Place all past and future video recording of Council Meetings onto the Council website for full public access, for a period of 12 months;
3. Ensure a link to the video recordings is prominently displayed on the home page of the Council website for easy public access to the recordings at all times;

4. If necessary, place the changes on Public Exhibition for public comment and delegate to the CEO to implement the changes to the policy if no objections are received; and
5. All previously recorded videos of Council to be uploaded to the website after the public exhibition.

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

ITEM NO: NOM 04
FILE NO: 236118.2019
SUBJECT: Affordable Housing and Planning for Infrastructure

Background

A 2018 report commissioned by the Southern Sydney Regional Organisation of Councils (SSROC) found the NSW Government's Affordable Rental Housing Policy (AHRSEPP) has delivered very little genuinely affordable rental housing for very-low and low-income households.

According to the report, conducted by the UNSW City Futures Research Centre, despite a growth in boarding rooms and secondary dwellings (granny flats) in Southern Sydney, rents were marginally higher.

Furthermore, the NSW Government's AHRSEPP contains few to no mechanisms for monitoring to actually see if it has been effective in addressing the very real issue of housing affordability. The lead report author, Dr Laurence Troy, found that, "while the ARHSEPP has delivered large numbers of dwellings across central and southern Sydney, it appears that many of the provisions are being used to circumvent other development controls, such as apartment design standards and dwelling mix, rather than deliver genuinely affordable rental housing".

The report also found that, as a result, considerable pressure has been added to parts of Sydney without properly planning for wider infrastructure and community services. This is certainly the apprehension of the community in parts of Moorebank and Casula, where developments have been approved under AHRSEPP.

The report found that the Affordable Rental Housing policy needed to be integrated within a broader affordable housing strategy, and more explicitly linked to supporting the delivery of local affordable housing targets required as part of the Greater Sydney Region Plan. As a result, the SSROC have used the report as a basis to advocate for better planning and to have a collaborative approach to an affordable housing strategy among their member councils.

Recent media articles identify Western Sydney as bearing the brunt of population increase in Sydney. Therefore, the need to take a strategic approach to planning affordable housing and better plan for infrastructure and services that will support our whole community is pressing.

NOTICE OF MOTION (submitted by Councillor Kaliyanda)

That Council:

1. Write to WSROC to consider a collaborative approach to affordable housing strategy amongst member councils;

2. Write to NSW Minister for Planning to outline concerns around the issues with AHRSEPP in providing adequate infrastructure and community services for not just the existing residents in an area, but also the incoming residents; and
3. Publicly advocate for a review of AHRSEPP to take local infrastructure needs into account.

COUNCIL DECISION

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

That Council:

1. Write to WSROC and all neighbouring Councils calling for collaborative support for a revision of the State Environment Planning Policies because a one size fits all State Planning Legislation does not consider the local needs in LGA's.
2. Issues of concern include:
 - I) Affordable housing
 - II) Social housing
 - III) Block size
 - IV) Road widths
 - V) Setback controls
 - VI) Parking provision
3. Publicly collaboratively advocate for overall strategic decision making to be returned to Local Government through the LEPP and local planning controls.
4. Advocate for the SEPP's to only deal with broad infrastructure planning issues that does not constrain Local Government from delivering "Liveable cities" for their constituents.
5. Council prepare a comprehensive report that outlines Councillor concerns with the SEPP's for the October meeting for Council approval to be sent to the NSW Minister for Planning, WSROC, and neighbouring Councils.
6. Publicly advocate for the decision making concerning all development regulation to be returned to Local Government in order to meet the specific and individual needs of each LGA. that are currently not being met by the one size fits all State Environment Planning Policies.

7. Investigate the opportunity of proposing a motion at the NSW Local Government Annual Meeting to be held in Liverpool this year, proposing for the return of planning decisions to Local Government under Local Government Environment Planning Controls that might sit inside a revised broader State Environment Planning Policies concerning infrastructure planning only, and enables the local individual needs of each LGA to be met at the Local Government.

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

ITEM NO: NOM 05
FILE NO: 236144.2019
SUBJECT: Removal of Liverpool Station Safety and Information Booth

Background

A number of Railway Stations across Sydney have glass rooms at the ticket gates that serve a number of purposes, including safety and provision of information to commuters. They are known as “Garrisons” or “GAC Booths”.

Sydney Trains wants to remove the Garrison at Liverpool Station and replace it with nothing.

The Garrison provides station staff and customers with a safe place in times of overcrowding and during violent episodes.

The Garrison allows them to perform their operational role safely when the rail network is in meltdown (train cancellations, out of course running). The Garrison in the past has assisted commuters and staff for events such as:

- Assisting a pregnant woman during a medical emergency
- Protecting the public and staff from a person wielding an axe
- Helping dementia patients
- Administering first aid
- Shielding staff from violent and abusive customers
- Protecting lost children
- Recuperating from heat exhaustion during summer

The decision to remove the Garrison comes less than a year after Sydney Trains installed new ducted air conditioning in the Garrison.

Liverpool was recently reported to be a hotspot for crime and assault. In dangerous situations, a physical refuge at Liverpool Station like the Garrison is much needed.

NOTICE OF MOTION (submitted by Councillor Kaliyanda)

That Council:

1. Writes to Sydney Trains CEO, Howard Collins, and NSW Transport Minister, Andrew Constance, to intervene to prevent the closure of the Garrison at Liverpool Station; and
2. Inform the local Liverpool community about the proposed removal of the Garrison via Council’s official communication channels.

CONFIDENTIAL ITEMS

ITEM NO: CONF 01
FILE NO: 207886.2019
SUBJECT: Fire and Rescue NSW Referrals

RECOMMENDATION

That Council:

- 1. In relation to 11-13 Charles Street Liverpool;
 - a) note the inspection report by Fire and Rescue NSW, as shown in Attachment 1; and
 - b) exercise its power to issue a Fire Safety Order, as recommended by Council's Fire Safety Officer, to address the identified fire safety deficiencies at 11-13 Charles Street Warwick Farm.
- 2. In relation to 5-7 Northumberland Street Liverpool;
 - a) note the inspection report by Fire and Rescue NSW, as shown in Attachment 2; and
 - b) exercise its power to issue a Fire Safety Order, as recommended by Council's Fire Safety Officer, to address the identified fire safety deficiencies at 5-7 Northumberland Street Liverpool.

COUNCIL DECISION

Motion: **Moved: Clr Hagarty** **Seconded: Clr Rhodes**

That the recommendation be adopted.

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

ITEM NO: CONF 02
FILE NO: 227111.2019
SUBJECT: Order of Liverpool Awards

RECOMMENDATION

That Council endorse the awards recipients as recommended by the Civic Advisory Committee as set out in this report.

COUNCIL DECISION

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

That the recommendation be adopted.

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

ITEM NO: CONF 03
FILE NO: 231960.2019
SUBJECT: Fifteenth Avenue Update

RECOMMENDATION

That Council:

1. Notes the completion of a Functional and Technical Study by Arup on the Fifteenth Avenue Smart Transit corridor project that will be used to inform the development of a Strategic Concept Design for rapid transit on the corridor;
2. Notes the importance of ensuring appropriate and timely preservation of a future corridor to provide a public transport link along Fifteenth Avenue between Liverpool city centre and Western Sydney International Airport;
3. Agrees to include an annotation on planning certificates for properties adjoining Fifteenth Avenue using the wording (or equivalent wording) to that set out in **Annexure 1** to this Report;
4. Notes that Council has prepared a Probity Framework to guide Council interactions with private sector stakeholders on opportunities associated with the Fifteenth Avenue Smart Transit corridor project; and
5. Keeps confidential this report pursuant to the provisions of Section 10(A)(2)(c) of the Local Government Act 1993 as this information would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

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.

ITEM NO: CONF 04
FILE NO: 233119.2019
SUBJECT: Acquisition of part of 145 Edmondson Avenue, Austral for road widening purposes

RECOMMENDATION

That Council:

1. Approves the dedication or acquisition of the area of road widening and the acquisition of proposed Lots 1 and 7, being part of Lot 954 DP 2475, and being part 145 Edmondson Avenue, Austral on the terms outlined in this confidential report;
2. Authorises the CEO or her delegated officer to execute any document, under Power of Attorney, necessary to give effect to this decision;
3. Resolves to classify the area of road widening and proposed Lots 1 and 7, being part of Lot 954 DP 2475, as "operational" land in accordance with the Local Government Act, 1993; and
4. Keeps confidential this report pursuant to the provisions of Section 10A(2)(c) of the Local Government Act 1993 as this information would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.

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.

CLOSED SESSION

Mayor Waller advised that Council would now move into Closed Session to deal with:

- **Item CTTE 06 Minutes of the Intermodal Committee Meeting held on 14 August 2019** under section 10A(2)(a) of the Local Government Act 1993 because it contains personal matters concerning particular individuals (other than councillors); and
- **Item QWN 06 Question with Notice - Clr Hadchiti - Parking Meters** under section 10A (2)(e) of the Local Government Act 1993 because the item deals with information that would, if disclosed, prejudice the maintenance of law.

Council meeting resumed at 9.17pm in Closed Session.

Clr Balloot left the Chambers at 9.26pm.
Clr Balloot returned to the Chambers at 9.28pm.

ITEM NO: CTTE 06
FILE NO: 228073.2019
SUBJECT: Minutes of the Intermodal Committee Meeting held on 14 August 2019

RECOMMENDATION

That Council:

1. Receives and notes the minutes of the Intermodal Committee meeting held on 14 August 2019;
2. Endorse the recommendations in the minutes; and
3. Determine whether to continue with or disband the Intermodal Committee.

COUNCIL DECISION

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

That Council:

1. Review the Committee's Terms of Reference to reflect the current situation with the Intermodal and the name be changed to the Intermodal Precinct Committee;
2. At the completion of the review of the Committee's Terms of Reference call for Expressions of Interest for community committee members; and
3. Delegate to the CEO, Mayor, Clr Hadchiti and Clr Harle to determine the community Committee members.

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

THE MEETING CLOSED AT 9.36pm.

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 28 October 2019

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 25 September 2019. 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 OCTOBER 2019**

PRESENT:

Mayor Wendy Waller
Councillor Ayyad
Councillor Balloot
Councillor Hadchiti
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 Peter Patterson, Director City Presentation
Mr Raj Autar, Director City Infrastructure and Environment
Mr Andrew Stevenson, Chief Strategy and Engagement Officer
Mr Adrian Nesbitt, Manager Communications
Ms Tina Sangiuliano, Special Projects Officer
Mr Michael Knight, Acting General Counsel Manager Governance Legal
Mr David Smith, Manager Planning & Transport Strategy
Mr Vishwa Nadan, Chief Financial Officer
Mr David Maguire, Internal Ombudsman
Mr George Georgakis, Manager Council and Executive Services
Ms Susan Ranieri, Coordinator Council and Executive Services (minutes)

The meeting commenced at 6.00pm.

**STATEMENT REGARDING WEBCASTING
OF MEETING**

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

**ACKNOWLEDGMENT OF COUNTRY,
PRAYER OF COUNCIL AND
AFFIRMATION TO BE READ BY**

The prayer of the Council was read by Pastor Samantha Bulmer from Lifegate Church.

NATIONAL ANTHEM

The National Anthem performed by Rebekah Ferro was played at the meeting.

APOLOGIES

Motion: Moved Clr Hadchiti Seconded Clr Ayyad

That leave of absence be granted for Clr Hadid for his absence from the meeting.

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

CONDOLENCES

Nil.

CONFIRMATION OF MINUTES

Motion: Moved: Clr Hadchiti Seconded: Clr Kaliyanda

That the minutes of the Ordinary Meeting held on 25 September 2019 be confirmed as a true record of that meeting subject to the following changes:

- Clr Hagarty, Clr Kaliyanda and Clr Karnib were not in the Chambers when COM 01 – Grants, Donations and Corporate Sponsorship was discussed and voted on.
- Clr Harle declared a non-pecuniary, less than significant interest in “EGROW 02 – Phase 1 of LEP Review to establish the Liverpool Local Environmental Plan 2020” rather than “EGROW 04 – Middleton Grange Town Centre”.

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

DECLARATIONS OF INTEREST

Nil.

PUBLIC FORUM

Presentation – items not on agenda

Nil.

Representation – items on agenda

1. **Ms Lawrissa Chan** – Director, Financial Audit Services and **Mr Furqan Yousuf** – Audit Leader from the Audit Office of NSW addressed Council on the following item:

CORP 04: Annual Financial Reports 2018/19.

BRING ITEM FORWARD

The Mayor ruled that CORP 04 – Annual Financial Reports 2018/19 be brought forward and dealt with now.

ITEM NO: CORP 04
FILE NO: 265470.2019
SUBJECT: Annual Financial Reports 2018/19

RECOMMENDATION

That Council:

1. Receives and endorses the 2018/19 audited financial reports;
2. Authorises the Mayor, Deputy Mayor, Chief Executive Officer and the Responsible Accounting Officer (CFO) to sign the prescribed statement that will form part of the financial reports;
3. Authorises the Chief Executive Officer to:
 - a. forward a copy of the financial reports together with the auditor’s report to the Office of Local Government in accordance with Section 417(5) of the Local Government Act 1993;
 - b. issue a public notice containing a summary of financial results and put the financial statements on exhibition for 7 days to seek public submissions;
4. Note that the financial statements and a summary of public submissions received will be presented to Council at its next meeting for consideration and adoption.

COUNCIL DECISION

Motion: **Moved: Clr Shelton** **Seconded: Clr Rhodes**

That the recommendation be adopted.

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

Clr Hadchiti asked that his name be recorded as having voted against the motion.

MAYORAL MINUTE**ITEM NO:** MAYOR 01**FILE NO:** 274297.2019**SUBJECT:** Liverpool Innovation Precinct Land Use and Precinct Strategy Launch

The *Liverpool Innovation Precinct Land Use and Precinct Strategy* sets out a vision for Liverpool's Innovation Precinct – a significant part of our city centre – and is the result of great ambition and collaboration.

The strategy was enthusiastically launched today at the Ingham Institute for Applied Medical Research with the Minister for Planning and Public Spaces The Honourable Rob Stokes MP delivering a keynote speech at the event.

The Minister strongly supported Liverpool's case as a true innovation precinct, highlighting the combination of State Government investment, collaboration from key partners and leadership from Council.

He told an audience of senior health and planning professionals that Liverpool had put together a compelling case to be the city centre of the Western Parklands City.

Over the past two years, members of the Liverpool Innovation Committee have worked tirelessly to put together a vision for the precinct. In that space of time, milestones have also been achieved – one of them being the \$740 million commitment from the NSW Government to transform Liverpool Hospital into a world-leading health and academic precinct.

The Precinct partners are committed to leveraging this large public commitment to create an environment that will attract even more private sector investment to the precinct.

The nine founding partners of the Liverpool Innovation Precinct have embraced the opportunity to collaborate and build Liverpool into a dynamic city that will attract and retain the best and brightest talent both locally and abroad.

It was an honour to speak at the event on behalf of Liverpool City Council and the community.

RECOMMENDATION:

That Council receive and note this minute.

COUNCIL DECISION

Motion: **Moved: Mayor Waller**

That the recommendation be adopted.

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

ITEM NO: MAYOR 02
FILE NO: 274313.2019
SUBJECT: Liverpool Youth Council 20 Year Anniversary

In May 1999, Council endorsed a Youth Strategy that included the aim of establishing the Liverpool Youth Council. The purpose of the Liverpool Youth Council is to provide a link between young people and Council, act as a consultative mechanism, plan and organise cultural, environmental, recreational and social activities citywide for young people and to promote the interests of young people in Liverpool.

Over the past 20 years the Liverpool Youth Council played an invaluable role in the development of local youth interested in improving their local community and allowing their voice to be heard in decisions made by Council.

The Youth Council has strived to achieve its purpose through the hosting of annual Youth Week activities, initiating the CBD Exposed music festival and members volunteering and participating at various Council events and consultative forums. Youth Council members attend monthly Committee Meetings and have been active in community consultation with many local students to make improvements where possible to support the community and Council's activities.

As 2019 is the anniversary of the first Liverpool Youth Council, the current members of the committee are planning a 20th anniversary function to invite all previous members to celebrate this great achievement.

RECOMMENDATION:

That Council:

- Acknowledges the success of the Liverpool Youth Council and the commitment of its members between 1999 – 2019; and
- Contribute an amount of \$2,500 to support the Liverpool Youth Council's 20th anniversary event on Thursday, 21 November 2019.

COUNCIL DECISION

Motion: **Moved: Mayor Waller**

That the recommendation be adopted.

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

MOTION OF URGENCY**ITEM NO:** MOU 01**SUBJECT:** Hoxton Park Road, Banks Road to Cowpasture Road Upgrade – Additional Submission

In accordance with Clause 8.3 of Council's Code of Meeting Practice, the chairperson, Mayor Waller ruled the following matter (from Clrs Shelton and Hadchiti) as urgent, and as such it was dealt with at this meeting.

Council has made a submission on the Community Update released by the Roads and Maritime Services (on behalf of the State Government) for the proposed Hoxton Park Road Upgrade, between Banks Road and Cowpasture Road.

Council supports the proposed upgrade as part of the City Deal commitment to provide a rapid transit connection between Liverpool CBD and the Western Sydney International (Nancy-Bird Walton) Airport in time for the airport's opening.

Council also recognises that the design investigation carried out to date, is part of the NSW Government approach to deliver the City Deal commitment to connect Liverpool to the Airport by high quality transport.

However, the design layout shown in the Community updated for road upgrade with kerb side bus lanes, which is inconsistent with the centre-running of transit lanes in the section of Hoxton Park Road west of Banks Road.

International best-practice for rapid transit corridors recommends centre-running as the preferred configuration. Centre-running is generally found to have improved service frequency and reliability compared to side-running. Centre-running, by being physically separated from general traffic lanes, also can have improved legibility and capacity to be upgraded to other mass transit systems.

Council is concerned about the potential for major intersection layout requirement, and reduced traffic efficiency, if the rapid transit service needs to transition multiple times from centre-running to side-running.

Such arrangement will also affect the design investigation for the section of transit corridor west of Cowpasture Road, along Fifteenth Avenue, which Council is currently investigating. The Fifteenth Avenue strategic design investigation is expected to be completed by mid-2020.

Transport for NSW is also undertaking design investigation and corridor preservation of the section of Fifteenth Avenue, west of Devonshire Avenue.

As such, Council calls on the RMS to revisit the option for centre-running and that the State Government not to make a final decision on centre-running verses side-running, until after further design investigation is completed by Council and Transport for NSW on Fifteenth Avenue.

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

That Council:

1. Makes supplementary submission on the Community Update on the proposed Hoxton Park Road;
2. Calls on the RMS to revisit the option for centre-running and that the State Government not make a final decision on centre-running verses side-running, until after further design investigation is completed by Council and Transport for NSW on Fifteenth Avenue;
3. Further, that this resolution be forwarded to the RMS forthwith;
4. Undertake a communications campaign and to delegate to the CEO that our concerns and dissatisfaction are immediately conveyed to the RMS and the Minister for Transport and all political representatives in the area. The example of the Dorrigo Avenue entrance and exit be included as an example of Council's dissatisfaction and that we oppose any suggestion that it be closed; and
5. Advocate to Transport for NSW that Hoxton Park Road to be treated in its entirety rather than separate sections.

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

Councillors voted unanimously for this motion.

Note: Clr Hadid was not at the meeting.

MOTION OF URGENCY

ITEM NO: MOU 02

SUBJECT: M12 on-ramp and off-ramp at Elizabeth Drive

In accordance with Clause 8.3 of Council’s Code of Meeting Practice, the chairperson, Mayor Waller ruled the following motion (from Clr Rhodes) as urgent, and as such it was dealt with at this meeting.

Motion: **Moved: Clr Rhodes** **Seconded Clr Hagarty**

That Council convey our dissatisfaction regarding the M12 at Elizabeth Drive and the lack of an on-ramp and exit off-ramp onto Elizabeth Drive. The issue to be addressed in the same manner as the previous urgency motion (on the previous page) including:

- i) A submission to the RMS in relation to the M12 consultation;
- ii) Undertake a communications campaign to express Council’s concerns; and
- iii) To delegate to the CEO that our concerns and dissatisfaction are immediately conveyed to the RMS, Minister for Transport and all political representatives in the area.

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

Councillors voted unanimously for this motion.

Note: Clr Hadid was not at the meeting.

RECESS OF COUNCIL

Mayor Waller called a recess of Council at 6.41pm to deal with technical issues.

Mayor Waller reopened the meeting at 6.56pm.

CHIEF EXECUTIVE OFFICER REPORT

ITEM NO: CEO 01
FILE NO: 247440.2019
SUBJECT: Resubmission: Biannual Report January - June 2019

RECOMMENDATION

That Council receive and note the updated Biannual 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.

ITEM NO: CEO 02
FILE NO: 254705.2019
SUBJECT: Western Parklands Councils' Governance Arrangements

RECOMMENDATION

That Council:

- 1. Receive and note the information contained in the report on long-term governance arrangements for the Western Parkland Councils;
- 2. Formally enter into an alliance with the Western Parkland Councils in accordance with the draft Deed of Agreement and Section 355 of the Local Government Act 1993;
- 3. Contribute \$40,000 annually towards resourcing the Western Parkland Councils as outlined in the report; and
- 4. Nominate one Councillor to be appointed as an alternate representative on the Western Parkland Councils' Mayoral Forum should the Mayor be unavailable.

COUNCIL DECISION

Motion: **Moved: Clr Kaliyanda** **Seconded: Clr Karnib**

That Council:

- 1. Receive and note the information contained in the report on long-term governance arrangements for the Western Parkland Councils;
- 2. Formally enter into an alliance with the Western Parkland Councils in accordance with the draft Deed of Agreement and Section 355 of the Local Government Act 1993;
- 3. Contribute \$40,000 annually towards resourcing the Western Parkland Councils as outlined in the report; and
- 4. Nominate Clr Hagarty to be appointed as an alternate representative on the Western Parkland Councils' Mayoral Forum should the Mayor be unavailable.

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

Clr Rhodes and Clr Balloot asked that their names be recorded as having voted against the motion.

ITEM NO: CEO 03
FILE NO: 255117.2019
SUBJECT: Coaching and Development of Staff regarding Resolution NOM 01 28 August 2019 - report back to Council

RECOMMENDATION

That Council receive and note this report.

OR

That Council direct the CEO to expand the Council policy allowing for incoming calls to the Customer Call Centre to be recorded to include the whole organisation, subject to the exclusion of those Council staff noted in this report for reasons of protecting confidentiality, legal privilege and disclosures made to them in accordance with the *Public Interest Disclosures Act 1994*.

COUNCIL DECISION

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

That:

1. Council defer this item until further discussions are held with the relevant stakeholders;
2. A policy be presented to Council at the second February 2020 meeting for Council's consideration; and
3. Council notes that it is believed that Campbelltown City Council has a policy similar to what Liverpool City Council is trying to achieve.

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

Mayor Waller and Clr Shelton asked that their names be recorded as having voted against the motion.

ITEM NO: CEO 04
FILE NO: 263123.2019
SUBJECT: National Growth Areas Alliance (NGAA) - Elections for Strategic Advisory Committee

RECOMMENDATION

That Council call for a nomination for the National Growth Areas Alliance (NGAA) Strategic Advisory Committee.

COUNCIL DECISION

Motion: **Moved: Clr Ballot** **Seconded: Clr Rhodes**

That the recommendation be adopted.

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

Council then called for Nominations:

Motion: **Moved: Clr Hagarty** **Seconded: Clr Karnib**

That Councillor Kaliyanda be nominated for the National Growth Areas Alliance (NGAA) Strategic Advisory Committee.

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

That Councillor Hadid be nominated for the National Growth Areas Alliance (NGAA) Strategic Advisory Committee.

On being put to the meeting the motion (moved by Clr Hagarty) was declared CARRIED on the Mayor's casting vote.

CITY ECONOMY AND GROWTH REPORT

ITEM NO: EGROW 01

FILE NO: 090480.2019

SUBJECT: Proposed amendments to Part 1 and 4 of Liverpool Development Control Plan 2008 (Amendment 25) following gazettal of Liverpool Local Environmental Plan 2008 (Amendment 52)

RECOMMENDATION

That Council:

1. Re-exhibits Amendment 25 to the Liverpool Development Control Plan 2008 (Part 1 and 4) for a period of 28 days; and
2. Receives a further report on the outcomes of the public exhibition and community consultation if submissions are received. If no submissions are received, Council delegates to the CEO the finalisation of Amendment 25.

COUNCIL DECISION

Motion:

Moved: Clr Hadchiti

Seconded: Clr Ayyad

That Council:

1. Re-exhibits Amendment 25 to the Liverpool Development Control Plan 2008 (Part 1 and 4) for a period of 28 days and that a Briefing be arranged for Councillors during the exhibition period; and
2. Receives a further report on the outcomes of the public exhibition and community consultation.

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

Councillors voted unanimously for this motion.

Note: Clr Hadid was not at the meeting.

ITEM NO: EGROW 02
FILE NO: 241148.2019
SUBJECT: Street Naming Request - Edmondson Park

RECOMMENDATION

That Council:

- 1. Supports the naming of Sandakan Street;
- 2. Forwards the name to the Geographical Names Board (GNB), seeking formal approval;
- 3. Publicly exhibit the name in accordance with Council's Naming Convention Policy, for a period of 28 days, following formal approval from the GNB; and
- 4. Authorises the Chief Executive Officer (CEO) to undertake the process of gazettal, if there are no submissions received during public exhibition.

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: EGROW 03
FILE NO: 251505.2019
SUBJECT: Planning Proposal - Holsworthy Town Centre

RECOMMENDATION

That Council:

1. Notes the advice of the *Liverpool Local Planning Panel*;
2. Endorses in principle the planning proposal, subject to a detailed site contamination investigation being prepared;
3. Delegates to the CEO to make any typographical or other editing amendments to the planning proposal if required;
4. Delegate to the CEO authority to negotiate a planning agreement with the proponent, agree the terms of the offer with the proponent and report back to Council the details of the planning agreement prior to exhibition of the planning proposal, consistent with Council's Planning Agreements Policy;
5. Endorses in principle the proposed public benefit contributions of the planning agreement, to be negotiated further, including:
 - Upgrade of the existing roundabout (Macarthur Drive / The Boulevard / Morningside Parade) to a signalised crossing to facilitate vehicular entry to the site, a safer pedestrian environment and improved traffic conditions;
 - Removal of redundant roadway connecting the existing roundabout and existing rail bridge, including associated earthworks;
 - Embellishment of the Macarthur Drive road reserve including provision of a shared path and landscaping;
 - Landscaping of the road reserve along Heathcote Road adjacent to the site (with RMS concurrence);
 - Provision of publicly accessible open space on the site with a minimum area of 1,000m².
6. Forwards the planning proposal to the Department of Planning, Industry and Environment, pursuant to Section 3.34 of the *Environmental Planning and Assessment Act 1979*, seeking a Gateway determination with a recommendation that a site specific DCP be included as a Gateway condition to be satisfied prior to public exhibition; and
7. Receive a further report on the outcomes of public exhibition and community consultation.

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

That Council:

1. Notes the advice of the *Liverpool Local Planning Panel*;
2. Endorses in principle the planning proposal, subject to a detailed site contamination investigation being prepared;
3. Delegates to the CEO to make any typographical or other editing amendments to the planning proposal if required;
4. Delegate to the CEO authority to negotiate a planning agreement with the proponent, agree the terms of the offer with the proponent and report back to Council the details of the planning agreement prior to exhibition of the planning proposal, consistent with Council's Planning Agreements Policy;
5. Endorses in principle the proposed public benefit contributions of the planning agreement, to be negotiated further, including but not limited to:
 - Upgrade of the existing roundabout (Macarthur Drive / The Boulevard / Morningside Parade) to a signalised crossing to facilitate vehicular entry to the site, a safer pedestrian environment and improved traffic conditions;
 - Removal of redundant roadway connecting the existing roundabout and existing rail bridge, including associated earthworks;
 - Embellishment of the Macarthur Drive road reserve including provision of a shared path and landscaping;
 - Landscaping of the road reserve along Heathcote Road adjacent to the site (with RMS concurrence);
 - Provision of publicly accessible open space on the site with a minimum area of 1,000m².
6. Forwards the planning proposal to the Department of Planning, Industry and Environment, pursuant to Section 3.34 of the *Environmental Planning and Assessment Act 1979*, seeking a Gateway determination with a recommendation that a site specific DCP be included as a Gateway condition to be satisfied prior to public exhibition; and
7. Receive a further report on the outcomes of public exhibition and community consultation.

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

Vote against: Clr Shelton

Note: Clr Hadid was not at the meeting.

CITY COMMUNITY AND CULTURE REPORT**ITEM NO:** COM 01**FILE NO:** 246471.2019**SUBJECT:** Grants, Donations and Corporate Sponsorship**RECOMMENDATION**

That Council endorses the recommendation of **\$10,000** (GST exclusive) under the **Corporate Sponsorship Program** for the following project:

Applicant	Project	Recommended
Liverpool Domestic Violence Liaison Committee	Stop DV Day	\$10,000

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

That the recommendation be adopted.

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

ITEM NO: COM 02
FILE NO: 250371.2019
SUBJECT: Liverpool District Forums - Terms of Reference Review

RECOMMENDATION

That Council endorse the revised Liverpool District Forums’ Terms of Reference.

COUNCIL DECISION

Motion: **Moved: Cllr Hagarty** **Seconded: Cllr Karnib**

That Council endorse the revised Liverpool District Forums’ Terms of Reference with the following change to be made to the quorum in Clause 7.1:

“The quorum for a Forum will be one Councillor and five other attendees, excluding Council Staff.”

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

Cllr Hadchiti asked that his name be recorded as having voted against the motion.

ITEM NO: COM 03
FILE NO: 256962.2019
SUBJECT: Response to NOM 03 from 31 July 2019 - Infrastructure Funding Priorities

RECOMMENDATION

That Council:

1. Receives and notes the information about external funding opportunities published on the Council website; and
2. Receives and notes the draft Managing Development Applications for Grant-funded Infrastructure Projects Standard and delegates authority to the CEO to endorse the draft Standard.

COUNCIL DECISION

Motion: **Moved: Clr Ayyad** **Seconded: Clr Shelton**

That the recommendation be adopted.

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

CITY CORPORATE REPORT

ITEM NO: CORP 01

FILE NO: 227203.2019

SUBJECT: Reducing Red Tape - Development of Policies, Standards, Charters, Procedures and Strategies

RECOMMENDATION

That Council:

1. Endorse the *Development of Policies, Standards, Charters, Procedures and Strategies* included as Attachment 1 to this report;
2. Confirm the policies listed in Attachment 2 to this report as Council Policies; and
3. Rescind and remove from the policy register any previously-adopted policies of Council as listed in Attachment 3 to this report.

COUNCIL DECISION

Motion:

Moved: Cllr Hagarty

Seconded: Cllr Hadchiti

That Council:

1. Endorse the *Development of Policies, Standards, Charters, Procedures and Strategies* included as Attachment 1 to this report ("the Framework");
2. Retain all existing policies; and
3. Direct the CEO to commence a process of workshopping existing policies with councillors, with a view to assessing each existing policy's status under the Framework by December 2020.

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

ITEM NO: CORP 02
FILE NO: 250654.2019
SUBJECT: Investment Report September 2019

RECOMMENDATION

That Council receives and notes 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.

ITEM NO: CORP 03
FILE NO: 252544.2019
SUBJECT: Tabling of the Annual Pecuniary Interest Returns for Councillors and Designated Persons

RECOMMENDATION

That Council:

1. Notes the annual pecuniary interest returns of Councillors and designated persons, as at 30 June 2019, are now tabled before the Council in accordance with clause 4.25 of the Model Code of Conduct; and
2. Notes that the Office of Local Government and Audit NSW will be advised of any designated staff and Councillors who have failed to lodge their completed annual pecuniary interest return in accordance with clause 4.21 of the Model Code of Conduct.

COUNCIL DECISION

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

That the recommendation be adopted.

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

COMMITTEE REPORTS

ITEM NO: CTTE 01
FILE NO: 240075.2019
SUBJECT: Minutes of the Liverpool Sports Committee Meeting held 29 August 2019

RECOMMENDATION

That Council receives and notes the Minutes of the Liverpool Sports Committee Meeting held on 29 August 2019.

COUNCIL DECISION

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

That the recommendation be adopted.

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

ITEM NO: CTTE 02
FILE NO: 241271.2019
SUBJECT: Minutes of the Liverpool Heritage Advisory Committee Meeting of 17 September 2019.

RECOMMENDATION

That Council:

1. Receives and notes the minutes of the Liverpool Heritage Advisory Committee meeting held on 17 September 2019;
2. Notes that recommendation 1 and 2 of the Committee is consistent with actions outlined in the Liverpool Heritage Strategy and any works or funding will be considered during the 2020/2021 and future year's budgets; and
3. Notes the Forest Homestead is heritage listed and no further action is required.

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: CTTE 03
FILE NO: 243146.2019
SUBJECT: Minutes of the Liverpool Community Safety and Crime Prevention Advisory Committee Meeting held on 5 September 2019

RECOMMENDATION

That Council receives and notes the Minutes of the Liverpool Community Safety and Crime Prevention Advisory Committee Meeting held on 5 September 2019.

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: CTTE 04
FILE NO: 246309.2019
SUBJECT: Minutes of the Liverpool Youth Council Meeting held on Wednesday 4
September 2019

RECOMMENDATION

That Council receives and notes the Minutes of the Liverpool Youth Council Meeting held on 4 September 2019.

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.

QUESTIONS WITH NOTICE

ITEM NO: QWN 01
FILE NO: 256648.2019
SUBJECT: Question with Notice - Clr Harle - Excessive Noise and Use of Public Address Systems in Recreational Areas

Background

For over a decade Council has been experiencing consistent negative feedback due to objectionable and excessive noise generated by unauthorised use of Public Address systems at Council owned recreational facilities. Considering the high number of complaints, particularly around the Chipping Norton Lakes area and Black Muscat Park, Council needs to take positive action as it detrimentally affects all users of the park and nearby residential homes.

It is obvious current action by Councils is not having the desired effect both from a park user and nearby residents point of view.

Please address the following:

- 1. Can Council issue substantial fines for using PA systems contrary to signage and if so, what are the maximum penalties that can be applied and how can these be enforced and by whom?**

Fines can be issued for failure to comply with a notice erected by Council. The fine is \$110. However, for a fine to be issued a Council officer must identify the person who is committing the offence. This is difficult to obtain as Council officers have no authority to demand identification be provided. Only the Police have that authority including issuing fines.

- 2. Can Council legally confiscate the offending equipment?**

Under the Local Government Act, Council officers do not have the power to confiscate offending equipment.

- 3. If so, can Council ensure signage includes applicable penalty notices?**

New signs in that area were recently erected following a review by Council's legal team. The signs indicate fines do apply. However, the amount is not stated as this will change with time.

4. Does Council have practical enforceable suggestions to prevent this continuing problem?

Council has recently met with the Local Police Superintendent to request commitment from the Police to attend the site when security personnel are unable to achieve cooperation from the offending person/s. Police are responsible and have the authority to deal with noise issues and matters of public disorder.

ITEM NO: QWN 02
FILE NO: 256653.2019
SUBJECT: Question with Notice - Clr Hagarty - Edmondson Park Commuter Car Park

Background

Despite allocating just \$212,000 in this year's budget, the New South Wales Government continues to commit to a 'mid 2020' time frame for the completion of a multi-storey car park at Edmondson Park station.

Potential risks to the project's completion date have been given as "weather, Liverpool Council and other land holders".

Please address the following:

1. Does Council own land within the vicinity of Edmondson Park train station suitable for a multi-storey car park?

Council does not own any land suitable for the construction of a multi-storey car park close to Edmondson Park railway station.

2. Has Council been approached by the State Government about the use of Council owned land for a multi-storey car park at Edmondson Park? If so when?

As indicated above, Council does not own any land in the immediate vicinity of Edmondson Park station and hence Council has not been approached for a carpark to be constructed on Council's land.

However, Transport for NSW (TfNSW) have approached Council to discuss the agencies' environmental planning, preliminary design investigation and arrangement to lease or acquire land for construction of the additional commuter parking spaces close to Edmondson Park station.

Council is advised that negotiations to lease land from adjoining land owners is underway and Council will be notified of the timing once suitable site/s have been identified and design investigations have commenced.

In addition, TfNSW also enquired whether Council would be able to project manage the construction of at-grade car parking once suitable construction site/s been secured. Requested indicative costs have been provided to TfNSW.

3. What approvals would Liverpool Council need to give for a multi-storey car park at Edmondson Park?

Construction of a multi-storey car close to the Edmondson Park station can be approved under the following two assessment regimes:

- a) TfNSW can lodge a Development Application with Council for assessment under Part 4 of the *Environmental Planning and Assessment Act*; or
- b) TfNSW can lodge an application for environment assessment under Part 5 of the *Environmental Planning and Assessment Act* to the Minister for Planning, which provides for Infrastructure Development by Public Authorities.

If TfNSW lodges a Development Assessment with Council, depending on the development site, the application would be assessed under State Environmental Planning Policy (State significant Precincts) 2005.

The land parcels directly north and south of the station are zoned B4-Mixed use under State Environmental Planning Policy (State significant Precincts) 2005.

A commuter car park close to the station, would be defined as a “passenger transport facility”. A commuter car park is permitted with consent, within the B4 zone.

The DA would likely need to be determined by the Sydney Western City Planning Panel as it will involve crown development over \$5 million and would be deemed regionally significant.

If the cost exceeds \$30 million, the DA would be deemed State significant and would be assessed by the Department of Planning Industry and Environment.

4. Are there any other delays or impediments Council could potentially cause to the timely completion of this project?

No. However if a Development Application is lodged with Council, the application will be assessed and likely reported to the Sydney Western City Planning Panel for determination.

ITEM NO: QWN 03
FILE NO: 256673.2019
SUBJECT: Question with Notice - Clr Hadchiti - Basketball

Please address the following:

1. Has Council undertaken any studies which identify a need for more basketball facilities in the LGA?

Council's Recreation, Open Space and Sports (ROSS) Strategy (2018), draft Aquatic and Leisure Centres Strategy (2019) and the Liverpool Population and Social Infrastructure Study (2019) have identified the undersupply of indoor and outdoor basketball within the Liverpool Local Government Area (LGA). The ROSS Strategy identifies a gap of 24 basketball courts by 2031. The current population of the Liverpool LGA is 227,312 persons, which warrants for the provision of additional 16 basketball courts.

This figures are based on the benchmark of 1 basketball court:10,000 persons for a projected population of 300,000 people. The benchmarks assist in identifying current and future gaps in provision of basketball courts, and, over time, offers a rationale for the upgrade of existing facilities and planning for new parks, open space and sporting facilities. In comparison with similar LGAs across the metropolitan Sydney, these benchmarks are found to be generous. However, there is a substantial shortfall of basketball courts across the LGA by any existing benchmark, which necessitates the future provision of additional indoor and outdoor basketball courts.

The development of basketball courts will need to align with ROSS Strategy key guidelines, emerging priorities and strategic projects. Council will continue to engage with key stakeholders in the planned provision of such facilities.

ITEM NO: QWN 04
FILE NO: 256676.2019
SUBJECT: Question with Notice - Clr Hadchiti - Parking Meters

Please address the following:

- 1. Have there been any issues brought to Councils attention in relation to the roll out of the new parking meters?**

Response

Council has received one formal complaint and 23 customer requests in relation to the new meters. The feedback from customers and actions taken are as detailed below:

- 1) Confusion with Motorist directed to “Enter licence number” - This led to confusion with users entering a driver’s licence number. The wording has been changed to “Enter vehicle number plate”.
- 2) Request for instructions in other languages - Stickers with instructions in Arabic, Vietnamese and Serbian have been added to the parking meters.
- 3) Users who are slow in entering a registration number were experiencing timeout - The time to enter a vehicle plate number has been increased from 5 to 30 seconds.
- 4) Customers requesting receipt - A process is in place for customers to contact Council’s Customer Service to request a receipt. However, with the introduction of the App for payment, customers will receive an automated electronic receipt via their nominated email.

Parking officers and Rangers are continuing to assist customers with the use of the meters.

ITEM NO: QWN 05
FILE NO: 264579.2019
SUBJECT: Question with Notice - Clr Hadchiti - Civic Place

Please address the following:

1. It was my understanding that Council has an agreement in place with UOW, was this the case given they have called for expressions of interest for accommodation?
2. Prior to Council approving the expenditure for Civic Place it is my understanding that it was reviewed by the Audit Committee. Have they been advised that we are risk of losing the rental?
3. Did Council receive any sign off from any other Government Department and if so were they advised that UOW was only a maybe?

A response to these questions will be provided in the 20 November 2019 Council meeting business papers.

ITEM NO: QWN 06
FILE NO: 264613.2019
SUBJECT: Question with Notice - Clr Balloot - Local Government Conference

Please address the following:

1. Can I please be advised why my vote at the Local Government Conference was taken away from?
2. Who authorised this?
3. What procedure was followed?

Response from the Chief Executive Officer

Council at its meeting on 31/7/19 considered a report on the Local Government NSW Conference and resolved:

That Council:

1. *Endorse its voting delegates for voting on motions (being the Mayor and all Councillors (except Clr Hadid, noting that Clr Hadid already has a vote as he is a Director of the Association) and determine its voting delegates for voting in the Board election (noting that Council is entitled to 9 voting delegates and Clr Hadid is entitled to a vote as he is a Director of the Association); and*
2. *Endorse the key issues to be submitted for consideration at the Local Government NSW Annual Conference.*

Point 1 of the above resolution meant that the Mayor and every Councillor would be a voting delegate for voting on Conference Motions.

As Liverpool City Council was only entitled to 9 voting delegates for voting in the Board election (10 if you include Clr Hadid who has a vote as a Director of the Association), it also meant that one Councillor would miss out.

This information was also presented to Councillors in the report.

“As Council is entitled to 9 voting delegates in the Board election, Council will need to resolve who those delegates will be. Clr Hadid will be entitled to a vote as a Board member, which means one Councillor will not have a vote in the Board elections.”

I assumed Councillors, having read the report and considered the resolution, had left any decision about voting delegates, should one need to be made, with me.

On 16/9/19, Clr Kaliyanda advised staff that she would be travelling interstate on the day that voting for the Board would take place.

As such, staff advised the Conference organisers that Clr Kaliyanda would not be a voting delegate for the voting on the Board election.

Prior to travelling on Monday 14 October, Clr Kaliyanda sought to allocate her voting right for the Board election to Clr Hagarty.

As Clr Kaliyanda was not a voting delegate for voting on the Board election, this was not possible.

The only option available to enable Clr Kaliyanda to obtain voting rights, was to authorise a substitute Delegate Form for the Board Election – to change the voting delegate from Clr Balloot to Clr Kaliyanda. I authorised the substitute Delegate Form as CEO.

The decision to change Clr Balloot's voting rights for the Board election was based on advice that he was overseas and not able to attend the Conference until after midday. Council staff secured Clr Kaliyanda's voting rights only minutes before the deadline and made the change under the misapprehension voting on the Board election would close on the morning of Tuesday 15 October. It was later discovered that voting on the Board was occurring throughout the day on 15 October, which meant that Clr Balloot was not able to vote.

I would like to apologise for any unintended outcomes in managing this situation. In future, Council will seek definitive guidance from Councillors to ensure all voting delegates are clearly identified. If Councillors choose not to make a decision in a matter such as this we would propose drawing names from a hat as is the practice in other councils.

ITEM NO: EGROW 04
FILE NO: 265519.2019
SUBJECT: Proposed Planning Agreement in conjunction with DA-541/2016 at 53 Clyde Avenue, Moorebank

RECOMMENDATION

That Council:

- 1. Endorse the proposed planning agreement for a monetary contribution of \$154,308.50 towards the upgrade of the Marshall Avenue/Nuwarra Road intersection and directs the CEO to publicly exhibit the proposed planning agreement and accompanying explanatory note for 28 days;
- 2. Delegate authority to the CEO, subject to consideration of any changes following public exhibition, to execute the planning agreement in the form that is publicly exhibited or with minor alterations; and
- 3. Note that if changes other than minor changes arise from the public exhibition process these will be reported back to Council.

COUNCIL DECISION

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

That Council:

- 1. Receive and note the report; and
- 2. Does not endorse the roundabout being built on the Marshall Avenue/Nuwarra Road, Moorebank intersection.

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

Councillors voted unanimously for this motion.

Note: Clr Hadid was not at the meeting.

ITEM NO: CTTE 06
FILE NO: 251071.2019
SUBJECT: Minutes of the Liverpool Pedestrian, Active Transport and Traffic Committee Meeting

RECOMMENDATION

That Council adopts the following recommendations of the Committee:

- i) Item 1: Northumberland Serviceway, Liverpool – Special Community Event and Proposed Temporary Road Closure – Love Livo.
 - Council classifies the event as a Class 3 Special Event with all associated conditions including submission of a Special Event Traffic Management Plan to the RMS and Police for information.

- ii) Item 2: Liverpool City Centre – Special Community Event and Proposed Temporary Road Closure – Turban 4 Australia.
 - Council classifies the event as a Class 2 Special Event with all associated conditions including:
 - Submission of a Traffic Management Plan to the Roads and Maritime Services for endorsement.
 - Police approval and management of the required rolling road closures.
 - Advertisement of the event in local newspapers.
 - Seeking Road Occupancy Licence from the Transport Management Centre.
 - Council organises a meeting with the event organisers, Police and local bus companies to discuss and agree on arrangements to minimise impact on bus movements along the affected routes.

- iii) Item 3: Nuwarra Road and Marshall Avenue Intersection, Moorebank – Proposed Roundabout.
 - Approves the installation of a roundabout at the Nuwarra Road and Marshall Avenue intersection, Moorebank, as shown in Attachment 3.1 in the minutes.

- iv) Item 4: Progress Circuit, Prestons – Proposed Linemarking Scheme.
 - Approves installation of edgelines, double barrier lines ('BB') and C3 yellow 'No Stopping' edgelines marking along sections of Progress Circuit and a section along Lyn Parade, Prestons, as shown in Attachment 4.1 in the minutes.

- v) Item 5: 4-8 Lyn Parade, Prestons – Proposed Intersection Treatment at the Driveway.
- Deferred for detailed design to be revised and resubmitted to a future meeting.
- vi) Item 6: Southern Cross Avenue, Middleton Grange – Signs and Linemarking Scheme for a new Subdivision.
- Approves the proposed raised threshold along with the signs and linemarking scheme in a new subdivision at 75 Southern Cross Avenue as shown in Attachment 6.1a and 6.2a in the minutes.
- vii) Item 7: Edinburgh Circuit, Cecil Hills – Request for Traffic Calming Devices.
- Approves the installation of 'S1' and 'BB' separation lines in Edinburgh Circuit, Cecil Hills, as shown in Attachment 7.1 of the minutes.
- viii) Item 8: Sixteenth Avenue and Hall Circuit Intersection, Middleton Grange – Signs and Linemarking Scheme for a new Intersection.
- Approves the intersection improvement works at the Flynn Avenue/Qantas Boulevard/Hall Circuit intersection, Middleton Grange, along with associated signs and line marking scheme, as shown in Attachment 8.1 in the minutes.
- ix) Item 9: 6 Wilson Road, Hinchinbrook – Signs and Linemarking Scheme at the Access Driveway.
- Approves central median including associated signs and linemarking scheme in front of 6 Wilson Road, Hinchinbrook, as shown in Attachment 9.1 in the minutes.
- x) Item 10: Wilson Road, Green Valley – Signs and Linemarking Scheme for a new pedestrian refuge and upgrade of existing pedestrian crossing.
- Approves upgrade of the existing marked pedestrian crossing and installation of a pedestrian refuge with associated signs and linemarking scheme in Wilson Road, Green Valley, at the frontage of Green Valley Plaza, as shown in Attachment 10.1 in the minutes.
- xi) Item 11: Memorial Avenue, Liverpool - Signs and Linemarking Scheme for Whitlam Centre Commuter Carpark.
- Approves signs and linemarking within the proposed off-street carpark in the Whitlam Centre along Memorial Avenue, Liverpool.

xii) Item 12: Sarah Hollands Drive, Carnes Hill – Request for a Pedestrian Crossing Facility.

- Council notes that the current Pedestrian and Traffic volumes do not meet the warrant for a marked Pedestrian crossing.
- Council constructs foot paving on the eastern side south of Strzlecki Drive in Sarah Hollands Drive, Carnes Hill.
- Council to notify the local community about staged provision of footpath paving and pedestrian crossing facility across Sarah Hollands Drive, Carnes Hill.

xiii) Item 13: Items Approved Under Delegated Authority.

- Notes the traffic facilities approved under Delegated Authority between 13 July 2019 and 6 September 2019.

xiv) Funding allocation for Item 3.

- Council allocates \$154,308.50 towards the construction of the roundabout at Nuwarra Road and Marshall Avenue Intersection in the 2020/21 budget.

COUNCIL DECISION

Motion

Moved: Cllr Hadchiti

Seconded: Cllr Rhodes

That the recommendation be adopted with the exception of Item 3 as Council does not endorse the roundabout on the intersection of Marshall Avenue/Nuwarra Road, Moorebank.

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

QUESTIONS WITH NOTICE

ITEM NO: QWN 07

FILE NO: 266618.2019

SUBJECT: Question with Notice - Cllr Hadchiti - Parking Meters

Please address the following:

Since the introduction of parking meters:

1. How much revenue has been collected (just a number)?
2. How many new car parking spaces have been created in that time (just a number)?
3. How much has been issued in fines (just a number)?

In relation to the new parking meters:

1. What was the cost of the introduction?
2. Did the expenditure require a tender process?
3. Who authorised the expenditure?

A response to these questions will be published in the 20 November 2019 Council meeting Business Papers.

PRESENTATIONS BY COUNCILLORS

- Cllr Balloot made a presentation on his recent visit to Council's Sister City, Rocella Calabria, in Italy. He thanked the Mayor of Rocella, the CEO and all the Councillors for making the delegation feel at home and for the great hospitality received. He was grateful for the Sister City relationship and understood that a delegation from Calabria will be visiting Liverpool in November 2020 and looked forward to welcoming them in the same manner.
- Cllr Hagarty made a presentation on the NSW Local Government Conference hosted at Liverpool in October and commented on its success, professionalism and execution of the event and congratulated Councillor Hadid for securing Liverpool as the host venue and to the staff of Liverpool for the work done.

NOTICE OF MOTION

ITEM NO: NOM 01
FILE NO: 263997.2019
SUBJECT: Fast Charging Station

Background

Liverpool has long been a traditional resting spot for people travelling from, or through Sydney before a long distance journey south, down the Hume Highway.

Electric vehicles currently have a range of approximately 250km. Fast charging stations allow an 80% charge in about an hour, while a standard charge can take as long as 12 hours. At present, the nearest fast charging station is located at Homebush.

For drivers of electric vehicles a drive south involves a stop at Homebush for a fast charge before driving on to somewhere like Melbourne, Canberra, the south coast or the snow fields.

With electric vehicles growing in popularity Liverpool should seek out a suitable location within the LGA for a fast charging station. This would not only help Liverpool retain its place as that traditional stop off, but also benefit the local tourism and hospitality sectors.

NOTICE OF MOTION (submitted by Cllr Hagarty)

That Council:

- Research suitable spots in the LGA for a fast charging station; and
- Lobby for a fast charging station in Liverpool.

COUNCIL DECISION

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

That Council:

- Research suitable spots in the LGA for a fast charging station; and
- Lobby for a fast charging station in Liverpool at no significant capital cost to Council.

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

ITEM NO: NOM 02
FILE NO: 264015.2019
SUBJECT: Wood Encouragement Policy

Background

Wood Encouragement Policies require responsibly sourced wood to be considered, where feasible, as the primary construction material in Government building and fit out projects.

Canada, Japan, France, Finland, Netherlands and the UK, over a dozen Councils across Australia and Tasmania have all adopted a Wood Encouragement Policy.

The use of wood as a building material has many benefits over other building materials, amongst them:

- faster to build, saving time and money
- uses much less energy to produce
- tackles climate change through carbon sequestration
- is naturally renewable and abundant

Recent examples of wooden public buildings include Melbourne City Council's 'Library at the Dock', Bunjil Place in the City of Casey and Bold Park Aquatic Centre in WA.

With a large capital works program, including a number of notable public buildings, planned for Liverpool over the coming years, Council should have a Wood Encouragement Policy in place. This will ensure a cost effective, aesthetically pleasing and environmentally friendly building product is considered for these projects.

NOTICE OF MOTION (submitted by Cllr Hagarty)

That Council:

1. Provide Councillors a briefing on:
 - the benefits of a Wood Encouragement Policy; and
 - examples of wooden public buildings that have been developed as a result of a Wood Encouragement Policy.
2. Following the briefing, commence work on a draft Wood Encouragement Policy.

COUNCIL DECISION

Motion

Moved: Cllr Hagarty

Seconded: Cllr Karnib

That Council provide Councillors a briefing on:

- the benefits of a Wood Encouragement Policy; and
- examples of wooden public buildings that have been developed as a result of a Wood Encouragement Policy.

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

CONFIDENTIAL ITEMS

ITEM NO: CONF 01
FILE NO: 254112.2019
SUBJECT: 2020 Local Government Elections

COUNCIL DECISION

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

That Council:

1. Pursuant to s.296(2), (3) and (5A) of the Local Government Act 1993 (NSW) (“the Act”) that an election arrangement be entered into by contract for the Electoral Commissioner to administer all elections of the Council;
2. Pursuant to s.296(2), (3) and (5A) of the Act, as applied and modified by s.18, that a council poll arrangement be entered into by contract for the Electoral Commissioner to administer all council polls of the Council that may be required;
3. Pursuant to s.296(2), (3) and (5A) of the Act, as applied and modified by s.18, that a constitutional referenda arrangement be entered into by contract for the Electoral Commissioner to administer all constitutional referenda of the Council that may be required; and
4. Notify the Office of Local Government, the NSW Electoral Commissioner and the Australian Election Company of Council’s resolution.

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

THE MEETING CLOSED AT 8.13pm.

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 20 November 2019

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 28 October 2019. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.



**MINUTES OF THE ORDINARY MEETING
HELD ON 20 NOVEMBER 2019**

PRESENT:

Mayor Wendy Waller
Councillor Ayyad
Councillor Balloot (arrived at 6.03pm)
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 Raj Autar, Director City Infrastructure and Environment
Mr Chris White, Director City Corporate
Dr Eddie Jackson, Director City Community and Culture
Mr Peter Patterson, Director City Presentation
Mr David Smith, Manager Planning & Transport Strategy
Mr David Maguire, Internal Ombudsman
Mr Michal Szczepanski, Senior Property Officer
Mr Andrew Stevenson, Chief Strategy and Engagement Officer
Mr Vishwa Nadan, Chief Financial Officer
Mr George Georgakis, Manager Council and Executive Services
Ms Susan Ranieri, Coordinator Council and Executive Services (minutes)

The meeting commenced at 6.00pm.

**STATEMENT REGARDING WEBCASTING
OF MEETING**

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

**ACKNOWLEDGMENT OF COUNTRY,
PRAYER OF COUNCIL AND
AFFIRMATION TO BE READ BY**

The prayer of the Council was read by Pastor Claudio Alosi from Living Grace Christian Church.

NATIONAL ANTHEM

The National Anthem performed by Rebekah Ferro was played at the meeting.

APOLOGIES

Nil.

CONDOLENCES

Nil.

Clr Balloot arrived at the meeting at 6.03pm.

CONFIRMATION OF MINUTES

Motion: **Moved: Clr Shelton** **Seconded: Clr Ayyad**

That the minutes of the Ordinary Meeting held on 28 October 2019 be confirmed as a true record of that meeting.

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

DECLARATIONS OF INTEREST

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

CONF 04: Code of Conduct Final Investigation Report.

Reason: Clr Hagarty is involved in the complaint.

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

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

CONF 04: Code of Conduct Final Investigation Report.

Reason: Mayor Waller is a party to the proceedings.

Mayor Waller left the Chambers for the duration of this item.

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

CONF 03: 2020 Australia Day Awards.

Reason: Clr Harle knows one of the nominees that has been nominated for an Australia Day Award.

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

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

QWN 03: Question with Notice - Clr Hadchiti - Warwick Farm Precinct.

Reason: Clr Harle has family members that reside in the area.

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

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

CONF 03: 2020 Australia Day Awards.

Reason: Clr Kaliyanda knows one of the nominees nominated for an Australia Day Award.

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

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

NOM 02: WSROC Genx 100% Renewable Solar Power Purchase Agreement Opportunity.

Reason: Clr Rhodes is the treasurer of WSROC.

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

Clr Rhodes declared a pecuniary interest in the following item:

CTTE 01: Minutes of the Tourism and CBD Committee meeting held on 1 October 2019.

Reason: Clr Rhodes is not a member of the Tourism and CBD Committee but suggested the Committee invite the South West Sydney Tourism Taskforce (SWSTT) to present at one of their meetings.

Clr Rhodes knows all the people on the SWSTT through the Liverpool Business Chambers. She has no financial interest in SWSTT. Members of SWSTT do advertise in her magazine.

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

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

CONF 04: Code of Conduct Final Investigation Report.

Reason: Clr Rhodes is the person mentioned in that report.

Clr Rhodes made a brief statement at the beginning of the item, then left the Chambers for that item.

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

MAYOR 01 International Kempo Martial Arts Academy Pty Ltd lease arrangements.

Reason: Clr Hadchiti's children train at the Integrated Martial Arts Centre (IMC), though not at the Kemps Creek centre. Clr Hadchiti has no interest and pays standard fees.

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

PUBLIC FORUM

Presentation – items not on agenda

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

Moorebank Intermodal Freight Hub.

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

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 Michael Byrne** of East Liverpool Progress Association addressed Council on the following item:

Moorebank Intermodal – legal appeal.

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

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

Nil.

MAYORAL MINUTES**ITEM NO:** MAYOR 01**SUBJECT:** International Kempo Martial Arts Academy Pty Ltd lease arrangements

International Kempo Martial Arts Academy has been operating in Liverpool for the past 40 years and are the long-standing lessee of the hall at the Bill Anderson Reserve, Kemps Creek.

To clarify the status of the lease with International Kempo Martial Arts Academy Pty Ltd which will expire on 31 December 2019, I move as a matter of urgency that Council:

Motion: **Moved: Mayor Waller**

1. Confirm its commitment to offer a three year lease extension to the International Kempo Martial Arts Academy Pty Ltd, as the long-standing lessee of the hall at the Bill Anderson Reserve, Kemps Creek;
2. Such an extension should be granted from 1 January 2020 to 31 December 2022, and on the same terms as those contained in the current lease, including rent reviews; and
3. Exempt this lease from the tender requirements under s.55(3)(e) of the Local Government Act 1993, as the term of the lease is less than five (5) years.

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

Councillors voted unanimously for this motion.

During this item as the motion was being read out, Clr Hadchiti declared a non-pecuniary, less than significant interest as his children train at the Integrated Martial Arts Centre (IMC) though not at the Kemps Creek centre.

ITEM NO: MAYOR 02
FILE NO: 298358.2019
SUBJECT: Renew Our Libraries Phase Two

The NSW Public Libraries Association's (NSWPLA) *Renew Our Libraries* funding campaign secured a \$12.95 million increase in Grants and Subsidies funding for NSW libraries in the 2019/20 NSW state budget – the largest single increase in funding since the introduction of the Library Act in 1939.

The average increase in state funding contributions paid to NSW councils for expenditure on library services in 2019/20 is 72.9% more than 2018/19 funding. This positive outcome is thanks to the efforts of more than 80% of NSW councils (ours included) to support the *Renew Our Libraries* campaign.

NSWPLA recently relaunched *Renew Our Libraries Phase Two*, focusing on the future sustainability of library funding through cost of living indexation and protection via inclusion of the new funding arrangements in library legislation. This step is critical to ensure that councils will receive the increased level of library funding in perpetuity, and in step with future cost of living increases. Without this assurance, funding for our libraries can easily diminish over time, leaving NSW councils to once again meet the shortfall.

It is important to note that *Renew Our Libraries Phase Two* seeks to index the funding and protect the future funding for libraries provided by the NSW government, regardless of which party is in power at any given time.

RECOMMENDATION:

Motion: **Moved: Mayor Waller**

1. That Council makes representation to local State Member(s) and relevant Ministers in relation to the need for a sustainable state funding model for the ongoing provision of public library services;
2. That Council write to the Hon. Don Harwin, Minister for the Arts and the Hon. Walt Secord, Shadow Minister for the Arts, calling for bi-partisan support for Consumer Price Index (CPI) indexation of state funding for NSW public libraries, as well as legislation of all elements of the 2019-20 to 2022-23 NSW state funding model; and
3. That Council endorses the distribution of the NSW Public Libraries Association NSW library sustainable funding advocacy information in Council libraries, as well as involvement in any actions proposed by the Association.

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

Councillors voted unanimously for this motion.

During discussion on the above item, following a request from Clr Hadid, Mayor Waller advised that Council will also send a letter of thanks to Local Government NSW for their lobbying and support regarding the allocation of funds for local Councils.

CHIEF EXECUTIVE OFFICER REPORT

ITEM NO: CEO 01
FILE NO: 273000.2019
SUBJECT: Council Meeting Dates - January to December 2020

RECOMMENDATION

That Council:

- 1. Confirms the Council meeting time as 6.00pm and Council meeting dates for the 2020 calendar year as follows:
 - 3 February 2020
 - 24 February 2020
 - 30 March 2020
 - 27 April 2020
 - 25 May 2020
 - 29 June 2020
 - 27 July 2020
 - 31 August 2020
 - 19 October 2020
 - 16 November 2020
 - 14 December 2020

- 2. Place appropriate notices in the local newspapers advising the community of the dates and commencing times of Council meetings for the 2020 calendar year.

COUNCIL DECISION

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

That Council:

- 1. Confirms the Council meeting time as 6.00pm and Council meeting dates for the 2020 calendar year as follows:

- 5 February;
- 26 February;
- 25 March;
- 29 April;
- 27 May;
- 24 June;
- 29 July;
- 26 August;
- 21 October;
- 18 November; and
- 16 December.

2. Place appropriate notices in the local newspapers advising the community of the dates and commencing times of Council meetings for the 2020 calendar year.

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

ITEM NO: CEO 02
FILE NO: 277507.2019
SUBJECT: Annual Code of Conduct Complaints Statistics Report

RECOMMENDATION

That Council receive and note this report and the attached Complaints Statistics Report, which has been submitted by the Internal Ombudsman to the Office of Local Government.

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: CEO 03
FILE NO: 277795.2019
SUBJECT: Review of Council's Privacy Policy

RECOMMENDATION

That Council adopt the draft Privacy Policy attached to this report.

COUNCIL DECISION

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

That Council

1. Adopt the draft Privacy Policy attached to the report;
2. Adopt the Declaration of Cities Coalition for Digital Rights; and
3. Write to the other Councils in the Western Sydney City Deal encouraging them to also adopt the Declaration, and Council also use WSROC as an advocacy platform to encourage other organisations too.

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

CITY ECONOMY AND GROWTH REPORT

ITEM NO: EGROW 01

FILE NO: 273724.2019

SUBJECT: Overview of Specific Planning Agreements

RECOMMENDATION

That Council:

1. Receive and note this report; and

2. Note that future updates will be provided at the Strategic Panel every 6 months, commencing May 2020.

COUNCIL DECISION

Motion

Moved: Clr Harle

Seconded: Clr Shelton

That the recommendation be adopted.

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

ITEM NO: EGROW 02
FILE NO: 249694.2019
SUBJECT: Post Exhibition Report - Draft Liverpool Local Environmental Plan 2008 (Amendment 74) - Schedule 1 Amendment to permit multi-dwelling housing at 123 Epsom Road, Chipping Norton

RECOMMENDATION

That Council:

1. Notes the Gateway determination for draft Liverpool Local Environmental Plan 2008 (Amendment 74), the results of public exhibition and community consultation and the heritage impact assessment; and
2. Approves Amendment 74 and delegate's authority to the CEO to liaise with the NSW Parliamentary Counsel's Office and the Department of Planning, Industry and Environment to finalise the amendment.

COUNCIL DECISION

Motion **Moved: Clr Kaliyanda** **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: EGROW 03
FILE NO: 266991.2019
SUBJECT: Endorsement of Liverpool Pioneers Memorial Park Conservation
Management Plan

RECOMMENDATION

That Council note this report and endorse the Liverpool Pioneers’ Memorial Park Conservation Management Plan.

COUNCIL DECISION

Motion **Moved: C/r Rhodes** **Seconded: C/r Shelton**

That the recommendation be adopted.

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

ITEM NO: EGROW 05
FILE NO: 270940.2019
SUBJECT: Report back following NOM 04 - Affordable Housing and Planning for Infrastructure from 25 September 2019 Council meeting

RECOMMENDATION

That Council authorise the CEO to prepare correspondence highlighting the key issues outlined in this report, for distribution to the Minister for Planning and Public Spaces, WSROC and neighbouring councils.

COUNCIL DECISION

Motion **Moved: Clr Kaliyanda** **Seconded: Clr Karnib**

That Council:

1. Authorise the CEO to prepare correspondence highlighting the key issues outlined in this report, for distribution to the Minister for Planning and Public Spaces, WSROC and neighbouring councils; and
2. Hold a Briefing Session to allow Councillors to make suggestions and provide feedback.

(It was noted that this matter would be added to the Agenda for the Briefing Session, which is scheduled for 26 November 2019).

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

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

Vote against: Clr Ayyad
 Clr Hadchiti

CITY COMMUNITY AND CULTURE REPORT

ITEM NO: COM 01
FILE NO: 271103.2019
SUBJECT: Draft Homelessness Strategy and Action Plan

RECOMMENDATION

That Council:

- 1. Endorses the Draft Homelessness Strategy and Action Plan for public exhibition for a period of six weeks; and
- 2. Receives a report at the completion of the public exhibition period noting feedback received and any changes made to the draft policy in line with community feedback, or if no submissions are received, delegate authority to the CEO to endorse the draft Homelessness Strategy and Action Plan.

COUNCIL DECISION

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

That the recommendation be adopted.

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

ITEM NO: COM 02
FILE NO: 273804.2019
SUBJECT: COM 04 - Green Valley Hotel Liquor Licence Application

RECOMMENDATION

That Council:

1. Continues to make submissions and lobby Liquor & Gaming NSW in regards to adverse impacts of the industry for Liverpool LGA;
2. Advocates to NSW Government for increased Local Government decision making in gaming machine provisions, including the changed Local Impact Assessment Band that allows moving of or increase of poker machines within the Liverpool LGA; and
3. Considers a policy position, where public interest is in the forefront of all such decisions, including investigating measures of non-association with alcohol and gambling industries.

COUNCIL DECISION

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

That Council:

1. Continues to make submissions and lobby Liquor & Gaming NSW in regards to adverse impacts of the industry for Liverpool LGA;
2. Advocates to NSW Government for increased Local Government decision making in gaming machine provisions, including the changed Local Impact Assessment Band that allows moving of or increase of poker machines within the Liverpool LGA;
3. Advocates to NSW Government for local government’s SIA’s to be prioritised in considerations relating to gaming machine provisions and determination of the band assessments allocations; and
4. Considers a policy position, where public interest is in the forefront of all such decisions, including investigating measures of non-association with alcohol and gambling industries.

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

Clr Hadchiti asked that his name be recorded as having voted against the motion.

ITEM NO: COM 03
FILE NO: 274151.2019
SUBJECT: Draft Social Impact Assessment Policy and Guidelines

RECOMMENDATION

That Council:

1. Endorses the draft Social Impact Assessment Policy and Guidelines for public exhibition for a period of six weeks; and
2. Receives a report at the completion of the public exhibition period noting feedback received and any changes made to the draft policy in line with community feedback, or if no submissions are received, delegate authority to the CEO to endorse the draft Social Impact Assessment Policy and Guidelines.

COUNCIL DECISION

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

That Council:

1. Endorses in principle the draft Social Impact Assessment Policy and Guidelines for public exhibition for a period of six weeks;
2. Receives a report at the completion of the public exhibition period noting feedback received and any changes made to the draft policy in line with community feedback, or if no submissions are received, delegate authority to the CEO to endorse the draft Social Impact Assessment Policy and Guidelines; and
3. As part of the regular internal cycle of review of the Social Impact Assessment Policy (every two years), Council is to engage a recognised independent Industry expert to undertake a peer review to ensure that the policy promotes best practice and is kept up to date and in line with changes to relevant planning guidelines.

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

CITY CORPORATE REPORT

ITEM NO: CORP 01
FILE NO: 265770.2019
SUBJECT: EOI2906 Collingwood House Commercial Opportunities

RECOMMENDATION

That Council:

1. Pursuant to clause 178 of the Local Government (General) Regulation 2005, does not award the Expression Of Interest EOI2906, as no submissions were received;
2. Makes public its decision regarding EOI2906 Collingwood House Commercial Opportunities; and
3. Directs the CEO to progress the adaption of Collingwood House as a boutique venue for functions and cultural events in accordance with the endorsed Heritage Properties Assets Strategy.

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.

Councillors voted unanimously for this motion.

ITEM NO: CORP 02
FILE NO: 275245.2019
SUBJECT: Bigge Park Cafes - Lot 702 DP 1056246, Bigge Street, Liverpool

RECOMMENDATION

That Council:

1. Resolve the objection to EOI WT2904 and WT2905 by confirming the veracity of the public notification process that was recently conducted by staff, and adopting the Council staff's recommendation to proceed with the tender process to offer the Bigge Park premises known as Courtside Cafe (WT2905) and Pump House Café (WT2904) for café/restaurant use, on five year tenures, with options for a further five years in each case;
2. Direct the CEO or her delegate to write to the relevant authorities and seek consent from the Minister to finalise the tender processes accordingly;
3. Direct the CEO to report the outcomes of the process to Council upon completion; and
4. Direct the CEO to notify the objector of this resolution, and the actions of Council in both progressing the tender, and seeking Ministerial approval.

COUNCIL DECISION

Motion

Moved: Cllr Rhodes

Seconded: Cllr Hagarty

That Council:

1. Resolve the objection to EOI WT2904 and WT2905 by confirming the veracity of the public notification process that was recently conducted by staff, and adopting the Council staff's recommendation to proceed with the tender process to offer the Bigge Park premises known as Courtside Cafe (WT2905) and Pump House Café (WT2904) for café/restaurant use, on five year tenures, with options for a further five years in each case;
2. Direct the CEO or her delegate to write to the relevant authorities and seek consent from the Minister to finalise the tender processes accordingly;
3. Direct the CEO to report the outcomes of the process to Council upon completion;
4. Direct the CEO to notify the objector of this resolution, and the actions of Council in both progressing the tender, and seeking Ministerial approval; and

5. Receive a further report on the matter once points 1 to 4 of this motion have been carried out.

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

ITEM NO: CORP 03
FILE NO: 276779.2019
SUBJECT: Investment Report October 2019

RECOMMENDATION

That Council receives and notes this report.

COUNCIL DECISION

Motion **Moved: Cllr Shelton** **Seconded: Cllr Balloot**

That the recommendation be adopted.

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

Clr Hadchiti left the Chambers at 7:07pm.

ITEM NO: CORP 04
FILE NO: 277183.2019
SUBJECT: Budget Review - September 2019

RECOMMENDATION

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

COUNCIL DECISION

Motion **Moved: Clr Hagarty** **Seconded: Clr Rhodes**

That the recommendation be adopted.

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

Clr Hadchiti returned to the Chambers at 7.09pm.

Clr Ayyad left the Chambers at 7:09pm.

ITEM NO: CORP 05
FILE NO: 280208.2019
SUBJECT: Community Wealth Building

RECOMMENDATION

That Council endorse the proposed amendments to Council’s Procurement Policy, included as Attachment 1 to the report of staff, and authorise the CEO to adopt the policy.

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.

ITEM NO: CORP 06
FILE NO: 285434.2019
SUBJECT: Annual Financial Statements 2018/19

RECOMMENDATION

That Council receives and adopts this report.

COUNCIL DECISION

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

That the recommendation be adopted.

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

Clr Ayyad returned to the Chambers at 7:14pm.

COMMITTEE REPORTS

ITEM NO: CTTE 01
FILE NO: 265583.2019
SUBJECT: Minutes of the Tourism and CBD Committee meeting held on 1 October 2019

RECOMMENDATION

That Council:

1. Receive and note the Minutes of the Tourism and CBD Committee meeting held on 1 October 2019.
2. Endorse the recommendations and actions in the Minutes.

COUNCIL DECISION

Motion: **Moved: Clr Shelton** **Seconded: Clr Harle**

That the recommendation be adopted subject to the following changes to the minutes:

- Item 4.1 South West Sydney Tourism Taskforce (as shown on page 194 of the Agenda).

That the text be changed where it states Clr Rhodes 'requested' to read 'suggested', so that it reads:

4.1 South West Sydney Tourism Taskforce

Clr Rhodes suggested, that a member of the Committee propose the motion for a member of the South West Sydney Tourism Taskforce be invited to present at a future Committee meeting.

- The minutes to reflect Clr Harle as an apology; and
- That the minutes to note that Clr Rhodes submitted a declaration of interest as a member of the South West Sydney Tourism Taskforce at that meeting.

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

ITEM NO: CTTE 02
FILE NO: 268760.2019
SUBJECT: Minutes of the Liverpool Youth Council Meeting held on 2 October 2019

RECOMMENDATION

That Council receives and notes the Minutes of the Liverpool Youth Council Meeting held on 2 October 2019.

COUNCIL DECISION

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

That the recommendation be adopted.

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

ITEM NO: CTTE 03
FILE NO: 270710.2019
SUBJECT: Notes of the Meeting held on 8 August 2019 and Minutes of the Liverpool Access Committee Meeting held on 10 October 2019.

RECOMMENDATION

That Council receives and notes the Notes of the meeting held on 8 August 2019 and the Minutes of the Liverpool Access Committee meeting held on 10 October 2019.

COUNCIL DECISION

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

That the recommendation be adopted.

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

ITEM NO: CTTE 06
FILE NO: 279735.2019
SUBJECT: Minutes of the Civic Advisory Committee meetings held on 2 September 2019
and 25 October 2019

RECOMMENDATION

That Council:

1. Receives and notes the Minutes of the Civic Advisory Committee Meetings held on 2 September 2019 and 25 October 2019; and
2. Endorse the recommendations in the Minutes.

COUNCIL DECISION

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

That the recommendation be adopted.

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

QUESTIONS WITH NOTICE

ITEM NO: QWN 01
FILE NO: 271202.2019
SUBJECT: Question with Notice - Clr Hadchiti - Civic Place

Please address the following:

- 1. It was my understanding that Council has an agreement in place with UOW, was this the case given they have called for expressions of interest for accommodation?**

The Memorandum of Understanding (MoU), signed in April 2016 with the University of Wollongong (UoW), anticipated UoW space in the order of 5,000 sqm contained within Liverpool Civic Place (LCP). This MoU was non-binding.

Subsequently, the UoW brief expanded to the order of 40,000 sqm and LCP was then only ever expected to accommodate part thereof. The balance of the UoW space was expected to be in Liverpool, but not necessarily wholly contained within LCP.

Under the revised agreement with the developer, LCP now includes the opportunity for additional space, through the Built component, that could meet the entire need within the one site. LCC and Built have now submitted a joint EOI, offering to accommodate the entirety of UoW space requirements within LCP.

- 2. Prior to Council approving the expenditure for Civic Place it is my understanding that it was reviewed by the Audit Committee. Have they been advised that we are risk of losing the rental?**

LCP was reviewed at the ARIC meeting, but discussions were around the procurement process and Built's involvement and subsequent appointment. ARIC was satisfied with the processes Council undertook in this regard.

With respect to the financial risks associated with LCP, these will form part of Council's risk register and risk reporting to Council's Audit, Risk and Improvement Committee (ARIC). These risks include rental and tenancy risks, as well as risks related to possible capital unavailability, possible budget/cost blowouts, and numerous other foreseeable risks.

Staff are scheduled to update ARIC regularly during the delivery phase of LCP. Staff note that the financial risk concerning UoW relates to the issue of tenancy broadly, and that in the event UoW elect to progress their space needs through other means, Council will take all possible steps to secure alternative tenancies.

3. Did Council receive any sign off from any other Government Department and if so were they advised that UOW was only a maybe?

Council has never represented that any potential tenancy within LCP was a certainty. Future long term financial planning anticipates an income stream from a tenancy within LCP, and staff see no need to discount this at present. If future circumstances develop in an unfavourable manner, then adjustments may become necessary. However, staff can only conduct forward planning with the benefit of the information currently available.

ITEM NO: QWN 02
FILE NO: 271209.2019
SUBJECT: Question with Notice - Clr Hadchiti - Parking Meters

Please address the following:

Since the introduction of parking meters:

1. How much revenue has been collected (just a number)?

Year	Northumberland Street Carpark	Bathurst Street Carpark	On-Street Meter Revenue	TOTAL
2012	\$0	\$544,243	\$0	\$544,243
2013	\$295,055	\$292,323	\$1,216,661	\$1,804,039
2014	\$353,704	\$288,594	\$1,037,252	\$1,679,550
2015	\$364,925	\$297,155	\$958,172	\$1,620,252
2016	\$407,486	\$269,288	\$971,561	\$1,648,335
2017	\$462,469	\$307,263	\$951,785	\$1,721,517
2018	\$556,945	\$362,485	\$1,055,873	\$1,975,302
2019	\$539,378	\$336,911	\$1,005,574	\$1,881,863
Total	\$2,979,962	\$2,698,261	\$7,196,877	\$12,875,100

NOTE:

The above figures represent gross revenue only and do not include any allowances for maintenance or operating costs on meters or parking facilities.

2. How many new car parking spaces have been created in that time (just a number)?

These figures are the quantum of spaces delivered by Council. This does not reflect those included in developments.

CITY CENTRE	-	Car parks	-	87 spaces
	-	On street	-	10 spaces
OUTSIDE CITY CENTRE			-	130 spaces
PARKING SPACES REHABILITATED			-	79 spaces
CAR PARK EXPANSION				
Woodward Park			-	208 spaces
(Estimated completion – December 2019)				
NEW CAR PARK CONSTRUCTION – Speed Street			-	77 spaces

NEW CAR PARK CONSTRUCTION - Civic Centre - 300 spaces
(Due for completion late 2022 – early 2023)

3. How much has been issued in fines (just a number)?

Total number of fines issued:- 13,752
Total Value of fines issued:- \$1,391,712.00
Total Value of fines paid:- \$ 968,424.39

NB: the above figures relate only to fines issued for over stay or no ticket display in a metered parking space.

In relation to the new parking meters:

1. What was the cost of the introduction?

Parking Meter Upgrades	Amount
Upgrade to Pay by Plate (Paid)	\$406,000
On road automated process	\$ 69,000
Total Budget	\$475,000

2. Did the expenditure require a tender process?

No, as Council had a contract with the existing provider, and this item was managed as a variation to that contract.

3. Who authorised the expenditure?

The CEO, in order to avert a significant and ongoing WHS safety risk.

ITEM NO: QWN 03
FILE NO: 288469.2019
SUBJECT: Question with Notice - Clr Hadchiti - Warwick Farm Precinct

Please address the following:

1. Given that I am yet to receive a response, is the CEO aware of any correspondence in relation to the Warwick Farm precinct that went against the wishes of the elected body?

If so what has been done about it?

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

That this item be discussed in Closed Session later at the meeting under section 10A(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.

Note: This matter was dealt with later in the meeting in Closed Session.

ITEM NO: QWN 04
FILE NO: 283265.2019
SUBJECT: Question with Notice - Cllr Hagarty - Granny Flats

Background

Granny flats, as the name suggests, are often used as housing for our older residents. Many older residents have limited financial means and downsize to a granny flat in order to live within those means.

Council recently introduced a contributions plan for the construction of granny flats. At present, there is no mechanism to enable payment of these contributions via instalments.

Please address the following:

- 1. What legal or other impediments are there to allowing the payment of contributions in instalments for those who can exhibit limited financial means?**

A response to this question will be provided in the 11 December Council meeting business papers.

ITEM NO: QWN 05
FILE NO: 283283.2019
SUBJECT: Question with Notice - Cllr Hagarty - Edmondson Park Commuter Car Park

Please address the following:

1. Has a Development Application for the construction of a multi-storey car park at Edmondson Park been lodged with Council by the State Government?
2. Are there any other delays or impediments Council could cause to the timely completion of this project?

A response to these questions will be provided in the 11 December 2019 Council meeting business papers.

ITEM NO: QWN 06
FILE NO: 287041.2019
SUBJECT: Question with Notice - Cllr Hagarty - Feral Cats

Background

A vast majority of cat owners are responsible, caring and compassionate. They ensure their pets are easily identified through a collar or micro-chipping, are desexed and do not impose a danger to other animals. Council also does its part by offering free micro-chipping days and discounts for desexing.

Feral cats on the other hand kill native wildlife, damage property, rummage through residents bins and infect and attack domestic animals. They are a major problem no level of government appears willing or able to solve.

According to Council staff, feral cats fall under the responsibility of the Federal Department of the Environment and Energy. According to correspondence from the Federal Department of the Environment and Energy, the Australian Government is not responsible for the management of feral animals. The State Government advises Local Council enforces the relevant legislation, the Companion Animals Act 1998.

The Companion Animals Act 1998 states "any person may lawfully seize a cat if that action is reasonable and necessary for the protection of any person or animal (other than vermin) from injury or death". The Act is not entirely clear what can then be done with the caged feral cat once it is captured.

Please address the following:

- 1. Who is responsible for feral cats?**
- 2. What is Council's current policy for dealing with feral cats?**
- 3. What legislative impediments currently exist that restrict residents and Council in dealing with feral cats?**
- 4. What penalties exist for residents who feed and otherwise allow feral cats to prosper?**
- 5. What potential changes to the law could be made to allow residents and Council to better deal with feral cats?**
- 6. Dogs can be declared "declared" or "menacing", would treating feral cats in a similar manner be useful?**

A response to these questions will be provided in the 11 December 2019 Council meeting business papers.

ITEM NO: QWN 07
FILE NO: 288449.2019
SUBJECT: Question with Notice - C/r Kaliyanda - CBD Shopfront Activation Project

Please address the following:

1. What is the current timeline of the project?
2. Which impacts has the project had – both quantitative and qualitative?
3. Is there capacity to continue the project following the commencement of the Civic Place Project?
4. If not, what options are available to ensure that community benefits are not lost?

A response to these questions will be provided in the 11 December 2019 Council meeting business papers.

Clr Hadid left the Chambers at 7:21pm.

PRESENTATIONS BY COUNCILLORS

Clr Rhodes made a presentation to Council as shown below:

I wish to advise Council that at the WSROC Board meeting 14th November 2019 I was re-elected as Treasurer to the WSROC Board.

I look forward to continuing Council representation.

During my time of council representation since 2016, I have never missed a meeting and have lobbied for infrastructure in Western Sydney, paying particular attention to South West Sydney with one of my passions being the need to link the cities in west Sydney not only to each other but also to the new Airport.

I have successfully managed to re-introduce the Leppington spur continuation to the new airport as a WSROC lobbying priority to State and Federal Governments.

I continue to support WSROC in lobbying for the Bankstown line to Liverpool.

New Stations and rail / rapid transportation links and service infrastructure that services and links the Western City in a similar way as the inner-city suburbs of Sydney is infrastructure that is required not only to grow the area, but also to create and provide access to much need job opportunities.

The new stations and transportation infrastructure links would also alleviate the parking congestion currently experienced at many of Liverpool train stations.

I have participated in many of WSROC's conferences and events advocating not only in the best interest of Liverpool Council but for the Western City.

Director Peter Patterson attended the last WSROC meeting representing the CEO, and at the conclusion of the meeting one of his comments to me was "You are no shrinking Violet, you had a lot to say."

And I do!

I serve and will continue to serve this Council and Liverpool passionately.

I thank Council for giving me the opportunity to do so.

Clr Hadid returned to the Chambers at 7:23pm.

NOTICES OF MOTION

ITEM NO: NOM 01
FILE NO: 284773.2019
SUBJECT: Speed Camera Warning Signs

Background

Earlier this month, the State government confirmed it is considering removing signs that warn drivers as they approach fixed and mobile speed cameras. The rationale for speed cameras, since their introduction, has been one of safety, not revenue raising. Removing these signs will stop drivers slowing down and therefore decrease safety.

Peter Khoury, a spokesman for NRMA, said of the changes "We want people to change their behaviour behind the wheel, not three weeks later when they get a fine in the mail." Former Deputy NSW Police Commissioner Nick Kaldas has labelled the move "one of the worst decisions I've seen in traffic law enforcement for some time."

Liverpool City Council has a long standing principle of first warning people and businesses, before further punitive action in many areas of compliance, so too should the State Government.

NOTICE OF MOTION (submitted by Clr Hagarty)

That Council:

1. Direct the CEO to write to the Minister of Transport expressing Council's opposition to the move; and
2. In the event the State Government does remove warning signs, erect similar warning signs at all locations in the Liverpool LGA where fixed speed cameras are present.

COUNCIL DECISION.

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

That the recommendation be adopted.

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

That Council:

1. Direct the CEO to write to the Minister of Transport expressing Council's support with the removal of camera warning signs which may increase the number of infringements being issued that will impact financially on residents in the Liverpool LGA and request if the signs are to be removed that:
 - i) Light camera infringements be restricted to demerit points only and carry no financial fines; and
 - ii) Direct the CEO to write to State Government, Local Government NSW, WSROC, SSROC and neighbouring Councils, Liverpool State and Federal members requesting their support for this motion.

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

ITEM NO: NOM 02
FILE NO: 286820.2019
SUBJECT: WSROC Genx 100% Renewable Solar Power Purchase Agreement Opportunity

Background

WSROC has negotiated a Power Purchase Agreement with the Jemalong Solar 100% renewable energy project.

The project that is shovel ready and is scheduled to be operational in 2020, represents a low risk for Councils interested in reducing electricity costs to Council through a 100% renewable energy solution.

The minister for Local Government has indicated strong support for this initiative.

The current cost to purchase power is approximately \$65 per MWh. The Genx Power Purchase Agreement would offer a 2021 purchase price of approximately \$48 and \$50 MWh for participating Councils who commit to the project.

Council's commitment to the Jemalong Solar Project would be subject to:

- * The agreed 2021 price of between \$48 - \$50 per MWh
- ^ The offering not being affected by existing Council arrangements with energy retailers or other PPA's;
- * WSROC financial and legal management on behalf of participating Council's through appropriate agreed structures and arrangements; and
- * There being no legislative or regulatory obstacles to the execution of the PPA and mutually agreeable contractual arrangements.

Inviting WSROC to present this opportunity to Councillors for their consideration for Council's participation in a 100% renewable solar energy power provision in time to meet the 16 December 2019 contractual deadline, for the agreed 2021 price of between \$48 and \$50 per MWh, would present considerable savings for Council and support Council's sustainable liveable cities programs.

NOTICE OF MOTION (submitted by Cllr Rhodes)

That Council invite WSROC to present the Power Purchase agreement currently being negotiated with Genx Power at a special briefing meeting for Councillor consideration in time for the matter to be considered at the December Council Meeting 2019.

COUNCIL DECISION

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

That Council:

1. Holds an internal briefing and also invites WSROC to participate as a part of that briefing meeting either before, after and/or during that briefing to present the Power Purchase Agreement they are currently negotiating with Genx Power; and
2. The briefing meeting be held in time for the matter to possibly be considered at the December 2019 Council meeting in order to meet the WSROC deadline for the offer.

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

***NOTE:** Following a briefing from WSROC and a review of the proposal in question, staff offered an apology to Cllr Rhodes in relation to the CEO Comment relating to NOM 02. It is not “legally impossible” to enter into the WSROC agreement, as the WSROC proposal is an investment offer (rather than a power supply arrangement).*

Clr Hagarty left the Chambers at 7:37pm.
Clr Rhodes left the Chambers at 7:38pm.
Clr Hagarty returned to the Chambers at 7:39pm.
Clr Balloot left the Chambers at 7:39pm.

CONFIDENTIAL ITEMS

ITEM NO: CONF 01
FILE NO: 275412.2019
SUBJECT: Fire and Rescue NSW Referrals

COUNCIL DECISION

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

That Council:

1. Note the inspection report by Fire and Rescue NSW, as shown in Attachment 1; and
2. Exercise its power to issue a Fire Safety Order as recommended by Council's Fire Safety Officer to address the identified fire safety deficiencies.

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

CLOSED SESSION

ITEM NO: QWN 03

FILE NO: 288469.2019

SUBJECT: Question with Notice - Clr Hadchiti - Warwick Farm Precinct

Please address the following:

1. Given that I am yet to receive a response, is the CEO aware of any correspondence in relation to the Warwick Farm precinct that went against the wishes of the elected body?

If so what has been done about it?

Response

Information was provided to Councillors. It was noted that Clr Hadchiti is satisfied to wait for the outcome of the processes and the question he asked.

ITEM NO: CONF 04
FILE NO: 284500.2019
SUBJECT: Code of Conduct Final Investigation Report

COUNCIL DECISION

Mayor Waller left the meeting at 8.14pm and Deputy Mayor Karnib assumed the Chair.

Clr Hagarty left the meeting at 8.15pm.

Clr Ayyad left the meeting at 8.15pm

Clr Kaliyanda left the meeting at 8.16pm.

Clr Ayyad returned to the meeting at 8.17pm.

Clr Kaliyanda returned to the meeting at 8.18pm.

Clr Rhodes left the meeting at 8.22pm

Clr Shelton retired from the meeting at 8.25pm.

Motion: **Moved: Clr Ayyad** **Seconded: Clr Harle**

That Council:

1. Receive and note the report as the conduct in the opinion of Council, does not warrant censure;
2. Note that the strong preference of Council is for Councillor Rhodes to apologise and that the Office of Local Government be advised of the resolution; and
3. Encourages and promotes respectful behaviour as per Council's Code of Conduct.

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

OPEN SESSION

Council moved back into Open Session at 8.50pm with the Mayor in the Chair, and all Councillors except Councillors Karnib and Shelton present.

Mayor Waller then read out the resolution from the Closed Session (as shown above).

THE MEETING CLOSED AT 8.53pm.

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 11 December 2019

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 20 November 2019. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.



**MINUTES OF THE ORDINARY MEETING
HELD ON 11 DECEMBER 2019**

PRESENT:

Mayor Wendy Waller
Councillor Ayyad
Councillor Balloot
Councillor Hadchiti
Councillor Hadid
Councillor Hagarty
Councillor Harle
Councillor Kaliyanda (arrived at 6.05pm)
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 Peter Patterson, Director City Presentation
Mr Raj Autar, Director City Infrastructure and Environment
Mr Andrew Stevenson, Chief Strategy and Engagement Officer
Ms Tina Sangiuliano, Strategic Organisational Change Manager
Mr John Milicic, Manager, Property
Mr David Smith, Manager Planning & Transport Strategy
Mr George Georgakis, Manager Council and Executive Services
Ms Susan Ranieri, Coordinator Council and Executive Services (minutes)

The meeting commenced at 6.00pm

**STATEMENT REGARDING WEBCASTING
OF MEETING**

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

**ACKNOWLEDGMENT OF COUNTRY,
PRAYER OF COUNCIL AND
AFFIRMATION TO BE READ BY**

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

NATIONAL ANTHEM

The National Anthem performed by Rebekah Ferro was played at the meeting.

APOLOGIES

Nil.

Clr Kaliyanda arrived at the meeting at 6.05pm.

CONDOLENCES

Aunty Mae Robinson (read by Mayor Waller)

Aunty Mae Robinson, a descendant of the Yuin and Kamilaroi people and long-time resident of Mount Pritchard, passed away on 26 November 2019.

As a student, she was an outstanding performer, winning a Commonwealth scholarship. She then became the first Aboriginal person to graduate from the School of Education at Milperra College of Advanced Education (now Western Sydney University).

Aunty Mae continued to pursue education, working as a teacher and educator across western Sydney and she later became a national educational consultant.

Aunty Mae was part of the team that developed the first Aboriginal Studies syllabus in Australia and she is listed as a Life Member of the Aboriginal Education Consultative Group.

She received numerous awards from local and state government bodies, became an Elder on Campus at Western Sydney University and in 2011, was awarded an honorary doctorate by the University. Last year, Aunty Mae was honoured by the University through the naming of the 'Aunty Mae Foyer' in the Ngara Ngura building, the University's Liverpool CBD Campus.

Aunty Mae was also an active and long-serving member of Gandangara Local Aboriginal Land Council. She will be remembered for her passionate activism and determination to rise up in life.

On behalf of Liverpool City Council, I humbly express my deepest condolences to her family and friends during this difficult time.

May she rest in peace.

Moved: **Mayor Waller** **Seconded Clr Hadchiti**

That Council writes to the family of Aunty Mae Robinson expressing our condolences for their loss.

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

CONFIRMATION OF MINUTES

Motion: **Moved: Clr Rhodes** **Seconded: Clr Shelton**

That the minutes of the Ordinary Meeting held on 20 November 2019 be confirmed as a true record of that meeting.

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

BUSINESS ARISING FROM NOVEMBER MINUTES

Information relating to NOM 02 from the November meeting:

- Following a briefing from WSROC and a review of the proposal in question, staff offered an apology to Clr Rhodes in relation to the CEO Comment relating to NOM 02. It is not “legally impossible” to enter into the WSROC agreement, as the WSROC proposal is an investment offer (rather than a power supply arrangement).

DECLARATIONS OF INTEREST

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

Item EGROW 07: Draft Liverpool Contributions Plan 2019 - Austral and Leppington North.

Reason: A family member has deposited on a piece of property in that precinct.

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

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

Item CORP 01: Single Source Software Solution for Council - Proposed Procurement Process.

Reason: Clr Rhodes is a Board member of the Executive of WSROC who is working on a single source software.

Should Clr Rhodes give advice on this item, she declares her interest.

Item CORP 05: Investment Report November 2019.

Reason: Clr Rhodes is a Board member of the Executive of WSROC and will make a presentation on behalf of WSROC.

Should Clr Rhodes give advice on this item, she declares her interest.

Clr Rhodes remained in the Chambers for the duration of the above two items.

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

Item CORP 04: Response to NOM 04 from 31 July 2019 - Opportunities for the Repurposing of Council Owned or Controlled Land for Affordable Housing.

Reason: Clr Ayyad used to live on Box Road, however no longer does.

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

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

Item EGROW 02: Warwick Farm Precinct; and

Item EGROW 09: Planning proposal request to rezone land and amend development standards at 240 Governor Macquarie Drive, Warwick Farm.

Reason: Clr Harle has family members that live in the area.

Clr Harle remained in the Chambers for the duration of the above two items.

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

Item CONF 01: Proposed Granting of an Easement to Drain Water over Council's Public Reserve known as Discovery Park, 40 Atkinson Street, Liverpool - Lot 77 DP 27242.

Reason: Clr Kaliyanda owns property next door to the subject site.

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

PUBLIC FORUM

Presentation – items not on agenda

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

Lack of progress for multiple riverfront projects.

- 2. **Mr Stephen Matheson** addressed Council on the following item:

The Need to Declare a Climate Emergency.

Motion: **Moved: Clr Kaliyanda** **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.

Representation – items on agenda

- 1. **Mr Erik Rakowski** addressed Council on the following item:

QWN 13 – Questions with Notice – Clr Rhodes – RMS Modelling.

Motion: **Moved: Clr Rhodes** **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.

2. **Mr Mauro Poletti** addressed Council on the following item:

EGROW 02 – Warwick Farm Precinct.

Motion: **Moved: Cllr Hagarty** **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.

3. **Mr Bob Chambers** addressed Council on the following item:

EGROW 02 – Warwick Farm Precinct.

4. **Mr Bob Chambers** addressed Council on the following item:

EGROW 09 – Planning Proposal Request to Rezone Land and Amend Development Standards at 240 Governor Macquarie Drive, Warwick Farm.

Motion: **Moved: Cllr Rhodes** **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.

MAYORAL MINUTE

Nil.

MOTION OF URGENCY

ITEM NO: MOU 01

SUBJECT: Rural Fire Service

In accordance with Clause 8.3 of Council's Code of Meeting practice, the chairperson, Mayor Waller ruled the following matter (from Clr Karnib) as urgent, and as such, it was dealt with at this meeting.

Rural Fire Service is doing an amazing job across the country during this difficult time we are facing. In this time of real need we should be providing assistance where we can.

Motion:

Moved: Clr Karnib

Seconded: Clr Hagarty

That Council:

1. Donate \$20,000 to the local Rural Fire Service to assist in providing essential services that may be needed;
2. Consider being a drop off point for the community to drop off donations of snack foods for sustenance for front line firefighters which will be distributed to the nearest Rural Fire Service;
3. Encourage other members of the community to donate to the Rural Fire Service; and
4. Send a letter to the Rural Fire Service Commissioner to express our appreciation for their work and also acknowledge some of the community groups such as Turbans for Australia for their work.

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

ITEM NO: EGROW 02
FILE NO: 275196.2019
SUBJECT: Warwick Farm Precinct

RECOMMENDATION

That Council:

1. Notes the Sydney Western City Planning Panel's decision on the planning proposal to rezone 240 Governor Macquarie Drive, Warwick Farm;
2. Notes that the Local Strategic Planning Statement (LSPS) confirms Council's commitment that the Warwick Farm precinct should be investigated for a mix of uses, including residential development in the short term;
3. Notes that Council's vision for the Warwick Farm precinct is inconsistent with the Greater Sydney Commission's (GSC) adopted Liverpool Collaboration Area Place Strategy and that this position has been communicated to the GSC on multiple occasions, including through the LSPS assurance process;
4. Notes that a request has been made to the Department of Planning, Industry and Environment for LEP Review funding to be reallocated for the development of a structure plan for the Warwick Farm precinct to implement actions of the Local Strategic Planning Statement.
5. Notes that if the LEP funding reallocation request is unsuccessful, Council will need to consider appropriate funding in the 2020/21 budget to develop a structure plan for the Warwick Farm precinct;
6. Directs the CEO to prepare a structure plan for the Warwick Farm precinct noting that the structure plan will determine:
 - the appropriate density of development in the precinct, including built form and building typologies including height and floor space ratio development standards;
 - open space, community and recreation facilities to support urban renewal;
 - likely traffic and transport upgrades;
 - amenity issues;
 - flooding considerations; and
 - development contributions.

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

That Council

1. Notes the Sydney Western City Planning Panel's decision on the planning proposal to rezone 240 Governor Macquarie Drive, Warwick Farm;
2. Notes that the Local Strategic Planning Statement (LSPS) confirms Council's commitment that the Warwick Farm precinct should be investigated for a mix of uses, including residential development in the short term;
3. Notes that Council's vision for the Warwick Farm precinct is inconsistent with the Greater Sydney Commission's (GSC) adopted Liverpool Collaboration Area Place Strategy and that this position has been communicated to the GSC on multiple occasions, including through the LSPS assurance process;
4. Notes that a request has been made to the Department of Planning, Industry and Environment for LEP Review funding to be reallocated for the development of a structure plan for the Warwick Farm precinct to implement actions of the Local Strategic Planning Statement.
5. Notes that if the LEP funding reallocation request is unsuccessful, refer to point 6 below to develop a structure plan that address:
 - the appropriate density of development in the precinct, including built form; and
 - building typologies including height and floor space ratio development standards for:
 - i. the open space, community and recreation facilities to support urban renewal;
 - ii. likely traffic and transport upgrades;
 - iii. amenity issues;
 - iv. flooding considerations; and
 - v. development contributions.
6. Directs the CEO to allocate funding from the general funds and to prepare a structure plan for the Warwick Farm Racing precinct and a planning proposal to support a rezoning of the Warwick Farm Precinct from Scrivener Street to Hume Highway to Governor Macquarie Drive relevant to B4 with mixed business noting that zoning is consistent with the State Governments planning advice to maximise densities close to rail stations and this precinct is immediate to the Warwick Farm Railway station and.
 - a) notes the AEC Report June 2017 specifically 27.3
 - “27.3 should the horse training stabling functions of Munday Street Precinct be

viably relocated to the racecourse, opportunities arise for Munday Street Precinct and Lot 1 to collectively deliver a masterplanned outcome that incorporates a range of housing types, required urban and retail amenity as well as meet social/community infrastructure need". and

- b) noting that there is a local Warwick Farm School and 5 other Schools already within the Liverpool CBD that are all within walking distance of this precinct and
 - c) that the precinct has the most expensive recreational park in the LGA that could be made open to the public and that this Precinct is also within walking distance to the open space surrounding the Georges River, and
 - d) that existing jobs in this precinct will be supported by B4 zoning as training facilities will be relocated on track, and work force will still live in the area close to their employment through the B4 zoning, and
 - e) that the area below Shrivener Street to Georges river is already zoned Industrial and is best situated to be renewed as a Hi-tec education hospital and technology park, which will also provide job opportunities to support the increase in density in the B4 zoning and
 - f) that there is already employment opportunities in the hospital universities race track and the Inglis hotel and function precinct. and in the industrial site, and also at a shopping centre less than 100 metres from the Warwick Farm Racing Precinct
 - g) that Moore Point and Hargrave Park will be also be identified on the structure Plan as the River Precinct separate from the Warwick Farm Racing Precinct, and
 - h) as the River Precinct plans for Moore Point and Hargrave Park already exist there is no need to allocate funding for new plans.
7. Advise the Greater Sydney Commission of Council's decision.
 8. That Council grant an exemption to the tender process under Section 55(3) of the Local Government Act to permit the direct appointment of a planning consultant from Council's planning consultant panel, on account of the urgency of this matter.
 9. The report to be submitted to the May Council meeting.

RECESS

Mayor Waller called a 5 minute recess at 7.02pm.

The meeting resumed at 7.07pm with all Councillors present.

Clr Balloot left the Chambers at 7:21pm.

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

Vote for: Mayor Waller
Clr Ayyad
Clr Hadchiti
Clr Hadid
Clr Hagarty
Clr Harle
Clr Kaliyanda
Clr Karnib
Clr Rhodes

Vote against: Clr Shelton

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

Clr Balloot returned to the Chambers at 7:27pm.

ITEM NO: EGROW 03
FILE NO: 280199.2019
SUBJECT: Liverpool City Centre Car Parking Strategy

RECOMMENDATION

That Council adopts the Liverpool City Centre Car Parking Strategy 2019-2029.

COUNCIL DECISION

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

That Council

1. Defer the matter to the 26 February 2020 Council meeting and the following matters be addressed in the report:
 - a. Note that the preferred option in line with council plans for over 20 years now is the extension of Bathurst Street and the closure of Pirie Street, which would be suitable but not limited to a carpark.
 - b. Should there be constraints on Pirie Street, identify a location within 100m of Liverpool train station, which Council owns or can acquire for a carpark.
 - c. RMS traffic material as provided to date, be provided to Councillors.
2. As soon as practicable increase the 15 minute free parking to 30 minutes.

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

Following a motion (from Clr Hadchiti and Clr Hadid) the motion was formally recalled, to record the votes and the voting was as shown below:

Councillors voted unanimously for this motion.

ITEM NO: EGROW 04
FILE NO: 292542.2019
SUBJECT: Liverpool Local Strategic Planning Statement

RECOMMENDATION

That Council:

1. Endorses the Liverpool Local Strategy Planning Statement (LSPS) and forwards it to the Greater Sydney Commission for formal assurance review with the following typographical errors corrected:
 - a. Change the icon wording from “retail centre” to “retail” on page 14
 - b. Change the icon wording from “bulky goods retail” to “bulky goods and retail” on page 14.
 - c. Change the wording from “bulky goods retail” to “bulky goods and retail” on page 22;
2. Delegates to the CEO to make any other minor typographical or editing amendments to the LSPS if required;
3. Subject to receiving a formal letter of support from the Greater Sydney Commission (GSC), delegates to the CEO to adopt the LSPS, in accordance with Section 3.9(3A) of the Environmental Planning & Assessment Act 1979; and
4. Notes that if changes, other than minor changes arise from the GSC assurance process, the LSPS will be reported back to Council.

Clr Hagarty left the Chambers at 7:48pm.

Clr Hagarty returned to the Chambers at 7:51pm.

Clr Hagarty left the Chambers at 7:54pm.

Clr Hagarty returned to the Chambers at 7:56pm.

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

That Council:

1. Endorses the Liverpool Local Strategy Planning Statement (LSPS) and forwards it to the Greater Sydney Commission for formal assurance review with the following typographical errors corrected:
 - a. Change the icon wording from “retail centre” to “retail” on page 14
 - b. Change the icon wording from “bulky goods retail” to “bulky goods and retail” on page 14; and
 - c. Change the wording from “bulky goods retail” to “bulky goods and retail” on page 22.
2. The following additional changes also be made:
 - a. Action 7.2 on page 430 of the Council Agenda papers be amended to read:
“Consider an Affordable Housing Contributions Scheme in line with Greater Sydney Commission’s requirement for 5-10% affordable housing, and amend LEP to give effect”.
 - b. Action 10.2 on page 438 of the Council Agenda papers be amended to reflect the Council resolution relating to EGROW 02 Warwick Farm from this meeting and
 - c. Action 16.2 on page 453 of the Council Agenda be amended to read:
“Investigate placemaking opportunities in Wallacia and Luddenham, including addressing transition of development controls from Liverpool LGA to Penrith and Camden LGAs”.
3. Delegates to the CEO to make any other minor typographical or editing amendments to the LSPS if required;
4. Report back to Council when and if a formal letter of support is received from the Greater Sydney Commission (GSC); and
5. Notes that if changes, other than minor changes arise from the GSC assurance process, the LSPS will be reported back to Council.

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

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

Vote against: Clr Shelton

Clr Balloot returned to the Chambers at 8:15pm.

CITY COMMUNITY AND CULTURE REPORT

ITEM NO: COM 01

FILE NO: 271830.2019

SUBJECT: Request for Exemption for Bellbird Bar and Dining Catering Supplies

RECOMMENDATION

That Council exempt the purchase of meat, seafood, fruit and vegetables, dry goods, dairy products and bakery goods from the tender and formal quotation process, and delegate authority to the CEO or her delegate to negotiate directly with the below suppliers to continue their engagement with Council to provide supplies to Bellbird Bar and Dining for up to five years (to January 2025) pursuant to 55(3)(i) of the *Local Government Act 1993*, for the following reasons:

- a) These suppliers have a proven record of providing highest quality fresh and dry good supplies at competitive prices; and

Category	Suppliers
Meat Products	<ul style="list-style-type: none"> • City Meats • Andrews Meat Industries • Vic Meats • Campisi Continental Butchery • Haverick Meats Pty Ltd • Pendle Hill Meat Market
Seafood Products	<ul style="list-style-type: none"> • Foodlink Australia Pty Ltd • Fishboyz Pty Ltd • Bidbest Australia • De Costi • M & G Seafoods • Poulos Bros Seafoods
Fruit and Vegetables	<ul style="list-style-type: none"> • Sydney Direct Fresh Produce • Tom & Franks Wholesale Fruit & Vegetables • Simon George & Sons • Premier Fruit & Vegetables • Harvest Fresh Australia • Samson's Fruit and Vegetables

Category	Suppliers
Dry Goods	<ul style="list-style-type: none"> • Foodlink Australia Pty Ltd • Fishboyz Pty Ltd • Bidbest Australia • PFD Food Services • Plateau Food Distribution
Dairy Products	<ul style="list-style-type: none"> • Xu Family Group • Simotas Food Distributors • Parmalat • Food & Dairy Co • Nicks Food • Dairy Solutions
Bakery Goods	<ul style="list-style-type: none"> • Sabroso Bread n More • VSE International

b) A competitive market-testing process has been undertaken, and the response is considered unsatisfactory to meet the needs of Council.

COUNCIL DECISION

Motion:

Moved: Cllr Rhodes

Seconded: Cllr Shelton

That the recommendation be adopted.

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

Councillors voted unanimously for this motion.

CITY CORPORATE REPORT

ITEM NO: CORP 01
FILE NO: 287415.2019
SUBJECT: Single Source Software Solution for Council - Proposed Procurement Process

RECOMMENDATION

That Council:

- 1) Endorse the strategic direction proposed by the report of staff, and progress the process to engage with a provider of an enterprise-level software solution from a single provider with established products and experience in the NSW local government sector (“Single Source Software Solution”);
- 2) Exempt the proposed purchase of a Single Source Software Solution for Council from the Expression-Of-Interest component of the selective tender process, pursuant to s.55(3)(i) of the *Local Government Act 1993*, on the following basis, and for the following reasons:
 - a) Council are seeking to engage with a current, established provider of comprehensive, local-government-focused software systems that offer broad functionality across the most critical areas of local government operations;
 - b) Following a careful review by staff, there are only three known providers with systems that may potentially meet Council’s needs, namely:
 - i) Technology One Ltd (and its associated entities);
 - ii) Infor Global Solutions Pty Ltd (and its associated entities); and
 - iii) Civica Pty Ltd (and its associated entities);
 - c) Staff will undertake a comprehensive selective tender in relation to the product offerings of the above entities, under the guidance of both Local Government Procurement, and external probity advisors; and
 - d) Staff will report the outcomes of this market testing process to Council for a final decision on the provider to be selected for the Single Source Software Solution.

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

That Council:

1. Endorse the strategic direction proposed by the report of staff, and progress the process to engage with a provider of an enterprise-level software solution from a single provider with established products and experience in the NSW local government sector (“Single Source Software Solution”);
2. Exempt the proposed purchase of a Single Source Software Solution for Council from the Expression-Of-Interest component of the selective tender process, pursuant to s.55(3)(i) of the *Local Government Act 1993*, on the following basis, and for the following reasons:
 - a) Council are seeking to engage with a current, established provider of comprehensive, local-government-focused software systems that offer broad functionality across the most critical areas of local government operations;
 - b) Following a careful review by staff, there are only three known providers with systems that may potentially meet Council’s needs, namely:
 - i) Technology One Ltd (and its associated entities);
 - ii) Infor Global Solutions Pty Ltd (and its associated entities); and
 - iii) Civica Pty Ltd (and its associated entities);
 - c) Staff will undertake a comprehensive selective tender in relation to the product offerings of the above entities, under the guidance of both Local Government Procurement, and external probity advisors; and
 - d) Staff will report the outcomes of this market testing process to Council for a final decision on the provider to be selected for the Single Source Software Solution.
3. Advocate with Local Government NSW and relevant bodies and the software providers to develop a single data standard.

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

ITEM NO: CORP 03
FILE NO: 300463.2019
SUBJECT: Woodward Place Public Engagement

RECOMMENDATION

That Council:

- 1. Approves the endorsed Woodward Place blueprint to be the ‘public facing document’ to inform the community engagement process;
- 2. Direct the Chief Executive Officer to commence community, on-site stakeholders, and agency consultation to inform and support the development of the draft final masterplan; and
- 3. Note that the design schemes will remain confidential until a draft masterplan is finalised and briefed to Council.

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.

COMMITTEE REPORTS

ITEM NO: CTTE 01

FILE NO: 288925.2019

SUBJECT: Minutes of the Liverpool Youth Council Meeting held on 6 November 2019

RECOMMENDATION

That Council receives and notes the Minutes of the Liverpool Youth Council Meeting held on 6 November 2019.

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.

Note: All CTTE reports were considered and adopted concurrently with the exception CTTE 03 which was dealt with separately as shown below after CTTE 05.

ITEM NO: CTTE 02
FILE NO: 292846.2019
SUBJECT: Minutes of the Aboriginal Consultative Committee Meeting held on 7 November 2019

RECOMMENDATION

That Council receives and notes the Minutes of the Aboriginal Consultative Committee meeting held on 7 November 2019.

COUNCIL DECISION

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

That the recommendation be adopted.

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

ITEM NO: CTTE 04
FILE NO: 301141.2019
SUBJECT: Minutes of the Strategic Panel Meeting held on 12 November 2019

RECOMMENDATION

That Council receives and notes the Minutes of the Strategic Panel Meeting held on 12 November 2019.

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.

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Chairperson

Clr Kaliyanda left the Chambers at 8:46pm.

ITEM NO: CTTE 03

FILE NO: 296105.2019

SUBJECT: Minutes of the Liverpool Pedestrian, Active Transport and Traffic Committee meeting held on 13 November 2019

RECOMMENDATION

That Council adopts the following recommendations of the Committee:

- i) Item 1: Pacific Palm Circuit, Hoxton Park - Proposed combined crossing
 - Approves the proposed pedestrian crossing facility and associated signs and linemarking scheme in front of the Malek Fahd Islamic School at 210 Pacific Palms Circuit, Hoxton Park.
- ii) Item 2: Huckstepp Serviceway – Request for additional loading zone
 - Approves the proposed loading zone.
- iii) Item 3: 85 Sixteenth Avenue, Austral - Signage and Linemarking Scheme
 - Approves the proposed signs and linemarking scheme.
- iv) Item 4: Reilly Street, Liverpool – Request for a raised Pedestrian Crossing
 - Approves the existing marked pedestrian crossing to a raised pedestrian crossing across the section of Reilly Street between Rowe and Macdonald Avenues, Liverpool.
- v) Item 5: North Liverpool Road and Montgomery Road intersection, Green Valley – Proposed Roundabout Upgrade
 - Approves the intersection upgrade with the associated signs and linemarking scheme.
- vi) Item 6: Cartwright Avenue, Miller – Proposed raised threshold
 - Approves the proposed raised threshold and associated signs and linemarking scheme.

vii) Item 7: Nuwarra Road, Moorebank – Decommissioning of bus stops

- Approves decommissioning redundant bus stops with the exception of the two bus stops for school services.

viii) Item 8: Parking arrangement for GoGet Vehicles

- Approves the signposting with RMS sign number R5-447 “No Parking Authorised Car Share Vehicles Excepted” at the 10 locations with GoGet to negotiate with shopping centres for additional parking locations.

ix) Item 9: Junction road, Moorebank – Proposed roundabout

- Approves installation of a roundabout.

x) Item 10: Items Approved Under Delegated Authority.

- Notes the traffic facilities approved under Delegated Authority between 19 September 2019 and 10 November 2019.

xi) Item 11: Proposed PATT committee meeting dates for 2020

- Council approves the following meeting dates and for inclusion in the corporate calendar:

Meeting Number	Date
1	Wednesday 29 January 2020
2	Wednesday 18 March 2020
3	Wednesday 20 May 2020
4	Wednesday 22 July 2020
5	Wednesday 23 September 2020
6	Wednesday 18 November 2020

COUNCIL DECISION

Motion: **Moved: Clr Hagarty** **Seconded: Clr Karnib**

That the recommendation be adopted.

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

RECESS

Mayor Waller called a recess at 8.48pm.

The meeting resumed at 8.52pm with the following Councillors present:

Mayor Waller and Clrs Rhodes, Shelton, Ayyad, Karnib, Balloot and Harle.

Clrs Hadchiti, Hadid and Hagarty returned to the meeting at 8.53pm.

Clr Kaliyanda returned to the meeting at 8.55pm.

QUESTIONS WITH NOTICE

ITEM NO: QWN 12

FILE NO: 309728.2019

SUBJECT: Question with Notice - Clr Rhodes - External Reports Commissioned by Council

Please address the following:

1. Can Council provide a report on all external reports commissioned by Council from September 2016 to November 2019?
2. Can all reports be made available to all Councillors on the Council Intranet?

COUNCIL DECISION:

Motion: Moved: Clr Rhodes Seconded: Clr Harle

That Council:

1. Identifies and lists all the external reports identified as a Council expense in the annual budget since 2015;
2. Maintain the list on an ongoing basis as external reports are received by Council; and
3. Upload all reports that have been paid for under the consultant's budget line and are not confidential to the Intranet or reports that relate to matters that are to be determined by Council.

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

ITEM NO: QWN 01
FILE NO: 301899.2019
SUBJECT: Question with Notice - Cllr Hagarty - Granny Flats

Background

Granny flats, as the name suggests, are often used as housing for our older residents. Many older residents have limited financial means and downsize to a granny flat in order to live within those means.

Council recently introduced a contributions plan for the construction of granny flats. At present, there is no mechanism to enable payment of these contributions via instalments.

Please address the following:

- 1. What legal or other impediments are there to allowing the payment of contributions in instalments for those who can exhibit limited financial means?**

Response

A granny flat, or secondary dwelling as it is now called, is a self-contained dwelling located on the same lot as a principal dwelling and located either within, attached to or detached from the principal dwelling.

Secondary dwellings are a traditional form of residential accommodation and an increasingly common form of housing. They are often developed as accommodation for family members and people on a low income and therefore make an important contribution to housing choice and affordability.

However, many secondary dwellings also represent a commercial decision by property owners. The population that occupy a growing number of secondary dwellings add to the demand for local infrastructure and services. Council should therefore have a consistent approach to payment of local infrastructure contributions for all new housing, including secondary dwellings.

Payment of local infrastructure contributions for secondary dwellings is required under:

- *Liverpool Contributions Plan 2018 - Established Areas* (see Figure 1); and
- *Liverpool Contributions Plan 2008 – Austral and Leppington North* (see Figure 2).

The above contribution plans require payment of the relevant contribution prior to the issue of a Construction Certificate or, in the case of a Complying Development Certificate (CDC), prior to commencement of work. These payments are prescribed by a condition of consent applied to development consents or CDCs. The majority of secondary dwellings are developed with a CDC.

At present, neither of the above contribution plans provide a mechanism for payment of contributions in instalments. The *Environmental Planning and Assessment Act, 1979* and associated regulations do not address how payments are to be made. It is therefore up to the relevant contribution plan to determine these administrative arrangements. Any change to the timing of payments or to enable payment by instalment would require an amendment to the relevant contribution plans.

While there are no legislative impediments to Council enabling payments by instalment, Council are strongly advised against this course of action for the following reasons:

- Extending a form of credit for secondary dwelling developments could set a precedent for a similar approach with other development types;
- Following occupation of a secondary dwelling, Council would have limited means to ensure full recovery of payment instalments;
- Recovery of outstanding payment instalments would require Council to initiate often lengthy and expensive debt recovery processes; and
- Unrecovered debts would leave Council to cover the cost of infrastructure otherwise funded by contributions.

Council could consider amending the relevant contribution plan to allow the payment of contributions for secondary dwellings (approved with a development application) until a later point in the development/construction cycle, i.e. prior to the Occupation Certificate. Such a change would risk a loss of some contributions, in situations where a secondary dwelling development does not proceed to obtain an Occupation Certificate. The precedence of such an approach may also add pressure for this delayed payment to apply to other types of developments, with impact on the timely delivery of local infrastructure from delayed cash flows.

It is recommended the Council do not make any changes to the existing arrangements for payment of local infrastructure contributions for secondary dwellings.

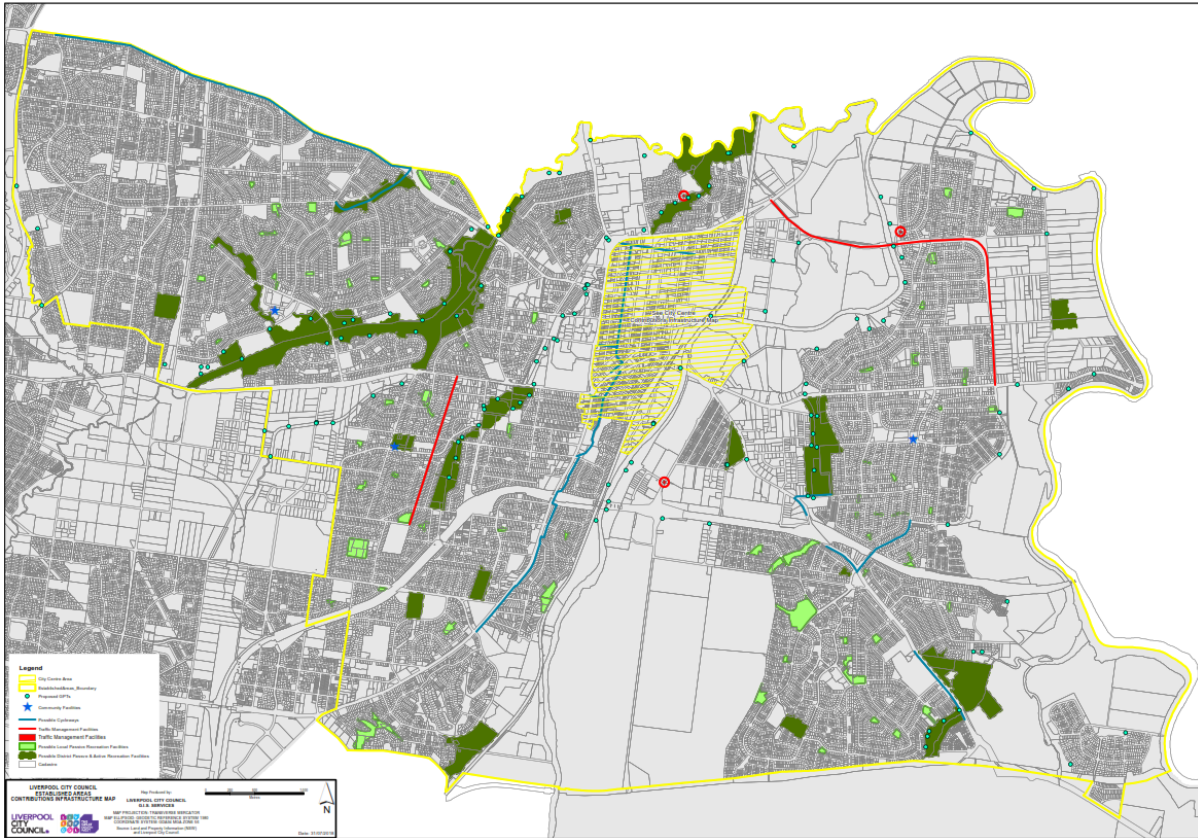


Figure 1: Area within yellow boundary subject to contributions for secondary dwellings



Figure 2: Area within red boundary subject to contributions for secondary dwellings

ITEM NO: QWN 02
FILE NO: 301912.2019
SUBJECT: Question with Notice - Clr Hagarty - Edmondson Park Commuter Car Park

Please address the following:

1. Has a Development Application for the construction of a multi-storey car park at Edmondson Park been lodged with Council by the State Government?

The State government have not lodged a development application for a multi-storey car park with Council. The capital cost of such a multi storey carpark would likely exceed \$30 million and therefore would be classified as State Significant Development. The Department of Planning Infrastructure and Environment would be the assessment authority for any such proposal.

Alternatively if the capital cost is less than this threshold, the State government, as a public authority, could and would likely prepare a Review of Environmental Factors (REF) to assess and determine the proposal under Part 5 of the *Environmental Planning and Assessment Act 1979*.

A search of DPIE's website confirms that there is not a multi storey car park development at Edmondson Park currently under assessment.

2. Are there any other delays or impediments Council could cause to the timely completion of this project?

No, for the reasons mentioned above. Any referrals to Council in relation to the above approval processes would be responded to quickly.

ITEM NO: QWN 03
FILE NO: 301915.2019
SUBJECT: Question with Notice - Clr Hagarty - Feral Cats

Background

A vast majority of cat owners are responsible, caring and compassionate. They ensure their pets are easily identified through a collar or micro-chipping, are desexed and do not impose a danger to other animals. Council also does its part by offering free micro-chipping days and discounts for desexing.

Feral cats on the other hand kill native wildlife, damage property, rummage through residents bins and infect and attack domestic animals. They are a major problem no level of government appears willing or able to solve.

According to Council staff, feral cats fall under the responsibility of the Federal Department of the Environment and Energy. According to correspondence from the Federal Department of the Environment and Energy, the Australian Government is not responsible for the management of feral animals. The State Government advises Local Council enforces the relevant legislation, the Companion Animals Act 1998.

The Companion Animals Act 1998 states "any person may lawfully seize a cat if that action is reasonable and necessary for the protection of any person or animal (other than vermin) from injury or death". The Act is not entirely clear what can then be done with the caged feral cat once it is captured.

Please address the following:

1. Who is responsible for feral cats?

The Federal Department of the Environment and Energy is responsible for the implementation of the threat abatement plan which includes feral cats (refer to email from Julie Quinn – Assistant Director, Environmental Biosecurity Section). It would seem from her email that the Federal Government does not have a dedicated program for implementation.

State and Federal Governments have agreed to coordinate and expand national efforts to curb feral cats. On 8 November 2019 following a meeting of Environment Ministers it was agreed to form a working group aimed at extending control methods and developing new techniques to control feral cats.

Control methods used to capture feral cats include trapping and shooting. It is not an area that Council is experienced or resourced in.

2. What is Council's current policy for dealing with feral cats?

There is no policy for dealing with feral cats.

3. What legislative impediments currently exist that restrict residents and Council in dealing with feral cats?

Methods used for the management of wild animals in order to reduce adverse impacts on the environment must be humane, target specific and effective.

Codes of practice and standard operating procedures for the humane control of pest animals in Australia have been developed by the NSW Department of Primary Industries. These provide general information on best practice management for different animal species, including feral cats.

There are also standard operating procedures that describe specific control techniques and their application.

While there is no legislative impediments it is not recommended that residents deal with feral cats as their management is complex.

4. What penalties exist for residents who feed and otherwise allow feral cats to prosper?

There are no penalties.

5. What potential changes to the law could be made to allow residents and Council to better deal with feral cats?

Dogs can be declared "dangerous" or "menacing", would treating feral cats in a similar manner be useful?

Management of feral cats should be left with the State and Federal governments to deal with as specific management strategies need to be followed and applied.

Advice received from NSW Department of Primary Industries and in particular from the Invasive Species Officer, recommends that the Greater Sydney Local Land Services should be contacted regarding specific colonies of feral cats.

ITEM NO: QWN 04
FILE NO: 301934.2019
SUBJECT: Question with Notice - Clr Kaliyanda - CBD Shopfront Activation Project

Please address the following:

1. What is the current timeline of the project?

The program is ongoing and has an annual budget of \$80,000.

2. Which impacts has the project had – both quantitative and qualitative?

Below are figures outlining expenditure of the SFUP since it began:

2017/18	
Shop 1	\$8,000
Shop 2	\$32,000
Shop 3	\$16,000
Shop 4	\$8,000
<i>Total</i>	<i>\$64,000</i>
2018/19	
Shop 1	\$16,000
Shop 2	\$8,000
Shop 3	\$7,837.50
<i>Total</i>	<i>\$31,837.50</i>
2019/20 (to date)	
Shop 1	\$8,000
Shop 2	\$16,000
<i>Total</i>	<i>\$24,000</i>

Surveys were sent to the five businesses who participated in the SFUP in 2018/19 and 2019/20. Three businesses responded, with results below:

- (i) Would you go through the process again?
Yes – 3
- (ii) Would you recommend it to others?
Yes – 3
- (iii) Do you have any suggestions on what could be done differently?
- No – happy with how it was done and the process
 - No – quick and easy
 - No – simple and straight forward

- (iv) Have you noticed any improvements to your business as a result of the upgrade?
 - Yes – perception is good, now modern and clean, plus more traffic
 - Too soon to tell, but feels more secure and easier for clients to see in
 - This is a completely new business.

- (v) Do you have any processes in place to measure the results of the upgrade?
Yes – 3

- (vi) If no, would you like some assistance from an external business advisor?
Yes – 2
No – 1

3. Is there capacity to continue the project following the commencement of the Civic Place Project?

Yes – funds will continue to be available for the SFUP.

4. If not, what options are available to ensure that community benefits are not lost?

Funds will continue to be available for the SFUP.

Pop-Up Program

1. What is the current timeline of the project?

The PUP in Northumberland Arcade will be wound up on Friday 13 December 2019. Council’s property team will be taking over the premises to procure commercial leases. Whilst the property team will seek commercial rents to assist with the operational costs of the arcade and the carpark, offers from local and innovative operators who will help to activate the arcade, paying less than the commercial rent, will also be considered.

2. Which impacts has the project had – both quantitative and qualitative?

The PUP was instigated in 2017 in order to assist artisans and emerging retail business operators to test their concepts and conduct local, low-level research in a low-risk and low rent space. It also gave them the opportunity to test their own management skills required to run a business. Tenants were chosen through an expression of interest process.

During this period, a total of five tenants have leased the spaces for a period of between 6-12 months. Two of the businesses that used the space had the opportunity to test their ideas and conclude that it was not viable in a commercial setting. Feedback from these businesses indicates that the program was valuable in

enabling them to test their business idea in a low-risk setting that did not have huge financial impact on them. Before being advised of the program's cessation, a few applicants were placed on a waiting list for the next round of EOIs.

Due to the program being wound up and Council being unable to go out for EOI, one of the spaces has been occupied by the Centre for Civic Innovation (CCI) since October and will continue until 12 December. The CCI is an Australian-first in Liverpool. It is a proof-of-concept trial, fulfilling actions in the Liverpool Innovation Strategy to:

- facilitate opportunities for community members to engage in innovation projects; and
- investigate and embrace opportunities for community-led innovation.

The CCI began opening on Fridays only, but has expanded to four days a week with the help of volunteers from Settlement Services International. The CCI now gets 3-4 people per day coming in to discuss their ideas.

Anecdotally, there has been a strong appetite for the CCI concept. It has provided a place where community members can go if they have an idea that will make a difference in their community. The advice they receive at the CCI provides a pathway to turn their ideas into an initiative, a not-for-profit, or a business.

3. Is there capacity to continue the project following the commencement of the Civic Place Project?

There may be an opportunity for this program to re-commence in the new Civic Place development, if retail space can be made available at an appropriate lease rate.

4. If not, what options are available to ensure that community benefits are not lost?

Relocation of the Liverpool city library to Civic Place may provide an option for the program to operate within the current library site, if retail space can be made available at an appropriate lease rate.

The library and Civic Place options can be further investigated by Council staff.

ITEM NO: QWN 05
FILE NO: 307565.2019
SUBJECT: Question with Notice - Clr Hadchiti - Warwick Farm

I thank the CEO for her response provided to Councillors under confidential cover to my question last month.

Please address the following:

Can the CEO provide any further updates?

Response

This question concerns a staff matter subject to investigation under the Code of Conduct. As such, Council cannot comment further on the matter.

ITEM NO: QWN 06
FILE NO: 307566.2019
SUBJECT: Question with Notice - Clr Hadchiti - Civic Place

Please address the following:

Given the importance of this project and the cost to the rate payer, has an external audit been undertaken on the process so far from its inception to where we currently stand?

If not does the CEO thinks it's worth doing?

A response to these questions will be provided in the 5 February 2020 Council meeting business papers.

ITEM NO: QWN 07
FILE NO: 307567.2019
SUBJECT: Question with Notice - Cllr Hadchiti - Contamination Reports

Please address the following:

1. What stage contamination reports does Council require with the submission of a DA?
2. How do our requirements compare to other Councils or industry standards?

A response to these questions will be provided in the 5 February 2020 Council meeting business papers.

ITEM NO: QWN 08
FILE NO: 307568.2019
SUBJECT: Question with Notice - Clr Hadchiti - Middleton Grange

Please address the following:

1. How much has been collected in 7/11's for Middleton Grange?
2. What projects are yet to be completed under Sect 7/11?
3. What is the projected 7/11 still to come in?
4. Who owns the sections of roads that run through the Parklands, for example Flynn and Twenty Seventh Ave?
5. Are there any plans to close off any existing roads referred to in point 4.
6. If the road under the M7 has all its approvals in place does Council have the funds to actually build it?

A response to these questions will be provided in the 5 February 2020 Council meeting business papers.

ITEM NO: QWN 09
FILE NO: 307569.2019
SUBJECT: Question with Notice - Cllr Hadchiti - DA's and Planning Proposals

Please address the following:

1. Based on what has been seen so far, is it fair to say that if the above are assessed externally they are turned around quicker?

A response to this question will be provided in the 5 February 2020 Council meeting business papers.

ITEM NO: QWN 10
FILE NO: 307570.2019
SUBJECT: Question with Notice - Cllr Hadchiti - Flooding

Please address the following:

1. In the history of Liverpool has there ever been a time where a development has been required to be built above the PMF?

A response to this question will be provided in the 5 February 2020 Council meeting business papers.

ITEM NO: QWN 11
FILE NO: 307571.2019
SUBJECT: Question with Notice - Cllr Hadchiti - Professional Development

Please address the following:

1. Does the CEO think it would be worthwhile to engage an expert to run a session for Councillors on the costs of developments and on impacts policies may have in being able to deliver affordable housing?

Response

The CEO confirmed that this would be worthwhile and would be carried out.

The session to also include innovative initiatives that Councils (such as Waverley Council) are doing in the area for affordable housing.

2. Provides the RMS Traffic Modelling to the members of the Intermodal Committee;
3. Delegate to the CEO to urgently allocate all funds necessary, and operational steps required, to have the RMS Modelling Independently Peer Reviewed on an expedited time frame;
4. Lodge a Merits and or Judicial appeal against the current determinations for the Moorebank Intermodal, prior to the relevant cut off dates;
5. Promote and educate residents through a media campaign alerting residents on the opportunity for people to make submissions on Council website and through Liverpool Listens; and
6. Notes that the cost of implementing the above may be over \$1 million.

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

ITEM NO: QWN 14
FILE NO: 309813.2019
SUBJECT: Question with Notice - Cllr Harle - Access to GIPA Information Referred to in the Confidential Section at Council Meeting 20 November 2019

Please address the following:

1. Council recently received numerous GIPA request for relevant documents relating to the Warwick Farm Racing Precinct that is now subject to an independent inquiry.
 - a) What steps are necessary for Councillors to have a copy of those documents?

A response to this question will be provided in the 5 February 2020 Council meeting business papers.

ITEM NO: QWN 15
FILE NO: 309855.2019
SUBJECT: Question with Notice - Cllr Harle - Leasing of 33 Moore Street, Liverpool

Please address the following:

1. What is the annual leasing income from space within 33 Moore Street?
2. What were the overall costs of moving Council staff from 33 Moore Street to the refurbished buildings at the Hoxton Park Road complex?

A response to these questions will be provided in the 5 February 2020 Council meeting business papers.

ITEM NO: QWN 16
FILE NO: 309860.2019
SUBJECT: Question with Notice - Cllr Harle - Refurbishment Costs of Council Buildings at Hoxton Park Road Complex

Please address the following:

1. What were the total costs of refurbishing the Council buildings at Hoxton Park Road complex?
2. What were the costs associated with moving the SES Unit from the Rose Street Depot to the Hoxton Park complex?
3. What are the overall costs of accommodating the Men's Shed in the previous SES accommodation at the Rose Street Depot?

A response to these questions will be provided in the 5 February 2020 Council meeting business papers.

ITEM NO: QWN 17
FILE NO: 309877.2019
SUBJECT: Question with Notice - Cllr Harle - Parkbridge Estate

Please address the following:

1. Did Council Staff attend the Movie Night function held on 30 November 2019?
2. What was the function of Council Staff's attendance?
3. How and by whom was Council invited?
4. Who authorised Council Staff to attend?
5. How much did it cost Council?
6. Could Council's attendance be misinterpreted as supporting people opposed to the Town Centre proposal by attending and giving them additional information, support, and convenience to make a submission that Council does not offer to the broader residence in Middleton Grange?

A response to these questions will be provided in the 5 February 2020 Council meeting business papers.

ITEM NO: QWN 18
FILE NO: 309888.2019
SUBJECT: Question with Notice - Cllr Hadid - Briefing Session on the City Deal

Please address the following:

A couple of Council meetings ago, the CEO advised that the briefing session on the City Deal that was cancelled will be rescheduled.

1. Has it been?
2. Why was the initial one cancelled?

A response to this question will be provided in the 5 February 2020 Council meeting business papers.

ITEM NO: QWN 19
FILE NO: 309901.2019
SUBJECT: Question with Notice - Clr Ayyad - Civic Place

Please address the following:

1. In relation to the proposed Civic Place, are there any updates on how the submission that Council Officers made to the UOW are going?
2. Once a resolution is carried by Council, what does the Local Government Act state should happen?

A response to these questions will be provided in the 5 February 2020 Council meeting business papers.

ITEM NO: QWN 20
FILE NO: 309922.2019
SUBJECT: Question with Notice - Clr Balloot - Warwick Farm Precinct Economic Study

Please address the following:

Council commissioned a report regarding Warwick Farm Precinct Economic Study that Council Management had possession of in 2017:

1. What were the findings of that report?
2. Was this report ever shown to Councillors?
3. And if not, can Councillors have a copy of that report?

A response to these questions will be provided in the 5 February 2020 Council meeting business papers.

ITEM NO: QWN 21
FILE NO: 309930.2019
SUBJECT: Question with Notice - Cllr Hadchiti - 35 Scott Street, Liverpool

Please address the following:

Council is currently leasing floor space at 35 Scott Street, Liverpool.

1. To date what is the overall cost of leasing that space?
2. When did the lease start?
3. What is the ongoing monthly leasing cost?
4. Is the whole leased area being occupied?

A response to these questions will be provided in the 5 February 2020 Council meeting business papers.

ITEM NO: QWN 22
FILE NO: 309938.2019
SUBJECT: Question with Notice - Cllr Hagarty - Edmondson Park Commuter Car Parking

Background

In July this year Council passed the following motion in regards to the Commuter Car Parking Crisis in Liverpool:

That Council write to the relevant Minister as well as the Premier reminding them of their commitment of providing commuter parking at Edmondson Park Train Station and request a firm timeframe of the delivery of such parking provisions.

Please address the following:

1. Has a letter been sent to the Minister?
2. Has a response been received by the Minister?
3. If so, what was the response?

A response to these questions will be provided in the 5 February 2020 Council meeting business papers.

ITEM NO: EGROW 09
FILE NO: 315222.2019
SUBJECT: Planning proposal request to rezone land and amend development standards at 240 Governor Macquarie Drive, Warwick Farm

RECOMMENDATION

That Council:

1. Note the advice provided by the *Liverpool Local Planning Panel*;
2. Endorses in principle the planning proposal request for 240 Governor Macquarie Drive, Warwick Farm, subject to the applicant submitting a modified request with a maximum floor space ratio (FSR) of 2:1 equating to approximately 58,600m² GFA or 500 dwellings with access to the bonus FSR provisions contained within Clause 4.4 (2B) of the Liverpool Local Environmental Plan (LEP) (up to 3:1), a maximum height of buildings of 45m and the preparation of a site specific Development Control Plan;
3. Delegate to the CEO authority to negotiate a revised VPA offer with the proponent, agree the terms of the offer with the proponent and report back to Council the details of the VPA prior to exhibition of the planning proposal, consistent with Council's Planning Agreements Policy;
4. Endorses in principle the potential public benefit contributions of the VPA, to be further negotiated, including:
 - Monetary contributions towards the cost of local road improvements;
 - Funding appropriate road works including a 2.5m wide shared path, public domain improvements including street trees and landscaping along Governor Macquarie Drive between Hume Highway and Munday Street in accordance with Council's design plan for the Hume Highway/Governor Macquarie Drive intersection upgrade and Warwick Street between the Hume Highway and Manning Street;
 - Improved pedestrian and bicycle access to and from the site and Warwick Farm railway station and north and south of the Hume Highway;
 - Provision of 5% of the dwelling yield as affordable housing (to be dedicated to Council) to be managed as affordable rental housing by a community housing provider; and
 - Providing a retail/commercial space in the development for a period of 5 years at a reduced commercial rent for a community organisation/s to be agreed between the proponent and Council; and

5. Delegate authority to the CEO to finalise the above amendments to the planning proposal request and submit a planning proposal to the Department of Planning, Industry and Environment for a Gateway determination with a recommendation that detailed traffic modelling, an economic impact assessment, a noise mitigation strategy and a site specific DCP be included as Gateway conditions to be satisfied prior to public exhibition.

COUNCIL DECISION

Motion:

Moved: Cllr Ayyad

Seconded: Cllr Hadchiti

That Council:

1. Note the advice provided by the *Liverpool Local Planning Panel*;
2. Endorses in principle the planning proposal request for 240 Governor Macquarie Drive, Warwick Farm, subject to the applicant submitting a modified request with a maximum floor space ratio (FSR) of 2:1 equating to approximately 58,600m² GFA or 500 dwellings with access to the bonus FSR provisions contained within Clause 4.4 (2B) of the Liverpool Local Environmental Plan (LEP) (up to 3:1), a maximum height of buildings of 50m and the preparation of a site specific Development Control Plan;
3. Delegate to the CEO authority to negotiate a revised VPA offer with the proponent, agree the terms of the offer with the proponent and report back to Council the details of the VPA prior to exhibition of the planning proposal, consistent with Council's Planning Agreements Policy;
4. Endorses in principle the potential public benefit contributions of the VPA, to be further negotiated, including:
 - Monetary contributions towards the cost of local road improvements to include the bypass road which is a priority of Council;
 - Funding appropriate road works including a 2.5m wide shared path, public domain improvements including street trees and landscaping along Governor Macquarie Drive between Hume Highway and Munday Street in accordance with Council's design plan for the Hume Highway/Governor Macquarie Drive intersection upgrade and Warwick Street between the Hume Highway and Manning Street;
 - Improved pedestrian and bicycle access to and from the site and Warwick Farm railway station and north and south of the Hume Highway;

- Provision of 5% of the dwelling yield as affordable housing to be managed as affordable rental housing by a community housing provider; and
 - Providing a retail/commercial space in the development for a period of 5 years at a reduced commercial rent for a community organisation/s to be agreed between the proponent and Council; and
5. Delegate authority to the CEO to finalise the above amendments to the planning proposal request and submit a planning proposal to the Department of Planning, Industry and Environment for a Gateway determination with a recommendation that detailed traffic modelling, an economic impact assessment, a noise mitigation strategy and a site specific DCP be included as Gateway conditions to be satisfied prior to public exhibition.
6. Note the legal advice provided to Councillors

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

Vote for Mayor Waller
Clr Ayyad
Clr Balloot
Clr Hadchiti
Clr Hadid
Clr Hagarty
Clr Harle
Clr Karnib
Clr Rhodes

Vote against: Clr Kaliyanda
Clr Shelton

PRESENTATIONS BY COUNCILLORS

Nil.

CONFIDENTIAL ITEMS

ITEM NO: CONF 01

FILE NO: 287016.2019

SUBJECT: Proposed Granting of an Easement to Drain Water over Council's Public Reserve known as Discovery Park, 40 Atkinson Street, Liverpool - Lot 77 DP 27242

RECOMMENDATION

That Council:

1. Approves the grant of an easement to drain water into an existing stormwater pit located within Lot 77 in DP 27242, located at 40 Atkinson Street, Liverpool on the terms outlined in this report;
2. Keeps this report confidential pursuant to the provisions of Section 10A(2)(c) of the *Local Government Act 1993* as this information would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business;
3. Approves the transfer of the compensation amount into the General Property Reserve; and
4. Authorises its Delegated Officer to execute any document, under Power of Attorney, necessary to give effect to this decision.

COUNCIL DECISION

Motion:

Moved: Cllr Harle

Seconded: Cllr Ayyad

That the recommendation be adopted.

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

CLOSED SESSION

Mayor Waller advised that Council would now move into Closed Session to deal with CORP 05 and CONF 05

Council moved into Closed Session at 10.14pm with all Councillors present.

ITEM NO: CORP 05
FILE NO: 299775.2019
SUBJECT: Investment Report November 2019

RECOMMENDATION

That Council receives and notes this report.

COUNCIL DECISION

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

Receive and note the report.

Foreshadowed motion: **Moved: Clr Rhodes** **Seconded: Clr Harle**

That:

1. Council receives and notes this report;
2. Due to extenuating circumstances, approve an exemption to Tender under s.55 (3)(i) of the Local Government Act 1993, as due to the unavailability of competitive or reliable tenderers, a satisfactory result would not be achieved by inviting tenders, noting that Western Sydney Regional Organisation of Councils (WSROC) have already undertaken an extensive EOI and evaluation process;
3. Subject to a satisfactory legal review and favourable due diligence outcome, enter into the 10-year Power Purchase Agreement on offer from renewable energy developer Genex Power (ABN:18 152 098 854) through WSROC, and
4. Delegate authority to the General Manager to negotiate and execute a Power Purchase Agreement through WSROC Ltd, and enter a Council Buyers' Membership Agreement for the Power Purchase Agreement for up to 20,000 MWh.

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

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

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

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

THE MEETING CLOSED AT 10.50pm.

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 5 February 2020

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 11 December 2019. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.