



**MINUTES OF THE ORDINARY MEETING  
HELD ON 7 FEBRUARY 2018**

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**PRESENT:**

- Mayor Wendy Waller
- Councillor Ayyad
- Councillor Balloot
- 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
- Ms Margaret Diebert, Acting Director City Presentation
- Madhu Pudasaini Acting Director City Infrastructure and Environment

The meeting commenced at 6.01pm

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**OPENING** 6.01pm

**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.

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

**APOLOGIES** Cllr Hadchiti

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

**CONDOLENCES** Nil

**CONFIRMATION OF MINUTES**

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

That the minutes of the Ordinary Meeting held on 13 December 2017 be confirmed as a true record of that meeting.

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

**DECLARATIONS OF INTEREST**

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

**Item CORP 01:** Use of Council Crest by non-Council Entities

**Reason:**   Clr Shelton is a member of the Liverpool and District Historical Society Inc. He does not however hold an office position in that organisation.

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

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

**Item CORP 01:** Use of Council Crest by non-Council Entities

**Reason:**   Clr Rhodes is a member of the Liverpool and District Historical Society Inc. She does not however hold an office position in that organisation.

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

**PUBLIC FORUM**

**Presentations - items not on agenda**

1. **Ms Narrelle Garvey** addressed the Council on the following matter:

Subdivision Work Operating Hours

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

Boarding House Policy

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3. **Ms Naomi Holtring** addressed the Council on the following matter:

Shopping Trolleys Littering Our Streets

**Representations - items on agenda**

1. **Ms Emma Eldridge** addressed the Council on the following item:

**CORP 01** Use of Council Crest by non-Council Entities



**ITEM NO:** EGROW 02  
**FILE NO:** 356321.2017  
**SUBJECT:** Proposed amendment to the Liverpool Local Environmental Plan 2008 - Rezoning of land at Carnes Hill Shopping Centre

**RECOMMENDATION**

That Council:

1. Endorse the planning proposal to amend the Liverpool Local Environmental Plan 2008 to rezone Lot 104 DP 11105443 at Cowpasture Road, Carnes Hill from RE1 – Public Recreation to B2 – Local Centre and forward the proposal to the Department of Planning and Environment for Gateway determination;
2. Subject to Gateway determination, undertake public exhibition and community consultation in accordance with the conditions of the Gateway determination; and
3. 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.

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

**Vote for:** Mayor Waller  
Clr Ayyad  
Clr Ballot  
Clr Hadid  
Clr Hagarty  
Clr Harle  
Clr Kaliyanda  
Clr Karnib  
Clr Rhodes

**Vote against:** Clr Shelton



**ITEM NO:** EGROW 04  
**FILE NO:** 007926.2018  
**SUBJECT:** Street and Park Naming

**RECOMMENDATION**

That Council:

1. Supports the street and park names noted in this report; and
2. Delegates to the Chief Executive Officer (CEO) to begin the process of gazettal.

**COUNCIL DECISION**

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

That the recommendation be adopted.

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

**ITEM NO:** EGROW 05  
**FILE NO:** 017115.2018  
**SUBJECT:** Proposed rezoning of certain lands in Prestons for Environmental Conservation

**RECOMMENDATION**

That Council:

1. Provide in-principle support for the rezoning of Lot 10 DP1003837 and Lot 11 DP1228445 from IN3 – Heavy Industry to E2 – Environmental Conservation; and
2. Delegates to the CEO to prepare a planning proposal and forward it to the Department of Planning and Environment seeking gateway determination.

**COUNCIL DECISION**

**Motion:**                          **Moved: Cllr Hagarty**                          **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.



**CHIEF EXECUTIVE OFFICER REPORT**

**ITEM NO:** CEO 01  
**FILE NO:** 010892.2018  
**SUBJECT:** 2018 Australian Local Government Women's Association NSW Branch Conference

**RECOMMENDATION**

That Council nominates delegates to attend the Australian Local Government Women's NSW Conference to be held in Gundagai from 15 to 17 March 2018.

**COUNCIL DECISION**

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

Any Councillors and staff across the organisation who wish to attend to advise the CEO by close of business 16 February 2018.

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



**ITEM NO:** COM 02  
**FILE NO:** 018381.2018  
**SUBJECT:** Armistice Centenary

**RECOMMENDATION**

That Council:

1. Endorses the list of proposed activities that will commemorate the Armistice Centenary;
2. Approves the allocation of a \$300,000 budget from Council Reserves towards the associated cost of resources to deliver the activities;
3. Write to the Head of Corps, Royal Australian Engineers, requesting that the Royal Australian Engineers exercise their Freedom of Entry to the City of Liverpool in celebration of the Centenary of Armistice; and
4. Write to the Director of the Australian War Memorial requesting that the war medals (including the Victoria Cross) of John Edmondson be placed on display with letters or other objects that can be associated with Edmondson and the impact of the war on the community, in the Liverpool City Library (or other suitable location).

**COUNCIL DECISION**

**Motion:**    **Moved: Clr Kaliyanda**                        **Seconded: Clr Harle**

That the recommendation be adopted.

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

**Clr Shelton left the Chambers at 6.36pm.**

**CITY CORPORATE REPORT**

**ITEM NO:** CORP 01  
**FILE NO:** 002318.2018  
**SUBJECT:** Use of Council Crest by non-Council Entities

**RECOMMENDATION**

That Council:

1. Determine what, if any, use of the Crest of Liverpool City may be allowed by third party entities that fall outside of the control of Liverpool City Council; and
2. Confirm that, subject to any specific approval to the contrary, no use of part or all of Council's logo by third parties outside of Council's control is to be permitted.

**COUNCIL DECISION**

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

That Council:

1. Defer the item; and
2. Direct the CEO to organise an information and consultation session on this matter as soon as possible.

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

**Clr Shelton returned to the Chambers at 6.37pm.**

**ITEM NO:** CORP 02  
**FILE NO:** 011290.2018  
**SUBJECT:** Investment Report November 2017

**RECOMMENDATION**

That Council receives and notes this report.

**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.

**ITEM NO:** CORP 03  
**FILE NO:** 011405.2018  
**SUBJECT:** Investment Report December 2017

**RECOMMENDATION**

That Council receives and notes this report.

**COUNCIL DECISION**

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

That the recommendation be adopted.

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

**COMMITTEE REPORTS**

**ITEM NO:** CTTE 01  
**FILE NO:** 331232.2017  
**SUBJECT:** Minutes of the Heritage Advisory Committee meeting of 27 November 2017

**RECOMMENDATION**

That Council receives and notes the Minutes of the Heritage Advisory Committee Meeting held on 27 November 2017.

**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.





**NOTICES OF MOTION**

**ITEM NO:** NOM 01  
**FILE NO:** 024408.2018  
**SUBJECT:** Australian National Audit Office (ANAO) Intermodal Audit

**NOTICE OF MOTION (submitted by Clr Kaliyanda)**

That Council publicly supports the Australian National Audit Office's second audit into Moorebank Intermodal Company.

**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:** CONF 03  
**FILE NO:** 017875.2018  
**SUBJECT:** Tender RCL2519 - Removal and Disposal of Special Waste - Asbestos Waste

**RECOMMENDATION**

That Council:

1. Offers an extension to the existing contracts until 3 February 2019 for Tender RCL2519 – Removal and Disposal of Special Waste – asbestos waste to the following contractors:
  - Affective Services Pty Ltd
  - Terra Civil Pty Ltd
  - Haines Bros Earthmoving Pty Ltd
  - Beasy Pty Ltd
  - Ronnies Demolitions Pty Ltd.
2. Notes that the Director Infrastructure and Environment will finalise all details and extend the contract following acceptance by the tenderers of Council’s offer.
3. Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of Section 10A(2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

**COUNCIL DECISION**

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

That the recommendation be adopted.

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

Councillors voted unanimously for this motion.



**THE MEETING CLOSED AT 6.43pm**

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 28 February 2018

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 7 February 2018. 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 FEBRUARY 2018

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### **PRESENT:**

Mayor Wendy Waller  
 Councillor Ayyad  
 Councillor Balloot  
 Councillor Hadchiti  
 Councillor Hadid  
 Councillor Hagarty  
 Councillor Harle  
 Councillor Kaliyanda  
 Councillor Karnib  
 Councillor Rhodes  
 Councillor Shelton  
 Ms Kiersten Fishburn, Chief Executive Officer  
 Mr Tim Moore, Director City Economy and Growth / Deputy CEO  
 Mr Chris White, Director City Corporate  
 Dr Eddie Jackson, Director City Community and Culture  
 Ms Margaret Diebert, Acting Director City Presentation  
 Mr Raj Autar, Director City Infrastructure and Environment

The meeting commenced at 6.00pm.

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<b>OPENING</b>	6.00pm
<b>ACKNOWLEDGMENT OF COUNTRY, PRAYER OF COUNCIL AND AFFIRMATION TO BE READ BY</b>	The prayer of the Council was read by Reverend Manoj Chacko from Liverpool South Anglican Church.
<b>NATIONAL ANTHEM</b>	The National Anthem was played at the meeting.
<b>APOLOGIES</b>	Nil
<b>CONDOLENCES</b>	Nil

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Minutes of the Ordinary Council Meeting held on Wednesday, 28 February 2018 and confirmed on Wednesday, 28 March 2018

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Chairperson

**CONFIRMATION OF MINUTES**

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

That the minutes of the Ordinary Meeting held on 7 February 2018 be confirmed as a true record of that meeting.

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

**DECLARATIONS OF INTEREST**

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

**Item NOM 02:**     Proposed Nulon Facility

**Reason:**            He is a resident of the suburb, close to the land of the proposed Nulon facility.

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

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

**Item CORP 01:**    Budget Review - December 2017

**Reason:**            Clr Harle has relatives that live in the area discussed.

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

**PUBLIC FORUM**

**Presentation – items not on agenda**

1.   **Pastor John Keane** addressed Council on the following item:  
      Park benches at Amalfi Park Duck Pond.

**Representation – items on agenda**

1.   **Mr Russell Whittard** addressed Council on the following item:

**NOM 02** Proposed Nulon Facility

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

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

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



2. **Mr Greg Simons**, CEO of Nulon Products Australia P/L addressed Council on the following item:

**NOM 02** Proposed Nulon Facility

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

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

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

3. **Mr Gilbert de Chalain** addressed Council on the following item:

**EGROW 02** Proposed amendment to Liverpool Local Environmental Plan 2008 - additional permitted use for centre based child care on B6 zoned land at 525 Cowpasture Road, Len Waters Estate

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

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

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

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

That a further three minute extension of time be given to Mr de Chalain.

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

**MOTION OF URGENCY**

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

That Council at the conclusion of the Open Council Session of the meeting, move into Closed Session, pursuant to the provisions of s10(2)(a) of the Local Government Act as the matter to be discussed deals with personnel matters concerning particular individuals (other than Councillors) and a resident.

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

Note: the proposed urgency motion, proposed to be considered at the end of the meeting during Closed Session, was not dealt with.

## CITY ECONOMY AND GROWTH REPORT

**ITEM NO:** EGROW 01  
**FILE NO:** 186333.2017  
**SUBJECT:** Liverpool Local Environmental Plan 2008 - Draft Amendment 61 (Additional Permitted Uses at The Grove Homemaker Centre)

### RECOMMENDATION

That Council:

1. Note the Gateway determination for draft Liverpool Local Environmental Plan 2008 (Amendment 61) and the results of public exhibition and community consultation;
2. Endorse and place on public exhibition the draft Planning Agreement offered by the proponent in conjunction with the Planning Proposal;
3. Delegate authority to the CEO to execute the Planning Agreement following its public exhibition if no submissions are received; and
4. Subject to Item 2 and Item 3 above, forward the Planning Proposal and supporting documentation to the Department of Planning and Environment for finalisation.

### COUNCIL DECISION

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

That the recommendation be adopted.

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

Councillors voted unanimously for this motion.



**Vote against:** Mayor Waller  
Clr Ayyad  
Clr Balloot  
Clr Hadchiti  
Clr Harle  
Clr Rhodes

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

Councillors voted unanimously for this motion.

**ITEM NO:** EGROW 03  
**FILE NO:** 014785.2018  
**SUBJECT:** Draft Liverpool Bike Plan 2017-2022

## RECOMMENDATION

That Council:

1. Places the draft Liverpool Bike Plan 2017-2022 on public exhibition for a period of 60 days, inviting public comment and submissions;
2. Places the draft Liverpool Development Control Plan on public exhibition for a period of 60 days, inviting public comment and submissions;
3. Receives a further report following the public exhibition period on the integration of any changes to the Bike Plan or draft Development Control Plan if any feedback is received; and
4. Delegates to the CEO the authority to finalise the draft Liverpool Bike Plan 2017-2022 and draft Development Control Plan if no objections are received.

## COUNCIL DECISION

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

That the recommendation be adopted.

**Foreshadowed motion:** **Moved: Clr Rhodes** **Seconded: Clr Harle**

That Council develop a new Draft Liverpool Bike Plan restricting the majority of the bike paths to recreational areas and a report be submitted to Council.

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

**Vote for:**

- Mayor Waller
- Clr Ayyad
- Clr Balloot
- Clr Hadchiti
- Clr Hadid
- Clr Hagarty
- Clr Kaliyanda
- Clr Karnib
- Clr Shelton

**Vote Against:**

- Clr Harle
- Clr Rhodes

**CHIEF EXECUTIVE OFFICER REPORT**

**ITEM NO:** CEO 01  
**FILE NO:** 018777.2018  
**SUBJECT:** Consultation on the proposed Councillor Induction and Professional Development Guidelines

**RECOMMENDATION**

That Council:

1. Receive and note the information and consider whether it wishes to make a submission on the proposed Guidelines; and
2. Receive a further report when the proposed Guidelines are finalised and Regulation comes into effect presenting a professional development program for Councillors.

**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.

**ITEM NO:** CEO 02  
**FILE NO:** 019665.2018  
**SUBJECT:** Consultation on the draft Model Code of Meeting Practice for Local Councils in NSW

**RECOMMENDATION**

That Council make a submission on the Consultation Draft of the Model Code of Meeting Practice to the Office of Local Government on the following:

- Amending the non-mandatory Clause 4 regarding Public Forums to allow for the Public Forums session to be held during the Council Meeting;
- Amending Clause 5.18 regarding the Webcasting of Meetings to become a non-mandatory provision;
- Provides Council's support to the inclusion of the mandatory provisions in Clauses 10.2 – 10.4 regarding Notice of Motions; and
- Deletion of the non-mandatory provisions (Clauses 11.10 and 20.23) regarding recording the voting of all members for all motions and amendments in the minutes of Council and Committee meetings.

**COUNCIL DECISION**

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

That Council

1. Make a submission on the Consultation Draft of the Model Code of Meeting Practice to the Office of Local Government on the following:
  - Amending the non-mandatory Clause 4 regarding Public Forums to allow for the Public Forums session to be held during the Council Meeting;
  - Amending Clause 5.18 regarding the Webcasting of Meetings to add the words “where possible” so that the clause reads;

*“All meetings of the council and committees of the council are to be webcast where possible.”*
  - Provides Council's support to the inclusion of the mandatory provisions in Clauses 10.2 – 10.4 regarding Notice of Motions.
2. Direct the CEO to immediately commence the process required (policies, tenders etc) to ensure that Council will be in a position to Webcast Council meetings by September 2018; and

.....  
Chairperson

3. Support of the non-mandatory provisions (Clauses 11.10 and 20.23) regarding recording the voting of all members for all motions and amendments in the minutes of Council and Committee meetings.

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



**ITEM NO:** CEO 03  
**FILE NO:** 022272.2018  
**SUBJECT:** Biannual Progress Report

**RECOMMENDATION**

That Council notes and receives the Biannual Progress Report which outlines the progress of the actions detailed in the Delivery Program and Operational Plan 2017-18.

**COUNCIL DECISION**

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

That the recommendation be adopted.

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

**MOTION TO BRING ITEM FORWARD**

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

That item NOM 02 Proposed Nulon Facility be brought forward and dealt with now.

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

**ITEM NO:** NOM 02  
**FILE NO:** 046785.2018  
**SUBJECT:** Proposed Nulon Facility

### **NOTICE OF MOTION**

That Council:

1. Continue to support local residents in their campaign;
2. Continue to highlight the unsuitability of the proposed development in relation to zoning; and
3. Work with the Department of Planning and Nulon to find a more appropriate location within Liverpool for this development.

### **COUNCIL DECISION**

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

That Council:

1. Support residents in relation to the proposed Nulon Motor Oil Facility;
2. Seek legal advice on the suitability of the proposed development in relation to the zoning;
3. If required engage in a suitably qualified external firm to review the proposal and to make a submission to the determining authority; and
4. Work with the Department of Planning & the applicant to find a more appropriate location within the Liverpool LGA for this development.

**Foreshadowed motion:** **Moved: Clr Rhodes** **Seconded: Clr Harle**

That Council:

1. Question NSW Department of Planning for the placement of a light industrial plant in the Western Parklands;
2. Support Community consultation and Councillor consultation to better educate the people about the facility and its suitability or unsuitability; and
3. If required engage in a suitably qualified external firm to review the proposal and to make a submission to the determining authority.

**Foreshadowed motion:      Moved: Clr Hadid                      Seconded: Clr Hadchiti**

That Council:

1. Support residents in relation to the proposed Nulon Motor Oil Facility;
2. Seek legal advice on the suitability of the proposed development in relation to the zoning;
3. Engage in a suitably qualified external firm to review the proposal and to make a submission to the determining authority; and
4. Direct the CEO to come back to the Council with a full report on the outcome on the legal advice from the external firm.

On being put to the meeting the motion (moved by Clr Hagarty) was declared CARRIED and the foreshadowed motions (moved by Clr Rhodes and Clr Hadid) lapsed.

**Division called:**

**Vote for:** Mayor Waller  
Clr Hadchiti  
Clr Hadid  
Clr Hagarty  
Clr Kaliyanda  
Clr Karnib  
Clr Shelton

**Vote against:** Clr Ayyad  
Clr Balloot  
Clr Harle  
Clr Rhodes

**CITY COMMUNITY AND CULTURE REPORT**

**ITEM NO:** COM 01  
**FILE NO:** 036147.2018  
**SUBJECT:** The Mandaean Community in Liverpool - Baptismal Area on the banks of the Georges River

**RECOMMENDATION**

That Council receive a further report following March 2018 monitoring that will allow for a more comprehensive comparison with past results, and better inform Council's decision-making process.

**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.

**RECESS OF COUNCIL**

Mayor Waller called a recess of Council at 7.29pm.

Mayor Waller reopened the meeting at 7.34pm. Clr Kaliyanda and Clr Karnib were not in the Chambers when the meeting resumed.

Clr Kaliyanda and Clr Karnib returned to the Chambers at 7.36pm.

**ITEM NO:** COM 02  
**FILE NO:** 045423.2018  
**SUBJECT:** Toda Student Exchange Program

**RECOMMENDATION**

That Council:

1. Receives and notes the contents of the Department of Education’s document (attached);
2. Agrees that an expression of interest should be issued to all High Schools in the Liverpool LGA with a view to undertaking a student exchange to Toda in September 2018;
3. Notes a budget allocation required to host incoming delegations from Toda will be included in annual budgets;
4. Approves the participation of the Mayor and Councillors (and support staff) in a visit to Toda in September 2018, either accompanying the student exchange or as a Council delegation to further demonstrate Council’s commitment to the Sister City relationship with Toda; and
5. Approves the allocation of an additional staffing resource equivalent to (0.4) FTE to administer the student exchange program.

**COUNCIL DECISION**

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

That Council:

1. Receives and notes the contents of the Department of Education’s document (attached);
2. Agrees that an expression of interest should be issued to all High Schools in the Liverpool LGA with a view to undertaking a student exchange to Toda in September 2018;
3. Notes a budget allocation required to host incoming delegations from Toda will be included in annual budgets;
4. Approves the participation of the Mayor and Councillors, the CEO or Delegate and the Civic / Citizenship Coordinator in a visit to Toda in September 2018, either accompanying the student exchange or as a Council delegation to further demonstrate Council’s commitment to the Sister City relationship with Toda;

5. Approve the payment of travel expenses for this particular delegation;
6. Approve the allocation of an additional staffing resource equivalent to (0.4) FTE to administer the student exchange program;
7. This resolution be forwarded to the Toda Council; and
8. An information session be held on the Toda student exchange program and all applicable schools in the LGA and relevant stakeholders be invited.

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:** 034793.2018  
**SUBJECT:** Budget Review - December 2017

**RECOMMENDATION**

That Council:

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

**COUNCIL DECISION**

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

That Council:

- 1. Receives and notes the report; and
- 2. Approves the identified budget variations in accordance with this report with the following changes:
  - The Manning Street Bypass project to be included in the current budget.

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

**ITEM NO:** CORP 02  
**FILE NO:** 037211.2018  
**SUBJECT:** Investment Report January 2018

**RECOMMENDATION**

That Council receives and notes this report.

**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.





**COMMITTEE REPORTS**

**ITEM NO:** CTTE 01  
**FILE NO:** 030642.2018  
**SUBJECT:** Minutes of the Liverpool Youth Council Committee meeting held 8 November 2017 and the Meeting Notes of the meeting held on 14 December 2017

**RECOMMENDATION**

That Council receives and notes the Minutes of the Liverpool Youth Council meeting held on 8 November 2017 and the Meeting Notes of the meeting held on 14 December 2017.

**COUNCIL DECISION**

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

That Council

1. Receives and notes the Minutes of the Liverpool Youth Council meeting held on 8 November 2017 and the Meeting Notes of the meeting held on 14 December 2017 with the additional point as below:
2. Congratulate Lilly Lyons on her success at winning the Zest Awards 2018 Outstanding Youth Leader award and thank Derek Tweed, Community Development Worker (youth) for his nomination of Ms Lyons for the award.

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

**ITEM NO:** CTTE 02  
**FILE NO:** 035859.2018  
**SUBJECT:** Minutes of the Local Traffic Committee Meeting Held on 24 January 2018

## RECOMMENDATION

That Council adopts the following recommendations in accordance with attached Minutes:

- i) Item 1 - Northumberland Serviceway, Liverpool – Proposed Changes to Existing Parking Restrictions
  - Council supports the proposed changes as shown in Attachment 1.1.
  
- ii) Item 2 - Australis Avenue and Conroy Road Intersection, Wattle Grove – Proposed Pedestrian Refuge
  - Council approves the proposed pedestrian refuge at Australis Avenue and Conroy Road roundabout, Wattle Grove, as shown in Attachments 2.1 - 2.3.
  - Council advises the Local Member for Holsworthy and the local residents of its action.
  
- iii) Item 3 - Hill Road, Lurnea – Proposed Improvement to existing Pedestrian Crossing
  - Council approves upgrading of the existing marked pedestrian crossing to a raised threshold across Hill Road, Lurnea, south of Wych Avenue with associated signs and linemarking as shown in Attachments 3.1 and 3.2 and the above changes.
  - Council conduct a community consultation prior to installation.
  
- iv) Item 4 - Boundary Road, Liverpool – Proposed Changes to Existing Parking Restrictions
  - Council approves the upgrade of the existing marked pedestrian crossing to a raised threshold across Hill Road, Lurnea, south of Wych Avenue with associated signs and linemarking as shown in Attachments 3.1 and 3.2
  - Council conducts a community consultation prior to installation.
  
- v) Item 5 - Dalmatia Avenue, Edmondson Park – Proposed Roundabouts at its intersection with Jardine Drive and Somme Avenue
  - Council approves the installation of two (2) roundabouts along Dalmatia Avenue at its intersections with Jardine Drive and Somme Avenue and the signs and linemarking scheme as shown in Attachments 5.1 – 5.4, subject to the submission of revised turning paths demonstrating that the roundabouts can accommodate the turning paths of service vehicles
  - Council advises the applicants of its decision.

vi) Item 6 - Items Approved Under Delegated Authority

- Council notes the information on 24 minor traffic management schemes approved under the Committee’s Delegated Authority.

**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 03  
**FILE NO:** 035993.2018  
**SUBJECT:** Minutes of the Liverpool Sports Committee Meeting held on 30 November 2017

**RECOMMENDATION**

That Council receives and notes the Minutes of the Liverpool Sports Committee Meeting held on 30 November 2017.

**COUNCIL DECISION**

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

That the recommendation be adopted.

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

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**ITEM NO:** CTTE 04  
**FILE NO:** 036727.2018  
**SUBJECT:** Tourism and Events Committee Meeting of 8 February 2018

**RECOMMENDATION**

That Council:

1. Receive and note the Minutes of the Tourism and Events Committee meeting held on 8 February 2018;
2. Endorse the recommendation to appoint a Tourism Development Officer; and
3. Refer the question of funding for the role, and related program of works, to the Budget Review Panel for consideration as part of the next budget review process.

**COUNCIL DECISION**

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

That the recommendation be adopted.

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

**ITEM NO:** CTTE 05  
**FILE NO:** 036728.2018  
**SUBJECT:** CBD Committee Meeting of 8 February 2018

**RECOMMENDATION**

That Council receives and notes the Minutes of the CBD Committee meeting held on 8 February 2018.

**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:** CTTE 06  
**FILE NO:** 042598.2018  
**SUBJECT:** Minutes of the Intermodal Committee meeting held on 13 February 2018

**RECOMMENDATION**

That Council:

- 1. Receives and notes the Minutes of the Intermodal Committee Meeting held on 13 February 2018; and
- 2. Determines whether or not to fund \$4000 for a mail out to local residents in areas surrounding the proposed Intermodal.

**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.

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**QUESTIONS WITH NOTICE**

**ITEM NO:** QWN 01  
**FILE NO:** 046948.2018  
**SUBJECT:** Question with Notice - Clr Kaliyanda

Please address the following:

1. Have the merits of extending the operating hours of Liverpool City Library and Carnes Hill Library during the Higher School Certificate trial exam and final exam previously been considered?
2. If so, what are the findings of any investigation or study carried out?
3. What are the financial/budget implications of extending the opening hours of both libraries to 9am – 8.30pm, Monday – Sunday during the HSC period (mid-September to mid-November)?
4. What timeframe and process would be required to make these changes to the opening hours of these two highly patronised libraries?

**A response to these questions will be provided in the March 2018 Business Papers.**





**ITEM NO:** CONF 02  
**FILE NO:** 033198.2018  
**SUBJECT:** Tender WT2666 - Construction of Pacific Palms Circuit Southern Crossing -  
Bridge Culvert and Road Crossing

**RECOMMENDATION**

That Council:

1. Accepts the Tender from Antoun Civil Engineering (Aust) Pty Ltd for Tender WT2666 – Construction of Pacific Palms Circuit Southern Crossing - Bridge Culvert and Road Crossing for the GST inclusive price of \$1,486,917;
2. Makes public its decision regarding tender WT2666 – Construction of Pacific Palms Circuit Southern Crossing - Bridge Culvert and Road Crossing;
3. Notes that the Director City Infrastructure and Environment will finalise all details and sign the Letter of Acceptance 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 Harle**                                **Seconded: Clr Rhodes**

That the recommendation be adopted.  
  
On being put to the meeting the motion was declared CARRIED.  
  
Councillors voted unanimously for this motion.

**ITEM NO:** CONF 03  
**FILE NO:** 020266.2018  
**SUBJECT:** Acquisition of Part Lot 49 DP228850, 95 Croatia Avenue, Edmondson Park, for open space purpose

**RECOMMENDATION**

That Council:

1. Approves the acquisition of Lot 1 in a proposed plan of subdivision of Lot 49 DP228850, 95 Croatia Avenue, Edmondson Park containing an area of approximately 7,504 square metres for the price and terms outlined in this report;
2. Upon settlement of the acquisition, classifies Lot 1 in a proposed plan of subdivision of Lot 49 DP228850, 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;
4. Notes that funding for the acquisition will be sourced from the Section 94 Contribution Fund; and
5. Authorises its delegated officer to execute any document under Power of Attorney necessary to give effect to this decision.

**COUNCIL DECISION**

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

That the recommendation be adopted.

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



**ITEM NO:** CONF 05  
**FILE NO:** 048780.2018  
**SUBJECT:** Western Sydney City Deal

**RECOMMENDATION**

That Council:

1. Delegates authority to the Mayor to sign the Western Sydney City Deal on behalf of their Council if they are satisfied with the response from the other levels of government;
2. Notes that the Council is not legally bound at this point should the Mayor decide to sign the City Deal document; and
3. Notes that a further report will be brought back to Council prior to any binding commitments being made.

**COUNCIL DECISION**

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

That Council:

1. Notes that Councillors are not aware of the contents nor will they be aware of the contents of the Western Sydney City Deal prior to the Mayor signing the agreement;
2. Despite the foregoing, delegates authority to the Mayor to sign the first gateway of the Western Sydney City deal if satisfied that it represents the best interest for the LGA;
3. Express its displeasure in the City Deal process that has excluded councillors and directs the CEO to inform the Federal Government that Councillors will need to be fully aware of the contents and details of the City Deal before any binding commitments can be made; and
4. Place the City Deal as a standing item on the Strategic Panel agenda to allow councillors to actively contribute to and negotiate for its ongoing development.

**Amendment:** **Moved: Cllr Rhodes** **Seconded: Cllr Harle**

That Council:

1. Notes that Councillors are not aware of the contents nor will they be aware of the contents of the Western Sydney City Deal prior to the Mayor signing the agreement;



2. Despite the foregoing, delegates authority to the Mayor to sign the first gateway of the Western Sydney City deal if satisfied that it represents the best interest for the LGA;
3. Express its displeasure in the City Deal process that has excluded councillors and directs the CEO to inform the Federal Government that Councillors will need to be fully aware of the contents and details of the City Deal before any binding commitments can be made; and
4. Future negotiation at Liverpool Council through a standing item on the Strategic Panel agenda for the City Deal will involve Councillor input into the future items that are to be put onto the negotiating table through the City deal in future.

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

**Division called:**

**Vote for:** Clr Harle  
Clr Rhodes

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

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

**Division called:**

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

**Vote against:** Clr Harle  
Clr Rhodes

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

That Council move back into open session.

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

Council moved back into Open Session at 8.56pm. Mayor Waller then read out the Motion which was passed in Closed Session relating to CONF 05.

**THE MEETING CLOSED AT 8.57pm.**

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 28 March 2018

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 28 February 2018. 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 MARCH 2018

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### PRESENT:

Mayor Wendy Waller  
 Councillor Ayyad  
 Councillor Balloot  
 Councillor Hadchiti  
 Councillor Hadid  
 Councillor Hagarty  
 Councillor Harle  
 Councillor Kaliyanda  
 Councillor Karnib  
 Councillor Rhodes  
 Councillor Shelton  
 Ms Kiersten Fishburn, Chief Executive Officer  
 Mr Tim Moore, Director City Economy and Growth / Deputy CEO  
 Mr Chris White, Director City Corporate  
 Dr Eddie Jackson, Director City Community and Culture  
 Ms Margaret Diebert, Acting Director City Presentation  
 Mr Raj Autar, Director City Infrastructure and Environment

The meeting commenced at 6.00pm.

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<b>OPENING</b>	6.04pm.
<b>ACKNOWLEDGMENT OF COUNTRY, PRAYER OF COUNCIL AND AFFIRMATION TO BE READ BY</b>	The Prayer of the Council was read by Reverend Bruce Hammonds from Liverpool Presbyterian Church.
<b>NATIONAL ANTHEM</b>	The National Anthem was played at the meeting.
<b>APOLOGIES</b>	Nil
<b>CONDOLENCES</b>	Nil

**Motion:**                                **Moved: Clr Hagarty**                **Seconded: Clr Ayyad**

**CONFIRMATION OF MINUTES**

That the minutes of the Ordinary Meeting held on 28 February 2018 be confirmed as a true record of that meeting subject to the following change:

*That the voting record for NOM 02 Proposed Nulon Facility (as shown on page 13 of those minutes) be corrected to show that Clr Hadid had voted against the motion.*

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

**DECLARATIONS OF INTEREST**

Nil.

**PUBLIC FORUM**

**Presentation – items not on agenda**

1. **Ms Donna Beales** addressed Council on the following matter:  
      J.J. Richards & Sons Council Contract.
2. **Mr Michael Andjelkovic** addressed Council on the following matter:  
      Parking at Edmondson Park Train Station

**Representation – items on agenda**

1. **Ms Criss Moore** addressed Council on the following item:  
      **NOM 02** Problem Gambling
2. **Mrs Pat Hall** addressed Council on the following item:  
      **CTTE 04** Minutes of the Civic Advisory Committee Meeting held 6 March 2018
3. **Mr Saman Al-Zohairy** addressed Council on the following item:  
      **CTTE 01** Minutes of the Heritage Advisory Committee meeting held on 5 February 2018

## CITY ECONOMY AND GROWTH REPORT

**ITEM NO:** EGROW 01

**FILE NO:** 351140.2017

**SUBJECT:** Liverpool Local Environmental Plan 2008 - Draft Amendment 68  
(Reclassification of Community Land and rezoning of Part Lot 1001 DP  
1006332)

### RECOMMENDATION

That Council:

1. Note the Gateway determination for draft Liverpool Local Environmental Plan 2008 (Amendment 68) and the results of the public exhibition and community consultation;
2. Support the making of Amendment 68 and forward the planning proposal and supporting documentation to the Department of Planning and Environment for finalisation; and
3. Advise those who attended the public hearing and made a submission of Council's decision.

### COUNCIL DECISION

**Motion:**

**Moved: Cllr Shelton**

**Seconded: Cllr Karnib**

That Council:

1. Note the Gateway determination for draft Liverpool Local Environmental Plan 2008 (Amendment 68) and the results of the public exhibition and community consultation;
2. Support the making of Amendment 68 and forward the planning proposal and supporting documentation to the Department of Planning and Environment for finalisation;
3. Advise those who attended the public hearing and made a submission of Council's decision; and
4. Disavows the so-called land rationalisation strategy referred to on page 111 of the Council agenda.

**Amendment:**

**Moved: Clr Rhodes**

**Seconded: Clr Harle**

That Council:

1. Note the Gateway determination for draft Liverpool Local Environmental Plan 2008 (Amendment 68) and the results of the public exhibition and community consultation;
2. Support the making of Amendment 68 (with the exception of 6 Moore Street, Liverpool which is to be considered at a later date) and forward the planning proposal and supporting documentation to the Department of Planning and Environment for finalisation;
3. Advise those who attended the public hearing and made a submission of Council's decision; and
4. Disavows the so-called land rationalisation strategy referred to on page 111 of the Council agenda.

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

**Vote for:** Clr Harle  
Clr Rhodes

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

The Motion (moved by Clr Shelton) was then voted on and was declared CARRIED.

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

**Vote against:** Clr Harle  
Clr Rhodes

**ITEM NO:** EGROW 02  
**FILE NO:** 357717.2017  
**SUBJECT:** Proposed Austral Street Names

**RECOMMENDATION**

That Council:

- 1. Support the street names noted in this report; and
- 2. Delegates to the Chief Executive Officer (CEO) to begin the process of gazettal.

**COUNCIL DECISION**

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

That Council:

- 1. Support the street names noted in this report with the exception of the following:
  - Messina Avenue to replace Aroona Avenue; and
  - Antonio Avenue to replace Tammarin Rock Avenue.
- 2. The names removed be used in other areas where possible.

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

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Chairperson



**ITEM NO:** EGROW 03  
**FILE NO:** 065466.2018  
**SUBJECT:** Intermodal Committee Recommendations from February 2018 meeting

**RECOMMENDATION**

That Council determines whether or not to allocate approximately \$4000 of the existing Intermodal budget to fund a mail out to local residents in areas surrounding the proposed Intermodal.

**COUNCIL DECISION**

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

That Council allocates approximately \$4,000 of the existing Intermodal budget to fund a mail out to local residents in areas surrounding the proposed Intermodal.

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



**ITEM NO:** CEO 02  
**FILE NO:** 065239.2018  
**SUBJECT:** 2018 National General Assembly of Local Government

### RECOMMENDATION

That Council:

1. Nominates delegates to attend the 2018 National General Assembly of Local Government to be held in Canberra from Sunday 17 June – Wednesday 20 June 2018; and
2. Determines whether to submit any motions, concerning the theme of “*Australia’s future: make it local*”, for debate at the National General Assembly.

### COUNCIL DECISION

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

That Council:

1. Nominates delegates to attend the 2018 National General Assembly of Local Government to be held in Canberra from Sunday 17 June – Wednesday 20 June 2018;
2. Determines whether to submit any motions, concerning the theme of “*Australia’s future: make it local*”, for debate at the National General Assembly; and
3. Interested Councillors who wish to attend to advise the CEO’s office.

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

**Motion:** **Moved: Clr Hagarty** **Seconded: Clr Rhodes**

That any suitable motions as supported by this Council be forwarded to the National General Assembly for their agenda, noting the deadline for motions to be submitted is 30 March 2018.

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

**CITY COMMUNITY AND CULTURE REPORT**

**ITEM NO:** COM 01  
**FILE NO:** 065420.2018  
**SUBJECT:** Community Development and Planning Charters

**RECOMMENDATION**

That Council:

1. Receives and adopts the updated Liverpool Access Committee Charter;
2. Receives and adopts the updated Liverpool Community Safety and Crime Prevention Advisory Committee Charter; and
3. Receives and adopts the updated Aboriginal Consultative Committee Charter.

**COUNCIL DECISION**

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

That Council:

1. Receives and adopts the updated Liverpool Access Committee Charter;
2. Receives and adopts the updated Liverpool Community Safety and Crime Prevention Advisory Committee Charter; and
3. Receives and adopts the updated Aboriginal Consultative Committee Charter with the exception that any references of the Aboriginal Consultative Committee being chaired by a person who is not of Aboriginal descent be deleted.

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

**CITY CORPORATE REPORT**

**ITEM NO:** CORP 01  
**FILE NO:** 045148.2018  
**SUBJECT:** Investment Report February 2018

**RECOMMENDATION**

That Council receives and notes this report.

**COUNCIL DECISION**

**Motion:**                                      **Moved: Clr Kaliyanda**                      **Seconded: Clr Harle**

That the recommendation be adopted.

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



**Vote for:** Mayor Waller  
Clr Ayyad  
Clr Balloot  
Clr Hadchiti  
Clr Hadid  
Clr Hagarty  
Clr Harle  
Clr Kaliyanda  
Clr Karnib  
Clr Rhodes

**Vote against:** Clr Shelton

**ITEM NO:** CTTE 02  
**FILE NO:** 060593.2018  
**SUBJECT:** Minutes of the Liverpool Youth Council Committee Meeting held 14 February 2018

**RECOMMENDATION**

That Council:

1. Receives and notes the Minutes of the Liverpool Youth Council Meeting held on 14 February 2018; and
2. Endorse the recommendations in the Minutes.

**COUNCIL DECISION**

**Motion:**                                  **Moved: Cllr Hagarty**                  **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:** 065536.2018  
**SUBJECT:** Minutes of the Audit, Risk and Improvement Committee Meeting held on 9 February 2018

**RECOMMENDATION**

That Council:

1. Receives and notes the Minutes of the Audit, Risk and Improvement Committee Meeting held on 9 February 2018; and
2. Endorses the recommendations in the Minutes.

**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:** CTTE 04  
**FILE NO:** 066812.2018  
**SUBJECT:** Minutes of the Civic Advisory Committee Meeting held 6 March 2018

**RECOMMENDATION**

That Council;

- 1. Receives and adopts the minutes of the Civic Advisory Committee Meeting held on 6 March 2018; and
- 2. Endorses the Committee’s recommendation as contained in the minutes for Liverpool Neighbourhood Connections to be the recipient of the funds raised from the 2018 Liverpool City Council Charity Ball.

**COUNCIL DECISION**

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

That the recommendation be adopted.

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

**ITEM NO:** CTTE 05  
**FILE NO:** 070704.2018  
**SUBJECT:** Minutes of Budget Review Panel 22 February 2018

**RECOMMENDATION**

That Council adopts the minutes of the Budget Review Panel meeting held on 22 February 2018.

**COUNCIL DECISION**

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

That the recommendation be adopted.

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

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**QUESTIONS WITH NOTICE**

**ITEM NO:** QWN 01  
**FILE NO:** 060952.2018  
**SUBJECT:** Question with Notice - Clr Kaliyanda

Please address the following:

**1. Have the merits of extending the operating hours of Liverpool City Library and Carnes Hill Library during the Higher School Certificate trial exam and final exam previously been considered?**

- The library has looked at an increase in opening hours amongst a range of other service improvements to assist Liverpool students with the HSC.
- The HSC programs began last year and this year will include:
  - Master Essay Writing (Feb) - completed
  - HSC half year revision: English (Apr) – Carnes Hill Library
  - HSC half year revision: General 2 (Apr) – Carnes Hill Library
  - HSC half year revision: Advanced mathematics (Apr) – Carnes Hill Library
  - Mock Trials: English Paper 1 (Jul) – Liverpool City Library
  - Mock Trials: English Paper 2 (Jul) – Liverpool City Library
  - Mock Trials: General Maths (Jul) – Liverpool City Library
  - Mock Trials: Advanced Maths (Jul) – Liverpool City Library
  - Last Minute to Band 6 HSC Talk (Aug) – Carnes Hill Library
  - HSCram – in partnership with University of Sydney (Oct - unplanned) – Liverpool City Library
  - Succeeding in the HSC (Dec – unplanned) – Carnes Hill Library
- Our HSC services also include access to online study resources available to Library members at home including [HSC Study Lab](#).
- We are also developing a partnership with University of Sydney through their [Widening Participation and Outreach Program](#) which will deliver additional support to high school students for their studies through study support programs at Liverpool Library and access to [Studiosity](#) (online homework and study support).
- Western Sydney University (WSU) Campus Library is also available to the public as a quiet study space. It is however fairly small, and there is no access to other library services.

<b>Opening hours</b>	<b>During Session (includes Intra-Session break)</b>	<b>Inter-Session Break (includes Summer Session)</b>
Mon - Thu	8:00 am - 9:00 pm	8:30 am - 6:00 pm
Fri	8:00 am - 7:00 pm	8.30 am - 5.30 pm
Sat (until Apr 29)	12:30 pm - 4:30 pm	12:30 pm - 4:30 pm
Sun	12:30 pm - 4:30 pm	CLOSED

The weekend opening hours will be extending from May, from 9.30am-4.30pm Saturday and Sunday.

**2. If so, what are the findings of any investigation or study carried out?**

- That on a financial basis the programing mentioned above was better value for Council. The programs listed above have a budget of \$8200.
- Low staffing levels and a lack of casuals would make staffing the extra hours very difficult.

**3. What are the financial/budget implications of extending the opening hours of both libraries to 9am – 8.30pm, Monday – Sunday during the HSC period (mid-September to mid-November)?**

- Over a nine week period this would involve Liverpool Library being open an additional 110 hrs and Carnes Hill Library 191hrs for a total of 301 hours.
- The vast majority of these hours would need to be paid as overtime and each branch would require a minimum of three (3) staff for safety as well as service requirements. This would equal 903 staff hours at overtime or casual loading.
- At least one staff member would need to be a Grade 10 or above and the remaining two could be Grade 5 or a Grade 5 casual. This would however depend on staff availability and willingness to work and could require higher grade staff being the only people available.
- Staff costs are estimated to be in the vicinity of \$56K to \$60K+ not including the administrative time to set this up e.g. additional rostering, promotions etc
- Other ancillary costs would include increased security costs and utilities costs.

**4. What timeframe and process would be required to make these changes to the opening hours of these two highly patronised libraries?**

- Roster would require rewriting and negotiation with staff conducted.

- Air-conditioning, alarms and any other computerised functions would need adjustment.
- Promotion conducted.
- Security contract extra hours organised.
- Business case to finance for the extra overtime and casual funds created and approved.
- Timeframe would be within two months.

**Alternative Extension of Hours**

1. Change the late closing of Green Valley Library from Tuesday and Thursday (currently shared with Carnes Hill, Casula and Moorebank Libraries) to Monday and Wednesday.
  - This would mean that from Monday to Thursday there would be 2 libraries in the network (including Liverpool) open to 8pm.
  - There are no financial implications.
2. Open Carnes Hill Library till 8pm Monday to Friday rather than the current 5pm close Monday Wednesday and Friday.
  - With the above change to Green Valley Library this would allow the Liverpool network to have 3 libraries open till 8pm most nights a week.
  - Over a 9 week HSC period this would cost Council approximately \$15K to \$17K on the basis this would be overtime and casual hours.
  - This could also act as a trial for Carnes Hill Library to be permanently open till 8pm Monday to Friday as it is an opportunity to gauge community interest.

**ITEM NO:** QWN 02  
**FILE NO:** 075495.2018  
**SUBJECT:** Question with Notice - Clr Hadchiti

Please address the following:

1. The SDRO currently reviews (if requested) and collects infringements that Council Officers issue.  
Is there anything in the Act that states that this process needs to be undertaken by the SDRO, or does Council have the option to take over this process?
2. Where two properties commit the exact same offence in relation to a compliance issue the total dollar amount of the infringement issued could vary as a whole depending on how many owners each property has.  
For example Property A has one owner so is issued 1x\$3,000 fine. Property B has 4 owners so is issued 4x\$3,000 fines. Is there anything in the Act that prevents Council from only issuing one Infringement instead of four, or a total amount divided by the number of owners?
3. Who has the authority within Council to issue an Order in relation to compliance?
4. What review processes are in place to ensure that if an order is issued it is issued correctly?
5. How many Notices of Proposed Order have been issued since 1/07/2016 and how many of these have followed through into the order being issued?
6. What was the total amount collected for each year from infringement revenue in the 2015/2016 & 2016/2017 financial years? What is the YTD figure for the 2017/2018 financial year?
7. How many appearances has Council had to make in Court defending an infringement that has been challenged since 1/07/2016?
8. What has the estimated cost been for Council to attend and what has been the outcome?

**A response to these Questions with Notice will be provided in the April 2018 Business Papers.**





**Clr Rhodes left the Chambers at 7.22pm.**

**ITEM NO:** NOM 02  
**FILE NO:** 075768.2018  
**SUBJECT:** Problem Gambling

**BACKGROUND**

Earlier this month the State Government passed changes to the regulation of gaming machines in hotels and clubs. The changes will see assessments move from the current LGA level to the smaller Statistical Area 2 (SA2) level. Significantly, each SA2 is assigned a score based on Socio-Economic Indexes for Area (SEIFA), gaming machine expenditure per capita and number of gaming machines per capita. Each SA2 is then allocated to bands, where:

- Band 3 – 20% of SA2s with highest levels of socio-economic disadvantage (high risk). Areas in this band would have level of poker machines capped at current levels.
- Band 2 – 30% of SA2s with moderate levels of socio-economic disadvantage (medium risk). Areas in this band would have scope for more poker machines to be approved.
- Band 1 – 50% of SA2s with lower levels of socio-economic disadvantage (low risk). Areas in this band would be “free for all” for approval of extra poker machines.

Liverpool is made up of approximately a dozen SA2s. According to information on the Liquor and Gaming website, hotels and clubs will now be allowed to move gaming machines from neighbouring SA2s regardless of whether they lie in the same LGA or not. As per current legislation, the changes continue to allow machines to be moved within an LGA. Under these new arrangements Liverpool is faced with the scenario of poker machines being moved into the CBD from neighbouring areas in the Fairfield LGA such as Cabramatta and Mount Pritchard, an area that now has a cap of the number of gaming machines. Once in the Liverpool CBD these machines can then be moved anywhere in the LGA.

Curiously, applications for an increased number of machines in SA2s branded as either Band 1 or 2 can be made without a Local Impact Assessment if the machines are from within the same LGA. These applications are then assessed by the Department, potentially without any input by the local community.

In 2010, a Productivity Commission Report highlighted the link between regular use of electronic gaming or poker machines (EGMs) and high problem gambling prevalence rates. Problem gambling has been found to have the following impacts:

- financial harm
- relationship breakdown, conflict or disruption
- emotional or psychological distress
- deconditioning of health
- cultural harm
- reduced performance at work/study
- criminal activity

For every person that experiences harm from problem gambling, approximately 5-10 others are impacted, including children. This does not consider full-lifetime impacts of gambling harm or the impacts of less severe problem gambling (Department of Social Services, 2017).

The availability of gambling machines in the community, also called accessibility, is often linked to problem gambling (Vasiliadis et al, 2013). The Liverpool Local Government Area (LGA) ranks in the top 10 LGAs of losses per poker machine in NSW, with each machine causing approximately \$87,305 in losses (Alliance for Gambling Reform, 2017).

At the moment, the views of local communities and local governments are routinely ignored when it comes to the placement of poker machines. Local government should have the ability to meaningfully represent residents and have a genuine say on where poker machines are to be located.

In late 2016, following an extended community and legal campaign by local residents and Liverpool Council, the Land and Environment Court rejected a proposal for a pub in Casula with fifteen poker machine licences due to the risk of adverse social impacts that it would have on the area. This is despite the existing Gaming Machines Act requiring that no new venue should be located close to a school. Therefore, what should have been a straightforward case for the application to be denied if the Act was being followed, required significant community and Council resources to be expended to fight for a fair and logical outcome.

The changes to the regulations threaten the health and wellbeing of our residents, especially younger residents who are at greatest risk.

### **NOTICE OF MOTION (Submitted by Councillor Kaliyanda)**

That Council:

1. Directs the CEO to write to Liquor and Gaming NSW and the relevant Minister to advocate for local governments to have a greater say in the placement of poker machines;
2. Reflect this position when reviewing and making comment on liquor license and gaming machine applications as per section 6.4.2 of the Social Impact Assessment Policy;
3. Set up a register to track the number and location of poker machines within the LGA, and make this information publicly available via the website;
4. Advise residents via social media, the website, and letter, as per the Notification Policy, of applications to transfer or add poker machine numbers in the LGA; and
5. Provide Councillors with quarterly reporting on the number of poker machines in the LGA, in line with section 6.4.5 of the Social Impact Assessment Policy.

**COUNCIL DECISION**

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

That the recommendation be adopted.

**Foreshadowed motion:**                      **Moved: Clr Hadchiti**                                      **Seconded: Clr Hadid**

That Council:

1. Receives and notes the Chief Executive Officer's comment to the Notice of Motion (as shown below);
2. As part of the minutes includes the Hansard transcripts relating to the Liquor and Gaming Legislation Amendment Bill 2018 and associated Bills; and
3. Notes it will be given double the amount of time to develop submissions with consultation periods increasing from 30 days to 60 days which includes Council's ability to nominate local service providers to be consulted as part of any Local Impact Assessment (LIA).

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

**Division called on the Motion (moved by Clr Kaliyanda):**

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

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

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

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

**CHIEF EXECUTIVE OFFICER'S COMMENT**

---

1. Council submitted a letter to then Premier, Mike Baird in December 2014, outlining concerns around the impact of gambling in the Liverpool LGA, and how reforms to gaming legislation should include appropriate planning powers and compulsory

consultation with local Councils on the placement and distribution of Electronic Gaming Machines (EGMs) in the LGA. The letter stated:

*“In order for Liverpool City Council to properly address this important social issue we request that you take the following actions:*

1. *Repeal Section 209 of the NSW Gaming Machines Act 2001 that precludes councils from considering the social impact of EGMs on local communities when determining development applications and related matters; and*
2. *Provide planning powers to local government (the closest tier of government to the community) to consider and determine all aspects of the provision of EGMs and other gambling devices in their respective local government areas.”*

The Premier’s office referred Council’s letter to the relevant Minister, who did not respond. Council’s Community Planning team currently provide comment on applications in relation to the placement of gaming machines in venues in the Liverpool LGA, particularly where Class 1 Local Impact Assessments (LIA) are required. These are submitted for consideration by the Independent Liquor & Gaming Authority (ILGA) as the determining authority for liquor and gaming applications in NSW.

2. The existing legislation requires that venues consult with Council on liquor licensing and gaming machine applications. Recent reforms to the Gaming Machines Act that came into effect on 15 March 2018 improve the community consultation mechanisms and transparency of the application process. Key reforms include:
  - Caps on machine numbers
  - Changes to the Local Impact Assessment scheme
  - Greater weight given to the socio-economic factors in local communities when assessing applications for extra machines
  - Greater number of agencies and organisations consulted on applications
  - Longer consultation periods - change from 30 to 60 days
  - A newly reconstituted Responsible Gambling Fund will manage a centralised fund for contributions from venues seeking gaming machine increases
  - Detailed statistics on gaming machines activity in every NSW LGA will be accessible on the L&G NSW website for free and updated every six months, which will detail numbers of machines, net profits and rankings of net profits for all NSW venues.

More information is available on the attached infographic on Gaming Machine Reforms.

Consideration of the placement and density of existing EGMs informs any comment the Community Planning team provide in relation to new applications for EGMs in Liverpool venues.

3. Liquor and Gaming NSW (L&GNSW) maintains the Liquor and Gaming Application Noticeboard that provides a search function whereby any interested party can search the name, licensee, or license type of a venue to learn the type of license held by said venue. This licensing information includes the number of EGMs a venue is licensed to hold. The noticeboard lists all current liquor and gaming applications and associated LIAs submitted by applicants. Anyone who wishes to make a submission may do so directly to OLGA via the noticeboard. Additionally, the L&GNSW publishes separately a list of pending LIAs directly related to gaming machine applications. A Council register of the number of EGMs in the LGA would be a duplication of this function of the L&GNSW.
4. Unless an application has the potential for major impact on the community (such as the Casula Hotel application), it is not Council's current policy to encourage other parties to comment on Development Applications. Such a process is likely to be time consuming and resource intensive to Council. As this is not currently part of Council's assessment processes for other forms of DAs and liquor and gaming license applications, doing so in the case of EGMs would prove difficult to initiate and time consuming to maintain.
5. Currently quarterly statistics on the number of EGMs located within an LGA can be sourced from L&GNSW. This information is available to councils, organisations and individuals who seek it, and will be provided for a fee of \$150.00 per occasion. L&GNSW advises that information is made available through this service from 25 days after the end of the previous quarter, and can be obtained via email using an online application form. The report can contain de-identified information on turnover, net profit, tax, number of authorised gaming machines and number of licensed premises by LGA. The L&GNSW website also contains an interactive map, which provides a suburb-by-suburb breakdown of the maximum number of EGMs allowed per suburb. This service does not provide the current number of EGMs in the suburb, rather the maximum number permitted.

As previously mentioned, the legislative reforms will enable more detailed statistical data to be made available to the public free of charge.

For further information attached are the following fact sheets:

- Gaming Machine Reforms Flowchart
- Gaming Machine Reforms Process Flowchart – Class 1 LIA
- Local Impact Assessment scheme overview
- How to prepare a submission for a gaming application with a Local Impact Assessment (LIA).

Clr Rhodes returned to the Chambers at 7.30pm.

Clr Kaliyanda left the Chambers at 7.40pm.

Clr Kaliyanda returned to the Chambers at 7.42pm.

**ITEM NO:** NOM 03  
**FILE NO:** 076074.2018  
**SUBJECT:** Macquarie Mall Smoking

**BACKGROUND**

Complaints and objections to Council by shopkeepers, patrons, visitors and others who frequent Macquarie Mall as to the prevalence of smoking in the Mall are starting to reach a tipping point. While such complaints and objections have been made frequently in the past and are hardly new the degree of concern has in recent times reached a new level. The past shows any government body seeking to be proactive in this area has needed to show determination and courage, and given Liverpool Council's limited legal powers and financial resources this is just as applicable to any future action that might taken in the Mall.

**NOTICE OF MOTION (Submitted by Councillor Shelton)**

That Council obtains a report for a future briefing session as to the following:

1. The extent of Council's legal powers to police and regulate smoking in Macquarie Mall;
2. The extent of Council's existing resources, financial or otherwise, to police and regulate smoking in Macquarie Mall;
3. Options (and any attendant issues) as to how smoking in Macquarie Mall might in the future be regulated and policed; and
4. Any other matter staff may feel is relevant.

**COUNCIL DECISION**

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

That Council obtains a report for a future briefing session as to the following:

1. The extent of Council's legal powers to police and regulate smoking in Macquarie Mall;
2. The extent of Council's existing resources, financial or otherwise, to police and regulate smoking in Macquarie Mall;

3. Options (and any attendant issues) as to how smoking in Macquarie Mall might in the future be regulated and policed;
4. Any other matter staff may feel is relevant;
5. Gather some information from the business owners on their views on the issue;
6. That the matter and the substance of this motion be referred to the CBD Committee for their consideration; and
7. That a survey for all residents be included in Liverpool Listens.

**Foreshadowed motion:      Moved: Clr Ayyad                      Seconded: Clr Hadchiti**

That Council:

1. Gather some information from the business owners on their views on the issue with a report to come back to the June Council meeting;
2. That the matter and the substance of this motion be referred to the CBD Committee for their consideration; and
3. Include a survey for all residents in Liverpool Listens.

On being put to the meeting the motion was declared CARRIED and the Foreshadowed Motion therefore lapsed.

**Division called on the Motion (moved by Clr Shelton):**

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

**Vote against:**              Clr Ayyad  
    Clr Ballot  
    Clr Hadchiti  
    Clr Hadid

**ITEM NO:** NOM 04  
**FILE NO:** 076154.2018  
**SUBJECT:** Early Childhood Development

## **BACKGROUND**

Liverpool City Council is a highly respected provider of early childhood development services including as an operator of six Early Education and Care Centres and one Pre-School. A CBD facility has also been under consideration. Council's services to the community in this regard have received many awards for attainments in quality and generally set the benchmark by which other providers are judged. These services are operated on a break even basis and community demand for early childhood development services of the highest calibre remains high. The programs in each centre provide a range of planned and spontaneous learning experiences for the young, and curriculum planning is based on the National Early Years Learning Framework. Given the high degree of community satisfaction with these Council provided services, the growing demand for such services, the expected increases in and movement of population especially in terms of the growth of high rise living and Council's achievements generally in the area of early childhood development, the following motion is suggested.

### **NOTICE OF MOTION (Submitted by Councillor Shelton)**

That Council receive a report at a future briefing session dealing with the following:

1. Projected future demand for early childhood development services from Council both generally and as to particular regions within the LGA;
2. Projected future demand for early childhood development services from other providers both generally and as to particular regions within the LGA;
3. The extent to which strategies are in place or are being developed to address such changes in demand;
4. Any relevant anticipated changes to the regulatory environment in which Council operates in this regard;
5. The extent to which such services are available for children with special needs in the LGA; and
6. The suitability and availability of present (and likely future) accommodation for such services.



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

- A. That Council receive a report at a future briefing session dealing with the following:
1. Projected future demand for early childhood development services from Council both generally and as to particular regions within the LGA;
  2. Projected future demand for early childhood development services from other providers both generally and as to particular regions within the LGA;
  3. The extent to which strategies are in place or are being developed to address such changes in demand;
  4. Any relevant anticipated changes to the regulatory environment in which Council operates in this regard;
  5. The extent to which such services are available for children with special needs in the LGA; and
  6. The suitability and availability of present (and likely future) accommodation for such services.
- B. Council also notes the comments of the Chief Executive Officer to the Notice of Motion, as shown below:

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

**CHIEF EXECUTIVE OFFICER'S COMMENT**

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The CEO will bring forward a report at a future briefing session that addresses the issues raised within the motion.

**Clr Ayyad left the Chambers at 7.52 pm.**

**CONFIDENTIAL ITEMS**

**ITEM NO:** CONF 01  
**FILE NO:** 005645.2018  
**SUBJECT:** RCL2662 - Contaminated Land Management Consultancy Services

**RECOMMENDATION**

That Council:

1. Accepts the Tender from the contractors listed in below for Tender RCL2662 - Contaminated Land Management Consultancy Services as an open panel for an initial period of three years, with a two x 12 months extension option at prices submitted under the schedule of rates:
  - Arcadis Australia Pacific Pty Ltd;
  - WSP Australia Pty Ltd;
  - Glaeba (02) Pty Ltd T/A Environmental Earth Sciences;
  - EP Risk Management Pty Ltd;
  - GHD Pty Ltd; and
  - Site Environmental & Remediation Services Pty Ltd.
2. Makes public its decision regarding Tender RCL2662 – Contaminated Land Management Consultancy Services;
3. Notes that the Director Infrastructure and Environment will finalise all details and sign the Letter of Acceptance 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:** Cllr Ayyad was not in the Chambers when this item was voted on.

**THE MEETING CLOSED AT 7.52pm.**

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 26 April 2018

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 28 March 2018. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.



## MINUTES OF THE ORDINARY MEETING HELD ON 26 APRIL 2018

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### PRESENT:

Mayor Wendy Waller  
 Councillor Ayyad  
 Councillor Balloot  
 Councillor Hadchiti  
 Councillor Hadid  
 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  
 Ms Margaret Diebert, Acting Director City Presentation  
 Mr Raj Autar, Director City Infrastructure and Environment

The meeting commenced at 6.00pm.

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<b>OPENING</b>	6.00pm
<b>ACKNOWLEDGMENT OF COUNTRY, PRAYER OF COUNCIL AND AFFIRMATION TO BE READ BY</b>	The prayer of the Council was read by Reverend John Hall from Open Heaven Church.
<b>NATIONAL ANTHEM</b>	The National Anthem performed and recorded by Rebekah Ferro.
<b>Motion:</b>	<b>Moved: Cllr Harle      Seconded: Cllr Shelton</b>
<b>APOLOGIES</b>	Cllr Hagarty
On being put to the meeting the motion was declared CARRIED.	
<b>CONDOLENCES</b>	Nil

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Minutes of the Ordinary Council Meeting held on Thursday, 26 April 2018 and confirmed on Wednesday, 30 May 2018

.....  
Chairperson

**CONFIRMATION OF MINUTES**

**Motion:**

**Moved: Clr Harle**

**Seconded: Clr Hadid**

That the minutes of the Ordinary Meeting held on 28 March 2018 be confirmed as a true record of that meeting.

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

**DECLARATIONS OF INTEREST**

Nil

**PUBLIC FORUM**

**Presentation – items not on agenda**

1. Ms Fiona Macnaught addressed Council on the following matter:

Sale of Lot 6 Newbridge Road, Moorebank.

**Representation – items on agenda**

Nil

**MAYORAL MINUTE**

**ITEM NO:** MAYOR 01  
**FILE NO:** 114939.2018  
**SUBJECT:** Thank You for Support Received in the April Bushfires

On the weekend of 14 April, bushfires threatened homes in Wattle Grove, Holsworthy, Voyager Point and Pleasure Point. The Rural Fire Service, Emergency Service personnel and the Moorebank Sports Club all played a significant role in providing urgent, critical support to our community during this stressful period.

The Rural Fire Service were on the ground battling the fire and kept the wider community updated on the surrounding conditions. Emergency Service personnel arrived in Casula on the Saturday afternoon when the first fire started and their work continued throughout the following days. Residents who had to flee their homes sought refuge at the emergency evacuation centre in the Moorebank Sports Club.

Our community is deeply relieved to hear that no lives were lost in the fires and we are extremely grateful to all those involved in supporting residents who were affected. Council has organised a 'Liverpool Says Thank You' community fun day to properly thank the Rural Fire Service, Emergency Services and volunteers. The event will be held on the afternoon of Sunday 6 May 2018 at Casula Powerhouse Arts Centre with the whole community invited to attend.

**COUNCIL DECISION**

**Motion:** **Moved: Mayor Waller**

That Council thank the Rural Fire Service, Emergency Services and the Moorebank Sports Club for their work during the bushfires.

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





**Clr Hadchiti retired from the meeting at 6.15 pm.**

**CITY COMMUNITY AND CULTURE REPORT**

**ITEM NO:** COM 01  
**FILE NO:** 064473.2018  
**SUBJECT:** Leisure Centre Management Options Investigation

**RECOMMENDATION**

That Council receives and notes this report.

**COUNCIL DECISION**

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

That Council:

1. Receives and notes this report and postpones this matter for further consideration until a time approximately 12 months prior to the conclusion of the current contract or any option to renew.
2. Further Councillors are to be provided with a report comparing event fees charged by the current management and of comparative neighbouring Councils by the June meeting.

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

**ITEM NO:** COM 02  
**FILE NO:** 069963.2018  
**SUBJECT:** Grants, Donations and Corporate Sponsorship

## RECOMMENDATION

That Council endorses the funding recommendation of **\$32,748** (GST exclusive) under the **Corporate Sponsorship (Outgoing) Program** for the following projects:

Applicant	Project	Recommended
Police Citizens Youth Clubs NSW	Time4Kids	\$7,000
Vedic Festival Incorporated	Festival of Chariots	\$10,000
Liverpool Women's Resource Centre	Nite Under the Stars	\$5,748
South West Metro Waratahs	Annual Aboriginal Koori Knockout Carnival	\$10,000

That Council endorses the funding recommendation of **\$27,765** (GST exclusive) under the **Sustainable Environment Grants Program** for the following projects:

Applicant	Project	Recommended
SCRAP	Small Scale Sustainability	\$2,100
Bringelly Public School	School Garden	\$4,600
All Saints Catholic Primary School	Educational Garden	\$3,170
Good Samaritan Catholic College	Think Big, Eat Local	\$5,000
Wheels Towards Independence	Gunalung Garden	\$5,000
Cartwright Public School	Accessible Garden	\$3,400
St Therese Catholic Primary School	Indigenous/Vegetable Garden	\$4,495

That Council endorses the funding recommendation of **\$21,500** (GST exclusive) under the **Community Grants Program** for the following projects:

Applicant	Project	Recommended
The Junction Works Ltd	Transition to Big School Program	\$2,500



**ITEM NO:** COM 03  
**FILE NO:** 091159.2018  
**SUBJECT:** Draft Social Justice Policy

**RECOMMENDATION**

That Council endorse the Draft Social Justice Policy for public exhibition.

**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.**

**CITY CORPORATE REPORT**

**ITEM NO:** CORP 01  
**FILE NO:** 089816.2018  
**SUBJECT:** Investment Report March 2018

**RECOMMENDATION**

That Council receives and notes this report.

**COUNCIL DECISION**

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

That the recommendation be adopted.

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

**COMMITTEE REPORTS**

**ITEM NO:** CTTE 01  
**FILE NO:** 080344.2018  
**SUBJECT:** Minutes of the Aboriginal Consultative Committee Meeting held on 1 February 2018.

**RECOMMENDATION**

That Council receives and notes the Minutes of the Aboriginal Consultative Committee Meeting held on 1 February 2018.

**COUNCIL DECISION**

**Motion:**                                    **Moved: Clr Kaliyanda**                    **Seconded: Clr Ayyad**

That the recommendation be adopted.

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

**ITEM NO:** CTTE 02  
**FILE NO:** 083836.2018  
**SUBJECT:** Minutes of the Environment Advisory Committee Meeting held on 20 February 2018

**RECOMMENDATION**

That Council receives and notes the Minutes of the Environment Advisory Committee Meeting held on 20 February 2018.

**COUNCIL DECISION**

**Motion:**                                **Moved: Cllr Rhodes**                **Seconded: Cllr Ayyad**

That the recommendation be adopted.

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

**ITEM NO:** CTTE 03  
**FILE NO:** 088555.2018  
**SUBJECT:** Minutes of the Local Traffic Committee Meeting held on 14 March 2018

## RECOMMENDATION

That Council adopts the following recommendations as outlined in the attached minutes:

- i) Item 1 - Miller Road, Miller – Proposed Linemarking
  - Council approves linemarking of separation lines (S1), and 10m 'BB' lines at the intersections off Miller Road between Cartwright Avenue and Polwarth Street, as shown in Attachments 1.1 – 1.3.
- ii) Item 2 - Edmondson Park Town Centre – Proposed Signs and Linemarking Scheme
  - Council approves the revised signs and linemarking scheme.
- iii) Item 3 - Campbell Street, Liverpool – Proposed Central Median Island
  - Council approves the installation of a 0.5m central median island along Campbell Street, as shown in Attachment 3.1.
  - Council submits a revised traffic signal design plan which includes the median island for the Roads and Maritime Services approval, prior to installation.
- iv) Item 4 - Armistice Day Parade, Moore Street, Liverpool – Classification of Road Event
  - Council approves the Freedom of Entry parade route as shown in Attachment 4.1 for the Armistice Day celebrations.
  - Council classifies the event as Class 2.
  - Council requests the organisers to submit a Special Event Transport Management Plan to the Roads and Maritime Services for endorsement.
  - Council notifies the local bus companies, emergency services and the general public.
- v) Item 5 - Ardennes Avenue, Edmondson Park – Proposed Traffic Management
  - Council approves a revised interim left in/left out access arrangement to the service station, off Ardennes Avenue, Edmondson Park.
  - Council approves the roundabout.
  - Council approves an ultimate access arrangement, including the roundabout and a central median island from Camden Valley Way to the roundabout.
- vi) Item 6 - Moore Street, Liverpool – Proposed Pedestrian Crossing Facility
  - Council approves a pedestrian refuge across Moore Street, Liverpool as shown in Attachment 6.1.
- vii) Item 7 - Hume Highway, Casula – Proposed Shared Path



- Council approves the construction of shared user path and installation of associated signs and linemarking as shown in Attachment 7.1.
- Council submits a design plan of a signalised pedestrian/cycle path crossing at the Hume Highway and Kurrajong Road intersection to the Roads and Maritime Services.

viii) Item 8 - Items Approved Under Delegated Authority

- Council notes the traffic facilities approved under the delegated authorities as outlined in the report.

**COUNCIL DECISION**

**Motion:**                                 **Moved: Clr Kaliyanda**                 **Seconded: Clr Ayyad**

That the recommendation be adopted.

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

**ITEM NO:** CTTE 04  
**FILE NO:** 089742.2018  
**SUBJECT:** Minutes of the Liverpool Community Safety and Crime Prevention Advisory Committee Meeting held on 1 March 2018

**RECOMMENDATION**

That Council receives and notes the Minutes of the Community Safety and Crime Prevention Committee Meeting held on 1 March 2018.

**COUNCIL DECISION**

**Motion:**                                      **Moved: Clr Kaliyanda**                      **Seconded: Clr Ayyad**

That the recommendation be adopted.

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



**ITEM NO:** CTTE 06  
**FILE NO:** 094614.2018  
**SUBJECT:** Minutes of the Strategic Panel Meeting held on 9 April 2018

**RECOMMENDATION**

That Council receives and notes the Minutes of the Strategic Panel Meeting held on 9 April 2018.

**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.

**QUESTIONS WITH NOTICE**

**ITEM NO:** QWN 01  
**FILE NO:** 075600.2018  
**SUBJECT:** Question with Notice - Clr Hadchiti

**Please address the following:**

- 1. The SDRO currently reviews (if requested) and collects infringements that Council Officers issue.**

**Is there anything in the Act that states that this process needs to be undertaken by the SDRO, or does Council have the option to take over this process?**

Whilst there is nothing in the Act preventing the review process being undertaken by Council, it is not best practice for the issuing authority to review its own fines. Council has a service level agreement with Revenue NSW (previously State Debt Recovery Office) for a premium processing service which includes reviewing infringements. Revenue NSW provide processing service for over 250 agencies who issue penalty notices.

The Revenue NSW review service provides independence in the review process, at arms-length from infringement issuers. For this reason, Revenue NSW has arrangements in place to conduct reviews on behalf of almost all Councils and government departments. The Review Guidelines applied by Revenue NSW are consistent with the Attorney General's Guidelines.

- 2. Where two properties commit the exact same offence in relation to a compliance issue the total dollar amount of the infringement issued could vary as a whole depending on how many owners each property has.**

**For example Property A has one owner so is issued 1x\$3,000 fine. Property B has 4 owners so is issued 4x\$3,000 fines. Is there anything in the act that prevents Council from only issuing one Infringement instead of four, or a total amount divided by the number of owners?**

The caselaw and legislation that deal with offences against the Environmental Planning and Assessment Act set out who is liable for those offences.

Failure to comply with an Order is an offence, for which every person that is an owner of the property the subject of the Order is separately liable.

Any fine must therefore be issued to all liable parties. The amount of the fine is prescribed by the EP&A regulations and this cannot be reduced in instances where there are multiple liable parties.

However, all penalty infringement notices are subject to independent review by the Local Court. In circumstances where, based on evidence applicable to the particular circumstances, the Court felt that a certain owner should receive relief, that relief can be granted.

**3. Who has the authority within Council to issue an Order in relation to compliance?**

An Authorised Officer with delegation from the CEO. Authorised Officers include operational staff within the compliance team.

**4. What review processes are in place to ensure that if an order is issued it is issued correctly?**

The Community Standards department has documented procedures and processes. These processes have been reviewed by Council's legal team and external law firms / barristers. The procedures are found electronically on Council's IPlan internet module. Prior to issuing notices/orders and correspondence, the documents are reviewed, checked and co-signed by the Team Leader.

In addition to Council's legal team review, ICAC investigation officers reviewed Council's compliance processes in 2016 and found them to be best practice. Recently the Ombudsman's office also reviewed Council's processes in relation to a specific complaint and found them to be appropriate.

**5. How many Notices of Proposed Order have been issued since 1/07/2016 and how many of these have followed through into the order being issued?**

From 1/7/2016 until 23/3/18, 732 complaints have been received regarding unauthorised works, unauthorised use and non-compliance with development consent. Following investigation of these complaints 265 notices were issued followed by 265 orders.

**6. What was the total amount collected for each year from infringement revenue in the 2015/2016 & 2016/2017 financial years? What is the YTD figure for the 2017/2018 financial year?**

Infringements	2016 Actuals	2017 Actuals	2018 Forecast	2019 Budget
<b>Other Fines</b>				
Animal Control	98,685	154,740	60,900	62,118
Building Approval and Compliance	59,295	135,894	30,450	34,763
Fire Safety	-	-	-	-
Health Inspections	24,469	29,671	30,450	31,059
Illegal Waste	92,803	164,233	43,212	44,076
Regulatory Rangers	165,801	242,883	203,000	207,060
<b>Other Fines</b>	<b>441,053</b>	<b>727,421</b>	<b>368,012</b>	<b>379,076</b>
<b>Parking Fines</b>	<b>2,644,874</b>	<b>3,198,188</b>	<b>2,030,000</b>	<b>2,570,600</b>
	<b>3,085,928</b>	<b>3,925,609</b>	<b>2,398,012</b>	<b>2,949,676</b>

**7. How many appearances has Council had to make in Court defending an infringement that has been challenged since 1/07/2016?**

Since 1 July 2016, Council has appeared in Court on a total of 84 occasions in response to Court-elected Penalty Infringement Notices. This includes all kinds of penalties, including parking fines.

**8. What has the estimated cost been for Council to attend?**

Council has been represented by either the Police Prosecutor at first mention of a court elected Penalty Notice, in accordance with the Service Level Agreement between Liverpool City Council and Revenue NSW, or by in-house solicitors at further mentions and hearings. Therefore costs are within Council's operational budget.

**9. What has been the outcome?**

The outcome of Council's Court appearances in the current financial year are listed in **Attachment 1** to this response. Building compliance offences are shaded in grey.

**Attachment 1: Police Prosecutor Statistics From July 2017 Onwards**

<u>DATE</u>	<u>DEFENDANT</u>	<u>OFFENCE</u>	<u>OUTCOME</u>
10 July 2017	██████████	Disobey No parking sign	S10(1)(a) Dismissal
10 July 2017	██████████	Stop in/on bus/transit/truck lane (not clearway	S10(1)(a) Dismissal
17 July 2017	██████████	Stop in loading zone longer than 30 minutes	\$150.00 Fine
17 July 2017	██████████	Disobey no parking sign	\$100.00- was appealed on annulment- fine reduced to \$50 and court fees of \$85
17 July 2017	██████████	Park without current ticket displayed	S10(1)(a) Dismissal
17 July 2017	██████████	Owner of dog not under effective control in public	\$100 fine

		place	
31 July 2017	██████████	Remain parked in ticket parking area after ticket expired	S10(1)(a) Dismissed
31 July 2017	██████████	Stop in bus zone in school zone	S10(1)(a) Dismissed
7 August 2017	██████████	Disobey No stopping sign	\$85.00
4 September 2017	██████████	Disobey no parking sign (in school zone)	\$100.00 fine
4 September 2017	██████████	Park without current ticket displayed	\$108.00
4 September 2017	██████████	Development not accord consent	S10(1)(a) Dismissal
4 September 2017	██████████	Double park	S10(1)(a) Dismissal
4 September 2017	██████████	Fail to comply with conditions of approval	Listed for hearing 4 December 2017
11 September 2017	██████████ ██████████	Disobey no parking sign in school zone	S10(1)(a) dismissal
18 September 2017	██████████ ██████████	Fail to comply with Council notice	S10(1)(a) dismissal
25 September 2017	██████████ ██████████	Stop in bus zone in school zone	\$150.00 fine
9 October 2017	██████████ ██████████	Stop on/near pedestrian crossing	\$175.00
9 October 2017	██████████	Stop in disabled area not correct ticket displayed	S10(1)(a) Dismissal
16 October 2017	██████████	Park in ticket parking area not displayed correct ticket as required	\$50.00 fine



16 October 2017	[REDACTED]	Disobey no parking sign in school zone	S10(1)(a) Dismissal
23 October 2017	[REDACTED]	Stop within 10 metres of an intersection	S10(1)(a) Dismissal
23 October 2017	[REDACTED]	Park in ticket parking area not displayed correct ticket as required	S10(1)(a) Dismissal
30 October 2017	[REDACTED]	Not comply with conditions of approval	S10(1)(a) Dismissed
6 November 2017	[REDACTED]	Stop in bus zone in school zone	<b>Email sent to PP requesting results</b>
6 November 2017	[REDACTED]	Disobey No stopping sign	\$253.00
6 November 2017	[REDACTED]	Stop heavy/long vehicle longer than 1 hour	\$110.00
20 November 2017	[REDACTED]	Disobey No stopping sign in school zone	S10(1)(a) Dismissal
20 November 2017	[REDACTED]	Stop in/heavy long vehicle longer than 1 hour (X2 PIN's)	\$250.00 each PIN
20 November 2017	[REDACTED]	Park in ticket parking area not displayed ticket as required	S10(1)(a) Dismissal
27 November 2017	[REDACTED]	Development not accord consent	S10(1)(a) Dismissed
27 November 2017	[REDACTED]	Disobey no parking sign in school zone	S10(1)(a) Dismissed
4 December 2017	[REDACTED]	Park without current ticket displayed	
4 December 2017	[REDACTED]	Disobey no stopping sign	
4 December 2017	[REDACTED]	Park ion ticket parking area not displayed ticket as required	

11 December 2017	[REDACTED]	Fail to demolish or remove a building	\$3,000 penalty imposed
11 December 2017	[REDACTED]	Park without current ticket displayed	
18 December 2017	[REDACTED]	Disobey no stopping sign in school zone	
29 January 2018	[REDACTED]	Stop in loading zone	
29 January 2018	[REDACTED]	(Owner) Transport waste unlawfully	
29 January 2018	[REDACTED]	Disobey no stopping sign	
29 January 2018	[REDACTED]	Disobey no stopping sign	

**ADDENDUM**

**ITEM NO:** CEO 02  
**FILE NO:** 074459.2018  
**SUBJECT:** Draft 4-year Delivery Program and 2018-19 Operational Plan and Budget  
(including Statement of Revenue Policy)

**RECOMMENDATION**

That Council:

1. Places the draft 4-year Delivery Program, Operational Plan 2018-19 and Budget (including Revenue Pricing Policy) on exhibition for 28 days.
  
2. Receives a further report at the June Council meeting after a review of public submissions.

**COUNCIL DECISION**

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

That the recommendation be adopted.

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

**CONFIDENTIAL ITEMS**

**ITEM NO:** CONF 01  
**FILE NO:** 094352.2018  
**SUBJECT:** Property Acquisition Strategy

**RECOMMENDATION**

That Council:

1. Adopt the Liverpool City Council Property Acquisition Strategy; and
2. Authorise staff to progress the acquisition of properties as identified in Appendix 1 of the Strategy (as amended from time to time), as funding and resources become available.

**COUNCIL DECISION**

**Motion:** **Moved: Cllr Kaliyanda** **Seconded: Cllr Karnib**

That the recommendation be adopted.

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

**ITEM NO:** CONF 02  
**FILE NO:** 096300.2018  
**SUBJECT:** Liverpool City Council Property Development - Proposed Governance Structure to Progress Strategic Projects

## RECOMMENDATION

That Council:

1. Receive and endorse the proposal to develop or redevelop various Council-owned sites in the Liverpool CBD as identified in the report of staff;
2. Progress the establishment of the governance structure as proposed in the report of staff, to facilitate such development and redevelopment;
3. That Council proceeds with a pre-market testing, pre-application process (Pre-EOI) to seek interest from the market, by way of a very short form expression of interest, in relation to a proposed Public Private Partnership (PPP) for the proposed Initial Projects as identified in the report of staff;
4. Subject to the outcomes of the Pre-EOI being reported back to Council, that Council undertakes the actions and processes required to establish a PPP under the *Local Government Act 1993 (Act)* and the Public Private Partnership Guidelines issued by the Office of Local Government, and thereafter proceeds with the Initial Projects as a PPP, in accordance with the provisions of the Act;
5. That Council writes to the Office of Local Government advising them of the Initial Projects and the proposed EOI and noting that:
  - A. While this stage is a Pre-EOI, the Initial Projects may ultimately be in the form of a PPP with Council and should the Initial Projects proceed beyond the Pre-EOI, any future PPP will be prepared and implemented in accordance with the provisions of the *Local Government Amendment (Public Private Partnerships) Act 2004* and the *Local Government (General) Regulation 2005*;
  - B. Council intends to submit a report that responds to the requirements of the:
    1. Office of Local Government Capital Expenditure Guidelines, 2010; and
    2. Guidelines on the Procedures and Processes to be followed by Local Government in Public-Private Partnerships dated 1 September 2005 (OLG PPP Guidelines); and
6. Keeps confidential the content of this report and attachments in accordance with the provisions of s.10A(2)(c) of the Local Government Act 1993, as it contains information that would, if disclosed, confer a commercial advantage on a person with whom Council proposes to conduct business.
- 7.

**COUNCIL DECISION**

**Motion:**                                        **Moved: Clr Hadid**                                        **Seconded: Clr Ayyad**

That the recommendation be adopted.

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

**ITEM NO:** CONF 03  
**FILE NO:** 099658.2018  
**SUBJECT:** Legal Affairs Report

**RECOMMENDATION**

That Council receives and notes the report concerning the legal affairs of Council.

**COUNCIL DECISION**

**Motion:**    **Moved: Cllr Ayyad**                          **Seconded: Cllr Balloot**

That the recommendation be adopted.

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

**THE MEETING CLOSED AT 6.51pm.**

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 30 May 2018

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 26 April 2018. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.





## MINUTES OF THE ORDINARY MEETING HELD ON 30 MAY 2018

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**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  
 Ms Margaret Diebert, Acting Director City Presentation  
 Mr Raj Autar, Director City Infrastructure and Environment  
 Mr John Morgan, Director Property and Commercial Development

The meeting commenced at 6.00pm.

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<b>OPENING</b>	6.00pm
<b>ACKNOWLEDGMENT OF COUNTRY, PRAYER OF COUNCIL AND AFFIRMATION TO BE READ BY</b>	The prayer of the Council was read by Pastor Stephen Reddish of New Life Christian Ministries.
<b>NATIONAL ANTHEM</b>	The National Anthem performed and recorded by Rebekah Ferro was played at the meeting.
<b>APOLOGIES</b>	Nil

## CONDOLENCES

### **Uncle Stephen Williams (read by Mayor Waller)**

Uncle Stephen Williams was born 30 July 1952 and died 16 April 2018 after a lengthy illness.

A proud Wiradjuri man and local Aboriginal Elder, Uncle Stephen had lived in the Liverpool area for most of his life. During this time, he had been an integral part of the Liverpool community. He used his experiences and knowledge as a Wiradjuri man to educate and inform the wider community on the lives and culture of Aboriginal people, both locally and further afield. Uncle Stephen utilised his artistic skills to share the stories of Aboriginal people with local communities. He regularly volunteered his time to projects such as Council's Aboriginal Consultative Committee, and Strong Fathers, Strong Families; a project which engages Aboriginal men in the community and encourages them to be positive role models. He hosted many Aboriginal art workshops to engage the community, including working on several large mural projects in the Liverpool area.

Uncle Stephen was a constant presence at Council events and functions. He was often called upon to conduct smoking ceremonies and Acknowledgements to Country. Uncle Stephen was honoured for his commitment to volunteering and contributing to the local community by being named Liverpool's "Citizen of the Year" in 2014.

Uncle Stephen was a warrior for Liverpool, a proud Wiradjuri man, an advocate for Aboriginal people and culture, and most importantly, a long-time friend to many here at Council. He will be very missed by all in the Liverpool community.

On behalf of all at Liverpool City Council, I humbly express my deepest condolences to Uncle Stephen's family and friends at this difficult time. I am sure that Uncle Stephen's community spirit will live on in all those whom had the pleasure of knowing him.

May he rest in peace.

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

That Council writes to the family of Uncle Stephen Williams expressing our condolences for their loss.

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

## CONFIRMATION OF MINUTES

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

That the minutes of the Ordinary Meeting held on 26 April 2018 be confirmed as a true record of that meeting subject to the following comment and change:

In relation to QWN 01 Question With Notice - Cllr Hadchiti;

- i)       The outcome of the remaining Council court appearances shown on pages 27 and 28 of the minutes be provided to Councillors once known; and
- ii)     The response to question 6 was updated and provided to Councillors via memo and the response is copied below;

Infringements	2016 Actuals	2017 Actuals	2018 Forecast	2019 Budget
<b>Other Fines</b>				
Animal Control	98,685	154,740	60,900	62,118
Building Approval and Compliance	59,295	135,894	30,450	34,763
Fire Safety	-	-	-	-
Health Inspections	24,469	29,671	30,450	31,059
Illegal Waste	92,803	164,233	43,212	44,076
Regulatory Rangers	165,801	242,883	203,000	207,060
<b>Other Fines</b>	<b>441,053</b>	<b>727,421</b>	<b>368,012</b>	<b>379,076</b>
<b>Parking Fines</b>	<b>2,644,874</b>	<b>3,198,188</b>	<b>2,030,000</b>	<b>2,570,600</b>
	<b>3,085,928</b>	<b>3,925,609</b>	<b>2,398,012</b>	<b>2,949,676</b>

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

## DECLARATIONS OF INTEREST

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

**Item:**               NOM 02 Better Land Use Support

**Reason:**       Cllr Rhodes is on the Planning Panel.

Cllr Rhodes left the Chambers for the vote of this item.

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

**Item:**               NOM 02 Better Land Use Support

**Reason:**       Cllr Harle is on the Planning Panel.

Cllr Harle left the Chambers for the vote of this item.

**PUBLIC FORUM**

**Presentations (items not on agenda)**

Nil

**Representations (Items on Agenda)**

1. Ms Fiona Macnaught addressed Council on the following item:  
NOM 02 Better Land Use Support
2. Mr Michael Andjelkovic addressed Council on the following item:  
COM 04 Edmondson Park Community Infrastructure Update

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

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

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

Cllr Hadchiti asked this name be recorded as having voted against the above motion to grant an extension of time.

3. Mr Ricardo Lonza will address the Council on the following item:  
NOM 03 Saving Our Koalas

**URGENCY MOTION**

**Background**

A report in last weekend’s Sunday Telegraph reported that the Parramatta Bronto blew an engine last week and is now offline.

The Parramatta Bronto was the closest appliance of its kind to Liverpool, with the closest one now at Crows Nest.

When the Paper Mill caught fire last September it was this Parramatta Bronto which was the primary appliance in use. It was this vehicle that the firefighters used to access the building and eventually put the fire out.

With this vehicle now offline and the ever increasing number of high rises being constructed in Liverpool, it is a matter of urgency that the Mayor contact the State Government to answer the following questions:

**Motion:**

**Moved: Clr Hagarty**

**Seconded: Clr Hadchiti**

That Council:

Direct the Mayor to write to the State Government authority and minister as soon as possible asking the following:

1. How long will the Parramatta Bronto be offline?
2. What alternative arrangements have been put in place to ensure there are adequate aerial appliances within a reasonable distance of the Liverpool CBD?

**The Mayor ruled that this was a matter of urgency and as such, the above motion was dealt with at this meeting.**

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

#### **URGENCY MOTION**

Clr Ayyad expressed her disappointment of the 'white flight' in Western Sydney comment recently made by the NSW Opposition Leader, Mr Luke Foley and proposed a motion regarding the matter.

In accordance with Clause 16.6.2 of Council's Code of Meeting Practice, the Mayor ruled that the business proposed was not a matter of urgency, however she agreed that she would write to the NSW Opposition Leader to point out that Council has concerns about the disharmony such comments could make in this area.

**CHIEF EXECUTIVE OFFICER REPORT**

**ITEM NO:** CEO 01  
**FILE NO:** 093203.2018  
**SUBJECT:** Extraordinary Meeting of Council, Monday 29 October 2018

**RECOMMENDATION**

That Council hold an Extraordinary Meeting on Monday 29 October 2018 to present the audited financial reports for 2017-18 to Council.

**COUNCIL DECISION**

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

That Council give notice and hold the scheduled Ordinary Council meeting of 31<sup>st</sup> October 2018 on the 29<sup>th</sup> October 2018 instead.

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

.....



**ITEM NO:** CEO 03  
**FILE NO:** 126665.2018  
**SUBJECT:** Code of Meeting Practice - Proposed amendment to include webcasting

## RECOMMENDATION

That Council:

1. Places the proposed amendment to Council's Code of Meeting Practice, to include a Clause relating to webcasting (as shown below) on public exhibition for at least 28 days, inviting public comment and submissions;

*"The proceedings, including all debate, of all ordinary and extraordinary meetings held in the council chamber excluding those parts of the meeting which are held in confidential session in accordance with Section 10A(2) of the Local Government Act 1993, shall be webcast. It should also be noted that the Public Forum section of Council meetings will not be webcast. Council is not responsible for defamatory statements made by members of the public at a council meeting, whether published by the Council or not."*

2. Receives a further report following the public exhibition period, or if no objections are received, delegate to the CEO to adopt the proposed change to the Code of Meeting Practice.

## COUNCIL DECISION

**Motion:** **Moved: Cllr Rhodes** **Seconded: Cllr Ayyad**

That the recommendation be adopted.

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





**ITEM NO:** COM 02  
**FILE NO:** 127626.2018  
**SUBJECT:** Draft Recreation, Open Space and Sports Strategy

**RECOMMENDATION**

That Council:

- 1. Endorse updates made to the draft Recreation, Open Space and Sports Strategy; in accordance with community feedback received during public consultation and internal review; and
  
- 2. Adopt the draft Recreation, Open Space and Sports Strategy.

**COUNCIL DECISION**

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

That the recommendation be adopted.

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

**ITEM NO:** COM 03  
**FILE NO:** 131660.2018  
**SUBJECT:** Redevelopment of Phillips Park, Lurnea

## **RECOMMENDATION**

That Council:

1. Adopts the Draft Landscape Masterplan Report attached and as outlined in figure 2 for redevelopment of Phillips Park, Lurnea;
2. Notes that a detailed design will now proceed on the basis of the Draft Landscape Masterplan Report; and
3. A further report be brought forward to Council addressing the tennis needs for Lurnea and surrounding areas in line with the strategic directions outlined in the Draft Recreation, Open Space and Sports Strategy.

## **COUNCIL DECISION**

**Motion:**

**Moved: Clr Hagarty**

**Seconded: Clr Rhodes**

That Council:

1. Adopts the Draft Landscape Masterplan Report attached and as outlined in figure 2 for redevelopment of Phillips Park, Lurnea;
2. Notes that a detailed design will now proceed on the basis of the Draft Landscape Masterplan Report;
3. A further report be brought to the August 2018 Council meeting addressing the tennis needs for Lurnea and surrounding areas in line with the strategic directions outlined in the Draft Recreation, Open Space and Sports Strategy. The report is to also include a list of proposed alternative sites and timeframes and costs associated with those alternatives for tennis facilities; and
4. Take into consideration the outcomes of the childcare needs studies currently being undertaken and also consideration of an income generating asset in the review of the final Master Plan for the community facilities.

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

**ITEM NO:** COM 04  
**FILE NO:** 138569.2018  
**SUBJECT:** Edmondson Park Community Infrastructure Update

**RECOMMENDATION**

That Council:

1. Receives and notes staff's report concerning the Edmondson Park Community Forum, and the future delivery options for the delivery of infrastructure in Edmondson Park;
2. Notes that, in the event terms can be agreed within the expected timeframe, a report concerning the status of a Voluntary Planning Agreement with Frasers is expected to be brought to Council for consideration in the coming months;
3. Directs the CEO to write to Landcom and request a briefing for Councillors in relation to their plans and strategies concerning the future delivery of infrastructure and open space in Edmondson Park;
4. Directs the CEO to continue making representations to Transport for NSW concerning the inadequate commuter car parking situation in Edmondson Park, and the impact this situation is having on residents of the suburb and surrounding catchment;
5. Notes the ongoing efforts of the CEO and staff to engage with the Independent Pricing and Regulatory Tribunal (IPART) on seeking approval to close the Section 94 funding gap as discussed in the report, with a view to providing additional funding of infrastructure delivery in Edmondson Park and elsewhere;
6. Approves and adopts the proposed strategy to forward-fund the land cost shortfalls identified for the Bernera Road Extension project and Edmondson Park Flood Detention Basin project as outlined in this report, noting that this funding model may serve as a blueprint for future up-front infrastructure delivery where available;
7. Approves application(s) for loan(s) under the NSW Government Low Cost Loans Initiative to give effect to the strategy;
8. Delegates authority to the CEO and Council's nominated Power of Attorney holder to execute any required documentation to give effect to this resolution;
9. Directs the CEO to include the repayment of these loans in future budget review processes, and in future s.94 contribution plans applicable to Edmondson Park and surrounding areas;



8. Delegates authority to the CEO and Council's nominated Power of Attorney holder to execute any required documentation to give effect to this resolution;
9. Directs the CEO to include the repayment of these loans in future budget review processes, and in future s.94 contribution plans applicable to Edmondson Park and surrounding areas;
10. Directs the CEO to repay elements of the loan funding in advance of the listed schedule, if and when funding for such a purpose becomes available from either additional HAF grant funding, or from additional s.94 contributions assigned for this purpose; and
11. Direct the Common Seal of Council to be applied to any document required to be executed to give effect to this resolution, as and if required by the NSW Treasury Corporation.

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

**CITY CORPORATE REPORT**

**ITEM NO:** CORP 01  
**FILE NO:** 110998.2018  
**SUBJECT:** Investment Report April 2018

**RECOMMENDATION**

That Council receives and notes this report.

**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:** CORP 03  
**FILE NO:** 136014.2018  
**SUBJECT:** Woodward Park Master Plan

**RECOMMENDATION**

That Council receives and endorses the Woodward Park Master Plan update and proposed next steps.

**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.

**COMMITTEE REPORTS**

**ITEM NO:** CTTE 01  
**FILE NO:** 118929.2018  
**SUBJECT:** Minutes of the Liverpool Sports Committee Meeting held on 1 March 2018

**RECOMMENDATION**

That Council receives and notes the Minutes of the Liverpool Sports Committee Meeting held on 1 March 2018.

**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:** CTTE 02  
**FILE NO:** 132872.2018  
**SUBJECT:** Minutes of the Liverpool Heritage Advisory Committee Meeting held on 7 May 2018

**RECOMMENDATION**

That Council:

1. Receives and notes the Minutes of the Liverpool Heritage Advisory Committee Meeting held on 7 May 2018; and
2. Endorse the recommendations in the Minutes.

**COUNCIL DECISION**

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

That the recommendation be adopted subject to the following amendments:

- The date in the first sentence under the heading of “5.1 Former Liverpool Courthouse” on page 149 of the Council Agenda be corrected from November 2018 to “November 2017” so that the sentence reads as follows:

“The building was state heritage listed in November 2017 and is currently vacant”.

- The third sentence under the heading of “Strategic direction” on page 152 of the Council Agenda was said by Peter Savidis. His name is to be included in that paragraph so that the first part of the information under that heading is to read as follows;

*“Cllr Rhodes noted the strategy is a step in the right direction however not all aspects were agreed to on her part. However as Liverpool being the 4th oldest town in Australia, it should showcase the rare significance of the buildings to the public and would be of great service.*

*Peter Savidis said: ‘As people in the community are fragmented and don’t share Information with each other, a lot of work will need to be done to improve a sense of community and connection to these sites and the people surrounding’.*

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



**NOTICES OF MOTION**

**ITEM NO:** NOM 01  
**FILE NO:** 136768.2018  
**SUBJECT:** Library Opening Hours

**BACKGROUND**

The Liverpool Youth Council has been advocating for the extension of opening hours of the Liverpool City and Carnes Hill Libraries for the period of the HSC trial and final exams during their term.

They have consulted widely with young people who use the libraries for study and support during their exams, and believe that extending the opening hours would not only be beneficial for young people in the Liverpool LGA, but that these measures would be enthusiastically supported by young people and their families.

Recently, Council officers provided advice that extending the opening hours of both Liverpool City and Carnes Hill libraries to 9am – 8.30pm Monday to Sunday during the HSC period would have significant budget implications. The suggested alternative was to change the late closing of Green Valley Library from Tuesday and Thursday to Monday and Wednesday, and to open Carnes Hill Library till 8pm from Monday – Friday.

This would allow the Liverpool network to have 3 libraries open until 8pm most nights of the week for the 9 week HSC period. It would do so without as significant a budget impact.

Upon discussion with members of the Liverpool Youth Council, this was thought to be a reasonable initiative to trial in the 2018 HSC period, with data to be collected to inform future direction of library opening hours.

**NOTICE OF MOTION (Submitted by Cllr Kaliyanda)**

That Council:

1. Change the late opening hours of Green Valley Library to Monday and Wednesday rather than Tuesday and Thursday during the HSC period;
2. Open Carnes Hill Library until 8pm from Monday to Friday during the HSC period;
3. Monitor the attendance/usage of library facilities by students during the HSC period; and
4. Develop a community survey for students and their families to monitor and evaluate the impact of these changes on them.

**COUNCIL DECISION**

**Motion:**

**Moved: Cllr Kaliyanda**

**Seconded: Cllr Hadchiti**

That Council:

1. Change the late opening hours of Green Valley Library to Monday and Wednesday rather than Tuesday and Thursday during the HSC period;
2. Open Carnes Hill Library and Liverpool Library until 8pm from Monday to Friday during the HSC period;
3. That the other libraries (Moorebank, Miller and Casula) also be opened for two 2 nights per week until 8.00pm during the HSC period;
4. Monitor the attendance/usage of library facilities by students during the HSC period;
5. Develop a community survey for students and their families to monitor and evaluate the impact of these changes on them; and
6. Data to come back to Council in relation to usage of the libraries during the extended hours.

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

Clr Rhodes and Clr Harle declared a non-pecuniary interest in respect of NOM 02 and were not in the Chambers when this item was voted on.

**ITEM NO:** NOM 02  
**FILE NO:** 137668.2018  
**SUBJECT:** Better Land Use Support

**BACKGROUND**

Council has spent considerable resources in challenging the development application for a recycling plant on the site better known as the Moorebank Recyclers.

Unfortunately, Council and the community lost its battle and consent was granted.

Recently the CEO advised Council that the site has been sold and the new owner will consider other options.

Council and the community celebrated this news as after a long battle, a better more suited planning outcome for that site may be achieved.

It is now up to the new owners to progress any proposal for the site but as a Council it is important to make clear and official our in principle support for a more suited land use.

**NOTICE OF MOTION (Submitted by Clr Hadchiti)**

That Council:

1. In principle, support a proposal for a residential (and auxiliary) land use on the site known as the Moorebank Recyclers in lieu of a recycling facility;
2. Note that any proposal needs to undergo the standard assessment process;
3. Work closely with the proponent to ensure the best possible outcome for the site in a timely manner, should a proposal be received; and
4. Organise a community BBQ once and if the development approval for the recycling plant is surrendered.

**COUNCIL DECISION**

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

That the recommendation be adopted.

**Amendment:**                      **Moved: Clr Hagarty**                      **Seconded: Clr Kaliyanda**

That when and if a new development application is put forward, that the proponent work with the local community as soon as practical.

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

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

**Division called:**

**Vote for:**

- Mayor Waller
- Clr Ayyad
- Clr Balloot
- Clr Hadchiti
- Clr Hadid
- Clr Hagarty
- Clr Kaliyanda
- Clr Karnib

**Vote against:**

- Clr Shelton

Note: Clr Rhodes and Clr Harle were not in the Chambers when this item was voted on.



Clr Rhodes returned to the Chambers at 7.15pm.

Clr Harle returned to the Chambers at 7.15pm

**ITEM NO:** NOM 03  
**FILE NO:** 140742.2018  
**SUBJECT:** Saving Our Koalas

**BACKGROUND**

Koalas are one of Australia's most iconic animals, recognisable around the world. However, Koala populations are under increasing pressure. Koala conservation programs are being undertaken on a national, state and local level and Liverpool needs to do its part.

The Koalas of the Georges River corridor do not stop at the Liverpool/Campbelltown LGA borders, they move through bushland and along the Georges River gorge from Appin, through Wedderburn to Kentlyn, then onto Glenfield.

They go beyond the Campbelltown Council area, through suburbs like Holsworthy, Wattle Grove, Moorebank and the Army lands in the LGA of Liverpool, then on to Sandy Point and turn up in places like Menai in the Sutherland Shire.

So all the LGAs of Wollondilly, Campbelltown, Liverpool, Wingecarribee, Sutherland and Wollongong share this Koala colony and should act to protect it, each of these LGA's have a responsibility to engage and accept their part in preserving our Koala population.

All LGA's who share this last and only Australian colony of remaining disease-free koalas, need to work collaboratively with the State Government Office of Environment and Heritage and the Roads and Maritime Service and the Army so as to protect habitat and provide 'safe' ways for koalas to cross roads.

In the last two months 9 Koalas have been killed on roads, 8 on the Appin Rd and another on Heathcote Road. With other reports of another Koala killed on the Moorebank Road.

Fencing and wildlife underpasses and overpasses are implemented elsewhere (Queensland an NSW North coast) so why not for these Koalas in this part of Sydney?

Liverpool Council is to be congratulated in that we are already engaged with projects that are being undertaken under the existing Saving Our Species (SOS) program that is facilitated by the Office of Environment and Heritage (OEH), but we need a collaborative approach that reaches beyond these projects and the Liverpool LGA and addresses the issues for the South West Sydney colony of Koalas who do not abide by LGA boundaries.



koala populations dealing with issues of connected habitat corridors, reducing road strike issues and disease management. Invitees would include Local State and Federal MP's and Candidates, adjoining Councils, State Environmental representatives, State Planning, Roads & Maritime Services, National Parks, Total Environment Centre, local environmental groups, and community members;

3. The petition circulated by Wollondilly Council be placed in Council's libraries; and
4. Cllr Rhodes, and any other interested councillors, be nominated to attend the summit as Council's representatives.

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

**ITEM NO:** NOM 04  
**FILE NO:** 140801.2018  
**SUBJECT:** Toda Exchange Student Program

**BACKGROUND**

Liverpool Council has committed to re-establishing the Council Student Exchange Program with our Sister City Toda.

Despite that there has been interest from a number of our local schools in participating in the Liverpool Council Program to send students to Toda it seems that there is not enough time to organise such participation for September 2018.

However some of the schools participating have concerns about the financial constraints some families may have in being able to participate, due to the cost involved. If Council was to consider on a case by case framework of financial support to those in need it would make the student exchange available to the broader student community within our LGA.

I remind Council that the single most important objective raised by our fellow Councillors from Toda last year was their wish that Liverpool re-engage in the Student Exchange Program with them. They wished that the program be reinstated this year but knowing that it is not possible it is even more important that we make the student exchange program a success on the next available occasion.

It would be a great disappointment to our Sister City if this was not to happen because the schools participating are from socio-economic disadvantaged areas.

Councils financial assistance to make it happen would go a long way to promoting the Program at the participating schools and ensuring greater interest and the on-going success of the program in following years.

The cultural exchange through participating schools is not to be under estimated in measuring positive outcomes, not only for the participating Students but also for the Liverpool economy by encouraging business and other cultural exchanges and opportunities that can only be of benefit to the entire Liverpool Community.

The other single most important topic of discussion by the members of the Toda delegation here in Australia, was Business.

Considering that Liverpool cannot fulfil their first request in September to re-engage the Student exchange program, it would perhaps be of interest to both the people in Toda and here in Liverpool to include representatives from the Business sector.



**CONFIDENTIAL ITEMS**

**ITEM NO:** CONF 01  
**FILE NO:** 129474.2018  
**SUBJECT:** Compulsory Acquisition of Lot 21 DP 1231320, Lot 21 Gurner Avenue, Austral (formerly part of 185 Gurner Avenue, Austral) for drainage purposes

**RECOMMENDATION**

That Council:

1. Proceeds with the compulsory acquisition of that part of Lot 21 DP 1231320 being zoned ‘SP2 Infrastructure’, for the purposes of drainage;
2. Proceeds with the making of the necessary application to the Minister for Local Government and the Governor in accordance with Section 187 of the Local Government Act 1993 to obtain approval to provide an acquisition notice if required, and commence compulsory acquisition of Lot 21 DP 1231320 in accordance with the provisions of Section 24 of the *Land Acquisition (Just Terms Compensation) Act 1991* and Section 69 of the *Supreme Court Act 1970*;
3. Authorises the CEO and/or her nominee to negotiate with the owners to acquire Lot 21 DP 1231320 at the value as determined in an updated valuation report;
4. Authorises the Chief Executive Officer to approve any payments required for the acquisition of Lot 21 DP 1231320 by either agreement, or if agreement is not reached, at the Valuer General’s determination; and
5. Authorises its delegated officer to execute any document, under Power of Attorney, necessary to give effect to this decision.

**COUNCIL DECISION**

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

That the recommendation be adopted.

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

**COUNCIL IN CLOSED SESSION**

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

That Council move into closed session to deal with CONF 02 and CONF 03.

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

Mayor Waller advised that Council would now move into Closed Session to deal with Items CONF 02 and CONF 03 pursuant to the provisions of S10(A)2 d)(i) of the Local Government Act because the items contain commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

Mayor Waller called a recess of Council at 7.27pm so that members of the public could leave the Chambers.

Council moved into Closed Session at 7.39pm

**ITEM NO:** CONF 02  
**FILE NO:** 135570.2018  
**SUBJECT:** WSROC Contract - WR03-12/13- Road Rehabilitation and Asphalt Services - Contract Extension Request

**COUNCIL DECISION**

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

That Council:

- Offers an extension to the below listed contractors until 31 December 2018 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;

<b>Contract Portion</b>	<b>List of Contractors</b>
Asphalt Deliver and Lay	<ul style="list-style-type: none"> <li>• State Asphalt Services Pty Ltd</li> <li>• Bernipave Pty Ltd</li> <li>• Borthwick &amp; Pengilly Asphalts Pty Ltd</li> </ul>
Asphalt Ex -Bin	<ul style="list-style-type: none"> <li>• State Asphalt Services Pty Ltd</li> <li>• Fulton Hogan Industries Pty Ltd (Minto/Wallgrove)</li> </ul>
Crack Sealing	<ul style="list-style-type: none"> <li>• SuperSealing Pty Ltd</li> </ul>
Mill and Fill	<ul style="list-style-type: none"> <li>• State Asphalt Services Pty Ltd</li> </ul>
Pavement Restoration	<ul style="list-style-type: none"> <li>• Bernipave Pty Ltd</li> <li>• J&amp;G Excavations &amp; Asphaltting (NSW) Pty Ltd</li> <li>• Borthwick &amp; Pengilly Asphalts Pty Ltd</li> </ul>

.....

Profiling	<ul style="list-style-type: none"> <li>• Stabilised Pavements Of Australia Pty Ltd</li> <li>• State Asphalt Services Pty Ltd</li> <li>• Borthwick and Pengilly Pty Ltd</li> </ul>
Spray Sealed Bituminous Surfacing	<ul style="list-style-type: none"> <li>• State Asphalt Services Pty Ltd</li> </ul>
Stabilisation and/or Unbound Pavement Reconstruction	<ul style="list-style-type: none"> <li>• Stabilised Pavements of Australia Pty Ltd</li> </ul>
Surface Preservation, Enrichment or Rejuvenation	<ul style="list-style-type: none"> <li>• Downer EDI Works Pty Ltd</li> </ul>
Asphalt Pavement Reconstruction	<ul style="list-style-type: none"> <li>• Borthwick and Pengilly Pty Ltd</li> <li>• J and G Excavations Pty Ltd</li> <li>• Stabilised Pavements of Australia Pty Ltd</li> </ul>

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 of a short duration, and 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.

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

Councillors voted unanimously for this motion.



**ITEM NO:** CONF 03  
**FILE NO:** 136411.2018  
**SUBJECT:** Tender WT2706 Design Construct - SES Retrofit Ground Floor, 1 Hoxton Park Rd, Liverpool

**COUNCIL DECISION**

**Motion:** **Moved: Clr Shelton** **Seconded: Clr Rhodes**

That Council delegate authority to the CEO to determine the tender in this matter.

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

Councillors voted unanimously for this motion.

**MOTION TO MOVE BACK INTO OPEN SESSION**

**Motion:** **Moved: Clr Karnib** **Seconded: Clr Hagarty**

That Council move back into Open Session.

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

Council moved back into Open Session at 7.51pm.

**Mayor Waller advised the gallery that Council passed the motions as shown on pages 31 – 33 of these minutes during Closed Session.**

**THE MEETING CLOSED AT 7.52 pm.**

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 27 June 2018

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 30 May 2018. 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 JUNE 2018

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**PRESENT:**

Mayor Wendy Waller  
Councillor Ayyad  
Councillor Balloot  
Councillor Hadchiti  
Councillor Hadid  
Councillor Hagarty  
Councillor Harle  
Councillor Kaliyanda  
Councillor Karnib  
Councillor Rhodes  
Councillor Shelton  
Ms Kiersten Fishburn, Chief Executive Officer  
Mr Chris White, Director City Corporate  
Ms Tina Sangiuliano, Acting Director City Community and Culture  
Ms Margaret Diebert, Acting Director City Presentation  
Mr Raj Autar, Director City Infrastructure and Environment

The meeting commenced at 6:00pm.

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**OPENING**

6:00pm.

**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 and recorded by Rebekah Ferro was played at the meeting.

**APOLOGIES**

Nil.

**CONDOLENCES**

**Elsie Mallett (read by Mayor Waller)**

Elsie Mallett was born on 3 February 1935 and died on 29 May 2018 after a short illness.

Elsie lived in the Liverpool area for more than fifty years and was a long-time member of the Liverpool Seniors Network and Liverpool Catholic Club Over 55's Club.

As the Liverpool Seniors Network Social Secretary, Elsie worked tirelessly over the years to enhance the quality of life for Liverpool seniors. She was actively involved in planning and delivery of annual Seniors Week activities, bus trips and seniors expos. Elsie would generously buy gifts throughout the year for raffles held at each Seniors Concert, with proceeds going to senior groups and the aged care ward at Liverpool Hospital.

Elsie's support to the local seniors will be greatly missed.

On behalf of all at Liverpool City Council, I humbly express my deepest condolences to Elsie Mallett's family and friends at this difficult time. I am sure that Elsie's community spirit will live on in all those whom had the pleasure of knowing her.

May she rest in peace.

Council observed one minute silence for Elsie Mallett.

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

That Council writes to the family of Elsie Mallett expressing our condolences for their loss.

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

**CONFIRMATION OF MINUTES**

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

That the minutes of the Ordinary Meeting held on 30 May 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 Ayyad declared a non-pecuniary, less than significant interest in the following item:

**Item NOM 01:**                  Medium Density Development

**Reason:** Clr Ayyad owns a property that may be affected by new legislation.

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

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

**Item COM 01:** Grants, Donations and Corporate Sponsorship

**Reason:** Clr Kaliyanda has a long standing association with the organisation applying for the grants, as an unpaid volunteer.

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

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

**Item EGROW 02:** Proposed Austral/Leppington North Planning Controls Amendments

**Reason:** Clr Hadchiti owns property within the Camden side of the precinct.

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

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

**Item EGROW 04:** Exempt Development Provisions for Fencing in Cartwright

**Reason:** Mayor Waller resides in Cartwright.

Mayor Waller remained in the Chambers for the duration of the item.

**Note:** Mayor Waller's declaration of interest on this item was made later in the meeting.

## **PUBLIC FORUM**

### **Presentation – items not on agenda**

1. **Ms Cheryl Anthony, Mr Connor Strathern and Mr Jayesh Joshi** addressed Council on the following matter:

Liverpool Youth Council

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

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

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



**CITY ECONOMY AND GROWTH REPORT**

**ITEM NO:** EGROW 01  
**FILE NO:** 136272.2018  
**SUBJECT:** Street naming

**RECOMMENDATION**

That Council:

1. Supports the street names Rieckmann Lane, Bratchell Court and Brushtail Court noted in Items 1 and 2 of this report;
2. Delegates to the Chief Executive Officer (CEO) to begin the process of gazettal; and
3. Does not support the renaming of part of Dragoon Road noted in Item 3.

**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 Hadchiti left the Chambers at 6:31pm.**

**ITEM NO:** EGROW 02  
**FILE NO:** 141323.2018  
**SUBJECT:** Proposed Austral/Leppington North Planning Controls Amendments

**RECOMMENDATION**

That Council:

1. Supports the drafting of a Development Control Plan and State Environmental Planning Policy amendment to the proposed road network in the Austral/Leppington North release area including local area traffic management controls and consequential amendments to the Austral / Leppington North Contributions Plan;
2. Note that opportunities to undertake some or all of this work as part of a City Deal commitment to review the design and engineering standards for the Western City District will be explored; and
3. Receives a further report detailing the draft SEPP, DCP and Contributions Plan amendments once drafted.

**COUNCIL DECISION**

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

1. Supports the drafting of a Development Control Plan and State Environmental Planning Policy amendment to the proposed road network in the Austral/Leppington North release area including local area traffic management controls and consequential amendments to the Austral / Leppington North Contributions Plan with particular emphasis on the question of carriageway width;
2. Note that opportunities to undertake some or all of this work as part of a City Deal commitment to review the design and engineering standards for the Western City District will be explored; and
3. Receives a further report detailing the draft SEPP, DCP and Contributions Plan amendments once drafted.

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

Councillors voted unanimously for this motion.

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



**Clr Hadchiti returned to the Chambers at 6:37pm.**

**ITEM NO:** EGROW 03  
**FILE NO:** 148735.2018  
**SUBJECT:** Smoking in Macquarie Mall

**RECOMMENDATION**

That Council:

1. Receives and notes this report; and
2. Determines what, if any, decisions they wish to make regarding this issue, noting the options presented in Section 5 of this report.

**COUNCIL DECISION**

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

That Council:

1. Receives and notes the report;
2. Adopts a 12 month trial of Option One shown on page sixty-five of the Council meeting agenda (and as shown below) to commence in six months;
  1. *Designate Macquarie Mall as a smoke-free zone, the requirements of which will be:*
    - a) *Develop and implement a comprehensive education and communications program, prior to and during the smoke-free zone implementation, to raise awareness amongst the community and business owners;*
    - b) *Erect signage in Macquarie Mall which clearly communicates that it is a smoke-free zone;*
    - c) *Amend the Macquarie Mall Outdoor Dining Permit to ensure permit holders' adherence to the smoke-free zone;*
    - d) *Increase active patrols by Council rangers to enforce conditions of the revised Macquarie Mall Outdoor Dining Permit; and*
    - e) *Lobby NSW Health to increase active patrols towards the enforcement of smoke-free zones.*

3. Investigates other public places and Council-owned properties for possible future inclusion within the provisions of Option One on page sixty-five of the report; and
4. Evaluates the feasibility of the installation of smoking kiosks in affected areas.

**Foreshadowed motion:      Moved: Clr Hadchiti      Seconded: Clr Ayyad**

That Council:

1. Receive and note this report;
2. Defer any decision until all relevant stakeholders including the CBD Committee are consulted further; and
3. Refer this matter back to the next CBD Committee to consider any ways of implementing the no smoking rule.

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

**ITEM NO:** EGROW 04  
**FILE NO:** 154218.2018  
**SUBJECT:** Exempt Development Provisions for Fencing in Cartwright

**RECOMMENDATION**

That Council receives and notes this report.

**COUNCIL DECISION**

**Motion:**                                  **Moved: Cllr Rhodes**                          **Seconded: Cllr Ayyad**

That the recommendation be adopted.

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

**ITEM NO:** EGROW 05  
**FILE NO:** 164262.2018  
**SUBJECT:** Sydney Western City Planning Panel Membership

**RECOMMENDATION**

That Council:

1. Receives and notes this report;
2. Appoints Clr Rhodes and Clr Harle as Council’s Sydney Western City Planning Panel members; and
3. Determines two alternate members of the Sydney Western City Planning Panel.

**Mayor Waller called a 5 minute recess of Council at 7:15pm.**

**Mayor Waller reopened the meeting at 7:21pm without Clr Hadid and Clr Kaliyanda present.**

**Clr Hadid and Clr Kaliyanda returned to the meeting at 7:24pm.**

**COUNCIL DECISION**

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

That Council:

1. Receive and note this report;
2. Appoint Mayor Waller and Clr Harle as Council’s Sydney Western City Planning Panel members;
3. Appoint Clr Hagarty and Clr Karnib as alternate members to the Panel; and
4. Make these appointments for the remainder of this Council term.

**Foreshadowed motion: Moved: Clr Rhodes Seconded: Clr Balloot**

1. Receive and note this report;
2. Appoint Mayor Waller and Clr Harle as Council’s Sydney Western City Planning Panel members;
3. Clr Rhodes to be Clr Harle’s alternate and Councillor Ayyad to be Mayor Waller’s alternate; and
4. Make these appointments for the remainder of this Council term.

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

Cirs Harle and Rhodes asked that their names be recorded as having voted against the Motion.

**CHIEF EXECUTIVE OFFICER REPORT**

**ITEM NO:** CEO 01  
**FILE NO:** 144818.2018  
**SUBJECT:** Endorsement of Delivery Program 2017-2021 and Operational Plan 2018-19 and Budget (including Statement of Revenue Policy)

**RECOMMENDATION**

That Council:

1. Adopt the Delivery Program 2017-2021 and Operational Plan 2018-19 and Budget, including the Statement of Revenue Policy (fees and charges); and
2. Makes the fees and charges for the Financial Year commencing on 1 July 2018 as outlined in the Statement of Revenue Policy that was exhibited with the draft Delivery Program 2017-2021 and Operational Plan 2018-19 and Budget.

**COUNCIL DECISION**

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

That Council:

1. Adopt the Endorsement of Delivery Program 2017-2021 and Operational Plan 2018-19 and Budget (including Statement of Revenue Policy) with the following amendments:
  - a) Parking fees to remain as per 2017/18 fees and charges
  - b) Outdoor Café Permit – Macquarie Mall fees to remain as per 2017/18 fees and charges
2. Makes the fees and charges for the Financial Year commencing on 1 July 2018 as outlined in the Statement of Revenue Policy that was exhibited with the draft Delivery Program 2017-2021 and Operational Plan 2018-19 and Budget with the following amendments:
  - a) Parking fees to remain as per 2017/18 fees and charges
  - b) Outdoor Café Permit – Macquarie Mall fees to remain as per 2017/18 fees and charges
3. Prepare a report on the positive/negative effects, on both the budget and service delivery, of continuing a four day week for all outdoor staff.

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

That Council:

1. Adopt the Delivery Program 2017-2021 and Operational Plan 2018-19 and Budget, including the Statement of Revenue Policy (fees and charges);
2. Makes the fees and charges for the Financial Year commencing on 1 July 2018 as outlined in the Statement of Revenue Policy that was exhibited with the draft Delivery Program 2017-2021 and Operational Plan 2018-19 and Budget; and
3. Prepare a report on the positive/negative effects, on both the budget and service delivery, of continuing a four day week for all outdoor staff.

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

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

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

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

**ITEM NO:** CEO 02  
**FILE NO:** 153848.2018  
**SUBJECT:** Committee meeting minute approval process

**RECOMMENDATION**

That Council endorses the revised approach to the meeting minute approval process for all Committees of Council.

**COUNCIL DECISION**

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

That Council endorses the revised approach to the meeting minute approval process for all Committees of Council as set out on page eighty-three of the report except with items four, five and six to be amended to read as follows:

- 4. A revised version of the minutes to be recirculated to all voting members who attended the meeting once any wording in dispute has been amended in accordance with advice from the Chairperson who shall refer to any recording where available.
- 5. Meeting minutes to be tabled in Council for noting of the minutes and adoption of the resolution /recommendations.
- 6. At the subsequent committee meeting the minutes may be confirmed or amended as the committee sees fit.

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





**ITEM NO:** COM 02  
**FILE NO:** 152568.2018  
**SUBJECT:** Liverpool City Council Sporting Grants Program 2017/2018

### RECOMMENDATION

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

<b>Club</b>	<b>Project Description</b>	<b>Proposed Grant Amount</b>
Casula Lakers Baseball Club	Purchase of sporting equipment and a line marking machine.	\$4,496
Liverpool Catholic Club Junior Rugby League Club	Purchase of sporting equipment	\$3,930
Liverpool Olympic Sports and Social Club	Purchase of sporting equipment	\$5,000
Liverpool City Robins Sports Club (Football)	Car park safety lighting improvement	\$5,000
Werriwa All Breeds Dog Training Club	Purchase of sporting equipment	\$1,837
Southern Districts Softball Association	Purchase of sporting equipment	\$1,591
Kemps Creek United Soccer Club	Floodlighting upgrade project	\$5000
Mt Pritchard and District Community Club	Purchase of sporting equipment to support an Autism and special needs football program	\$3,146

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

That Council:

1. Adopts the following recommendations for the allocation of sporting grants funding, as recommended by the Liverpool Sports Committee grants assessment panel:

<b>Club</b>	<b>Project Description</b>	<b>Proposed Grant Amount</b>
Casula Lakers Baseball Club	Purchase of sporting equipment and a line marking machine.	\$4,496
Liverpool Catholic Club Junior Rugby League Club	Purchase of sporting equipment	\$3,930
Liverpool Olympic Sports and Social Club	Purchase of sporting equipment	\$5,000
Liverpool City Robins Sports Club (Football)	Car park safety lighting improvement	\$5,000
Werriwa All Breeds Dog Training Club	Purchase of sporting equipment	\$1,837
Southern Districts Softball Association	Purchase of sporting equipment	\$1,591
Kemps Creek United Soccer Club	Floodlighting upgrade project	\$5000
Mt Pritchard and District Community Club	Purchase of sporting equipment to support an Autism and special needs football program	\$3,146

2. Officers review the unsuccessful applications to ensure they don't meet the criteria.

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

**ITEM NO:** COM 03  
**FILE NO:** 160408.2018  
**SUBJECT:** Leisure Centre Event Fees Comparison

**RECOMMENDATION**

That Council receives and notes this report.

**COUNCIL DECISION**

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

That Council receives and notes this report and that Belgravia Leisure be invited to give regular updates at the Tourism and Events Committee meetings about their planned festivals, exhibitions and events that are being held at the Whitlam Centre.

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

**ITEM NO:** COM 04  
**FILE NO:** 161102.2018  
**SUBJECT:** Liverpool Listens and Liverpool District Forums Evaluation

**RECOMMENDATION**

That Council:

1. Receives and notes this report;
2. Renew the subscription of Liverpool Listens for a further three years from 2018-2021 to allow this platform to expand on its current functions, and maintain consistent engagement methods for both internal and external users;
3. Continue with the Rural District Forum to be held on a bi-monthly basis;
4. Continue the Eastern District Forum and change its frequency from quarterly to bi-monthly;
5. Continue operating the amalgamated 2168 District Forum and 2168 Resident Action Group, meeting monthly during the day;
6. Continue the New Release District Forum on a quarterly basis;
7. Amalgamate the City Centre District Forum with the existing CBD Committee;
8. Discontinue the Established District Forum; and
9. Deliver community forums on a needs basis, inviting government and private sector representatives, for broader community engagement on matters of interest and concern.

**COUNCIL DECISION**

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

That Council:

1. Receives and notes this report;
2. Renew the subscription of Liverpool Listens for a further three years from 2018-2021 to allow this platform to expand on its current functions, and maintain consistent engagement methods for both internal and external users;
3. Continue with the Rural District Forum to be held on a bi-monthly basis;

4. Continue the Eastern District Forum and change its frequency from quarterly to bi-monthly;
5. Continue operating the amalgamated 2168 District Forum and 2168 Resident Action Group, meeting monthly during the day;
6. Amalgamate the Established District Forum with the New Release District Forum and hold on a quarterly basis;
7. Amalgamate the City Centre District Forum with the existing CBD Committee;
8. Discontinue the Established District Forum; and
9. Deliver community forums on a needs basis, inviting government and private sector representatives, for broader community engagement on matters of interest and concern.

**Foreshadowed motion:      Moved: Clr Rhodes      Seconded: Clr Harle**

That Council:

1. Receives and notes this report;
2. Renew the subscription of Liverpool Listens for a further three years from 2018-2021 to allow this platform to expand on its current functions, and maintain consistent engagement methods for both internal and external users;
3. Continue with the Rural District Forum to be held on a bi-monthly basis;
4. Continue the Eastern District Forum and change its frequency from quarterly to bi-monthly;
5. Continue operating the amalgamated 2168 District Forum and 2168 Resident Action Group, meeting monthly during the day;
6. Continue the New Release District Forum on a quarterly basis;
7. The City Centre District Forum is run on an as needs basis;
8. Discontinue the Established District Forum; and
9. Deliver community forums on a needs basis, inviting government and private sector representatives, for broader community engagement on matters of interest and concern.

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

**CITY CORPORATE REPORT**

**ITEM NO:** CORP 01  
**FILE NO:** 142853.2018  
**SUBJECT:** Investment Report May 2018

**RECOMMENDATION**

That Council receives and notes this report.

**COUNCIL DECISION**

That Council:

1. Receives and notes the report; and
2. Conducts a cost benefit analysis into membership of WSROC.

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

**ITEM NO:** CORP 02  
**FILE NO:** 151072.2018  
**SUBJECT:** Local Government Remunerational Tribunal Annual Report and Determination under sections 239 and 241 of the Local Government Act 1993

**RECOMMENDATION**

That Council pursuant to Section 248 and 249 of the Act, resolves to fix the fees payable to the Mayor and Councillors for the period 1 July 2018 to 30 June 2019 to an amount equal to the maximum allowable under the determination of the Local Government Remuneration Tribunal, dated 17 April 2018.

**COUNCIL DECISION**

**Motion:** **Moved: Cllr Hagarty** **Seconded: Cllr Hadid**

That Council:

1. Pursuant to Section 248 and 249 of the Act, resolves to fix the fees payable to the Mayor and Councillors for the period 1 July 2018 to 30 June 2019 to an amount equal to the maximum allowable under the determination of the Local Government Remuneration Tribunal, dated 17 April 2018.
  
2. In relation to payment of fees to the Mayor and Councillors, amend clause 4.1.3 of its Civic Expenses and Facilities Policy to the version in place immediately prior to 26 July 2017 and exhibit as required, and in the event no submissions are received, delegate authority to the CEO to make the change.

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

**Mayor Waller called a recess of Council at 8:14pm.**

**Mayor Waller reopened the meeting at 8:20 pm with all Councillors present with the exception of Cllrs Ayyad, Hadchiti and Hadid.**



**COMMITTEE REPORTS**

**ITEM NO:** CTTE 01

**FILE NO:** 141974.2018

**SUBJECT:** Minutes of the Intermodal Committee Meeting held on 15 May 2018

**RECOMMENDATION**

That Council receives and notes the Minutes of the Intermodal Committee Meeting held on 15 May 2018.

**COUNCIL DECISION**

**Motion:**

**Moved: Cllr Hagarty**

**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:** 144683.2018  
**SUBJECT:** Minutes of the Strategic Panel held on 4 June 2018

**RECOMMENDATION**

That Council receives and notes the Minutes of the Strategic Panel Meeting held on 4 June 2018.

**COUNCIL DECISION**

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

That Council receives and notes the Minutes of the Strategic Panel Meeting held on 4 June 2018, noting that there was no quorum in any event and therefore no resolutions.

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

**ITEM NO:** CTTE 03  
**FILE NO:** 154913.2018  
**SUBJECT:** Minutes of the Environment Advisory Committee Meeting held on 8 May 2018

**RECOMMENDATION**

That Council receives and notes the Minutes of the Environment Advisory Committee Meeting held on 8 May 2018.

**COUNCIL DECISION**

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

That Council receives and notes the Minutes of the Environment Advisory Committee Meeting held on 8 May 2018 with the following amendment:

- The words “Deputy Chair” to be removed from Clr Shelton’s name in the Councillor’s attendee list.

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

**Ctrs Ayyad, Hadchiti and Hadid returned to the Chambers at 8:24pm.**

**ITEM NO:** CTTE 04  
**FILE NO:** 156791.2018  
**SUBJECT:** Minutes of the Local Traffic Committee Meeting held on 16 May 2018

## **RECOMMENDATION**

That Council adopts the following recommendations as outlined in the attached minutes:

- i) Item 1 - College Street/Moore Street, Liverpool - Proposed changes to the existing on-street parking.
  - Conversion of the existing 'No Stopping' zone along College Street outside Liverpool TAFE to nine (9) '2P' car parking spaces (with 'Rear to Kerb' restriction), 10m 'No Parking' restriction and six (6) 'Motor Bikes Only' spaces, as shown in Attachment 1.1.
  - Conversion of the 'Front to Kerb' spaces along Moore Street, Liverpool, to 'Rear to Kerb' spaces.
- ii) Item 2 - Mannix Parade, Warwick Farm - Proposed introduction of resident parking scheme
  - Introduction of a Resident Parking Scheme and associated parking restrictions indicating '2P PERMIT HOLDERS EXCEPTED, AREA LCC-003' in Council's car park fronting Mannix Parade, Warwick Farm.
  - The Roads and Maritime Services concurrence be sought prior to installing '2P' parking restrictions.
- iii) Item 3 - Campbell Street, Liverpool - Proposed raised threshold at the existing pedestrian crossing.
  - Upgrade the existing marked pedestrian crossing across Campbell Street, as shown in Attachment 3.1.
  - RMS is to be requested to signpost 40 km/h High Pedestrian Activity Area in the Campbell Street section between Bigge Street and Bathurst Street, Liverpool.
- iv) Item 4 - Cubitt Drive, Denham Court - Road safety improvements
  - Carry out linemarking and signposting in the vicinity of 23 and 25 Cubitt Drive, Denham Court.
- v) Item 5 - Sadleir Avenue, Sadleir - Relocation of a bus stop
  - Relocation of the existing bus stop at the front of 4 Sadleir Avenue, Sadleir, is to be deferred for review in two or three months following the launch of new bus timetable in June 2018.
- vi) Item 6 - Liverpool City Centre - Special community event, Festival of Chariots
  - The event is classified as Class 2 Special Event according to the RMS Special

Event guidelines. The applicant is to:

- Submit Traffic Management Plan to Council and RMS for endorsement.
- Police approval for the management of the street parade and rolling road closures.
- Advertisement of event in the local papers.
- Submission of a public liability insurance.
- Council is to arrange meeting with the event organisers, Police, bus companies to ensure minimum impact from the proposed event.

vii) Item 7 - Railway Street and Railway Serviceway, Liverpool - Special community event, 'Eat Your Heart Out Liverpool'

- The event is classified as Class 2 Special Event according to the RMS Special Event guidelines. The applicant is to:
  - Submit Traffic Management Plan to the RMS for endorsement.
  - Police approval and management of the street closure.
  - Advertisement of event in the local papers.

viii) Item 8 - Liverpool City Centre - Special community event, NAIDOC street parade

- The event is classified as Class 4 Special Event (under police control) according to the RMS Special Event guidelines.

ix) Item 9 - Edmondson Park Town Centre Development - Proposed bus stops

- Approves the proposed bus stops, bus zones locations and associated signs and linemarking scheme as shown in Attachments 9.2 and 9.3.

x) Item 10 - Items approved under Delegated Authority

- 13 Items were approved under delegated authorities during the period 7 March 2018 to 4 May 2018.

xi) Item 11 - Liverpool Local Traffic Committee Charter

- The Local Traffic Committee Charter was adopted by the Committee.

## COUNCIL DECISION

**Motion:**

**Moved: Cllr Hagarty**

**Seconded: Cllr Hadchiti**

That Council adopts the following recommendations as outlined in the attached minutes:

- i) Item 1 - College Street/Moore Street, Liverpool - Proposed changes to the existing on-street parking.
  - Conversion of the existing 'No Stopping' zone along College Street outside Liverpool TAFE to nine (9) '2P' car parking spaces (with 'Rear to Kerb' restriction), 10m 'No Parking' restriction and six (6) 'Motor Bikes Only' spaces, as shown in Attachment 1.1.

- Conversion of the 'Front to Kerb' spaces along Moore Street, Liverpool, to 'Rear to Kerb' spaces.
- ii) Item 2 - Mannix Parade, Warwick Farm - Proposed introduction of resident parking scheme
- Introduction of a Resident Parking Scheme and associated parking restrictions indicating '2P PERMIT HOLDERS EXCEPTED, AREA LCC-003' in Council's car park fronting Mannix Parade, Warwick Farm.
  - The Roads and Maritime Services concurrence be sought prior to installing '2P' parking restrictions.
- iii) Item 3 - Campbell Street, Liverpool - Proposed raised threshold at the existing pedestrian crossing.
- Upgrade the existing marked pedestrian crossing across Campbell Street, as shown in Attachment 3.1.
  - RMS is to be requested to signpost 40 km/h High Pedestrian Activity Area in the Campbell Street section between Bigge Street and Bathurst Street, Liverpool.
- iv) Item 4 – Cubitt Drive Denham Court – Road safety improvements
- Carry out pavement markings and signposting as a temporary measure in the vicinity of 25 Cubitt Drive Denham Court.
  - Commence necessary design work to facilitate extension of the stormwater pipes at the above location.
  - Enable appropriate width of road shoulders to be created to improve safety for traffic and pedestrians.
  - Upon completion of the above Council officers consider the installation of an appropriate guard rail.
  - Note these works will be undertaken in the 2018/19 program year.
- v) Item 5 - Sadleir Avenue, Sadleir - Relocation of a bus stop
- Relocation of the existing bus stop at the front of 4 Sadleir Avenue, Sadleir, is to be deferred for review in two or three months following the launch of new bus timetable in June 2018.
- vi) Item 6 - Liverpool City Centre - Special community event, Festival of Chariots
- The event is classified as Class 2 Special Event according to the RMS Special Event guidelines. The applicant is to:
    - Submit Traffic Management Plan to Council and RMS for endorsement.
    - Police approval for the management of the street parade and rolling road closures.
    - Advertisement of event in the local papers.
    - Submission of a public liability insurance.
  - Council is to arrange meeting with the event organisers, Police, bus companies to ensure minimum impact from the proposed event.

- vii) Item 7 - Railway Street and Railway Serviceway, Liverpool - Special community event, 'Eat Your Heart Out Liverpool'
  - The event is classified as Class 2 Special Event according to the RMS Special Event guidelines. The applicant is to:
    - Submit Traffic Management Plan to the RMS for endorsement.
    - Police approval and management of the street closure.
    - Advertisement of event in the local papers.
  
- viii) Item 8 - Liverpool City Centre - Special community event, NAIDOC street parade
  - The event is classified as Class 4 Special Event (under police control) according to the RMS Special Event guidelines.
  
- ix) Item 9 - Edmondson Park Town Centre Development - Proposed bus stops
  - Approves the proposed bus stops, bus zones locations and associated signs and linemarking scheme as shown in Attachments 9.2 and 9.3.
  
- x) Item 10 - Items approved under Delegated Authority
  - 13 Items were approved under delegated authorities during the period 7 March 2018 to 4 May 2018.
  
- xi) Item 11 - Liverpool Local Traffic Committee Charter
  - The Local Traffic Committee Charter was adopted by the Committee.

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

**ITEM NO:** CTTE 05  
**FILE NO:** 158363.2018  
**SUBJECT:** Minutes of Civic Advisory Committee meeting held on Tuesday 12 June 2018

**RECOMMENDATION**

That Council receives and adopts the minutes of the Civic Advisory Committee Meeting held on 12 June 2018.

**COUNCIL DECISION**

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

That Council receives and adopts the minutes of the Civic Advisory Committee Meeting held on 12 June 2018 with the following amendment to point 2 of the Motion moved by Colin Harrington and Seconded by Peter Fraser on page 143 of the Council agenda, so that it reads:

- 2. *Any reports of significant monument vandalism be notified to Council and Councillors with a recommendation of the appropriate cost.*

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



**Mayor Waller left the Chambers at 8:51pm and Clr Ayyad, the Deputy Mayor became the Chairperson.**

**Clr Hadid left the Chambers at 8:51pm.**

**Mayor Waller and Clr Hadid returned to the Chambers at 8:53pm.**

**NOTICES OF MOTION**

**ITEM NO:** NOM 01  
**FILE NO:** 164298.2018  
**SUBJECT:** Medium Density Development

**BACKGROUND**

The nature of our residential suburbs is changing. Many freestanding homes in suburbs like Chipping Norton, Moorebank and Casula have been knocked down and turned into medium density townhouses and terraces. This has had a knock on effect to infrastructure with small suburban streets being clogged.

In mid-May the State Government announced a halt on development in Ryde and Canterbury Bankstown Councils citing the need for infrastructure to catch up with development.

The freeze includes the deferment of a new medium density housing code which makes it easier for existing residential homes to be turned into terraces, townhouses and other two-storey developments.

Figures from the NSW Planning & Environment show that in the last five years Liverpool ranks 7th in the number of dwellings built in Sydney while the two Councils that have had a freeze on development, Canterbury Bankstown and Ryde, rank 6th and 10th respectively.

WSROC welcomed the decision with WSROC President Stephen Bali saying “We need to ensure we are prioritising sustainable growth. Growth that is supported by state infrastructure such as roads, drainage, parks, community centres and public transport,” and “That means planning and budgeting for infrastructure first, and allocating growth second.”

Since the initial announcement, Lane Cove and Northern Beaches have received an exemption from the medium density code, while Randwick, Georges River, Sutherland, Hawkesbury and Strathfield have also sought or are seeking an exemption.

These exemptions and requests for exemption come after the minister said he was prepared to extend the freeze to any other council in Sydney seeking to amend its Local Environment Plan (LEP).

The two reasons given for the freeze, an infrastructure deficit and the review of an LEP, both apply to Liverpool. As announced in the City Deal, Liverpool will be undertaking an extensive review of our LEP and our infrastructure deficit, especially with regards to traffic, are well known.

In order to comprehensively review the LEP, including any changes to medium density and the impact on infrastructure, it is essential all information be known. As such, any review of the LEP must be informed by the 2016 RMS traffic study on congestion in Liverpool and Moorebank.

### **NOTICE OF MOTION (submitted by Cllr Hagarty)**

That Council:

1. Request a deferment from the Minister on the implementation of the new medium density housing code in line with other Councils in the Sydney area; and
2. Call on the State Government to release the 2016 RMS traffic study into congestion in Liverpool and Moorebank in order to better inform a review of the LEP.

**Cllr Hagarty left the Chambers at 8:56pm.**

**Cllr Hagarty returned to the Chambers at 8:56pm.**

### **COUNCIL DECISION**

**Motion:**

**Moved: Cllr Hagarty**

**Seconded: Cllr Kaliyanda**

That:

1. Council request a deferment from the Minister on the implementation of the new medium density housing code in line with other Councils in the Sydney area until Council has reviewed their LEP;
2. Council call on the State Government to release the 2016 RMS traffic study into congestion in Liverpool and Moorebank in order to better inform a review of the LEP.
3. Councillors receive a presentation at the Strategic Panel on what is happening in NSW planning codes so that Councillors can fully understand and examine the positive and negative nature of what is happening.

**Foreshadowed motion:      Moved: Clr Ayyad                      Seconded Clr Hadchiti**

That Council:

1. Receive and note the Notice of Motion;
2. Call on the State Government to release the 2016 RMS traffic study into congestion in Liverpool and Moorebank in order to better inform a review of the LEP;
3. Note that the new medium density code reduces the turnaround time for the approval of development applications;
4. Notes that the dwelling permissibility does not change under this new code;
5. Receive a report on how many development applications have been processed on dual occupancy and the impact on surrounding infrastructure; and
6. Investigate changing the R4 zoning in Moorebank to R3 as part of the LEP review.

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

**Division called on the Motion (moved by Clr Hagarty):**

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

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

**CONFIDENTIAL ITEMS**

**ITEM NO:** CONF 01

**FILE NO:** 158695.2018

**SUBJECT:** Tender WT2708 - A new automated truck wash bay at the Rose Street Depot

**RECOMMENDATION**

That Council:

1. Declines to accept any of the tenders submitted for Tender WT2708 – A new automated truck wash bay at the Rose Street Depot, and postpones the proposal for the contract in accordance with Section 178(3) of the Local Government (General) Regulation 2005; and
2. Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of Section 10A(2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

**COUNCIL DECISION**

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

That the recommendation be adopted.

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

Councillors voted unanimously for this motion.



**THE MEETING CLOSED AT 9:09pm**

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 25 July 2018

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 27 June 2018. 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 JULY 2018

**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  
 Ms Margaret Diebert, Acting Director City Presentation  
 Mr Madhu Pudasaini, Acting Director City Infrastructure and Environment

The meeting commenced at 6.00pm.

<b>OPENING</b>	6.00pm
<b>ACKNOWLEDGMENT OF COUNTRY, PRAYER OF COUNCIL AND AFFIRMATION TO BE READ BY</b>	The prayer of the Council was read by Pastor John Keane from West Hoxton Community Church.
<b>NATIONAL ANTHEM</b>	The National Anthem performed and recorded by Rebekah Ferro was played at the meeting.
<b>APOLOGIES</b>	Nil

**CONDOLENCES**

**Casey Conway (read by Mayor Waller)**

Casey Conway was born on 12 December 1935 and passed away on 24 June 2018.

Casey lived in Heckenberg with his wife Judith and was admired for his compassion and hard work ethic as a tradesman. He was also former Mayor and Alderman of Liverpool City Council.

He dedicated at least 14 years to Council, serving as Mayor in 1984-1986 and 1987-88. During his leadership, Casey made many contributions to Liverpool, including the transition from tin bins to wheely bins. He also cared deeply for meals on wheels, and officially opened its current premises on Memorial Avenue in 1988.

Casey continued to contribute to Liverpool after his term at Council by remaining actively engaged with our community and its representatives.

On behalf of all at Liverpool City Council, I humbly express my deepest condolences to Casey's family and friends at this difficult time. I am sure that Casey's community spirit will live on in all those whom had the pleasure of knowing him.

May he rest in peace.

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

That Council writes to the family of Mr Casey Conway expressing our condolences for their loss.

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

One minutes silence was then observed for the passing of Mr Conway.



**CONFIRMATION OF MINUTES**

**Motion:**                      **Moved: Clr Hadid**                      **Seconded: Clr Ayyad**

That the minutes of the Ordinary Meeting held on 27 June 2018 be confirmed as a true record of that meeting.

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

**DECLARATIONS OF INTEREST**

Nil

**Clr Hadchiti arrived at the meeting at 6.13pm.**

**PUBLIC FORUM**

**Presentation – items not on agenda**

Nil.

**Representation – items on agenda**

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

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

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

1. **Prepared Speech Winner – Mr Samar Abdel Aziz** from Unity Grammar College.
2. **Impromptu Speech Winner – Mr Jamal Merhb** from Unity Grammar College.

## MAYORAL REPORT

**ITEM NO:** MAYOR 01  
**FILE NO:** 199230.2018  
**SUBJECT:** Resilient Sydney

*Resilient Sydney* is a strategy that brings together organisations and individuals that are critical to the resilience of Sydney and its diverse communities. It offers a new way to address the chronic stresses and acute shocks that we are likely to experience in our lifetime as city residents and supports our city to build resilience to the physical, social, and economic challenges that are faced by the 21<sup>st</sup> century. I attended the launch of the Strategy this Tuesday with many other metropolitan Mayors.

To support Councils in coping with the increasing complexity and uncertainty that is being experienced globally, *Resilient Sydney* was developed – headed by the City of Sydney in partnership with councils across metropolitan Sydney. The Strategy offers a rare opportunity to tackle these challenges in new collaborative ways, bringing together more than 100 organisations, including The Red Cross, Greater Sydney Commission and NSW Health Districts.

The Strategy focuses on five key directions that are aimed at addressing the areas which make Sydney vulnerable including; growing inequity across the city, adapting to the effects of extreme heat and community preparedness for emergencies.

It includes tangible outcomes and solutions such as the ‘Turn Down the Heat’, cool suburbs initiative and encouraging people to download the Red Cross’ ‘Get Prepared’ app. The app helps our community identify support people during a disaster, create a to-do list that will help to keep loved ones safe, and develop an action plan to protect assets that matter most. Considering our recent bushfires, this is an excellent resource for us to promote.

The City of Sydney is now calling on other metropolitan councils to consider the actions in the *Resilient Sydney* Strategy. I believe that there are many actions that complement our council’s existing policies and projects and are consistent with our Community Strategic Plan. I am requesting a report be brought to council on the *Resilient Sydney* Strategy that considers what actions we could adopt that are cost neutral to council.

## RECOMMENDATION

That Council:

1. Receive a report at the September meeting of council regarding the Resilient Sydney Strategy; and
2. Promote the ‘Get Prepared’ app in the local media, and through its social network pages and newsletter.

**COUNCIL DECISION**

**Motion:**                                      **Moved: Mayor Waller**

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:** 161468.2018  
**SUBJECT:** Draft Liverpool Local Environmental Plan (Amendment 72) - Centre-based child care facilities as Additional Permitted Use at 525 Cowpasture Road, Len Waters Estate

**RECOMMENDATION**

That Council:

1. Note the Gateway determination for draft Liverpool Local Environmental Plan 2008 (Amendment 72) and the results of public exhibition and community consultation; and
2. Forward Amendment 72 to the Parliamentary Counsel's Office and the Department of Planning and Environment for finalisation.

**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

**ITEM NO:** EGROW 02  
**FILE NO:** 161879.2018  
**SUBJECT:** Street naming

**RECOMMENDATION**

That Council:

1. Supports the street names noted in this report; and
2. Delegates to the Chief Executive Officer (CEO) to begin the process of gazettal.

**COUNCIL DECISION**

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

That the recommendation be adopted.

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

**ITEM NO:** EGROW 03  
**FILE NO:** 168238.2018  
**SUBJECT:** 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. Note the Gateway determination for draft Liverpool Local Environmental Plan 2008 (Amendment 70) and the results of public exhibition and community consultation; and
2. Forward Amendment 70 to the Parliamentary Counsel’s Office and the Department of Planning and Environment for finalisation.

**COUNCIL DECISION**

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

That:

1. The matter be brought to a future Councillor Briefing Session.
2. Council defer the item until a Voluntary Planning Agreement accompanies the planning proposal.

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

Councillors voted unanimously for this motion.

**ITEM NO:** EGROW 04  
**FILE NO:** 180623.2018  
**SUBJECT:** Draft City Activation Strategy

**RECOMMENDATION**

That Council:

1. Endorse the Draft City Activation Strategy for public exhibition; and
2. Receive a report in September detailing any submissions received and for the adoption of the City Activation Strategy, or if no submissions are received, delegate to the CEO to adopt the strategy.

**COUNCIL DECISION**

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

That Council:

1. Endorse the Draft City Activation Strategy for public exhibition;
2. Extend the exhibition period to 60 days to also allow for a Councillors workshop to be held.
3. Receive a report following the public submission period detailing any submissions received and for the adoption of the City Activation Strategy, or if no submissions are received, delegate to the CEO to adopt the strategy.

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





**CHIEF EXECUTIVE OFFICER REPORT**

**ITEM NO:** CEO 01  
**FILE NO:** 179493.2018  
**SUBJECT:** Local Government NSW Conference 2018

**RECOMMENDATION**

That Council:

1. Determine its voting delegates for the conference; and
2. Endorse the key issues to be submitted for consideration at the Local Government NSW Annual Conference.

**COUNCIL DECISION**

**Motion:** **Moved: Cllr Kaliyanda** **Seconded: Cllr Ayyad**

That Council:

1. Nominate those delegates attending the conference to be voting delegates;
2. Endorse the key issues (as outlined in the report, relating to “Problem Gambling”, “Train Services” and “Exemption from IHAP Changes”) to be submitted for consideration at the Local Government NSW Annual Conference; and
3. An additional motion be put forth to the LGNSW Conference as below:

**Background**

Sydney waterways and in particular the Georges River have historically been a vital way to connect Liverpool to Botany Bay and Sydney’s Southern Suburbs.

As our road systems become more and more congested it is time to reinstate our River Highways linking Liverpool and the southern suburbs of Sydney as well as an alternate route to Sydney Airport.

A hovercraft ferry service could enhance the NRMA’s vision for the expansion of Ferry services servicing Sydney, the West and South West Sydney growth areas.

It is estimated that 250,000 jobs will be created in the Western Sydney Area over the next 20 to 40 years, with the potential for more than 100,000 of these new jobs available by 2031.

The population of Greater Sydney is expected to grow from 5m (2016) – 6.2m by 2031.

It is essential that we explore new ways of addressing congestion and find alternatives to the growing cost of transport that's affecting families in Western Sydney.

Fast Ferries could offer a faster, more efficient, more enjoyable and more effective alternative for commuters and have less impact on the environment.

Fast Ferries are a reliable service that record 97% customer satisfaction levels which is higher than buses, trains and lightrail and will not require the expensive infrastructure cost to implement.

**Motion**

That:

1. LGNSW advocate on Council's behalf for State and Federal government support for the development of river highways across the Sydney South West.
2. Georges River be considered with the NRMA's Blue Highways Report as a viable way of getting people from Western Sydney to where they need to be.

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

**ITEM NO:** CEO 02  
**FILE NO:** 182322.2018  
**SUBJECT:** Media Policy

**RECOMMENDATION**

That Council adopt the Media Policy.

**COUNCIL DECISION**

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

That Council adopt the Media Policy with the following changes:

Clause 4.4.1g) be amended so that it reads:

*“Contains allegations of suspected breaches of this code or information about the consideration of a matter under this code or any other code pertaining to Conduct.”*

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



**ITEM NO:** COM 02  
**FILE NO:** 126383.2018  
**SUBJECT:** Mandaean Community in Liverpool - Baptismal area on the banks of the Georges River

**RECOMMENDATION**

That Council write to the Mandaean community to advise of the unsuitability of the water in the Georges River for baptisms and explain the risks of accessing the water for this use.

**COUNCIL DECISION**

**Motion:**                                        **Moved: Cllr Ayyad**                        **Seconded: Cllr Rhodes**

That Council:

1. Develop a strategy, in consultation with the Georges River Combined Councils Committee on how to improve the water quality of the Georges River and report back to Council in 3 months;
2. Continue the water testing in the Georges River and email the reports to Councillors as they become available;
3. Investigate the feasibility of a public bio pool with the Mandaean Community, including the suitability for the religious requirements of the Mandaean Community; and
4. Reiterate support to the Mandaean community as outlined in the original Mayoral minute brought to Council.

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

Cllr Shelton requested that he be recorded as voting against the motion.

Clr Ayyad left the Chambers at 6.56pm.

Clr Ayyad returned to the Chambers at 6.57pm.

**ITEM NO:** COM 03  
**FILE NO:** 154589.2018  
**SUBJECT:** Expansion of Live Life Get Active Camps in Liverpool

**RECOMMENDATION**

That Council:

1. Continue funding the Live Life Get Active Camp in Bigge Park at a cost of \$20,000 per annum + GST. Funds are available in the 2018/2019 budget; and
2. Support the initiation of additional camps and expansion of the camps to other locations in the Liverpool LGA, to be funded by external agencies.

**COUNCIL DECISION**

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

That the recommendation be adopted.

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

**ITEM NO:** COM 04  
**FILE NO:** 178767.2018  
**SUBJECT:** Post Exhibition Report - Draft Social Justice Policy

**RECOMMENDATION**

That Council adopt the Draft Social Justice Policy.

**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

**Motion:**                                    **Moved:**                                    **Seconded:**

**CITY CORPORATE REPORT**

**ITEM NO:** CORP 01  
**FILE NO:** 179028.2018  
**SUBJECT:** Investment Report June 2018

**RECOMMENDATION**

That Council receives and notes this 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.















**PRESENTATIONS**

Cllr Rhodes made a presentation to Council on the activities and events of Toda Students currently visiting Liverpool and thanked staff for their work on the Toda visit.

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## NOTICES OF MOTION

**ITEM NO:** NOM 01  
**FILE NO:** 192594.2018  
**SUBJECT:** The Fix NSW Transport Coalition's Lantern Walk

On August 11 more than 30 community groups from across Sydney will come together to hold a walk under the banner 'FIX NSW Transport coalition'. The coalition was formed in opposition to the amount of taxpayers funds being dedicated to toll roads and not enough invested in public transport.

Liverpool is no stranger to these issues.

The State and Federal Governments are intending to build the M12 as the primary motorway to service Western Sydney Airport. The proposed route of the M12 sees it start from the M7 in the east. This means the only way onto the M12 for west bound motorists is via an existing toll road.

There is no confirmation as to whether the M12 will also be a toll road. However, it's been decades since a toll-less motorway was constructed in Sydney.

The State Government has also confirmed they intend to extend M5 toll once it is paid off in 2026, potentially for another 40 years to 2066.

This Council has previously debated the new train timetable, the need for an express service from Liverpool to the City and has lobbied for the extension of the Bankstown Metro to Liverpool.

The LGA is beset with many traffic issues, most notably around the CBD: with major arterials Hume Highway, Cumberland Highway, Newbridge Road, Heathcote Road, Hoxton Park Road etc.

This is a worthy cause in line with previous Council resolutions.

### **NOTICE OF MOTION (Submitted by Cllr Hagarty)**

That Council:

1. Write to the Fix NSW Transport Coalition expressing support for their cause; and
2. Write to the State Government to ask if the M12 will be toll road and if so:
  - How much will the toll cost when the road opens?
  - How long will the toll be in place?



**COUNCIL DECISION**

**Motion:    Moved: Clr Hagarty    Seconded: Clr Karnib**

That the recommendation be adopted.

**Amendment:    Moved: Clr Rhodes    Seconded: Clr Hadchiti**

That Council:

1. Write to the State government to request information on the M12, including the points below:
  - Will it be a toll road? If so;
  - How much will the toll cost when the road opens?
  - How long will the toll be in place?
2. Lobby the State Government for people living in Western Sydney as they should not be subject to the toll;
3. Request support for the extension of the Bankstown Metro to Liverpool;
4. Request upgrade to the Hume Highway, Newbridge Road, Heathcote Road, Hoxton Park Road;
5. Write to the State government to congratulate them on their record spend on roads and public transport in Western Sydney.

On being put to the meeting the Amendment (moved by Clr Rhodes) was declared CARRIED and then became the motion.

On being put to the meeting the motion (moved by Clr Rhodes) was declared CARRIED. The motion moved by Clr Hagarty therefore lapsed and was not voted on.

**Division called:**

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

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

**ITEM NO:** NOM 02  
**FILE NO:** 192644.2018  
**SUBJECT:** Liverpool's Time is Now

With the new airport and billions of dollars of infrastructure, new universities, and new government departments being built, Liverpool is experiencing a golden age like no other.

It is vital that the whole community of Liverpool benefits from this. Whether you live in Miller or Middleton Grange, Cartwright or Carnes Hill, every resident and child should directly benefit from all that is happening.

We should not have to wait anymore.

One of the ways to transform an area for the better is to connect it to jobs. On that note, Council needs to re-consider its position in relation to a Metro from Liverpool to Badgerys Creek.

We need to lobby to have the South West Metro extended from Bankstown to Liverpool with the following stops:

- Miller
- Middleton Grange or Carnes Hill
- Austral/West Hoxton
- Rossmore
- Badgerys Creek

A train station in Miller will transform the area for the better of our residents who live there. Miller has been forgotten and this has to stop now. We should all be working together to ensure we improve the quality of life of all our residents, not just ratepayers. Just because someone lives in housing commission and doesn't pay rates doesn't mean that we shouldn't be working for them.

To think that Parramatta and Penrith will be connected to the airport before us is not reflective of the role that Liverpool has and will play in the future.

#### **NOTICE OF MOTION (submitted by Cllr Balloot)**

That Council:

1. Immediately commence planning for the above mentioned metro route and develop plans accordingly;
2. Lobby all sides of politics on this issue with the goal of them making it a priority;

3. Write to all MP's (Federal and State) asking for their support and provide a report back to Council in 2 months with their positions;
4. Write to Canterbury Bankstown Council seeking their support for the campaign and ask them to join us;
5. Commission a report into the economic and social benefits of doing so; and
6. Allocate the necessary funds required to do so.

### COUNCIL DECISION

**Motion:**

**Moved: Clr Balloot**

**Seconded: Clr Ayyad**

That Council:

1. Write to Premier and Minister for Transport requesting the NSW State Government to:
  - a. amend the Future Transport strategy to include a scoping study for a metro from Liverpool to the Airport with the route to go through 2168.
  - b. dedicate more resources to natural gas powered bus services, including the T Way, and for more services and more routes, with a particular focus on new release areas.
2. Lobby all sides of politics on this issue with the goal of them making it a priority;
3. Write to all MP's (Federal and State) asking for their support and provide a report back to Council in 2 months with their positions;
4. Write to Canterbury Bankstown Council and Fairfield Council seeking their support for the campaign and ask them to join us;
5. Commission a report into the economic and social benefits of doing so; and
6. Allocate the necessary funds required to do so.

**Foreshadowed motion:**

**Moved: Clr Hagarty**

**Seconded: Clr Kaliyanda**

That Council:

1. Write to Premier and Minister for Transport requesting the NSW State Government to:
  - a. amend the Future Transport strategy to include a scoping study for a metro from Liverpool to the Airport with the route to go through 2168.
  - b. dedicate more resources to natural gas powered bus services, including the T Way, and for more services and more routes, with a particular focus on new release areas.

2. Lobby all sides of politics on this issue with the goal of them making it a priority;
3. Write to all neighbouring Councils seeking their support for better transport options;
4. Write to all MP's (Federal and State) asking for their support and provide a report back to Council in 2 months with their positions.

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

**Division called:**

**Vote for:**

- Mayor Waller
- Clr Ayyad
- Clr Balloot
- Clr Hadchiti
- Clr Hadid
- Clr Hagarty
- Clr Harle
- Clr Kaliyanda
- Clr Rhodes

**Vote against:**

- Clr Karnib
- Clr Shelton

**ITEM NO:** NOM 03  
**FILE NO:** 192668.2018  
**SUBJECT:** Koala Habitat and Wildlife Protection in Support of the Georges River Koala Network

The Georges River Koala Network has since been established after Liverpool Council moved at the May Council meeting 2018 to unanimously support collaboration to find an integrated Koala Conservation Plan for South West Sydney local koala colony. The Georges River Koala Network urges Council support in seeking dialogue with the Holsworthy Army Training Base in establishing a sustainable Koala Management Plan. The Georges River Koala Network has been formed with the assistance of The Georges River Environment Alliance, National Parks Association NSW and Macarthur Branch and concerned community members including John Anderson from Liverpool.

The presence of a healthy koala colony in the Holsworthy Military Training Area has been known and recorded for decades through several scientific studies in the area.

The recent bushfire earlier this year and subsequent reports of koala rescue as koalas fled from the fire path, together with additional reports of koalas travelling along the Georges River corridor from Campbelltown to Wattle Grove, and the observance of recent road kill on Heathcote Road around Sandy Point all underpin the significance of the land contained in or very near to the Military Training Camp that is being increasingly utilised by this unique and precious colony.

The Army have occupied and used the area known as the Holsworthy Army Training Land since 1913, in a compatible and sustainable manner with wildlife.

However increased development of koala habitat, has encouraged more koalas to access the Georges River corridor and the Military Training Area than ever before making urgent the need for the implementation of a Koala Management Plan along these known koala routes and areas.

Koalas do not recognise LGA borders, nor the border of the Military Training Area which is the reason why the only way possible to preserve and protect the colony is by a collaborative approach with an agreed management plan and strategy.

The koala is arguably the most significant identifying icon that represents Australia. They are loved throughout the world. They have been used on numerous occasions as mascots to world sports and other such events. Their survival is now under threat or Australia risks losing them forever.

I now urge Liverpool Council to substantiate their commitment to participate with our neighbouring LGAs and write to the Minister of Defence to request the Holsworthy Training Camp engage in effective dialogue between themselves, the collaborative Local Government

Areas through the Georges River Koala Network and the community so that together we may find and deliver a sustainable integrated Koala Management Plan and save our koalas.

**NOTICE OF MOTION (Submitted by Cllr Rhodes)**

That Council write to Senator the Hon Marise Payne, Minister for Defence to confirm Liverpool Council's collaborative support for the Georges River Koala Network in recognising the presence of the last disease-free colony of koalas in Australia, their presence in the Holsworthy Military Training Area and the need for a dialogue to commence with the Community, Army and Georges River Koala Network to initiate actions to ensure the preservation of this koala colony.

**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.

**CONFIDENTIAL ITEMS**

**ITEM NO:** CONF 01  
**FILE NO:** 179664.2018  
**SUBJECT:** Funding Initiative – Lurnea Community Hub (Phillips Park, Lurnea)

**RECOMMENDATION**

That Council:

1. Approves and adopts the proposed strategy to access loan facilities offered by the NSW Treasury Corporation to fund the works for Lurnea Community Hub at Phillips Park;
2. Delegate's authority to the CEO and Council's nominated Power of Attorney holder to execute any required documentation to give effect to this resolution; and
3. Direct the Common Seal of Council to be applied to any document required to be executed to give effect to this resolution, as and if required by the NSW Treasury Corporation.

**COUNCIL DECISION**

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

That Council defer the item and a Councillors Briefing Session be held to discuss the matter further.

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

**THE MEETING CLOSED AT 8.15pm.**

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 29 August 2018

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 25 July 2018. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.

















**ITEM NO:** MOU 04

**SUBJECT:** Advocacy Against Cuts on People Seeking Asylum

In accordance with Clause 16.6.2 of Council’s Code of Meeting Practice, the Chairperson, Deputy Mayor Ayyad ruled the following motion (from Clr Hagarty) as urgent, and as such it was dealt with at this meeting.

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

That:

1. Council writes, subject to point 7 of this motion, to the Prime Minister and to the Federal Minister of Home Affairs asking the Federal Government to reverse cuts to the Status Resolution Support Services (SRSS) program and highlighting the unfair and devastating impact of these cuts on people seeking asylum and the Inner West community’s disagreement with these cuts;
2. Council writes, subject to point 7 of this motion, to the Premier of New South Wales asking her to make representation to both the Prime Minister and the Federal Minister of Home Affairs to highlight the devastating impact of these cuts on the NSW community and to reverse the cuts;
3. Council writes, subject to point 7 of this motion, to Local Federal and State Members of Parliament to inform them of Council’s position;
4. Other NSW Councils are contacted seeking their support for joint advocacy on this issue;
5. Council publicises practical way members of the Liverpool Community can work with local support services to support people seeking asylum;
6. Council works with the local services in Liverpool to organise a civic leaders meetings with community leaders in the Liverpool. The meeting will discuss ways the community can collectively address the challenges lying ahead for people seeking asylum including considering practical ways of supporting people seeking asylum; and
7. Clarification and verification from the CEO be obtained on the Federal Government’s position on this matter.

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

































## COMMITTEE REPORTS

**ITEM NO:** CTTE 01  
**FILE NO:** 209311.2018  
**SUBJECT:** Minutes of the Local Traffic Committee Meeting held on 18 July 2018

## RECOMMENDATION

That Council adopts the following recommendations as outlined in the attached minutes:

- i) Item 1 – Shepherd Street, Liverpool - On-street parking arrangements.
  - Parking restrictions along the eastern side of Shepherd Street and bus zones as shown in Attachment 1.1 of the LTC minutes.
  - Undertakes community consultation with affected business owners on the western side prior to implementation.
  
- ii) Item 2 – Shepherd Street/Speed Street, Mill Road, Shepherd Street/Atkinson Street Intersections, Liverpool – Roundabouts.
  - Approve two roundabouts at the intersections of Shepherd Street/Speed Street/Mill Road and Shepherd Street/Atkinson Street, Liverpool.
  - Undertakes community consultation with adjoining residents prior to installation.
  
- iii) Item 3 – Liverpool City Centre – Armistice Day Parade.
  - Approves Armistice Day Parade of 4 November 2018 along the revised route as indicated in the minutes.
  - Classifies the parade as Class 2 in accordance with the Special Event Planning & Resource Matrix of the RMS's Special Event Guide.
  
- iv) Item 4 – Eleventh Avenue Reconstruction, Austral – Signs and Linemarking Scheme.
  - Approves installation of a Children Crossing and associated signs and linemarking on Eleventh Avenue, Austral.
  
- v) Item 5 – Buchan Avenue and Jardine Drive Intersection, Edmondson Park – Roundabout.
  - Approves roundabout and associated signs and linemarking at the intersection of Buchan Avenue and Jardine Drive (south).
  - Undertakes community consultation with adjoining residents prior to installation.
  - Allocates funding for the construction of the roundabout, from this financial year's traffic facilities capital works budget.
  
- vi) Item 6 – Corfield Road, Prestons –Pedestrian Refuge
  - Approves pedestrian refuge and associated signs and linemarking on Corfield Road, Prestons.

## vii) Item 7 – Liverpool LGA –B-Double Routes for the period 2019-2024

- Supports the B-Double routes as indicated in Attachment 7.1 of the LTC minutes.
- Advises the Roads and Maritime Services and National Heavy Vehicle Regulator of its decision.

## viii) Item 8 – Rossmore Avenue, Rossmore – Reopening and Raised Threshold

- Approves reopening of Rossmore Avenue to through traffic.
- Approves a raised threshold and a bus zone on Rossmore Avenue at the school frontage.
- Notifies local residents of its decision.

## ix) Item 9 – Works Approved Under Delegated Authority

- Notes the works undertaken under delegation during May to July 2018.

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

That Council:

## 1. Adopts the following recommendations as outlined in the attached minutes:

## i) Item 1 – Shepherd Street, Liverpool - On-street parking arrangements.

- Parking restrictions along the eastern side of Shepherd Street and bus zones as shown in Attachment 1.1 of the LTC minutes.
- Undertakes community consultation with affected business owners on the western side prior to implementation.

## ii) Item 2 – Shepherd Street/Speed Street, Mill Road, Shepherd Street/Atkinson Street Intersections, Liverpool – Roundabouts.

- Approve two roundabouts at the intersections of Shepherd Street/Speed Street/Mill Road and Shepherd Street/Atkinson Street, Liverpool.
- Undertakes community consultation with adjoining residents prior to installation.

## iii) Item 3 – Liverpool City Centre – Armistice Day Parade.

- Approves Armistice Day Parade of 4 November 2018 along the revised route as indicated in the minutes.
- Classifies the parade as Class 2 in accordance with the Special Event Planning & Resource Matrix of the RMS's Special Event Guide.

## iv) Item 4 – Eleventh Avenue Reconstruction, Austral – Signs and Linemarking Scheme.

- Approves installation of a Children Crossing and associated signs and linemarking on Eleventh Avenue, Austral.



- v) Item 5 – Buchan Avenue and Jardine Drive Intersection, Edmondson Park – Roundabout.
- Approves roundabout and associated signs and linemarking at the intersection of Buchan Avenue and Jardine Drive (south).
  - Undertakes community consultation with adjoining residents prior to installation.
  - Allocates funding for the construction of the roundabout, from this financial year's traffic facilities capital works budget.
- vi) Item 6 – Corfield Road, Prestons –Pedestrian Refuge
- Approves pedestrian refuge and associated signs and linemarking on Corfield Road, Prestons.
- vii) Item 7 – Liverpool LGA –B-Double Routes for the period 2019-2024
- Supports the B-Double routes as indicated in Attachment 7.1 of the LTC minutes.
  - Advises the Roads and Maritime Services and National Heavy Vehicle Regulator of its decision.
- viii) Item 8 – Rossmore Avenue, Rossmore – Reopening and Raised Threshold
- Approves reopening of Rossmore Avenue to through traffic.
  - Approves a raised threshold and a bus zone on Rossmore Avenue at the school frontage.
  - Notifies local residents of its decision.
- ix) Item 9 – Works Approved Under Delegated Authority
- Notes the works undertaken under delegation during May to July 2018.
2. The No Parking sign on Macquarie Street, outside the Medical Centre and near the Macquarie Hotel be referred to the next Traffic Committee for discussion of removal or alternately provision of a drop off zone to serve the Medical Centre.
3. The issue of drop off zones near all Medical Centres in the CBD be discussed at the next Traffic Committee.

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





**QUESTIONS WITH NOTICE**

**ITEM NO:** QWN 01  
**FILE NO:** 226354.2018  
**SUBJECT:** Question with Notice - Clr Harle

Please address the following:

1. **Coopers Paddock** - When will the Council take action to have the VPA started and completed as per the adopted VPA?
2. **Former Greenhills Golf Course filling (Brighton Lakes Golf Club)** - Has the applicant taken action to remove the excess filling and has the applicant ceased bringing in more filling?

**A response to these questions will be provided in the September 2018 Council meeting business papers.**

**ITEM NO:** QWN 02  
**FILE NO:** 226470.2018  
**SUBJECT:** Question with Notice - Clr Shelton

Please address the following:

1. The State Government has recently compiled a new *Medium Density Housing Code* intended to take effect throughout much of metropolitan Sydney, and a number of Councils, including *Liverpool City Council*, have recently sought deferment/exemption therefrom. Utilising presently available information the following details are sought with respect to the likely effect and impact of this code should it be implemented within the Liverpool Local Government Area.
2. An estimate of the total number and percentage of properties within the Liverpool Local Government Area affected by the policy accompanied by maps depicting affected areas.
3. An estimate as to the number of additional existing residential properties which could *prima facie* under this code be converted to:
  - a. manor homes;
  - b. duplexes;
  - c. terrace developments; and
  - d. other increased density developments of a similar nature.
4. A projection of the total number of new dwellings that would potentially be introduced to the Liverpool Local Government Area as a result of this code should it be introduced and all affected properties are developed to the maximum extent permissible as envisaged under the code. Please also identify the corresponding percentage increase.

**A response to these questions will be provided in the September 2018 Council Meeting business papers.**





2. Present to the Council meeting in September for adoption a charter that reflects a combination of the two committees with any changes that are deemed acceptable;
3. Advise the community representative and stakeholders on the current committees of the change, noting that they will remain as part of the merged committee; and
4. A report be brought back to Council outlining the attendance for each committee, and including a survey asking the representatives if the committees are effective and what can be done to improve them.

**Foreshadowed motion:      Moved: Clr Rhodes      Seconded: Clr Harle**

That Council:

1. Retain the Tourism and Events Committee and the CBD Committee as two independent committees;
2. Adjust the Charter for the CBD Committee in the same manner as the Tourism and events Committee in regards to a Quorum not to include stakeholders;
3. Enquire if the non-attending Community representative still wish to be on the committees;
4. Make it known that to be a representative on the CBD and Tourism and Event Committees, it is obligatory for you to turn up to meetings except without real reason and it is expected that representatives miss no more than 1 meeting per year;
5. If required re-advertise for community representatives who have a business, work or live in the CBD to represent on this committee; and
6. A report be brought back to Council outlining the attendance for each committee, and including a survey asking the representatives if the committees are effective and what can be done to improve them.

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

**Division called:**

**Vote for:**                      Clr Hadchiti  
   Clr Hadid  
   Clr Hagarty  
   Clr Kaliyanda  
   Clr Shelton



**Vote against:**

Clr Ayyad  
Clr Balloot  
Clr Harle  
Clr Rhodes

.....

Chairperson



**ITEM NO:** NOM 04  
**FILE NO:** 226369.2018  
**SUBJECT:** Stormwater Pollution Trap (Gross Pollution Trap)

## **BACKGROUND**

The City of Kwinana in Western Australia has implemented a simple and cost-effective system of preventing stormwater borne debris entering their creeks, lakes and river systems. A Facebook post on Saturday, 4 August 2018 referred to the success of its drainage nets installed in two locations in Henley Reserve, it has gone viral with over 2.5 million people all over the world reached in 48 hours.

The post highlights the success of the City's efforts to reduce the discharge of rubbish from drainage systems, preventing gross pollutants and solid waste being discharged into nature reserves, by installing two drainage nets in March 2018 which have since collected 370kg of debris.

The nets are placed on the outlet of two drainage pipes, which are located between residential areas and natural areas. This allows the nets to capture the gross pollutants carried by storm water from the local road network before those pollutants are discharged and contaminate the natural environment at the downstream end of the outlet area. This ensures that the habitat of the local wildlife is protected and minimizes the risk of wildlife being caught in the nets. To date no wildlife has been caught up in either of the City's nets.

The nets cost the City just under \$20,000 which included the cost of design, manufacture, installation and associated civil works for the two units and are expected to realise considerable cost savings in labour intensive work previously required to collect the rubbish scattered around the reserve by hand. This efficiency means the return on capital investment will be realised in the short term as well as cleaner reserves, higher efficiency and improved safety outcomes.

The nets are now easily able to be lifted and emptied by the City's staff directly into a truck by machinery. The waste is then transported to a sorting facility which processes the waste and converts the green waste to mulch and separates the recyclable/non-recyclable materials. Link for more information:

<https://www.kwinana.wa.gov.au/our-city/news/Pages/City%E2%80%99s-Drainage-Nets-Post-Goes-Viral.aspx>

## **NOTICE OF MOTION (submitted by Cllr Harle)**

That Council:

1. Investigates the viability of implementing the use of stormwater pollution traps like those used by the City of Kwinana in WA, in readily accessible areas of significance feeding into nature reserves, lakes, creeks and the Georges River within the Liverpool LGA;





**Clr Hadchiti left the Chambers at 9.19pm.**

**Clr Hadchiti returned to the Chambers at 9.20pm.**

**ITEM NO:** NOM 06  
**FILE NO:** 226527.2018  
**SUBJECT:** The Cost of Carparking

**BACKGROUND**

Every parking lot is a potential green space, restaurant strip or commercial building forgone.

A recent report from The Research Institute for Housing America has estimated the total number of parking spaces in a number of US cities. The report also estimated their overall estimated replacement costs, parking spaces per acre, parking spaces per household, and parking costs per household. New York has 1.85 million parking spaces at a cost of US\$6,570 per household, while tiny Jackson, Wyoming has 100,119 spaces costing each household \$192,138 per space.

Parking is a major problem in Liverpool, particularly in the CBD. With a number of parking projects in their early stages and an LEP review imminent it's important Council have relevant and meaningful parking data at hand.

To get a true picture of parking in Liverpool we would need to compare metrics with our Western Sydney neighbours, major CBDs as well as similar LGAs around the country.

Joni Mitchell wasn't lying, there is an opportunity cost to carparks and we have a responsibility to know what that cost is.

**NOTICE OF MOTION (submitted by Clr Hagarty)**

That Council:

1. Direct the CEO to report back to Council within 3 months on the following metrics in both the CBD and Liverpool LGA as a whole:
  - a. total number of parking spaces
  - b. parking density per acre
  - c. parking spaces per household
  - d. the total replacement cost of parking
  - e. the parking cost per household
  
2. Work with relevant local government bodies such as WSROC, LGNSW and ALGA to provide the same metrics from other LGAs for comparison and benchmarking purposes; and







1. Writes to relevant community organisations to express its sympathy to Liverpool's Malayalee and Karnataka community with regard to this natural disaster; and
2. Expresses solidarity and support to members of our community who have been affected.
3. Propose an event with all proceeds to go to the Malayalee and Karnataka communities.

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

Councillors voted unanimously for this motion.



2. Direct the CEO to inform Councillors on ways Council can revitalise the Georges River before water gets into the River;
3. Following point one and two of this motion, investigate water activities or sports and other short and long term options for activation of Lighthouse Park and report back to Council with cost; and
4. Make representations to all bodies involved in the revitalisation of the Georges River, including Ministers.

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

Clr Shelton requested that he be recorded as voting against the motion.















**Clr Balloot returned to the Chambers at 9.59pm.**

**MOTION OF URGENCY**

**ITEM NO:** MOU 03

**SUBJECT:** Greater Sydney Commissions Plans for the Collaboration Area

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

That Council discuss this item in Open Session.

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

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

That Council:

1. Write to the Greater Sydney Commission notifying them that Council will not endorse their Collaboration Area Plan as discussed at the Councillors Workshop held on 16 August 2018 until such time as:
  - a) Council receives a detailed listing of road upgrades that are included in this Collaboration Area Plan and a timetable for delivery;
  - b) Council receives a commitment that no extra levy will be imposed on land owners for the infrastructure upgrade; and
  - c) A review of the land use definitions as suggested in the presentation.
  
2. Invite the Greater Sydney Commission to a workshop to discuss the issues.

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

Councillors voted unanimously for this motion.

**THE MEETING CLOSED AT 10.15pm.**

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 26 September 2018

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 29 August 2018. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.



**MINUTES OF THE ORDINARY MEETING  
HELD ON 26 SEPTEMBER 2018**

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**PRESENT:**

- Mayor Wendy Waller
- Councillor Ayyad
- Councillor Balloot
- Councillor Hadchiti (arrived at 6.24pm)
- 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 David Brodie, Acting Director City Presentation
- Mr Raj Autar, Director City Infrastructure and Environment

The meeting commenced at 6.00pm

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<b>OPENING</b>	6.00pm
<b>ACKNOWLEDGMENT OF COUNTRY, PRAYER OF COUNCIL AND AFFIRMATION TO BE READ BY</b>	The prayer of the Council was read by Pastor Steve Riethmuller from Cartwright Gospel Chapel.
<b>NATIONAL ANTHEM</b>	The National Anthem performed and recorded by Rebekah Ferro was played at the meeting.
<b>APOLOGIES</b>	Nil
<b>CONDOLENCES</b>	Nil

## **CONFIRMATION OF MINUTES**

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

That the minutes of the Ordinary Meeting held on 29 August 2018 be confirmed as a true record of that meeting subject to the following changes:

1. A note also be placed in the Public Forum section of the minutes to show that Mr Michael Andjelkovic addressed the meeting later at the meeting (as shown on page 27 of the minutes) on the issue of "Car Parking Crisis Petition Update".
2. The Mayoral Minutes on pages 3 and 4 of the minutes to be corrected to show that they were moved by Clr Ayyad (as Chairperson of the meeting and were adopted).

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

## **DECLARATIONS OF INTEREST**

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

**Item CONF 02**    Order of Liverpool Awards

**Reason:**                         Clr Harle knows some of the people nominated for an Order of Liverpool Award.

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

## **PUBLIC FORUM**

### **Presentation – items not on agenda**

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

Pollution of the Georges River.

**Motion:**   **Moved: Clr Hadid**                         **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.

### **Representation – items on agenda**

1. Mr John Anderson addressed Council on the following matter:

QWN 05 Question with Notice - Councillor Rhodes and Moorebank Intermodal.



## CHIEF EXECUTIVE OFFICER REPORT

**ITEM NO:** CEO 01  
**FILE NO:** 244703.2018  
**SUBJECT:** Election of Deputy Mayor

## RECOMMENDATION

That Council proceeds with the election of the Deputy Mayor to be conducted by the Returning Officer for the September 2018 – September 2019 period.

## COUNCIL DECISION

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

That:

1. Council proceeds with the election of the Deputy Mayor to be conducted by the Returning Officer for the September 2018 – September 2019 period; and
2. The method of election for the position of Deputy Mayor of Liverpool City Council for the term September 2018 – September 2019 be determined by closed voting (Ordinary ballot).

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

## NOMINATIONS

Nominations were called for the position of Deputy Mayor by the Chief Executive Officer as the Returning Officer.

The Chief Executive Officer advised that 2 nominations had been received, being for Clr Karnib and Clr Harle.

**Mayor Waller called a recess of Council at 6.22pm for the ballot papers to be prepared and to allow for Councillors to place their ballot paper in the ballot box.**

Clr Hadchiti arrived at the meeting at 6.24pm

**Mayor Waller reopened the meeting at 6.27pm.**

## VOTING

The Chief Executive Officer advised that Clr Karnib received the most votes and as such was declared the Deputy Mayor.

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

That:

1. Cllr Karnib be declared the Deputy Mayor of Liverpool City Council for the term 26 September 2018 to 25 September 2019;
2. Council's Register of Delegations be amended accordingly; and
3. All ballot papers be collected and destroyed by the Returning Officer.

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



**ITEM NO:** CEO 02  
**FILE NO:** 171441.2018  
**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 2019:
  - a. Aboriginal Consultative Committee
  - b. Audit, Risk & Improvement Committee
  - c. Casula Powerhouse Arts Centre Board
  - d. Environment Advisory Committee
  - e. Heritage Advisory Committee
  - f. Intermodal Committee
  - g. Liverpool Access Committee
  - h. Liverpool Sports Committee
  - i. Tourism & CBD Committee (combined Committee)
  - j. Youth Council
  
2. Notes that all Councillors are members of the following Committees, and as such specific appointments are not required;
  - k. Budget Review Panel
  - l. Strategic Panel
  - m. Civic Advisory Committee
  - n. 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 2019:
  - a. Georges River Combined Councils Committee
  - b. Western Sydney Migrant Resource Centre
  - c. Liverpool 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)

4. Note and endorse the proposed name change of the Liverpool Traffic Committee to the *Liverpool Pedestrian, Active Transport and Traffic Committee* pending the Committee's consideration of the name change at their meeting on 19 September 2018 (which is after the publication of this Council Agenda).

## COUNCIL DECISION

**Motion:**                                      **Moved: Cllr Hagarty**                                      **Seconded: Cllr Karnib**

That Council:

1. Appoints Councillors as representatives to the following Committees for the period to September 2019:

<b>Aboriginal Consultative Committee</b>	
<b>Representatives</b>	Mayor Waller, Cllr Rhodes and Cllr Shelton

<b>Audit, Risk &amp; Improvement Committee</b>	
<b>Representatives</b>	Deputy Mayor Karnib and Cllr Shelton

<b>Casula Powerhouse Arts Centre Board</b>	
<b>Representatives</b>	Mayor Waller and Cllr Kaliyanda

<b>Environment Advisory Committee</b>	
<b>Representatives</b>	Cllr Harle and Cllr Shelton

<b>Heritage Advisory Committee</b>	
<b>Representatives</b>	Cllr Hadid and Cllr Harle

<b>Intermodal Committee</b>	
<b>Representatives</b>	Cllr Hadchiti

<b>Liverpool Access Committee</b>	
<b>Representatives</b>	Mayor Waller and Cllr Harle

<b>Liverpool Sports Committee</b>	
<b>Representatives</b>	Cllr Kaliyanda

<b>Tourism &amp; CBD Committee</b>	
<b>Representatives</b>	<i>Note: representatives to this Committee were appointed as part EGROW 03 at this meeting (see page 12 of these minutes).</i>

<b>Youth Council Committee</b>	
<b>Representatives</b>	Mayor Waller, Cllr Hagarty and Cllr Kaliyanda

**District Forum**

<b>Rural District</b>	
<b>Representatives</b>	Clr Harle

<b>New Release/Established District</b>	
<b>Representatives</b>	Clr Hagarty

<b>2168 District</b>	
<b>Representatives</b>	Mayor Waller

<b>Eastern District</b>	
<b>Representatives</b>	Clr Hadchiti

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 2019:

<b>Georges River Combined Councils Committee (GRCCC)</b>	
<b>Representatives</b>	Clr Harle and Clr Shelton

<b>Western Sydney Migrant Resource Centre (WSMRC)</b>	
<b>Representatives</b>	Deputy Mayor Karnib

<b>Liverpool Traffic Committee</b>	
<b>Representative</b>	Clr Kaliyanda OR Deputy Mayor Karnib

<b>Macarthur Bushfire Management Committee</b>	
<b>Representatives</b>	Clr Harle

<b>NSW Metropolitan Public Libraries Association</b>	
<b>Representatives</b>	Clr Kaliyanda

<b>South West Regional Planning Panel</b>	
<b>Representatives</b>	N/A

<b>South West Sydney Academy of Sport (SWSAS)</b>	
<b>Representatives</b>	Clr Kaliyanda

<b>Western Sydney Regional Organisation of Councils (WSROC)</b>	
<b>Representatives</b>	Clr Rhodes and Clr Balloot

4. Note that the minutes of the Traffic Committee meeting held on 19/9/2018 which proposes a name change to Local Traffic Committee, will be presented to the 29/10/18 Council meeting;
5. Adopt a more flexible meeting schedule that allows for meetings both during and after normal business hours; and
6. Amend the Charters for non-statutory Council Committees, so that if a non-statutory Committee of Council does not achieve quorum for 3 consecutive meetings, then the Committee be disbanded.

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

As per the above motion with the following changes:

- i) Clr Rhodes to be the representative on the Eastern District Forum (rather than Clr Hadchiti);
- ii) Delete point 6;
- iii) Representatives to the Tourism & CBD Committee be determined after consideration of EGROW 03 (Draft Tourism & CBD Committee Charter) of this meeting; and
- iv) Councillors be provided with information regarding when external membership to council committees are due. As part of the process of reviewing membership, applications of memberships to such committees to indicate whether they have experience in the field of the relevant committee.

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.

**CITY ECONOMY AND GROWTH REPORT**

**ITEM NO:** EGROW 01  
**FILE NO:** 296275.2017  
**SUBJECT:** Liverpool Heritage Strategy 2019-2023

**RECOMMENDATION**

That Council:

1. Endorse the Draft Liverpool Heritage Strategy 2019 – 2023 for public exhibition and community consultation; and
2. Request a further report following public exhibition and community consultation detailing any submissions received and any modifications to the strategy.

**COUNCIL DECISION**

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

That Council:

1. Endorse the Draft Liverpool Heritage Strategy 2019 – 2023 for public exhibition and community consultation;
2. Request a further report following public exhibition and community consultation detailing any submissions received and any modifications to the strategy; and
3. Look into Heritage strategies that are being employed by Perth and Adelaide Councils and whether they are suitable and can be utilised for Liverpool.

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

**ITEM NO:** EGROW 02  
**FILE NO:** 228676.2018  
**SUBJECT:** Update on positioning Liverpool as an Innovation City

**RECOMMENDATION**

That Council receive and note the report outlining the progress achieved to date to position Liverpool as an Innovation City.

**COUNCIL DECISION**

**Motion:**                                      **Moved: Clr Shelton**                      **Seconded: Clr Rhodes**

That Council:

1. Receive and note the report outlining the progress achieved to date to position Liverpool as an Innovation City; and
2. Congratulate staff on receiving the Committee for Sydney Smart City Award.

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

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**ITEM NO:** EGROW 03  
**FILE NO:** 245445.2018  
**SUBJECT:** Draft Tourism & CBD Committee Charter

**RECOMMENDATION**

That Council:

1. Adopt the draft Tourism & CBD Committee Charter;
2. Appoint five Councillors as members of the Tourism and CBD Committee; and
3. Approve the appointment of the community representatives and strategic stakeholders of the former Tourism and Events and CBD Committees as members of the new Tourism and CBD Committee.

**COUNCIL DECISION**

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

That Council:

1. Adopt the draft Tourism & CBD Committee Charter (with the changes as shown below);
2. Amend Clause 12.2 of the Committee's Charter and replace 90 minutes with 120 minutes so that Clause 12.2 now reads:

*A meeting will be limited to a maximum duration of 120 minutes, unless the Committee resolves to extend the length of the meeting to a particular time or the completion of business.*

3. Council appoint Councillor Hagarty, Councillor Shelton, Councillor Hadid, Councillor Balloot and Councillor Hadchiti to the Committee;
4. In relation to quorum of this meeting, this Committee requires a quorum of 9;
5. Amend Clause 8.2.1 of the Charter to 10 instead of 15;
6. Thank the members of the previous Tourism & Events Committee and CBD Committee for their services and advise them that Council will be readvertising the community representatives positions; and
7. Council call for Expressions of Interest for this Committee from relevant or appropriate community members.

**RECESS OF COUNCIL**

Mayor Waller called a recess of Council at 7.13pm.

Mayor Waller reopened the meeting at 7.19pm.

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

**Division called:**

**Vote for:** Mayor Waller  
Clr Ayyad  
Clr Hadchiti  
Clr Hadid  
Clr Hagarty  
Clr Kaliyanda  
Clr Karnib  
Clr Shelton

**Vote against:** Clr Harle  
Clr Rhodes  
Clr Balloot\*

\*Clr Balloot 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), 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."*













**COMMITTEE REPORTS**

**ITEM NO:** CTTE 01  
**FILE NO:** 242290.2018  
**SUBJECT:** Minutes of the Strategic Panel held on 13 August 2018

**RECOMMENDATION**

That Council receives and notes the Minutes of the Strategic Panel Meeting held on 13 August 2018.

**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:** 246718.2018  
**SUBJECT:** Minutes of the Civic Advisory Committee Meeting held 31 August 2018

**RECOMMENDATION**

That Council receives and notes the Minutes of the Civic Advisory Committee Meeting held on 31 August 2018.

**COUNCIL DECISION**

**Motion:** **Moved: Clr Rhodes** **Seconded: Clr Shelton**

That the recommendation be adopted.

**Amendment:** **Moved: Clr Hadchiti** **Seconded: Clr Hadid**

That Council adopt the minutes with the following amendment:

- Defer the motion relating to Item 5 “Centenary of ANZAC” of the minutes with a view to investigate a suitable location within the Hughes electorate for the ANZAC memorial sculpture in conjunction with the Federal Member.

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

The motion moved by Clr Rhodes therefore lapsed and was not voted on.

**ITEM NO:** CTTE 03  
**FILE NO:** 247476.2018  
**SUBJECT:** Tourism & Events Committee Meeting of 9 August 2018

## RECOMMENDATION

That Council:

1. Receives and notes the Minutes of the Tourism and Events Committee Meeting held on 9 August 2018, in particular those actions from the minutes with an operational impact including:
  - a) *Tourism Development Officer and Manager Communications to investigate how to engage multiple platforms on the LCC website and to ensure a simple process for other organisations to share Council's content.*
  - b) *Tourism Development Officer to investigate possible land suitable for a self-contained vehicle park within the Liverpool LGA and report back at a future Committee meeting.*
  - c) *Review of the mobile food vehicle policy so as to allow food vehicles in Macquarie Mall for special events held by Council.*
  - d) *Council send out an invitation to the following community groups to become strategic members of the Tourism & Events Committee, in order to collectively create an October event:*
    - *Liverpool Carnivale*
    - *Festival of Light*
    - *Fijian Community*
    - *Eid Community*
    - *Syrian Community*
    - *Mahavi Community*
2. Consider endorsement of the recommendations in the Minutes.

## COUNCIL DECISION

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

1. Receives and notes the minutes;
2. Endorse the recommendations in the minutes;
3. Notes the motion moved by Clr Shelton and seconded by Clr Hadid in relation to the Mobile Food Vehicle Policy as shown on page 5 of the Committee's minutes (and also shown in point 1c of the above recommendation on this page) was declared by the Chair of the Committee meeting as formal;
4. That Council amend the Mobile Food Vehicle Policy so as to allow food vehicles in Macquarie Mall for special events held by Council; and



5. That the invitations referred to in page 5 of the Committee's minutes and shown in point 1d of the above recommendation, be sent well before next October (2019).

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



**QUESTIONS WITH NOTICE**

**ITEM NO:** QWN 01  
**FILE NO:** 226361.2018  
**SUBJECT:** Question with Notice - Clr Harle

Please address the following:

**1. Coopers Paddock - When will the Council take action to have the VPA started and completed as per the adopted VPA?**

Works have commenced to implement the VPA known as **Inglis, Coopers Paddock, Warwick Farm**. The agreement is between the Australian Turf Club (ATC) and Council and was formerly agreed in 2012.

Widening of Governor Macquarie Drive (GMD) and related intersections is now nearing Practical Completion. Additional works in the road corridor include completion of footpath and cycle ways along the GMD to the Hume Highway and further towards Warwick Farm train station. These works are currently underway and are expected to be completed over coming months.

The ATC have committed to lodging a development application for works in Coopers Paddock, to allow for assessment of the shared pathway to be constructed there, by the end of September, with an expected completion of these works by the end of this calendar year (subject to approvals).

The Vegetation Management Plan (VMP) to undertake works to restore and manage native vegetation in Coopers Paddock (over an agreed period of 6 years from adoption) was accepted and adopted by Council's Development Assessment Unit in November 2017. The ATC have now advised Council staff that works are anticipated to commence in relation to this matter early in 2019. Accordingly, no enforcement action is envisaged in relation to this item currently but Council officers will monitor compliance with the adopted VMP, as and when it is implemented and based on the advised timeframe.

**2. Former Greenhills Golf Course filling - Has the applicant taken action to remove the excess filling and has the applicant ceased bringing in more filling?**

New Brighton Golf Course (former Greenhills) filling

Council's Investigation Officers conducted an inspection at the New Brighton Golf Course on 25 October 2017, in response to a complaint received regarding alleged non-compliance of conditions of Development Consent No. DA-517/2013 including:

1. The transport and disposal of waste

2. Site security fencing
3. Sedimentation and erosion controls

The inspection revealed that the development consent is not being complied with.

Accordingly, a notice to comply was issued by Council compliance officers on 1 November 2017.

Since that time, officers have confirmed that action has been taken by the developer to rectify the situation and the development conditions are now being complied with. Officers will continue to monitor the situation to ensure the developer remains compliant with conditions of consent contained in DA-517/2013.

**ITEM NO:** QWN 02  
**FILE NO:** 240967.2018  
**SUBJECT:** Question with Notice - Clr Shelton

The State Government has recently compiled a new *Medium Density Housing Code* intended to take effect throughout much of metropolitan Sydney, and a number of Councils, including *Liverpool City Council*, have recently sought deferment/exemption therefrom. Utilising presently available information the following details are sought with respect to the likely effect and impact of this code should it be implemented within the Liverpool Local Government Area.

1. An estimate of the total number and percentage of properties within the Liverpool Local Government Area affected by the policy accompanied by maps depicting affected areas.
2. An estimate as to the number of additional existing residential properties which could *prima facie* under this code be converted to:
  - a. manor homes;
  - b. duplexes;
  - c. terrace developments; and
  - d. other increased density developments of a similar nature.
3. A projection of the total number of new dwellings that would potentially be introduced to the Liverpool Local Government Area as a result of this code should it be introduced and all affected properties are developed to the maximum extent permissible as envisaged under the code. Please also identify the corresponding percentage increase.

## RESPONSE

The Medium Density Housing Code (the Code) was gazetted as an amendment to the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 in April 2018, and came into effect on 6 July 2018. Liverpool City Council, along with a number of other Councils have had the commencement of the Code deferred until 1 July 2019, to enable Council to review its planning controls.

The Code allows dual occupancies, terraced housing and manor homes (two storey buildings containing three or four dwellings) to be approved as complying development in R1 General Residential, R2 Low Density Residential and R3 Medium Density Residential zones. With the exception of manor homes, these dwelling types can only be approved if they are **permissible** with consent under the relevant LEP or Sydney Region Growth Centres SEPP (the Growth Centres SEPP).

Currently, the Liverpool LEP does not have a definition for manor homes as they are a new development type, and therefore are not currently permissible. Once the SEPP applies from 1 July 2019, manor homes will be permissible in the R1 and R3 zones under the LLEP as those zones permit multi dwelling housing (and manor homes are a type of multi dwelling housing). Terraced housing could be approved as complying development in the R1 and R3 zone as multi dwelling housing is permitted in that zone.

The R2 Low Density Residential zone in the LEP does not permit dual occupancies or multi-dwelling housing, and so the Code **will not** apply to land within this zone. This is in contrast to some other councils which permit dual occupancies and multi dwelling housing in their low density residential (R2) zones.

Austral and Leppington are zoned under State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (the Growth Centres SEPP), which permits dual occupancies and multi dwelling housing (including terrace houses and manor homes) in the R2 and R3 zones. Within the R2 zone however, these housing types are preferred only in certain locations – in close proximity to parks and B1 and B2 centres. As the Code will over-ride the Growth Centres SEPP, these same locational requirements won't apply, allowing for a potentially greater number of these housing types.

Properties that are heritage listed or within conservation areas are excluded from the Code.

In relation to manor homes the Code applies to land with a minimum lot size of 600sqm and a lot width of 15m. For terrace houses the Code applies to land with a minimum lot size of 600sqm and a lot width of 18m.

Councils DCP currently requires a minimum lot size for multi dwelling housing of 650sqm and a minimum lot width of 18m. As Councils lot size control is contained in the DCP and not LEP, the lower Code lot size of 600sqm would apply.

As requested, and utilising presently available information, Council has completed an investigation of planning and property data under the LLEP 2008 to provide an answer to the above questions. This analysis has excluded the growth areas due to limited development and many lots being rural lots awaiting development.

The findings are as follows:

- There are 50,342 lots zoned R1, R2, R3 (excluding heritage sites). This is 10.9% of the LGA (12.4% if land in Western Sydney Parklands, Sydney Growth Centres and State Significant Precincts SEPPs are excluded).
- Those with lot sizes 600sqm or greater and a frontage 18m or greater make up 4.3% of the LGA (5% if land in Western Sydney Parklands, Sydney Growth Centres and State Significant Precincts SEPPs are excluded).



**ITEM NO:** QWN 03  
**FILE NO:** 253122.2018  
**SUBJECT:** Question with Notice - Clr Hagarty

**Department of Planning 'black hole'**

A report published in The Sunday Telegraph on September 2 blames 'bungling bureaucrats' for a \$10.6 million black hole in the Department of Planning's Special Infrastructure Contributions Assessment Fund. Money for the fund is levied on developers and used public amenities such as roads, healthcare, schools and parks.

According to the report the funding black hole "relates to 14 major developments in Camden, Liverpool, Campbelltown, Blacktown and The Hills council areas."

Please address the following:

Is Council aware:

1. How much of the \$10.6 million was intended for Liverpool?
2. What infrastructure projects are to be delivered through this fund?
3. Given the black hole, how long will these projects now be delayed?

**A response to these questions will be provided in the October 2018 Council Meeting business papers.**



**ITEM NO:** QWN 04  
**FILE NO:** 255868.2018  
**SUBJECT:** Question with Notice - Clr Hagarty

**Truck Parking**

Trucks parking in residential areas has been an ongoing problem in the LGA. Despite designated areas for Long Stay Truck Parking the problem persists. While we can and do fine truck owners, some see this as a cost of doing business. Beyond that, our enforcement powers seem limited.

**Question:**

Does Council have the ability to restrict the size of vehicles that can access a given road and erect signage to that effect?

**A response to this question will be provided in the October 2018 business papers.**

**ITEM NO:** QWN 05  
**FILE NO:** 257066.2018  
**SUBJECT:** Question with Notice - Clr Rhodes

**Background**

**Motion: put at the July Council Meeting That Liverpool Council**

Write to Senator the Hon Marise Payne, Minister for Defence (Australia) to confirm Liverpool Council's collaborative support for the Georges River Koala Network in recognizing the presence of the last disease-free colony of Koalas in Australia, their presence in the Holsworthy Military Training Area and the need for a dialogue to commence with the Community, Army and Georges River Koala Network to initiate actions to ensure the preservation of this Koala Colony.

Please address the following:

1. What action has Council taken to implement the motion adopted at the July Council meeting 2018 to progress Council's efforts to protect the Koala in South West Sydney?
2. Was contact made with Marise Payne and what was the response?
3. Has Council made contact with the Georges River Koala Network in order to collaborate and commence dialogue with the Army to initiate actions to ensure the preservation of the Koala Colony?

**A response to these questions will be provided in the October 2018 business papers.**

**PRESENTATIONS BY COUNCILLORS**

1. Councillor Rhodes made presentations to Council on the following matters:
  - i) Liverpool Museum first nomination in the Museums and Galleries of NSW, IMAGinE engagement programs for 2018; and
  - ii) WSABE Awards – Liverpool Business.

The presentations are shown on the following 3 pages.

2. Councillor Hagarty made a presentation regarding the Liverpool City Council Charity Ball.

This is shown on page 36 of these minutes

## Presentations by Clr Rhodes

### i) **Liverpool Museum first nomination in the Museums and Galleries of NSW, IMAGinE engagement programs for 2018.**

Clr Rhodes's presentation for Liverpool Museum first nomination in the Museums and Galleries of NSW, IMAGinE engagement programs for 2018 is shown below:

Liverpool Regional Museum "Voyages of Camaraderie Exhibition" has been nominated for the very first time in the 29 year history of the Liverpool Museum, in the Museums and Galleries of NSW, IMAGinE engagement programs for 2018.

This is great news for Liverpool community and a significant milestone for our Liverpool Regional Museum

This year IMAGinE Awards 2018 received a record 95 nominations, the most nominations in the history of the awards.

Regional Museums plays an important part in growing the local visitation economy and sharing the local history. Liverpool as the 4th oldest city in Australia has a huge history that we as its citizens can be very proud of. Just as we can be very proud of our Museum and its exhibitions that tell our stories.

The Liverpool Regional Museum has in recent times been re-activated, slowly increasing its profile and building new and returning audiences with whom we can share the amazing history of Liverpool.

*Voyages of Camaraderie* which ran from **Saturday 13 January 2018 to Friday 14 April 2018**, was specially curated to celebrate 25 years of the Cruising Yacht Club of Australia's Youth Sailing Academy and not only did it offer a taste of 74 years of the CYCA itself, but also shone a spotlight on the 23 years history of Liverpool's very own Chipping Norton Lake Sailing Club.

Included with the exhibition was an introductory toy model boat-building workshop where local Liverpool boat-building enthusiast (and Viking descendent) Gil Braden shared his skills and seafaring stories and guided children to assemble their first timber model boat.

The 'Voyages of Camaraderie' exhibition and its suite of public programs attracted 610 visitors & participants, approximately 90% first-time visitors, mostly from Liverpool.

The visitors to the exhibition were able to also engage with the 'VoC' exhibition, the Museum's 'refreshed' permanent exhibition "Resonances: lives, stories & objects of Liverpool" - learning, experiencing and enjoying Liverpool's rich history and heritage.

This permanent exhibition was a big investment by Council back in 2013-2014 and was severely under-utilised and under-appreciated. Now, over the past 12 months, the Museum has received highly complimentary comments about its permanent and ongoing exhibitions.

I would like to thank the staff of the Liverpool Regional Museum and congratulate them on this their first nomination and wish them luck on the 23 November.

Well done and thank you!

**ii) WSABE Awards – Liverpool Business.**

Clr Rhodes’s presentation for WSABE Awards – Liverpool Business is shown below:

I have great enjoyment in recognising the Liverpool participants in the WSABE Annual Awards held on the 21st September 2018.

This is the 28th year of WSABE Western Sydney Awards for Business Excellence, an awards platform that showcases the finest businesses and business people that the Greater Western Sydney and Western Sydney areas has to offer.

WSABE has engaged with hallmark businesses in the Western Sydney region from both an awards and sponsorship perspective and has always been about supporting the ever-growing economic powerhouse that is Western Sydney.

This year they received a record number of entries and the Awards night was attended by over 700 people that included the Premier of NSW The Hon Gladys Berjiklian and the Leader of the NSW State Opposition Luke Foley.

But what gives me great enjoyment is that this year Liverpool was represented by three great Liverpool Businesses that deserve accolades as being finalists particularly against a record number of competing businesses.

YADA Young Adults Disabled Association was a finalist in the Excellence in Social Enterprise and Tuan Duong, proprietor of Duo Tax Quantity Surveyors who was also a finalist in the Outstanding Young Entrepreneur category. To both these businesses I say well done and thank them for their on-going services to the people of Liverpool.

But what gives me enormous pleasure this year is the Third great Liverpool Business that not only made it to the Finalists but won not one but two categories being Phillip Raish proprietor of Wild FX who won the Outstanding Business Leader Category and also the Excellence in Customer Service Category.

The importance in receiving such awards, that not only competes with other Liverpool Businesses but Businesses in the whole Western and Greater Western districts can only help to draw attention to and attract business growth in our LGA.

The significance of Business attention made all the more important as Liverpool has set its course to become the Third great City in Sydney, and business Hub to the Western City Airport.

I believe it would be appropriate that Liverpool Council should acknowledge these achievements and write a letter of congratulations to these businesses and thank them for not only the significant contribution they make in serving the needs of our great city, but also recognise that their success promotes Liverpool as a great place for Business and such promotion can only help to grow our business economy.

*Following Cllr Rhodes's presentation, Mayor Waller agreed to write a letter of congratulations to the businesses.*

**Presentation by Cllr Hagarty**

**Liverpool City Council's Charity Ball**

Cllr Hagarty congratulated Council staff and everyone involved in organising the Liverpool City Council Charity Ball which was held on Saturday 22 September 2018.

Cllr Hagarty also thanked the Councillors and staff who attended. The event was a huge success which raised \$46,000 for the Liverpool Neighbourhood Connections.

**NOTICES OF MOTION**

**ITEM NO:** NOM 01  
**FILE NO:** 256284.2018  
**SUBJECT:** Shopping Trolleys

**Background**

Shopping trolleys abandoned in streets, parks and recreational areas including those dumped into creeks and rivers are a major problem for all Councils across Australia. It has been an issue with Liverpool City Council since shopping trolleys were first introduced.

Councils have collected wayward trolleys and stored them at their depots and charged the owners a fee to collect them. That was unsuccessful since most were not collected and became a storage problem and eventually scrap metal.

Fining people for abandoning a trolley is not practical as Council Rangers do not have the legal power nor the time to prove that a trolley has been “abandoned” to issue an infringement notice to an uncooperative person.

Owners of large numbers of shopping trolleys such as Woolworths, Coles and Bunnings have trolley collection systems in place including “Trolley trackers” whereby wayward trolleys reported to a hotline are eventually picked up. Trolleys “abandoned” in the CBD are collected in the evening by contractors that return them to their respective shopping centres. Unfortunately, that does not apply in the outer areas or Suburbs where trolleys are often abandoned several kilometres from shopping centres.

Council was contemplating ensuring high rise residential buildings in the CBD provide trolley bays in areas so that they can be picked up by contractors employed to do so. Based on personal surveys, I believe that will only worsen the existing problem and pose an unnecessary safety hazard in trolleys pushed along busy pedestrian walkways within the CBD.

The answer lies in state legislation that ensures trolleys are not removed from a designated shopping area and the owner of the trolley fined if they are found outside that area. Trolley owners need to implement a system that ensures trolleys are not taken out of their designated area and needs to be their responsibility.

Councils also need to introduce changes to their planning laws via DCPs' that ensure shopping centres manage trolleys effectively to prevent them taken outside their designated areas.



Liverpool City Council should consider implementing systems such as those introduced by Ipswich City Council and consider the research conducted by the Western Australian Local Government Association (WALGA) and their Document.

**NOTICE OF MOTION (Submitted by Cllr Harle)**

That Council:

1. Ensures that planning laws via DCPs minimises the negative effects of abandoning shopping trolleys by requiring shopping centres to confine shopping trolleys within a designated area.
2. To explore legal avenues similar to those of Ipswich City Council to ensure shopping centres comply with legislation that prevents shopping trolleys being abandoned outside their designated areas and includes the ability to issue and collect substantial fines from the owners of shopping trolleys found outside their designated areas.
3. Council to prepare a Motion for the Local Government Conference of 2019 to address the issue at a State Government Level.

**COUNCIL DECISION**

**Motion:**

**Moved: Cllr Harle**

**Seconded: Cllr Hadid**

That Council:

1. Ensures that planning laws via DCPs minimises the negative effects of abandoning shopping trolleys by requiring shopping centres to confine shopping trolleys within a designated area;
2. Explores legal avenues similar to those of Ipswich City Council to ensure shopping centres comply with legislation that prevents shopping trolleys being abandoned outside their designated areas and includes the ability to issue and collect substantial fines from the owners of shopping trolleys found outside their designated areas;
3. Prepare a Motion for the Local Government Conference of 2019 to address the issue at a State Government Level; and
4. Staff prepare a report to amend the DCP so that the DCP supports the coin operation or wheel lock of the shopping trolleys for businesses with over 20 trolleys.

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

**ITEM NO:** NOM 02  
**FILE NO:** 257078.2018  
**SUBJECT:** Solar Tree Lighting

**Background**

Many Councils in NSW have installed solar tree decoration lights in their cities. I recently went to Tenterfield NSW and was surprised to see that even in this small country town they have recognised the benefits of adopting such procedure.

Councillors who attended the conference in Canberra would be well aware of what they have achieved through the solar lighting of their trees in their malls and parks.

Liverpool has a rather unjustified misconception of the CBD being unsafe. Compared to surrounding cities in Sydney South West the Liverpool CBD and surrounds has one of the lower reports on crime, but still the stigma of preconceived misconceptions about safety, particularly in the Liverpool CBD, persists. This misperception of Liverpool as an unsafe city is deterring people from visiting and or shopping in Liverpool.

The tree lighting would not only be appropriate for Christmas, but also assist in lighting our CBD and contribute to the positive perceptions of safety, make the CBD warm and inviting and encourage people into the CBD to see the lights, making it a destination that will contribute to the Liverpool visitor economy.

Such lighting will help improve outcomes for the CBD business sector, and even encourage other businesses to consider opening their operation and growing the CBD Business that will assist in providing much needed jobs in our city.

The outlay for purchasing and installing the solar lighting is a small price for Liverpool Council to pay when you consider the benefits such installations could provide to the Liverpool LGA. Growing our CBD, providing local jobs, providing a greater number and variety of business and services will benefit not only the CBD but the wider community of Liverpool.

Liverpool has achieved many great outcomes this year. We have established ourselves as a Health, Education, and Innovation City that is the Gateway to the new airport and a primary business hub to its needs. This year Liverpool needs to be proud of its achievements, the simple installation of solar tree lighting in our CBD could not only be a statement of those achievements, but also contribute to the ongoing success of our great city.

**NOTICE OF MOTION (Submitted by Clr Rhodes and Clr Hadid)**

That Council install solar tree lighting in the Liverpool Mall, Bigge Park and CBD in time to celebrate Christmas 2018, similar to installations already done in Canberra, and other cities and towns throughout NSW.

**COUNCIL DECISION**

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

That the recommendation be adopted.

**Amendment:**                             **Moved: Cllr Hagarty**                         **Seconded: Cllr Karnib**

That Council staff prepare a report for the November meeting of Council to identify the preferred location and duration for any trial, supply and maintenance costs and the effectiveness of solar lighting (including solid lighting) for the identified purpose.

**Foreshadowed motion:**               **Moved Cllr Hadchiti**                         **Seconded: Cllr Hadid**

That Council staff prepare a report for the October meeting, if possible, for a trial supply of solar lighting in Bigge Park identifying the associated costs.

On being put to the meeting the Amendment (moved by Cllr Hagarty) was declared LOST.

On being put to the meeting the Motion (moved by Cllr Rhodes) was declared LOST.

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

**ITEM NO:** NOM 03  
**FILE NO:** 257119.2018  
**SUBJECT:** Apex Park

## **Background**

In early May 1811 the Reverend Samuel MARSDEN accompanied the surveyor MEEHAN to consecrate the first burial ground laid out in LIVERPOOL. This cemetery was located on the northwest corner of Elizabeth and Castlereagh Streets.

More generally it is known that from 1811 to 1821 Apex Park was the location of Liverpool's first grave yard, and at least 122 (some sources suggest at least 123) people were buried there. In fact, as a burial ground it predates both Waverley and Rookwood cemeteries/necropolises. The burial register for the site records the first burial was that of Thomas TYRRELL, aged four or five, who drowned in the nearby Georges River on 19 May 1811. It is also understood James EUSTICE, a soldier stationed in LIVERPOOL, was killed by aborigines in 1814 and was buried there. More generally, recorded causes of death include five by drowning, four by shooting or murder, three from burns, three 'felled by a tree', three were killed by horses, and two from snake bite. Also believed to have originally been buried there was Nathaniel LUCAS, a first fleet convict, transported for seven years, and latterly an early settler who had become a successful builder; but shortly after commencing work on St. Lukes Church he was found drowned at Prospect Creek in 1818. Arguably the first traffic fatality in LIVERPOOL was also buried there in the form of Elizabeth CONNOR who was recorded as being 'killed by a cart' in December 1814. Mary EVANS, also believed to be buried there, is listed as dying of 'excessive drinking' on April Fool's day in 1815.

Burials were discontinued at the site in 1821 on account of issues associated with the height of the water table and in that context the dampness and bogginess of the area. It is believed the site was then left to decay until around 1956 when it was cleaned up and over time revitalised by the then members of the Liverpool Apex Club. Gradually thereafter it became a passive recreational area.

More recently an Apex Park Concept Plan was referred for community consultation, including a sausage sizzle, which consultation closed on 11 March 2018. Feedback was favourable and in particular support was expressed for children's play areas, shade structures, park furniture, pathways and landscaping. It is generally understood these renovations will not involve works that penetrate substantially below the surface of the park.

Not a lot is known as to the use of the area from 1821 to 1956, or for that matter even for the brief period where the site was used as a cemetery, prior to 1821. The precise area where burials took place is now a matter of conjecture, and while Christian burials were generally made supine east-west with the head at the western end of the grave, this is also a matter of speculation and at any rate there is thought to have been exceptions.

Recently in a number of council committees there have been informal discussions as to the merits of surveying the area with ground penetrating radar which it is understood would take only a few days and accordingly would not set back the plans to implement the Apex Park Concept Plan, and the incremental cost is estimated to be around \$15,000 to \$20,000. Ideally the exercise should be carried out prior to the commencement of physical works.

Given that the use of the area for well over a century is largely unknown, and the importance of the park as one of the country's first (western) burial grounds, it is suggested the relatively modest expenditure involved in increasing the stock of public knowledge about this site is justified.

**NOTICE OF MOTION (Submitted by Cllr Shelton)**

That Council commissions a survey of Apex Park using ground penetrating radar and if considered appropriate provides a report as to the results. Such survey to be funded from budgeted funds for the Apex Park Concept Plan which if necessary are to be supplemented accordingly from general revenue and periodic budget reviews.

**COUNCIL DECISION**

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

That the recommendation be adopted.

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

**ITEM NO:** NOM 04  
**FILE NO:** 257147.2018  
**SUBJECT:** Housing

**Background**

One aspect of the evolution of the District Plans both generally and with respect to the Liverpool LGA specifically which has been criticised from the outset was the goal of achieving an 'affordable housing mix' in the vicinity of 'five to ten per cent'. The criticism was largely two fold' first, that the phrase 'five to ten per cent' would in practice quite foreseeably simply equate to five per cent, and, second, on any view the amount suggested was inadequate.

Further SEPP 70 has predominantly focused on inner city councils (see s.9), although future expansions to its operations are possible.

Of more immediate relevance to the Liverpool LGA is the passage of LEP Amendment 52 which was widely reported in the media, but solely in terms of the number of additional dwellings which could be injected into the affected area.

Also by way of relevant background is the State Government's proposed 'Medium Density Housing Code', currently deferred.

With each of these matters in mind it is more opportune than ever to investigate means by which in an integrated manner additional forms of housing supply can be made available to the community, particularly in circumstances where the public and private sectors work together.

**NOTICE OF MOTION (Submitted by Cllr Shelton)**

That Council investigates as part of its LEP review the augmented provision of social housing for want of a better term either by:

- i. an inclusionary zoning approach in which for example a proportion of all development proposals with a residential component are made available to the discretion of local housing authority providers and given the current role of 'uplifts' in residential development a further proportion of the uplift factor shall also be likewise dedicated; or
- ii. by the pooling of dedicated contributions from residential developers such that a corresponding set amount is collected for and applied for the same purpose by for example Council in conjunction with local housing authority providers.

**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.

**Division called:**

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

**Vote against:** Clr Ayyad  
Clr Ballot  
Clr Hadchiti  
Clr Hadid

**Clr Hadid left the Chambers at 8:48pm.**

**Clr Hadid returned to the Chambers at 8:50pm.**

**CONFIDENTIAL ITEMS**

**ITEM NO:** CONF 01  
**FILE NO:** 246247.2018  
**SUBJECT:** WT2710 Streetscape Weed Control

**RECOMMENDATION**

That Council:

1. Accept the Tender from Luhrmann Environ Mgt Pty Ltd for Tender WT2710 - Streetscape Weed Control for an initial 3 Years contract term with the option of extending 12 months at Councils sole discretion at the GST inclusive lump sum price of \$319,581 for the 3 year contract;
2. Makes public its decision regarding tender WT2710 - Streetscape Weed Control;
3. Notes that the Chief Executive Officer will finalise all details and sign the Letter of Acceptance for the tender, giving it contractual effect, in accordance with delegated authority; 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.

**COUNCIL DECISION**

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

That the recommendation be adopted.

The Motion lapsed as there was no seconder.

**Note: CONF 01 was later recommitted and re-considered. See page number 47 of these minutes.**





**Clr Harle returned to the Chambers at 8:56 pm.**

**Clr Balloot left the Chambers at 8:58pm.**

**Clr Balloot returned to the Chambers at 9:02pm.**

**Note: CONF 01 previously discussed at the meeting (see page 45 of these minutes) was then recommitted.**

**ITEM NO:** CONF 01  
**FILE NO:** 246247.2018  
**SUBJECT:** WT2710 Streetscape Weed Control

**RECOMMENDATION**

That Council:

1. Accept the Tender from Luhrmann Environ Mgt Pty Ltd for Tender WT2710 - Streetscape Weed Control for an initial 3 Years contract term with the option of extending 12 months at Councils sole discretion at the GST inclusive lump sum price of \$319,581 for the 3 year contract;
2. Makes public its decision regarding tender WT2710 - Streetscape Weed Control;
3. Notes that the Chief Executive Officer will finalise all details and sign the Letter of Acceptance 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 Hadchiti** **Seconded: Clr Hagarty**

That the recommendation be adopted.

**Foreshadowed Motion** **Moved: Clr Rhodes** **Seconded Clr Hadid**

That Council defer the item and provide Councillors with the tender documents.

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

**Vote for:** Mayor Waller  
Clr Hadchiti  
Clr Hagarty  
Clr Kaliyanda  
Clr Karnib  
Clr Shelton

**Vote against:** Clr Ayyad  
Clr Balloot  
Clr Hadid  
Clr Harle  
Clr Rhodes

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**THE MEETING CLOSED AT 9.30pm**

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 29 October 2018

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 26 September 2018. 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 OCTOBER 2018**

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**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 David Brodie, Acting Director City Presentation  
Mr Raj Autar, Director City Infrastructure and Environment

The meeting commenced at 6.00pm.

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<b>OPENING</b>	6.00pm
<b>ACKNOWLEDGMENT OF COUNTRY, PRAYER OF COUNCIL AND AFFIRMATION TO BE READ BY</b>	The prayer of the Council was read Pastor Samantha Bulmer from Lifegate Church.
<b>NATIONAL ANTHEM</b>	The National Anthem performed and recorded by Rebekah Ferro was played at the meeting.
<b>APOLOGIES</b>	Nil
<b>CONDOLENCES</b>	Nil



## **PUBLIC FORUM**

### **Presentation – items not on agenda**

1. **Mrs M'Leigh Brunetta** addressed Council on the following matter:

Objection to Planning Proposal RZ – 9/2015 – Middleton Grange Town Centre

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

That a three minute extension of time be given to Mrs M'Leigh Brunetta.

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

**Note:** As part of her address to Council, Mrs M'Leigh Brunetta tabled the following documents at the meeting:

- Community petition opposing the Middleton Grange Town Centre Planning Proposal; and
- Submission by Parkbridge Community Association on behalf of the residents of Middleton Grange.

2. **Ms Vicki Andrews** on behalf of the Moorebank Heritage Group Inc addressed Council on the following matter:

Thank Council for the Matching Grant for the Exhibition at Liverpool Regional Museum, Peace comes to Liverpool and Museum and Library Archives.

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

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

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

3. **Mrs Claire Brooks** addressed Council on the following matter:

Additional permitted uses at 123 Epsom Road, Chipping Norton.

**Motion:**            **Moved: Clr Rhodes**            **Seconded: Clr Shelton**

That a three minute extension of time be given to Mrs Brooks.

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

## **Representation – items on agenda**

1. **Ms Lawrissa Chan** – Director, Financial Audit Services and **Mr Furqan Yousuf** – Audit Manager from the Audit Office of NSW addressed Council on the following item:

**CORP 03:** Updated Report: Annual Financial Statements 2017-18

## **MOTION TO BRING ITEM FORWARD**

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

That item CORP 03 Updated Report: Annual Financial Statements 2017-18 be brought forward and dealt with now.

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

**ITEM NO:**      CORP 03  
**FILE NO:**      284735.2018  
**SUBJECT:**      Updated Report: Annual Financial Statements 2017-18

## **RECOMMENDATION**

That Council:

1. Receives and endorses the 2017-18 audited financial statements;
2. Authorises the Mayor, Deputy Mayor, Chief Executive Officer and the Responsible Accounting Officer to sign the prescribed statement that will form part of the financial statements;
3. Forwards a copy of the financial reports together with the auditor's report to the Office of Local Government in accordance with Section 417(5) of the Local Government Act 1993;
4. Authorises the Chief Executive Officer to issue a public notice containing a summary of financial results and put the financial statements on exhibition for 7 days to seek public submissions; and
5. Notes that the financial statements and a summary of public submissions received will be presented to Council at its next meeting for consideration and adoption.

## COUNCIL DECISION

**Motion:**

**Moved: Cllr Shelton**

**Seconded: Cllr Hadid**

That Council:

1. Receives and endorses the 2017-18 audited financial statements;
2. Authorises the Mayor, Deputy Mayor, Chief Executive Officer and the Responsible Accounting Officer to sign the prescribed statement that will form part of the financial statements;
3. Forwards a copy of the financial reports together with the auditor's report to the Office of Local Government in accordance with Section 417(5) of the Local Government Act 1993;
4. Authorises the Chief Executive Officer to issue a public notice containing a summary of financial results and put the financial statements on exhibition for 7 days to seek public submissions;
5. Notes that the financial statements and a summary of public submissions received will be presented to Council at its next meeting for consideration and adoption; and
6. Thank the Audit Office of NSW for their work.

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













- 6 February 2019
  - 27 February 2019
  - 27 March 2019
  - 17 April 2019
  - 29 May 2019
  - 26 June 2019
  - 31 July 2019
  - 28 August 2019
  - 25 September 2019
  - 28 October 2019
  - 20 November 2019
  - 11 December 2019
2. Hold one Council meeting of 2019 (being the March 2019 meeting) in the rural area;  
and
  3. Place appropriate notices in the local newspapers advising the community of the dates and commencing times of Council meetings for the 2019 calendar year.

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



Clr Hagarty, Clr Kaliyanda, Clr Rhodes and Clr Shelton left the Chambers at 7.11pm.

## CITY COMMUNITY AND CULTURE REPORT

**ITEM NO:** COM 01  
**FILE NO:** 266616.2018  
**SUBJECT:** Grants, Donations and Corporate Sponsorship

### RECOMMENDATION

That Council endorses the funding recommendation of **\$10,700** (GST exclusive) under the **Community Grants Program** for the following projects:

Applicant	Project	Recommended
NSW STARTTS	Comics for Causes	\$4,500
Learning Links	Assessment Clinics	\$3,000
The City of Liverpool & District Historical Society Inc.	Liverpool in 60 Items	\$1,700
St John Ambulance Australia NSW	Emergency Equipment	\$1,500

That Council endorses the funding recommendation of **\$41,800** (GST exclusive) under the **Matching Grants Program** for the following projects:

Applicant	Project	Recommended
Civic Disability Services	Civic Chill Zone	\$15,000
Open Support	Child Wellbeing Program at Safe Haven	\$15,000
Miracle Babies Foundation	Support for Dads and Multicultural Families	\$11,800

That Council endorses the funding recommendation of **\$5,000** (GST exclusive) under the **Sustainable Environment Grants Program** for the following project:

Applicant	Project	Recommended
Anzac Village Preschool	Sustainable Garden	\$5,000



















**ITEM NO:** CTTE 04  
**FILE NO:** 275522.2018  
**SUBJECT:** Minutes of the Local Traffic Committee Meeting held on 19 September 2018

## **RECOMMENDATION**

That:

1. Council approve the following recommendations of the Committee:
  - i) Item 1 – Regentville Drive, Elizabeth Hills – Proposed traffic calming devices
    - Council approves the installation of the proposed asphalt speed threshold in the vicinity of House Numbers 95/97 and 15 Regentville Drive, Elizabeth Hills, subject to community consultation.
    - Council Investigates the need for a pedestrian refuge across Regentville Drive, adjacent to playgrounds and walking tracks and presents findings at the next Local Traffic Committee meeting.
  - ii) Item 2 – McGirr Parade, Warwick Farm – Proposed parking restrictions
    - Council investigate ‘No Parking’ restrictions along one side of the street to allow safe two-way traffic movements.
    - Council approves a Bus Zone restriction along one side of McGirr Parade.
    - Council conducts a community consultation.
  - iii) Item 3 – George Street and Collins Lane, Liverpool – Changes to the existing traffic arrangements
    - Council supports the installation of a central median in George Street, between Elizabeth Street and Collins Lane.
    - Council supports the installation of a stop sign at the University driveway and a median island in Collins Lane, as shown in Attachment 3.1.
    - Council provides a copy of detailed design of the proposed works to the Roads and Maritime Services and NSW Police Force for comments prior to installation.
  - iv) Item 4 – Liverpool City Centre – Stop Domestic Violence street parade
    - Council classifies the event as a Class 2 Special Event.
    - Council approves the traffic aspect of the rolling street closures to be managed by the NSW Police Force.
    - All stakeholders be advised accordingly of Council’s resolution.
  - v) Item 5 – Reilly Street, Liverpool – Proposed removal of an existing bus stop
    - Council approves the removal of the existing bus stop in front of 75 Reilly Street, Liverpool.
    - Council advises Interline Bus Services and Transport for NSW of its decision.



- vi) Item 6 – Items approved under Delegated Authority
  - Council notes the above delegated authority applications approved by the NSW Police and Roads and Maritime Services representatives.
  - Council submits a revised plan of the swept path on 30 Box Road, Casula for Roads and Maritime Services approval.
- vii) Item 7 – Bus service between Miller and Carnes Hill shopping centres
  - Council approves the investigation of a bus route connecting Miller and Carnes Hill shopping centres.
  - An outcome of the investigation be provided at a future meeting.
- viii) Item 8 – Kurrajong Road and Wingham Road roundabout, Carnes Hill - Suggested road safety improvements
  - Council approves the installation of a guard rail along the south eastern corner of Kurrajong Road and Wingham Road intersection, and bollards, at the pedestrian refuges.
- ix) Item 9 – Liverpool City Centre – Review of existing parking arrangements close to medical centres
  - Council approves the installation of advisory “Pick Up & Set Down Only” signs at “No Parking” zones in the Liverpool City Centre.
  - Council approves the existing practice of addressing requests for “No Parking” zones on an individual basis and provided where practical.
  - Council approves the use of UV protection on all regulatory and advisory signs.
- x) Item 10 – Proposed Middleton Drive Extension Under M7 Motorway
  - Council approves the proposed Middleton Drive Extension under the M7 Motorway subject to the Roads and Maritime Services approval.

2. In relation to Special Item 1 – Liverpool Local Traffic Committee - Proposed Name change, that Council does not approve the committee recommended renaming of the Local Traffic Committee to the Liverpool **Pedestrian**, Cyclist and Traffic Committee, and instead endorse the renaming as the Pedestrian, **Active Transport** and Traffic Committee.

**COUNCIL DECISION**

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

That:

1. Council approve the following recommendations of the Committee:

- i) Item 1 – Regentville Drive, Elizabeth Hills – Proposed traffic calming devices
  - Council approves the installation of the proposed asphalt speed threshold in the vicinity of House Numbers 95/97 and 15 Regentville Drive, Elizabeth Hills, subject to community consultation.
  - Council Investigates the need for a pedestrian refuge across Regentville Drive, adjacent to playgrounds and walking tracks and presents findings at the next Local Traffic Committee meeting.
  
- ii) Item 2 – McGirr Parade, Warwick Farm – Proposed parking restrictions
  - Council investigate ‘No Parking’ restrictions along one side of the street to allow safe two-way traffic movements.
  - Council approves a Bus Zone restriction along one side of McGirr Parade.
  - Council conducts a community consultation.
  
- iii) Item 3 – George Street and Collins Lane, Liverpool – Changes to the existing traffic arrangements
  - Council supports the installation of a central median in George Street, between Elizabeth Street and Collins Lane.
  - Council supports the installation of a stop sign at the University driveway and a median island in Collins Lane, as shown in Attachment 3.1.
  - Council provides a copy of detailed design of the proposed works to the Roads and Maritime Services and NSW Police Force for comments prior to installation.
  
- iv) Item 4 – Liverpool City Centre – Stop Domestic Violence street parade
  - Council classifies the event as a Class 2 Special Event.
  - Council approves the traffic aspect of the rolling street closures to be managed by the NSW Police Force.
  - All stakeholders be advised accordingly of Council’s resolution.
  
- v) Item 5 – Reilly Street, Liverpool – Proposed removal of an existing bus stop
  - Be deferred until community consultation has been undertaken.
  
- vi) Item 6 – Items approved under Delegated Authority
  - Council notes the above delegated authority applications approved by the NSW Police and Roads and Maritime Services representatives.
  - Council submits a revised plan of the swept path on 30 Box Road, Casula for Roads and Maritime Services approval.
  
- vii) Item 7 – Bus service between Miller and Carnes Hill shopping centres
  - Council approves the investigation of a bus route connecting Miller and Carnes Hill shopping centres.
  - An outcome of the investigation be provided at a future meeting.

- viii) Item 8 – Kurrajong Road and Wingham Road roundabout, Carnes Hill - Suggested road safety improvements
- Council approves the installation of a guard rail along the south eastern corner of Kurrajong Road and Wingham Road intersection, and bollards, at the pedestrian refuges.
- ix) Item 9 – Liverpool City Centre – Review of existing parking arrangements close to medical centres
- Council approves the installation of advisory “Pick Up & Set Down Only” signs at “No Parking” zones in the Liverpool City Centre.
  - Council approves the existing practice of addressing requests for “No Parking” zones on an individual basis and provided where practical.
  - Council approves the use of UV protection on all regulatory and advisory signs.
- x) Item 10 – Proposed Middleton Drive Extension Under M7 Motorway
- Council approves the proposed Middleton Drive Extension under the M7 Motorway subject to the Roads and Maritime Services approval.
2. In relation to Special Item 1 – Liverpool Local Traffic Committee - Proposed Name change, that Council does not approve the committee recommended renaming of the Local Traffic Committee to the Liverpool **Pedestrian**, Cyclist and Traffic Committee, and instead endorse the renaming as the Pedestrian, **Active Transport** and Traffic Committee.
3. Council look into the illegal removal of reflectors and steel poles in Cubitt Drive, Denham Court.

**Foreshadowed motion:      Moved: Clr Hadchiti      Seconded: Clr Hadid**

That:

1. Council approve the following recommendations of the Committee:
- i) Item 1 – Regentville Drive, Elizabeth Hills – Proposed traffic calming devices
- Council approves the installation of the proposed asphalt speed threshold in the vicinity of House Numbers 95/97 and 15 Regentville Drive, Elizabeth Hills, subject to community consultation.
  - Council Investigates the need for a pedestrian refuge across Regentville Drive, adjacent to playgrounds and walking tracks and presents findings at the next Local Traffic Committee meeting.
- ii) Item 2 – McGirr Parade, Warwick Farm – Proposed parking restrictions
- Council investigate ‘No Parking’ restrictions along one side of the street to allow safe two-way traffic movements.
  - Council approves a Bus Zone restriction along one side of McGirr Parade.

- Council conducts a community consultation.
- iii) Item 3 – George Street and Collins Lane, Liverpool – Changes to the existing traffic arrangements
- Council supports the installation of a central median in George Street, between Elizabeth Street and Collins Lane.
  - Council supports the installation of a stop sign at the University driveway and a median island in Collins Lane, as shown in Attachment 3.1.
  - Council provides a copy of detailed design of the proposed works to the Roads and Maritime Services and NSW Police Force for comments prior to installation.
- iv) Item 4 – Liverpool City Centre – Stop Domestic Violence street parade
- Council classifies the event as a Class 2 Special Event.
  - Council approves the traffic aspect of the rolling street closures to be managed by the NSW Police Force.
  - All stakeholders be advised accordingly of Council's resolution.
- v) Item 5 – Reilly Street, Liverpool – Proposed removal of an existing bus stop
- Council approves the removal of the existing bus stop in front of 75 Reilly Street, Liverpool.
  - Council advises Interline Bus Services and Transport for NSW of its decision.
- vi) Item 6 – Items approved under Delegated Authority
- Council notes the above delegated authority applications approved by the NSW Police and Roads and Maritime Services representatives.
  - Council submits a revised plan of the swept path on 30 Box Road, Casula for Roads and Maritime Services approval.
- vii) Item 7 – Bus service between Miller and Carnes Hill shopping centres
- Council approves the investigation of a bus route connecting Miller and Carnes Hill shopping centres.
  - An outcome of the investigation be provided at a future meeting.
- viii) Item 8 – Kurrajong Road and Wingham Road roundabout, Carnes Hill - Suggested road safety improvements
- Council approves the installation of a guard rail along the south eastern corner of Kurrajong Road and Wingham Road intersection, and bollards, at the pedestrian refuges.
- ix) Item 9 – Liverpool City Centre – Review of existing parking arrangements close to medical centres
- Council approves the installation of advisory “Pick Up & Set Down Only” signs at “No Parking” zones in the Liverpool City Centre.
  - Council approves the existing practice of addressing requests for “No Parking” zones on an individual basis and provided where practical.

- Council approves the use of UV protection on all regulatory and advisory signs.
- x) Item 10 – Proposed Middleton Drive Extension Under M7 Motorway
- Council approves the proposed Middleton Drive Extension under the M7 Motorway subject to the Roads and Maritime Services approval.
2. In relation to Special Item 1 – Liverpool Local Traffic Committee - Proposed Name change, that Council does not approve the committee recommended renaming of the Local Traffic Committee to the Liverpool **Pedestrian**, Cyclist and Traffic Committee, and instead endorse the renaming as the Pedestrian, **Active Transport** and Traffic Committee.
  3. Council immediately remove the No Parking sign located on Macquarie Street, outside the medical centre.
  4. Council look into the illegal removal of reflectors and steel poles in Cubitt Drive, Denham Court.

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

That the recommendation be adopted.

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

**Division (for the motion moved by Clr Hagarty):**

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

**Vote against:** Clr Ayyad  
 Clr Ballot  
 Clr Hadchiti  
 Clr Hadid  
 Clr Harle  
 Clr Rhodes

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

**Clr Balloot left the Chambers at 7.40pm.**

**Clr Balloot returned to the Chambers at 7.42pm.**

**ITEM NO:** CTTE 05  
**FILE NO:** 277143.2018  
**SUBJECT:** Minutes of the Liverpool Heritage Advisory Committee - 7 August 2018

**RECOMMENDATION**

That Council:

1. Receives and notes the Minutes of the Liverpool Heritage Advisory Committee Meeting held on 7 August 2018.
2. Endorse the following recommendation of the Committee which will have an operational impact:
  - a) That consideration be given for the Library Services Manager to make changes in the publicity for events to be held at the Museum, and provide separate branding for the Museum to distinguish it from the Library.
3. Determine whether or not to endorse the following recommendation of the Committee which will have a financial impact:
  - a) A report is to be developed on historical points of interest along the Georges River, located between Liverpool and the Georges River National Park.

**COUNCIL DECISION**

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

That Council:

1. Receives and notes the Minutes of the Liverpool Heritage Advisory Committee Meeting held on 7 August 2018.
2. Endorse the following recommendation of the Committee which will have an operational impact:
  - a) That consideration be given for the Library Services Manager to make changes in the publicity for events to be held at the Museum, and provide separate branding for the Museum to distinguish it from the Library.
3. Endorse the following recommendation of the Committee which will have a financial impact:

a) A report is to be developed on historical points of interest along the Georges River, located between Liverpool and the Georges River National Park.

4. The minutes be amended to reflect Cllr Shelton was in attendance at the Heritage Committee meeting held on 7 August 2018.

**Foreshadowed motion:      Moved: Cllr Hagarty              Seconded: Cllr Kaliyanda**

That Council:

1. Receives and notes the Minutes of the Liverpool Heritage Advisory Committee Meeting held on 7 August 2018.
2. Endorse the following recommendation of the Committee which will have an operational impact:
  - a) That consideration be given for the Library Services Manager to make changes in the publicity for events to be held at the Museum, and provide separate branding for the Museum to distinguish it from the Library.
3. Amend the minutes to reflect Cllr Shelton attended the committee meeting.
4. Investigate whether historical points of interest are in the Heritage Western Sydney app and the cost of including additional points of interest.

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

**ITEM NO:** CTTE 06  
**FILE NO:** 279294.2018  
**SUBJECT:** Minutes of Liverpool Sports Committee Meeting held on 30 August 2018

## RECOMMENDATION

That Council:

1. Receives and notes the Minutes of the Liverpool Sports Committee Meeting held on 30 August 2018.
2. Endorses the funding recommendation made by the Liverpool Sports Committee of **\$700** under the Sporting Donations for the following applicants:

Applicant	Eligibility	Recommendation
Kirrily Wood	Local Resident – Luddenham Representing NSW at the School Sport Australia 12 Years & Under Basketball Championships (Basketball) held in Darwin Australia from 11-17 August 2018	\$200
Quinn Johnson	Local Resident – Moorebank Representing Australia at the U15's World Cup (Baseball) held in Chitre' Panama Central America from 10-19 August 2018	\$500

3. Endorses the funding recommendation made by the Liverpool Sports Committee of **\$1,800** under the Sporting Donations for the following applicants (pending the provision of further information):

Applicant	Eligibility	Recommendation
Maddison Kirk	Local Resident – Bringelly Representing Australia at the 2018 TransPacific Cup (Netball) held in Port Moresby Papua New Guinea from 27 August - 2 September 2018	\$500 Pending further information on the selection body.
Thomas Hine	Local Resident – Hammondville Representing Australia at the International Triathlon Union World Age Group Multisport Championship (Triathlon) held in Odense, Fyn Denmark from 5-14 July 2018	\$500 Pending further information on selection.

.....



Mereana Peyroux	Local Resident – Miller Representing Australia at the Wina 2018 Aged Tri-Series (Indoor Netball) held in Johannesburg South Africa from 14-20 October 2018	\$500 Pending further information on selection.
Max Clissold	Local Resident – Chipping Norton Representing NSW at the Australian Junior National Indoor Cricket Championships (Indoor Cricket) held in Toowoomba Queensland from 7 July to 14 July 2018	\$300 Pending further information on selection.

### **COUNCIL DECISION**

**Motion:**    **Moved: C/r Kaliyanda**                          **Seconded: C/r Hadid**

That the recommendation be adopted.

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

**Mayor Waller called a recess of Council at 7.49pm.**

**Mayor Waller reopened the meeting at 8.02pm with all Councillors present except Cllr Kaliyanda.**

## **QUESTIONS WITH NOTICE**

**ITEM NO:** QWN 01  
**FILE NO:** 279670.2018  
**SUBJECT:** Question with Notice - Cllr Hagarty

### **Department of Planning 'black hole'**

A report published in The Sunday Telegraph on September 2 blames 'bungling bureaucrats' for a \$10.6 million black hole in the Department of Planning's Special Infrastructure Contributions Assessment Fund. Money for the fund is levied on developers and used public amenities such as roads, healthcare, schools and parks.

According to the report the funding black hole "relates to 14 major developments in Camden, Liverpool, Campbelltown, Blacktown and The Hills council areas."

**Please address the following:**

**Is Council aware:**

**1. How much of the \$10.6 million was intended for Liverpool?**

Council is aware of the newspaper article. Council sought comment from the Department of Planning and Environment, who advised that the article was inaccurate. The Department has advised that there are no "missing funds" from the Special Infrastructure Contributions account, and therefore there are no impacts to projects funded in Liverpool.

**2. What infrastructure projects are to be delivered through this fund?**

The NSW Department of Planning and Environment has recently executed six grants with Liverpool City Council for the planning and design of six projects with funds from the Special Infrastructure Contribution (SIC) fund. These projects include:

1. Fifteenth Avenue Part 1 (Stage 1) - (Cowpasture Road and Devonshire Road/Kemps Creek)
2. Denham Court Road (Commissioners Drive to Campbelltown Road)
3. Edmondson Avenue Upgrade (Stage 1) Design and Acquisition
4. Edmondson Avenue Upgrade (Stage 2) Design and Acquisition
5. Bus Depot at Austral
6. Fifteenth Avenue Part 1 - (Stage 2 -3)

This is in addition to Bernera Avenue, which is a road upgrade project being delivered by Liverpool City Council and part funded under the Housing Acceleration Fund (Restart NSW).

**3. Given the black hole, how long will these projects now be delayed?**

As noted above, as the Department has advised that there are no missing funds. The Department has advised that they are committed to the funding and ultimate delivery of these projects which are key regional infrastructure items to service the South West Growth Centre, and have further advised that they will continue to work with Council to ensure the key milestones established under the agreements executed with Council are achieved.



**Clr Hadid returned to the Chambers 8.11pm.**

**ITEM NO:** QWN 03  
**FILE NO:** 279828.2018  
**SUBJECT:** Question with Notice - Clr Rhodes

## **BACKGROUND**

### **Motion: put at the July Council Meeting That Liverpool Council**

Write to Senator the Hon Marise Payne, Minister for Defence (Australia) to confirm Liverpool Council's collaborative support for the Georges River Koala Network in recognizing the presence of the last disease-free colony of koalas in Australia, their presence in the Holsworthy Military Training Area and the need for a dialogue to commence with the Community, Army and Georges River Koala Network to initiate actions to ensure the preservation of this koala colony.

#### **Please address the following:**

1. What action has Council taken to implement the motion adopted at the July Council meeting 2018 to progress Council's efforts to protect the koala in South West Sydney?
2. Was contact made with Marise Payne and what was the response?
3. Has Council made contact with the Georges River Koala Network in order to collaborate and commence dialogue with the Army to initiate actions to ensure the preservation of the koala colony?

## **RESPONSE**

Council wrote to the current Minister for Defence, Christopher Pyne, with regards to the conservation of koala habitats. At this stage, Council has not received a response. Councillors will be provided with any response received from the minister.

Further, Council is actively working with neighbouring land managers, including State Agencies, to improve conservation outcomes for the koalas of the Macarthur Region. This includes initiatives to install wildlife warning road signs in koala strike hotspots and working with Roads and Maritime Services (RMS) on the Heathcote Road upgrade project to ensure adequate consideration for safe wildlife movements. Council staff participated in the SaveOurKoala Summit 2018, hosted by Wollondilly Council in September, to express its support of the initiatives to develop Koala Management Strategy for the southwest region.

Council has also been in contact with the Total Environment Centre who has advised Council that the Georges River Koala Network will be seeking to engage with Councils on the management of koalas through the Georges Riverkeeper (GRCCC). The Network has indicated that they will be seeking Local Government support for a proposal to create two Koala Regional Parks in Campbelltown and Wollondilly LGAs.

As the Georges River Koala Network is a collection of community groups within the region, Council's dealings with the group have been limited to date. They are currently gathering signatures for their own petition for additional planning and physical protection of koala in the MacArthur region, which is available on the Total Environment Centre website.

Council will continue to tap into existing networks, community groups and government agencies to increase awareness and promote koala conservation in the region.

**Motion:**

**Moved: Clr Rhodes**

**Seconded: Clr Balloot**

That Council:

1. Write to the Minister for Roads, Maritime and Freight requesting variable message signs (VMS) along Heathcote Road, Moorebank, Australis and Anzac Avenues with wildlife crossing signs; and
2. Consider the following matters in the upcoming LEP review workshop and provide a report back to Council by February 2019 that identifies cost to include and implement:
  - a) Consider a preservation corridor route with the suggested setbacks of 425m river and 250m creeks for koala/wildlife traversing through the Liverpool LGA along the Georges river from Campbelltown, connecting to the Holsworthy Army land and any known sub colony areas in the Liverpool LGA;
  - b) Investigate the cost of implementing the planting koala Food Trees along the corridor routes;
  - c) Investigate the cost of a wildlife fencing plan along Heathcote Road that includes a channelling fence directing wildlife below Deadmans Creek bridge which is recognised as a koala kill hotspot; and
  - d) Wildlife crossings across the Georges River and identified road kill hotspots in the Liverpool LGA.
3. Congratulate all efforts to action the protection of koalas in South West Sydney, which could include the:
  - Establishment of a 4000 hectare Koala National Park in southwest Sydney; and
  - Welcome all money to establish better koala care in South West Sydney.

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

**ITEM NO:** QWN 04  
**FILE NO:** 290042.2018  
**SUBJECT:** Question with Notice - Clr Ayyad

It has been brought to my attention that some DA consents are given deferred commencements, to secure easements from Council or neighbouring properties, while others are not.

**Please address the following:**

1. What is Council's policy regarding deferred commencements for drainage easements?
2. What is Council's policy regarding approved drainage easements and commencements, for those that are not deferred when approved at the same time as a DA?
3. What are the processes for both Council property and private easements?
4. How do easements affect the processing of DA's, specifically smaller DA's for example R3 town houses and duplexes?
5. Any other information in relation to easements and how they affect DA's.

**A response to this Question with Notice will be provided in the November 2018 Council Meeting Business Papers.**

**ITEM NO:** QWN 05  
**FILE NO:** 290110.2018  
**SUBJECT:** Question with Notice - Clr Ayyad

**Please address the following:**

Is there any circumstance that allows a Councillor or the Mayor to approve expenditure of Council funds without a prior resolution of Council?

If so, can you highlight which section of the Local Government Act allows this, and under which circumstances.

**A response to this Question with Notice will be provided in the November 2018 Council Meeting Business Papers.**



## **NOTICES OF MOTION**

**ITEM NO:** NOM 01  
**FILE NO:** 288654.2018  
**SUBJECT:** Welcome to Liverpool and Orientation

### **BACKGROUND**

The proximity of Holsworthy Barracks and Training Ground means that many military service people and their families settle in the Liverpool LGA. Some may stay for a short period of time, whilst others find a new home within our community.

The Australian Defence Force provides relocation assistance to all serving personnel and their families, both physically and through the provision of support and information during the transition process.

Quite frequently, the service-person and their families have no previous knowledge of Liverpool and our surrounding areas and rely on word of mouth from contacts within the ADF.

Cities like Adelaide and Brisbane take a more proactive approach to engaging with the military communities in their midst by collaborating with local contacts to develop orientation information and material that will help military service people and their families engage more totally in the community.

With the many recent and planned changes to the Liverpool LGA, it would be to the great benefit of the local community that orientation information and an introduction to the LGA be provided.

### **NOTICE OF MOTION**

That Council:

1. Establish a relationship with the Defence Community Organisation (DCO) at Holsworthy Barracks;
2. Develop an orientation or welcome pack with introductory information about services and amenities in the Liverpool LGA; and
3. Work with the DCO to develop an ongoing method or process of sharing information of value to the local defence community.

## COUNCIL DECISION

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

That Council:

1. Establish a relationship with the Defence Community Organisation (DCO) at Holsworthy Barracks; and
2. Develop an orientation or welcome pack with introductory information about services and amenities in the Liverpool LGA; and
3. Work with the DCO to develop an ongoing method or process of sharing information of value to the local defence community; and
4. Develop a welcome page to service all new residents in our LGA network.

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

That Council:

1. Develop an online orientation welcome pack with introductory information about services and amenities in the Liverpool LGA;
2. Distribute such information to the defence community and all new development areas through social network programs;
3. Develop a welcome page to service all new residents in our LGA network;
4. Develop an online orientation in English and also in the top three most spoken languages in Liverpool, including a range of services and facilities available; and
5. Liaise with the Department of Defence to identify the specific needs of the defence families and have this included in the orientation packs, with a link on the orientation web page to be provided to defence families.

On being put to the meeting the motion (moved by Cllr Kaliyanda) was declared LOST. The Foreshadowed motion (moved by Cllr Rhodes) then became the motion and on being put to the meeting the motion was declared CARRIED.

**Clr Ayyad left the Chambers at 8.48pm.**

**Clr Ayyad returned to the Chambers 8.51pm.**

**Clr Balloot left the Chambers at 9.14pm.**

**Clr Balloot returned to the Chambers 9.16pm.**

**ITEM NO:** NOM 02  
**FILE NO:** 289991.2018  
**SUBJECT:** Smoking

## **BACKGROUND**

Given Mayor Jilly GIBSON of North Sydney Council has recently put forward a motion with the unanimous backing of her Councillors to ban smoking in the NORTH SYDNEY CBD and the Northern Tablelands town of GLEN INNES introduced a smoking ban across its CBD in 2015 and given the extensive community consultation already carried out by this Council with respect to the question of smoking in Macquarie Mall which showed overwhelming support for such a course of action and given comments by Councillors in recent months that such a ban should extend to the CBD as a whole the following motion is proposed.

## **NOTICE OF MOTION (submitted by Clrs Shelton, Rhodes and Harle)**

That this Council shall forthwith commence the implementation of a policy to prohibit smoking throughout the public areas of the Central Business District of LIVERPOOL including the following features:

1. Appropriate signage shall be erected;
2. The Communications Department be directed to implement an appropriate communication/education campaign;
3. Licence agreements for marquees in Macquarie Mall shall be progressively updated to introduce a clause requiring reasonable steps to ensure patrons do not smoke; and
4. That Council does not otherwise adopt an enforcement strategy through its rangers.

## **COUNCIL DECISION**

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

That this Council shall forthwith commence the implementation of a policy to prohibit smoking throughout the public areas of the Central Business District of LIVERPOOL including the following features:

1. Appropriate signage shall be erected; and
2. The CEO direct the Communications Department to implement an appropriate communication/education campaign; and
3. Licence agreements for marquees in Macquarie Mall shall be progressively updated to introduce a clause requiring reasonable steps to ensure patrons do not smoke; and
4. That Council does not otherwise adopt an enforcement strategy through its rangers; and
5. That Council receives a report at the end of a 12 month period.

**Foreshadowed motion:      Moved: Clr Hadchiti      Seconded: Clr Hadid**

That:

1. This Council shall forthwith commence the implementation of a policy to prohibit smoking throughout the areas currently designated as no smoking zones; and
2. Council does not otherwise adopt an enforcement strategy through its rangers; and
3. The CEO direct the Communications Department to implement an appropriate communication/education campaign; and
4. Council receive a report at the end of a 12 month period, including information on how the policy has been managed, what the response has been and general feedback; and
5. "No Smoking" signs be erected around all playgrounds in the whole Liverpool LGA.

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



## COUNCIL IN CLOSED SESSION

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

That Council move into closed session to deal with items CONF 02 & CONF 03.

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

Mayor Waller then advised that Council would now move into Closed Session to deal with Item CONF 02 Legal Affairs Report: 1 July 2018 - 30 September 2018 & CONF 03 Liverpool Civic Place - Revised Proposal and Budget pursuant to:

- s10(A)(2)(g) of the Local Government Act because it contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.
- s10(A)(2)(d i) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

**Council moved into Closed Session at 9.29pm.**

**The Mayor called for a short recess of Council at 9.29pm to allow time for the members of the gallery to leave the Chambers.**

**Mayor Waller reopened the meeting at 9.33pm with all Councillors present, except Clrs Hadchiti and Hadid.**

**Clr Hadid returned to the Chambers 9.34pm.**

**Clr Hadchiti returned to the Chambers 9.35pm.**

**ITEM NO:** CONF 02  
**FILE NO:** 283416.2018  
**SUBJECT:** Legal Affairs Report: 1 July 2018 - 30 September 2018

## RECOMMENDATION

That Council receives and notes the report concerning the legal affairs of Liverpool City Council.

## COUNCIL DECISION

**Motion:**    **Moved: Clr Hadid**    **Seconded: Clr Ayyad**

That the recommendation be adopted.

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

**CORP 05 and CONF 03 dealing with “Liverpool Civic Place – Revised Proposal and Budget” were dealt with together.**

**Clr Hadchiti left the Chambers at 9.47pm.**

**Clr Hadchiti returned to the Chambers 9.48pm.**

**Clr Hadchiti left to the Chambers 10.09pm.**

**Clr Hadchiti returned to the Chambers at 10.12pm.**

**ITEM NO:** CONF 03  
**FILE NO:** 293602.2018  
**SUBJECT:** Liverpool Civic Place - Revised Proposal and Budget

## **RECOMMENDATION**

That Council:

1. Directs, and delegates authority to, the CEO to progress the Liverpool Civic Place development, in accordance with the proposed project scope and budget outlined in the report of staff;
2. Confirms the engagement of Built Holdings Pty Ltd to progress the project in accordance with the proposed project scope, subject to the provisions of s.55(3) of the *Local Government Act 1993*, for the following reasons:
  - a. The project has previously been comprehensively market tested, with Built Holdings Pty Ltd being the successful proponent;
  - b. The proposed project elements, being a hotel and neighbouring tower (as Developer Works), and a Council commercial tower and library (as Council Works) with associated underground parking, and the site location, remain unchanged;
  - c. The project scope and budget have been subject to a comprehensive, independent quantity survey and feasibility study, confirming that the proposed pricing and budget are competitive and consistent with market rates;
  - d. The time to re-commit the project to the market would delay the final delivery of the project by an estimated 12 months, which would delay the delivery of these critical assets to the market, and would further delay the relocation of Council’s offices, and consequentially, the proposed revision of use of Council’s existing facilities;
  - e. Cancelling the contract with Built Holdings Pty Ltd would subject Council to absorb significant fixed costs, as detailed in the report of staff;

- f. To recommit the project to market, in the absence of a significant change in the project elements, could result in a detrimental effect to Council's reputation, and possibly impact Council's future capacity to deliver large-scale property works.
3. Delegate authority to the CEO to negotiate and execute any changes to the Project Development Agreement with Built Holdings Pty Ltd, subject to legal advice, and direct the CEO to report any such amendments to the Strategic Panel, once agreed;
4. Delegate authority to the CEO to complete and submit any required application documentation to NSW Treasury Corporation to secure loan funding for the proposed project on behalf of Council, as outlined in the report of staff;
5. Keeps confidential the attachment supplied under separate cover pursuant to the provisions of Section 10A(2)(c) of the Local Government Act 1993 as this information would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.

## **COUNCIL DECISION**

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

The recommendation for item CORP 05 on page 176 of the Council Agenda advising of an Addendum Report (being CONF 03) be noted.

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

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

That Council:

1. Directs, and delegates authority to, the CEO to do all things necessary to progress the Liverpool Civic Place development, in accordance with the proposed project scope and budget outlined in the report of staff;
2. Direct the CEO to explore an expansion of the project to include an estimated 500 car parking places as part of the Council works, exploring all different car parking options, including car stackers, and bring a revised project budget and funding strategy to Council for consideration by the end of 2018;
3. Confirms the engagement of Built Holdings Pty Ltd to progress the project in accordance with the proposed project scope, subject to the provisions of s.55(3) of the *Local Government Act 1993*, for the following reasons:
  - a. The project has previously been comprehensively market tested, with Built Holdings Pty Ltd being the successful proponent;



- b. The proposed project elements, being a hotel and neighbouring tower (as Developer Works), and a Council commercial tower and library (as Council Works) with associated underground parking, and the site location, remain unchanged;
  - c. The project scope and budget have been subject to a comprehensive, independent quantity survey and feasibility study, confirming that the proposed pricing and budget are competitive and consistent with market rates;
  - d. The time to re-commit the project to the market would delay the final delivery of the project by an estimated 12 months, which would delay the delivery of these critical assets to the market, and would further delay the relocation of Council's offices, and consequentially, the proposed revision of use of Council's existing facilities;
  - e. Cancelling the contract with Built Holdings Pty Ltd would subject Council to absorb significant fixed costs, as detailed in the report of staff;
  - f. To recommit the project to market, in the absence of a significant change in the project elements, could result in a detrimental effect to Council's reputation, and possibly impact Council's future capacity to deliver large-scale property works.
4. Delegate authority to the CEO to negotiate and execute any changes to the Project Development Agreement with Built Holdings Pty Ltd, subject to legal advice, and direct the CEO to report any such amendments to the Strategic Panel, once agreed;
  5. Direct the CEO to ensure that any revised Project Development Agreement entered into over the development of Liverpool Civic Place allows expansion to permit additional parking, following consideration of this matter by the Council;
  6. Delegate authority to the CEO to complete and submit any required application documentation to NSW Treasury Corporation to secure loan funding for the proposed project on behalf of Council, as outlined in the report of staff;
  7. Keeps confidential the attachment supplied under separate cover pursuant to the provisions of Section 10A(2)(c) of the Local Government Act 1993 as this information would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business; and
  8. Stacked parking be examined within the Liverpool CBD.

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

Council moved back into Open Session at 10.18pm and Mayor Waller read the resolutions that were passed in Closed Session.

**THE MEETING CLOSED AT 10.19pm**

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 21 November 2018

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 29 October 2018. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.





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

**Item:** CONF 01 - Environment Advisory Committee - Appointment of Committee Members and Amendments to Charter

**Reason:** One of the applicants is known to Clr Kaliyanda.

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

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

**Item:** CONF 01 - Environment Advisory Committee - Appointment of Committee Members and Amendments to Charter

**Reason:** One of the applicants is known to Clr Karnib.

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

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

**Item:** CONF 03 – Australia Day Awards 2019.

**Reason:** Clr Hagarty gave a reference for one of the nominees.

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

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

**Item:** CONF 03 - 2019 Australia Day Awards.

**Reason:** One of the nominees is known to Clr Kaliyanda.

Clr Kaliyanda left the Chambers for the duration of this item

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

**Item:** CTTE 05 – Endorsement of Liverpool Community Safety and Crime Prevention Advisory Committee 2018-2020.

**Reason:** Clr Hagarty is on the board of an organisation nominated.

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

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

**Item:** CONF 05 – Tourism & CBD Committee Community Representatives.

**Reason:** Some of the nominees are known to Clr Rhodes.

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

## **PUBLIC FORUM**

### **Presentation – items not on agenda**

1. **Ms Carrie Alvaro** addressed Council on the following matter:

Elizabeth Hills Traffic Conditions.

**Motion:** **Moved: Clr Rhodes** **Seconded: Clr Hadid**

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

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

### **Representation – items on agenda**

1. **Mr Tom Forrest** (Applicant's representative – from Nelcorb Pty Ltd) addressed Council on the following item:

**EGROW 06** – Proposal to Rezone 315 and 335 Denham Court Road, Denham Court from E4 (Environmental Living) to R2 (Low Density Residential).

**Motion:** **Moved: Clr Hadid** **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.

**Motion:** **Moved: Clr Hadid** **Seconded: Clr Ayyad**

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

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

## MAYORAL MINUTE

**ITEM NO:** MAYOR 01  
**FILE NO:** 323821.2018  
**SUBJECT:** Recognition of Council's Achievements

In the past three months, Liverpool City Council has won three important awards for innovative projects and campaigns that have made our city a better place to live, work and learn.

In September, Liverpool City Council's Smart Pedestrian Project won an award in the category *Best Local Government Initiative* at the Committee for Sydney's Smart City Awards. The victory marks the second year in a row that Council has taken home this award. The judging panel recognised the project as a ground-breaking initiative that will revolutionise urban design and traffic management in the city.

In October, the Liverpool Innovation Precinct committee received the Public Relations Institute of Australia's *Golden Target Award* for best national Advocacy and Public Affairs Campaign. The award recognised the committee's campaign for the Liverpool Hospital upgrade, which secured a \$740 million budget commitment from the NSW Government.

Receiving such a prestigious award highlights the successful collaborative efforts between Council, Sydney Business Chamber and South West Sydney Area Health Service on the Liverpool Innovation Precinct committee.

In November, Liverpool City Council took home a Premier's Award in the category 'Transforming residential approval' for our *FastTrack@LiverpoolCityCouncil* program. The program was praised for the innovative way it streamlined approval processes. Almost 180 applications are approved in one day, a dramatic improvement on the previous 75-day approval timeline.

Winning these awards is a testament to Council's efforts as an ambitious, courageous and collaborative organisation that aspires to do great things for ourselves, our community and our growing city.

## RECOMMENDATION

That Council acknowledges the hard work of the staff involved in the award-winning projects and campaigns and congratulates them on their success and write to staff involved.

**Motion** **Moved: Mayor Waller**

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

**ITEM NO:** MAYOR 02  
**FILE NO:** 323827.2018  
**SUBJECT:** Success of Liverpool Remembers

To commemorate the Centenary of Armistice, Liverpool City Council organised a series of events and exhibitions under a program called *Liverpool Remembers*. From 20 October 2018 to 11 November 2018, Liverpool hosted four events: *Peace Comes to Liverpool*, *Visions of Peace*, *Freedom of Entry Parade* and *Liverpool Remembers Centenary of Armistice*.

Our city centre came alive with the spirit of commemoration. Innovative screen projections beamed historical photos and community stories onto buildings and walls. *Visions of Peace* was the first project of its kind to be displayed in our city. Exhibitions, commemorative ceremonies and marches brought many members of the community together.

The careful organisation and execution of each event ensured that our community could properly honour our servicemen and servicewomen. Our city also had a chance to pause and reflect on the importance of freedom, peace and harmony.

### **RECOMMENDATION**

That Council acknowledge the work undertaken by Council staff and congratulate them in putting the *Liverpool Remembers* program together, in particular the *Visions of Peace* digital project, the *Freedom of Entry Parade* and the *Remembrance Day* commemoration and write to staff involved.

**Motion** **Moved: Mayor Waller**

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













**ITEM NO:** EGROW 05  
**FILE NO:** 301358.2018  
**SUBJECT:** Draft Liverpool Development Control Plan 2008 (Amendment 31) - Boarding House Development - Post exhibition report

**RECOMMENDATION**

That Council adopts draft Liverpool Development Control Plan 2008 (Amendment 31), to come into effect upon publication of the required notice in the local newspaper.

**COUNCIL DECISION**

**Motion:** **Moved: Cllr Hagarty** **Seconded: Cllr Hadchiti**

That Council adopts draft Liverpool Development Control Plan 2008 (Amendment 31), to come into effect upon publication of the required notice in the local newspaper subject the following change:

- The side setback in Clause 10 as shown on page 128 of the Council Agenda be changed to 3 metres as originally proposed by officers.

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

Councillors voted unanimously for this motion.



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

**Vote against:** Clr Ayyad  
Clr Hadchiti  
Clr Hadid



## CHIEF EXECUTIVE OFFICER REPORT

**ITEM NO:** CEO 01  
**FILE NO:** 303408.2018  
**SUBJECT:** Councillor Briefings

### RECOMMENDATION

That Council endorse the Councillor Briefing Procedure.

### COUNCIL DECISION

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

That the recommendation be adopted subject to the following changes:

1. That Council adopt a more flexible meeting schedule that allows for Councillor Briefing Sessions to be held both during and after normal business hours;
2. Amend Clause 13.5 to add the following words at the end of the clause:

*“Or at the discretion of the Chief Executive Officer”.*

So that 13.5 reads:

**13.5        How often can a Councillor participate remotely?**

As physical attendance is the preferred method of participation and in order to maintain human relationships through physical proximity, Councillors will only be authorised to participate remotely up to three times per annum, or at the discretion of the Chief Executive Officer.

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

**ITEM NO:** CEO 02  
**FILE NO:** 308387.2018  
**SUBJECT:** Code of Conduct Annual Complaints Statistics 2013-2018

**RECOMMENDATION**

That Council notes this report.

**COUNCIL DECISION**

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

That the recommendation be adopted.

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

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**CITY COMMUNITY AND CULTURE REPORT**

**ITEM NO:** COM 01  
**FILE NO:** 304183.2018  
**SUBJECT:** Grants, Donations and Corporate Sponsorship

**RECOMMENDATION**

That Council endorses the funding recommendation of **\$10,000** (GST exclusive) under the **Corporate Sponsorship (Outgoing) Program** for the following projects:

<b>Applicant</b>	<b>Project</b>	<b>Recommended</b>
Liverpool Domestic Violence Liaison Committee	Stop DV In Our Community	\$10,000

**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.

**Clr Hagarty left the Chambers at 8.26pm.**

**CITY CORPORATE REPORT**

**ITEM NO:** CORP 01  
**FILE NO:** 297169.2018  
**SUBJECT:** Investment Report October 2018

**RECOMMENDATION**

That Council receives and notes this report.

**COUNCIL DECISION**

**Motion:** **Moved: Clr Shelton** **Seconded: Clr Rhodes**

That the recommendation be adopted.

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

Clr Hagarty returned to the Chambers at 8.27pm.

**ITEM NO:** CORP 02  
**FILE NO:** 305148.2018  
**SUBJECT:** Budget Review - September 2018

**RECOMMENDATION**

That Council:

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

**COUNCIL DECISION**

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

That the recommendation be adopted.

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

**ITEM NO:** CORP 03  
**FILE NO:** 306522.2018  
**SUBJECT:** Review of the delegations of the Chief Executive Officer

## **RECOMMENDATION**

That Council:

1. Note that the Chief Executive Officer exercises the functions, role and delegations of "General Manager" under the *Local Government Act* 1993;
2. Delegate to the Chief Executive Officer the delegations detailed in in the Delegations to the Chief Executive Officer in Attachment 2 to this Report;
3. Authorise the Mayor, Councillor Waller to sign Instrument of Delegation to the Chief Executive Officer; and
4. Confirm Council's delegations for any functions or powers conferred or imposed on Council by or under any legislation in accordance with Section 22 of the *Local Government Act* 1993.

## **COUNCIL DECISION**

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

That the recommendation be adopted.

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

**COMMITTEE REPORTS**

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

That all the Committee items be considered in bulk with the recommendations in the reports adopted with the exception of CTTE 03 and CTTE 05 which are to be considered separately.

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

Clr Shelton asked that his name be recorded as voting against the motion.

**ITEM NO:** CTTE 01  
**FILE NO:** 290573.2018  
**SUBJECT:** Minutes of the Strategic Panel held on 15 October 2018

**RECOMMENDATION**

That Council receives and notes the Minutes of the Strategic Panel Meeting held on 15 October 2018.

**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:** 296792.2018  
**SUBJECT:** Notes of the Liverpool Access Committee meeting held on 20 September 2018

**RECOMMENDATION**

That Council receives and notes the Liverpool Access Committee meeting notes held on 20 September 2018.

**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.



**Clr Hagarty left the Chambers at 8.32 pm.**

**ITEM NO:** CTTE 03  
**FILE NO:** 304342.2018  
**SUBJECT:** Minutes of the Liverpool Youth Council Meeting held on 3 October 2018

**RECOMMENDATION**

That Council receives and notes the minutes of the Liverpool Youth Council Meeting held on 3 October 2018.

**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:** CTTE 04  
**FILE NO:** 305503.2018  
**SUBJECT:** Minutes of the Civic Advisory Committee Meeting held 26 October 2018

**RECOMMENDATION**

That Council:

- 1. Receives and notes the Minutes of the Civic Advisory Committee Meeting held on 26 October 2018; and
- 2. Directs the CEO to undertake a review of the Charter of the Civic Advisory Committee, and of the civic events.

**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.



**Clr Hagarty returned to the Chambers at 8.33pm.**

**QUESTIONS WITH NOTICE**

**ITEM NO:** QWN 01  
**FILE NO:** 295795.2018  
**SUBJECT:** Question with Notice - Clr Ayyad

It has been brought to my attention that some DA consents are given deferred commencements, to secure easements from council or neighbouring properties, while others are not.

**Please address the following:**

- 1. What is Council's policy regarding deferred commencements for drainage easements?**

It is common practice for Council to issue a deferred commencement development consent requiring the creation of the easement on title, before the consent becomes operative. A deferred commencement consent will however only be issued once the applicant has obtained in-principle owner's consent from the land owner on which the easement is proposed.

In the event that the owner of the land retracts their consent during the works or registration stage, disputes can be taken to the Community Justice Centre who offer a non-legal mediation service. Alternatively, civil action can be taken against the land owner. Council does not become involved in civil proceedings between property owners.

- 2. What is Council's policy regarding approved drainage easements and commencements, for those that are not deferred when approved at the same time as a DA?**

While there have been cases in the past where Council has issued an operational consent containing conditions (prior to the issue of a Construction Certificate) for obtaining an easement, this approach is no longer taken. This is mainly due to several Land and Environment Court Judgements which have determined that owner's consent is required for development works on adjoining sites before a consent is granted.

In the event an applicant is relying on an already registered easement on an adjoining property which benefits the applicant's site, a deferred commencement is not required. In this situation, an operative consent may be issued.

**3. What are the processes for both Council property and private easements?**

The process described in the response to question 1 above is also followed for Council easements, whereby a deferred commencement development consent is issued for a development requiring a council easement. Again, this is only if Council have granted in-principle consent to the creation of the easement.

The establishment of an easement on Council land is required to be reported to the full elected Council for endorsement before it can be created. This process usually takes place once a deferred commencement consent has been issued.

**4. How do easements affect the processing of DA's, specifically smaller DA's for example R3 town houses and duplexes?**

This can delay the DA assessment process. When the requirement for an easement on an adjoining property is identified during the assessment process (following the lodgement of the application), the applicant may sometimes experience difficulty in obtaining owner's consent from the adjoining property owner. In the event that owner's consent cannot be obtained, the council will request that the applicant explores an alternative stormwater management design where possible.

**5. Any other information in relation to easements and how they affect DA's.**

Owner's consent from adjacent properties for easements (or other infrastructure works) is required prior to lodgement of a development application. Where the need for an easement is identified as part of the assessment process, the applicant will be asked to provide in-principle owner's consent for the creation of an easement before a deferred commencement consent may be issued.

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

That Council create a policy regarding easements.

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

**ITEM NO:** QWN 02  
**FILE NO:** 295798.2018  
**SUBJECT:** Question with Notice - Cllr Ayyad

Please address the following:

Is there any circumstance that allows a Councillor or the Mayor to approve expenditure of Council funds without a prior resolution of Council?

If so, can you highlight which section of the Local Government Act allows this, and under which circumstances?

### **Response**

Section 226(d) of the *Local Government Act 1993* states:

*The role of the mayor is as follows:*

...

*(d) to exercise, in cases of necessity, the policy-making functions of the governing body of the council between meetings of the council*

This section of the Act effectively enables a Mayor, in cases of necessity, to stand in the shoes of Council by directing actions in the manner of a quasi-resolution. In addressing what constitutes “policy decision-making”, the OLG’s Councillor Handbook (October 2016, at page 18) notes that this means “...mak[ing] decisions and policies that guide the activities of the council. Policies can be defined as the principles and intent behind the programs that a council implements. This includes setting the broad, strategic direction for the local community.”

The apparent exceptions to this power are, in effect, those powers that the Act (or, in the case of clauses, the associated regulation) specifically reserves for a Council resolution. These include:

- A. The power to authorise a third party to exercise a power of expulsion (s.10);
- B. The power to authorise staff to forego a tender process (s.55(3)(i));
- C. The power to authorise the charging of an amount of less than the approved fee for Council works on private land (s.67);
- D. The power to authorise the filling of a casual vacancy in Council by way of a countback of votes (s.291A);
- E. The power to permanently delegate authority on behalf of the Council (s.377; cl.136B);
- F. The power to resolve to enter into a Public-Private Partnership (s.400L);
- G. The power to approve the inclusion of part or all of a Council’s area within a Joint Organisation’s boundaries (s.400P);
- H. The power to formally censure a councillor for misconduct (s.440G);

- I. The power to refer misconduct to the OLG, following a Censure / Code of Conduct process (s.440H);
- J. The making of a rate or charge (s.535);
- K. The establishment of a process to permit pensioner or other concessions (ss.579, 599);
- L. The establishment of an alcohol-free zone (s.644B);
- M. The establishment of rating categories for irrigable land (cl.120A);
- N. The establishment of procedures for writing off rates and charges (cl.131; cl.213);
- O. A decision not to accept tenders, and to progress various post-refusal activities (cl.178);
- P. Make a statement on a Council's annual financial reports (cl.215);
- Q. The establishment of a committee of Council (cl.260).

Council's own practice requires that any decisions made by a Mayor under this power be referred to the Council for information and endorsement. This is to ensure transparency in the exercise of this power, and is a procedure recommended by the Office of Local Government, as well as by Council's auditors.

**ITEM NO:** QWN 03  
**FILE NO:** 313038.2018  
**SUBJECT:** Question with Notice - Clr Hagarty

### **Introduction**

"It's a hellscape"- This is how one employee described working conditions at Amazon's Dandenong South fulfilment centre in Melbourne's outer south east in a recent Fairfax article.

The story also describes workers being advised not to drink water before or during a shift because going to the toilet would affect productivity rates and being reluctant to report injuries for fear of not getting shifts.

Amazon's market capitalisation recently passed US\$1 trillion, the second company to do so. It's founder Jeff Bezos is the richest person in the world.

Liverpool wants and needs good quality, well paying jobs. We also want good corporate citizens who provide safe, secure workplaces.

### **Questions**

What percentage of workers based at the Amazon Moorebank fulfilment centre are:

1. from the Liverpool LGA?
2. directly employed by Amazon?
3. employed by a labor hire company?
4. in insecure casual employment?

**A response to these questions will be provided in the December 2018 Council meeting business papers.**



**ITEM NO:** QWN 04  
**FILE NO:** 313045.2018  
**SUBJECT:** Question with Notice - Clr Hagarty

**Introduction**

Despite gardening and other maintenance of roundabouts being performed by Council staff, Council outsources the weeding of roundabouts to external contractors.

**Questions**

How many times in the last 12 months have Council staff had to perform remediation weeding on roundabouts that had already been weeded by external contractors?

What is the estimated cost to ratepayers and Council (including salaries and wages) of performing this additional work?

**A response to these questions will be provided in the December 2018 Council meeting business papers.**

**ITEM NO:** QWN 05  
**FILE NO:** 314540.2018  
**SUBJECT:** Question with Notice - Cllr Harle

**Recreational Areas**

Several complaints have been received from residents adjoining the Chipping Norton Recreational Areas, in particular Black Muscat Park, raising re-occurring issues of excessive noise, loud music, open fires and objectionable smoke and unauthorised use of portable generators to power Public Address Systems.

During 2016 and 2017 Council had successfully implemented a program of using security firms to patrol these areas on Saturday and Sunday mornings, including Public Holidays, to prevent unauthorised groups setting up PA systems and illegally roping off areas for their exclusive use without obtaining Council permission.

Please address the following:

1. Can Council re-introduce the security contractors to prevent the issues that have re-occurred over the last 12 months so that residents and recreational users are treated fairly?
2. What are the budget implications, and can these be met from the current budget?

**A response to these questions will be provided in the December 2018 Council meeting business papers.**



- Transparency - deliver more transparency in the planning process; and
- Social Impact - review the thresholds for conducting Comprehensive Social Impact Assessments.

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

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**ITEM NO:** NOM 02  
**FILE NO:** 314133.2018  
**SUBJECT:** Airport Connectivity

## **BACKGROUND**

In September 2016 Transport for NSW released the Western Sydney Rail Needs Scoping Study Discussion Paper which from page 35 onward identified six options for direct public transport connectivity with the airport, the first of which was described as follows:

'1. The simplest way to provide a train service to the proposed Western Sydney Airport would be to extend the South West Rail Link from Leppington via Bringelly to service the airport site using the double-decker suburban trains. This could provide good connections to Sydney's south-west...(t)his service also offers the potential to support additional developments at new stations between Leppington and the proposed Western Sydney Airport. In 2014-15 the NSW Government conducted community consultation for the corridor preservation of the South West Rail Link extension.'

The same paper also notes a direct rail 'express service' from Parramatta 'would be comparatively expensive to construct' and 'would not necessarily service the population who are expected to work at and use a Western Sydney Airport in the short term.'

Each of these options has from time to time been referred to as an east-west connection.

In 2018 the 'Western Sydney Rail Needs Scoping Study Outcomes Report' under the heading of 'Elements of the Preferred Network' included a reference to the 'South West Link Extension from Leppington' as a link 'supporting growth and the airport' but it was not placed under the heading 'Rail Links connecting Western Sydney and the airport'. Possibly this was on account of the link under current thinking now being channelled through a Badgery's Creek interchange.

The Report went on to state 'The prioritisation, staging, sequencing and timing of the links will be further considered by governments.'

It also states 'Creating a South West Link to extend the existing line from Leppington to a Badgery's Creek Aerotropolis interchange south of Western Sydney Airport would support the heart of the Western Parkland City, growth in the southwest and access to the airport. This extension provides additional connectivity for the growing south-west and access to Western Sydney Airport by rail...Over the longer term, this would provide important benefits to the longer term growth of Greater Sydney's southwest, serving as the principal link between Western Sydney Airport and development at the Badgery's Creek Aerotropolis, Bringelly and Liverpool.'



**ITEM NO:** NOM 03  
**FILE NO:** 314316.2018  
**SUBJECT:** Drug Related Socially Unacceptable Behaviour and its Impact on Businesses in the CBD

## **BACKGROUND**

Over the past year I have received various reports from Liverpool constituents who have observed drug related issues in and around the Liverpool CBD that is going unreported to the police because it is so prevalent it is becoming accepted as the norm.

A recent Council activation in the Mall had an added advantage in that there was constant surveillance in the Mall to observe citizen behaviour, what they witnessed along with other reports from other areas in the CBD over the past year poses the questions:

1. Is it appropriate that Liverpool businesses have to endure inappropriate and threatening behaviour from people who meet regularly in the Liverpool Mall whilst they are waiting to receive prescription Methadone?
2. Is it appropriate that there are reports from Liverpool businesses owners, staff and or customers who have felt unsafe when returning to Parking areas and report witnessing people in the process of dealing drugs?
3. Is it appropriate that businesses have had to endure drug affected citizens entering their premises?
4. Is it appropriate for Liverpool businesses to have to be constantly chasing people from their toilet areas who are in the process of self injecting?
5. Is it appropriate that businesses have to constantly clean up needles left in the service laneways that serve their Liverpool businesses?
6. Is it appropriate that the Liverpool Museum has to clean away needles from their car park on a regular basis?

Well it is a sad fact that all the above are just some of the reports I have and other Councillors have received in the last 12 months.

Liverpool Council needs to know how drug related issues are affecting the Liverpool CBD and ask itself, is this appropriate for the image of an innovative, health and education precinct, a smart city that proposes to attract more business and become the business hub of the Western City.





*2. Have they or their customers at any time felt unsafe by such activities?*

*3. Are such activities having a negative impact on their businesses?*

*4. What action was taken upon observing such events?*

*That report to Council to also include what further action can be taken.*

*After the trial of the classical and other music in Macquarie Mall, a further survey to be undertaken to compare the results.*

*Call for a report on the financial implications of providing a security officer in the Macquarie Mall.*

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

**Clr Ayyad left the Chambers at 9.07 pm.**  
**Clr Ayyad returned to the Chambers at 9.10pm.**

**ITEM NO:** NOM 04  
**FILE NO:** 314400.2018  
**SUBJECT:** Clean CBD Campaign

**BACKGROUND**

The latest regional litter program from the Western Sydney Regional Organisation of Councils (WSROC) has achieved a 46 per cent reduction in cigarette litter across key Western Sydney shopping strips.

*Bin Your Butts* program is an ongoing WSROC effort to tackle Western Sydney’s \$14 million per year litter clean-up bill under the Western Sydney Regional Waste and Resource Recovery Strategy (2017 – 2020).

Already run between March and September 2018, *Bin Your Butts* can include the installation of cigarette butt bins, voluntary smoking zones, as well as a range of community education and engagement activities.

Cigarettes may seem small, but they make up the majority of litter across our region. Each time someone drops a cigarette on the ground, they are diverting resources away from important work like bush regeneration, community centres, public parks and footpaths as well as polluting our iconic Georges River.

The Bin Your Butts Program that previously achieved 46% reduction in Cigarette litter gives hope that most people do care about keeping their community clean.

Liverpool although previously engaged through this program has an ongoing problem with cigarette litter, particularly in the Macquarie St Mall.

We are a unique city with unique challenges.

Receiving 200 new citizens every week combined with our culturally and linguistically diverse community makes it all the more necessary for an ongoing continuous commitment through programs such as these to continually educate and encourage more socially acceptable disposal of litter.

Despite all efforts so far, Liverpool’s CBD litter problem continues and often the Mall and the rest of the CBD appears dirty and uninviting in comparison to the non-smoking commercial centres that service our CBD.



1. Implement an education and public engagement WSROC program “Bin Your Butts Campaign” or other similar available programs to reduce cigarette litter in the CBD and in particular the Mall; and
2. Investigate and identify possible suitable sites and costs for the installation of voluntary smoking zones in which people could be encouraged to smoke and dispose of their cigarette butts in a socially responsible way.
3. That the CEO organise a pens down, gloves on, Clean Up Liverpool day, incorporating the whole of the organisation where possible, without affecting services.

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

**ITEM NO:** NOM 05  
**FILE NO:** 314413.2018  
**SUBJECT:** Zero Budget 2019/2020

**BACKGROUND**

Council has several options in the way in works towards finalising the annual budget.

A zero budget although takes more time digs further in to where the rate payer dollar is spent and allows us to determine whether that particular service or function has value.

This motion is calling on the CEO to request that all the Council departments review their budgets line by line and present a case as to why funding should be allocated for their particular service.

Council needs to question the value its getting for every rate dollar spent and this is the best way to ensure it does.

**NOTICE OF MOTION (submitted by Clr Hadchiti)**

That Council direct the CEO to begin preparations for a zero budget for the 2019/20 financial year.

**COUNCIL DECISION**

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

That the recommendation be adopted.

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

That Council directs the CEO to provide a report to Council with a report listing Council departments where it would be reasonable to do a zero budget for the 2019/20 financial year. That report to also include a timeframe for zero budgeting for the remaining Council departments.

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

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

**Vote for:** Clr Hadchiti  
Clr Hadid

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

**Clr Hagarty left the Chambers at 9.39pm.**  
**Clr Hagarty returned to the Chambers at 9.40pm.**

**ITEM NO:** NOM 06  
**FILE NO:** 314473.2018  
**SUBJECT:** Bathurst Street Ring Road

## **BACKGROUND**

In the previous term of Council, millions of rate payer dollars were spent to acquire land between Macquarie Street and Terminus Street for the sole purpose of extending Bathurst Street and for the closure and conversion of Pirie Street.

Correspondence received from the CEO on the 8<sup>th</sup> of November states that 'funding has not been allocated for concept/detailed designs, environmental approvals and construction of the project'.

Given the considerable cost to acquire and the extra traffic through the CBD we can't sit back and need to design and deliver this extension.

### **NOTICE OF MOTION (submitted by Clr Hadchiti)**

That Council:

1. Allocate funds from the unrestricted reserve for the concept/detailed designs, and environmental approvals associated with this project; and
2. Report back to Council by June 2019 with designs and approvals for determination of funds to construct the road.

## **COUNCIL DECISION**

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

That Council:

1. Allocate funds from the unrestricted reserve for the concept/detailed designs, and environmental approvals associated with this project subject to any approvals required; and
2. Report back to Council by June 2019 with designs and approvals for determination of funds to construct the road.

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

**ITEM NO:** NOM 07  
**FILE NO:** 314496.2018  
**SUBJECT:** Carnes Hill Precinct Stage 2

**BACKGROUND**

Council purchased a considerable size of land immediately adjacent to the Carnes Hill Recreational Centre for the purpose of delivering a sporting precinct.

Initial discussions were being had with a sporting organisation to deliver a centre of excellence which would have been a great outcome. Unfortunately these discussion fell through and with the growing population in that area, Council needs to come up with concepts and deliver a sporting precinct which could include a swimming centre.

**NOTICE OF MOTION (submitted by Cllr Hadchiti)**

That Council:

- 1. Investigate a suitable use for the land in consultation with the community; and
- 2. Report back to Council in June 2019 on the outcomes of the consultation.

**COUNCIL DECISION**

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

That the recommendation be adopted.

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





2. Request the support of organisations such as but not limited to WSROC and LGNSW to lobby for changes as above; and
3. Have suitable qualifications such as the Local Government Director's Course or be compelled to enroll in such course in the first year of their first term.

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

That Council:

1. Write to State Local Government Minister and the Opposition Local Government Minister Government requesting changes to the Local Government Act in order to ensure that a person wishing to nominate for a particular Council area must either:
  - a) Be either a rate payer, resident, or operate a business within the LGA and be registered on the residential or non-residential roll for the LGA in which they wish to stand?
  - b) Have suitable qualifications such as the Local Government Director's Course or be compelled to enroll in such course in the first year of their first term;
  - c) Must not miss any more than 3 Council Committees and or Council meetings in succession without providing reasonable cause or be asked to resign; and
  - d) Ask Government to consider whether we should have Real Estate Agents or Developers as Councillors.
2. Request the support of organisations such as but not limited to WSROC and LGNSW to lobby for changes as above.

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

Receive and note the CEO's comments to the Notice of Motion (as shown at the end of this item).

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

**CHIEF EXECUTIVE OFFICER'S COMMENT**

Under the *Local Government Act 1993 (Act)*, and in order to be elected to Council, a person must be enrolled to vote in the relevant LGA (s.274(a) of the Act).

In order to be enrolled to vote, one must either be:

1. A resident of the ward in question;
2. A non-resident owner of rateable land in the ward in question; or
3. An occupier, or ratepaying lessee, of land in the ward.

(See s.266(1) of the Act).

An “occupier” is defined under the Dictionary to the Act as:

**occupier** *includes:*

*(a) a person having the charge, management or control of premises, and*

*(b) in the case of a building which is let out in separate occupancies or a lodging house which is let out to lodgers, the person receiving the rent payable by the tenants or lodgers, either on his or her own account or as the agent of another person,*

*and, in the case of a vessel, means the master or other person in charge of the vessel.*

Further to the above, sections 299 and 300 of the Act set out the process and circumstances under which someone may be added to the non-residential roll as either a non-resident owner, occupier, or ratepaying lessee of a ward.

Any change to the constitution of the non-resident roll, or the process for appointing persons to that roll, would require action on the part of the NSW Parliament in relation to the above sections of legislation.

A decision to advocate for such change is entirely a matter for the Council.

## **PRESENTATIONS BY COUNCILLORS**

Councillor Hagarty advised that he represented the Mayor at the Iraqi Cultural Festival held at Casula Powerhouse Arts Centre on Sunday 18 November 2018. The event was organised by the Iraqi Australian University Graduate Forum. He advised that the group presented Council with a plaque in appreciation of Council's kind support to the Iraqi Cultural Festival and the Iraqi Community.

**Clr Kaliyanda left the Chambers at 10.05pm.**

**Clr Hagarty left the Chambers at 10.05pm.**

## **CONFIDENTIAL ITEMS**

**ITEM NO:** CONF 01  
**FILE NO:** 283578.2018  
**SUBJECT:** Environment Advisory Committee - Appointment of Committee Members and Amendments to Charter

## **RECOMMENDATION**

That Council:

1. Adopts the revised Draft Environment Advisory Committee (EAC) Charter; and
2. Appoints the following representatives to the Environment Advisory Committee in accordance with the terms of their appointment in the EAC Charter.
  - a) Community Representatives:
    - Dr Floret Meredith
    - Ms Signe Westerberg
    - Ms Ellie Robertson
    - Ms Patricia Glossup
    - Mr Stephen Dobell-Brown
    - Mr Ian Bailey
    - Mr Peter Fraser
    - Mr Robert Storey
    - Ms Francis Coorey
    - Ms Rosalyn Faddy
  - b) Environment Group Representative:
    - Mr Michael Streatfield
    - Ms Noni Papalia
  - c) Industry Representative:
    - Mr Tony Wales













**THE MEETING CLOSED AT 10.08pm.**

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 12 December 2018

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 21 November 2018. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.



**MINUTES OF THE ORDINARY MEETING  
HELD ON 12 DECEMBER 2018**

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**PRESENT:**

Mayor Wendy Waller  
 Councillor Ayyad (arrived at 6.08pm)  
 Councillor Hadchiti (arrived at 8.32pm)  
 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 6.00pm.

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**OPENING**

6.00pm

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

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

**NATIONAL ANTHEM**

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

**APOLOGIES**

**Motion:**

**Moved: Mayor Waller**

**Seconded: Clr Kaliyanda**

That leave of absence be granted for Clr Hadchiti for his absence from the meeting.

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

**Note:** Clr Hadchiti arrived at the meeting at 8.32pm.

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Minutes of the Ordinary Council Meeting held on Wednesday, 12 December 2018 and confirmed on Wednesday, 6 February 2019

.....  
Chairperson

**CONDOLENCES**

Nil

**CONFIRMATION OF MINUTES****Motion:****Moved: Clr Shelton****Seconded: Clr Rhodes**

That the minutes of the Ordinary Meeting held on 21 November 2018 be confirmed as a true record of that meeting, subject to the following corrections to be made:

1. The motion moved by Clrs Hagarty and Kaliyanda for Item NOM 01 be amended to correct the grammar. It will now read:

*“That Council incorporate, but not be limited to, the following issues and factors into the review of the Liverpool Local Environment Plan:*

- *Amenity - retaining the existing amenity and character of the neighbourhood;*
- *Notification - better notification when applications are lodged and amended;*
- *Privacy - ensure residents privacy is maintained, especially in backyards, from neighbouring properties;*
- *Transparency - deliver more transparency in the planning process; and*
- *Social Impact - review the thresholds for conducting Comprehensive Social Impact Assessments.”*

2. The addition of a point “1d)” to the Foreshadowed motion (which was lost) moved by Clr Rhodes for Item NOM 08 *Nominating to Become a Councillor*, which is to read:

*“1d) Ask Government to consider whether we should have Real Estate Agents or Developers as Councillors.”*

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

**DECLARATIONS OF INTEREST**

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

**Item MOU 01:** Funding for Refugee Services

**Reason:** Clr Hagarty is on the Board of the organisation mentioned (Western Sydney Migrant Resource Centre).

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

**Note:** Item MOU 01 was moved as a Motion of Urgency during the meeting and the above declaration was made by Clr Hagarty at this time.

**PUBLIC FORUM**

**Presentation – Items not on agenda**

Nil

**Clr Ayyad arrived at the meeting at 6.08pm.**

**Representation – Items on agenda**

1. **Ms Sue Weatherley** on behalf of Parkbridge Community Association addressed Council on the following item:

**EGROW 04** Middleton Grange Town Centre Planning Proposal - Post exhibition report.

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

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

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

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

**EGROW 04** Middleton Grange Town Centre Planning Proposal - Post exhibition report.

**Motion:**                      **Moved: Clr Rhodes**                      **Seconded: Clr Shelton**

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

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

3. **Mr Rene Licata** addressed Council on the following item:

**EGROW 04** Middleton Grange Town Centre Planning Proposal - Post exhibition report.

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

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

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

## MAYORAL REPORT

**ITEM NO:** MAYOR 01  
**FILE NO:** 339528.2018  
**SUBJECT:** Parking Fine Concessions

Correspondence has been received from The Hon Dominic Perrottet MP, Treasurer and Minister for Industrial Relations on 4 December 2018 advising that in June 2018, the NSW Government announced plans to allow the option to Councils to charge lower parking fines amounts of \$80 instead of \$112.

At present, parking fines in NSW are much higher than in many cities in Australia and overseas. The State Government has reduced a range of State Government issued parking fines by 25%. The State Government has made the regulatory changes necessary for Councils to reduce their fines if they wish.

Under the new framework, Council can reduce their fines from \$112 to \$80. To make this change, Councils must opt in, by advising the Minister in writing by 1 January 2019. Councils that opt in by 1 January 2019 will be able to charge lower fine amounts from 1 March 2019. Councils who do not opt in by 1 January 2019 will have further opportunities to opt in at later points next year, but the lower fines will be delayed.

There will also be a 10 minute grace period for paid parking of more than one hour, commencing on 31 January 2019.

The new grace period will apply to all fining authorities, including Councils, and will be subject to certain exceptions in the interests of safety and preventing congestion (such as at the commencement of a clearway zone).

If Council was to opt in to charge the lower parking fines, the projected financial impact from 1 March 2019 for the 2018/19 financial year will be \$244,000.

## RECOMMENDATION

That Council agree to opt in to charge lower parking fine amounts of \$80 instead of \$112, indexed annually as per current practices and advise the Treasurer, and Minister for Industrial Relations before 1 January 2019.

## COUNCIL DECISION

**Motion:** **Moved: Mayor Waller**

That the recommendation be adopted.

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

Councillors voted unanimously for this motion.

**ITEM NO:** MAYOR 02  
**FILE NO:** 339545.2018  
**SUBJECT:** 100th anniversary of women in local government and law

This year marks a centenary since the NSW Parliament passed the Women's Legal Status Act in 1918. The Act enabled women to stand for election to local government and the Legislative Assembly, to practise as lawyers and become Justices of the Peace.

This is a monumental occasion and as the first female Mayor of Liverpool, I acknowledge the activism and advocacy of those who came before me. Their hard work is inspiring to us all and it is important we continue their legacy. Our own General Counsel, Elizabeth Espinosa, will take up Presidency of the NSW Law Society in 2019, an honour for both Ms Espinosa and Council to be proud of.

Council continues to make great efforts to achieve equity and equality for women across all walks of life.

Throughout the year, Council hosted events celebrating and uplifting women in our communities, from International Women's Day to White Ribbon Day. In 2019, Council will host the Australian Local Government Women's Association NSW Branch Conference. We recognise how far women have come with many in leadership positions across the LGA. We also concede that there is still work to be done.

I am proud that Council is officially a White Ribbon accredited organisation. This sends out a clear message to the community that women deserve to feel safe and protected in their city. May women continue to thrive in our community and reach new heights.

## **RECOMMENDATION**

That Council receive and note this minute.

## **COUNCIL DECISION**

**Motion:** **Moved: Mayor Waller**

That Council:

1. Receive and note this minute.
2. Write to Ms Espinosa to congratulate her on her appointment as President of the NSW Law Society.

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

**Clr Hagarty declared a non-pecuniary, less than significant interest in the item below and left the Chambers at 6.29pm and remained out of the Chambers for the duration of the item.**

### **MOTION OF URGENCY**

Clr Kaliyanda requested that the matter and motion below be dealt with at this meeting. In accordance with Clause 16.6.2 of Council's Code of Meeting Practice, the Mayor ruled that the business proposed was a matter of urgency and as such, was dealt with at this meeting.

**ITEM NO: MOU 01**  
**SUBJECT: Funding for Refugee Services**

#### **Background (provided by Clr Kaliyanda)**

Support for recently arrived family reunion migrants and refugees to Liverpool have again been slashed.

Liverpool is the second highest arrival point for refugees in NSW, with 2015 – 2017 seeing around 3,000 arrivals (around 20% of the NSW intake).

From 1 January 2019, services under the Settlement Engagement and Transitions Program (SETS), delivered by Western Sydney Migrant Resource Centre and funded by the Federal Department of Social Services, have been reduced by 20%.

The program provides services for 5 years after arrival, and sometime beyond. These services are a major reason Liverpool is the successful Multicultural society it is.

SETS aims to address the barriers to settlement and integration for recent arrivals, building capacity, understanding, awareness and developing an awareness of civic and social responsibility.

One of the most important areas affected has been youth services. With increased reports of suicide, high drug use and gang type activities with young people of an Iraqi background, these services are more critical than ever.

Other areas affected include employment support, domestic violence services and child protection.

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

That Council:

1. Write to the relevant Ministers and bodies
  - requesting an explanation for these cuts; and



- asking that these cuts be reversed.
2. Work with Western Sydney Migrant Resource Centre and other relevant service providers in the LGA to ensure that Liverpool has adequate resources and to explore opportunities to support settlement services in the local area, with a particular focus on youth and employment services.

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

**Clr Hagarty returned to the Chambers at 6.33pm.**

**CITY ECONOMY AND GROWTH REPORT**

**ITEM NO:** EGROW 01  
**FILE NO:** 309507.2018  
**SUBJECT:** Revised contributions plans for Liverpool City Centre and Established Areas

**RECOMMENDATION**

That Council:

- 1. Adopt the Liverpool Contributions Plan 2018 – Liverpool City Centre;
- 2. Adopt the Liverpool Contributions Plan 2018 – Established Areas; and
- 3. Give public notice of the adoption of the contributions plans in accordance with Clause 31 of the *Environmental Planning and Assessment Regulation 2000*.

**COUNCIL DECISION**

**Motion:** **Moved: Clr Ayyad** **Seconded: Clr Hadid**

That Council:

- 1. Amend the Contributions plan with the following rates:
  - a) Granny flats to be charged a flat Contribution fee of \$5,000;
  - b) All existing Contribution rates be increased by 10% per year for the next 10 years in addition to including CPI; and
  - c) The changes to be effective from 1 July 2019.
- 2. Place the proposed charges on public exhibition.

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

That Council:

- 1. Adopt the Liverpool Contributions Plan 2018 – Liverpool City Centre;
- 2. Adopt the Liverpool Contributions Plan 2018 – Established Areas;
- 3. Give public notice of the adoption of the contributions plans in accordance with Clause 31 of the *Environmental Planning and Assessment Regulation 2000*;

4. Phase in the proposed increases over the next 2 years (50% increase in year 1 and a further 50% increase in year 2); and
5. Only apply the charges to DA's lodged after 12 December 2018.

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

**Vote for:** Clr Ayyad  
Clr Hadid

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

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

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

**Vote against:** Clr Ayyad  
Clr Hadid  
Clr Shelton

**ITEM NO:** EGROW 02  
**FILE NO:** 311848.2018  
**SUBJECT:** Draft Liverpool Local Environmental Plan 2008 Amendment 71 - Rezoning of certain lands in Preston for Environmental Conservation - Post-exhibition report

**RECOMMENDATION**

That Council:

1. Notes the Gateway Determination (and gateway alteration) for Liverpool Local Environmental Plan 2008 Amendment 71 and the submissions received;
2. Approves the planning proposal and delegates to the CEO to liaise with the Parliamentary Counsel's Office and Department of Planning and Environment to finalise Liverpool Local Environmental Plan 2008 Amendment 71; and
3. Notify the submitters of Council's decision.

**Mayor Waller ruled that this item be deferred until later in the meeting.**

**Item EGROW 02 was dealt with at the end of the meeting, after the Confidential items and can be found on page 53 of these minutes.**

**ITEM NO:** EGROW 03  
**FILE NO:** 322274.2018  
**SUBJECT:** Proposed amendments to Liverpool Development Control Plans - Controlling Shopping Trolleys

**RECOMMENDATION**

That Council:

- 1. Endorses the draft amendment of the Liverpool Development Control Plan 2008 and Liverpool Growth Centre Precinct Development Control Plan, to include controls for the management of shopping trolleys;
- 2. Place the draft amendments to the Liverpool Development Control Plan 2008 and Liverpool Growth Centre Precinct Development Control Plan on public exhibition for a minimum period of 28 days in accordance with Clause 18 of the *Environmental Planning and Assessment Regulation 2000*; and
- 3. Delegates to the CEO the finalisation of the draft Development Control Plans should no submissions be received; or receive a report summarising the details of the submissions upon conclusion of the exhibition period.

**COUNCIL DECISION**

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

That Council:

- 1. Endorses the draft amendment of the Liverpool Development Control Plan 2008 and Liverpool Growth Centre Precinct Development Control Plan, to include controls for the management of shopping trolleys;
- 2. Place the draft amendments to the Liverpool Development Control Plan 2008 and Liverpool Growth Centre Precinct Development Control Plan on public exhibition for a minimum period of 28 days in accordance with Clause 18 of the *Environmental Planning and Assessment Regulation 2000*;
- 3. Write to the State and Federal Government to review legislation enabling Councils similar powers to that in Queensland so that Councils can more effectively manage abandoned shopping trolleys; and
- 4. Delegates to the CEO the finalisation of the draft Development Control Plans and reports back to Council summarising the details of the submissions upon conclusion of the exhibition period.

Councillors voted unanimously for this motion.

**ITEM NO:** EGROW 04  
**FILE NO:** 322303.2018  
**SUBJECT:** Middleton Grange Town Centre Planning Proposal - Post exhibition report

**RECOMMENDATION**

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; and
- 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.

**COUNCIL DECISION**

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

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.

**Foreshadowed motion:      Moved: Cllr Ayyad                      Seconded: Cllr Rhodes**

That:

1. Council and the community does not support the proposal in its current form;
2. Council and the community do support development of a town centre and acknowledges that it has been years in the making;
3. Council defers the consideration of this planning proposal until a revised plan from the proponent, together with community consultation has taken place; and

4. Council thank the community of Middleton Grange for their feedback and work with them to deliver the infrastructure and town centre they deserve.

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

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

**Vote against:**  
**Clr Ayyad**  
**Clr Hadid**  
**Clr Harle**  
**Clr Rhodes**





5. Cleansing campaign undertaken by the City cleansing staff, which will include:
  - A thorough review of the sites at which rangers undertake active patrols, to do cigarette butt counts in the smoke-free areas; and
  - A report back on cigarette butt counts.
6. Regular intercept surveys at smoke-free areas seeking community feedback on the strategy and its effectiveness.
7. Regular reviews of the strategy’s progress by Council staff responsible for implementation, and amendments/refinements where relevant.
8. Makes application in June 2019 to the EPA Cleaner Cities Grant with a letter of endorsement from WSROC as having participated in the Bin Your Butts Campaign and applies for any other possible grants that might become available.
9. Replaces rubbish bins in the mall that have been damaged by the butting of cigarette butts on their tops with a suitable material not susceptible to butt damage.
10. Investigate costs for installing Butt Bins with suitable signage along-side Rubbish Bins to stop future damage of the rubbish bins and a report on these costs be submitted to Council.
11. Informed by the progress and ongoing results of the strategy’s implementation, Council staff will, in the second half of the 12-month period, undertake investigations into possible suitable sites, costs and implementation of voluntary smoking zones. Following the 12-month implementation of the strategy, Council to receive a report on the outcomes, community feedback and recommendations.

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

**MOTION TO BRING ITEM FORWARD**

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

That Council bring forward Item NOM 02 123 Epsom Road, Chipping Norton and deal with it now.

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

**ITEM NO:** NOM 02  
**FILE NO:** 334193.2018  
**SUBJECT:** 123 Epsom Road, Chipping Norton

**BACKGROUND**

In August 2008 the then administrator adopted the 2008 LLEP and as most of Council have heard, little community consultation was undertaken.

As a result of the adoption the subject property was rezoned from 2(a) to R2. Under the previous 2(a) zoning (LLEP1997) multi dwelling houses were permissible with consent. Under the current R2 zoning (LLEP2008) multi dwelling houses are prohibited.

Council has previously heard from the above landowner in the public forum at the Council meeting in October.

The site is unique in character having two street frontages, townhouses to the south and a land holding of approx. 2322sqm.

Subject to the necessary planning investigations a simple solution would be to add multi dwelling houses as permissible on the subject property without a zoning change.

**NOTICE OF MOTION (submitted by Cllr Hadchiti)**

That Council:

- 1. Supports in principle a proposal to amend Schedule 1 of the Liverpool Local Environmental Plan 2008 to allow multi dwelling housing as a land use permitted with consent on 123 Epsom Road, Chipping Norton (Lot 3 DP 602936), subject to the necessary planning investigations required by Section 3.33 of the Environmental Planning and Assessment Act;
- 2. Direct the CEO to prepare a planning proposal for Council’s consideration and report back to Council for the second February 2019 meeting; and
- 3. Investigate the value of any heritage listed trees that may be listed in or in close proximity to the site.

**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.

.....  
Chairperson

**CITY ECONOMY AND GROWTH REPORT**

**ITEM NO:** EGROW 06  
**FILE NO:** 328745.2018  
**SUBJECT:** Council Parking Analysis Report

**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.

**CHIEF EXECUTIVE OFFICER REPORT**

**ITEM NO:** CEO 01  
**FILE NO:** 329400.2018  
**SUBJECT:** City Deal Relationship Framework

**RECOMMENDATION**

That Council adopts the Relationship Framework and Memorandum of Understanding involving the other seven Councils within the Western Sydney City Deal area.

**COUNCIL DECISION**

**Motion:**    **Moved: Clr Kaliyanda**                      **Seconded: Clr Karnib**

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:** 322864.2018

**SUBJECT:** Draft Community Safety and Crime Prevention Strategy 2019 - 2022 and Crime Prevention Plan 2019 - 2021

### RECOMMENDATION

That Council:

1. Place the Draft Community Safety and Crime Prevention Strategy 2019 – 2022 and the Crime Prevention Plan 2019 – 2021 for the NSW Department of Justice on public exhibition from mid-January to the end of February 2019 (six weeks); and
2. Receive a report by April 2019 noting feedback received and any changes made to the draft Strategy and Plan in line with community feedback, or if no submissions are received, delegate authority to the CEO to execute and submit the Draft Community Safety and Crime Prevention Strategy 2019 – 2022 and the Crime Prevention Plan 2019 – 2021 to the NSW Department of Justice.

### COUNCIL DECISION

**Motion:**

**Moved: Clr Shelton**

**Seconded: Clr Karnib**

That Council:

1. Place the Draft Community Safety and Crime Prevention Strategy 2019 – 2022 and the Crime Prevention Plan 2019 – 2021 for the NSW Department of Justice on public exhibition from mid-January to the end of March 2019; and
2. Receive a report by April 2019 noting feedback received and any changes made to the draft Strategy and Plan in line with community feedback, or if no submissions are received, delegate authority to the CEO to execute and submit the Draft Community Safety and Crime Prevention Strategy 2019 – 2022 and the Crime Prevention Plan 2019 – 2021 to the NSW Department of Justice.

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

**ITEM NO:** COM 02  
**FILE NO:** 317357.2018  
**SUBJECT:** Grants, Donations and Corporate Sponsorship

### RECOMMENDATION

That Council endorses the funding recommendation of **\$10,000** (GST exclusive) under the **Corporate Sponsorship (Outgoing) Program** for the following project:

<b>Applicant</b>	<b>Project</b>	<b>Recommended</b>
Western Sydney Community Forum	2019 ZEST Community Awards	\$10,000

### 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**.

**ITEM NO:** COM 03  
**FILE NO:** 326037.2018  
**SUBJECT:** Establishing an Out of School Hours Care (OSHC) Service at Carnes Hill

**RECOMMENDATION**

That Council:

- 1. Supports the establishment of a 30 place Out of School Hours Care service to operate from the Carnes Hill Community Centre; and
- 2. Place fees on public exhibition.

**COUNCIL DECISION**

**Motion:**                                      **Moved: Clr Rhodes**                      **Seconded: Clr Ayyad**

That Council:

- 1. Supports the establishment of a 30 place Out of School Hours Care service to operate from the Carnes Hill Community Centre;
- 2. Place fees on public exhibition; and
- 3. It is noted that consideration will be given to the establishment of similar services in other areas of the LGA in due course.

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



**CITY CORPORATE REPORT**

**ITEM NO:** CORP 01  
**FILE NO:** 254862.2018  
**SUBJECT:** Legal Services Policy

**RECOMMENDATION**

That Council approve and adopt the Legal Services Policy, included as **Attachment 1**.

**COUNCIL DECISION**

**Motion:**    **Moved: Clr Shelton**                          **Seconded: Clr Rhodes**

That Council defer the item for clarification on the following matters in clauses 4.1.7 and 4.6.2b of the Legal Services Policy:

- 4.1.7: Amend Clause 4.1.7 so that LSU solicitors are not required to be members of the NSW Law Society.
- 4.6.2b: The implications of changing all instances of the word “may” to “must” in this clause and possible alternative wording that specifies under which circumstances legal advice may or may not be shown to Councillors.

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

## COMMITTEE REPORTS

**ITEM NO:** CTTE 01  
**FILE NO:** 323320.2018  
**SUBJECT:** Liverpool Pedestrian, Active Transport and Traffic Committee Meeting

## RECOMMENDATION

1. That Council approve the following recommendations of the Committee:

- i) Item 1 – RMS Clearways Strategy on the Hume Highway and proposed timed parking restriction on Goulburn Street
  - Council approves the proposed three ½-hour parking spaces on Goulburn Street as shown in Attachment 1.2, subject to Roads and Maritime Services (RMS) proceeding with implementation of the proposed Hume Highway clearways.
  - Council advises the RMS of its endorsement.
  - Council requests RMS to carry out community consultation for the clearways and the proposed ½-hour parking restriction on Goulburn Street.
  
- ii) Item 2 – Terminus Street, Liverpool – Proposed full-time ‘No Right Turn’ restriction into Charles Street
  - Council approves the proposed full-time ‘No Right Turn’ restriction from Terminus Street, into Charles Street as shown in Attachment 2.1, subject to Roads and Maritime Services (RMS) endorsement.
  - Council seeks RMS approval of an associated Traffic Management Plan.
  - Prior to installation, Council is to notify Charles Street residents, via its website, social media avenues and advertisements in the Liverpool Local Newspapers.
  
- iii) Item 3 – Cartwright Avenue, Miller – Proposed raised pedestrian crossing in front of St. Therese Catholic School
  - Council approves upgrade of the existing combined crossing to a raised pedestrian crossing across Cartwright Avenue in front of St. Therese Primary School, as shown in Attachments 3.1-3.2.
  - Council advises all stakeholders.
  
- iv) Item 4 – Flowerdale Road, Liverpool – Proposed median island
  - Council approves the installation of a 0.9m wide concrete median island and associated linemarking on Flowerdale Road, as shown in Attachment 4.1.
  - Council notifies the applicant of its decision.
  
- v) Item 5 – Twentieth Avenue, Hoxton Park – Proposed additional on-street parking restrictions on the approach to First Avenue
  - Council approves the proposed extension of the existing ‘No Stopping, 8am-9.30am & 2.30pm-4pm School Days’ restriction along the southern side of Twentieth Avenue, as shown in Attachment 5.1.

- vi) Item 6 – Ernest Avenue, Chipping Norton – Proposed linemarking and signposting scheme
  - Council approves the installation of a 'No Stopping' restriction along the western side of Ernest Avenue between Barry Road and the existing bus stop.
  
- vii) Item 7 – Beech Road and Barcelona Drive, Prestons – Proposed upgrade to existing roundabout
  - Council approves the proposed modification to the central island radius at the intersection of Beech Road and Barcelona Drive, and raised thresholds across the Beech Road approaches, as shown in Attachment 7.1.
  
- viii) Item 8 – North Liverpool Road, South Liverpool Road and Meadows Road intersection – Proposed upgrade to existing roundabout.
  - Council approves the proposed kerb blisters and reconstruction of the central island at the intersection of North Liverpool Road, South Liverpool Road and Meadows Road, as shown in Attachment 8.1.
  
- ix) Item 9 – Items approved under Delegated Authority
  - Council notes the tabled Delegated Authority applications approved by NSW Police and RMS representatives.
  
- x) Item 10 – Liverpool Pedestrian, Active Transport and Traffic Committee – Meeting dates for 2019
  - Council approves the following Liverpool Pedestrian, Active Transport & Traffic Committee meeting dates for 2019:
    - 23 January 2019
    - 13 March 2019
    - 15 May 2019
    - 17 July 2019
    - 18 September 2019
    - 6 November 2019
  - Council includes the Liverpool Pedestrian, Active Transport & Traffic Committee meeting dates in its Corporate Diary.

**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.

**ITEM NO:** CTTE 02  
**FILE NO:** 313259.2018  
**SUBJECT:** Minutes of the Audit, Risk and Improvement Committee Meeting held on 19 October 2018

**RECOMMENDATION**

That Council:

1. Receives and notes the Minutes of the Audit, Risk and Improvement Committee Meeting held on 19 October 2018;
2. Endorses the recommendations in the Minutes; and
3. Notes the Annual ARIC report for the period 1 November 2017 to 31 October 2018.

**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**.

**ITEM NO:** CTTE 03  
**FILE NO:** 321881.2018  
**SUBJECT:** Minutes of the Liverpool Youth Council Committee Meeting held 7 November 2018

**RECOMMENDATION**

That Council receives and notes the Minutes of the Liverpool Youth Council Meeting held on 7 November 2018.

**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.

**ITEM NO:** CTTE 04  
**FILE NO:** 323205.2018  
**SUBJECT:** Minutes of the Aboriginal Consultative Committee Meeting held 1 November 2018

**RECOMMENDATION**

That Council receives and notes the Minutes of the Aboriginal Consultative Committee Meeting held on 1 November 2018.

**COUNCIL DECISION**

**Motion:**                                 **Moved: Clr Rhodes**                         **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:** 328153.2018  
**SUBJECT:** Minutes of Budget Review Panel 15 November 2018

**RECOMMENDATION**

That Council adopts the minutes of the Budget Review Panel meeting held on 15 November 2018.

**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.

**QUESTIONS WITH NOTICE**

**ITEM NO:** QWN 01  
**FILE NO:** 313040.2018  
**SUBJECT:** Question with Notice - Clr Hagarty

"It's a hellscape"- This is how one employee described working conditions at Amazon's Dandenong South fulfilment centre in Melbourne's outer south east in a recent Fairfax article.

The story also describes workers being advised not to drink water before or during a shift because going to the toilet would affect productivity rates and being reluctant to report injuries for fear of not getting shifts.

Amazon's market capitalisation recently passed US\$1 trillion, the second company to do so. It's founder Jeff Bezos is the richest person in the world.

Liverpool wants and needs good quality, well paying jobs. We also want good corporate citizens who provide safe, secure workplaces.

**QUESTIONS**

What percentage of workers based at the Amazon Moorebank fulfilment centre are:

1. from the Liverpool LGA?
2. directly employed by Amazon?
3. employed by a labor hire company?
4. in insecure casual employment?

**RESPONSE**

Council contacted Amazon in relation to the above questions and received the following response:

*“As a relatively new business in Australia Amazon has a mixture of permanent and agency staff at our two fulfilment centres to enable us to move quickly, access talent and manage variations in customer demand.*

*We are proud that our Moorebank fulfilment centre has brought new jobs to the local economy and is providing the thousands of small and medium sized Australian businesses who use Fulfilment By Amazon (FBA) on [amazon.com.au](http://amazon.com.au) with an opportunity to more easily access millions of customers across the country”*

Senior Management Executives from Amazon have agreed to meet with Council in December to further discuss these matters.



**ITEM NO:** QWN 02  
**FILE NO:** 313046.2018  
**SUBJECT:** Question with Notice - Clr Hagarty

Despite gardening and other maintenance of roundabouts being performed by Council staff, Council outsources the weeding of roundabouts to external contractors.

**QUESTIONS**

How many times in the last 12 months have Council staff had to perform remediation weeding on roundabouts that had already been weeded by external contractors?

What is the estimated cost to ratepayers and Council (including salaries and wages) of performing this additional work?

**RESPONSE**

Council staff have not had to undertake any remediation work on Roundabouts over the past 12 months that had already been serviced by external contractors.

The previous Streetscape Weed Control contract finished on the 30<sup>th</sup> of June 2018. The new contract commenced on the 22<sup>nd</sup> of October 2018. Council staff undertook increased servicing frequency during the period where there was no contractor engaged.

The Streetscape Weed Control contract requires the contractor to attend nominated sites on a monthly basis to remove weeds and litter.

Council staff attend these sites on a quarterly basis to undertake horticultural maintenance that includes pruning, mulching or replanting if required.

**ITEM NO:** QWN 03  
**FILE NO:** 327350.2018  
**SUBJECT:** Question with Notice - Clr Ayyad

**QUESTION**

Please address the following:

1. Can the Mayor approve to spend Council money without council approving it? Yes or no?

**RESPONSE**

Pursuant to s.226(d) of the *Local Government Act 1993*, in cases of necessity, and subject to the matter being considered a policy matter, the answer to the question is “yes”.

**ITEM NO:** QWN 04  
**FILE NO:** 330062.2018  
**SUBJECT:** Question with Notice - Clr Harle

### **Recreational Areas**

Several complaints have been received from residents adjoining the Chipping Norton Recreational Areas, in particular Black Muscat Park, raising re-occurring issues of excessive noise, loud music, open fires and objectionable smoke and unauthorised use of portable generators to power Public Address Systems.

During 2016 and 2017 Council had successfully implemented a program of using security firms to patrol these areas on Saturday and Sunday mornings, including Public Holidays, to prevent unauthorised groups setting up PA systems and illegally roping off areas for their exclusive use without obtaining Council permission.

Please address the following:

1. Can Council re-introduce the security contractors to prevent the issues that have re-occurred over the last 12 months so that residents and recreational users are treated fairly?
2. What are the budget implications, and can these be met from the current budget?

### **RESPONSE**

Recreation Services have responded to increasing reports of amplified music being played by picnickers in Black Muscat Park on some Sundays by re-engaging Southern Cross Protection to provide patrol services.

Since Sunday 30 September 2018 Council has engaged security for 8 hours (8am to 4pm) each Sunday and public holiday with the following instructions:

- The main source of noise complaints has been the Black Muscat Park area so this should be the main focus of patrols. However, it is requested that general patrolling of the entire Chipping Norton Lakes precinct also occur.
- The security officer will be in the park to provide education to people on harmonious park use, and to advise park users bringing in amplified music equipment that these are not permitted. Security personnel should aim to engage with people bringing amplifying equipment into the park before they have taken it out of their vehicle to minimise potential conflict.

- ESCALATION - Significant noise issues and matters of public disorder would still be referred to Liverpool police for assistance where the security personnel are unable to achieve cooperation. Where an enforcement situation escalates into a matter of public disorder security guards are required to:
  1. Withdraw from the confrontation – where safe to do so, gain footage of any disruptive behaviour.
  2. Contact Liverpool Police – (02) 9765 9499
  3. Contact Council via the 1300 36 2170 after hours number
  4. Provide Council with a detailed written report of the incident

It is understood by Council that noise was reported by neighbouring residents on Sunday 4 November despite a guard being present on this day. This matter has been followed up with Southern Cross Protection who have identified that the guard did instruct a number of groups to turn off music on a number of occasions and they complied. Recreation Services have raised this matter with Southern Cross Protection who have informed Council that they have provided Black Muscat guards with further briefings on the requirements of this role.

**ITEM NO:** QWN 05  
**FILE NO:** 333010.2018  
**SUBJECT:** Question with Notice - Clr Hagarty

**BACKGROUND**

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?
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?

**A response to these questions will be provided in the 6 February 2019 Council meeting business papers.**

**ITEM NO:** QWN 06  
**FILE NO:** 334087.2018  
**SUBJECT:** Question with Notice - Clr Hadchiti

**QUESTION**

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?

**A response to these questions will be provided in the 6 February 2019 Council meeting business papers.**









**PRESENTATIONS**

Mayor Waller commented on being invited to the International Over 50's Cricket World Cup match between Pakistan and England at Rosedale Oval and performing the coin toss at the match.

Mayor Waller passed on compliments from the organisers of the event on the condition of Rosedale Oval and that the oval was a wonderful venue.

Clr Hagarty also commented that he had performed the coin toss at the first game of the International Over 50's Cricket World Cup match, between South Africa and Wales, and supported Mayor Waller's comments relating to the condition of Rosedale Oval.



























**ITEM NO:** EGROW 02  
**FILE NO:** 311848.2018  
**SUBJECT:** Draft Liverpool Local Environmental Plan 2008 Amendment 71 - Rezoning of certain lands in Preston for Environmental Conservation - Post-exhibition report

**RECOMMENDATION**

That Council:

1. Notes the Gateway Determination (and gateway alteration) for Liverpool Local Environmental Plan 2008 Amendment 71 and the submissions received;
2. Approves the planning proposal and delegates to the CEO to liaise with the Parliamentary Counsel's Office and Department of Planning and Environment to finalise Liverpool Local Environmental Plan 2008 Amendment 71; and
3. Notify the submitters of Council's decision.

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

That Council move into Closed Session to discuss this item.

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

**Mayor Waller called a recess of Council at 8.25pm.**

**Mayor Waller reopened the meeting at 8.32pm.**

Council moved into Closed Session at 8.32pm to deal with Item EGROW 02 Draft Liverpool Local Environmental Plan 2008 Amendment 71 - Rezoning of certain lands in Preston for Environmental Conservation - Post-exhibition report pursuant to:

- s10(A)(2)(g) of the Local Government Act because it contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

**Cllr Hadchiti arrived at the meeting at 8.32pm.**

**COUNCIL DECISION**

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

That Council defer Item EGROW 02 until the Court has finalised its decision.

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

**Vote for:**

- Mayor Waller**
- Clr Hadchiti**
- Clr Hadid**
- Clr Hagarty**
- Clr Harle**
- Clr Karnib**
- Clr Rhodes**

**Vote against:**

- Clr Ayyad**
- Clr Kaliyanda**
- Clr Shelton**



**Council moved back into Open Session at 8.49pm.**

Mayor Waller read the resolution (as shown on page 53 of the minutes) passed for item EGROW 02 Draft Liverpool Local Environmental Plan 2008 Amendment 71 - Rezoning of certain lands in Preston for Environmental Conservation - Post-exhibition report.

**THE MEETING CLOSED AT 8.49pm.**

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 6 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 12 December 2018. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.